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ENGROSSED SUBSTITUTE SENATE BILL 6532

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State of Washington

60th Legislature

2008 Regular Session

By Senate Natural Resources, Ocean & Recreation (originally sponsored by Senators Haugen and Keiser)

READ FIRST TIME 02/07/08.

1 AN ACT Relating to the management of state-owned aquatic lands by  
2 cities for the purposes of operating a publicly owned marina; adding a  
3 new section to chapter 79.105 RCW; and providing an expiration date.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 79.105 RCW  
6 to read as follows:

7 (1)(a) A city with a population between twenty thousand and twenty-  
8 five thousand on the effective date of this section and that currently  
9 operates a publicly owned marina may enter into a reduced fee lease  
10 authorizing the city to use state-owned aquatic lands for the purpose  
11 of operating a publicly owned marina. The office of financial  
12 management's population estimate must be used to determine a city's  
13 population for purposes of this section. The lease period may not  
14 exceed twenty years.

15 (b) No rent is due the state for the use of state-owned aquatic  
16 lands for the first ten years under such a lease. During subsequent  
17 years under such a lease, rent is due for only those lands that have  
18 been included under a previous aquatic land lease for the marina. The  
19 lease may not be renewed, extended, or put into holdover.

1 (2) A city choosing to enter into a lease as provided in subsection  
2 (1) of this section must do so within one year of the effective date of  
3 this section. Prior to entering into such a lease, the city must be in  
4 good standing with the department and must have paid all amounts owed  
5 the department including any accrued interest.

6 (3) State-owned aquatic lands that may be included in the lease are  
7 limited only to those lands included in the most recent expired lease  
8 with the city for the marina, along with any state-owned aquatic lands  
9 immediately adjacent to those lands. Only those marina operations  
10 conducted directly by the city may be included within the leased area.

11 (4) If a city chooses to enter into an agreement as provided in  
12 subsection (1) of this section, the city is not eligible to apply for  
13 grants from the aquatic lands enhancement account created under RCW  
14 79.105.150 for the first ten years of the lease.

15 (5) Upon expiration of the twenty-year lease, the city may enter  
16 into a new lease for the use of state-owned aquatic lands or vacate the  
17 lands as agreed to in the expiring lease. To ensure the consistent  
18 state-wide application of aquatic land management principles, the new  
19 lease must be completed in accordance with all applicable sections of  
20 this title.

21 (6) This section expires July 1, 2029.

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