

NEW SECTION. Sec. 4. Within thirty days from the effective date of this act, the secretary of state shall transfer all records in his possession relating to conveyances made to the state to the planning and community affairs agency for their use in building and maintaining an inventory of state owned or controlled land resources.

NEW SECTION. Sec. 5. Section 43.09.350, chapter 8, Laws of 1965 and RCW 43.09.350 are each hereby repealed.

Passed the Senate March 19, 1969.

Passed the House March 29, 1969.

Approved by the Governor April 7, 1969.

Filed in office of Secretary of State April 7, 1969.

CHAPTER 54

[Engrossed Substitute Senate Bill No. 201]

SECOND CLASS SHORELANDS--
SALE, LEASE, PLATTING

AN ACT Relating to certain public lands; and amending section 121, chapter 255, Laws of 1927 and RCW 79.01.484; and declaring an emergency.

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

Section 1. Section 121, chapter 255, Laws of 1927 and RCW 79.01.484 are each amended to read as follows:

If (Whenever) application is made to purchase or lease any shorelands of the second class (~~(or-whenver)~~) and the (~~(commissioner of-public-lands)~~) department of natural resources shall deem it for the best public interest (~~(of-the-state)~~) to offer (~~(any)~~) said shorelands of the second class for sale or lease, (~~(he)~~) the department shall cause a notice to be (~~(personally)~~) served upon the abutting upland owner if he be a resident of this state, or if the upland owner be a nonresident of this state, shall mail to his last known post office address, as reflected in the county records a copy of a notice notifying him that (~~(application-has-been-made-for-the-purchase of-such-shorelands-or-that-the-commissioner-deems-it-for-the-best interest-of)~~) the state (~~(to-sell-the-same,-as-the-case-may-be)~~) is offering such shorelands for sale or lease, giving a description and the department's appraised fair market value of such shorelands for sale or lease, (~~(in-no-case-less-than-five-dollars-per-linear-chain~~

~~frontage))~~ and notifying such upland owner that he has a preference right to purchase or lease said shorelands at the appraised value thereof for a period of thirty days from the date of the service or mailing of said notice (~~((7-and-no-such-shorelands-shall-be-offered-for-sale,-or-sold,-to-any-other-person-than-the-abutting-upland-owner-until-after-the-expiration-of-said-thirty-days-from-the-date-of-the-service-or-mailing-of-such-notice:--If--the--upland-owner--is--a~~ nonresident of this state and his address is unknown to the commissioner of public lands, notice to him shall not be necessary or required)). If at the expiration of the thirty days from the service or mailing of the notice, as above provided, the abutting upland owner has failed to avail himself of his preference right to purchase or lease ((and paid)) or to pay to the ((commissioner of public lands) department) the appraised value for sale or lease of the shorelands described in said notice, then in that event, except as otherwise provided in this section, said shorelands may be offered for sale or lease and sold or leased in the manner provided for the sale or lease of state lands (~~((7-other-than-capital-building-lands))~~).

The department of natural resources shall authorize the sale or lease, whether to abutting upland owners or others, only if such sale or lease would be for the best public interest. It is the intent of the legislature that whenever it is in the best public interest, the shorelands of the second class managed by the department of natural resources shall not be sold but shall be maintained in public ownership for the use and benefit of the people of the state.

If, following an application by the abutting upland owner to either purchase or obtain an exclusive lease at appraised full market value or rental, the department deems that such sale or lease is not in the best public interest; or if property rights in state-owned second class shorelands are at any time withdrawn, sold or assigned in any manner authorized by law to a public agency for a use by the general public, the department shall within one hundred eighty days from receipt of such application to purchase or lease, or on reaching

a decision to withdraw, sell, or assign such shorelands to a public agency:

(1) Make a formal finding that the body of water adjacent to such shorelands is navigable;

(2) Find that the state or the public has an overriding interest inconsistent with a sale or exclusive lease to a private person, and specifically identify such interest and the factor or factors amounting to such inconsistency; and

(3) Provide for the review of said decision in accordance with the procedures prescribed by RCW 34.04.

Notwithstanding the above provisions, the (~~commissioner-of public-lands~~) department may cause any of such shorelands ((7)) to be platted as is provided for the platting of shorelands of the first class, and when so platted such lands shall be sold or leased in the manner (~~in-this-chapter~~) provided for the sale or lease of shorelands of the first class.

NEW SECTION. Sec. 2. This 1969 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the Senate April 1, 1969
Passed the House March 29, 1969
Approved by the Governor April 8, 1969
Filed in office of Secretary of State April 8, 1969

CHAPTER 55
[Engrossed Senate Bill No. 492]
WASHINGTON STATE SEASHORE
CONSERVATION AREA

AN ACT Relating to seashore conservation area; amending sections 2, 3, 4, 5, 6 and 8, chapter 120, Laws of 1967 and RCW 43.51.655, 43.51.660, 43.51.665, 43.51.670, 43.51.675 and 43.51.685; adding a new section to chapter 120, Laws of 1967 and to chapter 43.51 RCW; and repealing sections 9, 11, 12 and 13, chapter 120, Laws of 1967 and RCW 43.51.690, 43.51.695, 43.51.700 and 43.51.705.

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