

FINAL BILL REPORT

SSB 5332

C 204 L 91

SYNOPSIS AS ENACTED

Brief Description: Providing residential care for disabled persons.

SPONSORS: Senate Committee on Health & Long-Term Care (originally sponsored by Senators Wojahn, West, Niemi, L. Smith, Madsen, Rasmussen, Snyder, Gaspard, Moore and Bauer).

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

HOUSE COMMITTEE ON CAPITAL FACILITIES & FINANCING

BACKGROUND:

Over the past 30 years, Washington State has chosen, where possible, to emphasize community-based care over institutional care for disabled people. Currently, institutional land and buildings that become vacant due to this policy are rented by other users. Often, the only charges assessed to these tenants are the costs of the utilities that they use.

Lands devoted to the care of the mentally ill and disabled are defined as including lands where state-owned residential treatment facilities (institutions) are sited. The majority of this land (3,513 acres) is managed by the Department of Social and Health Services (DSHS). Lands at Northern State Hospital (1,075 acres) are managed by the Department of General Administration (DGA) and the Department of Natural Resources (DNR). Two nursing homes for veterans are run by the state Department of Veterans Affairs, and the Schools for the Deaf and for the Blind are operated by separate boards of trustees.

Other lands held in trust for the mentally ill and disabled include lands managed by DNR in the Charitable, Educational, Penal and Reformatory Institutions (CEP & RI) trust account. These lands were earmarked by the federal government at statehood for the support of these institutions. The CEP & RI trust currently contains 72,840 acres. DNR has traded land over the years, maintaining the value of the trust but not necessarily the acreage.

Washington courts have ruled that 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.

SUMMARY:

Every five years DSHS and other state agencies that operate institutions must conduct an inventory of all real property not needed for resident care. The department must report the results of the inventory to the House of Representatives Committee on Capital Facilities and Financing, the Senate Committee on Ways and Means, and the Legislative Budget Committee.

Real property identified as not needed for state-provided residential care, custody, or treatment must be transferred to the CEP & RI account. DNR, in consultation with DSHS, shall manage all property in the CEP & RI account.

The Low-Income Housing Assistance Advisory Committee is to advise the Director of the Department of Community Development on the housing needs of persons who are mentally ill or developmentally disabled or youth who are disabled. All advice from the committee must be consistent with policies and plans developed by the regional support networks and the developmental disabilities planning council.

If feasible, not less than one-half of all income to the CEP & RI account must be appropriated for the purpose of providing housing, including repair and renovation of state institutions, for persons who are mentally ill, developmentally disabled, or youth who are disabled. If moneys are appropriated for community housing, they must be appropriated to the housing assistance program in the Department of Community Development.

DNR must make every effort to lease CEP & RI land in urban or suburban areas that have a potential for commercial or residential development. Income from these leases must be deposited to the CEP & RI account. The Legislature must give first priority to appropriating one-half of the income from these leases to provide community housing for persons who are mentally ill, developmentally disabled, or youth who are disabled.

The Department of Natural Resources (DNR) is authorized to purchase, sell or trade urban and suburban land in the CEP & RI trust for other land if a greater return can be realized. DNR must report such actions to the Legislature.

VOTES ON FINAL PASSAGE:

Senate	47	0	
House	97	0	(House amended)
Senate	42	0	(Senate concurred)

EFFECTIVE: May 16, 1991