
SUBSTITUTE SENATE BILL 6082

State of Washington

58th Legislature

2004 Regular Session

By Senate Committee on Parks, Fish & Wildlife (originally sponsored by Senators Parlette, Doumit and Rasmussen)

READ FIRST TIME 02/05/04.

1 AN ACT Relating to expanding the criteria for habitat conservation
2 programs; amending RCW 79A.15.030, 79A.15.040, 79A.15.050, 79A.15.060,
3 and 79A.15.070; reenacting and amending RCW 43.84.092 and 43.84.092;
4 adding a new section to chapter 79.70 RCW; adding a new section to
5 chapter 79.71 RCW; providing effective dates; and providing an
6 expiration date.

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

8 **Sec. 1.** RCW 79A.15.030 and 2000 c 11 s 66 are each amended to read
9 as follows:

10 (1) Moneys appropriated for this chapter shall be divided equally
11 between the habitat conservation and outdoor recreation accounts and
12 shall be used exclusively for the purposes specified in this chapter.

13 (2) Except as otherwise provided in this act, moneys deposited in
14 these accounts shall be invested as authorized for other state funds,
15 and any earnings on them shall be credited to the respective account.

16 (3) All moneys deposited in the habitat conservation and outdoor
17 recreation accounts shall be allocated as provided under RCW 79A.15.040
18 and 79A.15.050 as grants to state or local agencies for acquisition,
19 development, and renovation within the jurisdiction of those agencies,

1 subject to legislative appropriation. The committee may use or permit
2 the use of any funds appropriated for this chapter as matching funds
3 where federal, local, or other funds are made available for projects
4 within the purposes of this chapter.

5 (4) Projects receiving grants under this chapter that are developed
6 or otherwise accessible for public recreational uses shall be available
7 to the public (~~(on a nondiscriminatory basis)~~).

8 (5) The committee may make grants to an eligible project from both
9 the habitat conservation and outdoor recreation accounts and any one or
10 more of the applicable categories under such accounts described in RCW
11 79A.15.040 and 79A.15.050.

12 (6) The committee may accept private donations to the habitat
13 conservation account and the outdoor recreation account for the
14 purposes specified in this chapter.

15 (7) The committee may apply up to three percent of the funds
16 appropriated for this chapter for the administration of the programs
17 and purposes specified in this chapter.

18 **Sec. 2.** RCW 79A.15.040 and 1999 c 379 s 917 are each amended to
19 read as follows:

20 (1) Moneys appropriated for this chapter to the habitat
21 conservation account shall be distributed in the following way:

22 (a) Not less than thirty-five percent for the acquisition and
23 development of critical habitat;

24 (b) Not less than twenty percent for the acquisition and
25 development of natural areas;

26 (c) Not less than fifteen percent for the acquisition and
27 development of urban wildlife habitat; and

28 (d) The remaining amount shall be considered unallocated and shall
29 be used by the committee to fund high priority (~~(acquisition and~~
30 ~~development needs for critical habitat, natural areas, and urban~~
31 ~~wildlife habitat)~~ recreation and stewardship projects by state
32 agencies. (~~(During the fiscal biennium ending June 30, 2001, the~~
33 ~~remaining amount reappropriated from the fiscal biennium ending June~~
34 ~~30, 1999, may be allocated for matching grants for riparian zone~~
35 ~~habitat protection projects that implement watershed plans under the~~
36 ~~program established in section 329(6), chapter 235, Laws of 1997.)~~)

1 (2) In distributing these funds, the committee retains discretion
2 to meet the most pressing needs for critical habitat, natural areas,
3 and urban wildlife habitat, and is not required to meet the percentages
4 described in subsection (1) of this section in any one biennium.

5 (3) Only state agencies may apply for acquisition and development
6 funds for (~~critical habitat and~~) natural areas projects under
7 subsection (1)(~~(a)~~) (b)(~~(7)~~) and (d) of this section.

8 (4) State and local agencies may apply for acquisition and
9 development funds for critical habitat and urban wildlife habitat
10 projects under subsection (1)(a), (c), and (d) of this section.

11 (5)(a) When the department of fish and wildlife receives grants for
12 acquisition of land under this section, it must pay an amount in lieu
13 of real property taxes and an additional amount for control of noxious
14 weeds as determined in RCW 77.12.203.

