

or the loss of the use of both arms or legs or one arm and one leg or a loss or use of one arm or one leg that precludes locomotion without the use of or aid of braces, crutches, canes, a wheelchair, or a permanent prosthesis for the rated disability; he or she ~~((has become unemployable))~~ was captured and incarcerated by an enemy of the United States during a period of conflict with the United States; ((or)) he or she has become blind in both eyes as the result of military service; or he or she is rated by the veterans administration as totally and permanently disabled due to service-connected conditions, shall be entitled to have issued to him or her by the director of licensing general license plates or license plates with distinguishing marks, letters, or numerals indicating that the motor vehicle is owned by a disabled veteran or distinguishing marks, letters, or numerals indicating that the motor vehicle is owned by a former prisoner of war. This license shall be issued annually for one vehicle for personal use without the payment of any license fees or excise tax thereon. Whenever any person who has been issued license plates under the provisions of this section applies to the department for transfer of such plates to a subsequently acquired motor vehicle, a transfer fee of five dollars shall be charged in addition to all other appropriate fees.

Any person who has been issued free motor vehicle license plates under this section prior to ~~((June 12, 1980))~~ the effective date of this 1982 act, shall continue to be eligible for the annual free license plates.

For the purposes of this section, "blind" shall mean that definition of "blind" utilized by the state of Washington in determining eligibility for financial assistance to the blind under Title 74 RCW.

Any unauthorized use of a special plate is a gross misdemeanor.

**NEW SECTION.** Sec. 2. 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 House March 11, 1982.

Passed the Senate March 10, 1982.

Approved by the Governor March 31, 1982.

Filed in Office of Secretary of State March 31, 1982.

## CHAPTER 116

[Substitute House Bill No. 663]

### INITIATIVE AND REFERENDUM PROCEDURES, PETITION REQUIREMENTS

AN ACT Relating to the initiative and referendum; amending section 29.79.010, chapter 9, Laws of 1965 and RCW 29.79.010; amending section 2, chapter 122, Laws of 1973 and RCW 29.79.015; amending section 29.79.030, chapter 9, Laws of 1965 and RCW 29.79.030; amending section 29.79.040, chapter 9, Laws of 1965 as amended by section 2, chapter 118, Laws of 1973 1st ex. sess. and RCW 29.79.040; amending section 29.79.050, chapter 9, Laws of 1965 as amended by section 3, chapter 118, Laws of 1973 1st ex. sess.

and RCW 29.79.050; amending section 29.79.060, chapter 9, Laws of 1965 and RCW 29.79.060; amending section 29.79.070, chapter 9, Laws of 1965 and RCW 29.79.070; amending section 29.79.080, chapter 9, Laws of 1965 as amended by section 4, chapter 118, Laws of 1973 1st ex. sess. and RCW 29.79.080; amending section 29.79.090, chapter 9, Laws of 1965 and RCW 29.79.090; amending section 29.79.100, chapter 9, Laws of 1965 and RCW 29.79.100; amending section 29.79.110, chapter 9, Laws of 1965 and RCW 29.79.110; amending section 29.79.120, chapter 9, Laws of 1965 and RCW 29.79.120; amending section 29.79.150, chapter 9, Laws of 1965 and RCW 29.79.150; amending section 29.79.190, chapter 9, Laws of 1965 and RCW 29.79.190; amending section 29.79.200, chapter 9, Laws of 1965 as last amended by section 105, chapter 361, Laws of 1977 ex. sess. and RCW 29.79.200; amending section 29.79.310, chapter 9, Laws of 1965 and RCW 29.79.310; repealing section 29.79.130, chapter 9, Laws of 1965 and RCW 29.79.130; and repealing section 29.79.220, chapter 9, Laws of 1965, section 2, chapter 107, Laws of 1969 ex. sess. and RCW 29.79.220.

