

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 2720

Chapter 261, Laws of 1996

54th Legislature
1996 Regular Session

CORRECTIONAL FACILITIES--CONSORTIUMS OF COUNTIES FOR ACQUISITION

EFFECTIVE DATE: 6/6/96

Passed by the House March 4, 1996
Yeas 94 Nays 0

CLYDE BALLARD
**Speaker of the
House of Representatives**

Passed by the Senate March 1, 1996
Yeas 45 Nays 1

JOEL PRITCHARD
President of the Senate

Approved March 29, 1996

MIKE LOWRY
Governor of the State of Washington

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 2720** as passed by the House of Representatives and the Senate on the dates hereon set forth.

TIMOTHY A. MARTIN
Chief Clerk

FILED

March 29, 1996 - 4:44 p.m.

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 2720

AS AMENDED BY THE SENATE

Passed Legislature - 1996 Regular Session

State of Washington 54th Legislature 1996 Regular Session

By House Committee on Corrections (originally sponsored by Representatives Ballasiotes, Schoesler, Sheahan, Fuhrman, Foreman, Mastin, D. Sommers, Sterk, Crouse, Campbell, L. Thomas, Silver, Morris, Cooke, Mulliken, Blanton, McMorris, Thompson and Elliot)

Read first time 02/02/96.

1 AN ACT Relating to consortiums of counties formed for the purpose
2 of acquiring correctional facilities; amending RCW 79.01.006; and
3 adding a new section to chapter 43.17 RCW.

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

5 **Sec. 1.** RCW 79.01.006 and 1991 c 204 s 1 are each amended to read
6 as follows:

7 (1) Every five years the department of social and health services
8 and other state agencies that operate institutions shall conduct an
9 inventory of all real property subject to the charitable, educational,
10 penal, and reformatory institution account and other real property
11 acquired for institutional purposes or for the benefit of the blind,
12 deaf, mentally ill, developmentally disabled, or otherwise disabled.
13 The inventory shall identify which of those real properties are not
14 needed for state-provided residential care, custody, or treatment. By
15 December 1, 1992, and every five years thereafter the department shall
16 report the results of the inventory to the house of representatives
17 committee on capital facilities and financing, the senate committee on
18 ways and means, and the legislative budget committee.

1 (2) Real property identified as not needed for state-provided
2 residential care, custody, or treatment shall be transferred to the
3 corpus of the charitable, educational, penal, and reformatory
4 institution account. This subsection shall not apply to leases of real
5 property to a consortium of three or more counties in order for the
6 counties to construct or otherwise acquire correctional facilities for
7 juveniles or adults or to real property subject to binding conditions
8 that conflict with the other provisions of this subsection.

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

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

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

23 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.17 RCW
24 to read as follows:

25 (1) The department of social and health services and other state
26 agencies may lease real property and improvements thereon to a
27 consortium of three or more counties in order for the counties to
28 construct or otherwise acquire correctional facilities for juveniles or
29 adults.

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

35 The initial term of a lease governed by subsection (1) of this
36 section shall not exceed twenty years. A lease renewed under
37 subsection (1) of this section after the initial term shall charge the
38 fair rental value for the land and facilities, and may include

1 provisions for payment of any reasonable operation and maintenance
2 expenses incurred by the state. For the purposes of this subsection,
3 fair rental value shall be determined by the commissioner of public
4 lands in consultation with the department.

5 (3) The net proceeds generated from any lease entered or renewed
6 under subsection (1) of this section involving land and facilities on
7 the grounds of eastern state hospital shall be used solely for the
8 benefit of eastern state hospital programs for the long-term care needs
9 of patients with mental disorders. These proceeds shall not supplant
10 or replace funding from traditional sources for the normal operations
11 and maintenance or capital budget projects. It is the intent of this
12 subsection to ensure that eastern state hospital receives the full
13 benefit intended by this section, and that such effect will not be
14 diminished by budget adjustments inconsistent with this intent.

Passed the House March 4, 1996.

Passed the Senate March 1, 1996.

Approved by the Governor March 29, 1996.

Filed in Office of Secretary of State March 29, 1996.