

2SHB 2822 - S COMM AMD

By Committee on Human Services & Corrections

OUT OF ORDER 03/07/2008

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 2.56 RCW  
4 to read as follows:

5 (1) The family and juvenile court improvement grant program is  
6 created. The purpose of the program is to assist superior courts in  
7 improving their family and juvenile court systems, especially in  
8 dependency cases, with the goals of:

9 (a) Assuring a stable and well-trained judiciary in family and  
10 juvenile law providing consistency of judicial officers hearing all of  
11 the proceedings in a case involving one family, especially in  
12 dependency cases; and

13 (b) Ensuring judicial accountability in implementing specific  
14 principles and practices for family and juvenile court.

15 (2) The administrator for the courts shall develop and administer  
16 the program subject to requirements in section 2 of this act.

17 (3) As part of administering the program, the administrator for the  
18 courts shall define appropriate outcome measures, collect data, and  
19 gather information from courts receiving grants.

20 NEW SECTION. **Sec. 2.** A new section is added to chapter 2.56 RCW  
21 to read as follows:

22 (1) A superior court may apply for grants from the family and  
23 juvenile court improvement grant program by submitting a local  
24 improvement plan with the administrator for the courts. To be eligible  
25 for grant funds, a superior court's local improvement plan must meet  
26 the criteria developed by the administrator for the courts and approved  
27 by the board for judicial administration. The criteria must be  
28 consistent with the principles adopted for unified family courts. At

1 a minimum, the criteria must require that the court's local improvement  
2 plan meet the following requirements:

3 (a) Commit to a chief judge assignment to the family and juvenile  
4 court for a minimum of two years;

5 (b) Implementation of the principle of one judicial team hearing  
6 all of the proceedings in a case involving one family, especially in  
7 dependency cases; and

8 (c) Require court commissioners and judges assigned to family and  
9 juvenile court to receive a minimum of thirty hours specialized  
10 training in topics related to family and juvenile matters within six  
11 months of assuming duties in family and juvenile court. Where  
12 possible, courts should utilize local, statewide, and national training  
13 forums. A judicial officer's recorded educational history may be  
14 applied toward the thirty-hour requirement. The topics for training  
15 must include:

- 16 (i) Parentage;
- 17 (ii) Adoption;
- 18 (iii) Domestic relations;
- 19 (iv) Dependency and termination of parental rights;
- 20 (v) Child development;
- 21 (vi) The impact of child abuse and neglect;
- 22 (vii) Domestic violence;
- 23 (viii) Substance abuse;
- 24 (ix) Mental health;
- 25 (x) Juvenile status offenses;
- 26 (xi) Juvenile offenders;
- 27 (xii) Self-representation issues;
- 28 (xiii) Cultural competency;
- 29 (xiv) Roles of family and juvenile court judges and commissioners.

30 (2) Courts receiving grant money must use the funds to improve and  
31 support family and juvenile court operations based on standards  
32 developed by the administrator for the courts and approved by the board  
33 for judicial administration. The standards may allow courts to use the  
34 funds to:

35 (a) Pay for family and juvenile court training of commissioners and  
36 judges or pay for pro tem commissioners and judges to assist the court  
37 while the commissioners and judges receive training;

1 (b) Increase judicial and nonjudicial staff, including  
2 administrative staff to improve case coordination and referrals in  
3 family and juvenile cases, guardian ad litem volunteers or  
4 court-appointed special advocates, security, and other staff;

5 (c) Improve the court facility to better meet the needs of children  
6 and families;

7 (d) Improve referral and treatment options for court participants,  
8 including enhancing court facilitator programs and family treatment  
9 court and increasing the availability of alternative dispute  
10 resolution;

11 (e) Enhance existing family and children support services funded by  
12 the courts and expand access to social service programs for families  
13 and children ordered by the court; and

14 (f) Improve or support family and juvenile court operations in any  
15 other way deemed appropriate by the administrator for the courts.

16 (3) The administrator for the courts shall allocate available grant  
17 moneys based upon the needs of the court as expressed in their local  
18 improvement plan.

19 (4) Money received by the superior court under this program must be  
20 used to supplement, not supplant, any other local, state, and federal  
21 funds for the court.

22 NEW SECTION. **Sec. 3.** A new section is added to chapter 2.56 RCW  
23 to read as follows:

24 Any court receiving grant money under this act shall be deemed to  
25 have received state money under RCW 26.12.260 thereby obligating the  
26 court to create a program to provide services to all parties involved  
27 in dissolution proceedings as required in RCW 26.12.260.