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

Section 1. Section 29.79.010, chapter 9, Laws of 1965 and RCW 29.79.010 are each amended to read as follows:

If any legal voter (~~(or organization of legal voters)~~) of the state, either individually or on behalf of an organization, desires to petition the legislature to enact a proposed measure, or ~~((to))~~ submit a proposed initiative measure to the people, or ~~((to))~~ order that a referendum of all or part of any act, bill, or law, ((or any part thereof,)) passed by the legislature be submitted to the people, he or ~~((they))~~ she shall file ~~((in the office of))~~ with the secretary of state ~~((five printed or))~~ a typewritten ~~((copies))~~ copy of the measure proposed, or ~~((of))~~ the act or part ~~((thereof))~~ of such act on which a referendum is desired, accompanied by ~~((the name and post office address of the proposer, and by))~~ an affidavit that the proposer ~~((if an individual))~~ is ~~((, or that the members of the proposer (if an organization), are))~~ a legal voter~~(s)~~ and a filing fee prescribed under RCW 43.07.120, as now or hereafter amended.

Sec. 2. Section 2, chapter 122, Laws of 1973 and RCW 29.79.015 are each amended to read as follows:

Upon receipt of any petition proposing an initiative to the people or an initiative to the legislature, and prior to giving a serial number thereto, the secretary of state shall submit a copy thereof to the office of the code reviser and give notice to the petitioner of such transmittal. Upon receipt of the measure, the assistant code reviser to whom it has been assigned may confer with the petitioner and shall within ~~((ten))~~ seven working days from receipt thereof review the proposal for matters of form and style, and such matters of substantive import as may be agreeable to the petitioner, and shall recommend to the petitioner such revision or alteration of the measure as may be deemed necessary and appropriate. The recommendations of the reviser's office shall be advisory only, and the petitioner may accept or reject them in whole or in part. The code reviser shall issue a certificate of review certifying that he has reviewed the measure for form and style and that the recommendations thereon, if any, have been communicated to the petitioner, and such certificate shall issue whether or not the petitioner accepts such

recommendations. Within fifteen working days after notification of submittal of the petition to the reviser's office, the petitioner, if he desires to proceed with his sponsorship, shall file the measure together with the certificate of review with the secretary of state for assignment of serial number and the secretary of state shall thereupon submit to the reviser's office a certified copy of the measure filed. Upon submitting the proposal to the secretary of state for assignment of a serial number the secretary of state shall refuse to make such assignment unless the proposal is accompanied by a certificate of review.

Sec. 3. Section 29.79.030, chapter 9, Laws of 1965 and RCW 29.79.030 are each amended to read as follows:

The secretary of state shall give a serial number to each initiative or referendum measure, using a separate series for initiatives to the legislature, initiatives to the people, and referendum measures, and forthwith transmit one copy of the measure proposed bearing its serial number to the attorney general. Thereafter a measure shall be known and designated on all petitions, ballots, and proceedings as "Initiative Measure No. . . . ." or "Referendum Measure No. . . . .".

Sec. 4. Section 29.79.040, chapter 9, Laws of 1965 as amended by section 2, chapter 118, Laws of 1973 1st ex. sess. and RCW 29.79.040 are each amended to read as follows:

Within ~~((ten))~~ seven calendar days after the receipt of an initiative or referendum measure the attorney general shall formulate ~~((therefor))~~ and transmit to the secretary of state a concise statement posed as a question and not to exceed twenty words, bearing the serial number of the measure and a summary of the measure, not to exceed seventy-five words, to follow the statement. The statement may be distinct from the legislative title of the measure, and shall ~~((express, and))~~ give a true and impartial statement of the purpose of the measure ~~((; it shall not be)).~~ Neither the statement nor the summary may intentionally be an argument, nor likely to create prejudice, either for or against the measure. Such concise statement shall constitute the ballot title. The ballot title formulated by the attorney general shall be the ballot title of the measure unless changed on appeal. When practicable, the question posed by the ballot title shall be written in such a way that an affirmative answer to such question and an affirmative vote on the measure would result in a change in then current law, and a negative answer to the question and a negative vote on the measure would result in no change to then current law.

Sec. 5. Section 29.79.050, chapter 9, Laws of 1965 as amended by section 3, chapter 118, Laws of 1973 1st ex. sess. and RCW 29.79.050 are each amended to read as follows:

Upon the filing of the ballot title and summary for an initiative or referendum measure in his office, the secretary of state shall forthwith notify

by telephone and by mail the person(s) proposing the measure ((by telephone and by mail)) and any other individuals who have made written request for such notification of the exact language ((thereof)) of the ballot title.

