
SENATE BILL 5470

State of Washington

52nd Legislature

1991 Regular Session

By Senators Cantu and Williams; by request of Department of General Administration.

Read first time February 1, 1991. Referred to Committee on Governmental Operations.

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 of general administration to acquire land
6 or real property prior to legislative appropriation for specific
7 facility projects to eliminate or reduce speculation by landowners
8 which would ultimately cause state land purchase costs to be
9 artificially inflated and to ensure that state facility development
10 occurs at the most desirable locations. The purpose of this chapter is
11 to provide a means to facilitate such purchases so that the costs of
12 these real property purchases are minimized and state facilities are
13 located consistent with state master plans, local land use plans, and
14 sound growth management principles. Land so purchased must be held in
15 trust until the legislature approves its use for specific projects.

1 NEW SECTION. **Sec. 2.** The department of general administration,
2 with the approval of the state capitol committee, may purchase or
3 receive real property or interests in real property at or below fair
4 market value to be held in trust in a facility land bank, which is
5 hereby created within the department. Property so purchased shall be
6 real property which is desirable for addition to the public lands of
7 the state because of its future value as locations for state office or
8 other facilities.

9 NEW SECTION. **Sec. 3.** The department of general administration,
10 with the approval of the state capitol committee, may:

11 (1) Sell property at fair market value to any state agency,
12 including the department of general administration, after receiving
13 legislative approval to construct or lease develop an office or other
14 facility;

15 (2) Exchange property held in the facility land bank for any other
16 public lands of equal value administered by the departments of general
17 administration or natural resources, including any lands held in trust;

18 (3) Exchange property held in the facility land bank for property
19 of equal or greater value which is owned publicly or privately, and
20 which has greater potential for development of state office or other
21 facilities; and

22 (4) Sell property held in the facility land bank in the manner
23 provided by law for the sale of state lands and to use the proceeds to
24 acquire property for the facility land bank which has greater potential
25 for state office or other facility use.

26 NEW SECTION. **Sec. 4.** The department of general administration
27 shall manage the property held in the facility land bank as provided in
28 chapter 43.82 RCW. However, these properties or interest in these

1 properties shall not be withdrawn, exchanged, transferred, or sold
2 without first obtaining payment of the fair market value of the
3 property or interest therein or obtaining property of equal value in
4 exchange and approval of the state capitol committee.

5 NEW SECTION. **Sec. 5.** (1) There is created a state lands
6 management fund in the custody of the state treasurer to be used solely
7 for the purpose of defraying the costs and expenses necessarily
8 incurred by the department of general administration in managing,
9 administering, acquiring, and disposing of facility land bank real
10 property. Expenditures from the account shall be for no other purpose.
11 Only the director of general administration or the director's designee
12 may authorize expenditures from the fund, subject to approval of the
13 state capitol committee under section 2 of this act.

14 (2) The legislature may authorize appropriation of funds from the
15 state lands management fund for the purposes of this chapter. All
16 receipts from the sale or management of property in the facility land
17 bank above operating, management, and administrative costs shall be
18 returned as a recovered expense to the state lands management fund and
19 may be used to acquire property under section 2 of this act.

20 (3) The department of general administration shall be reimbursed
21 for actual costs and expenses incurred in managing and administering
22 the facility land bank program under this chapter from the state lands
23 management fund. Reimbursement from proceeds of sales shall be limited
24 to sales costs.

25 NEW SECTION. **Sec. 6.** (1) There is created a facility land bank
26 technical advisory committee, consisting of three members. Membership
27 shall consist of: One member qualified by experience and training in
28 matters pertaining to land use planning and real estate appointed by

1 the governor; one member qualified by experience and training in public
2 trust matters appointed by the state auditor; and one member qualified
3 by experience and training in financial matters appointed by the state
4 treasurer. Members shall serve at the pleasure of the appointing
5 official.

6 (2) The technical advisory committee shall provide professional
7 advice and counsel to the state capitol committee regarding land bank
8 sales, purchases, and exchanges involving urban property.

9 (3) Members of the technical advisory committee shall be appointed
10 for five-year terms and shall serve until a successor is appointed.
11 Vacancies shall be filled by the appointing authority. The initial
12 term of the appointee of the governor shall expire in three years. The
13 initial term of the appointee of the state auditor shall expire in four
14 years. The initial term of the appointee of the state treasurer shall
15 expire in five years. All terms expire December 31.

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

19 NEW SECTION. **Sec. 7.** Real property purchased by the department of
20 general administration for office or other facility use shall be
21 subject to payment of in-lieu of real property taxes for the period in
22 which they are held in the facility land bank. Such payments are to be
23 made from the state lands management fund. The in-lieu payment shall
24 be equal to the property taxes which would otherwise be paid if the
25 land remained subject to the tax. Payment shall be made at the end of
26 the calendar year to the county in which the land is located. If a
27 parcel is not held in the facility land bank for the entire year, the
28 in-lieu payment shall be reduced proportionately to reflect only that
29 period of time in which the land was held in the facility land bank.

1 The county treasurer shall distribute the in-lieu payments
2 proportionately in accordance with RCW 84.56.230 as though these moneys
3 were receipts from ad valorem property taxes.

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

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

10 NEW SECTION. **Sec. 10.** This act is necessary for the immediate
11 preservation of the public peace, health, or safety, or support of the
12 state government and its existing public institutions, and shall take
13 effect July 1, 1991.