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HOUSE BILL 1537

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State of Washington

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By Representatives Honeyford, Chandler, Mastin, Chappell, Clements, Kremen, Schoesler, Robertson, McMorris, Delvin, Koster, Boldt, Johnson, L. Thomas, Goldsmith, McMahan, Mulliken and Brumsickle

Read first time 01/30/95. Referred to Committee on Agriculture & Ecology.

1 AN ACT Relating to earnings of agricultural funds and accounts;  
2 reenacting and amending RCW 43.84.092 and 43.79A.040; providing an  
3 effective date; and declaring an emergency.

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

5 **Sec. 1.** RCW 43.84.092 and 1994 c 2 s 6 (Initiative Measure No.  
6 601), 1993 sp.s. c 25 s 511, 1993 sp.s. c 8 s 1, 1993 c 500 s 6, 1993  
7 c 492 s 473, 1993 c 445 s 4, 1993 c 329 s 2, and 1993 c 4 s 9 are each  
8 reenacted and amended to read as follows:

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

12 (2) The treasury income account shall be utilized to pay or receive  
13 funds associated with federal programs as required by the federal cash  
14 management improvement act of 1990. The treasury income account is  
15 subject in all respects to chapter 43.88 RCW, but no appropriation is  
16 required for refunds or allocations of interest earnings required by  
17 the cash management improvement act. Refunds of interest to the  
18 federal treasury required under the cash management improvement act  
19 fall under RCW 43.88.180 and shall not require appropriation. The

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

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

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

20 (a) The following accounts and funds shall receive their  
21 proportionate share of earnings based upon each account's and fund's  
22 average daily balance for the period: The capitol building  
23 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 common school construction fund, the county  
27 criminal justice assistance account, the county sales and use tax  
28 equalization account, the data processing building construction  
29 account, the deferred compensation administrative account, the deferred  
30 compensation principal account, the department of retirement systems  
31 expense account, the Eastern Washington University capital projects  
32 account, the education construction fund, the emergency reserve fund,  
33 the federal forest revolving account, the health services account, the  
34 public health services account, the health system capacity account, the  
35 personal health services account, the industrial insurance premium  
36 refund account, the judges' retirement account, the judicial retirement  
37 administrative account, the judicial retirement principal account, the  
38 local leasehold excise tax account, the local real estate excise tax  
39 account, the local sales and use tax account, the medical aid account,

1 the municipal criminal justice assistance account, the municipal sales  
2 and use tax equalization account, the natural resources deposit  
3 account, the perpetual surveillance and maintenance account, the public  
4 employees' retirement system plan I account, the public employees'  
5 retirement system plan II account, the Puyallup tribal settlement  
6 account, the resource management cost account, the site closure  
7 account, the special wildlife account, the state employees' insurance  
8 account, the state employees' insurance reserve account, the state  
9 investment board expense account, the state investment board commingled  
10 trust fund accounts, the supplemental pension account, the teachers'  
11 retirement system plan I account, the teachers' retirement system plan  
12 II account, the tuition recovery trust fund, the University of  
13 Washington bond retirement fund, the University of Washington building  
14 account, the volunteer fire fighters' relief and pension principal  
15 account, the volunteer fire fighters' relief and pension administrative  
16 account, the Washington judicial retirement system account, the  
17 Washington law enforcement officers' and fire fighters' system plan I  
18 retirement account, the Washington law enforcement officers' and fire  
19 fighters' system plan II retirement account, the Washington state  
20 patrol retirement account, the Washington State University building  
21 account, the Washington State University bond retirement fund, the  
22 water pollution control revolving fund, the weights and measures  
23 account, and the Western Washington University capital projects  
24 account. Earnings derived from investing balances of the agricultural  
25 permanent fund, the normal school permanent fund, the permanent common  
26 school fund, the scientific permanent fund, and the state university  
27 permanent fund shall be allocated to their respective beneficiary  
28 accounts. All earnings to be distributed under this subsection (4)(a)  
29 shall first be reduced by the allocation to the state treasurer's  
30 service fund pursuant to RCW 43.08.190.

31 (b) The following accounts and funds shall receive eighty percent  
32 of their proportionate share of earnings based upon each account's or  
33 fund's average daily balance for the period: The (~~marine operating~~  
34 ~~fund, the~~) motor vehicle fund and the transportation fund.

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. 2.** RCW 43.79A.040 and 1993 sp.s. c 8 s 2 and 1993 c 500 s 5  
2 are each reenacted and amended to read as follows:

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

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

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

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

21       (b) The following accounts and funds shall receive their  
22 proportionate share of earnings based upon each account's or fund's  
23 average daily balance for the period: The agricultural local fund, the  
24 American Indian scholarship endowment fund, the energy account, the  
25 fair fund, the game farm alternative account, the grain inspection  
26 revolving fund, and the self-insurance revolving fund. However, the  
27 earnings to be distributed shall first be reduced by the allocation to  
28 the state treasurer's service fund pursuant to RCW 43.08.190.

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

32       NEW SECTION. **Sec. 3.** 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 shall take  
35 effect June 1, 1995.

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