Sec. 6. Section 29.79.060, chapter 9, Laws of 1965 and RCW 29.79.060 are each amended to read as follows:

If ~~((the proposers are))~~ any person is dissatisfied with the ballot title or summary formulated by the attorney general, ~~((they))~~ he or she may ~~((at any time))~~, within ~~((ten))~~ five days from the filing ~~((thereof))~~ of the ballot title in the office of the secretary of state appeal to the superior court of Thurston county by petition setting forth the measure, the title or summary formulated by the attorney general, and ~~((their))~~ his or her objections ~~((thereto))~~ to the ballot title or summary and ~~((praying for))~~ requesting amendment ~~((thereof))~~ of the title or summary by the court.

A copy of the petition on appeal together with a notice that an appeal has been taken shall be served upon the secretary of state ~~((and))~~, upon the attorney general, and upon the person proposing the measure if the appeal is initiated by someone other than that person. Upon the filing of the petition on appeal ~~((, the court shall forthwith,))~~ or at the time to which the hearing may be adjourned by consent of the appellant ~~((s, examine))~~, the court shall accord first priority to examining the proposed measure, the title or summary prepared by the attorney general, and the objections ~~((thereto and))~~ to that title or summary, may hear arguments ~~((thereon))~~, and shall ~~((as soon as possible))~~, within five days, render its decision and ~~((certify to and))~~ file with the secretary of state a certified copy of such ballot title or summary as it determines will meet the requirements of ~~((this chapter))~~ RCW 29.27.060 and 29.79.040. The decision of the superior court shall be final ~~((, and the title so certified shall be the established ballot title))~~. Such appeal shall be heard without costs to either party.

Sec. 7. Section 29.79.070, chapter 9, Laws of 1965 and RCW 29.79.070 are each amended to read as follows:

When the ballot title ~~((has been))~~ and summary are finally established, the secretary of state shall file the instrument establishing it with the proposed measure and transmit a copy thereof by mail to the person(s) proposing the measure and to any other individuals who have made written request for such notification. Thereafter such ballot title shall be the title of the measure in all petitions, ballots, and other proceedings in relation thereto. The summary shall appear on all petitions directly following the ballot title.

Sec. 8. Section 29.79.080, chapter 9, Laws of 1965 as amended by section 4, chapter 118, Laws of 1973 1st ex. sess. and RCW 29.79.080 are each amended to read as follows:

~~((Upon the ballot title being established;))~~ The person((s)) proposing the measure ((may prepare)) shall print blank petitions ((and cause them to be printed)) upon single sheets of paper of good writing quality ((twelve)) (including but not limited to newsprint) not less than eleven inches in width and not less than fourteen inches in length(~~(, with a margin of one and three-quarters inches at the top for binding)~~). Each petition at the time of circulating, signing, and filing with the secretary of state shall consist of not more than one sheet with numbered lines for not more than twenty signatures ~~((on each sheet)),~~ with the prescribed warning~~((;))~~ and title ((and form of petition on each sheet)), shall be in the form required by RCW 29.79.090, 29.79.100, or 29.79.110, as now or hereafter amended, and shall have a full, true, and correct copy of the proposed measure referred to therein printed on the reverse side of ((said)) the petition ((or on sheets of paper of like size and quality as the petition, firmly fastened together)).

Sec. 9. Section 29.79.090, chapter 9, Laws of 1965 and RCW 29.79.090 are each amended to read as follows:

Petitions for proposing measures for submission to the legislature at its next regular session, shall be substantially in the following form:

**WARNING**

Every person who signs this petition with any other than his or her true name, ~~((or who))~~ knowingly signs more than one of these petitions, ~~((or who))~~ signs this petition when he or she is not a legal voter, or ~~((who))~~ makes ~~((herein))~~ any false statement~~((; shall))~~ on this petition may be punished by fine or imprisonment or both.

**INITIATIVE PETITION FOR SUBMISSION TO THE  
LEGISLATURE**

To the Honorable . . . . ., Secretary of State of the State of Washington:

We, the undersigned citizens and legal voters of the State of Washington ~~((and legal voters of the respective precincts set opposite our names)),~~ respectfully direct that this petition and the proposed measure known as Initiative Measure No. . . . . and entitled (here set forth the established ballot title of the measure), a full, true, and correct copy of which is ~~((hereto attached, shall))~~ printed on the reverse side of this petition, be transmitted to the legislature of the State of Washington at its next ensuing regular session, and we respectfully petition the legislature to enact said proposed measure into law; and each of us for himself or herself says: I have personally signed this petition; I am a legal voter of the State of Washington in the ~~((precinct;))~~ city (or town) and county written after my name, ~~((and))~~ my residence address is correctly stated, and I have knowingly signed this petition only once.

