

**SENATE BILL REPORT**

**SB 5331**

**AS OF FEBRUARY 12, 1991**

**Brief Description:** Authorizing use of certain institutional trust lands for housing.

**SPONSORS:** Senators Wojahn, West, Niemi, L. Smith, Madsen, Snyder, Stratton, Conner, Vognild and Murray.

**SENATE COMMITTEE ON HEALTH & LONG-TERM CARE**

**Staff:** Don Sloma (786-7414)

**Hearing Dates:** February 13, 1991

**BACKGROUND:**

The Department of Natural Resources (DNR) is trustee and steward of the Charitable, Educational, Penal & Reformatory Institutions (CEP & RI) land trust. The CEP & RI trust currently contains 72,840 acres at various locations throughout the state. As steward, the DNR must prudently manage trust property. The DNR believes trust duties include seeking full value of trust assets.

Washington courts have held that the various trust funds managed by the DNR must be compensated whenever grant lands are put to a use for which they were not originally intended. Historically, income from the CEP & RI trust has been used to maintain capital facilities at state institutions.

However, over the past 30 years, Washington State has chosen, where possible, to emphasize community-based care over institutional care to provide services for disabled people.

**SUMMARY:**

The Board of Natural Resources must implement a management plan for institutional trust lands located in Thurston County that allows "direct use" of these lands by persons who are mentally ill or developmentally disabled.

Housing is included in the definition of "direct use."

Rent-free housing for mentally ill or developmentally disabled people shall be an element of the management plan developed by the Board of Natural Resources. The Board of Natural Resources may authorize the rent-free use of these lands.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** requested

**Effective Date:** The bill contains an emergency clause and takes effect immediately.