

SHB 1791 - S COMM AMD
By Committee on Ways & Means

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

3 "NEW SECTION. **Sec. 1.** The legislature recognizes the importance
4 of serving individuals with developmental disabilities in the
5 communities in which they reside. The legislature finds that using
6 these excess properties to provide services in the community will
7 promote the integration and independence of individuals with
8 developmental disabilities and will enable these individuals to avoid
9 reliance on institutional services.

10 The legislature finds that the life of Dan Thompson is exemplary of
11 the contributions that persons with developmental disabilities can make
12 to their communities and the enrichment they bring to all our lives
13 when suitably served in the communities in which they reside.

14 It is the intent of the legislature to allow use of the proceeds
15 from these excess properties at residential habilitation centers to
16 provide family support, employment, and day services to eligible
17 persons with developmental disabilities not receiving these services
18 prior to January 1, 2005.

19 NEW SECTION. **Sec. 2.** A new section is added to chapter 71A.20 RCW
20 to read as follows:

21 (1) Excess property identified in the 2002 joint legislative audit
22 and review committee capital study of the division of developmental
23 disabilities residential habilitation centers must be managed to
24 provide as much income as feasible and this income deposited into the
25 developmental disabilities community trust account created in section
26 3 of this act. Income may come from lease or sale of the land,
27 conservation easements, sale of timber, or other activities.

28 (2) The department shall report on its efforts and strategies to
29 provide income to the developmental disabilities community trust

1 account from the excess property identified in subsection (1) of this
2 section from the lease or sale of the property, sale of timber, or
3 other activity. The department shall report by June 30, 2006.

4 NEW SECTION. **Sec. 3.** A new section is added to chapter 71A.20 RCW
5 to read as follows:

6 The developmental disabilities community trust account is created
7 in the state treasury. All income from the use of excess property
8 identified in the 2002 joint legislative audit and review committee
9 capital study of the division of developmental disabilities residential
10 habilitation centers, any building, facility, or tract of land not held
11 in trust at any of the residential habilitation centers identified in
12 this chapter, or sale of timber on these excess lands, must be
13 deposited into this account. Only investment income from the principal
14 of the proceeds deposited into the trust account may be spent from the
15 account. Investment income from the account may be spent only after
16 appropriation and must be used solely for eligible persons with
17 developmental disabilities who can be served by family support,
18 employment, and day services. Moneys in the account may not be used to
19 supplant ongoing expenditures for services to persons with
20 developmental disabilities.

21 **Sec. 4.** RCW 43.84.092 and 2003 c 361 s 602, 2003 c 324 s 1, 2003
22 c 150 s 2, and 2003 c 48 s 2 are each reenacted and amended to read as
23 follows:

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

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

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

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

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

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

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

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

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

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 **Sec. 5.** RCW 43.84.092 and 2004 c 242 s 60 are each amended to read
31 as follows:

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

35 (2) The treasury income account shall be utilized to pay or receive
36 funds associated with federal programs as required by the federal cash
37 management improvement act of 1990. The treasury income account is

1 subject in all respects to chapter 43.88 RCW, but no appropriation is
2 required for refunds or allocations of interest earnings required by
3 the cash management improvement act. Refunds of interest to the
4 federal treasury required under the cash management improvement act
5 fall under RCW 43.88.180 and shall not require appropriation. The
6 office of financial management shall determine the amounts due to or
7 from the federal government pursuant to the cash management improvement
8 act. The office of financial management may direct transfers of funds
9 between accounts as deemed necessary to implement the provisions of the
10 cash management improvement act, and this subsection. Refunds or
11 allocations shall occur prior to the distributions of earnings set
12 forth in subsection (4) of this section.

