

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 6572

61st Legislature
2010 1st Special Session

Passed by the Senate March 16, 2010
YEAS 41 NAYS 0

President of the Senate

Passed by the House March 19, 2010
YEAS 92 NAYS 0

Speaker of the House of Representatives

Approved

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 6572** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 6572

Passed Legislature - 2010 1st Special Session

State of Washington 61st Legislature 2010 Regular Session

By Senate Ways & Means (originally sponsored by Senator Tom; by request of Office of Financial Management)

READ FIRST TIME 02/04/10.

1 AN ACT Relating to eliminating accounts; amending RCW 43.105.805,
2 43.110.080, 28A.650.035, 28B.135.040, 28B.135.010, and 43.79A.040;
3 reenacting and amending RCW 43.84.092; creating new sections; repealing
4 RCW 28B.20.468, 28B.20.470, 28B.30.275, 28B.120.050, 39.35C.100,
5 41.05.510, 43.72.906, 43.99I.100, 43.99I.110, 43.99J.080, 43.105.830,
6 43.110.090, 47.01.310, 47.26.325, 47.26.330, 50.65.150, and 73.40.060;
7 and providing an effective date.

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

9 **Sec. 1.** RCW 43.105.805 and 1999 c 285 s 3 are each amended to read
10 as follows:

11 The K-20 board has the following powers and duties:

12 (1) In cooperation with the educational sectors and other
13 interested parties, to establish goals and measurable objectives for
14 the network;

15 (2) To ensure that the goals and measurable objectives of the
16 network are the basis for any decisions or recommendations regarding
17 the technical development and operation of the network;

18 (3) To adopt, modify, and implement policies to facilitate network
19 development, operation, and expansion. Such policies may include but

1 need not be limited to the following issues: Quality of educational
2 services; access to the network by recognized organizations and
3 accredited institutions that deliver educational programming, including
4 public libraries; prioritization of programming within limited
5 resources; prioritization of access to the system and the sharing of
6 technological advances; network security; identification and evaluation
7 of emerging technologies for delivery of educational programs; future
8 expansion or redirection of the system; network fee structures; and
9 costs for the development and operation of the network;

10 (4) To prepare and submit to the governor and the legislature a
11 coordinated budget for network development, operation, and expansion.
12 The budget shall include the recommendations of the K-20 board on (a)
13 any state funding requested for network transport and equipment,
14 distance education facilities and hardware or software specific to the
15 use of the network, and proposed new network end sites, (b) annual
16 copayments to be charged to public educational sector institutions and
17 other public entities connected to the network, and (c) charges to
18 nongovernmental entities connected to the network;

19 (5) To adopt and monitor the implementation of a methodology to
20 evaluate the effectiveness of the network in achieving the educational
21 goals and measurable objectives;

22 ~~(6) ((To authorize the release of funds from the K-20 technology~~
23 ~~account under RCW 43.105.830 for network expenditures;~~

24 ~~(7))~~) To establish by rule acceptable use policies governing user
25 eligibility for participation in the K-20 network, acceptable uses of
26 network resources, and procedures for enforcement of such policies.
27 The K-20 board shall set forth appropriate procedures for enforcement
28 of acceptable use policies, that may include suspension of network
29 connections and removal of shared equipment for violations of network
30 conditions or policies. However, the information services board shall
31 have sole responsibility for the implementation of enforcement
32 procedures relating to technical conditions of use.

33 **Sec. 2.** RCW 43.110.080 and 2006 c 328 s 1 are each amended to read
34 as follows:

35 (1) The municipal research council shall contract for the provision
36 of research and services to special purpose districts. A contract

1 shall be made with a state agency, educational institution, or private
2 consulting firm, that in the judgment of council members is qualified
3 to provide such research and services.

4 (2) Research and services to special purpose districts shall
5 consist of: (a) Studying and researching issues relating to special
6 purpose district government; (b) acquiring, preparing, and distributing
7 publications related to special purpose districts; and (c) furnishing
8 legal, technical, consultative, and field services to special purpose
9 districts concerning issues relating to special purpose district
10 government.

11 (3) The activities, programs, and services of the municipal
12 research council to special purpose districts shall be carried on in
13 cooperation with the associations representing the various special
14 purpose districts. ~~((Services to special purpose districts shall be
15 based upon the moneys appropriated to the municipal research council
16 from the special purpose district research services account under RCW
17 43.110.090.))~~

18 **Sec. 3.** RCW 28A.650.035 and 1993 c 336 s 708 are each amended to
19 read as follows:

20 ~~((1))~~ The superintendent of public instruction may receive such
21 gifts, grants, and endowments from public or private sources as may be
22 made from time to time, in trust or otherwise, for the use and benefit
23 of the purposes of educational technology and expend the same or any
24 income therefrom according to the terms of the gifts, grants, or
25 endowments.

