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ENGROSSED SENATE BILL 6161

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State of Washington                      52nd Legislature                      1992 Regular Session

By Senators Oke and Sutherland; by request of Department of Natural Resources

Read first time 01/20/92. Referred to Committee on Environment & Natural Resources.

1            AN ACT Relating to the disposition of real property by the  
2 commissioner of public lands; adding a new section to chapter 43.30  
3 RCW; adding a new section to chapter 79.01 RCW; and declaring an  
4 emergency.

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

6            NEW SECTION.    **Sec. 1.** A new section is added to chapter 43.30 RCW  
7 to read as follows:

8            (1) The legislature finds that the department of natural resources  
9 has a need to maintain the real property asset base it manages and  
10 needs an accounting mechanism to complete transactions without reducing  
11 the real property asset base.

12            (2) The natural resources real property replacement account is  
13 created in the state treasury. This account shall consist of funds  
14 transferred or paid for the nonpermanent disposal or transfer of any

1 real property administered by the department of natural resources under  
2 section 2 of this act. The funds in this account shall be used solely  
3 for the acquisition of replacement real property. The disbursement  
4 from the account shall be on the authorization of the commissioner of  
5 public lands or the commissioner's designee without necessity of  
6 appropriation.

7 NEW SECTION. **Sec. 2.** A new section is added to chapter 79.01 RCW  
8 to read as follows:

9 (1) The department of natural resources may with the approval of  
10 the board of natural resources make direct transfers or dispositions of  
11 real property, without public auction, including transfers in lieu of  
12 condemnations, transfers to public agencies, and transfers to resolve  
13 trespass and property ownership disputes, where such transfers or  
14 dispositions are nonpermanent. Real property transfers or dispositions  
15 shall be deemed to be nonpermanent transfers or dispositions where the  
16 consideration transferred or paid for the transfer or disposal is  
17 deposited into the natural resources real property replacement account  
18 under section 1 of this act and used by the department to acquire  
19 replacement real property. Real property to be transferred or disposed  
20 of under this section shall be transferred or disposed of only after  
21 appraisal and for at least fair market value, and only if such  
22 transaction is in the best interest of the state or affected trust.

23 (2) For the purposes of this section, "public agency" means any  
24 agency, political subdivision, or unit of local government of this  
25 state including, but not limited to, municipal corporations, quasi-  
26 municipal corporations, special purpose districts, and local service  
27 districts; any agency of the state government; any agency of the United  
28 States; and any Indian tribe recognized as such by the federal  
29 government.

1        NEW SECTION.    **Sec. 3.**        This act is necessary for the immediate  
2 preservation of the public peace, health, or safety, or support of the  
3 state government and its existing public institutions, and shall take  
4 effect immediately.