

# HOUSE BILL REPORT

## HB 1106

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### As Passed Legislature

**Title:** An act relating to sale, lease, and disposal of lands within the Seashore Conservation Area.

**Brief Description:** Authorizing disposal of property within the Seashore Conservation Area to resolve boundary disputes.

**Sponsors:** Representatives Takko, Orcutt and Blake; by request of Parks and Recreation Commission.

#### **Brief History:**

##### **Committee Activity:**

Environment: 1/25/11, 2/1/11 [DP].

##### **Floor Activity:**

Passed House: 2/28/11, 96-1.

Passed Senate: 4/11/11, 45-0.

Passed Legislature.

#### **Brief Summary of Bill**

- Allows the State Parks and Recreation Commission to dispose of land within the Seashore Conservation Area to resolve property ownership disputes, if certain conditions are met.

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### HOUSE COMMITTEE ON ENVIRONMENT

**Majority Report:** Do pass. Signed by 15 members: Representatives Upthegrove, Chair; Rolfes, Vice Chair; Short, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Crouse, Fitzgibbon, Jacks, Jinkins, Morris, Moscoso, Nealey, Pearson, Takko, Taylor and Tharinger.

**Staff:** Courtney Barnes (786-7194).

#### **Background:**

Seashore Conservation Area.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

The Seashore Conservation Area (Seashore) was established in 1967, dedicating the public beaches on the Pacific Ocean to public recreation. The State Parks and Recreation Commission (Commission) is authorized to oversee the Seashore under principles established in statute. Except for specific authorized purposes, land within the Seashore may not be sold or leased. The Commission may exchange land within the Seashore to settle property disputes.

#### Parkland Acquisition Account.

The Parkland Acquisition Account is an appropriated account to be used solely for the purchase or acquisition of property for use as state park property by the Commission, as directed by the Legislature.

#### **Summary of Bill:**

The Commission may directly dispose of up to five contiguous acres of land within the Seashore, without public auction, to resolve trespass, property ownership disputes, and boundary adjustments with adjacent property owners. Land may only be disposed of after appraisal and for at least fair market value, and only if the transaction is in the best interest of the state. Conveyance documents must be executed by the Governor.

All proceeds from land disposal within the Seashore must be paid into the Parkland Acquisition Account for reinvestment in land located inside or within one mile of the Seashore.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

#### **Staff Summary of Public Testimony:**

(In support) The bill allows land to be sold within the Seashore if there is an encroachment issue. Other land within state parks may already be sold where there is an encroachment issue, but land within the Seashore may only be exchanged. The bill allows up to five contiguous acres to be sold, but most land encroachments are only a few thousand square feet. Property exchanges for a few thousand square feet are very difficult. The bill will help the Commission streamline the process for boundary adjustments.

(Opposed) None.

**Persons Testifying:** Representative Takko, prime sponsor; and Deb Wallace and Steve Hahn, Washington State Parks.

**Persons Signed In To Testify But Not Testifying:** None.