

SENATE BILL REPORT

SB 5208

As of January 27, 2011

Title: An act relating to the sale, exchange, transfer, or lease of public property.

Brief Description: Authorizing the sale, exchange, transfer, or lease of public property.

Sponsors: Senators Chase, Swecker, Sheldon and Shin.

Brief History:

Committee Activity: Government Operations, Tribal Relations & Elections: 1/27/11.

SENATE COMMITTEE ON GOVERNMENT OPERATIONS, TRIBAL RELATIONS & ELECTIONS

Staff: Karen Epps (786-7424)

Background: The state, any municipality, or political subdivision of the state, may sell, transfer, exchange, lease, or dispose of real or personal property to the state, a political subdivision of the state, or the federal government. Additionally, the state, any municipality, or political subdivision of the state, may sell, transfer, exchange, lease, or dispose of personal property, except weapons, to a foreign entity.

The state or local government must hold a public hearing in the county where the property is located before disposing of surplus property with an estimated value greater than \$50,000. Notice must be published at least ten days, but not more than 25 days, before the hearing in a newspaper of general circulation in the area where the property is located. If the property is real property, the notice must also describe the proposed use of the lands involved. A news release must also be disseminated to the electronic media in the area where the property is located.

Summary of Bill: The state, any municipality, or political subdivision of the state, may sell, transfer, exchange, lease, or dispose of real or personal property or property rights to a federally recognized Indian tribe.

Appropriation: None.

Fiscal Note: Not requested.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: This bill authorizes state and local governments to negotiate the sale or other conveyance of property to federally-recognized Indian tribes in the same manner as they may now transfer property to other state and local governmental entities, and the federal government. The statute does not appear to presently authorize state or local governments to directly convey real or personal property to federally-recognized Indian tribes on negotiated terms. This bill would authorize conveyances that could have a beneficial fiscal impact for the state and its subdivisions. This proposed statutory amendment would allow King County to convey to the Muckleshoot Tribe county road segments located on the Tribe's reservation without the need to involve the Bureau of Indian Affairs. Additionally, the Muckleshoot Tribe has expressed an interest in purchasing unused state hatchery facilities from the Department of Fish and Wildlife (DFW) and this bill would allow DFW to sell the facilities to the Muckleshoot Tribe should it decide to do so.

Persons Testifying: PRO: Senator Chase, prime sponsor; Rick Jensen, Richard Reich, Muckleshoot Tribe.