

# FINAL BILL REPORT

## SHB 2338

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Synopsis as Enacted

**Brief Description:** Allowing the parks and recreation commission to dispose of certain real property without an auction.

**Sponsors:** By House Committee on Natural Resources (originally sponsored by Representatives Alexander, Regala, Haigh, Ruderman and Parlette; by request of Parks and Recreation Commission).

**House Committee on Natural Resources**  
**Senate Committee on Natural Resources, Parks & Recreation**

### **Background:**

There are two methods for the disposal of surplus park lands. The Parks and Recreation Commission may either sell property to the highest bidder or exchange the land for another parcel. There is no expedited method for the disposal of property in order to resolve property disputes.

The option of selling property requires a sealed bidding process. Bids must be solicited through a newspaper advertisement at least 20 days in advance of the sale. If the commission feels that none of the bids reflect the fair value of the land, it may reject the bids and call for new bids. Sale of land requires the unanimous consent of the commission. Proceeds from the sale of such lands are deposited into the park land acquisition account, which funds the purchase of replacement land.

In order to exchange property, the commission must determine whether the land being offered for exchange is adaptable to park usage and whether the parcels are of equal value. The parcels must be appraised in order to ensure that they are of equal value. Prior to exchanging land, the commission must hold a public hearing on the proposed exchange. A land exchange may be challenged in court if the established notice and hearing procedures are not followed. Land exchanges also must be approved with the unanimous consent of the commission.

### **Summary of Bill:**

The Parks and Recreation Commission is authorized to dispose of up to ten contiguous acres of land without an auction in order to resolve trespass property ownership disputes and boundary adjustments with adjacent private property owners. Such disposal may only occur after an appraisal, for at least fair market value, when

disposal is in the best interest of the state, and with the unanimous consent of the commission. The determination of fair market value may include the use of separate appraisals.

The commission must cooperate with potential purchasers to find a mutually agreeable sales price. Proceeds from such disposals must be deposited into the park land acquisition account.

Public notice and a hearing procedure must be followed prior to the disposal of property. These requirements are similar to the procedures required for land exchanges. A land disposal that does not comply with these requirements may be declared invalid by a court.

**Votes on Final Passage:**

House 95 0

Senate 43 0 (Senate Amended)

House 81 0 (House Concurred)

**Effective:** June 8, 2000