
SUBSTITUTE SENATE BILL 5702

State of Washington

59th Legislature

2005 Regular Session

By Senate Committee on Ways & Means (originally sponsored by Senators Zarelli, Kline, Fairley, Regala, Rasmussen and McAuliffe)

READ FIRST TIME 03/01/05.

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

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

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

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

1 residential habilitation centers. Moneys in the account may be spent
2 only after appropriation. Expenditures from the account shall be used
3 exclusively to provide family support and/or employment/day services to
4 eligible persons with developmental disabilities not receiving these
5 services prior to January 1, 2005. It is the intent of the legislature
6 that the account should not be used to replace, supplant, or reduce
7 existing appropriations.

8 The account shall be known as the Dan Thompson memorial
9 developmental disabilities community trust account.

10 **Sec. 2.** RCW 43.84.092 and 2003 c 361 s 602, 2003 c 324 s 1, and
11 2003 c 48 s 2 are each reenacted and amended to read as follows:

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

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

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

1 (4) Monthly, the state treasurer shall distribute the earnings
2 credited to the treasury income account. The state treasurer shall
3 credit the general fund with all the earnings credited to the treasury
4 income account except:

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

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

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

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

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

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

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

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

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

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

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

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

1 distributed under this subsection (4)(a) shall first be reduced by the
2 allocation to the state treasurer's service fund pursuant to RCW
3 43.08.190.

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

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

25 **Sec. 4.** RCW 43.84.092 and 2004 c 242 s 60 are each amended to read
26 as follows:

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

30 (2) The treasury income account shall be utilized to pay or receive
31 funds associated with federal programs as required by the federal cash
32 management improvement act of 1990. The treasury income account is
33 subject in all respects to chapter 43.88 RCW, but no appropriation is
34 required for refunds or allocations of interest earnings required by
35 the cash management improvement act. Refunds of interest to the
36 federal treasury required under the cash management improvement act
37 fall under RCW 43.88.180 and shall not require appropriation. The

1 office of financial management shall determine the amounts due to or
2 from the federal government pursuant to the cash management improvement
3 act. The office of financial management may direct transfers of funds
4 between accounts as deemed necessary to implement the provisions of the
5 cash management improvement act, and this subsection. Refunds or
6 allocations shall occur prior to the distributions of earnings set
7 forth in subsection (4) of this section.

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

16 (4) Monthly, the state treasurer shall distribute the earnings
17 credited to the treasury income account. The state treasurer shall
18 credit the general fund with all the earnings credited to the treasury
19 income account except:

20 (a) The following accounts and funds shall receive their
21 proportionate share of earnings based upon each account's and fund's
22 average daily balance for the period: The capitol building
23 construction account, the Cedar River channel construction and
24 operation account, the Central Washington University capital projects
25 account, the charitable, educational, penal and reformatory
26 institutions account, the common school construction fund, the county
27 criminal justice assistance account, the county sales and use tax
28 equalization account, the data processing building construction
29 account, the deferred compensation administrative account, the deferred
30 compensation principal account, the department of retirement systems
31 expense account, the developmental disabilities community trust
32 account, the drinking water assistance account, the drinking water
33 assistance administrative account, the drinking water assistance
34 repayment account, the Eastern Washington University capital projects
35 account, the education construction fund, the election account, the
36 emergency reserve fund, The Evergreen State College capital projects
37 account, the federal forest revolving account, the health services
38 account, the public health services account, the health system capacity

1 account, the personal health services account, the state higher
2 education construction account, the higher education construction
3 account, the highway infrastructure account, the industrial insurance
4 premium refund account, the judges' retirement account, the judicial
5 retirement administrative account, the judicial retirement principal
6 account, the local leasehold excise tax account, the local real estate
7 excise tax account, the local sales and use tax account, the medical
8 aid account, the mobile home park relocation fund, the multimodal
9 transportation account, the municipal criminal justice assistance
10 account, the municipal sales and use tax equalization account, the
11 natural resources deposit account, the oyster reserve land account, the
12 perpetual surveillance and maintenance account, the public employees'
13 retirement system plan 1 account, the public employees' retirement
14 system combined plan 2 and plan 3 account, the public facilities
15 construction loan revolving account beginning July 1, 2004, the public
16 health supplemental account, the public works assistance account, the
17 Puyallup tribal settlement account, the regional transportation
18 investment district account, the resource management cost account, the
19 site closure account, the special wildlife account, the state
20 employees' insurance account, the state employees' insurance reserve
21 account, the state investment board expense account, the state
22 investment board commingled trust fund accounts, the supplemental
23 pension account, the Tacoma Narrows toll bridge account, the teachers'
24 retirement system plan 1 account, the teachers' retirement system
25 combined plan 2 and plan 3 account, the tobacco prevention and control
26 account, the tobacco settlement account, the transportation
27 infrastructure account, the tuition recovery trust fund, the University
28 of Washington bond retirement fund, the University of Washington
29 building account, the volunteer fire fighters' and reserve officers'
30 relief and pension principal fund, the volunteer fire fighters' and
31 reserve officers' administrative fund, the Washington fruit express
32 account, the Washington judicial retirement system account, the
33 Washington law enforcement officers' and fire fighters' system plan 1
34 retirement account, the Washington law enforcement officers' and fire
35 fighters' system plan 2 retirement account, the Washington public
36 safety employees' plan 2 retirement account, the Washington school
37 employees' retirement system combined plan 2 and 3 account, the
38 Washington state health insurance pool account, the Washington state

1 patrol retirement account, the Washington State University building
2 account, the Washington State University bond retirement fund, the
3 water pollution control revolving fund, and the Western Washington
4 University capital projects account. Earnings derived from investing
5 balances of the agricultural permanent fund, the normal school
6 permanent fund, the permanent common school fund, the scientific
7 permanent fund, and the state university permanent fund shall be
8 allocated to their respective beneficiary accounts. All earnings to be
9 distributed under this subsection (4)(a) shall first be reduced by the
10 allocation to the state treasurer's service fund pursuant to RCW
11 43.08.190.

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

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

33 NEW SECTION. **Sec. 5.** This act is necessary for the immediate
34 preservation of the public peace, health, or safety, or support of the
35 state government and its existing public institutions, and takes effect
36 immediately, except for section 3 of this act which takes effect July
37 1, 2005, and section 4 of this act which takes effect July 1, 2006.

1 NEW SECTION. **Sec. 6.** (1) Section 2 of this act expires July 1,
2 2005.

3 (2) Section 3 of this act expires July 1, 2006.

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