

SHB 2331 - H AMD 961

By Representative Simpson

ADOPTED 01/28/2008

1 Beginning on page 3, after line 6, strike sections 4 and 5 and
2 insert the following:

3 "Sec. 4. RCW 43.84.092 and 2007 c 514 s 3 and 2007 c 356 s 9 are
4 each reenacted and amended to read as follows:

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

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

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

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

5 (a) The following accounts and funds shall receive their
6 proportionate share of earnings based upon each account's and fund's
7 average daily balance for the period: The capitol building
8 construction account, the Cedar River channel construction and
9 operation account, the Central Washington University capital projects
10 account, the charitable, educational, penal and reformatory
11 institutions account, the city planning and growth account, the
12 Columbia river basin water supply development account, the common
13 school construction fund, the county criminal justice assistance
14 account, the county sales and use tax equalization account, the data
15 processing building construction account, the deferred compensation
16 administrative account, the deferred compensation principal account,
17 the department of retirement systems expense account, the developmental
18 disabilities community trust account, the drinking water assistance
19 account, the drinking water assistance administrative account, the
20 drinking water assistance repayment account, the Eastern Washington
21 University capital projects account, the education construction fund,
22 the education legacy trust account, the election account, the emergency
23 reserve fund, the energy freedom account, The Evergreen State College
24 capital projects account, the federal forest revolving account, the
25 freight congestion relief account, the freight mobility investment
26 account, the freight mobility multimodal account, the health services
27 account, the public health services account, the health system capacity
28 account, the personal health services account, the state higher
29 education construction account, the higher education construction
30 account, the highway infrastructure account, the high-occupancy toll
31 lanes operations account, the industrial insurance premium refund
32 account, the judges' retirement account, the judicial retirement
33 administrative account, the judicial retirement principal account, the
34 local leasehold excise tax account, the local real estate excise tax
35 account, the local sales and use tax account, the medical aid account,
36 the mobile home park relocation fund, the multimodal transportation
37 account, the municipal criminal justice assistance account, the
38 municipal sales and use tax equalization account, the natural resources

1 deposit account, the oyster reserve land account, the pension funding
2 stabilization account, the perpetual surveillance and maintenance
3 account, the public employees' retirement system plan 1 account, the
4 public employees' retirement system combined plan 2 and plan 3 account,
5 the public facilities construction loan revolving account beginning
6 July 1, 2004, the public health supplemental account, the public works
7 assistance account, the Puyallup tribal settlement account, the real
8 estate appraiser commission account, the regional mobility grant
9 program account, the resource management cost account, the rural
10 Washington loan fund, the site closure account, the small city pavement
11 and sidewalk account, the special wildlife account, the state
12 employees' insurance account, the state employees' insurance reserve
13 account, the state investment board expense account, the state
14 investment board commingled trust fund accounts, the supplemental
15 pension account, the Tacoma Narrows toll bridge account, the teachers'
16 retirement system plan 1 account, the teachers' retirement system
17 combined plan 2 and plan 3 account, the tobacco prevention and control
18 account, the tobacco settlement account, the transportation
19 infrastructure account, the transportation partnership account, the
20 traumatic brain injury account, the tuition recovery trust fund, the
21 University of Washington bond retirement fund, the University of
22 Washington building account, the volunteer firefighters' and reserve
23 officers' relief and pension principal fund, the volunteer
24 firefighters' and reserve officers' administrative fund, the Washington
25 fruit express account, the Washington judicial retirement system
26 account, the Washington law enforcement officers' and firefighters'
27 system plan 1 retirement account, the Washington law enforcement
28 officers' and firefighters' system plan 2 retirement account, the
29 Washington public safety employees' plan 2 retirement account, the
30 Washington school employees' retirement system combined plan 2 and 3
31 account, the Washington state health insurance pool account, the
32 Washington state patrol retirement account, the Washington State
33 University building account, the Washington State University bond
34 retirement fund, the water pollution control revolving fund, and the
35 Western Washington University capital projects account. Earnings
36 derived from investing balances of the agricultural permanent fund, the
37 normal school permanent fund, the permanent common school fund, the
38 scientific permanent fund, and the state university permanent fund

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

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

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

26 **Sec. 5.** RCW 43.84.092 and 2007 c 514 s 3, 2007 c 484 s 4, and 2007
27 c 356 s 9 are each reenacted and amended to read as follows:

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

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

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

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

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

21 (a) The following accounts and funds shall receive their
22 proportionate share of earnings based upon each account's and fund's
23 average daily balance for the period: The budget stabilization
24 account, the capitol building construction account, the Cedar River
25 channel construction and operation account, the Central Washington
26 University capital projects account, the charitable, educational, penal
27 and reformatory institutions account, the city planning and growth
28 account, the Columbia river basin water supply development account, the
29 common school construction fund, the county criminal justice assistance
30 account, the county sales and use tax equalization account, the data
31 processing building construction account, the deferred compensation
32 administrative account, the deferred compensation principal account,
33 the department of retirement systems expense account, the developmental
34 disabilities community trust account, the drinking water assistance
35 account, the drinking water assistance administrative account, the
36 drinking water assistance repayment account, the Eastern Washington
37 University capital projects account, the education construction fund,
38 the education legacy trust account, the election account, the energy

