
HOUSE BILL 2214

State of Washington 59th Legislature 2005 Regular Session

By Representatives Alexander and Sommers

Read first time 02/24/2005. Referred to Committee on Appropriations.

1 AN ACT Relating to consolidating the health services account and
2 the general fund; amending RCW 43.41.260, 43.79.480, 43.84.092,
3 48.14.0201, 66.24.210, 66.24.290, 70.05.125, 70.47.015, 82.08.150,
4 82.24.020, 82.24.028, 82.26.020, and 82.26.028; reenacting and amending
5 RCW 43.84.092 and 82.04.260; adding a new section to chapter 43.79 RCW;
6 repealing RCW 43.72.900; providing effective dates; providing an
7 expiration date; and declaring an emergency.

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

9 **Sec. 1.** RCW 43.41.260 and 1995 c 265 s 21 are each amended to read
10 as follows:

11 The health care authority, the office of financial management, and
12 the department of social and health services shall together monitor the
13 enrollee level in the basic health plan and the medicaid caseload of
14 children (~~((funded from the health services account))~~). The office of
15 financial management shall adjust the funding levels by interagency
16 reimbursement of funds between the basic health plan and medicaid and
17 adjust the funding levels between the health care authority and the
18 medical assistance administration of the department of social and
19 health services to maximize combined enrollment.

1 **Sec. 2.** RCW 43.79.480 and 2002 c 365 s 15 are each amended to read
2 as follows:

3 (1) Moneys received by the state of Washington in accordance with
4 the settlement of the state's legal action against tobacco product
5 manufacturers, exclusive of costs and attorneys' fees, shall be
6 deposited in the tobacco settlement account created in this section
7 except as these moneys are sold or assigned under chapter 43.340 RCW.

8 (2) The tobacco settlement account is created in the state
9 treasury. Moneys in the tobacco settlement account may only be
10 transferred to the (~~health services account~~) general fund for the
11 purposes set forth in RCW 43.72.900, and to the tobacco prevention and
12 control account for purposes set forth in this section.

13 (3) The tobacco prevention and control account is created in the
14 state treasury. The source of revenue for this account is moneys
15 transferred to the account from the tobacco settlement account,
16 investment earnings, donations to the account, and other revenues as
17 directed by law. Expenditures from the account are subject to
18 appropriation.

19 **Sec. 3.** RCW 43.84.092 and 2003 c 361 s 602, 2003 c 324 s 1, 2003
20 c 150 s 2, and 2003 c 48 s 2 are each reenacted and amended to read as
21 follows:

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

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

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

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

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

16 (a) The following accounts and funds shall receive their
17 proportionate share of earnings based upon each account's and fund's
18 average daily balance for the period: The capitol building
19 construction account, the Cedar River channel construction and
20 operation account, the Central Washington University capital projects
21 account, the charitable, educational, penal and reformatory
22 institutions account, the common school construction fund, the county
23 criminal justice assistance account, the county sales and use tax
24 equalization account, the data processing building construction
25 account, the deferred compensation administrative account, the deferred
26 compensation principal account, the department of retirement systems
27 expense account, the drinking water assistance account, the drinking
28 water assistance administrative account, the drinking water assistance
29 repayment account, the Eastern Washington University capital projects
30 account, the education construction fund, the election account, the
31 emergency reserve fund, The Evergreen State College capital projects
32 account, the federal forest revolving account, (~~the health services~~
33 ~~account,~~) the public health services account, the health system
34 capacity account, the personal health services account, the state
35 higher education construction account, the higher education
36 construction account, the highway infrastructure account, the
37 industrial insurance premium refund account, the judges' retirement
38 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 public works assistance
12 account, the Puyallup tribal settlement account, the regional
13 transportation investment district account, the resource management
14 cost account, the site closure account, the special wildlife account,
15 the state employees' insurance account, the state employees' insurance
16 reserve account, the state investment board expense account, the state
17 investment board commingled trust fund accounts, the supplemental
18 pension account, the Tacoma Narrows toll bridge account, the teachers'
19 retirement system plan 1 account, the teachers' retirement system
20 combined plan 2 and plan 3 account, the tobacco prevention and control
21 account, the tobacco settlement account, the transportation
22 infrastructure account, the tuition recovery trust fund, the University
23 of Washington bond retirement fund, the University of Washington
24 building account, the volunteer fire fighters' and reserve officers'
25 relief and pension principal fund, the volunteer fire fighters' and
26 reserve officers' administrative fund, the Washington fruit express
27 account, the Washington judicial retirement system account, the
28 Washington law enforcement officers' and fire fighters' system plan 1
29 retirement account, the Washington law enforcement officers' and fire
30 fighters' system plan 2 retirement account, the Washington school
31 employees' retirement system combined plan 2 and 3 account, the
32 Washington state health insurance pool account, the Washington state
33 patrol retirement account, the Washington State University building
34 account, the Washington State University bond retirement fund, the
35 water pollution control revolving fund, and the Western Washington
36 University capital projects account. Earnings derived from investing
37 balances of the agricultural permanent fund, the normal school
38 permanent fund, the permanent common school fund, the scientific

1 permanent fund, and the state university permanent fund shall be
2 allocated to their respective beneficiary accounts. All earnings to be
3 distributed under this subsection (4)(a) shall first be reduced by the
4 allocation to the state treasurer's service fund pursuant to RCW
5 43.08.190.

