
SUBSTITUTE SENATE BILL 6442

State of Washington

58th Legislature

2004 Regular Session

By Senate Committee on Ways & Means (originally sponsored by Senators Zarelli, Prentice, Parlette, Regala, Hargrove, Hewitt, Winsley, B. Sheldon, Esser, Fraser, Eide, Hale, Kline, Brandland, Fairley, Schmidt, Stevens, Johnson, McCaslin, Carlson, Horn, Benton, Mulliken, Roach, McAuliffe, Murray, Rasmussen, Oke and Pflug)

READ FIRST TIME 02/06/04.

1 AN ACT Relating to the developmental disabilities community trust
2 account; reenacting and amending RCW 43.84.092 and 43.84.092; adding a
3 new section to chapter 71A.20 RCW; providing an effective date;
4 providing an expiration date; and declaring an emergency.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 71A.20 RCW
7 to read as follows:

8 The developmental disabilities community trust account is created
9 in the state treasury. All proceeds from the disposal of excess
10 property at Lakeland Village and Rainier School that would not impact
11 current residential habilitation center operations must be deposited
12 into the account. "Excess property" includes that portion of the
13 property at Rainier school governed by RCW 72.01.142. "Proceeds"
14 include the net receipts from the disposal of all or a portion of the
15 properties. Only investment income from the principal of the proceeds
16 deposited into the trust account may be spent from the account.
17 "Disposal" means the sale or lease at fair market value, or other
18 transaction involving lands, timber, or other natural resources of the
19 residential habilitation centers. Moneys in the account may be spent

1 only after appropriation. Expenditures from the account shall be used
2 exclusively to provide family support and/or employment/day services to
3 eligible persons with developmental disabilities not receiving these
4 services prior to January 1, 2004. It is the intent of the legislature
5 that the account should not be used to replace, supplant, or reduce
6 existing appropriations.

7 **Sec. 2.** RCW 43.84.092 and 2003 c 361 s 602, 2003 c 324 s 1, and
8 2003 c 48 s 2 are each reenacted and amended to read as follows:

9 (1) All earnings of investments of surplus balances in the state
10 treasury shall be deposited to the treasury income account, which
11 account is hereby established in the state treasury.

12 (2) The treasury income account shall be utilized to pay or receive
13 funds associated with federal programs as required by the federal cash
14 management improvement act of 1990. The treasury income account is
15 subject in all respects to chapter 43.88 RCW, but no appropriation is
16 required for refunds or allocations of interest earnings required by
17 the cash management improvement act. Refunds of interest to the
18 federal treasury required under the cash management improvement act
19 fall under RCW 43.88.180 and shall not require appropriation. The
20 office of financial management shall determine the amounts due to or
21 from the federal government pursuant to the cash management improvement
22 act. The office of financial management may direct transfers of funds
23 between accounts as deemed necessary to implement the provisions of the
24 cash management improvement act, and this subsection. Refunds or
25 allocations shall occur prior to the distributions of earnings set
26 forth in subsection (4) of this section.

27 (3) Except for the provisions of RCW 43.84.160, the treasury income
28 account may be utilized for the payment of purchased banking services
29 on behalf of treasury funds including, but not limited to, depository,
30 safekeeping, and disbursement functions for the state treasury and
31 affected state agencies. The treasury income account is subject in all
32 respects to chapter 43.88 RCW, but no appropriation is required for
33 payments to financial institutions. Payments shall occur prior to
34 distribution of earnings set forth in subsection (4) of this section.

35 (4) Monthly, the state treasurer shall distribute the earnings
36 credited to the treasury income account. The state treasurer shall

1 credit the general fund with all the earnings credited to the treasury
2 income account except:

3 (a) The following accounts and funds shall receive their
4 proportionate share of earnings based upon each account's and fund's
5 average daily balance for the period: The capitol building
6 construction account, the Cedar River channel construction and
7 operation account, the Central Washington University capital projects
8 account, the charitable, educational, penal and reformatory
9 institutions account, the common school construction fund, the county
10 criminal justice assistance account, the county sales and use tax
11 equalization account, the data processing building construction
12 account, the deferred compensation administrative account, the deferred
13 compensation principal account, the department of retirement systems
14 expense account, the developmental disabilities community trust
15 account, the drinking water assistance account, the drinking water
16 assistance administrative account, the drinking water assistance
17 repayment account, the Eastern Washington University capital projects
18 account, the education construction fund, the election account, the
19 emergency reserve fund, The Evergreen State College capital projects
20 account, the federal forest revolving account, the health services
21 account, the public health services account, the health system capacity
22 account, the personal health services account, the state higher
23 education construction account, the higher education construction
24 account, the highway infrastructure account, the industrial insurance
25 premium refund account, the judges' retirement account, the judicial
26 retirement administrative account, the judicial retirement principal
27 account, the local leasehold excise tax account, the local real estate
28 excise tax account, the local sales and use tax account, the medical
29 aid account, the mobile home park relocation fund, the multimodal
30 transportation account, the municipal criminal justice assistance
31 account, the municipal sales and use tax equalization account, the
32 natural resources deposit account, the oyster reserve land account, the
33 perpetual surveillance and maintenance account, the public employees'
34 retirement system plan 1 account, the public employees' retirement
35 system combined plan 2 and plan 3 account, the public facilities
36 construction loan revolving account beginning July 1, 2004, the public
37 health supplemental account, the Puyallup tribal settlement account,
38 the regional transportation investment district account, the resource

