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ENGROSSED SUBSTITUTE SENATE BILL 6152

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State of Washington

55th Legislature

1998 Regular Session

By Senate Committee on Ways & Means (originally sponsored by Senator Swecker; by request of Parks and Recreation Commission)

Read first time 02/05/98.

1 AN ACT Relating to state park lands; and amending RCW 43.51.210  
2 43.51.215, and 43.84.092.

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

4 **Sec. 1.** RCW 43.51.210 and 1984 c 87 s 2 are each amended to read  
5 as follows:

6 Whenever the state parks and recreation commission finds that any  
7 land under its control cannot advantageously be used for park purposes,  
8 it is authorized to dispose of such land. If such lands are school or  
9 other grant lands, control thereof shall be relinquished by resolution  
10 of the commission to the proper state officials. If such lands were  
11 acquired under restrictive conveyances by which the state may hold them  
12 only so long as they are used for park purposes, they may be returned  
13 to the donor or grantors by the commission. All other such lands may  
14 be either sold by the commission to the highest bidder or exchanged for  
15 other lands of equal value by the commission, and all conveyance  
16 documents shall be executed by the governor. All such exchanges shall  
17 be accompanied by a transfer fee, to be set by the commission and paid  
18 by the other party to the transfer; such fee shall be paid into the  
19 parkland acquisition account established under RCW 43.51.200. Sealed

1 bids on all sales shall be solicited at least twenty days in advance of  
2 the sale date by an advertisement appearing at least in three  
3 consecutive issues of a newspaper of general circulation in the county  
4 in which the land to be sold is located. If the commission feels that  
5 no bid received adequately reflects the fair value of the land to be  
6 sold, it may reject all bids, and may call for new bids. All proceeds  
7 derived from the sale of such park property shall be paid into the  
8 ~~((state general fund))~~ park land acquisition account. All land  
9 considered for exchange shall be evaluated by the commission to  
10 determine its adaptability to park usage. The equal value of all lands  
11 exchanged shall first be determined by the appraisals to the  
12 satisfaction of the commission: PROVIDED, That no sale or exchange of  
13 state park lands shall be made without the unanimous consent of the  
14 commission.

15 **Sec. 2.** RCW 43.51.215 and 1975 1st ex.s. c 107 s 1 are each  
16 amended to read as follows:

17 ~~((At least ten days but not more than twenty five days))~~ Before the  
18 director of parks and recreation presents a proposed exchange to the  
19 parks and recreation commission involving an exchange of state land  
20 pursuant to this chapter, the director shall hold a public hearing on  
21 the proposal in the county where the state lands or the greatest  
22 proportion thereof is located. Ten days but not more than twenty-five  
23 days prior to such hearing, the director shall publish a paid public  
24 notice of reasonable size in display advertising form, setting forth  
25 the date, time, and place of the hearing, at least once in one or more  
26 daily newspapers of general circulation in the county and at least once  
27 in one or more weekly newspapers circulated in the area where the state  
28 owned land is located. A news release pertaining to the hearing shall  
29 be disseminated among printed and electronic media in the area where  
30 the state land is located. The public notice and news release also  
31 shall identify lands involved in the proposed exchange and describe the  
32 purposes of the exchange and proposed use of the lands involved. A  
33 summary of the testimony presented at the hearings shall be prepared  
34 for the commission's consideration when reviewing the director's  
35 exchange proposal. If there is a failure to substantially comply with  
36 the procedures set forth in this section, then the exchange agreement  
37 shall be subject to being declared invalid by a court. Any such suit

1 must be brought within one year from the date of the exchange  
2 agreement.

3 **Sec. 3.** RCW 43.84.092 and 1997 c 218 s 5 are each amended to read  
4 as follows:

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

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

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

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

35 (a) The following accounts and funds shall receive their  
36 proportionate share of earnings based upon each account's and fund's  
37 average daily balance for the period: The capitol building  
38 construction account, the Cedar River channel construction and

1 operation account, the Central Washington University capital projects  
2 account, the charitable, educational, penal and reformatory  
3 institutions account, the common school construction fund, the county  
4 criminal justice assistance account, the county sales and use tax  
5 equalization account, the data processing building construction  
6 account, the deferred compensation administrative account, the deferred  
7 compensation principal account, the department of retirement systems  
8 expense account, the drinking water assistance account, the Eastern  
9 Washington University capital projects account, the education  
10 construction fund, the emergency reserve fund, the federal forest  
11 revolving account, the health services account, the public health  
12 services account, the health system capacity account, the personal  
13 health services account, the highway infrastructure account, the  
14 industrial insurance premium refund account, the judges' retirement  
15 account, the judicial retirement administrative account, the judicial  
16 retirement principal account, the local leasehold excise tax account,  
17 the local real estate excise tax account, the local sales and use tax  
18 account, the medical aid account, the mobile home park relocation fund,  
19 the municipal criminal justice assistance account, the municipal sales  
20 and use tax equalization account, the natural resources deposit  
21 account, the park land acquisition account, the perpetual surveillance  
22 and maintenance account, the public employees' retirement system plan  
23 I account, the public employees' retirement system plan II account, the  
24 Puyallup tribal settlement account, the resource management cost  
25 account, the site closure account, the special wildlife account, the  
26 state employees' insurance account, the state employees' insurance  
27 reserve account, the state investment board expense account, the state  
28 investment board commingled trust fund accounts, the supplemental  
29 pension account, the teachers' retirement system plan I account, the  
30 teachers' retirement system plan II account, the transportation  
31 infrastructure account, the tuition recovery trust fund, the University  
32 of Washington bond retirement fund, the University of Washington  
33 building account, the volunteer fire fighters' relief and pension  
34 principal account, the volunteer fire fighters' relief and pension  
35 administrative account, the Washington judicial retirement system  
36 account, the Washington law enforcement officers' and fire fighters'  
37 system plan I retirement account, the Washington law enforcement  
38 officers' and fire fighters' system plan II retirement account, the  
39 Washington state patrol retirement account, the Washington State

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

11 (b) The following accounts and funds shall receive eighty percent  
12 of their proportionate share of earnings based upon each account's or  
13 fund's average daily balance for the period: The aeronautics account,  
14 the aircraft search and rescue account, the central Puget Sound public  
15 transportation account, the city hardship assistance account, the  
16 county arterial preservation account, the department of licensing  
17 services account, the economic development account, the essential rail  
18 assistance account, the essential rail banking account, the ferry bond  
19 retirement fund, the gasohol exemption holding account, the grade  
20 crossing protective fund, the high capacity transportation account, the  
21 highway bond retirement fund, the highway construction stabilization  
22 account, the highway safety account, the marine operating fund, the  
23 motor vehicle fund, the motorcycle safety education account, the  
24 pilotage account, the public transportation systems account, the Puget  
25 Sound capital construction account, the Puget Sound ferry operations  
26 account, the recreational vehicle account, the rural arterial trust  
27 account, the safety and education account, the small city account, the  
28 special category C account, the state patrol highway account, the  
29 transfer relief account, the transportation capital facilities account,  
30 the transportation equipment fund, the transportation fund, the  
31 transportation improvement account, the transportation revolving loan  
32 account, and the urban arterial trust account.

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.

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