

# HOUSE BILL REPORT

## HB 1367

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### As Passed Legislature

**Title:** An act relating to disposal of surplus educational property.

**Brief Description:** Allowing surplus educational property to be given or loaned to entities for educational use.

**Sponsors:** By House Committee on Education (originally sponsored by Representatives Johnson, Cole, Smith, Schoesler, Poulsen, O'Brien, Linville, Costa, Blalock, Cooper, Dickerson, Dunshee, Mason, Keiser, Wensman, Wood, Kessler and Gombosky; by request of Superintendent of Public Instruction).

**Brief History:**

**Committee Activity:**

Education: 2/7/97 [DP].

**Floor Activity:**

Passed House: 3/11/97, 96-0.

Senate Amended.

House Concurred.

Passed Legislature.

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### HOUSE COMMITTEE ON EDUCATION

**Majority Report:** Do pass. Signed by 11 members: Representatives Johnson, Chairman; Hickel, Vice Chairman; Cole, Ranking Minority Member; Keiser, Assistant Ranking Minority Member; Linville; Quall; Smith; Sterk; Sump; Talcott and Veloria.

**Staff:** Joe Hauth (786-7111).

**Background:** School districts, educational service districts, or any state or local governmental agency concerned with education may declare material as surplus, including textbooks, other books, equipment, relocatable facilities (portables), or other materials. If the district or agency declares the material as surplus, then it must notify the public, and any public or private school that asks to be notified, that the surplus material is available for sale, rental, or lease at depreciated cost or fair market value, whichever is greater, to public or private schools. The district or agency must give priority to students who wish to purchase surplus textbooks, and must wait 30 days following the public notice before disposing the property.

Definitions. An approved private school meets the minimum approval standards for private schools set by the State Board of Education.

An indigent person is defined variously in statute. Generally, an indigent person is a person who is unable to afford legal or other needed services. An indigent is more broadly defined as a needy or destitute person.

Surplus personal property is any property other than real property such as books, furniture, office equipment, and educational supplies.

**Summary of Bill:** School districts, educational service districts, or any other public agency concerned with education, may sell, rent, or lease surplus educational materials at depreciated cost or fair market value to private schools that are approved by the State Board of Education.

In lieu of selling, renting, or leasing surplus educational materials at depreciated cost or fair market value, the school district or agency may grant surplus educational material to other government agencies or indigents, as long as the surplus property is used for kindergarten through 12th grade educational purposes. Alternatively, the school districts and agencies may loan surplus personal property to a private nonreligious, nonsectarian organization if the property is used to provide kindergarten through 12th grade education for members of the public on a nondiscriminatory basis.

**Appropriation:** None.

**Fiscal Note:** Available.

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

**Testimony For:** Private schools that buy, rent, or lease surplus educational property should be approved by the State Board of Education. Surplus educational property can be used beneficially by others in their educational activities.

**Testimony Against:** None.

**Testified:** Jean Ameluxen, Office of Superintendent of Public Instruction; and Stephen Dinger, Washington Federation of Independent Schools.