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

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

27 **Sec. 4.** RCW 43.84.092 and 2004 c 242 s 60 are each amended to read
28 as follows:

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

32 (2) The treasury income account shall be utilized to pay or receive
33 funds associated with federal programs as required by the federal cash
34 management improvement act of 1990. The treasury income account is
35 subject in all respects to chapter 43.88 RCW, but no appropriation is
36 required for refunds or allocations of interest earnings required by
37 the cash management improvement act. Refunds of interest to the

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

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

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

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

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

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

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

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

34 **Sec. 5.** RCW 48.14.0201 and 2004 c 260 s 24 are each amended to
35 read as follows:

36 (1) As used in this section, "taxpayer" means a health maintenance

1 organization as defined in RCW 48.46.020, a health care service
2 contractor as defined in RCW 48.44.010, or a self-funded multiple
3 employer welfare arrangement as defined in RCW 48.125.010.

4 (2) Each taxpayer shall pay a tax on or before the first day of
5 March of each year to the state treasurer through the insurance
6 commissioner's office. The tax shall be equal to the total amount of
7 all premiums and prepayments for health care services received by the
8 taxpayer during the preceding calendar year multiplied by the rate of
9 two percent.

10 (3) Taxpayers shall prepay their tax obligations under this
11 section. The minimum amount of the prepayments shall be percentages of
12 the taxpayer's tax obligation for the preceding calendar year
13 recomputed using the rate in effect for the current year. For the
14 prepayment of taxes due during the first calendar year, the minimum
15 amount of the prepayments shall be percentages of the taxpayer's tax
16 obligation that would have been due had the tax been in effect during
17 the previous calendar year. The tax prepayments shall be paid to the
18 state treasurer through the commissioner's office by the due dates and
19 in the following amounts:

20 (a) On or before June 15, forty-five percent;

21 (b) On or before September 15, twenty-five percent;

22 (c) On or before December 15, twenty-five percent.

23 (4) For good cause demonstrated in writing, the commissioner may
24 approve an amount smaller than the preceding calendar year's tax
25 obligation as recomputed for calculating the health maintenance
26 organization's, health care service contractor's, self-funded multiple
27 employer welfare arrangement's, or certified health plan's prepayment
28 obligations for the current tax year.

29 (5) Moneys collected under this section shall be deposited in the
30 general fund (~~(through March 31, 1996, and in the health services~~
31 ~~account under RCW 43.72.900 after March 31, 1996)).~~

32 (6) The taxes imposed in this section do not apply to:

33 (a) Amounts received by any taxpayer from the United States or any
34 instrumentality thereof as prepayments for health care services
35 provided under Title XVIII (medicare) of the federal social security
36 act.

37 (b) Amounts received by any health care service contractor, as

1 defined in RCW 48.44.010, as prepayments for health care services
2 included within the definition of practice of dentistry under RCW
3 18.32.020.

4 (c) Participant contributions to self-funded multiple employer
5 welfare arrangements that are not taxable in this state.

6 (7) Beginning January 1, 2000, the state does hereby preempt the
7 field of imposing excise or privilege taxes upon taxpayers and no
8 county, city, town, or other municipal subdivision shall have the right
9 to impose any such taxes upon such taxpayers. This subsection shall be
10 limited to premiums and payments for health benefit plans offered by
11 health care service contractors under chapter 48.44 RCW, health
12 maintenance organizations under chapter 48.46 RCW, and self-funded
13 multiple employer welfare arrangements as defined in RCW 48.125.010.
14 The preemption authorized by this subsection shall not impair the
15 ability of a county, city, town, or other municipal subdivision to
16 impose excise or privilege taxes upon the health care services directly
17 delivered by the employees of a health maintenance organization under
18 chapter 48.46 RCW.

19 (8) The taxes imposed by this section apply to a self-funded
20 multiple employer welfare arrangement only in the event that they are
21 not preempted by the employee retirement income security act of 1974,
22 as amended, 29 U.S.C. Sec. 1001 et seq. The arrangements and the
23 commissioner shall initially request an advisory opinion from the
24 United States department of labor or obtain a declaratory ruling from
25 a federal court on the legality of imposing state premium taxes on
26 these arrangements. If there has not been a final determination by the
27 United States department of labor or a federal court that the taxes are
28 not preempted by federal law, the taxes provided for in this section
29 become effective on March 1, 2005, or thirty days following the
30 issuance of a certificate of authority, whichever is later. During the
31 time period between March 1, 2005, or thirty days following the
32 issuance of a certificate of authority, whichever is later, and the
33 final determination by the United States department of labor or a
34 federal court, any taxes shall be deposited in an interest bearing
35 escrow account maintained by the (~~(self-funded))~~) self-funded multiple
36 employer welfare arrangement. Upon a final determination that the
37 taxes are not preempted by the employee retirement income security act

1 of 1974, as amended, 29 U.S.C. Sec. 1001 et seq., all funds in the
2 interest bearing escrow account shall be transferred to the state
3 treasurer.

