
SENATE BILL 5990

State of Washington 56th Legislature 1999 Regular Session

By Senators Haugen and Morton

Read first time 02/18/1999. Referred to Committee on Transportation.

1 AN ACT Relating to distribution of sales and use taxes on aircraft
2 fuel; amending RCW 43.84.092 and 43.84.092; adding a new section to
3 chapter 82.32 RCW; adding a new section to chapter 82.42 RCW; 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 82.32 RCW
8 to read as follows:

9 The department of revenue shall deposit the moneys received by the
10 department from the imposition on consumers of the taxes under chapters
11 82.08 and 82.12 RCW on the sales or use of aircraft fuel as follows:

12 (1) From July 1, 1999, through June 30, 2000, ten percent into the
13 airport development account, created in section 2 of this act, and ten
14 percent into the aeronautics account, created by RCW 82.42.090;

15 (2) From July 1, 2000, through June 30, 2001, twenty percent into
16 the airport development account and twenty percent into the aeronautics
17 account; and

1 (3) Beginning July 1, 2001, and thereafter, thirty percent into the
2 airport development account and thirty percent into the aeronautics
3 account.

4 NEW SECTION. **Sec. 2.** A new section is added to chapter 82.42 RCW
5 to read as follows:

6 The airport development account is created in the transportation
7 fund. All moneys as directed by law must be deposited into the
8 account. Moneys in the account may be spent only after appropriation.
9 Expenditures from the account may be used only for general aviation
10 airport development and maintenance, including any land adjacent to the
11 airport that is owned by the port district.

12 **Sec. 3.** RCW 43.84.092 and 1997 c 218 s 5 are each amended to read
13 as follows:

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

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

32 (3) Except for the provisions of RCW 43.84.160, the treasury income
33 account may be utilized for the payment of purchased banking services
34 on behalf of treasury funds including, but not limited to, depository,
35 safekeeping, and disbursement functions for the state treasury and
36 affected state agencies. The treasury income account is subject in all
37 respects to chapter 43.88 RCW, but no appropriation is required for

1 payments to financial institutions. Payments shall occur prior to
2 distribution of earnings set forth in subsection (4) of this section.

3 (4) Monthly, the state treasurer shall distribute the earnings
4 credited to the treasury income account. The state treasurer shall
5 credit the general fund with all the earnings credited to the treasury
6 income account except:

7 (a) The following accounts and funds shall receive their
8 proportionate share of earnings based upon each account's and fund's
9 average daily balance for the period: The capitol building
10 construction account, the Cedar River channel construction and
11 operation account, the Central Washington University capital projects
12 account, the charitable, educational, penal and reformatory
13 institutions account, the common school construction fund, the county
14 criminal justice assistance account, the county sales and use tax
15 equalization account, the data processing building construction
16 account, the deferred compensation administrative account, the deferred
17 compensation principal account, the department of retirement systems
18 expense account, the drinking water assistance account, the Eastern
19 Washington University capital projects account, the education
20 construction fund, the emergency reserve fund, the federal forest
21 revolving account, the health services account, the public health
22 services account, the health system capacity account, the personal
23 health services account, the highway infrastructure account, the
24 industrial insurance premium refund account, the judges' retirement
25 account, the judicial retirement administrative account, the judicial
26 retirement principal account, the local leasehold excise tax account,
27 the local real estate excise tax account, the local sales and use tax
28 account, the medical aid account, the mobile home park relocation fund,
29 the municipal criminal justice assistance account, the municipal sales
30 and use tax equalization account, the natural resources deposit
31 account, the perpetual surveillance and maintenance account, the public
32 employees' retirement system plan I account, the public employees'
33 retirement system plan II account, the Puyallup tribal settlement
34 account, the resource management cost account, the site closure
35 account, the special wildlife account, the state employees' insurance
36 account, the state employees' insurance reserve account, the state
37 investment board expense account, the state investment board commingled
38 trust fund accounts, the supplemental pension account, the teachers'
39 retirement system plan I account, the teachers' retirement system plan

1 II account, the transportation infrastructure account, the tuition
2 recovery trust fund, the University of Washington bond retirement fund,
3 the University of Washington building account, the volunteer fire
4 fighters' relief and pension principal account, the volunteer fire
5 fighters' relief and pension administrative account, the Washington
6 judicial retirement system account, the Washington law enforcement
7 officers' and fire fighters' system plan I retirement account, the
8 Washington law enforcement officers' and fire fighters' system plan II
9 retirement account, the Washington state patrol retirement account, the
10 Washington State University building account, the Washington State
11 University bond retirement fund, the water pollution control revolving
12 fund, and the Western Washington University capital projects account.
13 Earnings derived from investing balances of the agricultural permanent
14 fund, the normal school permanent fund, the permanent common school
15 fund, the scientific permanent fund, and the state university permanent
16 fund shall be allocated to their respective beneficiary accounts. All
17 earnings to be distributed under this subsection (4)(a) shall first be
18 reduced by the allocation to the state treasurer's service fund
19 pursuant to RCW 43.08.190.

20 (b) The following accounts and funds shall receive eighty percent
21 of their proportionate share of earnings based upon each account's or
22 fund's average daily balance for the period: The aeronautics account,
23 the aircraft search and rescue account, the airport development
24 account, the central Puget Sound public transportation account, the
25 city hardship assistance account, the county arterial preservation
26 account, the department of licensing services account, the economic
27 development account, the essential rail assistance account, the
28 essential rail banking account, the ferry bond retirement fund, the
29 gasohol exemption holding account, the grade crossing protective fund,
30 the high capacity transportation account, the highway bond retirement
31 fund, the highway construction stabilization account, the highway
32 safety account, the marine operating fund, the motor vehicle fund, the
33 motorcycle safety education account, the pilotage account, the public
34 transportation systems account, the Puget Sound capital construction
35 account, the Puget Sound ferry operations account, the recreational
36 vehicle account, the rural arterial trust account, the safety and
37 education account, the small city account, the special category C
38 account, the state patrol highway account, the transfer relief account,
39 the transportation capital facilities account, the transportation

1 equipment fund, the transportation fund, the transportation improvement
2 account, the transportation revolving loan account, and the urban
3 arterial trust account.