15 (b) Any lands that have been acquired with grants under this
16 section by the department of natural resources are subject to payments
17 in the amounts required under the provisions of sections 6 and 7 of
18 this act.

19 **Sec. 3.** RCW 79A.15.050 and 2003 c 184 s 1 are each amended to read
20 as follows:

21 (1) Moneys appropriated for this chapter to the outdoor recreation
22 account shall be distributed in the following way:

23 (a) Not less than (~~twenty-five~~) thirty percent to the state parks
24 and recreation commission for the acquisition and development of state
25 parks, with at least (~~seventy-five~~) fifty percent of (~~this~~) the
26 money for acquisition costs(~~(. However, between July 27, 2003, and~~
27 ~~June 30, 2009, at least fifty percent of this money for the acquisition~~
28 ~~and development of state parks must be used for acquisition costs))~~);

29 (b) Not less than (~~twenty-five~~) thirty percent for the
30 acquisition, development, and renovation of local parks, with at least
31 fifty percent of this money for acquisition costs;

32 (c) Not less than (~~fifteen~~) twenty percent for the acquisition
33 and development of trails;

34 (d) Not less than (~~ten~~) fifteen percent for the acquisition and
35 development of water access sites, with at least seventy-five percent
36 of this money for acquisition costs; and

1 (e) The remaining amount shall be considered unallocated and shall
2 be distributed by the committee to state and local agencies to fund
3 high priority acquisition and development needs for parks, trails, and
4 water access sites.

5 (2) In distributing these funds, the committee retains discretion
6 to meet the most pressing needs for state and local parks, trails, and
7 water access sites, and is not required to meet the percentages
8 described in subsection (1) of this section in any one biennium.

9 (3) Only local agencies may apply for acquisition, development, or
10 renovation funds for local parks under subsection (1)(b) of this
11 section.

12 (4) Only state and local agencies may apply for funds for trails
13 under subsection (1)(c) of this section.

14 (5) Only state and local agencies may apply for funds for water
15 access sites under subsection (1)(d) of this section.

16 **Sec. 4.** RCW 79A.15.060 and 2000 c 11 s 67 are each amended to read
17 as follows:

18 (1) The committee may adopt rules establishing acquisition policies
19 and priorities for distributions from the habitat conservation account.

20 (2) Except as provided in RCW 79A.15.030(7), moneys appropriated
21 for this chapter may not be used by the committee to fund
22 ~~((additional))~~ staff positions or other overhead expenses, or by a
23 state, regional, or local agency to fund operation ~~((and))~~ or
24 maintenance of areas acquired under this chapter ~~((, except that the~~
25 ~~committee may use moneys appropriated for this chapter for the fiscal~~
26 ~~biennium ending June 30, 2001, for the administrative costs of~~
27 ~~implementing the pilot watershed plan implementation program~~
28 ~~established in section 329(6), chapter 235, Laws of 1997, and~~
29 ~~developing an inventory of publicly owned lands established in section~~
30 ~~329(7), chapter 235, Laws of 1997)).~~

31 (3) Moneys appropriated for this chapter may be used by grant
32 recipients for costs incidental to acquisition, including, but not
33 limited to, surveying expenses, fencing, and signing.

34 (4) ~~((Except as provided in subsection (5) of this section,))~~ The
35 committee may not approve a local project where the local agency share
36 is less than the amount to be awarded from the habitat conservation
37 account.

1 (5) (~~During the fiscal biennium ending June 30, 2001, the~~
2 ~~committee may approve a riparian zone habitat protection project~~
3 ~~established in section 329(6), chapter 235, Laws of 1997, where the~~
4 ~~local agency share is less than the amount to be awarded from the~~
5 ~~habitat conservation account.~~

6 ~~(6))~~) In determining acquisition priorities with respect to the
7 habitat conservation account, the committee shall consider, at a
8 minimum, the following criteria:

9 (a) For critical habitat and natural areas proposals:

10 (i) Community support for the project;

11 (ii) Recommendations as part of a limiting factors or critical
12 pathways analysis, a watershed plan or habitat conservation plan, or a
13 coordinated regionwide prioritization effort;

14 ~~(iii)~~ (iii) Immediacy of threat to the site;