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

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

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

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

4 **Sec. 6.** RCW 43.84.092 and 2007 c 514 s 3, 2007 c 513 s 1, 2007 c
5 484 s 4, and 2007 c 356 s 9 are each reenacted and amended to read as
6 follows:

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

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

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

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

1 The following accounts and funds shall receive their proportionate
2 share of earnings based upon each account's and fund's average daily
3 balance for the period: The aeronautics account, the aircraft search
4 and rescue account, the budget stabilization account, the capitol
5 building construction account, the Cedar River channel construction and
6 operation account, the Central Washington University capital projects
7 account, the charitable, educational, penal and reformatory
8 institutions account, the city planning and growth account, the
9 Columbia river basin water supply development account, the common
10 school construction fund, the county arterial preservation account, the
11 county criminal justice assistance account, the county sales and use
12 tax equalization account, the data processing building construction
13 account, the deferred compensation administrative account, the deferred
14 compensation principal account, the department of licensing services
15 account, the department of retirement systems expense account, the
16 developmental disabilities community trust account, the drinking water
17 assistance account, the drinking water assistance administrative
18 account, the drinking water assistance repayment account, the Eastern
19 Washington University capital projects account, the education
20 construction fund, the education legacy trust account, the election
21 account, the energy freedom account, the essential rail assistance
22 account, The Evergreen State College capital projects account, the
23 federal forest revolving account, the ferry bond retirement fund, the
24 freight congestion relief account, the freight mobility investment
25 account, the freight mobility multimodal account, the grade crossing
26 protective fund, the health services account, the public health
27 services account, the health system capacity account, the personal
28 health services account, the high capacity transportation account, the
29 state higher education construction account, the higher education
30 construction account, the highway bond retirement fund, the highway
31 infrastructure account, the highway safety account, the high-occupancy
32 toll lanes operations account, the industrial insurance premium refund
33 account, the judges' retirement account, the judicial retirement
34 administrative account, the judicial retirement principal account, the
35 local leasehold excise tax account, the local real estate excise tax
36 account, the local sales and use tax account, the medical aid account,
37 the mobile home park relocation fund, the motor vehicle fund, the
38 motorcycle safety education account, the multimodal transportation

1 account, the municipal criminal justice assistance account, the
2 municipal sales and use tax equalization account, the natural resources
3 deposit account, the oyster reserve land account, the pension funding
4 stabilization account, the perpetual surveillance and maintenance
5 account, the pilotage account, the public employees' retirement system
6 plan 1 account, the public employees' retirement system combined plan
7 2 and plan 3 account, the public facilities construction loan revolving
8 account beginning July 1, 2004, the public health supplemental account,
9 the public transportation systems account, the public works assistance
10 account, the Puget Sound capital construction account, the Puget Sound
11 ferry operations account, the Puyallup tribal settlement account, the
12 real estate appraiser commission account, the recreational vehicle
13 account, the regional mobility grant program account, the resource
14 management cost account, the rural arterial trust account, the rural
15 Washington loan fund, the safety and education account, the site
16 closure account, the small city pavement and sidewalk account, the
17 special category C account, the special wildlife account, the state
18 employees' insurance account, the state employees' insurance reserve
19 account, the state investment board expense account, the state
20 investment board commingled trust fund accounts, the state patrol
21 highway account, the supplemental pension account, the Tacoma Narrows
22 toll bridge account, the teachers' retirement system plan 1 account,
23 the teachers' retirement system combined plan 2 and plan 3 account, the
24 tobacco prevention and control account, the tobacco settlement account,
25 the transportation 2003 account (nickel account), the transportation
26 equipment fund, the transportation fund, the transportation improvement
27 account, the transportation improvement board bond retirement account,
28 the transportation infrastructure account, the transportation
29 partnership account, the traumatic brain injury account, the tuition
30 recovery trust fund, the University of Washington bond retirement fund,
31 the University of Washington building account, the urban arterial trust
32 account, the volunteer firefighters' and reserve officers' relief and
33 pension principal fund, the volunteer firefighters' and reserve
34 officers' administrative fund, the Washington fruit express account,
35 the Washington judicial retirement system account, the Washington law
36 enforcement officers' and firefighters' system plan 1 retirement
37 account, the Washington law enforcement officers' and firefighters'
38 system plan 2 retirement account, the Washington public safety

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

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

17 NEW SECTION. **Sec. 7.** (1) Section 5 of this act takes effect July
18 1, 2008.

19 (2) Section 6 of this act takes effect July 1, 2009.

20 NEW SECTION. **Sec. 8.** (1) Section 4 of this act expires July 1,
21 2008.

22 (2) Section 5 of this act expires July 1, 2009."

23 Correct the title.

EFFECT: Removes the emergency clause and updates RCW 43.84.092 to
reflect changes from the approval of the proposed amendment to Article
VII of the Constitution at the November 2007 general election.

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