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SENATE BILL 5702

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State of Washington                      59th Legislature                      2005 Regular Session

By Senators Zarelli, Kline, Fairley, Regala, Rasmussen and McAuliffe

Read first time 02/02/2005. Referred to Committee on Ways & Means.

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

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

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

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

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

8 **Sec. 2.** RCW 43.84.092 and 2003 c 361 s 602, 2003 c 324 s 1, and  
9 2003 c 48 s 2 are each reenacted and amended to read as follows:

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

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

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

36 (4) Monthly, the state treasurer shall distribute the earnings

1 credited to the treasury income account. The state treasurer shall  
2 credit the general fund with all the earnings credited to the treasury  
3 income account except:

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

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

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

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

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

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

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

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

36 (3) Except for the provisions of RCW 43.84.160, the treasury income  
37 account may be utilized for the payment of purchased banking services

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

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

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

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

1 allocation to the state treasurer's service fund pursuant to RCW  
2 43.08.190.

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

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

24 **Sec. 4.** RCW 43.84.092 and 2004 c 242 s 60 are each amended to read  
25 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,  
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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.

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16 credited to the treasury income account. The state treasurer shall  
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19 (a) The following accounts and funds shall receive their  
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23 operation account, the Central Washington University capital projects  
24 account, the charitable, educational, penal and reformatory  
25 institutions account, the common school construction fund, the county  
26 criminal justice assistance account, the county sales and use tax  
27 equalization account, the data processing building construction  
28 account, the deferred compensation administrative account, the deferred  
29 compensation principal account, the department of retirement systems  
30 expense account, the developmental disabilities community trust  
31 account, the drinking water assistance account, the drinking water  
32 assistance administrative account, the drinking water assistance  
33 repayment account, the Eastern Washington University capital projects  
34 account, the education construction fund, the election account, the  
35 emergency reserve fund, The Evergreen State College capital projects  
36 account, the federal forest revolving account, the health services  
37 account, the public health services account, the health system capacity  
38 account, the personal health services account, the state higher

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

1 account, the Washington State University bond retirement fund, the  
2 water pollution control revolving fund, and the Western Washington  
3 University capital projects account. Earnings derived from investing  
4 balances of the agricultural permanent fund, the normal school  
5 permanent fund, the permanent common school fund, the scientific  
6 permanent fund, and the state university permanent fund shall be  
7 allocated to their respective beneficiary accounts. All earnings to be  
8 distributed under this subsection (4)(a) shall first be reduced by the  
9 allocation to the state treasurer's service fund pursuant to RCW  
10 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 county arterial  
15 preservation account, the department of licensing services account, the  
16 essential rail assistance account, the ferry bond retirement fund, the  
17 grade crossing protective fund, the high capacity transportation  
18 account, the highway bond retirement fund, the highway safety account,  
19 the motor vehicle fund, the motorcycle safety education account, the  
20 pilotage account, the public transportation systems account, the Puget  
21 Sound capital construction account, the Puget Sound ferry operations  
22 account, the recreational vehicle account, the rural arterial trust  
23 account, the safety and education account, the special category C  
24 account, the state patrol highway account, the transportation 2003  
25 account (nickel account), the transportation equipment fund, the  
26 transportation fund, the transportation improvement account, the  
27 transportation improvement board bond retirement account, and the urban  
28 arterial trust account.

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

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

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

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

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