28 NEW SECTION. **Sec. 4.** A new section is added to chapter 2.56 RCW  
29 to read as follows:

30 (1) The Washington state institute for public policy shall evaluate  
31 the implementation of the family and juvenile court improvement grant  
32 program. The institute shall examine each superior court receiving  
33 funding under the program and evaluate each court's implementation and  
34 effectiveness of its local improvement plan.

35 (2) The institute's study shall specifically consider whether the  
36 court is:

1 (a) Providing consistent judicial oversight of children and family  
2 cases by implementing the principle of one judicial team hearing all of  
3 the proceedings in a case involving one family, especially in  
4 dependency cases;

5 (b) Working towards resolving multiple case types through  
6 centralized case management; and

7 (c) Implementing practices consistent with the criteria developed  
8 by the administrator for the courts and approved by the board for  
9 judicial administration.

10 (3) By December 31, 2009, the institute shall report to the  
11 legislature the findings of its evaluations.

12 NEW SECTION. **Sec. 5.** A new section is added to chapter 2.56 RCW  
13 to read as follows:

14 The family and juvenile court improvement grant account is created  
15 in the state treasury. Moneys in the account may be spent only after  
16 appropriation. Expenditures from the account may be made only for the  
17 family and juvenile improvement grant program.

18 **Sec. 6.** RCW 2.56.030 and 2007 c 496 s 302 are each amended to read  
19 as follows:

20 The administrator for the courts shall, under the supervision and  
21 direction of the chief justice:

22 (1) Examine the administrative methods and systems employed in the  
23 offices of the judges, clerks, stenographers, and employees of the  
24 courts and make recommendations, through the chief justice, for the  
25 improvement of the same;

26 (2) Examine the state of the dockets of the courts and determine  
27 the need for assistance by any court;

28 (3) Make recommendations to the chief justice relating to the  
29 assignment of judges where courts are in need of assistance and carry  
30 out the direction of the chief justice as to the assignments of judges  
31 to counties and districts where the courts are in need of assistance;

32 (4) Collect and compile statistical and other data and make reports  
33 of the business transacted by the courts and transmit the same to the  
34 chief justice to the end that proper action may be taken in respect  
35 thereto;

1 (5) Prepare and submit budget estimates of state appropriations  
2 necessary for the maintenance and operation of the judicial system and  
3 make recommendations in respect thereto;

4 (6) Collect statistical and other data and make reports relating to  
5 the expenditure of public moneys, state and local, for the maintenance  
6 and operation of the judicial system and the offices connected  
7 therewith;

8 (7) Obtain reports from clerks of courts in accordance with law or  
9 rules adopted by the supreme court of this state on cases and other  
10 judicial business in which action has been delayed beyond periods of  
11 time specified by law or rules of court and make report thereof to  
12 supreme court of this state;

13 (8) Act as secretary of the judicial conference referred to in RCW  
14 2.56.060;

15 (9) Submit annually, as of February 1st, to the chief justice, a  
16 report of the activities of the administrator's office for the  
17 preceding calendar year including activities related to courthouse  
18 security;

19 (10) Administer programs and standards for the training and  
20 education of judicial personnel;

21 (11) Examine the need for new superior court and district court  
22 judge positions under an objective workload analysis. The results of  
23 the objective workload analysis shall be reviewed by the board for  
24 judicial administration which shall make recommendations to the  
25 legislature. It is the intent of the legislature that an objective  
26 workload analysis become the basis for creating additional district and  
27 superior court positions, and recommendations should address that  
28 objective;

29 (12) Provide staff to the judicial retirement account plan under  
30 chapter 2.14 RCW;

31 (13) Attend to such other matters as may be assigned by the supreme  
32 court of this state;

33 (14) Within available funds, develop a curriculum for a general  
34 understanding of child development, placement, and treatment resources,  
35 as well as specific legal skills and knowledge of relevant statutes  
36 including chapters 13.32A, 13.34, and 13.40 RCW, cases, court rules,  
37 interviewing skills, and special needs of the abused or neglected  
38 child. This curriculum shall be completed and made available to all

1 juvenile court judges, court personnel, and service providers and be  
2 updated yearly to reflect changes in statutes, court rules, or case  
3 law;

