

HOUSE BILL REPORT

HB 1286

As Passed House:
March 5, 2013

Title: An act relating to the sale or exchange of unused department of transportation lands to federally recognized Indian tribes.

Brief Description: Authorizing the sale or exchange of unused department of transportation lands to federally recognized Indian tribes.

Sponsors: Representatives Sawyer, Dahlquist, McCoy, Clibborn, Jinkins, Ryu, Liias, Zeiger, Tharinger, Santos and Pollet.

Brief History:

Committee Activity:

Community Development, Housing & Tribal Affairs: 1/30/13, 2/5/13 [DP];
Transportation: 2/18/13, 2/21/13 [DP].

Floor Activity:

Passed House: 3/5/13, 67-29.

Brief Summary of Bill

- Authorizes the Secretary of the Washington State Department of Transportation (WSDOT) to transfer and convey unused WSDOT land to a federally recognized Indian tribe.

HOUSE COMMITTEE ON COMMUNITY DEVELOPMENT, HOUSING & TRIBAL AFFAIRS

Majority Report: Do pass. Signed by 8 members: Representatives McCoy, Chair; Appleton, Vice Chair; Angel, Ranking Minority Member; Johnson, Assistant Ranking Minority Member; Pike, Ryu, Santos and Sawyer.

Minority Report: Do not pass. Signed by 1 member: Representative Haler.

Staff: Sean Flynn (786-7124).

HOUSE COMMITTEE ON TRANSPORTATION

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Majority Report: Do pass. Signed by 23 members: Representatives Clibborn, Chair; Fey, Vice Chair; Liias, Vice Chair; Moscoso, Vice Chair; Angel, Bergquist, Farrell, Fitzgibbon, Freeman, Habib, Johnson, Kochmar, Moeller, Morris, O'Ban, Riccelli, Rodne, Ryu, Sells, Takko, Tarleton, Upthegrove and Zeiger.

Minority Report: Do not pass. Signed by 8 members: Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Hayes, Klippert, Kretz, Kristiansen and Shea.

Staff: Andrew Russell (786-7143).

Background:

The Secretary of Transportation may transfer and convey any unused state-owned real property under the jurisdiction of the Washington State Department of Transportation (DOT) to a federal agency or instrumentality, another state agency, any county or city or port district of the state, or any public utility company, when the transfer and conveyance is consistent with public interest.

Summary of Bill:

The Secretary of Transportation may transfer and convey any unused state-owned real property under its jurisdiction to a federally recognized Indian tribe when the transfer and conveyance is consistent with public interest.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony (Community Development, Housing & Tribal Affairs):

(In support) The law allowing government bodies to exchange land was extended to include tribes. The DOT has its own statutory authority to dispose lands. This is a very good piece of public policy.

(Opposed) None.

Staff Summary of Public Testimony (Transportation):

(In support) Transfers to tribes just make sense sometimes. There are protections for the state in that it has to be beneficial to the state. This is a basic co-management bill.

The Washington State Department of Transportation (WSDOT) wanted to be able to transfer ownership of property to tribes, who were not one of the agencies eligible to receive property. This is a six-word bill that would allow tribes to enter into contracts with the

WSDOT to convey land. This bill is important for Indian tribes because property alignment would allow safety adjustments to state highways.

(Opposed) None.

Persons Testifying (Community Development, Housing & Tribal Affairs): Representative Sawyer, prime sponsor; and Rick Jensen, Muckleshoot Tribe.

Persons Testifying (Transportation): Representative Sawyer, prime sponsor; Rick Jensen, Muckleshoot Tribe; and Michael Moran, Samish Tribe and Quinault Nation.

Persons Signed In To Testify But Not Testifying (Community Development, Housing & Tribal Affairs): None.

Persons Signed In To Testify But Not Testifying (Transportation): None.