
**Community Development, Housing &
Tribal Affairs Committee**

HB 1704

Brief Description: Regarding notice required by the parks and recreation commission.

Sponsors: Representatives Angel, Pike and Johnson.

Brief Summary of Bill

- Requires the State Parks and Recreation Commission (State Parks) to provide written notice to certain local government entities before it disposes land or initiates the closure of a state park.
- Requires the State Parks to respond to certain local government entities that have requested to negotiate with the State Parks over the disposal of land or closure of a state park.

Hearing Date: 2/19/13

Staff: Sean Flynn (786-7124).

Background:

The State Parks and Recreation Commission (State Parks) owns and manages a diverse system of parks with many different types of facilities and historic buildings and a variety of recreation programs. The State Parks operate 116 open and developed parks and owns other undeveloped state lands.

Park Management.

Park management responsibilities include improving park lands and building and maintaining structures, roadways and trails within state parks. The State Parks employees have police powers to enforce general state laws as well as specific infractions relating to the damage of the State Park property.

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.

Disposal of Lands.

The State Parks may dispose of lands under its control in several ways. Lands may be transferred that are surplus to the needs of the state for park purposes. For such transfers, the State Parks must retain a reversionary interest if the land is not used for outdoor recreation purposes.

The State Parks may also dispose of lands that cannot advantageously be used for parks purposes. Lands without specific restrictions may be sold to the highest bidder after making a public solicitation for bids. Small parcels may be sold without a public auction in order to resolve boundary disputes with adjacent land owners.

The State Parks may exchange lands after holding a public hearing on the proposed exchange in the county where the state land is mostly located.

Notice of Disposal.

The State Parks must provide written notice of any proposed sale, exchange or transfer of land to any counties, cities, or towns in which the land is located. The notice must be provided at least 60 days before entering into any disposition agreement.

Summary of Bill:

Notice of Disposal.

The State Parks must provide 60 day written notice of any proposed sale, exchange or transfer of land to any of the following entities in which the land is located:

- counties, cities, or towns;
- port districts;
- parks and recreation districts; or
- other municipal corporations that may acquire or improve outdoor recreation land.

Any entity entitled to notice may request to enter into negotiations with the State Parks regarding the proposed disposition. The State Parks must respond to any request before entering into a disposition agreement if the request is made within 30 days after notice is provided.

Notice of Park Closure.

The State Parks must provide 60 day written notice to any of the following entities in which a park is located before it initiates action to close or cease management operations of any state park for a period longer than 12 months or indeterminate period:

- counties, cities, or towns;
- port districts;
- parks and recreation districts; or
- other municipal corporations that may acquire or improve outdoor recreation land.

Any entity entitled to notice may request to enter into negotiations for a management agreement regarding the park. The State Parks must respond to any request before initiating action if the request is made within 30 days after notice is provided. Any management agreement must require that management responsibilities revert back to the State Parks if the land is not used for outdoor purposes.

Appropriation: None.

Fiscal Note: Requested on February 15, 2013.

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