

# SENATE BILL REPORT

## SSB 6125

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As Passed Senate, February 13, 2024

**Title:** An act relating to preserving records and artifacts regarding the historical treatment of people with intellectual and developmental disabilities in Washington state.

**Brief Description:** Preserving records and artifacts regarding the historical treatment of people with intellectual and developmental disabilities in Washington state.

**Sponsors:** Senate Committee on Ways & Means (originally sponsored by Senators Kauffman, Frame, Wellman, Trudeau, Wilson, J., Conway, Kuderer, Lovick, Nguyen, Nobles, Saldaña, Valdez, Wagoner and Wilson, C.).

**Brief History:**

**Committee Activity:** State Government & Elections: 1/23/24, 1/30/24 [DP-WM].  
Ways & Means: 2/03/24, 2/05/24 [DPS].

**Floor Activity:** Passed Senate: 2/13/24, 49-0.

**Brief Summary of First Substitute Bill**

- Directs the Division of Archives and Records Management to work with the University of Washington Institute on Human Development and Disability, the Department of Social and Health Services, and the Department of Archaeology and Historic Preservation to create a preservation plan to organize, catalogue, and store historical documents and artifacts identified at Lakeland Village.

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### SENATE COMMITTEE ON STATE GOVERNMENT & ELECTIONS

**Majority Report:** Do pass and be referred to Committee on Ways & Means.

Signed by Senators Hunt, Chair; Valdez, Vice Chair; Wilson, J., Ranking Member; Dozier, Fortunato, Hasegawa and Kuderer.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.*

**Staff:** Greg Vogel (786-7413)

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## SENATE COMMITTEE ON WAYS & MEANS

**Majority Report:** That Substitute Senate Bill No. 6125 be substituted therefor, and the substitute bill do pass.

Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig, Boehnke, Braun, Conway, Dhingra, Hasegawa, Hunt, Keiser, Muzzall, Pedersen, Randall, Saldaña, Torres, Van De Wege, Wagoner and Wellman.

**Staff:** Amanda Cecil (786-7460)

**Background:** The Division of Archives and Records Management. The Office of the Secretary of State includes the Division of Archives and Records Management (State Archives), which is responsible for managing the retention, cataloging, and preservation of the public records inventory. The State Archives also operates regional offices that support state and local agencies with records management.

Institute on Human Development and Disability. The University of Washington Institute on Human Development and Disability provides an integrated interdisciplinary program in the field of developmental disabilities to advance basic and translational research and to enhance the capacity of communities to provide state-of-the-art comprehensive services.

Lakeland Village. Originally established in 1914 Lakeland Village is a state operated facility that provides training, education, and healthcare for individuals with intellectual and developmental disabilities.

**Summary of First Substitute Bill:** Working with the University of Washington Institute on Human Development and Disability, the Department of Social and Health Services (DSHS), and the Department of Archaeology and Historic Preservation (DAHP), the State Archives must create a preservation plan to organize, catalogue, and store historical documents and artifacts identified at Lakeland Village.

Historical documents and artifacts may include but are not limited to medical records, letters, images, films, and artifacts of past residents with intellectual or development disabilities at Lakeland Village.

The preservation plan must:

- identify all records and artifacts that are available and at risk of destruction;
- assess the condition of the records and artifacts and level of preservation required;
- outline the steps that will be taken to preserve the records and artifacts; and

- include a timeline for the preservation work and an overall budget for the work.

The plan must be reported to the appropriate committees of the Legislature by September 1, 2025.

The preservation plan must also include future plans for public access for historical and education purposes.

The State Archives and DSHS must work together in storing and retaining the records. No records may be destroyed until the preservation plan is completed and the work is funded during fiscal year 2026.

Indirect costs to the University of Washington for this project are limited to 15 percent.

The act expires June 30, 2026.

**Appropriation:** The bill contains a null and void clause requiring specific funding be provided in an omnibus appropriation act.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony (State Government & Elections):** PRO: This bill was led by the developmental disabilities community. It is a community-driven approach that aims to safeguard historical documents and artifacts associated with the developmental disabilities community. It is important for us to maintain, digitize, and preserve these records. By maintaining them, we find a way to connect to the past and to understand their experiences. The artifacts likely include materials outside the definition of public records, including medical information about individual patients, and public access to the records will be guided by the Public Records Act and HIPAA. For Archives to keep the patient files permanently, almost an entire building would need to be created for storage. It would be good to coordinate this work with local groups.

**Persons Testifying (State Government & Elections):** PRO: Senator Claudia Kauffman, Prime Sponsor; Stacy Dym, The Arc of Washington State; Leslie Widing; Brian Hatfield, Office of Secretary of State; Carrie Davidson; Ashley Cowan D'Ambrosio; Monica Thomas; Ryan Grant; Heather Hirotaka, Office of Secretary of State.

**Persons Signed In To Testify But Not Testifying (State Government & Elections):** No one.

**Staff Summary of Public Testimony on Original Bill (Ways & Means):** *The committee*

*recommended a different version of the bill than what was heard.* PRO: These documents contain real stories about real people's lives who were hidden, but whose lives matter. It is critical that they be digitized but those costs should not be shifted to those with intellectual and developmental disabilities. The records can remain where they are while the research is being conducted.

OTHER: We are currently working on a proposed substitute that would allow us to be pro on this bill. First and foremost we want to make sure that none of the records are destroyed and that they are retained in a cost effective way over time.

**Persons Testifying (Ways & Means):** PRO: Stacy Dym, The Arc of Washington State.

OTHER: Brian Hatfield, Office of Secretary of State.

**Persons Signed In To Testify But Not Testifying (Ways & Means):** No one.