1 management cost account, the site closure account, the special wildlife
2 account, the state employees' insurance account, the state employees'
3 insurance reserve account, the state investment board expense account,
4 the state investment board commingled trust fund accounts, the
5 supplemental pension account, the Tacoma Narrows toll bridge account,
6 the teachers' retirement system plan 1 account, the teachers'
7 retirement system combined plan 2 and plan 3 account, the tobacco
8 prevention and control account, the tobacco settlement account, the
9 transportation infrastructure account, the tuition recovery trust fund,
10 the University of Washington bond retirement fund, the University of
11 Washington building account, the volunteer fire fighters' and reserve
12 officers' relief and pension principal fund, the volunteer fire
13 fighters' and reserve officers' administrative fund, the Washington
14 fruit express account, the Washington judicial retirement system
15 account, the Washington law enforcement officers' and fire fighters'
16 system plan 1 retirement account, the Washington law enforcement
17 officers' and fire fighters' system plan 2 retirement account, the
18 Washington school employees' retirement system combined plan 2 and 3
19 account, the Washington state health insurance pool account, the
20 Washington state patrol retirement account, the Washington State
21 University building account, the Washington State University bond
22 retirement fund, the water pollution control revolving fund, and the
23 Western Washington University capital projects account. Earnings
24 derived from investing balances of the agricultural permanent fund, the
25 normal school permanent fund, the permanent common school fund, the
26 scientific permanent fund, and the state university permanent fund
27 shall be allocated to their respective beneficiary accounts. All
28 earnings to be distributed under this subsection (4)(a) shall first be
29 reduced by the allocation to the state treasurer's service fund
30 pursuant to RCW 43.08.190.

31 (b) The following accounts and funds shall receive eighty percent
32 of their proportionate share of earnings based upon each account's or
33 fund's average daily balance for the period: The aeronautics account,
34 the aircraft search and rescue account, the county arterial
35 preservation account, the department of licensing services account, the
36 essential rail assistance account, the ferry bond retirement fund, the
37 grade crossing protective fund, the high capacity transportation
38 account, the highway bond retirement fund, the highway safety account,

1 the motor vehicle fund, the motorcycle safety education account, the
2 pilotage account, the public transportation systems account, the Puget
3 Sound capital construction account, the Puget Sound ferry operations
4 account, the recreational vehicle account, the rural arterial trust
5 account, the safety and education account, the special category C
6 account, the state patrol highway account, the transportation 2003
7 account (nickel account), the transportation equipment fund, the
8 transportation fund, the transportation improvement account, the
9 transportation improvement board bond retirement account, and the urban
10 arterial trust account.

11 (5) In conformance with Article II, section 37 of the state
12 Constitution, no treasury accounts or funds shall be allocated earnings
13 without the specific affirmative directive of this section.

14 **Sec. 3.** RCW 43.84.092 and 2003 c 361 s 602, 2003 c 324 s 1, 2003
15 c 150 s 2, and 2003 c 48 s 2 are each reenacted and amended to read as
16 follows:

17 (1) All earnings of investments of surplus balances in the state
18 treasury shall be deposited to the treasury income account, which
19 account is hereby established in the state treasury.

20 (2) The treasury income account shall be utilized to pay or receive
21 funds associated with federal programs as required by the federal cash
22 management improvement act of 1990. The treasury income account is
23 subject in all respects to chapter 43.88 RCW, but no appropriation is
24 required for refunds or allocations of interest earnings required by
25 the cash management improvement act. Refunds of interest to the
26 federal treasury required under the cash management improvement act
27 fall under RCW 43.88.180 and shall not require appropriation. The
28 office of financial management shall determine the amounts due to or
29 from the federal government pursuant to the cash management improvement
30 act. The office of financial management may direct transfers of funds
31 between accounts as deemed necessary to implement the provisions of the
32 cash management improvement act, and this subsection. Refunds or
33 allocations shall occur prior to the distributions of earnings set
34 forth in subsection (4) of this section.

35 (3) Except for the provisions of RCW 43.84.160, the treasury income
36 account may be utilized for the payment of purchased banking services
37 on behalf of treasury funds including, but not limited to, depository,

1 safekeeping, and disbursement functions for the state treasury and
2 affected state agencies. The treasury income account is subject in all
3 respects to chapter 43.88 RCW, but no appropriation is required for
4 payments to financial institutions. Payments shall occur prior to
5 distribution of earnings set forth in subsection (4) of this section.

