

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 2338

Chapter 42, Laws of 2000

56th Legislature
2000 Regular Session

PARKS AND RECREATION COMMISSION--REAL PROPERTY DISPOSAL

EFFECTIVE DATE: 6/8/00

Passed by the House March 5, 2000
Yeas 81 Nays 0

CLYDE BALLARD
Speaker of the House of Representatives

FRANK CHOPP
Speaker of the House of Representatives

Passed by the Senate March 1, 2000
Yeas 43 Nays 0

BRAD OWEN
President of the Senate

Approved March 22, 2000

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

We, Timothy A. Martin and Cynthia Zehnder, Co-Chief Clerks of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 2338** as passed by the House of Representatives and the Senate on the dates hereon set forth.

TIMOTHY A. MARTIN
Chief Clerk

CYNTHIA ZEHNDER
Chief Clerk

FILED

March 22, 2000 - 3:37 p.m.

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 2338

Passed Legislature - 2000 Regular Session

AS AMENDED BY THE SENATE

State of Washington

56th Legislature

2000 Regular Session

By House Committee on Natural Resources (originally sponsored by Representatives Alexander, Regala, Haigh, Ruderman and Parlette; by request of Parks and Recreation Commission)

Read first time 01/28/2000. Referred to Committee on .

1 AN ACT Relating to disposal of real property; and adding a new
2 section to chapter 79A.05 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 79A.05 RCW
5 to read as follows:

6 (1) Notwithstanding any other provision of this chapter, the
7 commission may directly dispose of up to ten contiguous acres of real
8 property, without public auction, to resolve trespass, property
9 ownership disputes, and boundary adjustments with adjacent private
10 property owners. Real property to be disposed of under this section
11 may be disposed of only after appraisal and for at least fair market
12 value, and only if the transaction is in the best interest of the
13 state. The commission shall cooperate with potential purchasers to
14 arrive at a mutually agreeable sales price. If necessary,
15 determination of fair market value may include the use of separate
16 independent appraisals by each party and the review of the appraisals,
17 as agreed upon by the parties. All conveyance documents shall be
18 executed by the governor. All proceeds from the disposal of the
19 property shall be paid into the park land acquisition account. No

1 disposal of real property may be made without the unanimous consent of
2 the commission.

3 (2) Prior to the disposal of any real property under subsection (1)
4 of this section, the commission shall hold a public hearing on the
5 proposal in the county where the real property, or the greatest portion
6 of the real property, is located. At least ten days, but not more than
7 twenty-five days, prior to the hearing, the commission shall publish a
8 paid public notice of reasonable size in display advertising form,
9 setting forth the date, time, and place of the hearing, at least once
10 in one or more daily newspapers of general circulation in the county
11 and at least once in one or more weekly newspapers circulated in the
12 area where the real property is located. A news release concerning the
13 public hearing must be disseminated among print and electronic media in
14 the area where the real property is located. The public notice and
15 news release shall also identify the real property involved in the
16 proposed disposal and describe the purpose of the proposed disposal.
17 A summary of the testimony presented at the public hearing shall be
18 prepared for the commission's consideration when reviewing the proposed
19 disposal of real property.

20 (3) If there is a failure to substantially comply with the
21 procedures set out under this section, then the agreement to dispose of
22 the real property is subject to being declared invalid by a court of
23 competent jurisdiction. Such a suit must be brought within one year of
24 the date of the real property disposal agreement.

Passed the House March 5, 2000.

Passed the Senate March 1, 2000.

Approved by the Governor March 22, 2000.

Filed in Office of Secretary of State March 22, 2000.