
SUBSTITUTE SENATE BILL 6456

State of Washington

53rd Legislature

1994 Regular Session

By Senate Committee on Government Operations (originally sponsored by Senators Vognild, Sellar, Snyder, Haugen, Anderson, Newhouse, Loveland, Spanel, Wojahn, Prince, Drew, Owen and Gaspard)

Read first time 02/04/94.

1 AN ACT Relating to management of state buildings; amending RCW
2 43.01.090, 43.19.125, and 43.82.010; adding a new section to chapter
3 43.19 RCW; and providing an effective date.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.19 RCW
6 to read as follows:

7 (1) Any state board, commission, agency, office, or department
8 occupying more than fifty percent by area of a building, structure, or
9 facility managed by the director of general administration may acquire
10 the responsibility for the operation and maintenance of the building,
11 structure, or facility and its premises. Such transfer of
12 responsibility shall occur ninety days after the director receives a
13 written notice from the state board, commission, agency, office, or
14 department acquiring such functions.

15 (2) Such transfer may not impair any contracts relating to the
16 operation or maintenance of the building, structure, or facility in
17 effect at the time the notice is received.

18 (3) For the purposes of this section, operation and maintenance
19 includes, without limitation, repair, remodeling, furnishing, the

1 rendering of any service, and the furnishing or providing of any
2 supplies, equipment, or materials.

3 **Sec. 2.** RCW 43.01.090 and 1991 sp.s. c 31 s 10 are each amended to
4 read as follows:

5 The director of general administration may assess a charge or rent
6 against each state board, commission, agency, office, department,
7 activity, or other occupant or user for payment of a proportionate
8 share of costs for occupancy of buildings, structures, or facilities
9 including but not limited to all costs of acquiring, constructing,
10 operating, and maintaining such buildings, structures, or facilities
11 and the repair, remodeling, or furnishing thereof and for the rendering
12 of any service or the furnishing or providing of any supplies,
13 equipment, or materials. However, the director may not charge for
14 operation and maintenance, including repair, remodeling, furnishing,
15 the rendering of any service, and the furnishing or providing of any
16 supplies, equipment, or materials, against any board, commission,
17 agency, office, or department that has removed those functions from the
18 director pursuant to section 1 of this act.

19 The director of general administration may recover the full costs
20 including appropriate overhead charges of the foregoing by periodic
21 billings as determined by the director including but not limited to
22 transfers upon accounts and advancements into the general
23 administration facilities and services revolving fund. Rates shall be
24 established by the director of general administration after
25 consultation with the director of financial management. The director
26 of general administration may allot, provide, or furnish any of such
27 facilities, structures, services, equipment, supplies, or materials to
28 any other public service type occupant or user at such rates or charges
29 as are equitable and reasonably reflect the actual costs of the
30 services provided: PROVIDED, HOWEVER, That the legislature, its duly
31 constituted committees, interim committees and other committees shall
32 be exempted from the provisions of this section.

33 Upon receipt of such bill, each entity, occupant, or user shall
34 cause a warrant or check in the amount thereof to be drawn in favor of
35 the department of general administration which shall be deposited in
36 the state treasury to the credit of the general administration
37 facilities and services revolving fund established in RCW 43.19.500

1 unless the director of financial management has authorized another
2 method for payment of costs.

3 **Sec. 3.** RCW 43.19.125 and 1965 c 8 s 43.19.125 are each amended to
4 read as follows:

5 The director of general administration, through the division of
6 capitol buildings, shall have custody and control of the capitol
7 buildings and grounds, supervise and direct proper care, heating,
8 lighting and repairing thereof, and designate rooms in the capitol
9 buildings to be occupied by various state officials except to the
10 extent that such powers and duties have been removed pursuant to
11 section 1 of this act.

12 **Sec. 4.** RCW 43.82.010 and 1990 c 47 s 1 are each amended to read
13 as follows:

14 (1) The director of the department of general administration, on
15 behalf of the agency involved, shall purchase, lease, rent, or
16 otherwise acquire all real estate, improved or unimproved, as may be
17 required by elected state officials, institutions, departments,
18 commissions, boards, and other state agencies, or federal agencies
19 where joint state and federal activities are undertaken and may grant
20 easements and transfer, exchange, sell, lease, or sublease all or part
21 of any surplus real estate for those state agencies which do not
22 otherwise have the specific authority to dispose of real estate. This
23 section does not transfer financial liability for the acquired property
24 to the department of general administration.

25 (2) Except for real estate occupied by federal agencies, the
26 director shall determine the location, size, and design of any real
27 estate or improvements thereon acquired or held pursuant to subsection
28 (1) of this section.

29 (3) The director is authorized to purchase, lease, rent, or
30 otherwise acquire improved or unimproved real estate as owner or lessee
31 and to lease or sublet all or a part of such real estate to state or
32 federal agencies. The director shall charge each using agency its
33 proportionate rental which shall include an amount sufficient to pay
34 all costs, including, but not limited to, those for utilities,
35 janitorial and accounting services, and sufficient to provide for
36 contingencies; which shall not exceed five percent of the average

1 annual rental, to meet unforeseen expenses incident to management of
2 the real estate.

3 (4) If the director determines that it is necessary or advisable to
4 undertake any work, construction, alteration, repair, or improvement on
5 any real estate acquired pursuant to subsections (1) or (3) of this
6 section, the director shall cause plans and specifications thereof and
7 an estimate of the cost of such work to be made and filed in his or her
8 office and the state agency benefiting thereby is hereby authorized to
9 pay for such work out of any available funds: PROVIDED, That the cost
10 of executing such work shall not exceed the sum of twenty-five thousand
11 dollars. Work, construction, alteration, repair, or improvement in
12 excess of twenty-five thousand dollars, other than that done by the
13 owner of the property if other than the state, shall be performed in
14 accordance with the public works law of this state.

15 (5) In order to obtain maximum utilization of space, the director
16 shall make space utilization studies, and shall establish standards for
17 use of space by state agencies.

18 (6) The director may construct new buildings on, or improve
19 existing facilities, and furnish and equip, all real estate under his
20 or her management.

21 (7) All conveyances and contracts to purchase, lease, rent,
22 transfer, exchange, or sell real estate and to grant and accept
23 easements shall be approved as to form by the attorney general, signed
24 by the director or the director's designee, and recorded with the
25 county auditor of the county in which the property is located.

26 (8) The director may delegate any or all of the functions specified
27 in this section to any agency upon such terms and conditions as the
28 director deems advisable and shall delegate any functions removed from
29 the director pursuant to section 1 of this act.

30 (9) This section does not apply to the acquisition of real estate
31 by:

32 (a) The state college and universities for research or experimental
33 purposes;

34 (b) The state liquor control board for liquor stores and
35 warehouses; and

36 (c) The department of natural resources, the department of
37 (~~fisheries, the department of~~) fish and wildlife, the department of
38 transportation, and the state parks and recreation commission for

1 purposes other than the leasing of offices, warehouses, and real estate
2 for similar purposes.

3 (10) Notwithstanding any provision in this chapter to the contrary,
4 the department of general administration may negotiate ground leases
5 for public lands on which property is to be acquired under a financing
6 contract pursuant to chapter 39.94 RCW under terms approved by the
7 state finance committee.

8 NEW SECTION. **Sec. 5.** This act shall take effect July 1, 1994.

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