

## CHAPTER 463

[Substitute Senate Bill No. 3184]

## STATE-OWNED HOUSING

AN ACT Relating to state-owned housing; adding a new chapter to Title 43 RCW; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

**NEW SECTION.** Sec. 1. The legislature recognizes that significant benefits accrue to the state and that certain types of state operations are more efficient when personnel services are available on an extended basis. Such operations include certain types of facilities managed by agencies such as the departments of natural resources, corrections, fisheries, game, social and health services, transportation, veterans affairs, and the parks and recreation commission.

The means of assuring that such personnel are available on an extended basis is through the establishment of on-site state-owned or leased living facilities. The legislature also recognizes the restrictions and hardship placed upon those personnel who are required to reside in such state-owned or leased living facilities in order to provide extended personnel services.

The legislature further recognizes that there are instances where it is to the benefit of the state to have state-owned or leased living facilities occupied even though such occupancy is not required by the agency as a condition of employment.

**NEW SECTION.** Sec. 2. (1) Whenever an agency requires that an employee reside in state-owned or leased living facilities as a condition of employment, such living facilities shall be made available to the employee under the conditions set forth in sections 3 and 4 of this act.

(2) Whenever an agency determines that (a) a living facility owned or leased by the agency is not occupied by employees under subsection (1) of this section and (b) it would be to the agency's benefit to have the facility occupied by an employee of the agency whose duties involve extended personnel services associated with the work site upon which the living facility is located or at work site near to where the living facility is located, the agency may make the facility available to such employee.

(3) Whenever an agency determines that (a) a living facility owned or leased by the agency is not occupied by employees under subsection (1) of this section and (b) the facility has been made available to employees under subsection (2) of this section and that no such employees have opted to reside in the facility, the agency may make the facility available for occupancy to other interested parties.

**\*NEW SECTION.** Sec. 3. (1) No rent may be charged to persons living in facilities provided under section 2 (1) *and* (2) of this act. Such employees shall pay the costs of utilities associated with the living facility.

(2) *Rent and utility charges to residents of living facilities under section 2(3) of this act shall be established by the agency responsible for managing the living facility.*

(3) *Utility charges required by this section shall be based upon six cents per month per square foot to a maximum of thirteen hundred square feet, outside dimension. Utility costs may be adjusted by the department of general administration on a yearly basis to reflect an average of utility rate changes affecting all state-owned housing in the state. Individuals residing in living facilities available under section 2 of this act shall pay all utility costs attributable to the personal enhancements of the individual.*

(4) Any person occupying state-owned or leased living facilities shall do so with the understanding that he or she assumes custodial housekeeping responsibility as directed by the agency. Such responsibility shall not include maintenance, repairs, or improvements to the facilities. An occupant of a state-owned or leased facility is liable for damages to the facility in excess of normal wear and tear.

\*Sec. 3 was partially vetoed, see message at end of chapter.

**NEW SECTION.** Sec. 4. The state shall maintain living facilities occupied under section 2 of this act in a safe, healthful condition.

**NEW SECTION.** Sec. 5. Sections 1 through 4 of this act shall constitute a new chapter in Title 43 RCW.

**NEW SECTION.** Sec. 6. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the Senate April 27, 1985.

Passed the House April 27, 1985.

Approved by the Governor May 21, 1985, with the exception of certain items which are vetoed.

Filed in Office of Secretary of State May 21, 1985.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith, without my approval as to three portions of Substitute Senate Bill No. 3184, entitled:

"AN ACT Relating to state-owned housing."

This bill would establish that no rent could be charged to state employees who are required to live in state-owned or leased living facilities as a condition of their employment. I have been advised this portion of the bill is mandated by a existing court order and the old rent structure varied from zero to \$100 per month. I have left this portion of the bill intact, but noting the free rent may count as income for retirement and other tax purposes.

However, Section 3(1) in part, requires that housing be made available rent free to employees who work at the site but are not required to live there. These employees

should pay rent since it is their option to live at the facilities. I have left intact the portion of the bill which allows employees the first option and non-employees the second option to occupy the housing if the agency chooses to rent the facility for its fair market rental value.

I have also vetoed Sections 3(2) and 3(3) which limited to \$78 per month or less, the discretion of the state to charge employees the actual cost of utilities and placed the rent determination at the agency level rather than at a centralized level as it had been in the past.

In all these situations, the state is acting as a landlord and should fulfill its obligations beyond just maintaining the facilities in a safe and healthful condition. The facilities should also be made reasonably energy efficient given their age and design and given regular maintenance. I feel requiring these measures makes more business sense than setting an arbitrary average maximum rate and house size on utility rates by statute. Other legislation passed this session takes a major step in requiring energy standards for new housing. I feel the state also should work to make all of its buildings as energy efficient as financially practical.

The Department of Personnel, General Administration and effected agencies will be asked to work together to resolve the above issues reference rental rates and improving the energy efficiency and maintenance of housing involved. If necessary, I will ask the Department of Personnel and General Administration to adopt regulations or draft an Executive Order to implement a uniform progressive policy in this area.

With the exceptions of Sections 3(1) in part, 3(2) and 3(3), Substitute Senate Bill No. 3184 is approved."

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## CHAPTER 464

[Substitute Senate Bill No. 4231]

### GAME LICENSE AND PERMIT FEES MODIFIED

AN ACT Relating to game license and permit fees; amending RCW 77.32.060, 77.32-.101, 77.32.161, 77.32.191, 77.32.211, 77.32.230, 77.32.256, 77.32.340, 77.32.350, 77.32.360, and 77.32.380; repealing RCW 77.32.310; declaring an emergency; and providing an effective date.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 77.32.060, chapter 36, Laws of 1955 as last amended by section 17, chapter 310, Laws of 1981 and RCW 77.32.060 are each amended to read as follows:

~~((Persons authorized to issue licenses, permits, tags, stamps, and punchcards may charge and keep up to fifty cents for each license issued, and up to))~~ The commission may adopt rules establishing the amount a license dealer may charge and keep for each license, tag, permit, stamp, or punchcard issued. The commission shall establish the amount to be retained by dealers to be at least fifty cents for each license issued, and twenty-five cents for each tag, permit, stamp, or punchcard issued. The commission shall report to the next regular session of the legislature explaining any increase in the amount retained by license dealers. Fees retained by dealers shall be uniform throughout the state.