

government and its existing public institutions, and shall take effect immediately.

Passed the House May 25, 1983.

Passed the Senate May 25, 1983.

Approved by the Governor June 13, 1983.

Filed in Office of Secretary of State June 13, 1983.

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## CHAPTER 2

### [Reengrossed Substitute Senate Bill No. 3290] AQUATIC LANDS—LEASES

AN ACT Relating to aquatic lands; creating new sections; repealing section 2, chapter 97, Laws of 1979 ex. sess., section 2, chapter 117, Laws of 1982, section 176, chapter 21, Laws of 1982 1st ex. sess and RCW 79.01.525; providing an expiration date; and declaring an emergency.

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

NEW SECTION. Sec. 1. From April 3, 1982, until September 30, 1984, the annual rent for an existing lease, renewed lease, or release of public tidelands, shorelands, beds of navigable waters, and harbor areas shall be the rent paid on such lease on January 1, 1981, which may be increased up to six percent per year, not compounded, from April 3, 1982, until September 30, 1984. From April 3, 1982 until September 30, 1984, the annual rent for a new lease entered into after January 1, 1981, shall be the rent paid January 1, 1981, for comparable public tidelands, shorelands, beds of navigable waters, and harbor areas leased for similar purposes. From April 3, 1982, until September 30, 1984, such rent on new leases may be increased up to six percent per year, not compounded, from the January 1, 1981 rent paid. The annual rent paid on January 1, 1981, means the actual rent paid on that date including any stair-stepped or other incremental rent payments of the full rental value. Any lessee of public tidelands, shorelands, beds of navigable waters and harbor areas paying more than the rent permitted under this section shall receive a credit, in the appropriate amount, on future rent owing for such lease or any other leases entered into by the lessee on public tidelands, shorelands, beds of navigable waters, and harbor areas: **PROVIDED**, That if any such leases terminate prior to the lessee being granted full credit for the overpaid rent, the lessee shall be reimbursed for the remaining overpayment in money. This section does not apply to geoduck harvesting, clam harvesting, or oyster bed leases which are established by a competitive bid process.

The department of natural resources shall adopt and implement rules to implement this section, including methods and procedures for establishing rent, within ninety days of the effective date of this act. This section shall have both retrospective and prospective effect. This section shall expire and have no further legal effect after September 30, 1984.

NEW SECTION. Sec. 2. The abutting residential owner to state-owned shorelands, tidelands, or related beds of navigable waters, other than harbor areas, may install and maintain without charge a dock on such areas if used exclusively for private recreational purposes and the area is not subject to prior rights. This permission is subject to applicable local regulation governing construction, size, and length of the dock. This permission may be revoked by the department upon finding of public necessity which is limited to the protection of waterward access or ingress rights of other landowners or public health and safety. The revocation may be appealed as a contested case under chapter 34.04 RCW. Nothing in this section prevents the abutting owner from obtaining a lease if otherwise provided by law.

NEW SECTION. Sec. 3. Section 2, chapter 97, Laws of 1979 ex. sess., section 2, chapter 117, Laws of 1982, section 176, chapter 21, Laws of 1982 1st ex. sess. and RCW 79.01.525 are each repealed.

NEW SECTION. Sec. 4. This 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 May 25, 1983.

Passed the House May 25, 1983.

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## CHAPTER 3

[2nd Reengrossed Senate Bill No. 3909]

TAXES—GENERAL REVISIONS—BORDER COUNTIES—TELEPHONE  
SERVICES—AIRCRAFTS—BOATS—TIMBER

AN ACT Relating to revenue and taxation; amending section 3, chapter 65, Laws of 1970 ex. sess. as amended by section 1, chapter 9, Laws of 1983 and RCW 82.04.255; amending section 82.04.290, chapter 15, Laws of 1961 as last amended by section 2, chapter 9, Laws of 1983 and RCW 82.04.290; amending section 3, chapter 9, Laws of 1983 and RCW 82.04....; amending section 3, chapter 130, Laws of 1975-'76 2nd ex. sess. as last amended by section 4, chapter 9, Laws of 1983 and RCW 82.04.2901; reenacting and amending section 16, chapter 10, Laws of 1982 as last amended by section 4, chapter \_\_\_ (SSB 3244), Laws of 1983 1st ex. sess. and by section 4, chapter \_\_\_ (SHB 72), Laws of 1983 1st ex. sess. and RCW 82.04.260; amending section 31, chapter 35, Laws of 1982 1st ex. sess. as last amended by section 8, chapter 7, Laws of 1983 and RCW 82.02.030; amending section .14.02, chapter 79, Laws of 1947 as last amended by section 1, chapter 10, Laws of 1982 2nd ex. sess. and RCW 48.14.020; amending section 2, chapter 278, Laws of 1957 as last amended by section 18, chapter 35, Laws of 1982 1st ex. sess. and RCW 54.28.020; amending section 6, chapter 366, Laws of 1977 ex. sess. as amended by section 19, chapter 35, Laws of 1982 1st ex. sess. and RCW 54.28.025; amending section 24—A added to chapter 62, Laws of 1933 ex. sess. by section 3, chapter 158, Laws of 1935 as last amended by section 23, chapter 35, Laws of 1982 1st ex. sess. and RCW 66.24.210; amending section 24, chapter 62, Laws of 1933 ex. sess. as last amended by section 24, chapter 35, Laws of 1982 1st ex. sess. and RCW 66.24.290; amending section 82.08.150, chapter 15, Laws of 1961 as last amended by section 3, chapter 35, Laws of 1982 1st ex. sess. and RCW 82.08.150; amending section 82.16.020, chapter 15, Laws of 1961 as last