26 ~~((2) The education technology account is hereby established in the
27 custody of the state treasurer. The superintendent of public
28 instruction shall deposit in the account all moneys received from
29 gifts, grants, or endowments for education technology. Moneys in the
30 account may be spent only for education technology. Disbursements from
31 the account shall be on authorization of the superintendent of public
32 instruction or the superintendent's designee. The account is subject
33 to the allotment procedure provided under chapter 43.88 RCW, but no
34 appropriation is required for disbursements.))~~

35 **Sec. 4.** RCW 28B.135.040 and 1999 c 375 s 4 are each amended to
36 read as follows:

1 (~~Two accounts for~~) The four-year student child care in higher
2 education (~~are~~) account is established in the custody of the state
3 treasurer. Moneys in the account(~~s~~) may be spent only for the
4 purposes of RCW 28B.135.010. Disbursements from (~~one of~~) the
5 account(~~s~~) shall be on the authorization of the higher education
6 coordinating board (~~and disbursements from the other account shall be~~
7 ~~on the authorization of the state board for community and technical~~
8 ~~colleges~~). The (~~accounts are~~) account is subject to the allotment
9 procedures under chapter 43.88 RCW, but no appropriation is required
10 for disbursements.

11 **Sec. 5.** RCW 28B.135.010 and 2008 c 162 s 2 are each amended to
12 read as follows:

13 (~~Two Washington accounts for~~) The four-year student child care in
14 higher education (~~are~~) account is established. The higher education
15 coordinating board shall administer the program for the four-year
16 institutions of higher education (~~and the state board for community~~
17 ~~and technical colleges shall administer the program for the two-year~~
18 ~~institutions of higher education~~). Through these programs the
19 board(~~s~~) shall award either competitive or matching child care grants
20 to state institutions of higher education to encourage programs to
21 address the need for high quality, accessible, and affordable child
22 care for students at higher education institutions. The grants shall
23 be used exclusively for the provision of quality child care services
24 for students at institutions of higher education. The university or
25 college administration and student government association, or its
26 equivalent, of each institution receiving the award may contribute
27 financial support in an amount equal to or greater than the child care
28 grant received by the institution.

29 **Sec. 6.** RCW 43.79A.040 and 2009 c 87 s 4 are each amended to read
30 as follows:

31 (1) Money in the treasurer's trust fund may be deposited, invested,
32 and reinvested by the state treasurer in accordance with RCW 43.84.080
33 in the same manner and to the same extent as if the money were in the
34 state treasury.

35 (2) All income received from investment of the treasurer's trust

1 fund shall be set aside in an account in the treasury trust fund to be
2 known as the investment income account.

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

11 (4)(a) Monthly, the state treasurer shall distribute the earnings
12 credited to the investment income account to the state general fund
13 except under (b) and (c) of this subsection.

14 (b) The following accounts and funds shall receive their
15 proportionate share of earnings based upon each account's or fund's
16 average daily balance for the period: The Washington promise
17 scholarship account, the college savings program account, the
18 Washington advanced college tuition payment program account, the
19 agricultural local fund, the American Indian scholarship endowment
20 fund, the foster care scholarship endowment fund, the foster care
21 endowed scholarship trust fund, the students with dependents grant
22 account, the basic health plan self-insurance reserve account, the
23 contract harvesting revolving account, the Washington state combined
24 fund drive account, the commemorative works account, the Washington
25 international exchange scholarship endowment fund, the toll collection
26 account, the developmental disabilities endowment trust fund, the
27 energy account, the fair fund, the family leave insurance account, the
28 food animal veterinarian conditional scholarship account, the fruit and
29 vegetable inspection account, the future teachers conditional
30 scholarship account, the game farm alternative account, the GET ready
31 for math and science scholarship account, the grain inspection
32 revolving fund, the juvenile accountability incentive account, the law
33 enforcement officers' and firefighters' plan 2 expense fund, the local
34 tourism promotion account, the pilotage account, the produce railcar
35 pool account, the regional transportation investment district account,
36 the rural rehabilitation account, the stadium and exhibition center
37 account, the youth athletic facility account, the self-insurance
38 revolving fund, the sulfur dioxide abatement account, the children's

1 trust fund, the Washington horse racing commission Washington bred
2 owners' bonus fund and breeder awards account, the Washington horse
3 racing commission class C purse fund account, the individual
4 development account program account, the Washington horse racing
5 commission operating account (earnings from the Washington horse racing
6 commission operating account must be credited to the Washington horse
7 racing commission class C purse fund account), the life sciences
8 discovery fund, the Washington state heritage center account, the
9 reduced cigarette ignition propensity account, and the reading
10 achievement account. However, the earnings to be distributed shall
11 first be reduced by the allocation to the state treasurer's service
12 fund pursuant to RCW 43.08.190.

