

HOUSE BILL ANALYSIS

HB 2338

Title: An act relating to disposal of real property.

Brief Description: Allowing the parks and recreation commission to dispose of certain real property without an auction.

Sponsors: Representatives Alexander, Regala, Haigh, Ruderman and Parlette; by request of Parks and Recreation Commission.

HOUSE COMMITTEE ON NATURAL RESOURCES

Meeting Date: January 21, 2000.

Bill Analysis Prepared by: Josh Weiss, Counsel (786-7129).

Background: There are two available methods for the disposal of surplus park lands. The Parks and Recreation Commission may either sell property to the highest bidder, or may exchange the land for another parcel. There is no expedited method for the disposal of property in order to resolve property disputes.

The option of selling property requires a sealed bidding process. Bids must be solicited through a newspaper advertisement at least 20 days in advance of the sale. If the commission feels that none of the bids reflect the fair value of the land, it may reject the bids and call for new bids. Sale of land requires the unanimous consent of the commission. Proceeds from the sale of such lands are deposited into the park land acquisition account, which funds the purchase of replacement land.

In order to exchange property, the commission must determine whether the land being offered for exchange is adaptable to park usage and whether the parcels are of equal value. The parcels must be appraised in order to ensure that they are of equal value. Prior to exchanging land, the commission must hold a public hearing on the proposed exchange. A land exchange may be challenged in court if the established notice and hearing procedures are not followed. Land exchanges must also be approved by the unanimous consent of the commission.

Summary of

Bill: The commission is authorized to dispose of land without an auction in order to resolve trespass and property ownership disputes, and boundary adjustments. Such disposals may only occur after an appraisal and for at least fair market value, and only if they are in the best interest of the state.

Appropriation: None.

Fiscal Note: Available.

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

Rulemaking Authority: None.