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HOUSE BILL 2485

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State of Washington

61st Legislature

2010 Regular Session

By Representatives Kretz and Taylor

Prefiled 12/22/09. Read first time 01/11/10. Referred to Committee on Agriculture & Natural Resources.

1 AN ACT Relating to purchase of land by the department of fish and  
2 wildlife; amending RCW 77.12.037; and adding a new section to chapter  
3 77.12 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 77.12 RCW  
6 to read as follows:

7 (1) The department may not purchase a privately owned parcel of  
8 land in excess of five contiguous acres, or multiple parcels that  
9 together exceed five contiguous acres in size, in any county in which  
10 public land, federal land, and tribal land together constitute more  
11 than seventy percent of the total upland land mass of the county,  
12 except under the provisions of subsection (2) of this section.

13 (2) The department may purchase more than five contiguous acres  
14 under the provisions of this section if:

15 (a) The legislature takes specific action directing the department  
16 to make the purchase; and

17 (b) The appropriate county legislative authority or authorities  
18 consent to the transaction.

1 (3) When any land is purchased by the department, the department  
2 must post a bond or otherwise financially guarantee that the land will  
3 be managed for the control of noxious weeds and the maintenance of  
4 forest health. The bond or financial guarantee is to be determined by  
5 the appropriate county legislative authority and must be based upon the  
6 size of the parcel.

7 (4) Nothing in this section affects the ability of the department  
8 to enter into a long-term lease or easement that secures public access  
9 to private property.

10 **Sec. 2.** RCW 77.12.037 and 2000 c 107 s 4 are each amended to read  
11 as follows:

12 (1) Consistent with section 1 of this act, the commission may  
13 acquire by gift, easement, purchase, lease, or condemnation lands,  
14 buildings, water rights, rights-of-way, or other necessary property,  
15 and construct and maintain necessary facilities for purposes consistent  
16 with this title. The commission may authorize the director to acquire  
17 property ((under)) consistent with section 1 of this act and this  
18 section, but the power of condemnation may only be exercised by the  
19 director when an appropriation has been made by the legislature for the  
20 acquisition of a specific property, except to clear title and acquire  
21 access rights-of-way.

22 (2) The commission may sell, lease, convey, or grant concessions  
23 upon real or personal property under the control of the department.

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