

SENATE BILL REPORT

SB 6569

As of February 2, 2004

Title: An act relating to donation of surplus construction property to nonprofit corporations.

Brief Description: Donating surplus construction property to nonprofit corporations.

Sponsors: Senators Fraser, Winsley, Fairley, Kline and Kohl-Welles.

Brief History:

Committee Activity: Government Operations & Elections: 2/3/04.

SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

Staff: Lilah Amos (786-7429)

Background: Low-cost housing for Washington citizens is in short supply. Those organizations which attempt to provide low-cost housing have the ability to make use of surplus construction materials and recycled building remnants which are of little or no value to mainstream contractors or other state agencies. Concern exists that these state-owned materials are discarded when a qualifying organization could reclaim and reuse them.

Currently state agencies which contract for or conduct demolition or construction projects have no statutory authorization to donate building remnants and scrap materials to nonprofit organizations. The Washington Constitution, Article VIII, sections 5 and 7, also restricts the gifting of public money or property to any private entity "except for the necessary support of the poor and infirm."

Summary of Bill: A state agency which contracts for or is responsible for demolition, repair or construction projects must notify the Department of General Administration of the availability of surplus construction property. Surplus construction property is defined as property which would otherwise be discarded, which has minimal value, and for which the cost of transport and redistribution among state agencies would exceed the value of the property.

The department must establish a procedure for distributing the property to qualifying nonprofit corporations. The donated property or proceeds from the sale of such property must be used solely for the construction or repair of housing used by the poor or infirm. Persons who are collecting or removing donated surplus construction property from a construction project site are exempt from the statute requiring prevailing wages to be paid to laborers on public works projects.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.