

## CHAPTER 163.

[Senate Bill No. 88.]

## ALIENS—LAND OWNERSHIP.

AN ACT relating to the ownership of land; amending section 1, chapter 111, Laws of 1895 and RCW 64.16.140; amending section 22, chapter 255, Laws of 1927 as amended by section 3, chapter 257, Laws of 1959, and RCW 79.01.088; amending section 143, chapter 255, Laws of 1927 and RCW 79.01.572; amending section 1, chapter 131, Laws of 1955 and RCW 79.14.010; adding a new section to chapter 64.16 RCW; repealing section 1, chapter 50, Laws of 1921 as last amended by section 1, chapter 255, Laws of 1955, and RCW 64.16.010; repealing sections 2, 3, 5, 6, 7 and 9, chapter 50, Laws of 1921 and RCW 64.16.020, 64.16.030, 64.16.070, 64.16.090, 64.16.100 and 64.16.120; repealing section 11, chapter 50, Laws of 1921 [uncodified]; repealing section 4, chapter 50, Laws of 1921 as amended by section 1, chapter 111, Laws of 1933 and RCW 64.16.080; repealing section 8, chapter 50, Laws of 1921 as amended by section 4, chapter 220, Laws of 1937 and RCW 64.16.110; repealing section 10, chapter 50, Laws of 1921 as amended by section 1, chapter 11, Laws of 1953 and RCW 64.16.130; repealing section 2, chapter 10, Laws of 1953 [uncodified]; repealing sections 1 and 2, chapter 70, Laws of 1923 and RCW 64.16.040 and 64.16.050; repealing section 2, chapter 220, Laws of 1937 and RCW 64.16.060; repealing section 5, chapter 220, Laws of 1937 [uncodified]; repealing section 1, chapter 9, Laws of 1953 and RCW 64.16.150; repealing section 1, chapter 56, Laws of 1965 and RCW 79.01.614 [uncodified]; and declaring an emergency.

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

Section 1. This act is adopted by the legislature to implement amendment 42 to the state Constitution approved by the voters of the state on November 8, 1966. Amendment 42 removed constitutional restrictions against alien ownership of land by repealing Article II, section 33 of the state Constitution, as amended and Amendments 24 and 29.

Aliens—Land  
ownership.  
Purpose of act.

Sec. 2. There is added to chapter 64.16 RCW a new section to read as follows:

New section.

Aliens' rights  
concerning  
land.

Any alien may acquire and hold lands, or any right thereto, or interest therein, by purchase, devise or descent; and he may convey, mortgage and devise the same, and if he shall die intestate, the same shall descend to his heirs, and in all cases such lands shall be held, conveyed, mortgaged or devised, or shall descend in like manner and with like effect as if such alien were a native citizen of this state or of the United States.

RCW 64.16.140  
amended.

Sec. 3. Section 1, chapter 111, Laws of 1895 and RCW 64.16.140 are each amended to read as follows:

Validation of  
prior convey-  
ances of land  
involving  
aliens.

All lands and all estates or interests in lands, within the state of Washington, which were conveyed or attempted to be conveyed to, or acquired or attempted to be acquired by, any alien or aliens, prior to the date of the adoption of this act, are hereby confirmed to the respective persons at present owning or claiming to own the title thereto derived by, through or under any such alien ownership or attempted ownership, to the extent that title was vested in or conveyed by said alien or aliens: *Provided*, That nothing in this section shall be construed to affect, adversely or otherwise, any title to any such lands, or to any interest or estate therein, held or claimed by any private person or corporation adversely to the title hereby confirmed.

RCW 79.01.088  
amended.

Sec. 4. Section 22, chapter 255, Laws of 1927 as amended by section 3, chapter 257, Laws of 1959, and RCW 79.01.088 are each amended to read as follows:

Public lands,  
purchase or  
lease.

