

CHAPTER 103

[Engrossed Substitute House Bill No. 1666]

SCHOOL, SEWER, WATER, AND PUBLIC HOSPITAL DISTRICT REAL PROPERTY APPRAISAL

AN ACT Relating to appraisals; amending section 28A.58.045, chapter 223, Laws of 1969 ex. sess. as last amended by section 4, chapter 306, Laws of 1981 and RCW 28A.58.045; amending section 2, chapter 51, Laws of 1953 and RCW 56.08.090; amending section 2, chapter 50, Laws of 1953 and RCW 57.08.016; amending section 2, chapter 84, Laws of 1982 and RCW 70.44.300; and declaring an emergency.

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

Sec. 1. Section 28A.58.045, chapter 223, Laws of 1969 ex. sess. as last amended by section 4, chapter 306, Laws of 1981 and RCW 28A.58.045 are each amended to read as follows:

(1) The board of directors of any school district of this state may:

(a) Sell for cash, at public or private sale, and convey by deed all interest of the district in or to any of the real property of the district which is no longer required for school purposes; and

(b) Purchase real property for the purpose of locating thereon and affixing thereto any house or houses and appurtenant buildings removed from school sites owned by the district and sell for cash, at public or private sale, and convey by deed all interest of the district in or to such acquired and improved real property.

(2) When the board of directors of any school district proposes a sale of school district real property pursuant to this section and the value of the property exceeds seventy thousand dollars, the board shall publish a notice of its intention to sell the property. The notice shall be published at least once each week during two consecutive weeks in a legal newspaper with a general circulation in the area in which the school district is located. The notice shall describe the property to be sold and designate the place where and the day and hour when a hearing will be held. The board shall hold a public hearing upon the proposal to dispose of the school district property at the place and the day and hour fixed in the notice and admit evidence offered for and against the propriety and advisability of the proposed sale.

(3) The board of directors of any school district desiring to sell surplus real property shall send written notice of that intent to the office of the state superintendent of public instruction. School districts shall not sell the property for at least forty-five days following the date notification is mailed to the state superintendent of public instruction.

(4) Private schools shall have the same rights as any other person or entity to submit bids for the purchase of surplus real property and to have such bids considered along with all other bids.

(5) Any sale of school district real property authorized pursuant to this section shall be preceded by a market value appraisal by three licensed real

estate brokers or professionally designated real estate appraisers as defined in RCW 74.46.020 selected by the board of directors and no sale shall take place if the sale price would be less than ninety percent of the average of the three appraisals made by the brokers or professionally designated real estate appraisers: PROVIDED, That if the property has been on the market for one year or more the property may be reappraised and sold for not less than seventy-five percent of the average reappraised value with the unanimous consent of the board.

(6) If in the judgment of the board of directors of any district the sale of real property of the district not needed for school purposes would be facilitated and greater value realized through use of the services of licensed real estate brokers, a contract for such services may be negotiated and concluded: PROVIDED, That the use of a licensed real estate broker will not eliminate the obligation of the board of directors to provide the notice described in this section: PROVIDED FURTHER, That the fee or commissions charged for any broker services shall not exceed seven percent of the resulting sale value for a single parcel: PROVIDED FURTHER, That any licensed real estate broker or professionally designated real estate appraisers as defined in RCW 74.46.020 selected by the board to appraise the market value of a parcel of property to be sold may not be a party to any contract with the school district to sell such parcel of property for a period of three years after the appraisal.

(7) If in the judgment of the board of directors of any district the sale of real property of the district not needed for school purposes would be facilitated and greater value realized through sale on contract terms, a real estate sales contract may be executed between the district and buyer: PROVIDED, That the terms and conditions of any such sales contract must comply with rules and regulations of the state board of education, herein authorized, governing school district real property contract sales.

Sec. 2. Section 2, chapter 51, Laws of 1953 and RCW 56.08.090 are each amended to read as follows:

No real property of the district shall be sold for less than ninety percent of the value thereof as established by a written appraisal made not more than six months prior to the date of sale by three disinterested real estate brokers licensed under the laws of the state or professionally designated real estate appraisers as defined in RCW 74.46.020. The appraisal shall be signed by the appraisers and filed with the secretary of the board of commissioners of the district, who shall keep it at the office of the district open to public inspection. Any notice of intention to sell real property of the district shall recite the appraised value thereof: PROVIDED, That there shall be no private sale of real property where the appraised value exceeds the sum of five hundred dollars.

