

CERTIFICATION OF ENROLLMENT

**HOUSE BILL 1367**

55th Legislature  
1997 Regular Session

Passed by the House April 19, 1997  
Yeas 91 Nays 0

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**Speaker of the  
House of Representatives**

Passed by the Senate April 10, 1997  
Yeas 47 Nays 0

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**President of the Senate**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1367** as passed by the House of Representatives and the Senate on the dates hereon set forth.

\_\_\_\_\_  
**Chief Clerk**

FILED

**Secretary of State  
State of Washington**

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HOUSE BILL 1367

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Passed Legislature - 1997 Regular Session

AS AMENDED BY THE SENATE

State of Washington

55th Legislature

1997 Regular Session

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

Read first time 01/23/97. Referred to Committee on Education.

1 AN ACT Relating to disposal of surplus educational property; and  
2 amending RCW 28A.335.180 and 43.19.1919.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

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

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

1 following publication of notice in a newspaper of general circulation  
2 in the school district.

3 (2) In lieu of complying with subsection (1) of this section,  
4 school districts and educational service districts may elect to grant  
5 surplus personal property to a federal, state, or local governmental  
6 entity, or to indigent persons, at no cost on the condition the  
7 property be used for preschool through twelfth grade educational  
8 purposes, or elect to loan surplus personal property to a nonreligious,  
9 nonsectarian private entity on the condition the property be used for  
10 the preschool through twelfth grade education of members of the public  
11 on a nondiscriminatory basis.

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

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

1 and contracts if in conflict with special title provisions contained in  
2 such grants or contracts.

3 This section does not apply to property under RCW 27.53.045.

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