
SENATE BILL 5224

State of Washington

67th Legislature

2021 Regular Session

By Senators Hunt and Wilson, C.; by request of Department of Natural Resources

Read first time 01/14/21. Referred to Committee on Agriculture, Water, Natural Resources & Parks.

1 AN ACT Relating to protecting land survey reference markers; and
2 amending RCW 58.09.100, 58.24.020, 58.24.030, 58.24.040, 58.24.050,
3 58.24.060, and 58.24.070.

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

5 **Sec. 1.** RCW 58.09.100 and 1973 c 50 s 10 are each amended to
6 read as follows:

7 The charge for filing any record of survey and/or record of
8 corner information shall be fixed by the board of county
9 commissioners, in addition to any other fees provided by law.

10 **Sec. 2.** RCW 58.24.020 and 1987 c 466 s 5 are each amended to
11 read as follows:

12 The department of natural resources is designated as the official
13 agency for surveys and maps. The commissioner of public lands shall
14 appoint an advisory board of five members, (~~the majority~~) all of
15 whom shall be (~~registered~~) licensed professional (~~engineers or~~)
16 land surveyors, who shall serve at the pleasure of the commissioner.
17 Members of the board shall serve without salary but are to receive
18 travel expenses in accordance with RCW 43.03.050 and 43.03.060 as now
19 existing or hereafter amended while actively engaged in the discharge
20 of their duties.

1 **Sec. 3.** RCW 58.24.030 and 1987 c 466 s 6 are each amended to
2 read as follows:

3 The commissioner of public lands, the department of natural
4 resources, and the advisory board are authorized to cooperate and
5 advise with various departments and subdivisions of the state,
6 counties, municipalities, and (~~registered~~) licensed engineers or
7 land surveyors of the state for the following purposes:

8 (1) The recovery of (~~section corners~~) land boundary marks of
9 the public land survey system established by the federal government's
10 general land office and its successor the bureau of land management,
11 or other land boundary marks;

12 (2) The establishment of a statewide program for the
13 preservation, monumentation, and documentation of accepted
14 (~~section~~) public land survey system corners, roadway alignment,
15 survey control, and other boundary and reference marks(~~;~~~~said~~). The
16 monumentation shall be adequately connected to (~~adjusted United~~
17 ~~States coast and geodetic survey triangulation stations~~) the
18 national spatial reference system as established by the national
19 geodetic survey and the coordinates of the monuments computed to
20 conform with the Washington plane coordinate system in accordance
21 with the provisions of chapter 58.20 RCW, as derived from chapter
22 168, Laws of 1945;

23 (3) For facilitation and encouragement of the use of the
24 Washington (~~state~~) plane coordinate system; and

25 (4) For promotion of the use of the (~~level net~~) vertical datum
26 as established by the (~~United States coast and~~) national geodetic
27 survey.

28 **Sec. 4.** RCW 58.24.040 and 1987 c 466 s 7 are each amended to
29 read as follows:

30 The agency designated by RCW 58.24.020 is further authorized to:

31 (1) Set up standards of accuracy and methods of procedure;

32 (2) Compile and publish maps and records from surveys performed
33 under the provisions of this chapter, and to maintain suitable
34 indexes of surveys to prevent duplication of effort and to cooperate
35 with all agencies of local, state, and federal government to this
36 end;

37 (3) Compile and maintain records of all surveys performed under
38 the provisions of this chapter, and assemble and maintain records of
39 all reliable survey monuments and bench marks within the state;

1 (4) Collect and preserve information obtained from surveys
2 locating and establishing land monuments and land boundaries;

3 (5) Supervise the sale and/or distribution of cadastral and
4 geodetic survey data, and such related survey maps and publications
5 as may come into the possession of the department of natural
6 resources. Revenue derived from the sale thereof shall be deposited
7 in the surveys and maps account in the general fund;

8 (6) Supervise the sale and/or distribution of maps, map data,
9 photographs, and such publications as may come into the possession of
10 the department of natural resources.

