

CHAPTER 70.

[Engrossed House Bill No. 449.]

ACQUISITION OF SURPLUS PROPERTY.

AN ACT relating to the purchase, lease, or other acquisition of surplus property of the federal government; amending section 1, chapter 205, Laws of 1945 and RCW 39.32.010; amending section 2, chapter 205, Laws of 1945 and RCW 39.32.020; amending section 3, chapter 205, Laws of 1945 and RCW 39.32.030; amending section 4, chapter 205, Laws of 1945 and RCW 39.32.035; amending section 5, chapter 205, Laws of 1945 and RCW 39.32.040; and amending section 7, chapter 205, Laws of 1945 and RCW 39.32.060.

Be it enacted by the Legislature of the State of Washington:

RCW 39.32.010
amended.

Section 1. Section 1, chapter 205, Laws of 1945 and RCW 39.32.010 are each amended to read as follows:

Purchase of
federal surplus
property.
Definitions.

For the purposes of RCW 39.32.010 through 39.32.060:

The term "eligible institution" means, any tax-supported medical institution, hospital, clinic, health center, school system, and nonprofit medical institution, hospital, clinic, health center, youth camp facility, school, college or university declared or held exempt from taxation under Section 501(c) (3) of the United States Internal Revenue Code of 1954, and institutions or activities as may be or are hereafter declared or held eligible under federal law to acquire surplus property.

The term "state department" means any office, department, commission, institution or other agency of the state of Washington authorized by law to exercise any governmental authority on behalf of the state.

The term "political subdivision" means any political subdivision of the state including any county, city, town, township, port district, public utility district, irrigation district or other municipal corporation or quasi municipal corporation.

The term "surplus property" means any property, title to which is in the federal government or any department or agency thereof, and which property is to be disposed of as surplus under any act of congress heretofore or hereafter enacted providing for such disposition.

Sec. 2. Section 2, chapter 205, Laws of 1945 and RCW 39.32.020 are each amended to read as follows:

RCW 39.32.020 amended.

The director of general administration, through and by means of the division of purchasing, is hereby authorized to purchase, lease or otherwise acquire from the government of the United States or any surplus property disposal agency thereof surplus property to be used in accordance with the provisions of this chapter.

Acquisition.

Sec. 3. Section 3, chapter 205, Laws of 1945 and RCW 39.32.030 are each amended to read as follows:

RCW 39.32.030 amended.

There is created in the department of general administration a revolving fund to be designated the surplus property purchase revolving fund, and there is hereby appropriated to said revolving fund from the general fund for the fiscal biennium ending March 31, 1947, the sum of five million dollars or so much thereof as shall be necessary. The director shall have power, with the approval of the governor, to transfer so much of this appropriation to the revolving fund from time to time as he may deem necessary to maintain said fund in a condition adequate to carry out the purposes of RCW 39.32.010 through 39.32.060.

"Surplus property purchase revolving fund" creation.

Sec. 4. Section 4, chapter 205, Laws of 1945 and RCW 39.32.035 are each amended to read as follows:

RCW 39.32.035 amended.

The surplus property purchase revolving fund shall be administered by the director of general administration and be used for the purchase, lease or other acquisition from time to time of surplus property from any federal surplus property disposal

Administration and use of fund.

Purchase of federal surplus property.

agency. The director may purchase, lease or acquire such surplus property on the requisition of a state department or political subdivision and without such requisition at such time or times as he deems it advantageous to do so; and in either case he shall be responsible for the care and custody of the property purchased so long as it remains in his possession.

RCW 39.32.040 amended.

Sec. 5. Section 5, chapter 205, Laws of 1945 and RCW 39.32.040 are each amended to read as follows:

Procedure to purchase.

In purchasing surplus property on requisition for any state department or political subdivision the director may advance the purchase price thereof from the surplus property purchase revolving fund, and he shall then in due course bill the proper state department or political subdivision for the amount paid by him for the property plus a reasonable amount to cover the expense incurred by him in connection with the transaction. In purchasing surplus property without requisition, the director shall be deemed to take title outright and he shall then be authorized to resell from time to time any or all of such property to such state departments, political subdivisions and eligible institutions as desire to avail themselves of the privilege of purchasing. All moneys received in payment for surplus property from state departments, political subdivisions and eligible institutions, shall be deposited by the director in the surplus property purchase revolving fund. The director shall sell surplus property to state departments, political subdivisions and eligible institutions at a price sufficient only to reimburse the surplus property purchase revolving fund for the cost of the property to the fund, plus a reasonable amount to cover expenses incurred in connection with the transaction. Where surplus property is transferred to a state agency, political subdivision or eligible institution without cost to the transferee, the director may impose a reasonable charge to

cover expenses incurred in connection with the transaction. The governor, through the director of general administration, shall administer the surplus property program in the state and shall perform or supervise all those functions with respect to the program, its agencies and instrumentalities.

Sec. 6. Section 7, chapter 205, Laws of 1945 and RCW 39.32.060 are each amended to read as follows:

RCW 39.32.060 amended.

The director of general administration shall have power to promulgate such rules and regulations as may be necessary to effectuate the purposes of RCW 39.32.010 through 39.32.060.

Rules and regulations

Passed the House March 21, 1967.

Passed the Senate April 15, 1967.

Approved by the Governor April 22, 1967.

CHAPTER 71.

[Engrossed Senate Bill No. 480.]

ADMINISTRATIVE PROCEDURE.

AN ACT relating to administrative procedure; amending section 15, chapter 234, Laws of 1959, as last amended by section 7, chapter 237, Laws of 1967, and RCW 34.04.150; and repealing sections 21 and 22, chapter 237, Laws of 1967.

Be it enacted by the Legislature of the State of Washington:

Section 1. Section 15, chapter 234, Laws of 1959, as last amended by section 7, chapter 237, Laws of 1967, and RCW 34.04.150 are each amended to read as follows:

RCW 34.04.150 amended.

This chapter shall not apply to the state militia, or the board of prison terms and paroles. The provisions of RCW 34.04.090 through 34.04.130 shall not apply to the board of industrial insurance appeals or the board of tax appeals unless an election is made

Administrative Procedure Act —Application.