4 **Sec. 6.** RCW 66.24.210 and 2001 c 124 s 1 are each amended to read
5 as follows:

6 (1) There is hereby imposed upon all wines except cider sold to
7 wine distributors and the Washington state liquor control board, within
8 the state a tax at the rate of twenty and one-fourth cents per liter.
9 There is hereby imposed on all cider sold to wine distributors and the
10 Washington state liquor control board within the state a tax at the
11 rate of three and fifty-nine one-hundredths cents per liter: PROVIDED,
12 HOWEVER, That wine sold or shipped in bulk from one winery to another
13 winery shall not be subject to such tax. The tax provided for in this
14 section shall be collected by direct payments based on wine purchased
15 by wine distributors. Every person purchasing wine under the
16 provisions of this section shall on or before the twentieth day of each
17 month report to the board all purchases during the preceding calendar
18 month in such manner and upon such forms as may be prescribed by the
19 board, and with such report shall pay the tax due from the purchases
20 covered by such report unless the same has previously been paid. Any
21 such purchaser of wine whose applicable tax payment is not postmarked
22 by the twentieth day following the month of purchase will be assessed
23 a penalty at the rate of two percent a month or fraction thereof. The
24 board may require that every such person shall execute to and file with
25 the board a bond to be approved by the board, in such amount as the
26 board may fix, securing the payment of the tax. If any such person
27 fails to pay the tax when due, the board may forthwith suspend or
28 cancel the license until all taxes are paid.

29 (2) An additional tax is imposed equal to the rate specified in RCW
30 82.02.030 multiplied by the tax payable under subsection (1) of this
31 section. All revenues collected during any month from this additional
32 tax shall be transferred to the state general fund by the twenty-fifth
33 day of the following month.

34 (3) An additional tax is imposed on wines subject to tax under
35 subsection (1) of this section, at the rate of one-fourth of one cent
36 per liter for wine sold after June 30, 1987. After June 30, 1996, such
37 additional tax does not apply to cider. An additional tax of five one-

1 hundredths of one cent per liter is imposed on cider sold after June
2 30, 1996. All revenues collected under this subsection (3) shall be
3 disbursed quarterly to the Washington wine commission for use in
4 carrying out the purposes of chapter 15.88 RCW.

5 (4) An additional tax is imposed on all wine subject to tax under
6 subsection (1) of this section. The additional tax is equal to twenty-
7 three and forty-four one-hundredths cents per liter on fortified wine
8 as defined in RCW 66.04.010(~~(+38)~~) (39) when bottled or packaged by
9 the manufacturer, one cent per liter on all other wine except cider,
10 and eighteen one-hundredths of one cent per liter on cider. All
11 revenues collected during any month from this additional tax shall be
12 deposited in the violence reduction and drug enforcement account under
13 RCW 69.50.520 by the twenty-fifth day of the following month.

14 (5)(a) An additional tax is imposed on all cider subject to tax
15 under subsection (1) of this section. The additional tax is equal to
16 two and four one-hundredths cents per liter of cider sold after June
17 30, 1996, and before July 1, 1997, and is equal to four and seven one-
18 hundredths cents per liter of cider sold after June 30, 1997.

19 (b) All revenues collected from the additional tax imposed under
20 this subsection (5) shall be deposited in the (~~health services account~~
21 ~~under RCW 43.72.900~~) general fund.

22 (6) For the purposes of this section, "cider" means table wine that
23 contains not less than one-half of one percent of alcohol by volume and
24 not more than seven percent of alcohol by volume and is made from the
25 normal alcoholic fermentation of the juice of sound, ripe apples or
26 pears. "Cider" includes, but is not limited to, flavored, sparkling,
27 or carbonated cider and cider made from condensed apple or pear must.

28 **Sec. 7.** RCW 66.24.290 and 2003 c 167 s 5 are each amended to read
29 as follows:

30 (1) Any microbrewer or domestic brewery or beer distributor
31 licensed under this title may sell and deliver beer and strong beer to
32 holders of authorized licenses direct, but to no other person, other
33 than the board; and every such brewery or beer distributor shall report
34 all sales to the board monthly, pursuant to the regulations, and shall
35 pay to the board as an added tax for the privilege of manufacturing and
36 selling the beer and strong beer within the state a tax of one dollar
37 and thirty cents per barrel of thirty-one gallons on sales to licensees

1 within the state and on sales to licensees within the state of bottled
2 and canned beer, including strong beer, shall pay a tax computed in
3 gallons at the rate of one dollar and thirty cents per barrel of
4 thirty-one gallons. Any brewery or beer distributor whose applicable
5 tax payment is not postmarked by the twentieth day following the month
6 of sale will be assessed a penalty at the rate of two percent per month
7 or fraction thereof. Beer and strong beer shall be sold by breweries
8 and distributors in sealed barrels or packages. The moneys collected
9 under this subsection shall be distributed as follows: (a) Three-
10 tenths of a percent shall be distributed to border areas under RCW
11 66.08.195; and (b) of the remaining moneys: (i) Twenty percent shall
12 be distributed to counties in the same manner as under RCW 66.08.200;
13 and (ii) eighty percent shall be distributed to incorporated cities and
14 towns in the same manner as under RCW 66.08.210.

15 (2) An additional tax is imposed on all beer and strong beer
16 subject to tax under subsection (1) of this section. The additional
17 tax is equal to two dollars per barrel of thirty-one gallons. All
18 revenues collected during any month from this additional tax shall be
19 deposited in the violence reduction and drug enforcement account under
20 RCW 69.50.520 by the twenty-fifth day of the following month.