Any person desiring to purchase any state lands, or to purchase any tide or shore lands, or to purchase any timber, fallen timber, stone, gravel or other valuable materials situated on state, tide or shore lands, or to lease any state, tide or shore lands, or harbor areas, shall file in the office of the commissioner of public lands an application, on the

proper form and in case of application for the purchase of lands, or for the purchase of timber, fallen timber, stone, gravel or other valuable materials, shall deposit with the application not less than ten cents per acre for the land or material applied for, but in no case less than ten dollars, and in case of application for lease for any purpose, except mining of valuable minerals or coal, or extraction of petroleum or gas, shall deposit the sum of ten dollars, which deposit shall be returned to the applicant in case the land or materials applied for is sold, or the land or area leased, when offered pursuant to the application, but in case the land or material is not sold, or the land or area not leased, by reason of the failure of the applicant to bid the appraised value, or the fixed rental thereof, when the same is offered, the deposit shall be forfeited to the state and paid into the state treasury to the credit of the general fund.

Sec. 5. Section 143, chapter 255, Laws of 1927 and RCW 79.01.572 are each amended to read as follows:

RCW 79.01.572 amended.

Any person desiring to lease lands for the purpose of planting and cultivating thereon oyster beds or for the purpose of cultivating clams and other edible shellfish, shall file with the commissioner of public lands, on a proper form an application in writing signed by the applicant and accompanied by a map of the land desired to be leased, describing the lands by metes and bounds tied to at least two United States government corners, and by such reference to local geography as shall suffice to convey a knowledge of the location of the lands with reasonable accuracy to persons acquainted with the vicinity, and accompanied by a deposit of ten dollars which deposit shall be returned to the applicant in case a lease is not granted.

Beds of navigable waters—  
Lease.

**NOTE:** See also section 2, chapter 228, Laws of 1967.

RCW 79.14.010  
amended.

Sec. 6. Section 1, chapter 131, Laws of 1955 and RCW 79.14.010 are each amended to read as follows:

Public lands—  
Oil and gas  
leases—Defini-  
tions.

Whenever used in this chapter, unless the context otherwise requires, words and terms shall have the meaning attributed to them herein:

(1) "Public lands": Lands and areas belonging to or held in trust by the state, including tide and submerged lands of the Pacific Ocean or any arm thereof and lands of every kind and nature including mineral rights reserved to the state.

(2) "Commissioner": The commissioner of public lands of the state of Washington.

Repeal.

Sec. 7. The following acts and parts of acts and RCW sections are hereby repealed:

(1) Section 1, chapter 50, Laws of 1921 as last amended by section 1, chapter 255, Laws of 1955 and RCW 64.16.010;

(2) Sections 2, 3, 5, 6, 7 and 9, chapter 50, Laws of 1921 and RCW 64.16.020, 64.16.030, 64.16.070, 64.16.090, 64.16.100 and 64.16.120;

(3) Section 11, chapter 50, Laws of 1921 [uncodified];

(4) Section 4, chapter 50, Laws of 1921 as amended by section 1, chapter 111, Laws of 1933 and RCW 64.16.080;

(5) Section 8, chapter 50, Laws of 1921 as amended by section 4, chapter 220, Laws of 1937 and RCW 64.16.110;

(6) Section 10, chapter 50, Laws of 1921 as amended by section 1, chapter 11, Laws of 1953 and RCW 64.16.130;

(7) Section 2, chapter 10, Laws of 1953 [uncodified];

(8) Sections 1 and 2, chapter 70, Laws of 1923 and RCW 64.16.040 and 64.16.050;

(9) Section 2, chapter 220, Laws of 1937 and RCW 64.16.060;

(10) Section 5, chapter 220, Laws of 1937 [uncodified];

(11) Section 1, chapter 9, Laws of 1953 and RCW 64.16.150;

(12) Section 1, chapter 56, Laws of 1965 and RCW 79.01.614.

Sec. 8. This act is necessary for the immediate Emergency. preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Sec. 9. If any provision of this act, or its applica- Severability. tion to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

Passed the Senate March 3, 1967.

Passed the House March 3, 1967.

Approved by the Governor March 21, 1967.