
SUBSTITUTE SENATE BILL 6518

State of Washington 64th Legislature 2016 Regular Session

By Senate Human Services, Mental Health & Housing (originally sponsored by Senators Miloscia, Jayapal, and Chase)

READ FIRST TIME 02/05/16.

1 AN ACT Relating to creating a department of housing; and adding a
2 new chapter to Title 43 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** The legislature finds that the long-term
5 economic health of the state and its citizens depends on the strength
6 of its communities, including housing that meets the needs of all
7 Washington's citizens from both rural and urban areas. The intent of
8 this chapter is to create a department of housing that is committed
9 to ensuring that every citizen has a place to call home. The mission
10 of the department is to ensure affordable housing for all economic
11 segments and to end homelessness for every citizen. To carry out its
12 mission, the department is to grow and improve the availability and
13 affordability of housing in Washington state. Specifically, the
14 department is to: Determine the daily cost of housing a homeless
15 person; determine the daily cost of wraparound services; measure the
16 safety and satisfaction of those being housed; and rank and order the
17 performance of each county in reducing the percentage of homeless
18 persons in the county.

19 NEW SECTION. **Sec. 2.** The purpose of this chapter is to
20 establish the broad outline of the structure of the department of

1 housing, leaving specific details of its internal organization and
2 management to those charged with its administration. This chapter
3 identifies the broad functions and responsibilities of the department
4 and is intended to provide flexibility to the director to reorganize
5 these functions to more closely reflect its customers, its mission,
6 and its priorities, and to make recommendations for changes.

7 NEW SECTION. **Sec. 3.** The definitions in this section apply
8 throughout this chapter unless the context clearly requires
9 otherwise.

10 (1) "Department" means the department of housing.

11 (2) "Director" means the director of the department of housing.

12 NEW SECTION. **Sec. 4.** A department of housing is created. The
13 department is vested with all powers and duties established or
14 transferred to it under this chapter and such other powers and duties
15 as may be authorized by law. Unless otherwise specifically provided,
16 the existing responsibilities and functions of the department's
17 programs must continue to be administered in accordance with their
18 implementing legislation.

19 NEW SECTION. **Sec. 5.** The executive head of the department is
20 the director. The director must be appointed by the governor with the
21 consent of the senate, and must serve at the pleasure of the
22 governor. The director must be paid a salary to be fixed by the
23 governor in accordance with RCW 43.03.040.

24 NEW SECTION. **Sec. 6.** (1) The director must supervise and
25 administer the activities of the department and advise the governor
26 and the legislature with respect to housing matters affecting the
27 state.

28 (2) In addition to other powers and duties granted to the
29 director, the director has the following powers and duties:

30 (a) Enter into contracts on behalf of the state to carry out the
31 purposes of this chapter;

32 (b) Act for the state in the initiation of or participation in
33 any multigovernmental program relative to the purposes of this
34 chapter;

35 (c) Accept and expend gifts and grants, whether such grants be of
36 federal or other funds;

1 (d) Appoint deputy directors, assistant directors, and up to
2 seven special assistants as needed to administer the department.
3 These employees are exempt from chapter 41.06 RCW;

4 (e) Prepare and submit budgets for the department for executive
5 and legislative action;

6 (f) Submit recommendations for legislative actions as are deemed
7 necessary to further the purposes of this chapter;

8 (g) Adopt rules in accordance with chapter 34.05 RCW and perform
9 all other functions necessary and proper to carry out the purposes of
10 this chapter;

11 (h) Delegate powers, duties, and functions as the director deems
12 necessary for efficient administration, but the director is
13 responsible for the official acts of the officers and employees of
14 the department; and

15 (i) Perform other duties as are necessary and consistent with
16 law.

17 (3) When federal or other funds are received by the department,
18 they must be promptly transferred to the state treasurer and expended
19 only upon the approval of the director.

20 (4) The director may request information and assistance from all
21 other agencies, departments, and officials of the state, and may
22 reimburse such agencies, departments, or officials if such a request
23 imposes any additional expenses upon any such agency, department, or
24 official.

