

SENATE BILL REPORT

SB 5702

As Reported By Senate Committee On:
Ways & Means, February 28, 2005

Title: An act relating to the developmental disabilities community trust account.

Brief Description: Creating the developmental disabilities community trust account.

Sponsors: Senators Zarelli, Kline, Fairley, Regala, Rasmussen and McAuliffe.

Brief History:

Committee Activity: Ways & Means: 2/23/05, 2/28/05 [DPS].

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Substitute Senate Bill No. 5702 be substituted therefor, and the substitute bill do pass.

Signed by Senators Prentice, Chair; Doumit, Vice Chair; Fraser, Vice Chair; Zarelli, Ranking Minority Member; Brandland, Fairley, Hewitt, Parlette, Pflug, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler and Thibaudeau.

Staff: Carole Holland (786-7441)

Background: Residential habilitation centers (RHCs) are state-operated institutions that provide 24-hour residential services for qualified individuals with developmental disabilities needing institutional care. Five RHCs are established in statute: Fircrest School, located in Shoreline; Frances Haddon Morgan Center, located in Bremerton; Lakeland Village, located in Medical Lake; Rainier School, located in Buckley; and Yakima Valley School, located in Selah.

A December 2002 Joint Legislative Audit and Review Committee (JLARC) study of the possible alternative uses of the land and facilities currently used by RHCs identified "excess" property that was not needed for RHC operations. In 2003, the Legislature directed the State Investment Board to contract with a real estate investment consultant to prepare options and recommend investment strategies for excess property at the five state residential habilitation centers.

The report identified that excess property could be disposed of at Lakeland Village and Rainier School without impacting existing buildings. The disposal of property may include either the lease or sale of land at fair market value.

Summary of Substitute Bill: The developmental disabilities community trust account is established. If excess property at Lakeland Village or Rainier School is sold or leased, all proceeds from the disposal of the property is deposited into the trust account. Only investment income from the principle of the account may be spent. Expenditures are subject to appropriation by the legislature and must be used exclusively to provide family support and/or

employment/day services to persons with developmental disabilities who were not served prior to January 1, 2005.

The bill states that the disposal of excess property cannot impact current residential habilitation center operations.

The bill was amended to state that the account must be known as the Dan Thompson developmental disabilities community trust account.

Substitute Bill Compared to Original Bill: The bill was amended to state that the account must be known as the Dan Thompson developmental disabilities community trust account.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: The bill contains several effective dates. Please refer to the bill.

Testimony For: There are a large number of unserved individuals who need family support and employment and day services. Many individuals with developmental disabilities do not have access to any service and this number is growing. Families are in crisis and cannot manage without some assistance. This bill is an important first step towards meeting the needs of some of the unserved individuals with developmental disabilities and their families. The bill is supported as is the amendment to rename the trust fund.

Testimony Against: In 2002 a workgroup of stakeholders developed a long-range plan for the services and supports needed by people with developmental disabilities and their families in Washington State. While the concept of the bill is supported, there are concerns about the manner in which the bill selects one element of the report recommendations without implementing the entire plan.

Who Testified: PRO: Ed Holen, DD Council; Jamie Coots, parent of a disabled child, Joan Bateman, sister of a developmentally disabled man; Lance Morehouse, parent of a developmentally disabled child; Diana Stadden, Autism Society of Washington.

CON: Dennis Eagle, Washington State Federal of State Employees.