
HOUSE BILL 1160

State of Washington 61st Legislature 2009 Regular Session

By Representatives Condotta, Chandler, and Crouse

Read first time 01/14/09. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to eliminating the family leave insurance program;
2 amending RCW 51.44.033; reenacting and amending RCW 43.79A.040 and
3 43.79A.040; repealing RCW 49.86.005, 49.86.010, 49.86.020, 49.86.030,
4 49.86.040, 49.86.050, 49.86.060, 49.86.070, 49.86.080, 49.86.090,
5 49.86.100, 49.86.110, 49.86.120, 49.86.130, 49.86.140, 49.86.150,
6 49.86.160, 49.86.170, 49.86.180, 49.86.190, 49.86.200, 49.86.210,
7 49.86.900, 49.86.901, and 49.86.902; providing an effective date; and
8 providing an expiration date.

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

10 NEW SECTION. **Sec. 1.** The following acts or parts of acts are each
11 repealed:

- 12 (1) RCW 49.86.005 (Findings) and 2007 c 357 s 1;
- 13 (2) RCW 49.86.010 (Definitions) and 2007 c 357 s 3;
- 14 (3) RCW 49.86.020 (Family leave insurance program) and 2007 c 357
15 s 4;
- 16 (4) RCW 49.86.030 (Eligibility for benefits) and 2007 c 357 s 5;
- 17 (5) RCW 49.86.040 (Disqualification from benefits) and 2007 c 357
18 s 6;

1 (6) RCW 49.86.050 (Duration of benefits--Payment of benefits) and
2 2007 c 357 s 7;
3 (7) RCW 49.86.060 (Amount of benefits) and 2007 c 357 s 8;
4 (8) RCW 49.86.070 (Federal income tax) and 2007 c 357 s 9;
5 (9) RCW 49.86.080 (Erroneous payments--Payments induced by willful
6 misrepresentation--Claim rejected after payments) and 2007 c 357 s 10;
7 (10) RCW 49.86.090 (Leave and employment protection) and 2007 c 357
8 s 11;
9 (11) RCW 49.86.100 (Employment by same employer) and 2007 c 357 s
10 12;
11 (12) RCW 49.86.110 (Elective coverage) and 2007 c 357 s 13;
12 (13) RCW 49.86.120 (Appeals) and 2007 c 357 s 14;
13 (14) RCW 49.86.130 (Prohibited acts--Discrimination--Enforcement)
14 and 2007 c 357 s 15;
15 (15) RCW 49.86.140 (Coordination of leave) and 2007 c 357 s 16;
16 (16) RCW 49.86.150 (Continuing entitlement or contractual rights--
17 Not created) and 2007 c 357 s 17;
18 (17) RCW 49.86.160 (Rules) and 2007 c 357 s 18;
19 (18) RCW 49.86.170 (Family leave insurance account) and 2007 c 357
20 s 19;
21 (19) RCW 49.86.180 (Family leave insurance account funds--
22 Investment) and 2007 c 357 s 20;
23 (20) RCW 49.86.190 (Initial program administration--Loans) and 2007
24 c 357 s 22;
25 (21) RCW 49.86.200 (Authority to contract) and 2007 c 357 s 24;
26 (22) RCW 49.86.210 (Reports) and 2007 c 357 s 26;
27 (23) RCW 49.86.900 (Severability--2007 c 357) and 2007 c 357 s 27;
28 (24) RCW 49.86.901 (Captions not law--2007 c 357) and 2007 c 357 s
29 28; and
30 (25) RCW 49.86.902 (Effective dates--2007 c 357) and 2007 c 357 s
31 30.

32 **Sec. 2.** RCW 51.44.033 and 2007 c 357 s 23 are each amended to read
33 as follows:

34 There shall be, in the office of the state treasurer, a fund to be
35 known and designated as the "supplemental pension fund". The director
36 shall be the administrator thereof. The fund shall be used for the

1 sole purposes of making the additional payments therefrom prescribed in
2 this title (~~(and the loans therefrom authorized in RCW 49.86.190)~~).

3 **Sec. 3.** RCW 43.79A.040 and 2008 c 208 s 9, 2008 c 128 s 20, and
4 2008 c 122 s 24 are each reenacted and amended to read as follows:

5 (1) Money in the treasurer's trust fund may be deposited, invested,
6 and reinvested by the state treasurer in accordance with RCW 43.84.080
7 in the same manner and to the same extent as if the money were in the
8 state treasury.

9 (2) All income received from investment of the treasurer's trust
10 fund shall be set aside in an account in the treasury trust fund to be
11 known as the investment income account.

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

20 (4)(a) Monthly, the state treasurer shall distribute the earnings
21 credited to the investment income account to the state general fund
22 except under (b) and (c) of this subsection.

