

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE HOUSE BILL 1433**

Chapter 349, Laws of 1997

55th Legislature  
1997 Regular Session

EASTERN STATE HOSPITAL--LEASES WITH CONSORTIUMS OF COUNTIES  
FORMED TO ACQUIRE FACILITIES

EFFECTIVE DATE: 5/13/97

Passed by the House April 19, 1997  
Yeas 90 Nays 1

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

Passed by the Senate April 7, 1997  
Yeas 44 Nays 3

BOB MORTON  
**President of the Senate**

Approved May 13, 1997

GARY LOCKE  
**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 1433** as passed by the House of Representatives and the Senate on the dates hereon set forth.

TIMOTHY A. MARTIN  
**Chief Clerk**

FILED

May 13, 1997 - 2:34 p.m.

**Secretary of State  
State of Washington**

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**SUBSTITUTE HOUSE BILL 1433**

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AS AMENDED BY THE SENATE

Passed Legislature - 1997 Regular Session

**State of Washington**

**55th Legislature**

**1997 Regular Session**

**By** House Committee on Capital Budget (originally sponsored by Representatives Sump, McMorris, Ballasiotes, DeBolt, Sheahan, Talcott, Quall, D. Sommers, Honeyford, Chandler, Schoesler, Crouse, Mastin and Mielke)

Read first time 02/25/97.

1       AN ACT Relating to leases with consortiums of counties formed to  
2 acquire correctional facilities; amending RCW 43.17.360; and declaring  
3 an emergency.

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

5       **Sec. 1.** RCW 43.17.360 and 1996 c 261 s 2 are each amended to read  
6 as follows:

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

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

17       The initial term of a lease governed by subsection (1) of this  
18 section shall not exceed twenty years, except as provided in subsection  
19 (4) of this section. A lease renewed under subsection (1) of this

1 section after the initial term shall charge the fair rental value for  
2 the land and (~~facilities, and may~~) improvements other than those  
3 improvements paid for by a contracting consortium. The renewed lease  
4 may also include provisions for payment of any reasonable operation and  
5 maintenance expenses incurred by the state. For the purposes of this  
6 subsection, fair rental value shall be determined by the commissioner  
7 of public lands in consultation with the department and shall not  
8 include the value of any improvements paid for by a contracting  
9 consortium.

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

20 (4) The initial term of a lease under subsection (1) of this  
21 section entered into after January 1, 1996, and involving the grounds  
22 of Eastern State hospital, shall not exceed fifty years. This  
23 subsection applies retroactively, and the department shall modify any  
24 existing leases to comply with the terms of this subsection. No other  
25 terms of a lease modified by this subsection may be modified unless  
26 both parties agree.

27 NEW SECTION. **Sec. 2.** If any provision of this act or its  
28 application to any person or circumstance is held invalid, the  
29 remainder of the act or the application of the provision to other  
30 persons or circumstances is not affected.

31 NEW SECTION. **Sec. 3.** This act is necessary for the immediate  
32 preservation of the public peace, health, or safety, or support of the  
33 state government and its existing public institutions, and takes effect  
34 immediately.

Passed the House April 19, 1997.

Passed the Senate April 7, 1997.

Approved by the Governor May 13, 1997.

Filed in Office of Secretary of State May 13, 1997.