
SENATE BILL 6049

State of Washington

58th Legislature

2003 Regular Session

By Senator Zarelli

Read first time 03/20/2003. Referred to Committee on Ways & Means.

1 AN ACT Relating to the stewardship and preservation of state
2 college and university facilities; amending RCW 43.88.032; adding a new
3 chapter to Title 28B RCW; providing an effective date; and declaring an
4 emergency.

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

6 NEW SECTION. **Sec. 1.** This chapter is created in furtherance of
7 findings from the higher education facility preservation study,
8 undertaken by the joint legislative audit and review committee, whose
9 final report was submitted to the legislature January 8, 2003. The
10 legislature affirms that preventive and ongoing facility maintenance,
11 properly supported, can prevent and mitigate preservation backlogs.
12 The legislature declares its intent to set in motion a series of
13 structural changes that will support facility stewardship and ensure
14 that, moving forward in time, the state of Washington and its
15 institutions of higher education do not again face a 1.3 billion dollar
16 deficit of capital improvements to preserve existing buildings for
17 their current use; preservation needs that will likely take a decade or
18 longer to redress. To that end and as a first step, this chapter
19 implements the summary recommendation that asks the legislature to

1 designate an agency to sustain and expand the comparable framework and
2 assemble information as needed to support facilities-related budget and
3 policy development for biennial sessions starting in 2005.

4 NEW SECTION. **Sec. 2.** The definitions in this section apply
5 throughout this chapter unless the context clearly requires otherwise.

6 (1) "Auxiliary programs" are secondary to the missions of state
7 institutions of higher education and, being enterprise in character,
8 draw supporting revenue from user fees and charges. Examples include
9 housing and dining; food services; vehicular parking; infirmaries;
10 hospitals; recreation and student-activity centers; campus stores
11 retailing textbooks, supplies, clothing, and objects bearing
12 institutional logos or emblems; and media reproduction centers, among
13 others.

14 (2) "Educational and general programs" are those that support the
15 primary missions of state institutions of higher education: Student
16 instruction, faculty research, and educational public service.

17 (3) "Enterprise facility" means a building structure exclusively
18 housing auxiliary programs, and includes infrastructure necessary for
19 safe and normal operations by its occupants.

20 (4) "Facility rating" is a score that reflects an individual
21 building's ability to support its current use as measured against a
22 five-point scale that ranges from 1.0 to 5.0 as follows:

23 (a) "One" or "superior" means a building with major systems that
24 are in extremely good condition and functioning well;

25 (b) "Two" or "adequate" means a building with major systems in good
26 condition, functioning adequately, and within their expected life
27 cycles;

28 (c) "Three" or "fair" means a building with some older major
29 systems that, though still functional, are approaching the end of their
30 expected life cycles;

31 (d) "Four" or "needs improvement: Limited functionality" means a
32 building with some major systems that are in poor condition, exceed
33 expected life cycles, and require immediate attention to prevent or
34 mitigate impacts on function;

35 (e) "Five" or "needs improvement: Marginal functionality" means a
36 building with some major systems that are failing and significantly
37 restrict continued use of the building.

1 (5) "Major building system" refers to foundations, building
2 structures, roofs, interior construction and finishes, heating,
3 ventilation and air condition systems, electrical systems, plumbing,
4 and other components necessary for safe and normal plant operation.

5 (6) "Mixed facility" means a building structure where educational
6 and general and auxiliary programs are jointly housed, and includes
7 infrastructure necessary for safe and normal operations by its
8 occupants.

9 (7) "Preservation" means routine and preventive inspection,
10 mechanical adjustments, and minor work to replace or repair systems,
11 surfaces, or materials undertaken to maintain a building and its
12 existing infrastructure for current use by current occupants.

13 (8) "State facility" means a building structure exclusively housing
14 educational and general programs, and includes infrastructure necessary
15 for safe and normal operation by its occupants.

16 (9) "Stewardship" means the collective action undertaken with
17 appropriated and nonappropriated funds by institutional authorities to
18 keep facilities in safe and functional condition for occupants, without
19 deterioration for lack of attention or resources, that optimize the
20 useful life of installed building systems and material construction,
21 given advancing age.

22 NEW SECTION. **Sec. 3.** The joint legislative audit and review
23 committee shall periodically contract to update the comparative
24 framework that examines and rates the relative condition of state and
25 mixed higher education facilities. The scope of work, focus, funding,
26 and expectations for data and support from state agencies shall be as
27 defined by the legislature through the omnibus appropriations act.

28 NEW SECTION. **Sec. 4.** The higher education facility preservation
29 account is created in the state treasury. The account shall consist of
30 moneys transferred or appropriated to the account by the legislature.
31 Moneys in the account may be spent only after appropriation and solely
32 to keep state and mixed facilities rated at or above 3.3 from
33 deteriorating until such time as a capital project to modernize,
34 renovate, or replace the physical asset is approved by the legislature.

1 **Sec. 5.** RCW 43.88.032 and 1997 c 96 s 5 are each amended to read
2 as follows:

3 (1) Normal maintenance costs, except for funds appropriated for
4 facility preservation of state institutions of higher education under
5 chapter 28B.--- RCW (sections 1 through 4 of this act), shall be
6 programmed in the operating budget rather than in the capital budget.

7 (2) All debt-financed pass-through money to local governments shall
8 be programmed and separately identified in the budget document.

9 NEW SECTION. **Sec. 6.** Sections 1 through 4 of this act constitute
10 a new chapter in Title 28B RCW.

11 NEW SECTION. **Sec. 7.** This act is necessary for the immediate
12 preservation of the public peace, health, or safety, or support of the
13 state government and its existing public institutions, and takes effect
14 July 1, 2003.

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