

SENATE BILL REPORT

ESHB 2716

As Reported by Senate Committee On:
Transportation, March 1, 2010

Title: An act relating to providing a right of first repurchase for surplus transportation property.

Brief Description: Providing a right of first repurchase for surplus transportation property.

Sponsors: House Committee on Transportation (originally sponsored by Representatives Shea, Condotta, Orcutt, Klippert, Johnson, McCune, Angel, Rodne, Kristiansen, Roach, Schmick, Fagan, Hasegawa, Pearson, Campbell and Warnick).

Brief History: Passed House: 2/12/10, 94-3.

Committee Activity: Transportation: 2/24/10, 3/01/10 [DP].

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass.

Signed by Senators Haugen, Chair; Marr, Vice Chair; Swecker, Ranking Minority Member; Becker, Berkey, Delvin, Eide, Hatfield, Jacobsen, Kastama, Kauffman, Kilmer, King, Ranker and Sheldon.

Staff: Amanda Cecil (786-7429)

Background: The Washington State Department of Transportation (WSDOT) acquires property for use in transportation projects. When property owned by WSDOT is no longer required for transportation purposes, it is labeled surplus property and may be sold or exchanged for the fair market value. Surplus property can be sold to any person through the solicitation of written bids through public advertising, or WSDOT may transfer surplus property to the following entities without the solicitation of bids through public advertising: any state agency, a city or county in which the property is situated, a municipal corporation, regional transit authorities, the former owner, a tenant of WSDOT who has resided on the property for at least six months, an abutting property owner, and a nonprofit group dedicated to providing affordable housing.

Summary of Bill: When WSDOT determines that property acquired by the department through condemnation is no longer needed for transportation purposes, the former owner must be notified and may purchase the land for fair market value.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: The bill takes effect on July 1, 2010.

Staff Summary of Public Testimony: PRO: This is an important ethical plug in the system because it requires the department offer property taken through eminent domain back to the previous property owner. This should prohibit the department from taking property for one purpose and not using it or using it for a different purpose.

Persons Testifying: PRO: Representative Shea, prime sponsor; Steve Hammond, CAPR.