
State Government Committee

HB 3066

Brief Description: Donating surplus construction property to nonprofit corporations.

Sponsors: Representatives Romero, Moeller, Clibborn, Simpson, D. and Ormsby.

Brief Summary of Bill

- Allows surplus building materials to be donated to nonprofit organizations.
- Mandates that surplus building materials that are donated must be used, or the money from their sale used, in the construction or repair of housing for the poor or infirm.

Hearing Date: 2/6/04

Staff: Matt Kuehn (786-7291).

Background:

The state sells or exchanges its surplus building materials through the Department of General Administration's (GA) purchasing department. Proceeds from the sale of the property replenish the fund which was used to originally purchase the property. Where the originating fund no longer exists, the proceeds are paid into the state general fund.

There are exceptions: abandoned historical archaeological resources are the property of the state; surplus school textbooks and educational aids must be offered to other school districts; and surplus computers are donated to school districts.

Tangible surplus personal property may be donated to emergency homeless shelters where no other agencies need the property, the agency which owns the property has authorized the donation, the nature of the property is directly germane to the needs of the homeless, and the director of the GA has determined that the donation is in the best interest of the state.

Summary of Bill:

The bill allows surplus building materials to be donated to nonprofit organizations. The material donated must be used in the construction or repair of housing for the poor or infirm. The donated material may also be sold, so long as the proceeds go specifically to construction or repair of housing for the poor or infirm.

The property that may be donated is surplus from the demolition, repair, or construction of state projects. This material may be personal property, building materials or remnants, and used

infrastructure. So long as the agency conducting and supervising the project has determined that the material will be discarded, and that the cost of redistributing the material will exceed the value of the property, then the property may be donated to the nonprofit organization.

Donated surplus materials are excluded from the GA sales requirements, along with educational textbooks, archaeological property, and emergency shelter donations.

The prevailing wage rates set by the Department of Labor and Industries (L&I) do not apply to people acting on behalf of the nonprofit that is collecting or removing the surplus items. This means that laborers, drivers, and other workers do not need to be paid according to the mandatory wage scale set by the L&I for state public works contracts.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.