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HOUSE BILL 2923

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State of Washington

56th Legislature

2000 Regular Session

By Representatives Crouse, Ruderman and Morris

Read first time 01/24/2000. Referred to Committee on Technology,  
Telecommunications & Energy.

1 AN ACT Relating to public utility rights of way on aquatic lands;  
2 and amending RCW 79.90.470.

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

4 **Sec. 1.** RCW 79.90.470 and 1984 c 221 s 5 are each amended to read  
5 as follows:

6 The use of state-owned aquatic lands for public utility lines owned  
7 by a governmental entity, a cooperative association formed under  
8 chapter 23.86 RCW, a mutual corporation or association formed under  
9 chapter 24.06 RCW, or a public service company subject to regulation by  
10 the Washington utilities and transportation commission shall be granted  
11 without charge by an agreement, permit, or other instrument if the use  
12 is consistent with the purposes of RCW 79.90.450 through 79.90.460 and  
13 does not obstruct navigation or other public uses. Use for public  
14 parks or public recreation purposes shall be granted without charge if  
15 the aquatic lands and improvements are available to the general public  
16 on a first-come, first-served basis and are not managed to produce a  
17 profit for the operator or a concessionaire. The department may lease  
18 state-owned tidelands that are in front of state parks only with the  
19 approval of the state parks and recreation commission. The department

1 may lease bedlands in front of state parks only after the department  
2 has consulted with the state parks and recreation commission.

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