4 (15) Develop, in consultation with the entities set forth in RCW  
5 2.56.150(3), a comprehensive statewide curriculum for persons who act  
6 as guardians ad litem under Title 13 or 26 RCW. The curriculum shall  
7 be made available July 1, 2008, and include specialty sections on child  
8 development, child sexual abuse, child physical abuse, child neglect,  
9 domestic violence, clinical and forensic investigative and interviewing  
10 techniques, family reconciliation and mediation services, and relevant  
11 statutory and legal requirements. The curriculum shall be made  
12 available to all superior court judges, court personnel, and all  
13 persons who act as guardians ad litem;

14 (16) Develop a curriculum for a general understanding of crimes of  
15 malicious harassment, as well as specific legal skills and knowledge of  
16 RCW 9A.36.080, relevant cases, court rules, and the special needs of  
17 malicious harassment victims. This curriculum shall be made available  
18 to all superior court and court of appeals judges and to all justices  
19 of the supreme court;

20 (17) Develop, in consultation with the criminal justice training  
21 commission and the commissions established under chapters 43.113,  
22 43.115, and 43.117 RCW, a curriculum for a general understanding of  
23 ethnic and cultural diversity and its implications for working with  
24 youth of color and their families. The curriculum shall be available  
25 to all superior court judges and court commissioners assigned to  
26 juvenile court, and other court personnel. Ethnic and cultural  
27 diversity training shall be provided annually so as to incorporate  
28 cultural sensitivity and awareness into the daily operation of juvenile  
29 courts statewide;

30 (18) Authorize the use of closed circuit television and other  
31 electronic equipment in judicial proceedings. The administrator shall  
32 promulgate necessary standards and procedures and shall provide  
33 technical assistance to courts as required;

34 (19) Develop a Washington family law handbook in accordance with  
35 RCW 2.56.180;

36 (20) Administer state funds for improving the operation of the  
37 courts and provide support for court coordinating councils, under the  
38 direction of the board for judicial administration;

1       (21) Administer the family and juvenile court improvement grant  
2 program and distribute amounts appropriated from the family and  
3 juvenile court improvement grant account;

4       (22)(a) Administer and distribute amounts appropriated from the  
5 equal justice subaccount under RCW 43.08.250(2) for district court  
6 judges' and qualifying elected municipal court judges' salary  
7 contributions. The administrator for the courts shall develop a  
8 distribution formula for these amounts that does not differentiate  
9 between district and elected municipal court judges.

10       (b) A city qualifies for state contribution of elected municipal  
11 court judges' salaries under (a) of this subsection if:

12       (i) The judge is serving in an elected position;

13       (ii) The city has established by ordinance that a full-time judge  
14 is compensated at a rate equivalent to at least ninety-five percent,  
15 but not more than one hundred percent, of a district court judge salary  
16 or for a part-time judge on a pro rata basis the same equivalent; and

17       (iii) The city has certified to the office of the administrator for  
18 the courts that the conditions in (b)(i) and (ii) of this subsection  
19 have been met.

20       **Sec. 7.** RCW 43.84.092 and 2007 c 514 s 3 and 2007 c 356 s 9 are  
21 each reenacted and amended to read as follows:

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

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

1 cash management improvement act, and this subsection. Refunds or  
2 allocations shall occur prior to the distributions of earnings set  
3 forth in subsection (4) of this section.

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

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

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



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

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

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

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

1       **Sec. 8.** RCW 43.84.092 and 2007 c 514 s 3, 2007 c 484 s 4, and 2007  
2 c 356 s 9 are each reenacted and amended to read as follows:

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

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

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

29       (4) Monthly, the state treasurer shall distribute the earnings  
30 credited to the treasury income account. The state treasurer shall  
31 credit the general fund with all the earnings credited to the treasury  
32 income account except:

33       (a) The following accounts and funds shall receive their  
34 proportionate share of earnings based upon each account's and fund's  
35 average daily balance for the period: The budget stabilization  
36 account, the capitol building construction account, the Cedar River  
37 channel construction and operation account, the Central Washington  
38 University capital projects account, the charitable, educational, penal

