

# HOUSE BILL REPORT

## ESSB 5151

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### As Reported by House Committee On: Local Government

**Title:** An act relating to disposition of surplus property by a metropolitan park district.

**Brief Description:** Changing the authority of a metropolitan park district to dispose of surplus property.

**Sponsors:** Senate Committee on Government Operations & Elections (originally sponsored by Senators Franklin, Oke, Regala, Benton, Rasmussen, Roach, Eide, Haugen, Berkey, Kline and Fairley).

#### **Brief History:**

##### **Committee Activity:**

Local Government: 2/2/05 [DP].

#### **Brief Summary of Engrossed Substitute Bill**

- Allows the board of a metropolitan park district to transfer surplus real property to a charitable organization by simple majority vote, provided the transfer of such property serves a project providing activities that benefit disadvantaged youth and involves a funding endowment of at least \$20 million.
- Requires that in the event surplus property must be sold through a public bidding process, the sale must be made to the highest *or* best bidder.

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### HOUSE COMMITTEE ON LOCAL GOVERNMENT

**Majority Report:** Do pass. Signed by 4 members: Representatives Simpson, Chair; Clibborn, Vice Chair; B. Sullivan and Takko.

**Minority Report:** Do not pass. Signed by 3 members: Representatives Schindler, Ranking Minority Member; Ahern, Assistant Ranking Minority Member; and Woods.

**Staff:** Thamas Osborn (786-7129).

#### **Background:**

Subject to certain specified conditions, metropolitan park districts may sell, exchange, or otherwise dispose of any property acquired for park or recreational purposes when such property is no longer needed for such purposes and is therefore determined to be "surplus."

The manner of disposition of such surplus property requires the *unanimous* decision of the district's Board of Park Commissioners (Board).

Under certain circumstances, and following court approval, surplus park district property must be sold by the Board through a public bidding process. In such cases, the property must be sold to the "highest *and* best bidder."

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**Summary of Bill:**

Subject to specified conditions, until December 31, 2006, the board of a metropolitan park district may transfer title to surplus real property to a charitable organization by simple *majority* vote. Such transfers require that the following conditions be met:

- the recipient charitable organization must have 501(c)(3) federal income taxation status;
- the transfer must serve a project that provides activities that benefit disadvantaged youth; and
- the project must have a funding endowment of at least \$20 million.

In the event that circumstances exist requiring that surplus property be sold through a public bidding process, the sale must be made to the "highest *or* best bidder."

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**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill contains an emergency clause and takes effect immediately.

**Testimony For:** None.

**Testimony Against:** None.

**Persons Testifying:** None.

**Persons Signed In To Testify But Not Testifying:** None.