((

Petitioner's signature	Residence address, street and number, if any	Precinct name or number	City or Town	County
(Here follow 20 numbered lines divided into columns as below.)				
1 .....	.....	.....	.....	.....
2 .....	.....	.....	.....	.....
3 .....	.....	.....	.....	.....
etc.))				

Petitioner's signature	Print name for positive identification	Residence address, street and number, if any	City or Town	County
(Here follow 20 numbered lines divided into columns as below.)				
1 .....	.....	.....	.....	.....
2 .....	.....	.....	.....	.....
3 .....	.....	.....	.....	.....
etc.				

Sec. 10. Section 29.79.100, chapter 9, Laws of 1965 and RCW 29.79-.100 are each amended to read as follows:

Petitions for proposing measures for submission to the people for their approval or rejection at the next ensuing general election, shall be substantially in the following form:

**WARNING**

Every person who signs this petition with any other than his or her true name, (~~or who~~) knowingly signs more than one of these petitions, (~~or who~~) signs this petition when he or she is not a legal voter, or (~~who~~) makes (~~herein~~) any false statement(~~, shall~~) on this petition may be punished by fine or imprisonment or both.

**INITIATIVE PETITION FOR SUBMISSION TO THE PEOPLE**

To the Honorable ....., Secretary of State of the State of Washington:

We, the undersigned citizens and legal voters of the State of Washington (~~and legal voters of the respective precincts set opposite our names~~), respectfully direct that the proposed measure known as Initiative Measure No. ...., entitled (here insert the established ballot title of the measure), a full, true and correct copy of which is (~~hereto attached shall~~) printed on the reverse side of this petition, be submitted to the legal voters of the State of Washington for their approval or rejection at the general election to be held on the .... day of (~~....., A.D.~~) November, 19..; and each of us for himself or herself says: I have personally signed

this petition; I am a legal voter of the State of Washington, in the ((pre-  
cinct;)) city (or town) and county written after my name, ((and)) my resi-  
dence address is correctly stated, and I have knowingly signed this petition  
only once.

((

Petitioner's signature	Residence address, street and number, if any	Precinct name or number	City or Town	County
(Here follow 20 numbered lines divided into columns as below.)				
1	.....	.....	.....	.....
2	.....	.....	.....	.....
3	.....	.....	.....	.....

etc.))

Petitioner's signature	Print name for positive identification	Residence address, street and number, if any	City or Town	County
(Here follow 20 numbered lines divided into columns as below.)				
1	.....	.....	.....	.....
2	.....	.....	.....	.....
3	.....	.....	.....	.....

etc.

Sec. 11. Section 29.79.110, chapter 9, Laws of 1965 and RCW 29.79-  
.110 are each amended to read as follows:

Petitions ordering that acts or parts of acts passed by the legislature be  
referred to the people at the next ensuing general election, or special elec-  
tion ordered by the legislature, shall be substantially in the following form:

**WARNING**

Every person who signs this petition with any other than his or her true  
name, ((or who)) knowingly signs more than one of these petitions, ((or  
who)) signs this petition when he or she is not a legal voter, or ((who))  
makes ((herein)) any false statement((, shall)) on this petition may be pun-  
ished by fine or imprisonment or both.

**PETITION FOR REFERENDUM**

To the Honorable ....., Secretary of State of the State of  
Washington:

We, the undersigned citizens and legal voters of the State of  
Washington ((and legal voters of the respective precincts set opposite our  
names)), respectfully order and direct that Referendum Measure No.  
....., entitled (here insert the established ballot title of the measure) being  
a (or part or parts of a) bill passed by the ..... legislature of the

State of Washington at the last regular (special) session of said legislature, shall be referred to the people of the state for their approval or rejection at the regular (special) election to be held on the . . . . day of (~~(....., A.D.)~~) November, 19. .; and each of us for himself or herself says: I have personally signed this petition; I am a legal voter of the State of Washington, in the (~~(precinct,)~~) city (or town) and county written after my name, (~~(and)~~) my residence address is correctly stated, and I have knowingly signed this petition only once.