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

7 **Sec. 4.** RCW 43.84.092 and 1998 c 341 s 708 are each amended to
8 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
20 office of financial management shall determine the amounts due to or
21 from the federal government pursuant to the cash management improvement
22 act. The office of financial management may direct transfers of funds
23 between accounts as deemed necessary to implement the provisions of the
24 cash management improvement act, and this subsection. Refunds or
25 allocations shall occur prior to the distributions of earnings set
26 forth in subsection (4) of this section.

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

35 (4) Monthly, the state treasurer shall distribute the earnings
36 credited to the treasury income account. The state treasurer shall
37 credit the general fund with all the earnings credited to the treasury
38 income account except:

1 (a) The following accounts and funds shall receive their
2 proportionate share of earnings based upon each account's and fund's
3 average daily balance for the period: The capitol building
4 construction account, the Cedar River channel construction and
5 operation account, the Central Washington University capital projects
6 account, the charitable, educational, penal and reformatory
7 institutions account, the common school construction fund, the county
8 criminal justice assistance account, the county sales and use tax
9 equalization account, the data processing building construction
10 account, the deferred compensation administrative account, the deferred
11 compensation principal account, the department of retirement systems
12 expense account, the drinking water assistance account, the Eastern
13 Washington University capital projects account, the education
14 construction fund, the emergency reserve fund, the federal forest
15 revolving account, the health services account, the public health
16 services account, the health system capacity account, the personal
17 health services account, the highway infrastructure account, the
18 industrial insurance premium refund account, the judges' retirement
19 account, the judicial retirement administrative account, the judicial
20 retirement principal account, the local leasehold excise tax account,
21 the local real estate excise tax account, the local sales and use tax
22 account, the medical aid account, the mobile home park relocation fund,
23 the municipal criminal justice assistance account, the municipal sales
24 and use tax equalization account, the natural resources deposit
25 account, the perpetual surveillance and maintenance account, the public
26 employees' retirement system plan I account, the public employees'
27 retirement system plan II account, the Puyallup tribal settlement
28 account, the resource management cost account, the site closure
29 account, the special wildlife account, the state employees' insurance
30 account, the state employees' insurance reserve account, the state
31 investment board expense account, the state investment board commingled
32 trust fund accounts, the supplemental pension account, the teachers'
33 retirement system plan I account, the teachers' retirement system
34 combined plan II and plan III account, the transportation
35 infrastructure account, the tuition recovery trust fund, the University
36 of Washington bond retirement fund, the University of Washington
37 building account, the volunteer fire fighters' relief and pension
38 principal account, the volunteer fire fighters' relief and pension
39 administrative account, the Washington judicial retirement system

1 account, the Washington law enforcement officers' and fire fighters'
2 system plan I retirement account, the Washington law enforcement
3 officers' and fire fighters' system plan II retirement account, the
4 Washington school employees' retirement system combined plan II and III
5 account, the Washington state patrol retirement account, the Washington
6 State University building account, the Washington State University bond
7 retirement fund, the water pollution control revolving fund, and the
8 Western Washington University capital projects account. Earnings
9 derived from investing balances of the agricultural permanent fund, the
10 normal school permanent fund, the permanent common school fund, the
11 scientific permanent fund, and the state university permanent fund
12 shall be allocated to their respective beneficiary accounts. All
13 earnings to be distributed under this subsection (4)(a) shall first be
14 reduced by the allocation to the state treasurer's service fund
15 pursuant to RCW 43.08.190.

16 (b) The following accounts and funds shall receive eighty percent
17 of their proportionate share of earnings based upon each account's or
18 fund's average daily balance for the period: The aeronautics account,
19 the aircraft search and rescue account, the airport development
20 account, the central Puget Sound public transportation account, the
21 city hardship assistance account, the county arterial preservation
22 account, the department of licensing services account, the economic
23 development account, the essential rail assistance account, the
24 essential rail banking account, the ferry bond retirement fund, the
25 gasohol exemption holding account, the grade crossing protective fund,
26 the high capacity transportation account, the highway bond retirement
27 fund, the highway construction stabilization account, the highway
28 safety account, the marine operating fund, the motor vehicle fund, the
29 motorcycle safety education account, the pilotage account, the public
30 transportation systems account, the Puget Sound capital construction
31 account, the Puget Sound ferry operations account, the recreational
32 vehicle account, the rural arterial trust account, the safety and
33 education account, the small city account, the special category C
34 account, the state patrol highway account, the transfer relief account,
35 the transportation capital facilities account, the transportation
36 equipment fund, the transportation fund, the transportation improvement
37 account, the transportation revolving loan account, and the urban
38 arterial trust account.

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

4 NEW SECTION. **Sec. 5.** Section 3 of this act expires September 1,
5 2000.

6 NEW SECTION. **Sec. 6.** Section 4 of this act takes effect September
7 1, 2000.

8 NEW SECTION. **Sec. 7.** Sections 1 through 3 of this act are
9 necessary for the immediate preservation of the public peace, health,
10 or safety, or support of the state government and its existing public
11 institutions, and take effect July 1, 1999.

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