25 (5) The director must, in carrying out the responsibilities of
26 office, consult with governmental officials, private groups, and
27 individuals and with officials of other states. Any state agency and
28 its officials and the officials of any political subdivision of the
29 state must cooperate with and give such assistance to the department,
30 including the submission of requested information, to allow the
31 department to carry out its purposes under this chapter.

32 (6) The director may establish additional advisory or
33 coordinating groups with the legislature, within state government,
34 with state and other governmental units, with the private sector and
35 nonprofit entities, or in specialized subject areas as may be
36 necessary to carry out the purposes of this chapter.

37 (7) The internal affairs of the department must be under the
38 control of the director to allow the director to manage the
39 department in a flexible and intelligent manner as dictated by
40 changing contemporary circumstances. Unless specifically limited by

1 law, the director has complete charge and supervisory powers over the
2 department. The director may create such administrative structures as
3 the director deems appropriate, except as otherwise specified by law,
4 and the director may employ such personnel as may be necessary in
5 accordance with chapter 41.06 RCW, except as otherwise provided by
6 law.

7 NEW SECTION. **Sec. 7.** (1) All powers, duties, and functions of
8 the department of commerce pertaining to housing, including
9 homelessness, are transferred to the department of housing. All
10 references to the director or department of commerce in the Revised
11 Code of Washington are construed to mean the director or the
12 department of housing when referring to the functions transferred in
13 this section.

14 (2)(a) All reports, documents, surveys, books, records, files,
15 papers, or written material in the possession of the department of
16 commerce pertaining to the powers, functions, and duties transferred
17 must be delivered to the custody of the department of housing. All
18 cabinets, furniture, office equipment, motor vehicles, and other
19 tangible property employed by the department of commerce in carrying
20 out the powers, functions, and duties transferred must be available
21 to the department of housing. All funds, credits, other assets held
22 in connection with the powers, functions, and duties transferred must
23 be assigned to the department of housing.

24 (b) Any appropriations made to the department of commerce for
25 carrying out the powers, functions, and duties transferred must, on
26 the effective date of this section, be transferred and credited to
27 the department of housing.

28 (c) Whenever any question arises as to the transfer of any
29 personnel, funds, books, documents, records, papers, files,
30 equipment, or other tangible property used or held in the exercise of
31 the powers and the performance of the duties and functions
32 transferred, the director of financial management must make a
33 determination as to the proper allocation and certify the same to the
34 state agencies concerned.

35 (3) All employees of the department of commerce engaged in
36 performing the powers, functions, and duties transferred are
37 transferred to the jurisdiction of the department of housing. All
38 employees classified under chapter 41.06 RCW, the state civil service
39 law, are assigned to the department of housing to perform their usual

1 duties upon the same terms as formerly, without any loss of rights,
2 subject to any action that may be appropriate thereafter in
3 accordance with the laws and rules governing state civil service.

4 (4) All rules and pending business before the department of
5 commerce pertaining to the powers, functions, and duties transferred
6 must be continued and acted upon by the department of housing. All
7 existing contracts and obligations remain in full force and must be
8 performed by the department of housing.

9 (5) The transfer of the powers, duties, functions, and personnel
10 of the department of commerce does not affect the validity of any act
11 performed before the effective date of this section.

12 (6) If apportionments of budgeted funds are required because of
13 the transfers directed under this section, the director of financial
14 management must certify the apportionments to the agencies affected,
15 the state auditor, and the state treasurer. Each of these must make
16 the appropriate transfer and adjustments in funds and appropriation
17 accounts and equipment records in accordance with the certification.

18 (7) This section may not be construed to alter any existing
19 collective bargaining unit or the provisions of any existing
20 collective bargaining agreement until the agreement has expired or
21 until the bargaining unit has been modified by action of the public
22 employment relations commission as provided by law.

23 NEW SECTION. **Sec. 8.** Sections 1 through 7 of this act
24 constitute a new chapter in Title 43 RCW.

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