

SENATE BILL REPORT

SB 5209

As Reported By Senate Committee On:
Transportation, January 21, 2002

Title: An act relating to the sale of surplus real property by the department of transportation.

Brief Description: Allowing federally recognized Indian tribes to buy surplus real property from the department of transportation.

Sponsors: Senators T. Sheldon, Swecker, Regala, Rossi, Prentice and Costa.

Brief History:

Committee Activity: Transportation: 2/6/01, 2/19/01 [DP]; 1/21/02 [DPS].

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: That Substitute Senate Bill No. 5209 be substituted therefor, and the substitute bill do pass.

Signed by Senators Haugen, Chair; Gardner, Vice Chair; Benton, Eide, Horn, Kastama, Keiser, McDonald, Oke, Prentice, T. Sheldon, Shin and Swecker.

Staff: Mike Groesch (786-7434)

Background: Under current law, when the Department of Transportation determines it no longer needs real property for transportation purposes, it may sell the land through auction or directly to a limited class of purchasers. RCW 47.12.063 outlines the entities or persons that may purchase surplus real property directly from the Department of Transportation, including state agencies, municipal corporations, persons with abutting property and former owners.

Summary of Substitute Bill: A federally recognized tribe is allowed to purchase surplus Department of Transportation land within its exterior reservation boundary.

Substitute Bill Compared to Original Bill: The term "exterior" is deleted and "reservation boundary" is defined as property designated through federal law or by the Secretary of Interior.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Currently, the Bureau of Indian Affairs would have to purchase this land, and then sell it to the reservation. This bill goes along with the centennial accord. It makes

sense that if other governmental agencies can purchase the land that a reservation can purchase the land within its boundaries.

Testimony Against: None.

Testified: Senator T. Sheldon, prime sponsor.