1 and reformatory institutions account, the Columbia river basin water  
2 supply development account, the common school construction fund, the  
3 county criminal justice assistance account, the county sales and use  
4 tax equalization account, the data processing building construction  
5 account, the deferred compensation administrative account, the deferred  
6 compensation principal account, the department of retirement systems  
7 expense account, the developmental disabilities community trust  
8 account, the drinking water assistance account, the drinking water  
9 assistance administrative account, the drinking water assistance  
10 repayment account, the Eastern Washington University capital projects  
11 account, the education construction fund, the education legacy trust  
12 account, the election account, the energy freedom account, The  
13 Evergreen State College capital projects account, the family and  
14 juvenile court improvement grant account, the federal forest revolving  
15 account, the freight congestion relief account, the freight mobility  
16 investment account, the freight mobility multimodal account, the health  
17 services account, the public health services account, the health system  
18 capacity account, the personal health services account, the state  
19 higher education construction account, the higher education  
20 construction account, the highway infrastructure account, the high-  
21 occupancy toll lanes operations account, the industrial insurance  
22 premium refund account, the judges' retirement account, the judicial  
23 retirement administrative account, the judicial retirement principal  
24 account, the local leasehold excise tax account, the local real estate  
25 excise tax account, the local sales and use tax account, the medical  
26 aid account, the mobile home park relocation fund, the multimodal  
27 transportation account, the municipal criminal justice assistance  
28 account, the municipal sales and use tax equalization account, the  
29 natural resources deposit account, the oyster reserve land account, the  
30 pension funding stabilization account, the perpetual surveillance and  
31 maintenance account, the public employees' retirement system plan 1  
32 account, the public employees' retirement system combined plan 2 and  
33 plan 3 account, the public facilities construction loan revolving  
34 account beginning July 1, 2004, the public health supplemental account,  
35 the public works assistance account, the Puyallup tribal settlement  
36 account, the real estate appraiser commission account, the regional  
37 mobility grant program account, the resource management cost account,  
38 the rural Washington loan fund, the site closure account, the small

1 city pavement and sidewalk account, the special wildlife account, the  
2 state employees' insurance account, the state employees' insurance  
3 reserve account, the state investment board expense account, the state  
4 investment board commingled trust fund accounts, the supplemental  
5 pension account, the Tacoma Narrows toll bridge account, the teachers'  
6 retirement system plan 1 account, the teachers' retirement system  
7 combined plan 2 and plan 3 account, the tobacco prevention and control  
8 account, the tobacco settlement account, the transportation  
9 infrastructure account, the transportation partnership account, the  
10 traumatic brain injury account, the tuition recovery trust fund, the  
11 University of Washington bond retirement fund, the University of  
12 Washington building account, the volunteer firefighters' and reserve  
13 officers' relief and pension principal fund, the volunteer  
14 firefighters' and reserve officers' administrative fund, the Washington  
15 fruit express account, the Washington judicial retirement system  
16 account, the Washington law enforcement officers' and firefighters'  
17 system plan 1 retirement account, the Washington law enforcement  
18 officers' and firefighters' system plan 2 retirement account, the  
19 Washington public safety employees' 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. 9.** RCW 43.84.092 and 2007 c 514 s 3, 2007 c 513 s 1, 2007 c  
17 484 s 4, and 2007 c 356 s 9 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 The following accounts and funds shall receive their proportionate  
14 share of earnings based upon each account's and fund's average daily  
15 balance for the period: The aeronautics account, the aircraft search  
16 and rescue account, the budget stabilization account, the capitol  
17 building construction account, the Cedar River channel construction and  
18 operation account, the Central Washington University capital projects  
19 account, the charitable, educational, penal and reformatory  
20 institutions account, the Columbia river basin water supply development  
21 account, the common school construction fund, the county arterial  
22 preservation account, the county criminal justice assistance account,  
23 the county sales and use tax equalization account, the data processing  
24 building construction account, the deferred compensation administrative  
25 account, the deferred compensation principal account, the department of  
26 licensing services account, the department of retirement systems  
27 expense account, the developmental disabilities community trust  
28 account, the drinking water assistance account, the drinking water  
29 assistance administrative account, the drinking water assistance  
30 repayment account, the Eastern Washington University capital projects  
31 account, the education construction fund, the education legacy trust  
32 account, the election account, the energy freedom account, the  
33 essential rail assistance account, The Evergreen State College capital  
34 projects account, the family and juvenile court improvement grant  
35 account, the federal forest revolving account, the ferry bond  
36 retirement fund, the freight congestion relief account, the freight  
37 mobility investment account, the freight mobility multimodal account,  
38 the grade crossing protective fund, the health services account, the

