
SENATE BILL 5558

State of Washington 61st Legislature 2009 Regular Session

By Senators Holmquist, Hewitt, Pflug, Carrell, King, Schoesler, and Swecker

Read first time 01/26/09. Referred to Committee on Labor, Commerce & Consumer Protection.

1 AN ACT Relating to repealing the 2007 family and medical leave
2 insurance act; amending RCW 51.44.033; reenacting and amending RCW
3 43.79A.040; creating a new section; repealing RCW 49.86.005, 49.86.010,
4 49.86.020, 49.86.030, 49.86.040, 49.86.050, 49.86.060, 49.86.070,
5 49.86.080, 49.86.090, 49.86.100, 49.86.110, 49.86.120, 49.86.130,
6 49.86.140, 49.86.150, 49.86.160, 49.86.170, 49.86.180, 49.86.190,
7 49.86.200, 49.86.210, 49.86.900, 49.86.901, and 49.86.902; and
8 providing an effective date.

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

10 **Sec. 1.** RCW 43.79A.040 and 2008 c 239 s 9, 2008 c 208 s 9, 2008 c
11 128 s 20, and 2008 c 122 s 24 are each reenacted and amended to read as
12 follows:

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

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

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

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

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

1 class C purse fund account, the individual development account program
2 account, the Washington horse racing commission operating account
3 (earnings from the Washington horse racing commission operating account
4 must be credited to the Washington horse racing commission class C
5 purse fund account), the life sciences discovery fund, the Washington
6 state heritage center account, the reduced cigarette ignition
7 propensity account, and the reading achievement account. However, the
8 earnings to be distributed shall first be reduced by the allocation to
9 the state treasurer's service fund pursuant to RCW 43.08.190.

10 (c) The following accounts and funds shall receive eighty percent
11 of their proportionate share of earnings based upon each account's or
12 fund's average daily balance for the period: The advanced right-of-way
13 revolving fund, the advanced environmental mitigation revolving
14 account, the city and county advance right-of-way revolving fund, the
15 federal narcotics asset forfeitures account, the high occupancy vehicle
16 account, the local rail service assistance account, and the
17 miscellaneous transportation programs account.

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

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

23 There shall be, in the office of the state treasurer, a fund to be
24 known and designated as the "supplemental pension fund". The director
25 shall be the administrator thereof. The fund shall be used for the
26 sole purposes of making the additional payments therefrom prescribed in
27 this title (~~(and the loans therefrom authorized in RCW 49.86.190)~~).

28 NEW SECTION. **Sec. 3.** The following acts or parts of acts are each
29 repealed:

- 30 (1) RCW 49.86.005 (Findings) and 2007 c 357 s 1;
31 (2) RCW 49.86.010 (Definitions) and 2007 c 357 s 3;
32 (3) RCW 49.86.020 (Family leave insurance program) and 2007 c 357
33 s 4;
34 (4) RCW 49.86.030 (Eligibility for benefits) and 2007 c 357 s 5;
35 (5) RCW 49.86.040 (Disqualification from benefits) and 2007 c 357
36 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 NEW SECTION. **Sec. 4.** The code reviser shall alphabetize the
33 accounts and funds in RCW 43.79A.040(4)(b).

34 NEW SECTION. **Sec. 5.** This act takes effect August 1, 2009.

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