

HOUSE BILL REPORT

SHB 1491

As Passed Legislature

Title: An act relating to recodification of aquatic lands statutes.

Brief Description: Reorganizing aquatic lands statutes.

Sponsors: By House Committee on Natural Resources, Ecology & Parks (originally sponsored by Representatives B. Sullivan, Kretz, Upthegrove, Orcutt, Eickmeyer and Buck; by request of Commissioner of Public Lands).

Brief History:

Committee Activity:

Natural Resources, Ecology & Parks: 2/1/05, 2/15/05 [DPS].

Floor Activity:

Passed House: 3/8/05, 98-0.

Passed Senate: 4/6/05, 46-0.

Passed Legislature.

Brief Summary of Substitute Bill

- Consolidates and updates the statutory language that governs the Department of Natural Resources' management of aquatic lands without making substantive changes.

HOUSE COMMITTEE ON NATURAL RESOURCES, ECOLOGY & PARKS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives B. Sullivan, Chair; Upthegrove, Vice Chair; Buck, Ranking Minority Member; Kretz, Assistant Ranking Minority Member; Blake, DeBolt, Dickerson, Eickmeyer, Hunt, Orcutt and Williams.

Staff: Jason Callahan (786-7117).

Background:

The Legislature created the Department of Natural Resources (DNR) in 1957, and assigned to it the responsibility for managing the state's aquatic lands for the benefit of the public. The DNR manages over two million acres of tidelands, shorelands, and bedlands. This includes the beds of all navigable rivers and lakes, along with the beds below the Puget Sound.

The management of aquatic lands must support a balance of goals, including the encouragement of public access, the fostering of water-dependent uses, the utilization of

renewable resources, and the generation of revenue. Revenues generated from the state's aquatic lands are generally directed to be used for public benefits, such as shoreline access, environmental protection, and recreational opportunities. Under current law, the DNR may lease aquatic lands, and exchange state-owned aquatic lands for privately owned lands. The DNR may also accept gifts of aquatic lands.

Most of the structure that outlines the DNR's duties and responsibilities is codified in Title 79 of the Revised Code of Washington, which was last rewritten in 1982.

Summary of Substitute Bill:

Statutes governing the DNR's management of aquatic lands are reorganized without substantive change. Non-substantive revisions eliminate outdated terms and antiquated provisions, create gender neutrality, and regroup like subjects.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: This is a policy neutral rewrite of the aquatics code. The draft has been circulated to stakeholders and no concerns have been expressed nor policy changes identified.

Testimony Against: None.

Persons Testifying: Representative Sullivan, prime sponsor; and Loren Stern, Department of Natural Resources.

Persons Signed In To Testify But Not Testifying: None.