

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1995

59th Legislature
2005 Regular Session

Passed by the House April 18, 2005
Yeas 95 Nays 0

Speaker of the House of Representatives

Passed by the Senate April 13, 2005
Yeas 47 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Richard Nafziger, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1995** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1995

AS AMENDED BY THE SENATE

Passed Legislature - 2005 Regular Session

State of Washington 59th Legislature 2005 Regular Session

By House Committee on Capital Budget (originally sponsored by Representatives Lantz, Skinner, Hunt, Moeller and Upthegrove)

READ FIRST TIME 03/02/05.

1 AN ACT Relating to stewardship of state capitol public and historic
2 facilities; amending RCW 43.01.090, 43.19.500, and 79.24.087; and
3 adding new sections to chapter 79.24 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 79.24 RCW
6 to read as follows:

7 The legislature finds that the historic facilities of the
8 Washington state capitol are the most important public facilities in
9 the state. They are a source of beauty and pride, a resource for
10 celebrating our heritage and democratic ideals, and an exceptional
11 educational resource. The public and historic facilities of the state
12 capitol campus should be managed and maintained to the highest
13 standards of excellence, model the best of historic preservation
14 practice, and maximize opportunities for public access and enjoyment.
15 The purpose of this act is to provide authority and direction for the
16 care and stewardship of the public and historic facilities of the state
17 capitol, to facilitate public access, use, and enjoyment of these
18 assets, and to carefully preserve them for the benefit of future
19 generations.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 79.24 RCW
2 to read as follows:

3 For the purposes of sections 3 and 4 of this act, and RCW
4 43.01.090, 43.19.500, and 79.24.087, "state capitol public and historic
5 facilities" includes:

6 (1) The east, west and north capitol campus grounds, Sylvester
7 park, Heritage park, Marathon park, Centennial park, the Deschutes
8 river basin commonly known as Capitol lake, the interpretive center,
9 Deschutes parkway, and the landscape, memorials, artwork, fountains,
10 streets, sidewalks, lighting, and infrastructure in each of these areas
11 not including state-owned aquatic lands in these areas managed by the
12 department of natural resources under RCW 79.90.450;

13 (2) The public spaces and the historic interior and exterior
14 elements of the following buildings: The visitor center, the
15 Governor's mansion, the legislative building, the John L. O'Brien
16 building, the Cherberg building, the Newhouse building, the Pritchard
17 building, the temple of justice, the insurance building, the Dolliver
18 building, capitol court, and the old capitol buildings, including the
19 historic state-owned furnishings and works of art commissioned for or
20 original to these buildings; and

21 (3) Other facilities or elements of facilities as determined by the
22 state capitol committee, in consultation with the department of general
23 administration.

24 NEW SECTION. **Sec. 3.** A new section is added to chapter 79.24 RCW
25 to read as follows:

26 The department of general administration is responsible for the
27 stewardship, preservation, operation, and maintenance of the public and
28 historic facilities of the state capitol, subject to the policy
29 direction of the state capitol committee and the legislative buildings
30 committee as created in chapter . . . (House Bill No. 1301), Laws of
31 2005, and the guidance of the capitol campus design advisory committee.
32 In administering this responsibility, the department shall:

33 (1) Apply the United States secretary of the interior's standards
34 for the treatment of historic properties;

35 (2) Seek to balance the functional requirements of state government
36 operations with public access and the long-term preservation needs of
37 the properties themselves; and

1 (3) Consult with the capitol furnishings preservation committee,
2 the state historic preservation officer, the state arts commission, and
3 the state facilities accessibility advisory committee in fulfilling the
4 responsibilities provided for in this section.

5 NEW SECTION. **Sec. 4.** A new section is added to chapter 79.24 RCW
6 to read as follows:

7 (1) To provide for responsible stewardship of the state capitol
8 public and historic facilities, funding for:

9 (a) Maintenance and operational needs shall be authorized in the
10 state's omnibus appropriations act and funded by the general
11 administration services account as provided under RCW 43.19.500;

12 (b) Development and preservation needs shall be authorized in the
13 state's capital budget. To the extent revenue is available, the
14 capitol building construction account under RCW 79.24.087 shall fund
15 capital budget needs. If capitol building construction account funds
16 are not available, the state building construction account funds may be
17 authorized for this purpose.

18 (2) The department of general administration may seek grants,
19 gifts, or donations to support the stewardship of state capitol public
20 and historic facilities. The department may: (a) Purchase historic
21 state capitol furnishings or artifacts; or (b) sell historic state
22 capitol furnishings and artifacts that have been designated as state
23 surplus by the capitol furnishings preservation committee under RCW
24 27.48.040(6). Funds generated from grants, gifts, donations, or sales
25 for omnibus appropriations act needs shall be deposited into the
26 general administration services account. Funds generated for capital
27 budget needs shall be deposited into the capitol building construction
28 account.

29 **Sec. 5.** RCW 43.01.090 and 2002 c 162 s 1 are each amended to read
30 as follows:

31 The director of general administration may assess a charge or rent
32 against each state board, commission, agency, office, department,
33 activity, or other occupant or user for payment of a proportionate
34 share of costs for occupancy of buildings, structures, or facilities
35 including but not limited to all costs of acquiring, constructing,
36 operating, and maintaining such buildings, structures, or facilities

1 and the repair, remodeling, or furnishing thereof and for the rendering
2 of any service or the furnishing or providing of any supplies,
3 equipment, historic furnishings, or materials.

