

CHAPTER 386.

[ S. B. 361. ]

NAVIGABLE WATERS—STATE TIDELANDS AND SHORELANDS—SALE OF ROCK, GRAVEL, ETC.

AN ACT relating to the sale of rock, gravel, sand and silt from the beds of navigable waters and tidelands and shorelands owned by the state on a royalty basis and adding new sections to Chapter 79.16 RCW.

*Be it enacted by the Legislature of the State of Washington:*

Authority to contract for removal and sale of rock, sand, etc.

SECTION 1. The commissioner of public lands, upon application by any person, firm, or corporation, may enter into a contract or lease providing for the removal and sale of rock, gravel, sand and silt located upon beds of navigable waters and any tidelands and shorelands owned by the state and providing for payment to be made therefor by such royalty as the commissioner may fix.

Application; contents of.

SEC. 2. Each application made pursuant to section 1 hereof shall set forth the estimated quantity and kind of materials desired to be removed and shall be accompanied by a map or plat showing the area from which the applicant wishes to remove such materials. The commissioner of public lands may in his discretion include in any lease or contract entered into pursuant to this act, such terms and conditions protecting the interests of the state as he may require. In each such lease or contract the commissioner of public lands shall provide for a right of forfeiture by the state, upon a failure to operate under the lease or contract or pay royalties for periods therein stipulated, and he shall require a bond with a surety company authorized to transact a surety business in this state, as surety, to secure the performance of the terms and conditions of such contract or lease, including the payment of royalties. The right of forfeiture shall be exercised by entry

Right of forfeiture included.

Bond requirement.

of a declaration of forfeiture in the records of the commissioner of public lands. The amount of rock, gravel, sand, or silt taken under the contract or lease shall be reported monthly by the purchaser to the commissioner of public lands and payment therefor made on the basis of the royalty provided in the lease or contract.

Declaration of forfeiture.

Monthly report.

SEC. 3. The commissioner of public lands may inspect and audit books, contracts and accounts of each person removing rock, gravel, sand, or silt pursuant to any such lease or contract and make such other investigation and secure or receive any other evidence necessary to determine whether or not the state is being paid the full amount payable to it for the removal of such materials.

Inspection and auditing of records authorized.

Passed the Senate February 24, 1955.

Passed the House March 7, 1955.

Approved by the Governor March 22, 1955.

CHAPTER 387.

[ Sub. S. B. 432. ]

PUBLIC LANDS—RESERVATION OF TIDELANDS FOR RECREATIONAL USE.

AN ACT relating to public lands; withdrawing certain tidelands of the state from sale or lease; and authorizing the director of fisheries to provide rights of way and docks.

*Be it enacted by the Legislature of the State of Washington:*

SECTION 1. The following described tidelands, being public lands of the state, are withdrawn from sale or lease and reserved as public areas for recreational use and for the taking of fish and shell fish for personal use as defined in RCW 75.04.070:

Tidelands withdrawn from sale or lease—reserved as public areas for recreational use.

Parcel No. 1. (Point Whitney) The tidelands of the second class, owned by the state of Washington, situate in front of, adjacent to or abutting upon lots

Description. Parcel No. 1. Point Whitney.