
SENATE BILL 5018

State of Washington

61st Legislature

2009 Regular Session

By Senators Honeyford, Swecker, Parlette, Schoesler, and Carrell

Read first time 01/12/09. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to historic preservation; reenacting and amending
2 RCW 43.79A.040 and 43.79A.040; adding new sections to chapter 43.334
3 RCW; creating a new section; making an appropriation; providing
4 effective dates; providing an expiration date; 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 43.334 RCW
8 to read as follows:

9 (1) The historic preservation grant program is established in the
10 department of archaeology and historic preservation.

11 (2) Historic preservation grants may be made by the director from
12 the historic preservation account for the purposes of maintaining,
13 preserving, stabilizing, and restoring properties and structures of
14 historic interest, subject to the conditions and limitations of this
15 section.

16 (3)(a) The historic preservation grant advisory board must
17 establish eligibility, application, and selection criteria and
18 procedures in consultation with the director.

1 (b) Eligible structures include historic courthouses, theaters,
2 schools, and other buildings of historic interest. Eligible projects
3 do not include those provided for through other grant programs with the
4 department of archaeology and historic preservation.

5 (c) The director, in consultation with the historic preservation
6 grant advisory board, must establish funding categories for the
7 allocation of available funds. Buildings used as private residences
8 are not eligible to receive grants under this section, and a county
9 courthouse is eligible to receive a grant only if the building
10 continues to be used for county purposes.

11 (4) In awarding grants priority must be given as follows: First to
12 stabilization of historic projects; and second to preservation of
13 historic character, features, and materials. Other factors to be
14 considered in the grant award process must include:

15 (a) The historic and cultural significance of the project;

16 (b) The urgency of the need for repair;

17 (c) The extent the project preserves historical character and
18 extends the useful life of the structure;

19 (d) Plans for long-term preservation and maintenance of the
20 structure;

21 (e) The equitable geographic distribution of historic structures
22 across the state; and

23 (f) Whether the structure is listed, or is eligible to be listed,
24 on the national register of historic places, the Washington heritage
25 register, or a local historic register, or is an outstanding example of
26 a type of structure.

27 (5) Recipients of grants under this section must demonstrate a
28 public benefit from the grant award, including public access to the
29 historic structure. If the structure is privately owned, the grant
30 recipient must demonstrate that the state has received sufficient
31 consideration for the grant. If the recipient of a grant does not
32 maintain the historic nature of the structure for at least ten years,
33 repayment of the grant must be required. Unless otherwise determined
34 by the director, all work performed on the structure must comply with
35 the federal department of interior standards for the treatment of
36 historic properties.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.334 RCW
2 to read as follows:

3 (1) The historic preservation grant advisory board is established
4 to advise the director in the administration of the historic
5 preservation grant program under section 1 of this act.

6 (2) Except as otherwise provided in this section, the members of
7 the historic preservation grant advisory board must be appointed by the
8 director and shall serve terms of two years. The board must consist of
9 the following members:

10 (a) A representative of the national trust for historic
11 preservation;

12 (b) Two additional persons representing nonprofit historic
13 preservation organizations or public development authorities targeted
14 to historic preservation;

15 (c) One member of the advisory council on historic preservation
16 under RCW 27.34.250;

17 (d) Two persons representing private industry;

18 (e) Two persons representing state agencies;

19 (f) Two persons representing local governments;

20 (g) One member from each of the two largest caucuses of the senate,
21 to be appointed by the president of the senate; and

22 (h) One member from each of the two largest caucuses of the house
23 of representatives, to be appointed by the speaker of the house of
24 representatives.

25 (3) The board may establish bylaws governing the conduct of its
26 business and must select a chair from among its members. Legislative
27 members of the board must be reimbursed for travel expenses in
28 accordance with RCW 44.04.120. Nonlegislative members of the board
29 must be reimbursed for travel expenses as provided in RCW 43.03.050 and
30 43.03.060.

31 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.334 RCW
32 to read as follows:

33 The historic preservation grant account is created in the custody
34 of the state treasurer. All receipts from legislative appropriations
35 and public and private contributions to the historic preservation grant
36 program must be deposited in the account. Expenditures from the
37 account may be used only for the purposes of section 1 of this act.

1 Only the director or the director's designee may authorize expenditures
2 from the account. The account is subject to the allotment procedures
3 under chapter 43.88 RCW, but an appropriation is not required for
4 expenditures.

5 **Sec. 4.** RCW 43.79A.040 and 2008 c 208 s 9, 2008 c 128 s 20, and
6 2008 c 122 s 24 are each reenacted and amended to read as follows:

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

11 (2) All income received from investment of the treasurer's trust
12 fund shall be set aside in an account in the treasury trust fund to be
13 known as the investment income account.

