

2 **SHB 2338** - S COMM AMD

3 By Committee on Natural Resources, Parks & Recreation

4 ADOPTED 3/1/00

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

7 "NEW SECTION. **Sec. 1.** A new section is added to chapter 79A.05
8 RCW to read as follows:

9 (1) Notwithstanding any other provision of this chapter, the
10 commission may directly dispose of up to ten contiguous acres of real
11 property, without public auction, to resolve trespass, property
12 ownership disputes, and boundary adjustments with adjacent private
13 property owners. Real property to be disposed of under this section
14 may be disposed of only after appraisal and for at least fair market
15 value, and only if the transaction is in the best interest of the
16 state. The commission shall cooperate with potential purchasers to
17 arrive at a mutually agreeable sales price. If necessary,
18 determination of fair market value may include the use of separate
19 independent appraisals by each party and the review of the appraisals,
20 as agreed upon by the parties. All conveyance documents shall be
21 executed by the governor. All proceeds from the disposal of the
22 property shall be paid into the park land acquisition account. No
23 disposal of real property may be made without the unanimous consent of
24 the commission.

25 (2) Prior to the disposal of any real property under subsection (1)
26 of this section, the commission shall hold a public hearing on the
27 proposal in the county where the real property, or the greatest portion
28 of the real property, is located. At least ten days, but not more than
29 twenty-five days, prior to the hearing, the commission shall publish a
30 paid public notice of reasonable size in display advertising form,
31 setting forth the date, time, and place of the hearing, at least once
32 in one or more daily newspapers of general circulation in the county
33 and at least once in one or more weekly newspapers circulated in the
34 area where the real property is located. A news release concerning the
35 public hearing must be disseminated among print and electronic media in
36 the area where the real property is located. The public notice and

1 news release shall also identify the real property involved in the
2 proposed disposal and describe the purpose of the proposed disposal.
3 A summary of the testimony presented at the public hearing shall be
4 prepared for the commission's consideration when reviewing the proposed
5 disposal of real property.

6 (3) If there is a failure to substantially comply with the
7 procedures set out under this section, then the agreement to dispose of
8 the real property is subject to being declared invalid by a court of
9 competent jurisdiction. Such a suit must be brought within one year of
10 the date of the real property disposal agreement."

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14 On page 1, line 1 of the title, after "property;" strike the
15 remainder of the title and insert "and adding a new section to chapter
16 79A.05 RCW."

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