15 ~~((+iii))~~ (iv) Uniqueness of the site;

16 ~~((+iv))~~ (v) Diversity of species using the site;

17 ~~((+v))~~ (vi) Quality of the habitat;

18 ~~((+vi))~~ (vii) Long-term viability of the site;

19 ~~((+vii))~~ (viii) Presence of endangered, threatened, or sensitive
20 species;

21 ~~((+viii))~~ (ix) Enhancement of existing public property;

22 ~~((+ix))~~ (x) Consistency with a local land use plan, or a regional
23 or statewide recreational or resource plan, including projects that
24 assist in the implementation of local shoreline master plans updated
25 according to RCW 90.58.080 or local comprehensive plans updated
26 according to RCW 36.70A.130; ~~((and~~

27 ~~(+x))~~ (xi) Educational and scientific value of the site;

28 (xii) Integration with recovery efforts for endangered, threatened,
29 or sensitive species;

30 (xiii) For critical habitat proposals by local agencies, the
31 statewide significance of the site.

32 (b) For urban wildlife habitat proposals, in addition to the
33 criteria of (a) of this subsection:

34 (i) Population of, and distance from, the nearest urban area;

35 (ii) Proximity to other wildlife habitat;

36 (iii) Potential for public use; and

37 (iv) Potential for use by special needs populations.

1 ~~((7))~~ (6) Before ~~((October))~~ November 1st of each even-numbered
2 year, the committee shall recommend to the governor a prioritized list
3 of state agency projects to be funded under RCW 79A.15.040(1) (a), (b),
4 and (c). The governor may remove projects from the list recommended by
5 the committee and shall submit this amended list in the capital budget
6 request to the legislature. The list shall include, but not be limited
7 to, a description of each project; and shall describe for each project
8 any anticipated restrictions upon recreational activities allowed prior
9 to the project.

10 ~~((8))~~ (7) Before ~~((October))~~ November 1st of each even-numbered
11 year, the committee shall recommend to the governor a prioritized list
12 of all local projects to be funded under RCW 79A.15.040(1) (a) and (c).
13 The governor may remove projects from the list recommended by the
14 committee and shall submit this amended list in the capital budget
15 request to the legislature. The list shall include, but not be limited
16 to, a description of each project and any particular match requirement,
17 and describe for each project any anticipated restrictions upon
18 recreational activities allowed prior to the project.

19 **Sec. 5.** RCW 79A.15.070 and 2000 c 11 s 68 are each amended to read
20 as follows:

21 (1) In determining which state parks proposals and local parks
22 proposals to fund, the committee shall use existing policies and
23 priorities.

24 (2) Except as provided in RCW 79A.15.030(7), moneys appropriated
25 for this chapter may not be used by the committee to fund
26 ~~((additional))~~ staff or other overhead expenses, or by a state,
27 regional, or local agency to fund operation ~~((and))~~ or maintenance of
28 areas acquired under this chapter ~~((, except that the committee may use~~
29 ~~moneys appropriated for this chapter for the fiscal biennium ending~~
30 ~~June 30, 2001, for the administrative costs of implementing the pilot~~
31 ~~watershed plan implementation program established in section 329(6),~~
32 ~~chapter 235, Laws of 1997, and developing an inventory of publicly~~
33 ~~owned lands established in section 329(7), chapter 235, Laws of 1997)).~~

34 (3) Moneys appropriated for this chapter may be used by grant
35 recipients for costs incidental to acquisition and development,
36 including, but not limited to, surveying expenses, fencing, and
37 signing.

1 (4) The committee may not approve a project of a local agency where
2 the share contributed by the local agency is less than the amount to be
3 awarded from the outdoor recreation account.

4 (5) The committee may adopt rules establishing acquisition policies
5 and priorities for the acquisition and development of trails and water
6 access sites to be financed from moneys in the outdoor recreation
7 account.

