

1 **HB 1161** - H AMD 0017 ADOPTED 2-14-03

2 By Representative _____

3 Strike everything after the enacting clause and insert the
4 following:

5 "NEW SECTION. **Sec. 1.** A new section is added to chapter 29.04
6 RCW to read as follows:

7 (1) The election account is created in the state treasury.

8 (2) The following receipts must be deposited into the account:
9 Amounts received from the federal government under Public Law 107-252
10 (October 29, 2002), known as the "Help America Vote Act of 2002,"
11 including any amounts received under subsequent amendments to the act;
12 amounts appropriated or otherwise made available by the state
13 legislature for the purposes of carrying out activities for which
14 federal funds are provided to the state under Public Law 107-252,
15 including any amounts received under subsequent amendments to the act;
16 and such other amounts as may be appropriated by the legislature to the
17 account.

18 (3) Moneys in the account may be spent only after appropriation.
19 Expenditures from the account may be made only to facilitate the
20 implementation of Public Law 107-252.

21 **Sec. 2.** RCW 43.84.092 and 2002 c 242 s 2 and 2002 c 114 s 24 are
22 each reenacted and amended to read as follows:

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

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

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

7 (3) Except for the provisions of RCW 43.84.160, the treasury
8 income account may be utilized for the payment of purchased banking
9 services on behalf of treasury funds including, but not limited to,
10 depository, safekeeping, and disbursement functions for the state
11 treasury and affected state agencies. The treasury income account is
12 subject in all respects to chapter 43.88 RCW, but no appropriation is
13 required for payments to financial institutions. Payments shall occur
14 prior to distribution of earnings set forth in subsection (4) of this
15 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 drinking water assistance account, the drinking
32 water 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 federal forest revolving account, the
36 health services account, the public health services account, the health
37 system capacity account, the personal health services account, the
38 state higher education construction account, the higher education
39 construction account, the highway infrastructure account, the
40 industrial insurance premium refund account, the judges' retirement
41 account, the judicial retirement administrative account, the judicial

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

1 earnings to be distributed under this subsection (4)(a) shall first be
2 reduced by the allocation to the state treasurer's service fund
3 pursuant to RCW 43.08.190.

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

25 **EFFECT:** Makes technical corrections required to 1) create the
26 election account as an appropriated account in the state treasury; and
27 2) allow the account to retain its own interest.