Sec. 3. Section 2, chapter 50, Laws of 1953 and RCW 57.08.016 are each amended to read as follows:

No real property of the district shall be sold for less than ninety percent of the value thereof as established by a written appraisal made not more than six months prior to the date of sale by three disinterested real estate brokers licensed under the laws of the state or professionally designated real estate appraisers as defined in RCW 74.46.020. The appraisal shall be signed by the appraisers and filed with the secretary of the board of commissioners of the district, who shall keep it at the office of the district open to public inspection. Any notice of intention to sell real property of the district shall recite the appraised value thereof: PROVIDED, That there shall be no private sale of real property where the appraised value exceeds the sum of five hundred dollars.

Sec. 4. Section 2, chapter 84, Laws of 1982 and RCW 70.44.300 are each amended to read as follows:

(1) The board of commissioners of any public hospital district may sell and convey at public or private sale real property of the district which the board has determined by resolution is no longer required for public hospital district purposes. Such sale and conveyance may be by deed or real estate contract.

(2) Any sale of district real property authorized pursuant to this section shall be preceded, not more than one year prior to the date of sale, by market value appraisals by three licensed real estate brokers or professionally designated real estate appraisers as defined in RCW 74.46.020 selected by the board of commissioners, and no sale shall take place if the sale price would be less than ninety percent of the average of such appraisals.

(3) When the board of commissioners of any public hospital district proposes a sale of district real property pursuant to this section and the value of the property exceeds one hundred thousand dollars, the board shall publish a notice of its intention to sell the property. The notice shall be published at least once each week during two consecutive weeks in a legal newspaper of general circulation within the public hospital district. The notice shall describe the property to be sold and designate the place where and the day and hour when a hearing will be held. The board shall hold a public hearing upon the proposal to dispose of the public hospital district property at the place and the day and hour fixed in the notice and consider evidence offered for and against the propriety and advisability of the proposed sale.

(4) If in the judgment of the board of commissioners of any district the sale of any district real property not needed for public hospital district purposes would be facilitated and greater value realized through use of the services of licensed real estate brokers, a contract for such services may be negotiated and concluded. The fee or commissions charged for any broker service shall not exceed seven percent of the resulting sale price for a single parcel. No licensed real estate broker or professionally designated real estate appraisers as defined in RCW 74.46.020 selected by the board to appraise the market value of a parcel of property to be sold may be a party to

any contract with the public hospital district to sell such property for a period of three years after the appraisal.

NEW SECTION. Sec. 5. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the House February 4, 1984.

Passed the Senate February 25, 1984.

Approved by the Governor March 2, 1984.

Filed in Office of Secretary of State March 2, 1984.

CHAPTER 104

[Substitute House Bill No. 1017]

SCHOOL BUSES—AXLE REQUIREMENT

AN ACT Relating to school transportation; amending section 46.44.030, chapter 12, Laws of 1961 as last amended by section 4, chapter 113, Laws of 1979 ex. sess. and RCW 46.44.030; and declaring an emergency.

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

Sec. 1. Section 46.44.030, chapter 12, Laws of 1961 as last amended by section 4, chapter 113, Laws of 1979 ex. sess. and RCW 46.44.030 are each amended to read as follows:

It is unlawful for any person to operate upon the public highways of this state any vehicle other than a municipal transit vehicle having an overall length, with or without load, in excess of forty feet: PROVIDED, That an auto stage or school bus shall not exceed an overall length, inclusive of front and rear bumpers, of forty feet: ~~((PROVIDED FURTHER, That any such school bus constructed prior to April 1, 1977, shall be equipped with three axles: PROVIDED FURTHER, That any school bus constructed on or after April 1, 1977, and in excess of thirty-six feet six inches shall be equipped with three axles:))~~ PROVIDED FURTHER, That the route of any auto stage in excess of thirty-five feet or school bus in excess of thirty-six feet six inches upon or across the public highways shall be limited as determined by the department of transportation for state highways, or by the local legislative authority for other public roads.

It is unlawful for any person to operate on the highways of this state any combination of vehicles which contains a vehicle of which the permanent structure is in excess of forty-five feet.

It is unlawful for any person to operate upon the public highways of this state any combination consisting of a nonstinger steered tractor and semitrailer which has an overall length in excess of sixty-five feet.

It is unlawful for any person to operate on the highways of this state any combination consisting of a truck and trailer, or any lawful combination