
**Agriculture & Natural
Resources Committee**

HB 1252

Brief Description: Making technical, nonsubstantive, corrections to and recodifying various department of natural resources' public land statutes.

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

Brief Summary of Bill

- Consolidates and updates the statutory language that governs the Department of Natural Resources' upland proprietary responsibilities without making substantive changes.

Hearing Date: 2/11/03

Staff: Jason Callahan (786-7117).

Background:

The Legislature created the Department of Natural Resources (DNR) in 1957, and assigned to it the responsibility to manage the state's upland properties for the benefit of the designated trust beneficiaries. The DNR carries out these proprietary functions separate from their regulatory and aquatic land management responsibilities.

The proprietary duties of the DNR cover most aspects of land ownership. The Legislature has enacted statutes guiding the DNR's land management that include policies on sales procedures, sustainable harvest requirements, land platting, leasing procedures, oil and gas development, prospecting and mining, coal mining, land sales and exchanges, land acquisition, easements, and geothermal resources.

Much of the statutory law governing DNR's land management duties was originally enacted in the Public Lands Act of 1927. Statutes governing DNR's land management and other duties are primarily codified in three titles of the Revised Code of Washington: Title 43 (State Government-Executive), Title 76 (Forests and Forest Products), and Title 79 (Public Lands).

The Commissioner of Public Lands has the duty to report to the Legislature any recommendations for statutory change relating to the handling of public lands (RCW 79.01.744).

Summary of Bill:

Statutes governing DNR management of state uplands are reorganized without substantive change. Nonsubstantive revisions eliminate outdated terms and regroup like subjects.

Specifically, the legislation:

- Consolidates, in Title 79, all provisions concerning management of uplands belonging to or held in trust by the state and administered by DNR.
- Creates individual chapters limited to one major subject.
- Groups provisions concerning certain discrete subjects into subchapters within chapters.
- Consolidates provisions relating to overall responsibilities of the Commissioner of Public Lands and the DNR in Title 43.
- Consolidates provisions concerning trust funds and other funds.
- Moves provisions concerning marine plastic debris to join other provisions concerning aquatic lands.
- Rewrites provisions in gender-neutral terms and groups commonly used definitions.

Appropriation: None.

Fiscal Note: Not Requested.

Effective Date: The bill takes effect ninety days after adjournment of session in which bill is passed.