

HOUSE BILL REPORT

HB 1703

As Passed House:

March 10, 1999

Title: An act relating to the disposition of state highway property.

Brief Description: Revising law governing the disposition of surplus real property.

Sponsors: Representatives Cooper, Ericksen, Mitchell and Fisher.

Brief History:

Committee Activity:

Transportation: 2/22/99, 3/1/99 [DP].

Floor Activity:

Passed House: 3/10/99, 97-0.

Brief Summary of Bill

- Allows the Regional Transit Authority to receive surplus Department of Transportation property that the state no longer needs for state highway purposes.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass. Signed by 27 members: Representatives Fisher, Democratic Co-Chair; K. Schmidt, Republican Co-Chair; Cooper, Democratic 1st Vice Chair; Edwards, Democratic 2nd Vice Chair; Ericksen, Republican Vice Chair; Hankins, Republican Vice Chair; Buck; G. Chandler; DeBolt; Fortunato; Haigh; Hatfield; Hurst; Lovick; McDonald; Mielke; Mitchell; Morris; Murray; Ogden; Pflug; Radcliff; Romero; Schindler; Scott; Skinner and Wood.

Staff: Jeff Doyle (786-7322).

Background:

The Washington State Department of Transportation (WSDOT) often acquires land in anticipation of constructing highway or transportation projects. This is referred to as

advance right of way purchase. This practice enables WSDOT to save money by purchasing the land earlier, before the land appreciates.

Occasionally, these properties owned by the state are no longer needed for future transportation projects. State law specifies a process for WSDOT to dispose of this surplus property. If WSDOT determines that the property is no longer needed for transportation purposes, they can sell the property or exchange it for other land at fair market value to the following governmental entities or persons: (1) any other state agency; (2) the city or town where the property is situated; (3) any other municipal corporation; (4) the former owner of the property from whom the state acquired title; (5) if the property is used as a residence, to the tenant of the property, so long as the tenant has lived there at least six months and paid rent on time; (6) any abutting property owner, unless there is more than one abutting property owner, in which case the auction procedure applies; (7) any other person, through written solicitation of bids; (8) any other owner of real property, where that property is required for transportation purposes; or (9) if it is residential property, any non-profit organization dedicated to affordable housing, as further specified in state law.

The law does not specify which of these entities or persons has priority to acquire WSDOT's surplus property. The proceeds from the sale of surplus properties must be deposited back into the Motor Vehicle Fund.

Currently, regional transit authorities do not fit any of the definitions of *governmental entities or persons* that have standing to acquire surplus properties from WSDOT, even though they are publicly-operated transportation providers.

Summary of Bill:

Regional transit authorities are added to the list of entities approved to acquire WSDOT surplus properties.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: This would clarify that regional transit authorities qualify to receive surplus WSDOT right of way.

Testimony Against: None.

Testified: Randy Scott, Sound Transit.