21 (3)(a) An additional tax is imposed on all beer and strong beer
22 subject to tax under subsection (1) of this section. The additional
23 tax is equal to ninety-six cents per barrel of thirty-one gallons
24 through June 30, 1995, two dollars and thirty-nine cents per barrel of
25 thirty-one gallons for the period July 1, 1995, through June 30, 1997,
26 and four dollars and seventy-eight cents per barrel of thirty-one
27 gallons thereafter.

28 (b) The additional tax imposed under this subsection does not apply
29 to the sale of the first sixty thousand barrels of beer each year by
30 breweries that are entitled to a reduced rate of tax under 26 U.S.C.
31 Sec. 5051, as existing on July 1, 1993, or such subsequent date as may
32 be provided by the board by rule consistent with the purposes of this
33 exemption.

34 (c) All revenues collected from the additional tax imposed under
35 this subsection (3) shall be deposited in the (~~health services account~~
36 ~~under RCW 43.72.900~~) general fund.

37 (4) An additional tax is imposed on all beer and strong beer that
38 is subject to tax under subsection (1) of this section that is in the

1 first sixty thousand barrels of beer and strong beer by breweries that
2 are entitled to a reduced rate of tax under 26 U.S.C. Sec. 5051, as
3 existing on July 1, 1993, or such subsequent date as may be provided by
4 the board by rule consistent with the purposes of the exemption under
5 subsection (3)(b) of this section. The additional tax is equal to one
6 dollar and forty-eight and two-tenths cents per barrel of thirty-one
7 gallons. By the twenty-fifth day of the following month, three percent
8 of the revenues collected from this additional tax shall be distributed
9 to border areas under RCW 66.08.195 and the remaining moneys shall be
10 transferred to the state general fund.

11 (5) The board may make refunds for all taxes paid on beer and
12 strong beer exported from the state for use outside the state.

13 (6) The board may require filing with the board of a bond to be
14 approved by it, in such amount as the board may fix, securing the
15 payment of the tax. If any licensee fails to pay the tax when due, the
16 board may forthwith suspend or cancel his or her license until all
17 taxes are paid.

18 **Sec. 8.** RCW 70.05.125 and 1998 c 266 s 1 are each amended to read
19 as follows:

20 (1) The county public health account is created in the state
21 treasury. Funds deposited in the county public health account shall be
22 distributed by the state treasurer to each local public health
23 jurisdiction based upon amounts certified to it by the department of
24 community, trade, and economic development in consultation with the
25 Washington state association of counties. The account shall include
26 funds distributed under RCW (~~82.44.110~~ and) 82.14.200(8) and such
27 funds as are appropriated to the account from the (~~health services~~
28 ~~account under RCW 43.72.900~~) general fund, the public health services
29 account under RCW 43.72.902, and such other funds as the legislature
30 may appropriate to it.

31 (2)(a) The director of the department of community, trade, and
32 economic development shall certify the amounts to be distributed to
33 each local public health jurisdiction using 1995 as the base year of
34 actual city contributions to local public health.

35 (b) Only if funds are available and in an amount no greater than
36 available funds under RCW 82.14.200(8), the department of community,
37 trade, and economic development shall adjust the amount certified under

1 (a) of this subsection to compensate for any annexation of an area with
2 fifty thousand residents or more to any city as a result of a petition
3 during calendar year 1996 or 1997, or for any city that became newly
4 incorporated as a result of an election during calendar year 1994 or
5 1995. The amount to be adjusted shall be equal to the amount which
6 otherwise would have been lost to the health jurisdiction due to the
7 annexation or incorporation as calculated using the jurisdiction's 1995
8 funding formula.

9 (c) The county treasurer shall certify the actual 1995 city
10 contribution to the department. Funds in excess of the base shall be
11 distributed proportionately among the health jurisdictions based on
12 incorporated population figures as last determined by the office of
13 financial management.

14 (3) Moneys distributed under this section shall be expended
15 exclusively for local public health purposes.

16 **Sec. 9.** RCW 70.47.015 and 1997 c 337 s 1 are each amended to read
17 as follows:

18 (1) The legislature finds that the basic health plan has been an
19 effective program in providing health coverage for uninsured residents.
20 Further, since 1993, substantial amounts of public funds have been
21 allocated for subsidized basic health plan enrollment.

22 (2) It is the intent of the legislature that the basic health plan
23 enrollment be expanded expeditiously, (~~consistent with funds available~~
24 ~~in the health services account,~~) with the goal of two hundred thousand
25 adult subsidized basic health plan enrollees and one hundred thirty
26 thousand children covered through expanded medical assistance services
27 by June 30, 1997, with the priority of providing needed health services
28 to children in conjunction with other public programs.

29 (3) Effective January 1, 1996, basic health plan enrollees whose
30 income is less than one hundred twenty-five percent of the federal
31 poverty level shall pay at least a ten-dollar premium share.

32 (4) No later than July 1, 1996, the administrator shall implement
33 procedures whereby hospitals licensed under chapters 70.41 and 71.12
34 RCW, health carrier, rural health care facilities regulated under
35 chapter 70.175 RCW, and community and migrant health centers funded
36 under RCW 41.05.220, may expeditiously assist patients and their
37 families in applying for basic health plan or medical assistance

1 coverage, and in submitting such applications directly to the health
2 care authority or the department of social and health services. The
3 health care authority and the department of social and health services
4 shall make every effort to simplify and expedite the application and
5 enrollment process.

