

HOUSE BILL REPORT

SSB 5179

As Reported By House Committee On:
Natural Resources

Title: An act relating to the authority of the parks and recreation commission.

Brief Description: Creating Title 79A RCW, Public Recreational Lands.

Sponsors: Senate Committee on Natural Resources, Parks & Recreation (originally sponsored by Senators Oke and Jacobsen).

Brief History:

Committee Activity:

Natural Resources: 3/23/99, 3/31/99 [DPA].

Brief Summary of Substitute Bill
(As Amended by House Committee)

- Statutes pertaining to state parks and recreation are placed together into a new title, 79A RCW.

HOUSE COMMITTEE ON NATURAL RESOURCES

Majority Report: Do pass as amended. Signed by 11 members: Representatives Buck, Republican Co-Chair; Regala, Democratic Co-Chair; Anderson, Democratic Vice Chair; Sump, Republican Vice Chair; G. Chandler; Clements; Doumit; Eickmeyer; Ericksen; Pennington and Stensen.

Staff: Bill Lynch (786-7092).

Background:

Statutes which govern state parks are spread throughout different titles of the code. Some of these statutes contain obsolete provisions or are difficult to understand. Statutes which give certain powers or responsibilities to the Parks and Recreation Commission (commission) or the director are not referenced in the general chapter pertaining to parks and recreation.

When a tract of land of 100 acres or less is bounded on two or more sides by an established state park, the commission may lease, purchase, or condemn the tract of land for park purposes and incorporate it within the adjoining park if the commission determines that the land is desirable for state park purposes. This authority only extends to land located in counties composed entirely of islands.

The commission may direct the Commissioner of Public Lands to withdraw land from a sale. The land withdrawn from a sale becomes under the control of the commission. The commission may exchange the land for land of equal value, but the land which is acquired in the exchange must abut upon a public highway.

The commission is required to designate and preserve certain forest areas throughout the state as natural forests or natural areas for interpretation, study, and preservation purposes. There is no statutory definition for "natural forest."

Summary of Amended Bill: Statutes pertaining to state parks and recreation are placed together into a new title, 79A RCW. Obsolete language is deleted and language is added to provide greater clarity.

The authority for the State Parks and Recreation Commission to obtain tracts of land of 100 acres or less bounded on two or more sides by an established state park for state park purposes in a county composed entirely of islands is repealed.

The commission may exchange land it has obtained from the Commissioner of Public Lands, because it was withdrawn from a sale, for other land of equal value regardless of whether it abuts upon a public highway.

A natural forest is defined as a forest that faithfully represents, or is meant to become representative of, its unaltered state.

Amended Bill Compared to Substitute Bill: The condemnation statute restricted to counties entirely composed of islands is repealed. Other technical changes are made.

Appropriation: None.

Fiscal Note: Requested on February 22, 1999.

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

Testimony For: (Original bill) The recodification of these sections into a single title will make the law much easier to find and understand. Archaic language is removed and incorrect citations are fixed to eliminate confusion and add greater clarity in this area. This will give the Parks and Recreation Commission greater flexibility to accomplish its mission. Access to property not abutting a public highway may be obtained by an easement. The condemnation statute pertaining to counties composed of islands is obsolete.

Testimony Against: None.

Testified: (In support) Senator Bob Oke, prime sponsor; and Rex Derr, Parks and Recreation Commission.

(Neutral) David Johnson, Senate staff.