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

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

25 (b) The following accounts and funds shall receive their
26 proportionate share of earnings based upon each account's or fund's
27 average daily balance for the period: The Washington promise
28 scholarship account, the college savings program account, the
29 Washington advanced college tuition payment program account, the
30 agricultural local fund, the American Indian scholarship endowment
31 fund, the foster care scholarship endowment fund, the foster care
32 endowed scholarship trust fund, the students with dependents grant
33 account, the basic health plan self-insurance reserve account, the
34 contract harvesting revolving account, the Washington state combined
35 fund drive account, the commemorative works account, the Washington
36 international exchange scholarship endowment fund, the toll collection
37 account, the developmental disabilities endowment trust fund, the

1 energy account, the fair fund, the family leave insurance account, the
2 food animal veterinarian conditional scholarship account, the fruit and
3 vegetable inspection account, the future teachers conditional
4 scholarship account, the game farm alternative account, the GET ready
5 for math and science scholarship account, the grain inspection
6 revolving fund, the historic preservation grant account, the juvenile
7 accountability incentive account, the law enforcement officers' and
8 firefighters' plan 2 expense fund, the local tourism promotion account,
9 the pilotage account, the produce railcar pool account, the regional
10 transportation investment district account, the rural rehabilitation
11 account, the stadium and exhibition center account, the youth athletic
12 facility account, the self-insurance revolving fund, the sulfur dioxide
13 abatement account, the children's trust fund, the Washington horse
14 racing commission Washington bred owners' bonus fund account, the
15 Washington horse racing commission class C purse fund account, the
16 individual development account program account, the Washington horse
17 racing commission operating account (earnings from the Washington horse
18 racing commission operating account must be credited to the Washington
19 horse racing commission class C purse fund account), the life sciences
20 discovery fund, the Washington state heritage center account, and the
21 reading achievement account. However, the earnings to be distributed
22 shall first be reduced by the allocation to the state treasurer's
23 service fund pursuant to RCW 43.08.190.

24 (c) The following accounts and funds shall receive eighty percent
25 of their proportionate share of earnings based upon each account's or
26 fund's average daily balance for the period: The advanced right-of-way
27 revolving fund, the advanced environmental mitigation revolving
28 account, the city and county advance right-of-way revolving fund, the
29 federal narcotics asset forfeitures account, the high occupancy vehicle
30 account, the local rail service assistance account, and the
31 miscellaneous transportation programs account.

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

35 **Sec. 5.** RCW 43.79A.040 and 2008 c 239 s 9, 2008 c 208 s 9, 2008 c
36 128 s 20, and 2008 c 122 s 24 are each reenacted and amended to read as
37 follows:

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

5 (2) All income received from investment of the treasurer's trust
6 fund shall be set aside in an account in the treasury trust fund to be
7 known as the investment income account.

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

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

19 (b) The following accounts and funds shall receive their
20 proportionate share of earnings based upon each account's or fund's
21 average daily balance for the period: The Washington promise
22 scholarship account, the college savings program account, the
23 Washington advanced college tuition payment program account, the
24 agricultural local fund, the American Indian scholarship endowment
25 fund, the foster care scholarship endowment fund, the foster care
26 endowed scholarship trust fund, the students with dependents grant
27 account, the basic health plan self-insurance reserve account, the
28 contract harvesting revolving account, the Washington state combined
29 fund drive account, the commemorative works account, the Washington
30 international exchange scholarship endowment fund, the toll collection
31 account, the developmental disabilities endowment trust fund, the
32 energy account, the fair fund, the family leave insurance account, the
33 food animal veterinarian conditional scholarship account, the fruit and
34 vegetable inspection account, the future teachers conditional
35 scholarship account, the game farm alternative account, the GET ready
36 for math and science scholarship account, the grain inspection
37 revolving fund, the historic preservation grant account, the juvenile
38 accountability incentive account, the law enforcement officers' and

1 firefighters' plan 2 expense fund, the local tourism promotion account,
2 the pilotage account, the produce railcar pool account, the regional
3 transportation investment district account, the rural rehabilitation
4 account, the stadium and exhibition center account, the youth athletic
5 facility account, the self-insurance revolving fund, the sulfur dioxide
6 abatement account, the children's trust fund, the Washington horse
7 racing commission Washington bred owners' bonus fund account, the
8 Washington horse racing commission class C purse fund account, the
9 individual development account program account, the Washington horse
10 racing commission operating account (earnings from the Washington horse
11 racing commission operating account must be credited to the Washington
12 horse racing commission class C purse fund account), the life sciences
13 discovery fund, the Washington state heritage center account, the
14 reduced cigarette ignition propensity account, and the reading
15 achievement account. However, the earnings to be distributed shall
16 first be reduced by the allocation to the state treasurer's service
17 fund pursuant to RCW 43.08.190.

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

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

29 NEW SECTION. **Sec. 6.** The sum of dollars, or as much
30 thereof as may be necessary, is appropriated for the fiscal year ending
31 June 30, 2010, from the general fund to the historic preservation grant
32 account for the purposes of this act.

33 NEW SECTION. **Sec. 7.** The office of the code reviser may
34 alphabetize the names of the accounts in RCW 43.79A.040 during
35 codification.

1 NEW SECTION. **Sec. 8.** Section 4 of this act is necessary for the
2 immediate preservation of the public peace, health, or safety, or
3 support of the state government and its existing public institutions,
4 and takes effect July 1, 2009.

5 NEW SECTION. **Sec. 9.** Section 4 of this act expires August 1,
6 2009.

7 NEW SECTION. **Sec. 10.** Section 5 of this act takes effect August
8 1, 2009.

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