8 (6) In determining the acquisition and development priorities, the
9 committee shall consider, at a minimum, the following criteria:

10 (a) For trails proposals:

11 (i) Community support for the project;

12 (ii) Immediacy of threat to the site;

13 (iii) Linkage between communities;

14 (iv) Linkage between trails;

15 (v) Existing or potential usage;

16 (vi) Consistency with ~~((an existing))~~ a local land use plan, or a
17 regional or statewide recreational or resource plan, including projects
18 that assist in the implementation of local shoreline master plans
19 updated according to RCW 90.58.080 or local comprehensive plans updated
20 according to RCW 36.70A.130;

21 (vii) Availability of water access or views;

22 (viii) Enhancement of wildlife habitat; and

23 (ix) Scenic values of the site.

24 (b) For water access proposals:

25 (i) Community support for the project;

26 (ii) Distance from similar water access opportunities;

27 (iii) Immediacy of threat to the site;

28 (iv) Diversity of possible recreational uses; ~~((and))~~

29 (v) Public demand in the area; and

30 (vi) Consistency with a local land use plan, or a regional or
31 statewide recreational or resource plan, including projects that assist
32 in the implementation of local shoreline master plans updated according
33 to RCW 90.58.080 or local comprehensive plans updated according to RCW
34 36.70A.130.

35 (7) Before ~~((October))~~ November 1st of each even-numbered year, the
36 committee shall recommend to the governor a prioritized list of state
37 agency projects to be funded under RCW 79A.15.050(1) (a), (c), and (d).
38 The governor may remove projects from the list recommended by the

1 committee and shall submit this amended list in the capital budget
2 request to the legislature. The list shall include, but not be limited
3 to, a description of each project; and shall describe for each project
4 any anticipated restrictions upon recreational activities allowed prior
5 to the project.

6 (8) Before (~~October~~) November 1st of each even-numbered year, the
7 committee shall recommend to the governor a prioritized list of all
8 local projects to be funded under RCW 79A.15.050(1) (b), (c), and (d).
9 The governor may remove projects from the list recommended by the
10 committee and shall submit this amended list in the capital budget
11 request to the legislature. The list shall include, but not be limited
12 to, a description of each project and any particular match requirement,
13 and describe for each project any anticipated restrictions upon
14 recreational activities allowed prior to the project.

15 NEW SECTION. Sec. 6. A new section is added to chapter 79.70 RCW
16 to read as follows:

17 The state treasurer, on behalf of the department, must distribute
18 to counties for all lands acquired for the purposes of this chapter an
19 amount in lieu of real property taxes equal to the amount of tax that
20 would be due if the land were taxable as open space land under chapter
21 84.34 RCW, plus an additional amount equal to the amount of weed
22 control assessments that would be due if such lands were privately
23 owned. The county assessor and county legislative authority shall
24 assist in determining the appropriate calculation of the amount of tax
25 that would be due under chapter 84.34 RCW.

26 NEW SECTION. Sec. 7. A new section is added to chapter 79.71 RCW
27 to read as follows:

28 The state treasurer, on behalf of the department, must distribute
29 to counties for all lands acquired for the purposes of this chapter an
30 amount in lieu of real property taxes equal to the amount of tax that
31 would be due if the land were taxable as open space land under chapter
32 84.34 RCW, plus an additional amount equal to the amount of weed
33 control assessments that would be due if such lands were privately
34 owned. The county assessor and county legislative authority shall
35 assist in determining the appropriate calculation of the amount of tax
36 that would be due under chapter 84.34 RCW.

1 **Sec. 8.** RCW 43.84.092 and 2003 c 361 s 602, 2003 c 324 s 1, and
2 2003 c 48 s 2 are each reenacted and amended to read as follows:

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

6 (2) The treasury income account shall be utilized to pay or receive
7 funds associated with federal programs as required by the federal cash
8 management improvement act of 1990. The treasury income account is
9 subject in all respects to chapter 43.88 RCW, but no appropriation is
10 required for refunds or allocations of interest earnings required by
11 the cash management improvement act. Refunds of interest to the
12 federal treasury required under the cash management improvement act
13 fall under RCW 43.88.180 and shall not require appropriation. The
14 office of financial management shall determine the amounts due to or
15 from the federal government pursuant to the cash management improvement
16 act. The office of financial management may direct transfers of funds
17 between accounts as deemed necessary to implement the provisions of the
18 cash management improvement act, and this subsection. Refunds or
19 allocations shall occur prior to the distributions of earnings set
20 forth in subsection (4) of this section.

