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**SENATE BILL 5498**

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**State of Washington**

**56th Legislature**

**1999 Regular Session**

**By** Senators Snyder, Sellar, Haugen, Rasmussen, Morton, Hargrove, Goings, Swecker, T. Sheldon and Spanel

Read first time 01/25/1999. Referred to Committee on Ways & Means.

1 AN ACT Relating to interest earnings from the enhanced 911 account;  
2 amending RCW 43.84.092 and 43.84.092; creating a new section; providing  
3 effective dates; providing an expiration date; and declaring an  
4 emergency.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that the retention of  
7 interest earnings by the state enhanced 911 fund is appropriate and  
8 supportive to the purpose of that fund.

9 **Sec. 2.** RCW 43.84.092 and 1997 c 218 s 5 are each amended to read  
10 as follows:

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

14 (2) The treasury income account shall be utilized to pay or receive  
15 funds associated with federal programs as required by the federal cash  
16 management improvement act of 1990. The treasury income account is  
17 subject in all respects to chapter 43.88 RCW, but no appropriation is  
18 required for refunds or allocations of interest earnings required by

1 the cash management improvement act. Refunds of interest to the  
2 federal treasury required under the cash management improvement act  
3 fall under RCW 43.88.180 and shall not require appropriation. The  
4 office of financial management shall determine the amounts due to or  
5 from the federal government pursuant to the cash management improvement  
6 act. The office of financial management may direct transfers of funds  
7 between accounts as deemed necessary to implement the provisions of the  
8 cash management improvement act, and this subsection. Refunds or  
9 allocations shall occur prior to the distributions of earnings set  
10 forth in subsection (4) of this section.

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

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

23 (a) The following accounts and funds shall receive their  
24 proportionate share of earnings based upon each account's and fund's  
25 average daily balance for the period: The capitol building  
26 construction account, the Cedar River channel construction and  
27 operation account, the Central Washington University capital projects  
28 account, the charitable, educational, penal and reformatory  
29 institutions account, the common school construction fund, the county  
30 criminal justice assistance account, the county sales and use tax  
31 equalization account, the data processing building construction  
32 account, the deferred compensation administrative account, the deferred  
33 compensation principal account, the department of retirement systems  
34 expense account, the drinking water assistance account, the Eastern  
35 Washington University capital projects account, the education  
36 construction fund, the emergency reserve fund, the enhanced 911  
37 account, the federal forest revolving account, the health services  
38 account, the public health services account, the health system capacity  
39 account, the personal health services account, the highway

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

37 (b) The following accounts and funds shall receive eighty percent  
38 of their proportionate share of earnings based upon each account's or  
39 fund's average daily balance for the period: The aeronautics account,

1 the aircraft search and rescue account, the central Puget Sound public  
2 transportation account, the city hardship assistance account, the  
3 county arterial preservation account, the department of licensing  
4 services account, the economic development account, the essential rail  
5 assistance account, the essential rail banking account, the ferry bond  
6 retirement fund, the gasohol exemption holding account, the grade  
7 crossing protective fund, the high capacity transportation account, the  
8 highway bond retirement fund, the highway construction stabilization  
9 account, the highway safety account, the marine operating fund, the  
10 motor vehicle fund, the motorcycle safety education account, the  
11 pilotage account, the public transportation systems account, the Puget  
12 Sound capital construction account, the Puget Sound ferry operations  
13 account, the recreational vehicle account, the rural arterial trust  
14 account, the safety and education account, the small city account, the  
15 special category C account, the state patrol highway account, the  
16 transfer relief account, the transportation capital facilities account,  
17 the transportation equipment fund, the transportation fund, the  
18 transportation improvement account, the transportation revolving loan  
19 account, and the urban arterial trust account.

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

23 **Sec. 3.** RCW 43.84.092 and 1998 c 341 s 708 are each amended to  
24 read as follows:

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

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

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

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

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

17 (a) The following accounts and funds shall receive their  
18 proportionate share of earnings based upon each account's and fund's  
19 average daily balance for the period: The capitol building  
20 construction account, the Cedar River channel construction and  
21 operation account, the Central Washington University capital projects  
22 account, the charitable, educational, penal and reformatory  
23 institutions account, the common school construction fund, the county  
24 criminal justice assistance account, the county sales and use tax  
25 equalization account, the data processing building construction  
26 account, the deferred compensation administrative account, the deferred  
27 compensation principal account, the department of retirement systems  
28 expense account, the drinking water assistance account, the Eastern  
29 Washington University capital projects account, the education  
30 construction fund, the emergency reserve fund, the enhanced 911  
31 account, the federal forest revolving account, the health services  
32 account, the public health services account, the health system capacity  
33 account, the personal health services account, the highway  
34 infrastructure account, the industrial insurance premium refund  
35 account, the judges' retirement account, the judicial retirement  
36 administrative account, the judicial retirement principal account, the  
37 local leasehold excise tax account, the local real estate excise tax  
38 account, the local sales and use tax account, the medical aid account,  
39 the mobile home park relocation fund, the municipal criminal justice

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

1 retirement fund, the gasohol exemption holding account, the grade  
2 crossing protective fund, the high capacity transportation account, the  
3 highway bond retirement fund, the highway construction stabilization  
4 account, the highway safety account, the marine operating fund, the  
5 motor vehicle fund, the motorcycle safety education account, the  
6 pilotage account, the public transportation systems account, the Puget  
7 Sound capital construction account, the Puget Sound ferry operations  
8 account, the recreational vehicle account, the rural arterial trust  
9 account, the safety and education account, the small city account, the  
10 special category C account, the state patrol highway account, the  
11 transfer relief account, the transportation capital facilities account,  
12 the transportation equipment fund, the transportation fund, the  
13 transportation improvement account, the transportation revolving loan  
14 account, and the urban arterial trust account.

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

18 NEW SECTION. **Sec. 4.** (1) Sections 1 and 2 of this act are  
19 necessary for the immediate preservation of the public peace, health,  
20 or safety, or support of the state government and its existing public  
21 institutions, and take effect July 1, 1999.

22 (2) Section 3 of this act is necessary for the immediate  
23 preservation of the public peace, health, or safety, or support of the  
24 state government and its existing public institutions, and takes effect  
25 September 1, 2000.

26 NEW SECTION. **Sec. 5.** Section 2 of this act expires September 1,  
27 2000.

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