23 (b) The following accounts and funds shall receive their
24 proportionate share of earnings based upon each account's or fund's
25 average daily balance for the period: The Washington promise
26 scholarship account, the college savings program account, the
27 Washington advanced college tuition payment program account, the
28 agricultural local fund, the American Indian scholarship endowment
29 fund, the foster care scholarship endowment fund, the foster care
30 endowed scholarship trust fund, the students with dependents grant
31 account, the basic health plan self-insurance reserve account, the
32 contract harvesting revolving account, the Washington state combined
33 fund drive account, the commemorative works account, the Washington
34 international exchange scholarship endowment fund, the toll collection
35 account, the developmental disabilities endowment trust fund, the
36 energy account, the fair fund, (~~(the family leave insurance account,)~~)
37 the food animal veterinarian conditional scholarship account, the fruit

1 and vegetable inspection account, the future teachers conditional
2 scholarship account, the game farm alternative account, the GET ready
3 for math and science scholarship account, the grain inspection
4 revolving fund, the juvenile accountability incentive account, the law
5 enforcement officers' and firefighters' plan 2 expense fund, the local
6 tourism promotion account, the pilotage account, the produce railcar
7 pool account, the regional transportation investment district account,
8 the rural rehabilitation account, the stadium and exhibition center
9 account, the youth athletic facility account, the self-insurance
10 revolving fund, the sulfur dioxide abatement account, the children's
11 trust fund, the Washington horse racing commission Washington bred
12 owners' bonus fund account, the Washington horse racing commission
13 class C purse fund account, the individual development account program
14 account, the Washington horse racing commission operating account
15 (earnings from the Washington horse racing commission operating account
16 must be credited to the Washington horse racing commission class C
17 purse fund account), the life sciences discovery fund, the Washington
18 state heritage center account, and the reading achievement account.
19 However, the earnings to be distributed shall first be reduced by the
20 allocation to the state treasurer's service fund pursuant to RCW
21 43.08.190.

22 (c) The following accounts and funds shall receive eighty percent
23 of their proportionate share of earnings based upon each account's or
24 fund's average daily balance for the period: The advanced right-of-way
25 revolving fund, the advanced environmental mitigation revolving
26 account, the city and county advance right-of-way revolving fund, the
27 federal narcotics asset forfeitures account, the high occupancy vehicle
28 account, the local rail service assistance account, and the
29 miscellaneous transportation programs account.

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

33 **Sec. 4.** RCW 43.79A.040 and 2008 c 239 s 9, 2008 c 208 s 9, 2008 c
34 128 s 20, and 2008 c 122 s 24 are each reenacted and amended to read as
35 follows:

36 (1) Money in the treasurer's trust fund may be deposited, invested,

1 and reinvested by the state treasurer in accordance with RCW 43.84.080
2 in the same manner and to the same extent as if the money were in the
3 state treasury.

4 (2) All income received from investment of the treasurer's trust
5 fund shall be set aside in an account in the treasury trust fund to be
6 known as the investment income account.

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

15 (4)(a) Monthly, the state treasurer shall distribute the earnings
16 credited to the investment income account to the state general fund
17 except under (b) and (c) of this subsection.

18 (b) The following accounts and funds shall receive their
19 proportionate share of earnings based upon each account's or fund's
20 average daily balance for the period: The Washington promise
21 scholarship account, the college savings program account, the
22 Washington advanced college tuition payment program account, the
23 agricultural local fund, the American Indian scholarship endowment
24 fund, the foster care scholarship endowment fund, the foster care
25 endowed scholarship trust fund, the students with dependents grant
26 account, the basic health plan self-insurance reserve account, the
27 contract harvesting revolving account, the Washington state combined
28 fund drive account, the commemorative works account, the Washington
29 international exchange scholarship endowment fund, the toll collection
30 account, the developmental disabilities endowment trust fund, the
31 energy account, the fair fund, (~~the family leave insurance account,~~)
32 the food animal veterinarian conditional scholarship account, the fruit
33 and vegetable inspection account, the future teachers conditional
34 scholarship account, the game farm alternative account, the GET ready
35 for math and science scholarship account, the grain inspection
36 revolving fund, the juvenile accountability incentive account, the law
37 enforcement officers' and firefighters' plan 2 expense fund, the local
38 tourism promotion account, the pilotage account, the produce railcar

1 pool account, the regional transportation investment district account,
2 the rural rehabilitation account, the stadium and exhibition center
3 account, the youth athletic facility account, the self-insurance
4 revolving fund, the sulfur dioxide abatement account, the children's
5 trust fund, the Washington horse racing commission Washington bred
6 owners' bonus fund account, the Washington horse racing commission
7 class C purse fund account, the individual development account program
8 account, the Washington horse racing commission operating account
9 (earnings from the Washington horse racing commission operating account
10 must be credited to the Washington horse racing commission class C
11 purse fund account), the life sciences discovery fund, the Washington
12 state heritage center account, the reduced cigarette ignition
13 propensity account, and the reading achievement account. However, the
14 earnings to be distributed shall first be reduced by the allocation to
15 the state treasurer's service fund pursuant to RCW 43.08.190.

16 (c) 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 advanced right-of-way
19 revolving fund, the advanced environmental mitigation revolving
20 account, the city and county advance right-of-way revolving fund, the
21 federal narcotics asset forfeitures account, the high occupancy vehicle
22 account, the local rail service assistance account, and the
23 miscellaneous transportation programs account.

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

27 NEW SECTION. **Sec. 5.** Section 3 of this act expires August 1,
28 2009.

29 NEW SECTION. **Sec. 6.** Section 4 of this act takes effect August 1,
30 2009.

--- END ---