

SENATE BILL 5230

State of Washington

52nd Legislature

1991 Regular Session

By Senators Owen, Craswell, Talmadge and Conner.

Read first time January 24, 1991. Referred to Committee on Governmental Operations.

1 AN ACT Relating to state building leases; and amending RCW
2 43.82.010.

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

4 **Sec. 1.** RCW 43.82.010 and 1990 c 47 s 1 are each amended to read
5 as follows:

6 (1) (a) The director of the department of general administration,
7 on behalf of the agency involved, shall purchase, lease, rent, or
8 otherwise acquire all real estate, improved or unimproved, as may be
9 required by elected state officials, institutions, departments,
10 commissions, boards, and other state agencies, or federal agencies
11 where joint state and federal activities are undertaken and may grant
12 easements and transfer, exchange, sell, lease, or sublease all or part
13 of any surplus real estate for those state agencies which do not
14 otherwise have the specific authority to dispose of real estate. This

1 section does not transfer financial liability for the acquired property
2 to the department of general administration.

3 (b) The director must ensure that all leases of real property under
4 this subsection comply with RCW 43.19.1911.

5 (2) Except for real estate occupied by federal agencies, the
6 director shall determine the location, size, and design of any real
7 estate or improvements thereon acquired or held pursuant to subsection
8 (1) of this section.

9 (3) (a) The director is authorized to purchase, lease, rent, or
10 otherwise acquire improved or unimproved real estate as owner or lessee
11 and to lease or sublet all or a part of such real estate to state or
12 federal agencies. The director shall charge each using agency its
13 proportionate rental which shall include an amount sufficient to pay
14 all costs, including, but not limited to, those for utilities,
15 janitorial and accounting services, and sufficient to provide for
16 contingencies; which shall not exceed five percent of the average
17 annual rental, to meet unforeseen expenses incident to management of
18 the real estate.

19 (b) The director must ensure that all leases of real property under
20 this subsection comply with RCW 43.19.1911.

21 (4) If the director determines that it is necessary or advisable to
22 undertake any work, construction, alteration, repair, or improvement on
23 any real estate acquired pursuant to subsections (1) or (3) of this
24 section, the director shall cause plans and specifications thereof and
25 an estimate of the cost of such work to be made and filed in his office
26 and the state agency benefiting thereby is hereby authorized to pay for
27 such work out of any available funds: PROVIDED, That the cost of
28 executing such work shall not exceed the sum of twenty-five thousand
29 dollars. Work, construction, alteration, repair, or improvement in
30 excess of twenty-five thousand dollars, other than that done by the

1 owner of the property if other than the state, shall be performed in
2 accordance with the public works law of this state.

3 (5) In order to obtain maximum utilization of space, the director
4 shall make space utilization studies, and shall establish standards for
5 use of space by state agencies.

6 (6) The director may construct new buildings on, or improve
7 existing facilities, and furnish and equip, all real estate under his
8 management.

9 (7) All conveyances and contracts to purchase, lease, rent,
10 transfer, exchange, or sell real estate and to grant and accept
11 easements shall be approved as to form by the attorney general, signed
12 by the director or the director's designee, and recorded with the
13 county auditor of the county in which the property is located.

14 (8) The director may delegate any or all of the functions specified
15 in this section to any agency upon such terms and conditions as the
16 director deems advisable.

17 (9) This section does not apply to the acquisition of real estate
18 by:

19 (a) The state college and universities for research or experimental
20 purposes;

21 (b) The state liquor control board for liquor stores and
22 warehouses; and

23 (c) The department of natural resources, the department of
24 fisheries, the department of wildlife, the department of
25 transportation, and the state parks and recreation commission for
26 purposes other than the leasing of offices, warehouses, and real estate
27 for similar purposes.

28 (10) Notwithstanding any provision in this chapter to the contrary,
29 the department of general administration may negotiate ground leases
30 for public lands on which property is to be acquired under a financing

1 contract pursuant to chapter 39.94 RCW under terms approved by the
2 state finance committee.