6 (5) No later than July 1, 1996, the administrator shall implement
7 procedures whereby health insurance agents and brokers, licensed under
8 chapter 48.17 RCW, may expeditiously assist patients and their families
9 in applying for basic health plan or medical assistance coverage, and
10 in submitting such applications directly to the health care authority
11 or the department of social and health services. Brokers and agents
12 may receive a commission for each individual sale of the basic health
13 plan to anyone not signed up within the previous five years and a
14 commission for each group sale of the basic health plan, if funding for
15 this purpose is provided in a specific appropriation to the health care
16 authority. No commission shall be provided upon a renewal.
17 Commissions shall be determined based on the estimated annual cost of
18 the basic health plan, however, commissions shall not result in a
19 reduction in the premium amount paid to health carriers. For purposes
20 of this section "health carrier" is as defined in RCW 48.43.005. The
21 administrator may establish: (a) Minimum educational requirements that
22 must be completed by the agents or brokers; (b) an appointment process
23 for agents or brokers marketing the basic health plan; or (c) standards
24 for revocation of the appointment of an agent or broker to submit
25 applications for cause, including untrustworthy or incompetent conduct
26 or harm to the public. The health care authority and the department of
27 social and health services shall make every effort to simplify and
28 expedite the application and enrollment process.

29 **Sec. 10.** RCW 82.04.260 and 2003 2nd sp.s. c 1 s 4 and 2003 2nd
30 sp.s. c 1 s 3 are each reenacted and amended to read as follows:

31 (1) Upon every person engaging within this state in the business of
32 manufacturing:

33 (a) Wheat into flour, barley into pearl barley, soybeans into
34 soybean oil, canola into canola oil, canola meal, or canola byproducts,
35 or sunflower seeds into sunflower oil; as to such persons the amount of
36 tax with respect to such business shall be equal to the value of the

1 flour, pearl barley, oil, canola meal, or canola byproduct
2 manufactured, multiplied by the rate of 0.138 percent;

3 (b) Seafood products which remain in a raw, raw frozen, or raw
4 salted state at the completion of the manufacturing by that person; as
5 to such persons the amount of tax with respect to such business shall
6 be equal to the value of the products manufactured, multiplied by the
7 rate of 0.138 percent;

8 (c) By canning, preserving, freezing, processing, or dehydrating
9 fresh fruits and vegetables, or selling at wholesale fresh fruits and
10 vegetables canned, preserved, frozen, processed, or dehydrated by the
11 seller and sold to purchasers who transport in the ordinary course of
12 business the goods out of this state; as to such persons the amount of
13 tax with respect to such business shall be equal to the value of the
14 products canned, preserved, frozen, processed, or dehydrated multiplied
15 by the rate of 0.138 percent. As proof of sale to a person who
16 transports in the ordinary course of business goods out of this state,
17 the seller shall annually provide a statement in a form prescribed by
18 the department and retain the statement as a business record;

19 (d) Dairy products that as of September 20, 2001, are identified in
20 21 C.F.R., chapter 1, parts 131, 133, and 135, including byproducts
21 from the manufacturing of the dairy products such as whey and casein;
22 or selling the same to purchasers who transport in the ordinary course
23 of business the goods out of state; as to such persons the tax imposed
24 shall be equal to the value of the products manufactured multiplied by
25 the rate of 0.138 percent. As proof of sale to a person who transports
26 in the ordinary course of business goods out of this state, the seller
27 shall annually provide a statement in a form prescribed by the
28 department and retain the statement as a business record;

29 (e) Alcohol fuel, biodiesel fuel, or biodiesel feedstock, as those
30 terms are defined in RCW 82.29A.135; as to such persons the amount of
31 tax with respect to the business shall be equal to the value of alcohol
32 fuel, biodiesel fuel, or biodiesel feedstock manufactured, multiplied
33 by the rate of 0.138 percent. This subsection (1)(e) expires July 1,
34 2009; and

35 (f) Alcohol fuel or wood biomass fuel, as those terms are defined
36 in RCW 82.29A.135; as to such persons the amount of tax with respect to
37 the business shall be equal to the value of alcohol fuel or wood
38 biomass fuel manufactured, multiplied by the rate of 0.138 percent.

1 (2) Upon every person engaging within this state in the business of
2 splitting or processing dried peas; as to such persons the amount of
3 tax with respect to such business shall be equal to the value of the
4 peas split or processed, multiplied by the rate of 0.138 percent.

5 (3) Upon every nonprofit corporation and nonprofit association
6 engaging within this state in research and development, as to such
7 corporations and associations, the amount of tax with respect to such
8 activities shall be equal to the gross income derived from such
9 activities multiplied by the rate of 0.484 percent.

10 (4) Upon every person engaging within this state in the business of
11 slaughtering, breaking and/or processing perishable meat products
12 and/or selling the same at wholesale only and not at retail; as to such
13 persons the tax imposed shall be equal to the gross proceeds derived
14 from such sales multiplied by the rate of 0.138 percent.

15 (5) Upon every person engaging within this state in the business of
16 making sales, at retail or wholesale, of nuclear fuel assemblies
17 manufactured by that person, as to such persons the amount of tax with
18 respect to such business shall be equal to the gross proceeds of sales
19 of the assemblies multiplied by the rate of 0.275 percent.

