

CERTIFICATION OF ENROLLMENT
SUBSTITUTE SENATE BILL 5332

Chapter 204, Laws of 1991

52nd Legislature
1991 Regular Session

DISABLED PERSONS--RESIDENTIAL CARE--REAL PROPERTY
INVENTORY--REQUIREMENTS

EFFECTIVE DATE: 5/16/91

Passed by the Senate April 23, 1991
Yeas 42 Nays 0

JOEL PRITCHARD
President of the Senate

Passed by the House April 19, 1991
Yeas 97 Nays 0

JOE KING
**Speaker of the
House of Representatives**

Approved May 16, 1991

BOOTH GARDNER
Governor of the State of Washington

CERTIFICATE

I, Gordon Golob, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5332** as passed by the Senate and the House of Representatives on the dates hereon set forth.

GORDON A. GOLOB
Secretary

FILED

May 16, 1991 - 10:13 a.m.

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5332

AS AMENDED BY THE HOUSE

Passed Legislature - 1991 Regular Session

State of Washington 52nd Legislature 1991 Regular Session

By Senate Committee on Health & Long-Term Care (originally sponsored by Senators Wojahn, West, Niemi, L. Smith, Madsen, Rasmussen, Snyder, Gaspard, Moore and Bauer).

Read first time March 6, 1991.

1 AN ACT Relating to the use of real property inventories to provide
2 residential care for disabled persons; amending RCW 43.79.201 and
3 43.185.110; adding a new section to chapter 79.01 RCW; adding a new
4 section to chapter 43.20A RCW; and declaring an emergency.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 79.01 RCW
7 to read as follows:

8 (1) Every five years the department of social and health services
9 and other state agencies that operate institutions shall conduct an
10 inventory of all real property subject to the charitable, educational,
11 penal, and reformatory institution account and other real property
12 acquired for institutional purposes or for the benefit of the blind,
13 deaf, mentally ill, developmentally disabled, or otherwise disabled.
14 The inventory shall identify which of those real properties are not
15 needed for state-provided residential care, custody, or treatment. By

1 December 1, 1992, and every five years thereafter the department shall
2 report the results of the inventory to the house of representatives
3 committee on capital facilities and financing, the senate committee on
4 ways and means, and the legislative budget committee.

5 (2) Real property identified as not needed for state-provided
6 residential care, custody, or treatment shall be transferred to the
7 corpus of the charitable, educational, penal, and reformatory
8 institution account. This subsection shall not apply to real property
9 subject to binding conditions that conflict with the other provisions
10 of this subsection.

11 (3) The department of natural resources shall manage all property
12 subject to the charitable, educational, penal, and reformatory
13 institution account and, in consultation with the department of social
14 and health services and other affected agencies, shall adopt a plan for
15 the management of real property subject to the account and other real
16 property acquired for institutional purposes or for the benefit of the
17 blind, deaf, mentally ill, developmentally disabled, or otherwise
18 disabled.

19 (a) The plan shall be consistent with state trust land policies and
20 shall be compatible with the needs of institutions adjacent to real
21 property subject to the plan.

22 (b) The plan may be modified as necessary to ensure the quality of
23 future management and to address the acquisition of additional real
24 property.

25 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.20A RCW
26 to read as follows:

27 The department shall conduct an inventory of real properties as
28 provided in section 1 of this act.

1 **Sec. 3.** RCW 43.79.201 and 1985 c 57 s 37 are each amended to read
2 as follows:

3 (1) All moneys in the state treasury to the credit of that fund now
4 denoted as the C.E.P. & R.I. fund on and after March 20, 1961, and all
5 moneys thereafter paid into the state treasury for or to the credit of
6 such fund shall be and are hereby transferred to and placed in the
7 charitable, educational, penal and reformatory institutions account,
8 hereby created, in the state treasury, into which fund there shall also
9 be deposited all moneys arising from the sale, lease or transfer of the
10 land granted by the United States government to the state for
11 charitable, educational, penal and reformatory institutions by section
12 17 of the enabling act, or otherwise set apart for such institutions,
13 except all moneys arising from the sale, lease, or transfer of that
14 certain one hundred thousand acres of such land assigned for the
15 support of the University of Washington by chapter 91, Laws of 1903 and
16 section 9, chapter 122, Laws of 1893. All earnings of investments of
17 balances in the charitable, educational, penal and reformatory
18 institutions account shall be credited to the ((general fund)) account.

19 (2) If feasible, not less than one-half of all income to the
20 charitable, educational, penal, and reformatory institutions account
21 shall be appropriated for the purpose of providing housing, including
22 repair and renovation of state institutions, for persons who are
23 mentally ill, developmentally disabled, or youth who are blind, deaf,
24 or otherwise disabled. If moneys are appropriated for commuinty-based
25 housing, the moneys shall be appropriated to the department of
26 community development for the housing assistance program under chapter
27 43.185 RCW.

28 **Sec. 4.** RCW 43.185.110 and 1987 c 513 s 3 are each amended to read
29 as follows:

1 The director shall prepare an annual report and shall send copies
2 to the chair of the house of representatives committee on housing, the
3 chair of the senate committee on commerce and labor, and one copy to
4 the staff of each committee that summarizes the housing trust fund's
5 income, grants and operating expenses, implementation of its program,
6 and any problems arising in the administration thereof. The director
7 shall promptly appoint a low-income housing assistance advisory
8 committee composed of a representative from each of the following
9 groups: Apartment owners, realtors, mortgage lending or servicing
10 institutions, private nonprofit housing assistance programs, tenant
11 associations, and public housing assistance programs. The advisory
12 group shall advise the director on housing needs in this state,
13 including housing needs for persons who are mentally ill or
14 developmentally disabled or youth who are blind or deaf or otherwise
15 disabled, operational aspects of the grant and loan program or revenue
16 collection programs established by this chapter, and implementation of
17 the policy and goals of this chapter. Such advice shall be consistent
18 with policies and plans developed by regional support networks
19 according to chapter 71.24 RCW for the mentally ill and the
20 developmental disabilities planning council for the developmentally
21 disabled.

22 NEW SECTION. **Sec. 5.** A new section is added to chapter 79.01 RCW
23 to read as follows:

24 Where C.E.P. & R.I. land has the potential for lease for
25 commercial, industrial, or residential uses or other uses with the
26 potential for high economic return and is within urban or suburban
27 areas, the department of natural resources shall make every effort
28 consistent with trust land management principles and all other
29 provisions of law to lease the lands for such purposes, unless the land

1 is subject to a lease to a state agency operating an existing state
2 institution. The department of natural resources is authorized,
3 subject to approval by the board of natural resources and only if a
4 higher return can be realized, to exchange such lands for lands of at
5 least equal value and to sell such lands and use the proceeds to
6 acquire replacement lands. The department shall report to the
7 appropriate legislative committees all C.E.P. & R.I. land purchased,
8 sold, or exchanged. Income from the leases shall be deposited in the
9 charitable, educational, penal, and reformatory institutions account.
10 The legislature shall give priority consideration to appropriating one-
11 half of the money derived from lease income to providing community
12 housing for persons who are mentally ill, developmentally disabled, or
13 youth who are blind, deaf, or otherwise disabled.

14 NEW SECTION. **Sec. 6.** This act is necessary for the immediate
15 preservation of the public peace, health, or safety, or support of the
16 state government and its existing public institutions, and shall take
17 effect immediately.

Passed the Senate April 23, 1991.

Passed the House April 19, 1991.

Approved by the Governor May 16, 1991.

Filed in Office of Secretary of State May 16, 1991.