
SUBSTITUTE HOUSE BILL 1563

State of Washington

52nd Legislature

1991 Regular Session

By House Committee on Capital Facilities & Financing (originally sponsored by Representatives Schmidt, H. Sommers, Anderson, Belcher, Neher, Brumsickle, Betrozoff and Rasmussen; by request of Department of General Administration).

Read first time February 22, 1991.

1 AN ACT Relating to a facility land bank; adding a new chapter to
2 Title 79 RCW; providing an effective date; and declaring an emergency.

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

4 NEW SECTION. **Sec. 1.** The legislature finds that it may be
5 desirable for the department to acquire land or real property, before
6 legislative appropriation for specific facility projects, in order to
7 eliminate or reduce speculation by landowners that could cause state
8 land purchase costs to be artificially inflated and in order to ensure
9 that state facility development occurs at the most desirable locations.
10 The purpose of this chapter is to provide a means to facilitate such
11 acquisitions so that costs are minimized and state facilities can be
12 located consistent with state master plans, local land use plans, and
13 sound growth management principles. It is not the intent of the
14 legislature to encourage facility land bank property acquisitions
15 solely for revenue-producing purposes.

1 NEW SECTION. **Sec. 2.** Unless the context clearly requires
2 otherwise, the definitions in this section apply throughout this
3 chapter.

4 (1) "Department" means the department of general administration.

5 (2) "State offices or other state facilities" means offices, office
6 support facilities, or real property required for the housing of state
7 agencies.

8 NEW SECTION. **Sec. 3.** The department, subject to the approval of
9 the state capitol committee, may purchase or acquire real property or
10 interests in real property at or below fair market value to be held in
11 a facility land bank, which is hereby created within the department.
12 Property so acquired shall be consistent with an office of financial
13 management-approved capital plan and shall be limited to real property
14 that is desirable for addition to the public lands of the state because
15 of its value as a potential location for state offices or other state
16 facilities. The department shall not exercise the right of eminent
17 domain provided for in chapter 8.04 RCW to acquire property for the
18 facility land bank. The department shall not acquire property to be
19 held in the facility land bank where development of state offices or
20 other state facilities will not occur for ten or more years, unless a
21 longer term capital plan has been approved by the office of financial
22 management.

23 NEW SECTION. **Sec. 4.** The department, with the approval of the
24 state capitol committee, may:

25 (1) Sell property held in the facility land bank at fair market
26 value to any state agency, including the department, after specific
27 legislative approval has been granted to develop state offices or other
28 state facilities on the property;

1 (2) Exchange property held in the facility land bank for any other
2 public lands of equal value administered by the department or the
3 department of natural resources, including any lands held in trust, and
4 that has greater potential for development of state offices or other
5 state facilities;

6 (3) Exchange property held in the facility land bank for property
7 of equal or greater value that is owned publicly or privately, and that
8 has greater potential for development of state offices or other state
9 facilities; and

10 (4) Sell property held in the facility land bank in the manner
11 provided by law for the sale of state property and use the proceeds to
12 acquire property for the facility land bank that has greater potential
13 for development of state offices or other state facilities.

14 NEW SECTION. **Sec. 5.** The department shall manage the property
15 held in the facility land bank as provided in chapter 43.82 RCW.
16 However, properties or interest in properties held in the facility land
17 bank shall not be withdrawn, exchanged, transferred, or sold without
18 first obtaining (1) payment of the fair market value of the property or
19 interest therein, or property of equal value in exchange; and (2)
20 approval of the state capitol committee.

21 NEW SECTION. **Sec. 6.** (1) There is created a state lands
22 management fund in the custody of the state treasurer to be used solely
23 for the following purposes: (a) Purchasing or acquiring an interest in
24 real property under section 3 of this act; and (b) the actual
25 transaction and closing costs necessarily incurred by the department in
26 acquiring, exchanging, and disposing of facility land bank real
27 property.

1 (2) Moneys in the state land management fund may be spent only
2 after appropriation. Only the director of the department or the
3 director's designee may authorize expenditures from the state lands
4 management fund, subject to approval of the state capitol committee.

5 (3) All receipts from the sale of property held in the facility
6 land bank shall be returned to the state lands management fund and may
7 be used to acquire property under section 3 of this act.

8 NEW SECTION. **Sec. 7.** (1) There is hereby created a facility land
9 bank technical advisory committee, consisting of one member qualified
10 by experience and training in matters pertaining to land use planning
11 and real estate appointed by the governor; one member qualified by
12 experience and training in public property matters appointed by the
13 state auditor; and one member qualified by experience and training in
14 financial matters appointed by the state treasurer. Members shall
15 serve at the pleasure of the appointing official.

16 (2) The technical advisory committee shall provide professional
17 advice and counsel to the state capitol committee regarding facility
18 land bank sales, purchases, and exchanges.

19 (3) Members of the technical advisory committee shall be appointed
20 for five-year terms and shall serve until a successor is appointed.
21 All terms shall expire December 31st. Vacancies shall be filled by the
22 appointing authority. The initial term of the appointee of the
23 governor shall expire December 31, 1994. The initial term of the
24 appointee of the state auditor shall expire December 31, 1995. The
25 initial term of the appointee of the state treasurer shall expire
26 December 31, 1996.

27 (4) Members of the technical advisory committee shall be reimbursed
28 for travel expenses incurred in the performance of their duties under
29 RCW 43.03.050 and 43.03.060.

1 NEW SECTION. **Sec. 8.** The department shall report annually on
2 properties acquired, exchanged, or sold from the facility land bank,
3 and on all properties held within the facility land bank. The report
4 shall be submitted to the fiscal committees of the legislature by
5 September 1st each year, and shall describe activities for the previous
6 fiscal year.

7 NEW SECTION. **Sec. 9.** Sections 1 through 8 of this act shall
8 constitute a new chapter in Title 79 RCW.

9 NEW SECTION. **Sec. 10.** If any provision of this act or its
10 application to any person or circumstance is held invalid, the
11 remainder of the act or the application of the provision to other
12 persons or circumstances is not affected.

13 NEW SECTION. **Sec. 11.** This act is necessary for the immediate
14 preservation of the public peace, health, or safety, or support of the
15 state government and its existing public institutions, and shall take
16 effect July 1, 1991.