

2 **SHB 1433** - S COMM AMD

3 By Committee on Human Services & Corrections

4 ADOPTED 4/7/97

5 Strike everything after the enacting clause and insert the
6 following:

7 "Sec. 1. RCW 43.17.360 and 1996 c 261 s 2 are each amended to read
8 as follows:

9 (1) The department of social and health services and other state
10 agencies may lease real property and improvements thereon to a
11 consortium of three or more counties in order for the counties to
12 construct or otherwise acquire correctional facilities for juveniles or
13 adults.

14 (2) A lease governed by subsection (1) of this section shall not
15 charge more than one dollar per year for the land value and facilities
16 value, during the initial term of the lease, but the lease may include
17 provisions for payment of any reasonable operation and maintenance
18 expenses incurred by the state.

19 The initial term of a lease governed by subsection (1) of this
20 section shall not exceed twenty years, except as provided in subsection
21 (4) of this section. A lease renewed under subsection (1) of this
22 section after the initial term shall charge the fair rental value for
23 the land and ~~((facilities, and may))~~ improvements other than those
24 improvements paid for by a contracting consortium. The renewed lease
25 may also include provisions for payment of any reasonable operation and
26 maintenance expenses incurred by the state. For the purposes of this
27 subsection, fair rental value shall be determined by the commissioner
28 of public lands in consultation with the department and shall not
29 include the value of any improvements paid for by a contracting
30 consortium.

31 (3) The net proceeds generated from any lease entered or renewed
32 under subsection (1) of this section involving land and facilities on
33 the grounds of eastern state hospital shall be used solely for the
34 benefit of eastern state hospital programs for the long-term care needs
35 of patients with mental disorders. These proceeds shall not supplant
36 or replace funding from traditional sources for the normal operations

1 and maintenance or capital budget projects. It is the intent of this
2 subsection to ensure that eastern state hospital receives the full
3 benefit intended by this section, and that such effect will not be
4 diminished by budget adjustments inconsistent with this intent.

5 (4) The initial term of a lease under subsection (1) of this
6 section entered into after January 1, 1996, and involving the grounds
7 of Eastern State hospital, shall not exceed fifty years. This
8 subsection applies retroactively, and the department shall modify any
9 existing leases to comply with the terms of this subsection. No other
10 terms of a lease modified by this subsection may be modified unless
11 both parties agree.

12 NEW SECTION. Sec. 2. If any provision of this act or its
13 application to any person or circumstance is held invalid, the
14 remainder of the act or the application of the provision to other
15 persons or circumstances is not affected.

16 NEW SECTION. Sec. 3. This act is necessary for the immediate
17 preservation of the public peace, health, or safety, or support of the
18 state government and its existing public institutions, and takes effect
19 immediately."

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23 On page 1, line 2 of the title, after "facilities;" strike the
24 remainder of the title and insert "amending RCW 43.17.360; and
25 declaring an emergency."

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