1 public health services account, the health system capacity account, the  
2 personal health services account, the high capacity transportation  
3 account, the state higher education construction account, the higher  
4 education construction account, the highway bond retirement fund, the  
5 highway infrastructure account, the highway safety account, the high-  
6 occupancy toll lanes operations account, the industrial insurance  
7 premium refund account, the judges' retirement account, the judicial  
8 retirement administrative account, the judicial retirement principal  
9 account, the local leasehold excise tax account, the local real estate  
10 excise tax account, the local sales and use tax account, the medical  
11 aid account, the mobile home park relocation fund, the motor vehicle  
12 fund, the motorcycle safety education account, the multimodal  
13 transportation account, the municipal criminal justice assistance  
14 account, the municipal sales and use tax equalization account, the  
15 natural resources deposit account, the oyster reserve land account, the  
16 pension funding stabilization account, the perpetual surveillance and  
17 maintenance account, the pilotage account, the public employees'  
18 retirement system plan 1 account, the public employees' retirement  
19 system combined plan 2 and plan 3 account, the public facilities  
20 construction loan revolving account beginning July 1, 2004, the public  
21 health supplemental account, the public transportation systems account,  
22 the public works assistance account, the Puget Sound capital  
23 construction account, the Puget Sound ferry operations account, the  
24 Puyallup tribal settlement account, the real estate appraiser  
25 commission account, the recreational vehicle account, the regional  
26 mobility grant program account, the resource management cost account,  
27 the rural arterial trust account, the rural Washington loan fund, the  
28 safety and education account, the site closure account, the small city  
29 pavement and sidewalk account, the special category C account, the  
30 special wildlife account, the state employees' insurance account, the  
31 state employees' insurance reserve account, the state investment board  
32 expense account, the state investment board commingled trust fund  
33 accounts, the state patrol highway account, the supplemental pension  
34 account, the Tacoma Narrows toll bridge account, the teachers'  
35 retirement system plan 1 account, the teachers' retirement system  
36 combined plan 2 and plan 3 account, the tobacco prevention and control  
37 account, the tobacco settlement account, the transportation 2003  
38 account (nickel account), the transportation equipment fund, the



1 transportation fund, the transportation improvement account, the  
2 transportation improvement board bond retirement account, the  
3 transportation infrastructure account, the transportation partnership  
4 account, the traumatic brain injury account, the tuition recovery trust  
5 fund, the University of Washington bond retirement fund, the University  
6 of Washington building account, the urban arterial trust account, the  
7 volunteer firefighters' and reserve officers' relief and pension  
8 principal fund, the volunteer firefighters' and reserve officers'  
9 administrative fund, the Washington fruit express account, the  
10 Washington judicial retirement system account, the Washington law  
11 enforcement officers' and firefighters' system plan 1 retirement  
12 account, the Washington law enforcement officers' and firefighters'  
13 system plan 2 retirement account, the Washington public safety  
14 employees' plan 2 retirement account, the Washington school employees'  
15 retirement system combined plan 2 and 3 account, the Washington state  
16 health insurance pool account, the Washington state patrol retirement  
17 account, the Washington State University building account, the  
18 Washington State University bond retirement fund, the water pollution  
19 control revolving fund, and the Western Washington University capital  
20 projects account. Earnings derived from investing balances of the  
21 agricultural permanent fund, the normal school permanent fund, the  
22 permanent common school fund, the scientific permanent fund, and the  
23 state university permanent fund shall be allocated to their respective  
24 beneficiary accounts. All earnings to be distributed under this  
25 subsection (4)(a) shall first be reduced by the allocation to the state  
26 treasurer's service fund pursuant to RCW 43.08.190.

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

30 NEW SECTION. **Sec. 10.** (1) Section 8 of this act takes effect July  
31 1, 2008.

32 (2) Section 9 of this act takes effect July 1, 2009.

33 NEW SECTION. **Sec. 11.** (1) Section 7 of this act expires July 1,  
34 2008.

35 (2) Section 8 of this act expires July 1, 2009.

1        NEW SECTION.    **Sec. 12.** If specific funding for the purposes of  
2 this act, referencing this act by bill or chapter number, is not  
3 provided by June 30, 2008, in the omnibus appropriations act, this act  
4 is null and void."

**2SHB 2822** - S COMM AMD

By Committee on Human Services & Corrections

**OUT OF ORDER 03/07/2008**

5        On page 1, line 2 of the title, after "program;" strike the  
6 remainder of the title and insert "amending RCW 2.56.030; reenacting  
7 and amending RCW 43.84.092, 43.84.092, and 43.84.092; adding new  
8 sections to chapter 2.56 RCW; creating a new section; providing  
9 effective dates; and providing expiration dates."

--- END ---