((

Petitioner's signature	Residence address, street and number, if any	Precinct name or number	City or Town	County
(Here follow 20 numbered lines divided into columns as below.)				
1 .....	.....	.....	.....	.....
2 .....	.....	.....	.....	.....
3 .....	.....	.....	.....	.....
etc.))				

Petitioner's signature	Print name for positive identification	Residence address, street and number, if any	City or Town	County
(Here follow 20 numbered lines divided into columns as below.)				
1 .....	.....	.....	.....	.....
2 .....	.....	.....	.....	.....
3 .....	.....	.....	.....	.....
etc.				

Sec. 12. Section 29.79.120, chapter 9, Laws of 1965 and RCW 29.79-.120 are each amended to read as follows:

When the person (~~(or organization)~~) proposing any initiative measure has secured upon (~~(any)~~) such initiative petition (~~(the)~~) a number of signatures of legal voters equal ((in number)) to or exceeding eight percent of the ((whole number of voters registering and voting)) votes cast for the office of governor at the last regular gubernatorial election ((last preceding)) prior to the submission of the signatures for verification, or when the person or organization demanding any referendum of an act of the legislature or any part thereof has secured upon any such referendum petition (~~(the)~~) a number of signatures of legal voters equal ((in number)) to or exceeding four percent of the ((whole number of voters registering and voting)) votes cast for the office of governor at the last regular gubernatorial election ((last preceding)) prior to the submission of the signatures for verification, he or they may submit (~~(said)~~) the petition to the secretary of state for filing ((in his office)).

Sec. 13. Section 29.79.150, chapter 9, Laws of 1965 and RCW 29.79-.150 are each amended to read as follows:

~~((Upon any initiative or referendum petition being submitted to))~~ The secretary of state ((for filing, he)) may refuse to file ((it)) any initiative or referendum petition being submitted upon any of the following grounds:

~~(1) ((That the verified statement of contributions and contributors has not been filed.~~

~~(2))~~ (2)) That the petition is not in ((proper)) the form required by RCW 29.79.090, 29.79.100, or 29.79.110 as now or hereafter amended.

~~((3))~~ (2) That the petition clearly bears insufficient signatures.

~~((4))~~ (3) That the time within which the petition may be filed has expired.

In case of such refusal, the secretary of state shall endorse on the petition the word "submitted" and the date, and retain the petition pending appeal.

If none of the grounds for refusal exists, the secretary of state must accept and file the petition.

Sec. 14. Section 29.79.190, chapter 9, Laws of 1965 and RCW 29.79-.190 are each amended to read as follows:

If the secretary of state accepts and files an initiative or referendum petition upon its being submitted for filing or if he or she is required to file it by the court, he or she shall ~~((forthwith, in the presence of the governor, or, if the governor is absent, in the presence of some other state officer, and)),~~<sub>2</sub> in the presence of the person((s)) submitting such petition for filing if ~~((they))~~ he or she desires to be present, ~~((detach))~~ arrange and assemble the sheets containing the signatures ~~((and cause them all to be firmly attached to one or more printed copies of the proposed initiative or referendum measure in))~~ into such volumes as will be most convenient for verification and canvassing ~~((and filing,))~~ and shall consecutively number ~~((such))~~ the volumes and ~~((file the same and))~~ stamp ~~((on each thereof))~~ the date of filing on each volume.

Sec. 15. Section 29.79.200, chapter 9, Laws of 1965 as last amended by section 105, chapter 361, Laws of 1977 ex. sess. and RCW 29.79.200 are each amended to read as follows:

