

2 **HB 1367** - S COMM AMD
3 By Committee on Education

4 ADOPTED 4/10/97

5 Strike everything after the enacting clause and insert the
6 following:

7 "**Sec. 1.** RCW 28A.335.180 and 1991 c 116 s 1 are each amended to
8 read as follows:

9 (1) Notwithstanding any other provision of law, school districts,
10 educational service districts, or any other state or local governmental
11 agency concerned with education, when declaring texts and other books,
12 equipment, materials or relocatable facilities as surplus, shall, prior
13 to other disposal thereof, serve notice in writing in a newspaper of
14 general circulation in the school district and to any public school
15 district or private school in Washington state annually requesting such
16 a notice, that the same is available for sale, rent, or lease to public
17 school districts or approved private schools, at depreciated cost or
18 fair market value, whichever is greater: PROVIDED, That students
19 wishing to purchase texts pursuant to RCW 28A.320.230(2) shall have
20 priority as to such texts. Such districts or agencies shall not
21 otherwise sell, rent or lease such surplus property to any person,
22 firm, organization, or nongovernmental agency for at least thirty days
23 following publication of notice in a newspaper of general circulation
24 in the school district.

25 (2) In lieu of complying with subsection (1) of this section,
26 school districts and educational service districts may elect to grant
27 surplus personal property to a federal, state, or local governmental
28 entity, or to indigent persons, at no cost on the condition the
29 property be used for preschool through twelfth grade educational
30 purposes, or elect to loan surplus personal property to a nonreligious,
31 nonsectarian private entity on the condition the property be used for
32 the preschool through twelfth grade education of members of the public
33 on a nondiscriminatory basis.

34 **Sec. 2.** RCW 43.19.1919 and 1991 c 216 s 2 are each amended to read
35 as follows:

1 Except as provided in section 1 of this act and RCW 43.19.1920, the
2 division of purchasing shall sell or exchange personal property
3 belonging to the state for which the agency, office, department, or
4 educational institution having custody thereof has no further use, at
5 public or private sale, and cause the moneys realized from the sale of
6 any such property to be paid into the fund from which such property was
7 purchased or, if such fund no longer exists, into the state general
8 fund: PROVIDED, Sales of capital assets may be made by the division of
9 purchasing and a credit established in central stores for future
10 purchases of capital items as provided for in RCW 43.19.190 through
11 43.19.1939, as now or hereafter amended: PROVIDED FURTHER, That
12 personal property, excess to a state agency, including educational
13 institutions, shall not be sold or disposed of prior to reasonable
14 efforts by the division of purchasing to determine if other state
15 agencies have a requirement for such personal property. Such
16 determination shall follow sufficient notice to all state agencies to
17 allow adequate time for them to make their needs known. Surplus items
18 may be disposed of without prior notification to state agencies if it
19 is determined by the director of general administration to be in the
20 best interest of the state. The division of purchasing shall maintain
21 a record of disposed surplus property, including date and method of
22 disposal, identity of any recipient, and approximate value of the
23 property: PROVIDED, FURTHER, That this section shall not apply to
24 personal property acquired by a state organization under federal grants
25 and contracts if in conflict with special title provisions contained in
26 such grants or contracts.

27 This section does not apply to property under RCW 27.53.045."

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31 On page 1, line 1 of the title, after "property;" strike the
32 remainder of the title and insert "and amending RCW 28A.335.180 and
33 43.19.1919."

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