20 (6) Upon every person engaging within this state in the business of
21 manufacturing nuclear fuel assemblies, as to such persons the amount of
22 tax with respect to such business shall be equal to the value of the
23 products manufactured multiplied by the rate of 0.275 percent.

24 (7) Upon every person engaging within this state in the business of
25 acting as a travel agent or tour operator; as to such persons the
26 amount of the tax with respect to such activities shall be equal to the
27 gross income derived from such activities multiplied by the rate of
28 0.275 percent.

29 (8) Upon every person engaging within this state in business as an
30 international steamship agent, international customs house broker,
31 international freight forwarder, vessel and/or cargo charter broker in
32 foreign commerce, and/or international air cargo agent; as to such
33 persons the amount of the tax with respect to only international
34 activities shall be equal to the gross income derived from such
35 activities multiplied by the rate of 0.275 percent.

36 (9) Upon every person engaging within this state in the business of
37 stevedoring and associated activities pertinent to the movement of
38 goods and commodities in waterborne interstate or foreign commerce; as

1 to such persons the amount of tax with respect to such business shall
2 be equal to the gross proceeds derived from such activities multiplied
3 by the rate of 0.275 percent. Persons subject to taxation under this
4 subsection shall be exempt from payment of taxes imposed by chapter
5 82.16 RCW for that portion of their business subject to taxation under
6 this subsection. Stevedoring and associated activities pertinent to
7 the conduct of goods and commodities in waterborne interstate or
8 foreign commerce are defined as all activities of a labor, service or
9 transportation nature whereby cargo may be loaded or unloaded to or
10 from vessels or barges, passing over, onto or under a wharf, pier, or
11 similar structure; cargo may be moved to a warehouse or similar holding
12 or storage yard or area to await further movement in import or export
13 or may move to a consolidation freight station and be stuffed,
14 unstuffed, containerized, separated or otherwise segregated or
15 aggregated for delivery or loaded on any mode of transportation for
16 delivery to its consignee. Specific activities included in this
17 definition are: Wharfage, handling, loading, unloading, moving of
18 cargo to a convenient place of delivery to the consignee or a
19 convenient place for further movement to export mode; documentation
20 services in connection with the receipt, delivery, checking, care,
21 custody and control of cargo required in the transfer of cargo;
22 imported automobile handling prior to delivery to consignee; terminal
23 stevedoring and incidental vessel services, including but not limited
24 to plugging and unplugging refrigerator service to containers,
25 trailers, and other refrigerated cargo receptacles, and securing ship
26 hatch covers.

27 (10) Upon every person engaging within this state in the business
28 of disposing of low-level waste, as defined in RCW 43.145.010; as to
29 such persons the amount of the tax with respect to such business shall
30 be equal to the gross income of the business, excluding any fees
31 imposed under chapter 43.200 RCW, multiplied by the rate of 3.3
32 percent.

33 If the gross income of the taxpayer is attributable to activities
34 both within and without this state, the gross income attributable to
35 this state shall be determined in accordance with the methods of
36 apportionment required under RCW 82.04.460.

37 (11) Upon every person engaging within this state as an insurance
38 agent, insurance broker, or insurance solicitor licensed under chapter

1 48.17 RCW; as to such persons, the amount of the tax with respect to
2 such licensed activities shall be equal to the gross income of such
3 business multiplied by the rate of 0.484 percent.

4 (12) Upon every person engaging within this state in business as a
5 hospital, as defined in chapter 70.41 RCW, that is operated as a
6 nonprofit corporation or by the state or any of its political
7 subdivisions, as to such persons, the amount of tax with respect to
8 such activities shall be equal to the gross income of the business
9 multiplied by the rate of 0.75 percent through June 30, 1995, and 1.5
10 percent thereafter. The moneys collected under this subsection shall
11 be deposited in the (~~health services account created under RCW~~
12 ~~43.72.900~~) general fund.

13 (13)(a) Beginning October 1, 2005, upon every person engaging
14 within this state in the business of manufacturing commercial
15 airplanes, or components of such airplanes, as to such persons the
16 amount of tax with respect to such business shall, in the case of
17 manufacturers, be equal to the value of the product manufactured, or in
18 the case of processors for hire, be equal to the gross income of the
19 business, multiplied by the rate of:

20 (i) 0.4235 percent from October 1, 2005, through the later of June
21 30, 2007, or the day preceding the date final assembly of a
22 superefficient airplane begins in Washington state, as determined under
23 RCW 82.32.550; and

24 (ii) 0.2904 percent beginning on the later of July 1, 2007, or the
25 date final assembly of a superefficient airplane begins in Washington
26 state, as determined under RCW 82.32.550.

27 (b) Beginning October 1, 2005, upon every person engaging within
28 this state in the business of making sales, at retail or wholesale, of
29 commercial airplanes, or components of such airplanes, manufactured by
30 that person, as to such persons the amount of tax with respect to such
31 business shall be equal to the gross proceeds of sales of the airplanes
32 or components multiplied by the rate of:

33 (i) 0.4235 percent from October 1, 2005, through the later of June
34 30, 2007, or the day preceding the date final assembly of a
35 superefficient airplane begins in Washington state, as determined under
36 RCW 82.32.550; and

37 (ii) 0.2904 percent beginning on the later of July 1, 2007, or the

1 date final assembly of a superefficient airplane begins in Washington
2 state, as determined under RCW 82.32.550.