13 (c) The following accounts and funds shall receive eighty percent
14 of their proportionate share of earnings based upon each account's or
15 fund's average daily balance for the period: The advanced right-of-way
16 revolving fund, the advanced environmental mitigation revolving
17 account, (~~the city and county advance right-of-way revolving fund,~~)
18 the federal narcotics asset forfeitures account, the high occupancy
19 vehicle account, the local rail service assistance account, and the
20 miscellaneous transportation programs account.

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

24 **Sec. 7.** RCW 43.84.092 and 2009 c 479 s 31, 2009 c 472 s 5, and
25 2009 c 451 s 8 are each reenacted and amended to read as follows:

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

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

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

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

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

19 The following accounts and funds shall receive their proportionate
20 share of earnings based upon each account's and fund's average daily
21 balance for the period: The aeronautics account, the aircraft search
22 and rescue account, the budget stabilization account, the capitol
23 building 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 cleanup settlement account, the Columbia
27 river basin water supply development account, the common school
28 construction fund, the county arterial preservation account, the county
29 criminal justice assistance account, the county sales and use tax
30 equalization account, (~~the data processing building construction~~
31 ~~account,~~) the deferred compensation administrative account, the
32 deferred compensation principal account, the department of licensing
33 services account, the department of retirement systems expense account,
34 the developmental disabilities community trust account, the drinking
35 water assistance account, the drinking water assistance administrative
36 account, the drinking water assistance repayment account, the Eastern
37 Washington University capital projects account, the education
38 construction fund, the education legacy trust account, the election

1 account, the energy freedom account, the energy recovery act account,
2 the essential rail assistance account, The Evergreen State College
3 capital projects account, the federal forest revolving account, the
4 ferry bond retirement fund, the freight congestion relief account, the
5 freight mobility investment account, the freight mobility multimodal
6 account, the grade crossing protective fund, the public health services
7 account, the health system capacity account, (~~the personal health~~
8 ~~services account,~~) the high capacity transportation account, the state
9 higher education construction account, the higher education
10 construction account, the highway bond retirement fund, the highway
11 infrastructure account, the highway safety account, the high occupancy
12 toll lanes operations account, the industrial insurance premium refund
13 account, the judges' retirement account, the judicial retirement
14 administrative account, the judicial retirement principal account, the
15 local leasehold excise tax account, the local real estate excise tax
16 account, the local sales and use tax account, the medical aid account,
17 the mobile home park relocation fund, the motor vehicle fund, the
18 motorcycle safety education account, the multimodal transportation
19 account, the municipal criminal justice assistance account, the
20 municipal sales and use tax equalization account, the natural resources
21 deposit account, the oyster reserve land account, the pension funding
22 stabilization account, the perpetual surveillance and maintenance
23 account, the public employees' retirement system plan 1 account, the
24 public employees' retirement system combined plan 2 and plan 3 account,
25 the public facilities construction loan revolving account beginning
26 July 1, 2004, the public health supplemental account, the public
27 transportation systems account, the public works assistance account,
28 the Puget Sound capital construction account, the Puget Sound ferry
29 operations account, the Puyallup tribal settlement account, the real
30 estate appraiser commission account, the recreational vehicle account,
31 the regional mobility grant program account, the resource management
32 cost account, the rural arterial trust account, the rural Washington
33 loan fund, the site closure account, the small city pavement and
34 sidewalk account, the special category C account, the special wildlife
35 account, the state employees' insurance account, the state employees'
36 insurance reserve account, the state investment board expense account,
37 the state investment board commingled trust fund accounts, the state
38 patrol highway account, the state route number 520 corridor account,