11 (7) Submit, as part of the biennial report of the commissioner of
12 public lands, a report of the accomplishments of the agency;

13 (8) ~~((Permit))~~ Authorize the temporary removal or destruction of
14 any ~~((section corner or any other))~~ land boundary mark or monument by
15 any person, corporation, association, department, or subdivision of
16 the state, county, or municipality as may be necessary or desirable
17 to accommodate construction, mining, and other development of any
18 land: PROVIDED, That such ~~((section corner or other))~~ land boundary
19 mark or monument shall be referenced to the Washington plane
20 coordinate system ((by a registered professional engineer or land
21 surveyor)) prior to such removal or destruction(, and)). The land
22 boundary removed or destroyed shall be replaced or a suitable
23 reference monument established ~~((by a registered professional~~
24 ~~engineer or land surveyor))~~ within a reasonable time after completion
25 of such construction, mining, or other development(~~(÷)~~). The removal,
26 referencing, and replacement of the land boundary mark or monument
27 shall be accomplished under the responsible charge of a licensed
28 professional land surveyor under the authority of chapter 18.43 RCW,
29 or a licensed professional engineer authorized to practice surveying
30 either in the county right-of-way as a county road engineer under the
31 authority of RCW 36.75.110 and 36.86.050, or in the state right-of-
32 way as an employee of the Washington state department of
33 transportation under the authority of RCW 47.36.010; AND PROVIDED
34 FURTHER, That the department of natural resources shall adopt and
35 promulgate reasonable rules and regulations under which the agency
36 shall authorize such temporary removal or destruction and require the
37 replacement of such ~~((section corner or other))~~ land boundary marks
38 or monuments.

1 **Sec. 5.** RCW 58.24.050 and 1982 c 165 s 5 are each amended to
2 read as follows:

3 All employees who are in responsible charge of work under the
4 provisions of this chapter shall be licensed professional (~~engineers~~
5 ~~or~~) land surveyors. The commissioner of public lands must appoint a
6 licensed professional land surveyor, to be known as the state
7 surveyor, to carry out the duties of the department of natural
8 resources under chapters 58.09, 58.20, and 58.24 RCW.

9 **Sec. 6.** RCW 58.24.060 and 2015 c 12 s 2 are each amended to read
10 as follows:

11 There is created in the state treasury the surveys and maps
12 account which shall be a separate account consisting of funds
13 received or collected under this chapter and chapters 43.92((~~7~~)) and
14 58.22((~~7~~ and ~~58.24~~)) RCW, and moneys appropriated to it by law. This
15 account shall be used exclusively by the department of natural
16 resources for carrying out the purposes and provisions of this
17 chapter and chapters 43.92((~~7~~)) and 58.22((~~7~~ and ~~58.24~~)) RCW.
18 Appropriations from the account shall be expended for no other
19 purposes. The department shall use moneys in the account for the
20 purposes for which they were obtained without appropriation by the
21 legislature. On a yearly basis an agency may not, except as provided
22 in RCW 46.68.045, expend more than 10 percent of the funds it
23 receives under this chapter for general administration expenses
24 incurred in carrying out this chapter.

25 **Sec. 7.** RCW 58.24.070 and 1987 c 466 s 9 are each amended to
26 read as follows:

27 (~~A fee set by the board of natural resources~~) (1) In addition
28 to the fee specified in RCW 58.09.100, a surcharge of \$10.00 shall be
29 charged by each county auditor, in addition to any other fees
30 required by law, as a condition precedent to the filing and recording
31 of (~~any surveys, subdivision plats, short plats, and condominium~~
32 surveys, plats, or maps)) each document recorded. Such funds shall be
33 forwarded monthly to the state treasurer to be deposited in the
34 surveys and maps account in the general fund. The fees shall be
35 verified in the same manner as other fees collected by the county
36 auditor. Fees collected under this section shall be expended by the
37 department only for the activities prescribed in this chapter.

1 (2) The surcharge imposed in this section does not apply to (a)
2 assignments or substitutions of previously recorded deeds of trust,
3 (b) documents recording a birth, marriage, divorce, or death, (c) any
4 recorded documents otherwise exempted from a recording fee or
5 additional surcharges under state law, (d) marriage licenses issued
6 by the county auditor, or (e) documents recording a state, county, or
7 city lien or satisfaction of lien.

--- END ---