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

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24 income account except:

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29 operation account, the Central Washington University capital projects
30 account, the charitable, educational, penal and reformatory
31 institutions account, the common school construction fund, the county
32 criminal justice assistance account, the county sales and use tax
33 equalization account, the data processing building construction
34 account, the deferred compensation administrative account, the deferred
35 compensation principal account, the department of retirement systems
36 expense account, the developmental disabilities community trust
37 account, the drinking water assistance account, the drinking water
38 assistance administrative account, the drinking water assistance

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

1 retirement account, the Washington law enforcement officers' and fire
2 fighters' system plan 2 retirement account, the Washington public
3 safety employees' plan 2 retirement account, the Washington school
4 employees' retirement system combined plan 2 and 3 account, the
5 Washington state health insurance pool account, the Washington state
6 patrol retirement account, the Washington State University building
7 account, the Washington State University bond retirement fund, the
8 water pollution control revolving fund, and the Western Washington
9 University capital projects account. Earnings derived from investing
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11 permanent fund, the permanent common school fund, the scientific
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15 allocation to the state treasurer's service fund pursuant to RCW
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19 fund's average daily balance for the period: The aeronautics account,
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21 preservation account, the department of licensing services account, the
22 essential rail assistance account, the ferry bond retirement fund, the
23 grade crossing protective fund, the high capacity transportation
24 account, the highway bond retirement fund, the highway safety account,
25 the motor vehicle fund, the motorcycle safety education account, the
26 pilotage account, the public transportation systems account, the Puget
27 Sound capital construction account, the Puget Sound ferry operations
28 account, the recreational vehicle account, the rural arterial trust
29 account, the safety and education account, the special category C
30 account, the state patrol highway account, the transportation 2003
31 account (nickel account), the transportation equipment fund, the
32 transportation fund, the transportation improvement account, the
33 transportation improvement board bond retirement account, and the urban
34 arterial trust account.

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

1 **Sec. 6.** RCW 72.01.140 and 1981 c 238 s 1 are each amended to read
2 as follows:

3 The secretary shall:

4 (1) Make a survey, investigation, and classification of the lands
5 connected with the state institutions under his control, and determine
6 which thereof are of such character as to be most profitably used for
7 agricultural, horticultural, dairying, and stock raising purposes,
8 taking into consideration the costs of making them ready for
9 cultivation, the character of the soil, its depth and fertility, the
10 number of kinds of crops to which it is adapted, the local climatic
11 conditions, the local annual rainfall, the water supply upon the land
12 or available, the needs of all state institutions for the food products
13 that can be grown or produced, and the amount and character of the
14 available labor of inmates at the several institutions;

15 (2) Establish and carry on suitable farming operations at the
16 several institutions under his control;

17 (3) Supply the several institutions with the necessary food
18 products produced thereat;

19 (4) Exchange with, or furnish to, other institutions, food products
20 at the cost of production;

21 (5) Sell and dispose of surplus food products produced.

22 (~~This section shall not apply to the Rainier school for which
23 cognizance of farming operations has been transferred to Washington
24 State University by RCW 72.01.142.~~)

25 NEW SECTION. **Sec. 7.** This act may be known and cited as the Dan
26 Thompson act.

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

29 (1) RCW 28B.30.820 (Dairy/forage and agricultural research
30 facility--Transfer of property and facilities for) and 1981 c 238 s 3;
31 and

32 (2) RCW 72.01.142 (Transfer of dairy operation from Rainier school)
33 and 1981 c 238 s 2.

34 NEW SECTION. **Sec. 9.** This act is necessary for the immediate
35 preservation of the public peace, health, or safety, or support of the

1 state government and its existing public institutions, and takes effect
2 July 1, 2005, except for section 5 of this act which takes effect July
3 1, 2006.

4 NEW SECTION. **Sec. 10.** Section 4 of this act expires July 1,
5 2006."

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By Committee on Ways & Means

6 On page 1, line 2 of the title, after "account;" strike the
7 remainder of the title and insert "amending RCW 43.84.092 and
8 72.01.140; reenacting and amending RCW 43.84.092; adding new sections
9 to chapter 71A.20 RCW; creating new sections; repealing RCW 28B.30.820
10 and 72.01.142; providing effective dates; providing an expiration date;
11 and declaring an emergency."

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