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HOUSE BILL 1092

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State of Washington

59th Legislature

2005 Regular Session

By Representatives Grant, Newhouse, Kristiansen and Linville; by request of Department of Community, Trade, and Economic Development

Read first time 01/13/2005. Referred to Committee on Economic Development, Agriculture & Trade.

1 AN ACT Relating to the rural Washington loan fund; amending RCW  
2 43.84.092; reenacting and amending RCW 43.84.092; providing effective  
3 dates; providing an expiration 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 2003 c 361 s 602, 2003 c 324 s 1, 2003  
6 c 150 s 2, and 2003 c 48 s 2 are each reenacted and amended to read as  
7 follows:

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

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

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

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

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

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

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

1 Western Washington University capital projects account. Earnings  
2 derived from investing balances of the agricultural permanent fund, the  
3 normal school permanent fund, the permanent common school fund, the  
4 scientific permanent fund, and the state university permanent fund  
5 shall be allocated to their respective beneficiary accounts. All  
6 earnings to be distributed under this subsection (4)(a) shall first be  
7 reduced by the allocation to the state treasurer's service fund  
8 pursuant to RCW 43.08.190.

9 (b) The following accounts and funds shall receive eighty percent  
10 of their proportionate share of earnings based upon each account's or  
11 fund's average daily balance for the period: The aeronautics account,  
12 the aircraft search and rescue account, the county arterial  
13 preservation account, the department of licensing services account, the  
14 essential rail assistance account, the ferry bond retirement fund, the  
15 grade crossing protective fund, the high capacity transportation  
16 account, the highway bond retirement fund, the highway safety account,  
17 the motor vehicle fund, the motorcycle safety education account, the  
18 pilotage account, the public transportation systems account, the Puget  
19 Sound capital construction account, the Puget Sound ferry operations  
20 account, the recreational vehicle account, the rural arterial trust  
21 account, the safety and education account, the special category C  
22 account, the state patrol highway account, the transportation 2003  
23 account (nickel account), the transportation equipment fund, the  
24 transportation fund, the transportation improvement account, the  
25 transportation improvement board bond retirement account, and the urban  
26 arterial trust account.

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

30 **Sec. 2.** RCW 43.84.092 and 2004 c 242 s 60 are each amended to read  
31 as follows:

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

35 (2) The treasury income account shall be utilized to pay or receive  
36 funds associated with federal programs as required by the federal cash  
37 management improvement act of 1990. The treasury income account is

1 subject in all respects to chapter 43.88 RCW, but no appropriation is  
2 required for refunds or allocations of interest earnings required by  
3 the cash management improvement act. Refunds of interest to the  
4 federal treasury required under the cash management improvement act  
5 fall under RCW 43.88.180 and shall not require appropriation. The  
6 office of financial management shall determine the amounts due to or  
7 from the federal government pursuant to the cash management improvement  
8 act. The office of financial management may direct transfers of funds  
9 between accounts as deemed necessary to implement the provisions of the  
10 cash management improvement act, and this subsection. Refunds or  
11 allocations shall occur prior to the distributions of earnings set  
12 forth in subsection (4) of this section.

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

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

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

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

1 officers' and fire fighters' system plan 2 retirement account, the  
2 Washington public safety employees' plan 2 retirement account, the  
3 Washington school employees' retirement system combined plan 2 and 3  
4 account, the Washington state health insurance pool account, the  
5 Washington state patrol retirement account, the Washington State  
6 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 county arterial  
20 preservation account, the department of licensing services account, the  
21 essential rail assistance account, the ferry bond retirement fund, the  
22 grade crossing protective fund, the high capacity transportation  
23 account, the highway bond retirement fund, the highway safety account,  
24 the motor vehicle fund, the motorcycle safety education account, the  
25 pilotage account, the public transportation systems account, the Puget  
26 Sound capital construction account, the Puget Sound ferry operations  
27 account, the recreational vehicle account, the rural arterial trust  
28 account, the safety and education account, the special category C  
29 account, the state patrol highway account, the transportation 2003  
30 account (nickel account), the transportation equipment fund, the  
31 transportation fund, the transportation improvement account, the  
32 transportation improvement board bond retirement account, and the urban  
33 arterial trust account.

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

1        NEW SECTION.   **Sec. 3.**   (1) Section 1 of this act is necessary for  
2 the immediate preservation of the public peace, health, or safety, or  
3 support of the state government and its existing public institutions,  
4 and takes effect July 1, 2005.

5        (2) Section 2 of this act takes effect July 1, 2006.

6        NEW SECTION.   **Sec. 4.**   Section 1 of this act expires July 1, 2006.

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