Upon the filing ((the volumes)) of an initiative or referendum petition ((proposing a measure for submission to the legislature at its next regular session)), the secretary of state shall ((forthwith in the presence of at least one person representing the advocates and one person representing the opponents of the proposed measure, should either desire to be present;)) proceed to verify and canvass ~~((and count))~~ the names of the legal voters ~~((thereon))~~ on the petition. The verification and canvass of signatures on the petition may be observed by persons representing the advocates and opponents of the proposed measure so long as they make no record of the names, addresses, or other information on the petitions or related records during

the verification process except upon the order of the superior court of Thurston county. The secretary of state may limit the number of observers to not less than two on each side, if in his or her opinion, a greater number would cause undue delay or disruption of the verification process. Any such limitation shall apply equally to both sides. The secretary of state may use any statistical sampling techniques for this verification and canvass which have been adopted by rule as provided by chapter 34.04 RCW((~~PROVIDED, That~~)). No petition will be rejected on the basis of any statistical method employed(~~(PROVIDED FURTHER, That)~~), and no petition will be accepted on the basis of any statistical method employed if such method indicates that the petition contains less than one hundred ten percent of the requisite number of signatures of legal voters. If the secretary of state finds the same name signed to more than one petition, he or she shall reject ((the name as often as it appears. If the petition is found to be sufficient;)) all but the first such valid signature. For an initiative to the legislature, the secretary of state shall transmit a certified copy of the proposed measure to the legislature at the opening of its session ((together with)) and, as soon as the signatures on the petition have been verified and canvassed, the secretary of state shall send to the legislature a certificate of the facts relating to the filing, verification, and canvass of the petition ((and the canvass thereof)).

Sec. 16. Section 29.79.310, chapter 9, Laws of 1965 and RCW 29.79-.310 are each amended to read as follows:

Except in the case of alternative voting on a measure initiated by petition, for which a substitute has been passed by the legislature, each measure submitted to the people for approval or rejection shall be so printed on the ballot, under the proper heading, that a voter can, by making one ((cross (X))) choice, express his or her approval or rejection of such measure. Substantially the following form shall be a compliance with this section:

~~((PROPOSED BY INITIATIVE PETITION))~~  
INITIATIVE MEASURE . . . . .

~~((Initiative Measure No. 22, entitled))~~ (Here insert the ballot title of the measure.)(:)

~~((FOR Initiative Measure No. 22))~~ YES . . . . .   
~~((AGAINST Initiative Measure No. 22))~~ NO . . . . .

NEW SECTION. Sec. 17. The following acts or parts of acts are each repealed:

(1) Section 29.79.130, chapter 9, Laws of 1965 and RCW 29.79.130; and

(2) Section 29.79.220, chapter 9, Laws of 1965, section 2, chapter 107, Laws of 1969 ex. sess. and RCW 29.79.220.

Passed the House March 9, 1982.

Passed the Senate March 8, 1982.

Approved by the Governor March 31, 1982.

Filed in Office of Secretary of State March 31, 1982.

## CHAPTER 117

[House Bill No. 728]

### APPRAISALS—NURSING HOME AUDITING, REIMBURSEMENT

AN ACT Relating to appraisers; amending section 2, chapter 177, Laws of 1980 and RCW 74.46.020; and amending section 2, chapter 97, Laws of 1979 ex. sess. and RCW 79.01.525.

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

Section 1. Section 2, chapter 177, Laws of 1980 and RCW 74.46.020 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Accrual method of accounting" means a method of accounting in which revenues are reported in the period when they are earned, regardless of when they are collected, and expenses are reported in the period in which they are incurred, regardless of when they are paid.

(2) "Ancillary care" means those services required by the individual, comprehensive plan of care provided by qualified therapists.

(3) "Appraisal" means the process of ~~((establishing))~~ estimating the fair market value or reconstructing the historical cost of an asset acquired in a past period as performed by ~~((an individual professionally designated either by the American institute of real estate appraisers as a member, appraisal institute (MAI), or by the society of real estate appraisers as a senior real estate analyst (SREA) or a senior real property appraiser (SRPA)))~~ a professionally designated real estate appraiser with no pecuniary interest in the property to be appraised. It includes a systematic, analytic determination and the recording and analyzing of property facts, rights, investments, and values based on a personal inspection and inventory of the property.

(4) "Arm's-length transaction" means a transaction resulting from good-faith bargaining between a buyer and seller who are not related organizations and have adverse positions in the market place. Sales or exchanges of nursing home facilities among two or more parties in which all parties subsequently continue to own one or more of the facilities involved in the transactions shall not be considered as arm's-length transactions for purposes of this chapter. Sale of a nursing home facility which is subsequently leased back to the seller within five years of the date of sale shall