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**SUBSTITUTE HOUSE BILL 2533**

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**State of Washington**

**52nd Legislature**

**1992 Regular Session**

**By** House Committee on Natural Resources & Parks (originally sponsored by Representatives Riley, Rasmussen, Wynne and Morton; by request of Department of Natural Resources)

Read first time 02/07/92.

1       AN ACT Relating to the disposition of real property by the  
2 commissioner of public lands; adding a new section to chapter 43.30  
3 RCW; adding a new section to chapter 79.01 RCW; and declaring an  
4 emergency.

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

6       NEW SECTION.   **Sec. 1.** A new section is added to chapter 43.30 RCW  
7 to read as follows:

8       (1) The legislature finds that the department of natural resources  
9 has a need to maintain the real property asset base it manages and  
10 needs an accounting mechanism to complete transactions without reducing  
11 the real property asset base.

12       (2) The natural resources real property replacement account is  
13 created in the state treasury. This account shall consist of funds  
14 transferred or paid for the nonpermanent disposal or transfer of real

1 property by the department of natural resources under section 2 of this  
2 act. The funds in this account shall be used solely for the  
3 acquisition of replacement real property. The disbursement from the  
4 account shall be on the authorization of the commissioner of public  
5 lands or the commissioner's designee without necessity of  
6 appropriation.

7 NEW SECTION. **Sec. 2.** A new section is added to chapter 79.01 RCW  
8 to read as follows:

9 (1) For the purposes of this section, "public agency" means any  
10 agency, political subdivision, or unit of local government of this  
11 state including, but not limited to, municipal corporations, quasi-  
12 municipal corporations, special purpose districts, and local service  
13 districts; any agency of the state government; any agency of the United  
14 States; and any Indian tribe recognized as such by the federal  
15 government.

16 (2) With the approval of the board of natural resources, the  
17 department of natural resources may directly transfer or dispose of  
18 real property, without public auction, in the following circumstances:

19 (a) Transfers in lieu of condemnations;

20 (b) Transfers to public agencies; and

21 (c) Transfers to resolve trespass and property ownership disputes.

22 (3) Real property transfers or dispositions made under this section  
23 must be nonpermanent. Such transfers or dispositions shall be deemed  
24 nonpermanent transfers or dispositions when the consideration  
25 transferred or paid is deposited into the natural resources real  
26 property replacement account created under section 1 of this act and  
27 used by the department to acquire replacement real property.

28 (4) Real property to be transferred or disposed of under this  
29 section shall be transferred or disposed of only after appraisal and

1 for at least fair market value, and only if such transaction is in the  
2 best interest of the state or affected trust.

3 NEW SECTION. **Sec. 3.** This act is necessary for the immediate  
4 preservation of the public peace, health, or safety, or support of the  
5 state government and its existing public institutions, and shall take  
6 effect immediately.