4 The director of general administration may recover the full costs
5 including appropriate overhead charges of the foregoing by periodic
6 billings as determined by the director including but not limited to
7 transfers upon accounts and advancements into the general
8 administration services account. Charges related to the rendering of
9 real estate services under RCW 43.82.010 and to the operation (~~of~~
10 ~~nonassigned public spaces in Thurston county~~) and maintenance of
11 public and historic facilities at the state capitol, as defined in
12 section 2 of this act, shall be allocated separately from other charges
13 assessed under this section. Rates shall be established by the
14 director of general administration after consultation with the director
15 of financial management. The director of general administration may
16 allot, provide, or furnish any of such facilities, structures,
17 services, equipment, supplies, or materials to any other public service
18 type occupant or user at such rates or charges as are equitable and
19 reasonably reflect the actual costs of the services provided:
20 PROVIDED, HOWEVER, That the legislature, its duly constituted
21 committees, interim committees and other committees shall be exempted
22 from the provisions of this section.

23 Upon receipt of such bill, each entity, occupant, or user shall
24 cause a warrant or check in the amount thereof to be drawn in favor of
25 the department of general administration which shall be deposited in
26 the state treasury to the credit of the general administration services
27 account unless the director of financial management has authorized
28 another method for payment of costs.

29 Beginning July 1, 1995, the director of general administration
30 shall assess a capital projects surcharge upon each agency or other
31 user occupying a facility owned and managed by the department of
32 general administration in Thurston county, excluding state capitol
33 public and historic facilities, as defined in section 2 of this act.
34 The capital projects surcharge does not apply to agencies or users that
35 agree to pay all future repairs, improvements, and renovations to the
36 buildings they occupy and a proportional share, as determined by the
37 office of financial management, of all other campus repairs,
38 installations, improvements, and renovations that provide a benefit to

1 the buildings they occupy or that have an agreement with the department
2 of general administration that contains a charge for a similar purpose,
3 including but not limited to RCW 43.01.091, in an amount greater than
4 the capital projects surcharge. Beginning July 1, 2002, the capital
5 projects surcharge does not apply to department of services for the
6 blind vendors who operate cafeteria services in facilities owned and
7 managed by the department of general administration; the department
8 shall consider this space to be a common area for purposes of
9 allocating the capital projects surcharge to other building tenants
10 beginning July 1, 2003. The director, after consultation with the
11 director of financial management, shall adopt differential capital
12 project surcharge rates to reflect the differences in facility type and
13 quality. The initial payment structure for this surcharge shall be one
14 dollar per square foot per year. The surcharge shall increase over
15 time to an amount that when combined with the facilities and service
16 charge equals the market rate for similar types of lease space in the
17 area or equals five dollars per square foot per year, whichever is
18 less. The capital projects surcharge shall be in addition to other
19 charges assessed under this section. Proceeds from the capital
20 projects surcharge shall be deposited into the Thurston county capital
21 facilities account created in RCW 43.19.501.

22 **Sec. 6.** RCW 43.19.500 and 1998 c 105 s 9 are each amended to read
23 as follows:

24 The general administration services account shall be used by the
25 department of general administration for the payment of certain costs,
26 expenses, and charges, as specified in this section, incurred by it in
27 the operation and administration of the department in the rendering of
28 services, the furnishing or supplying of equipment, supplies and
29 materials, and for providing or allocating facilities, including the
30 operation, maintenance, rehabilitation, or furnishings thereof to other
31 agencies, offices, departments, activities, and other entities
32 enumerated in RCW 43.01.090 and including the rendering of services in
33 acquiring real estate under RCW 43.82.010 and the operation and
34 maintenance of (~~nonassigned public spaces in Thurston county~~) public
35 and historic facilities at the state capitol, as defined in section 2
36 of this act. The department shall treat the rendering of services in
37 acquiring real estate and the operation and maintenance of

1 ((~~nonassigned public spaces~~)) state capitol public and historic
2 facilities as separate operating entities within the account for
3 financial accounting and control.

4 The schedule of services, facilities, equipment, supplies,
5 materials, maintenance, rehabilitation, furnishings, operations, and
6 administration to be so financed and recovered shall be determined
7 jointly by the director of general administration and the director of
8 financial management, in equitable amounts which, together with any
9 other income or appropriation, will provide the department of general
10 administration with funds to meet its anticipated expenditures during
11 any allotment period.

12 The director of general administration may adopt rules governing
13 the provisions of RCW 43.01.090 and this section and the relationships
14 and procedures between the department of general administration and
15 such other entities.

16 **Sec. 7.** RCW 79.24.087 and 1923 c 12 s 1 are each amended to read
17 as follows:

18 All revenues received from leases and sales of lands, timber and
19 other products on the surface or beneath the surface of the lands
20 granted to the state of Washington by the United States pursuant to an
21 act of Congress approved February 22, 1889, for capitol building
22 purposes, shall be paid into the "capitol building construction
23 account". Available revenues in this account shall first be pledged to
24 state capitol public and historic facilities as defined under section
25 2 of this act.

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