1 the supplemental pension account, the Tacoma Narrows toll bridge
2 account, the teachers' retirement system plan 1 account, the teachers'
3 retirement system combined plan 2 and plan 3 account, the tobacco
4 prevention and control account, the tobacco settlement account, the
5 transportation 2003 account (nickel account), the transportation
6 equipment fund, the transportation fund, the transportation improvement
7 account, the transportation improvement board bond retirement account,
8 the transportation infrastructure account, the transportation
9 partnership account, the traumatic brain injury account, the tuition
10 recovery trust fund, the University of Washington bond retirement fund,
11 the University of Washington building account, the urban arterial trust
12 account, the volunteer firefighters' and reserve officers' relief and
13 pension principal fund, the volunteer firefighters' and reserve
14 officers' administrative fund, (~~the Washington fruit express~~
15 ~~account,~~) the Washington judicial retirement system account, the
16 Washington law enforcement officers' and firefighters' system plan 1
17 retirement account, the Washington law enforcement officers' and
18 firefighters' system plan 2 retirement account, the Washington public
19 safety employees' plan 2 retirement account, the Washington school
20 employees' retirement system combined plan 2 and 3 account, the
21 Washington state health insurance pool account, the Washington state
22 patrol retirement account, the Washington State University building
23 account, the Washington State University bond retirement fund, the
24 water pollution control revolving fund, and the Western Washington
25 University capital projects account. Earnings derived from investing
26 balances of the agricultural permanent fund, the normal school
27 permanent fund, the permanent common school fund, the scientific
28 permanent fund, and the state university permanent fund shall be
29 allocated to their respective beneficiary accounts. All earnings to be
30 distributed under this subsection (4) shall first be reduced by the
31 allocation to the state treasurer's service fund pursuant to RCW
32 43.08.190.

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

36 NEW SECTION. **Sec. 8.** The following acts or parts of acts are each
37 repealed:

- 1 (1) RCW 28B.20.468 (Warren G. Magnuson institute--Trust fund) and
2 1991 sp.s. c 13 s 106 & 1990 c 282 s 4;
- 3 (2) RCW 28B.20.470 (Warren G. Magnuson institute--State matching
4 funds) and 1990 c 282 s 5;
- 5 (3) RCW 28B.30.275 (State treasurer receiving agent of certain
6 federal aid--Morrill Fund) and 1969 ex.s. c 223 s 28B.30.275;
- 7 (4) RCW 28B.120.050 (Community and technical college fund for
8 innovation and quality) and 1999 c 169 s 8;
- 9 (5) RCW 39.35C.100 (Energy efficiency construction account) and
10 1996 c 186 s 414 & 1991 c 201 s 11;
- 11 (6) RCW 41.05.510 (Prescription drug purchasing account) and 2003
12 1st sp.s. c 29 s 4;
- 13 (7) RCW 43.72.906 (Personal health services account) and 1993 c 492
14 s 472;
- 15 (8) RCW 43.99I.100 (Data processing building construction account)
16 and 1992 c 235 s 7;
- 17 (9) RCW 43.99I.110 (Dairy products commission facility account) and
18 1992 c 235 s 8;
- 19 (10) RCW 43.99J.080 (Fruit commission facility account) and 1993
20 sp.s. c 12 s 6;
- 21 (11) RCW 43.105.830 (K-20 technology account) and 2004 c 276 s 909,
22 1999 c 285 s 9, 1997 c 180 s 2, & 1996 c 137 s 7;
- 23 (12) RCW 43.110.090 (Special purpose district research services
24 account) and 2006 c 328 s 2;
- 25 (13) RCW 47.01.310 (Washington fruit express account) and 2001 2nd
26 sp.s. c 14 s 606;
- 27 (14) RCW 47.26.325 (Advance right-of-way acquisition--Revolving
28 fund) and 2001 c 201 s 2;
- 29 (15) RCW 47.26.330 (Advance right-of-way acquisition--Management of
30 properties and funds) and 2001 c 201 s 3;
- 31 (16) RCW 50.65.150 (Washington service corps scholarship account--
32 Created--Use) and 1993 c 302 s 5; and
- 33 (17) RCW 73.40.060 (National World War II memorial account) and
34 2000 c 12 s 2.

35 NEW SECTION. **Sec. 9.** The funds remaining in the school
36 construction revolving fund created in section 311(2), chapter 116,
37 Laws of 1990 1st ex. sess. (uncodified) and the employment and training

1 trust fund repealed by section 19, chapter 226, Laws of 1993 on the
2 effective date of this section shall be transferred by the state
3 treasurer to the state general fund.

4 NEW SECTION. **Sec. 10.** Any residual balance of funds remaining in
5 any account eliminated in this act on the effective date of this
6 section shall be transferred by the state treasurer to the state
7 general fund.

8 NEW SECTION. **Sec. 11.** This act takes effect July 1, 2010.

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