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

29 (4) Monthly, the state treasurer shall distribute the earnings
30 credited to the treasury income account. The state treasurer shall
31 credit the general fund with all the earnings credited to the treasury
32 income account except:

33 (a) The following accounts and funds shall receive their
34 proportionate share of earnings based upon each account's and fund's
35 average daily balance for the period: The capitol building
36 construction account, the Cedar River channel construction and
37 operation account, the Central Washington University capital projects
38 account, the charitable, educational, penal and reformatory

1 institutions account, the common school construction fund, the county
2 criminal justice assistance account, the county sales and use tax
3 equalization account, the data processing building construction
4 account, the deferred compensation administrative account, the deferred
5 compensation principal account, the department of retirement systems
6 expense account, the drinking water assistance account, the drinking
7 water assistance administrative account, the drinking water assistance
8 repayment account, the Eastern Washington University capital projects
9 account, the education construction fund, the election account, the
10 emergency reserve fund, The Evergreen State College capital projects
11 account, the federal forest revolving account, the habitat conservation
12 account, the health services account, the public health services
13 account, the health system capacity account, the personal health
14 services account, the state higher education construction account, the
15 higher education construction account, the highway infrastructure
16 account, the industrial insurance premium refund account, the judges'
17 retirement account, the judicial retirement administrative account, the
18 judicial retirement principal account, the local leasehold excise tax
19 account, the local real estate excise tax account, the local sales and
20 use tax account, the medical aid account, the mobile home park
21 relocation fund, the multimodal transportation account, the municipal
22 criminal justice assistance account, the municipal sales and use tax
23 equalization account, the natural resources deposit account, the
24 outdoor recreation account, the oyster reserve land account, the
25 perpetual surveillance and maintenance account, the public employees'
26 retirement system plan 1 account, the public employees' retirement
27 system combined plan 2 and plan 3 account, the public facilities
28 construction loan revolving account beginning July 1, 2004, the public
29 health supplemental account, the Puyallup tribal settlement account,
30 the regional transportation investment district account, the resource
31 management cost account, the site closure account, the special wildlife
32 account, the state employees' insurance account, the state employees'
33 insurance reserve account, the state investment board expense account,
34 the state investment board commingled trust fund accounts, the
35 supplemental pension account, the Tacoma Narrows toll bridge account,
36 the teachers' retirement system plan 1 account, the teachers'
37 retirement system combined plan 2 and plan 3 account, the tobacco
38 prevention and control account, the tobacco settlement account, the

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

23 (b) The following accounts and funds shall receive eighty percent
24 of their proportionate share of earnings based upon each account's or
25 fund's average daily balance for the period: The aeronautics account,
26 the aircraft search and rescue account, the county arterial
27 preservation account, the department of licensing services account, the
28 essential rail assistance account, the ferry bond retirement fund, the
29 grade crossing protective fund, the high capacity transportation
30 account, the highway bond retirement fund, the highway safety account,
31 the motor vehicle fund, the motorcycle safety education account, the
32 pilotage account, the public transportation systems account, the Puget
33 Sound capital construction account, the Puget Sound ferry operations
34 account, the recreational vehicle account, the rural arterial trust
35 account, the safety and education account, the special category C
36 account, the state patrol highway account, the transportation 2003
37 account (nickel account), the transportation equipment fund, the

1 transportation fund, the transportation improvement account, the
2 transportation improvement board bond retirement 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. 9.** RCW 43.84.092 and 2003 c 361 s 602, 2003 c 324 s 1, 2003
8 c 150 s 2, and 2003 c 48 s 2 are each reenacted and amended to read as
9 follows:

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

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

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

36 (4) Monthly, the state treasurer shall distribute the earnings

1 credited to the treasury income account. The state treasurer shall
2 credit the general fund with all the earnings credited to the treasury
3 income account except:

4 (a) The following accounts and funds shall receive their
5 proportionate share of earnings based upon each account's and fund's
6 average daily balance for the period: The capitol building
7 construction account, the Cedar River channel construction and
8 operation account, the Central Washington University capital projects
9 account, the charitable, educational, penal and reformatory
10 institutions account, the common school construction fund, the county
11 criminal justice assistance account, the county sales and use tax
12 equalization account, the data processing building construction
13 account, the deferred compensation administrative account, the deferred
14 compensation principal account, the department of retirement systems
15 expense account, the drinking water assistance account, the drinking
16 water assistance administrative account, the drinking water assistance
17 repayment account, the Eastern Washington University capital projects
18 account, the education construction fund, the election account, the
19 emergency reserve fund, The Evergreen State College capital projects
20 account, the federal forest revolving account, the habitat conservation
21 account, the health services account, the public health services
22 account, the health system capacity account, the personal health
23 services account, the state higher education construction account, the
24 higher education construction account, the highway infrastructure
25 account, the industrial insurance premium refund account, the judges'
26 retirement account, the judicial retirement administrative account, the
27 judicial retirement principal account, the local leasehold excise tax
28 account, the local real estate excise tax account, the local sales and
29 use tax account, the medical aid account, the mobile home park
30 relocation fund, the multimodal transportation account, the municipal
31 criminal justice assistance account, the municipal sales and use tax
32 equalization account, the natural resources deposit account, the
33 outdoor recreation account, the oyster reserve land account, the
34 perpetual surveillance and maintenance account, the public employees'
35 retirement system plan 1 account, the public employees' retirement
36 system combined plan 2 and plan 3 account, the public facilities
37 construction loan revolving account beginning July 1, 2004, the public
38 health supplemental account, the public works assistance account, the

1 Puyallup tribal settlement account, the regional transportation
2 investment district account, the resource management cost account, the
3 site closure account, the special wildlife account, the state
4 employees' insurance account, the state employees' insurance reserve
5 account, the state investment board expense account, the state
6 investment board commingled trust fund accounts, the supplemental
7 pension account, the Tacoma Narrows toll bridge account, the teachers'
8 retirement system plan 1 account, the teachers' retirement system
9 combined plan 2 and plan 3 account, the tobacco prevention and control
10 account, the tobacco settlement account, the transportation
11 infrastructure account, the tuition recovery trust fund, the University
12 of Washington bond retirement fund, the University of Washington
13 building account, the volunteer fire fighters' and reserve officers'
14 relief and pension principal fund, the volunteer fire fighters' and
15 reserve officers' administrative fund, the Washington fruit express
16 account, the Washington judicial retirement system account, the
17 Washington law enforcement officers' and fire fighters' system plan 1
18 retirement account, the Washington law enforcement officers' and fire
19 fighters' system plan 2 retirement account, the Washington school
20 employees' retirement system combined plan 2 and 3 account, the
21 Washington state health insurance pool account, the Washington state
22 patrol retirement account, the Washington State University building
23 account, the Washington State University bond retirement fund, the
24 water pollution control revolving fund, and the Western Washington
25 University capital projects account. Earnings derived from investing
26 balances of the agricultural permanent fund, the normal school
27 permanent fund, the permanent common school fund, the scientific
28 permanent fund, and the state university permanent fund shall be
29 allocated to their respective beneficiary accounts. All earnings to be
30 distributed under this subsection (4)(a) shall first be reduced by the
31 allocation to the state treasurer's service fund pursuant to RCW
32 43.08.190.

33 (b) The following accounts and funds shall receive eighty percent
34 of their proportionate share of earnings based upon each account's or
35 fund's average daily balance for the period: The aeronautics account,
36 the aircraft search and rescue account, the county arterial
37 preservation account, the department of licensing services account, the
38 essential rail assistance account, the ferry bond retirement fund, the

1 grade crossing protective fund, the high capacity transportation
2 account, the highway bond retirement fund, the highway safety account,
3 the motor vehicle fund, the motorcycle safety education account, the
4 pilotage account, the public transportation systems account, the Puget
5 Sound capital construction account, the Puget Sound ferry operations
6 account, the recreational vehicle account, the rural arterial trust
7 account, the safety and education account, the special category C
8 account, the state patrol highway account, the transportation 2003
9 account (nickel account), the transportation equipment fund, the
10 transportation fund, the transportation improvement account, the
11 transportation improvement board bond retirement account, and the urban
12 arterial trust account.

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

16 NEW SECTION. **Sec. 10.** (1) Sections 1 through 7 of this act take
17 effect July 1, 2005.

18 (2) Section 8 of this act expires July 1, 2005.

19 (3) Section 9 of this act takes effect July 1, 2005.

--- END ---