

FINAL BILL REPORT

HB 1246

C 176 L 03

Synopsis as Enacted

Brief Description: Authorizing the department of natural resources to accept gifts of aquatic land.

Sponsors: By Representatives Linville, Schoesler, Rockefeller, Sump, Orcutt, Quall, Upthegrove and Mielke; by request of Commissioner of Public Lands.

House Committee on Agriculture & Natural Resources
Senate Committee on Natural Resources, Energy & Water

Background:

The Legislature has delegated to the Department of Natural Resources (DNR) the responsibility for managing the state's aquatic lands for the benefit of the public. The management of aquatic lands must support a balance of goals, including the encouragement of public access, the fostering of water-dependent uses, the utilization of renewable resources, and the generation of revenue. Revenues generated from the state's aquatic lands are generally directed to be used for public benefits, such as shoreline access, environmental protection, and recreational opportunities. The DNR may lease aquatic lands, and exchange state-owned aquatic lands for privately owned lands.

The DNR is expressly authorized to accept several types of lands as gifts or bequests. These include gifts of land used for mining and gifts of land that promote reforestation. The DNR also has a general authority to accept land on behalf of the state. Land accepted under this provision is subject to approval by the Attorney General, and any revenue generated from these lands is added to the DNR's trust holdings.

Summary:

The DNR is authorized to accept gifts of aquatic lands. All gifts received will become part of the state's aquatic land base.

The DNR is required to develop procedures and criteria that state the manner in which aquatic land gifts may occur. No individual aquatic parcel may be accepted by the DNR until four events occur:

1. An appraisal of the land's value has been prepared.
2. An environmental site assessment has been prepared.
3. The Attorney General has examined and approved the property's title report.

4. The appraisal, site assessment, and title report are submitted to the Board of Natural Resources.

The authority to accept aquatic lands retroactively applies to lands accepted prior to the effective date of this act.

Votes on Final Passage:

House 94 0

Senate 47 0

Effective: July 27, 2003