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**SUBSTITUTE SENATE BILL 5437**

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**State of Washington**

**59th Legislature**

**2005 Regular Session**

**By** Senate Committee on Natural Resources, Ocean & Recreation  
(originally sponsored by Senators Doumit, Swecker, Jacobsen, Oke and  
Shin)

READ FIRST TIME 03/02/05.

1 AN ACT Relating to construction of bridges and trestles; and  
2 amending RCW 79.91.100.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 79.91.100 and 1982 1st ex.s. c 21 s 57 are each  
5 amended to read as follows:

6 (1) Counties, cities, towns, and other municipalities shall have  
7 the right to construct bridges and trestles across waterways heretofore  
8 or hereafter laid out under the authority of the state of Washington,  
9 and over and across any (~~tide or shore lands and harbor areas of~~)  
10 tidelands, shorelands, bedlands, or harbor areas owned and managed by  
11 the state adjacent thereto over which the projected line or lines of  
12 highway will run, if such bridges or trestles are constructed in good  
13 faith for the purpose of being made a part of the constructed line of  
14 such a highway, (~~upon payment for any such right of way and~~) upon  
15 payment for any natural resources damages to those aquatic lands  
16 affected not already covered by an approved state or federal regulatory  
17 mitigation plan. Such a right must be granted by easement and no  
18 charge may be made to the county, city, town, or other municipality,  
19 for such an easement. The department may recover only its reasonable

1 direct administrative costs incurred in processing and approving the  
2 request or application, and reviewing plans for construction of the  
3 bridge or trestle.

4 (2) For purposes of this section, "direct administrative costs"  
5 means the cost of hours worked directly on an application or request,  
6 based on salaries and benefits, plus travel reimbursement and other  
7 actual out-of-pocket costs. Direct administrative costs recovered by  
8 the department must be deposited into the resource management cost  
9 account.

10 (3) No later than December 1, 2008, the department shall deliver a  
11 report to the appropriate fiscal and policy committees of the senate  
12 and house of representatives regarding the collection of direct  
13 administrative costs as described in this section.

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