3 (c) For the purposes of this subsection (13), "commercial
4 airplane," "component," and "final assembly of a superefficient
5 airplane" have the meanings given in RCW 82.32.550.

6 (d) In addition to all other requirements under this title, a
7 person eligible for the tax rate under this subsection (13) must report
8 as required under RCW 82.32.545.

9 (e) This subsection (13) does not apply after the earlier of: July
10 1, 2024; or December 31, 2007, if assembly of a superefficient airplane
11 does not begin by December 31, 2007, as determined under RCW 82.32.550.

12 **Sec. 11.** RCW 82.08.150 and 2003 c 167 s 11 are each amended to
13 read as follows:

14 (1) There is levied and shall be collected a tax upon each retail
15 sale of spirits in the original package at the rate of fifteen percent
16 of the selling price. The tax imposed in this subsection shall apply
17 to all such sales including sales by the Washington state liquor stores
18 and agencies, but excluding sales to spirits, beer, and wine restaurant
19 licensees.

20 (2) There is levied and shall be collected a tax upon each sale of
21 spirits in the original package at the rate of ten percent of the
22 selling price on sales by Washington state liquor stores and agencies
23 to spirits, beer, and wine restaurant licensees.

24 (3) There is levied and shall be collected an additional tax upon
25 each retail sale of spirits in the original package at the rate of one
26 dollar and seventy-two cents per liter. The additional tax imposed in
27 this subsection shall apply to all such sales including sales by
28 Washington state liquor stores and agencies, and including sales to
29 spirits, beer, and wine restaurant licensees.

30 (4) An additional tax is imposed equal to fourteen percent
31 multiplied by the taxes payable under subsections (1), (2), and (3) of
32 this section.

33 (5) An additional tax is imposed upon each retail sale of spirits
34 in the original package at the rate of seven cents per liter. The
35 additional tax imposed in this subsection shall apply to all such sales
36 including sales by Washington state liquor stores and agencies, and
37 including sales to spirits, beer, and wine restaurant licensees. All

1 revenues collected during any month from this additional tax shall be
2 deposited in the violence reduction and drug enforcement account under
3 RCW 69.50.520 by the twenty-fifth day of the following month.

4 (6)(a) An additional tax is imposed upon retail sale of spirits in
5 the original package at the rate of one and seven-tenths percent of the
6 selling price through June 30, 1995, two and six-tenths percent of the
7 selling price for the period July 1, 1995, through June 30, 1997, and
8 three and four-tenths of the selling price thereafter. This additional
9 tax applies to all such sales including sales by Washington state
10 liquor stores and agencies, but excluding sales to spirits, beer, and
11 wine restaurant licensees.

12 (b) An additional tax is imposed upon retail sale of spirits in the
13 original package at the rate of one and one-tenth percent of the
14 selling price through June 30, 1995, one and seven-tenths percent of
15 the selling price for the period July 1, 1995, through June 30, 1997,
16 and two and three-tenths of the selling price thereafter. This
17 additional tax applies to all such sales to spirits, beer, and wine
18 restaurant licensees.

19 (c) An additional tax is imposed upon each retail sale of spirits
20 in the original package at the rate of twenty cents per liter through
21 June 30, 1995, thirty cents per liter for the period July 1, 1995,
22 through June 30, 1997, and forty-one cents per liter thereafter. This
23 additional tax applies to all such sales including sales by Washington
24 state liquor stores and agencies, and including sales to spirits, beer,
25 and wine restaurant licensees.

26 (d) All revenues collected during any month from additional taxes
27 under this subsection shall be deposited in the (~~health services~~
28 ~~account created under RCW 43.72.900~~) general fund by the twenty-fifth
29 day of the following month.

30 (7) The tax imposed in RCW 82.08.020 shall not apply to sales of
31 spirits in the original package.

32 (8) The taxes imposed in this section shall be paid by the buyer to
33 the seller, and each seller shall collect from the buyer the full
34 amount of the tax payable in respect to each taxable sale under this
35 section. The taxes required by this section to be collected by the
36 seller shall be stated separately from the selling price and for
37 purposes of determining the tax due from the buyer to the seller, it

1 shall be conclusively presumed that the selling price quoted in any
2 price list does not include the taxes imposed by this section.

3 (9) As used in this section, the terms, "spirits" and "package"
4 shall have the meaning ascribed to them in chapter 66.04 RCW.

5 **Sec. 12.** RCW 82.24.020 and 2003 c 114 s 1 are each amended to read
6 as follows:

7 (1) There is levied and there shall be collected as provided in
8 this chapter, a tax upon the sale, use, consumption, handling,
9 possession or distribution of all cigarettes, in an amount equal to the
10 rate of eleven and one-half mills per cigarette.

11 (2) An additional tax is imposed upon the sale, use, consumption,
12 handling, possession, or distribution of all cigarettes, in an amount
13 equal to the rate of five and one-fourth mills per cigarette. All
14 revenues collected during any month from this additional tax shall be
15 deposited in the violence reduction and drug enforcement account under
16 RCW 69.50.520 by the twenty-fifth day of the following month.