6 (4) Monthly, the state treasurer shall distribute the earnings
7 credited to the treasury income account. The state treasurer shall
8 credit the general fund with all the earnings credited to the treasury
9 income account except:

10 (a) The following accounts and funds shall receive their
11 proportionate share of earnings based upon each account's and fund's
12 average daily balance for the period: The capitol building
13 construction account, the Cedar River channel construction and
14 operation account, the Central Washington University capital projects
15 account, the charitable, educational, penal and reformatory
16 institutions account, the common school construction fund, the county
17 criminal justice assistance account, the county sales and use tax
18 equalization account, the data processing building construction
19 account, the deferred compensation administrative account, the deferred
20 compensation principal account, the department of retirement systems
21 expense account, the developmental disabilities community trust
22 account, the drinking water assistance account, the drinking water
23 assistance administrative account, the drinking water assistance
24 repayment account, the Eastern Washington University capital projects
25 account, the education construction fund, the election account, the
26 emergency reserve fund, The Evergreen State College capital projects
27 account, the federal forest revolving account, the health services
28 account, the public health services account, the health system capacity
29 account, the personal health services account, the state higher
30 education construction account, the higher education construction
31 account, the highway infrastructure account, the industrial insurance
32 premium refund account, the judges' retirement account, the judicial
33 retirement administrative account, the judicial retirement principal
34 account, the local leasehold excise tax account, the local real estate
35 excise tax account, the local sales and use tax account, the medical
36 aid account, the mobile home park relocation fund, the multimodal
37 transportation account, the municipal criminal justice assistance
38 account, the municipal sales and use tax equalization account, the

1 natural resources deposit account, the oyster reserve land account, the
2 perpetual surveillance and maintenance account, the public employees'
3 retirement system plan 1 account, the public employees' retirement
4 system combined plan 2 and plan 3 account, the public facilities
5 construction loan revolving account beginning July 1, 2004, the public
6 health supplemental account, the public works assistance account, the
7 Puyallup tribal settlement account, the regional transportation
8 investment district account, the resource management cost account, the
9 site closure account, the special wildlife account, the state
10 employees' insurance account, the state employees' insurance reserve
11 account, the state investment board expense account, the state
12 investment board commingled trust fund accounts, the supplemental
13 pension account, the Tacoma Narrows toll bridge account, the teachers'
14 retirement system plan 1 account, the teachers' retirement system
15 combined plan 2 and plan 3 account, the tobacco prevention and control
16 account, the tobacco settlement account, the transportation
17 infrastructure account, the tuition recovery trust fund, the University
18 of Washington bond retirement fund, the University of Washington
19 building account, the volunteer fire fighters' and reserve officers'
20 relief and pension principal fund, the volunteer fire fighters' and
21 reserve officers' administrative fund, the Washington fruit express
22 account, the Washington judicial retirement system account, the
23 Washington law enforcement officers' and fire fighters' system plan 1
24 retirement account, the Washington law enforcement officers' and fire
25 fighters' system plan 2 retirement account, the Washington school
26 employees' retirement system combined plan 2 and 3 account, the
27 Washington state health insurance pool account, the Washington state
28 patrol retirement account, the Washington State University building
29 account, the Washington State University bond retirement fund, the
30 water pollution control revolving fund, and the Western Washington
31 University capital projects account. Earnings derived from investing
32 balances of the agricultural permanent fund, the normal school
33 permanent fund, the permanent common school fund, the scientific
34 permanent fund, and the state university permanent fund shall be
35 allocated to their respective beneficiary accounts. All earnings to be
36 distributed under this subsection (4)(a) shall first be reduced by the
37 allocation to the state treasurer's service fund pursuant to RCW
38 43.08.190.

1 (b) The following accounts and funds shall receive eighty percent
2 of their proportionate share of earnings based upon each account's or
3 fund's average daily balance for the period: The aeronautics account,
4 the aircraft search and rescue account, the county arterial
5 preservation account, the department of licensing services account, the
6 essential rail assistance account, the ferry bond retirement fund, the
7 grade crossing protective fund, the high capacity transportation
8 account, the highway bond retirement fund, the highway safety account,
9 the motor vehicle fund, the motorcycle safety education account, the
10 pilotage account, the public transportation systems account, the Puget
11 Sound capital construction account, the Puget Sound ferry operations
12 account, the recreational vehicle account, the rural arterial trust
13 account, the safety and education account, the special category C
14 account, the state patrol highway account, the transportation 2003
15 account (nickel account), the transportation equipment fund, the
16 transportation fund, the transportation improvement account, the
17 transportation improvement board bond retirement account, and the urban
18 arterial trust account.

19 (5) In conformance with Article II, section 37 of the state
20 Constitution, no treasury accounts or funds shall be allocated earnings
21 without the specific affirmative directive of this section.

22 NEW SECTION. **Sec. 4.** Except for section 3 of this act which takes
23 effect July 1, 2005, this act is necessary for the immediate
24 preservation of the public peace, health, or safety, or support of the
25 state government and its existing public institutions, and takes effect
26 immediately.

27 NEW SECTION. **Sec. 5.** Section 2 of this act expires July 1, 2005.

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