

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1367

Chapter 264, Laws of 1997

55th Legislature
1997 Regular Session

DISPOSAL OF SURPLUS EDUCATIONAL PROPERTY FOR USE FOR EDUCATIONAL
PURPOSES

EFFECTIVE DATE: 7/27/97

Passed by the House April 19, 1997
Yeas 91 Nays 0

CLYDE BALLARD
**Speaker of the
House of Representatives**

Passed by the Senate April 10, 1997
Yeas 47 Nays 0

BRAD OWEN
President of the Senate

Approved May 6, 1997

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1367** as passed by the House of Representatives and the Senate on the dates hereon set forth.

TIMOTHY A. MARTIN
Chief Clerk

FILED

May 6, 1997 - 10:39 a.m.

**Secretary of State
State of Washington**

HOUSE BILL 1367

Passed Legislature - 1997 Regular Session

AS AMENDED BY THE SENATE

State of Washington

55th Legislature

1997 Regular Session

By Representatives Johnson, Cole, Smith, Schoesler, Poulsen, O'Brien, Linville, Costa, Blalock, Cooper, Dickerson, Dunshee, Mason, Keiser, Wensman, Wood, Kessler and Gombosky; by request of Superintendent of Public Instruction

Read first time 01/23/97. Referred to Committee on Education.

1 AN ACT Relating to disposal of surplus educational property; and
2 amending RCW 28A.335.180 and 43.19.1919.

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

4 **Sec. 1.** RCW 28A.335.180 and 1991 c 116 s 1 are each amended to
5 read as follows:

6 (1) Notwithstanding any other provision of law, school districts,
7 educational service districts, or any other state or local governmental
8 agency concerned with education, when declaring texts and other books,
9 equipment, materials or relocatable facilities as surplus, shall, prior
10 to other disposal thereof, serve notice in writing in a newspaper of
11 general circulation in the school district and to any public school
12 district or private school in Washington state annually requesting such
13 a notice, that the same is available for sale, rent, or lease to public
14 school districts or approved private schools, at depreciated cost or
15 fair market value, whichever is greater: PROVIDED, That students
16 wishing to purchase texts pursuant to RCW 28A.320.230(2) shall have
17 priority as to such texts. Such districts or agencies shall not
18 otherwise sell, rent or lease such surplus property to any person,
19 firm, organization, or nongovernmental agency for at least thirty days

1 following publication of notice in a newspaper of general circulation
2 in the school district.

3 (2) In lieu of complying with subsection (1) of this section,
4 school districts and educational service districts may elect to grant
5 surplus personal property to a federal, state, or local governmental
6 entity, or to indigent persons, at no cost on the condition the
7 property be used for preschool through twelfth grade educational
8 purposes, or elect to loan surplus personal property to a nonreligious,
9 nonsectarian private entity on the condition the property be used for
10 the preschool through twelfth grade education of members of the public
11 on a nondiscriminatory basis.

12 **Sec. 2.** RCW 43.19.1919 and 1991 c 216 s 2 are each amended to read
13 as follows:

14 Except as provided in section 1 of this act and RCW 43.19.1920, the
15 division of purchasing shall sell or exchange personal property
16 belonging to the state for which the agency, office, department, or
17 educational institution having custody thereof has no further use, at
18 public or private sale, and cause the moneys realized from the sale of
19 any such property to be paid into the fund from which such property was
20 purchased or, if such fund no longer exists, into the state general
21 fund: PROVIDED, Sales of capital assets may be made by the division of
22 purchasing and a credit established in central stores for future
23 purchases of capital items as provided for in RCW 43.19.190 through
24 43.19.1939, as now or hereafter amended: PROVIDED FURTHER, That
25 personal property, excess to a state agency, including educational
26 institutions, shall not be sold or disposed of prior to reasonable
27 efforts by the division of purchasing to determine if other state
28 agencies have a requirement for such personal property. Such
29 determination shall follow sufficient notice to all state agencies to
30 allow adequate time for them to make their needs known. Surplus items
31 may be disposed of without prior notification to state agencies if it
32 is determined by the director of general administration to be in the
33 best interest of the state. The division of purchasing shall maintain
34 a record of disposed surplus property, including date and method of
35 disposal, identity of any recipient, and approximate value of the
36 property: PROVIDED, FURTHER, That this section shall not apply to
37 personal property acquired by a state organization under federal grants

1 and contracts if in conflict with special title provisions contained in
2 such grants or contracts.

3 This section does not apply to property under RCW 27.53.045.

Passed the House April 19, 1997.

Passed the Senate April 10, 1997.

Approved by the Governor May 6, 1997.

Filed in Office of Secretary of State May 6, 1997.