17 (3) An additional tax is imposed upon the sale, use, consumption,
18 handling, possession, or distribution of all cigarettes, in an amount
19 equal to the rate of ten mills per cigarette through June 30, 1994,
20 eleven and one-fourth mills per cigarette for the period July 1, 1994,
21 through June 30, 1995, twenty mills per cigarette for the period July
22 1, 1995, through June 30, 1996, and twenty and one-half mills per
23 cigarette thereafter. All revenues collected during any month from
24 this additional tax shall be deposited in the (~~health services account~~
25 ~~created under RCW 43.72.900~~) general fund by the twenty-fifth day of
26 the following month.

27 (4) Wholesalers subject to the payment of this tax may, if they
28 wish, absorb one-half mill per cigarette of the tax and not pass it on
29 to purchasers without being in violation of this section or any other
30 act relating to the sale or taxation of cigarettes.

31 (5) For purposes of this chapter, "possession" shall mean both (a)
32 physical possession by the purchaser and, (b) when cigarettes are being
33 transported to or held for the purchaser or his or her designee by a
34 person other than the purchaser, constructive possession by the
35 purchaser or his or her designee, which constructive possession shall
36 be deemed to occur at the location of the cigarettes being so
37 transported or held.

1 **Sec. 13.** RCW 82.24.028 and 2002 c 2 s 3 are each amended to read
2 as follows:

3 In addition to the tax imposed upon the sale, use, consumption,
4 handling, possession, or distribution of cigarettes set forth in RCW
5 82.24.020, there is imposed a tax in an amount equal to the rate of
6 thirty mills per cigarette effective January 1, 2002. All revenues
7 collected during any month from this additional tax shall be deposited
8 in the ((~~health services account created under RCW 43.72.900~~)) general
9 fund by the twenty-fifth day of the following month.

10 **Sec. 14.** RCW 82.26.020 and 2002 c 325 s 2 are each amended to read
11 as follows:

12 (1) There is levied and there shall be collected a tax upon the
13 sale, use, consumption, handling, or distribution of all tobacco
14 products in this state at the rate of forty-five percent of the
15 wholesale sales price of such tobacco products.

16 (2) Taxes under this section shall be imposed at the time the
17 distributor (a) brings, or causes to be brought, into this state from
18 without the state tobacco products for sale, (b) makes, manufactures,
19 or fabricates tobacco products in this state for sale in this state,
20 (c) ships or transports tobacco products to retailers in this state, to
21 be sold by those retailers, or (d) handles for sale any tobacco
22 products that are within this state but upon which tax has not been
23 imposed.

24 (3) An additional tax is imposed equal to seven percent multiplied
25 by the tax payable under subsection (1) of this section.

26 (4) An additional tax is imposed equal to ten percent of the
27 wholesale sales price of tobacco products. The moneys collected under
28 this subsection shall be deposited in the ((~~health services account~~
29 ~~created under RCW 43.72.900~~)) general fund.

30 **Sec. 15.** RCW 82.26.028 and 2002 c 2 s 4 are each amended to read
31 as follows:

32 In addition to the taxes imposed upon the wholesale sales price of
33 tobacco products set forth in RCW 82.26.020 and 82.26.025, a surtax is
34 imposed equal to ninety-three and three-quarters percent of taxes
35 levied under RCW 82.26.020, effective January 1, 2002. The surtax

1 payable under this subsection shall be deposited in the ((health
2 ~~services account created under RCW 43.72.900 for the purposes set forth~~
3 ~~in that section~~)) general fund.

4 NEW SECTION. Sec. 16. A new section is added to chapter 43.79 RCW
5 to read as follows:

6 (1) For the fiscal biennium beginning July 1, 2005, and for each
7 fiscal biennium thereafter, the treasurer shall transfer the following
8 amounts from revenues deposited in the general fund pursuant to RCW
9 82.24.028 and 82.26.028:

10 (a) To the violence reduction and drug enforcement account under
11 RCW 69.50.520, six million nine hundred thirty-two thousand dollars, as
12 required by RCW 82.24.020(2); and

13 (b) To the water quality account under RCW 70.146.030, seven
14 million eight hundred eighty-five thousand dollars, as required by RCW
15 82.24.027(2)(a).

16 (2) Ten percent of the amounts deposited into the general fund
17 under RCW 82.24.028 and 82.26.028 shall be transferred no less
18 frequently than annually by the treasurer to the tobacco prevention and
19 control account established by RCW 43.79.480. The amounts transferred
20 shall be used exclusively for implementation of the Washington state
21 tobacco prevention and control plan. For the fiscal year beginning on
22 July 1, 2005, and for each fiscal year thereafter, the legislature
23 shall appropriate no less than twenty-six million two hundred forty
24 thousand dollars from the tobacco prevention and control account for
25 implementation of the Washington state tobacco prevention and control
26 plan.

27 NEW SECTION. Sec. 17. RCW 43.72.900 (Health services account) and
28 2003 c 259 s 1, 2002 c 371 s 909, 2002 c 2 s 2, & 1993 c 492 s 469 are
29 each repealed.

30 NEW SECTION. Sec. 18. Except for section 4 of this act, this act
31 is necessary for the immediate preservation of the public peace,
32 health, or safety, or support of the state government and its existing
33 public institutions, and takes effect July 1, 2005.

1 NEW SECTION. **Sec. 19.** Section 4 of this act takes effect July 1,
2 2006.

3 NEW SECTION. **Sec. 20.** Section 3 of this act expires July 1, 2006.

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