

CHAPTER 254.

[H. B. 184.]

DISPOSAL OF COUNTY PROPERTY.

AN ACT relating to counties and the disposal of county property; and repealing sections 2 to 7 inclusive; chapter 76, Laws of 1891 as last amended by sections 1 to 2, chapter 8, Laws of 1915 (sections 4008 to 4014, Remington's Revised Statutes, also Pierce's Perpetual Code 487-3 to -15).

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

Disposal
of county
property.

SECTION 1. Whenever the Board of County Commissioners desires to dispose of any county property except:

- (1) When selling to a governmental agency;
- (2) When personal property to be disposed of is to be traded in upon the purchase of a like article;
- (3) When the value of the property to be sold is less than two hundred dollars (\$200);
- (4) When the Board by a resolution setting forth the facts has declared an emergency to exist it shall publish notice of its intention so to do once each week during two (2) successive weeks in three (3) different legal newspapers published in the county, or if there are less than three (3) in as many legal newspapers as are published in the county.

SEC. 2. The notice of hearing on the proposal to dispose of any county property must particularly describe the property or portion thereof proposed to be sold and designate the place where and the day and hour when a hearing will be held thereon and be posted in a conspicuous place in the court house. Both posting and the date of first publication must be at least ten (10) days before the day set for the hearing.

SEC. 3. The Board shall hold a public hearing upon a proposal to dispose of county property at the day and hour fixed in the notice at their usual place of business and admit evidence offered for and

against the propriety and the advisability of the proposed action. Any taxpayer in person or by counsel may submit evidence and submit an argument, but the Board may limit the number to three (3) on a side. Public hearing.

SEC. 4. Within three (3) days after the hearing upon a proposal to dispose of county property, the Board of County Commissioners shall make its findings and determination thereon and cause them to be spread upon its minutes and made a matter of record. Findings recorded.

SEC. 5. Sales of all personal property must be for cash except: Sales.

(1) When property is transferred to a governmental agency;

(2) When the county property is to be traded in on the purchase of a like article, in which case the proposed cash allowance for the trade-in must be part of the proposition to be submitted by the seller in the transaction.

SEC. 6. The Board may advertise and sell used highway or other equipment belonging to the county or to any taxing division thereof which is subject to its jurisdiction, in the manner prescribed for the sale of county property, or it may trade it in on the purchase of new equipment. If the Board elects to trade in the used equipment it shall include in its call for bids on the new equipment a notice that the county has for sale or trade-in used equipment of a specified type and description which will be sold or traded in on the same day and hour that the bids on the new equipment are opened. Any bidder on the new equipment may include in his offer to sell, an offer to accept the used equipment as a part payment of the new equipment purchase price, setting forth the amount of such allowance. Trades of used equipment.

In determining the lowest and best bid on the new equipment the Board shall consider the net cost to the county of such new equipment after trade-in

allowances have been deducted. The Board may accept the new equipment bid of any bidder without trading in the used equipment but may not require any such bidder to purchase the used equipment without awarding the bidder the new equipment contract. Nothing in this section shall bar anyone from making an offer for the purchase of the used equipment independent of a bid on the new equipment and the Board shall consider such offers in relation to the trade-in allowances offered to determine the net best sale and purchase combination for the county.

Sale at
public
auction.

SEC. 7. All sales of county property ordered after a public hearing upon the proposal to dispose thereof must be made by the County Treasurer at a designated place in the court house to the highest and best bidder at public auction.

Publication
of notice.

SEC. 8. Whenever county property is to be sold at public auction, the County Auditor shall publish notice thereof once during each of two (2) successive calendar weeks in three (3) different newspapers published in the county or if there are less than three (3), in as many newspapers as are published in the county. Notice thereof must also be posted in a conspicuous place in the court house. The posting and date of first publication must be at least ten (10) days before the day fixed for the sale.

Description.

SEC. 9. The notice of public sale of county property must particularly describe the property to be sold and designate the day and hour and the place of sale. If real property is to be sold on terms, the terms must be stated in the notice.

Proceeds
of sale.

SEC. 10. The proceeds of sales of county property except in cases of trade-in allowances upon purchases of like property must be paid to the County Treasurer who must receipt therefor and execute the proper documents transferring title attested to by the County Auditor: *Provided*, That in no case shall the

title be transferred until the purchase price has been fully paid.

SEC. 11. Proceeds from the sale of used equipment must be credited to the fund from which the original purchase price was paid.

SEC. 12. The Board of County Commissioners may dispose of county property to another governmental agency and may acquire property for the county from another governmental agency by means of private negotiation upon such terms as may be agreed upon and for such consideration as may be deemed by the Board of County Commissioners to be adequate.

Disposal
to other
government
agencies.

SEC. 13. Sections 2 to 7 inclusive, chapter 76, Laws of 1891 as last amended by sections 1 and 2, chapter 8, Laws of 1915 (sections 4008 to 4014, Remington's Revised Statutes, also Pierce's Perpetual Code 487-3 to -15), are hereby repealed.

Acts
repealed.

Passed the House March 1, 1945.

Passed the Senate March 6, 1945.

Approved by the Governor March 17, 1945.

CHAPTER 255.

[S. H. B. 156.]

WASHINGTON STATE DEVELOPMENT BOARD.

AN ACT creating the Washington State Development Board; defining its powers and duties; establishing a fund; defining crimes and fixing penalties in connection therewith; making an appropriation and declaring an emergency.

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

SECTION 1. There is hereby created the Washington State Development Board, which shall consist of the Governor and four (4) other persons to be appointed by the Governor, which persons shall hold

Washington
State
Development
Board.