

SENATE BILL REPORT

SB 6124

As of January 12, 2004

Title: An act relating to the clarification of certain definitions in Title 79 RCW and related public land statutes.

Brief Description: Clarifying the definitions of certain natural resources terms.

Sponsors: Senators Morton, Doumit, Hewitt, T. Sheldon, Oke and Fraser; by request of Commissioner of Public Lands.

Brief History:

Committee Activity: Natural Resources, Energy & Water: 1/14/04.

SENATE COMMITTEE ON NATURAL RESOURCES, ENERGY & WATER

Staff: Vic Moon (786-7469)

Background: In 2003, the Legislature passed a major recodification of Title 79, which is the public lands statute. This is the statute that gives authority to the Department of Natural Resources to manage over 5 million acres of state-owned land. This includes both uplands and aquatic lands.

It became clear in the recodification process that different types of law apply to different categories of lands and that a clear definition of what is meant by public land, state land, aquatic land, state forest land and other types of lands is necessary.

There have been numerous attempts over the last 50 years to come up with uniform definitions for state and public lands. This is a task which has to be addressed title by title, and the revisions that have been worked on by the Department of Natural Resources in 2003 on Title 79 relate only to the definition of state land and public land in that title and not to any other statute.

The updating of definitions for Title 79 does not affect the Department of Natural Resources' management of the various types of land, but will make the existing management laws easier to understand and to apply.

Summary of Bill: The definition of "public lands" is broadened to include all lands of the state of Washington administered by the Department of Natural Resources. The definition of "state lands" is redefined to include all public lands, except for aquatic lands and those lands administered by the department that are devoted to or reserved for particular use by law, such as natural area preserves, natural resource conservation areas and land bank.

The terms are adjusted throughout Title 79 so that there is a consistent use of the phrase "public land" and "state-owned land" managed by the department.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.