
SENATE BILL 5276

State of Washington

62nd Legislature

2011 Regular Session

By Senators Holmquist Newbry, King, Schoesler, Honeyford, and Hewitt

Read first time 01/19/11. Referred to Committee on Labor, Commerce & Consumer Protection.

1 AN ACT Relating to repealing the family and medical leave insurance
2 act; amending RCW 51.44.033; reenacting and amending RCW 43.79A.040;
3 repealing RCW 49.86.005, 49.86.010, 49.86.020, 49.86.030, 49.86.040,
4 49.86.050, 49.86.060, 49.86.070, 49.86.080, 49.86.090, 49.86.100,
5 49.86.110, 49.86.120, 49.86.130, 49.86.140, 49.86.150, 49.86.160,
6 49.86.170, 49.86.180, 49.86.190, 49.86.200, 49.86.210, 49.86.900,
7 49.86.901, 49.86.902, and 49.86.903; and providing an effective date.

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

9 **Sec. 1.** RCW 43.79A.040 and 2010 1st sp.s. c 19 s 22, 2010 1st
10 sp.s. c 13 s 4, 2010 1st sp.s. c 9 s 6, 2010 c 222 s 4, and 2010 c 215
11 s 7 are each reenacted and amended to read as follows:

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

17 (2) All income received from investment of the treasurer's trust
18 fund must 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 must occur prior to distribution of
8 earnings set forth in subsection (4) of this section.

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

12 (b) The following accounts and funds must 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 accessible communities account, the agricultural local fund, the
18 American Indian scholarship endowment fund, the foster care scholarship
19 endowment fund, the foster care endowed scholarship trust fund, the
20 students with dependents grant account, the basic health plan self-
21 insurance reserve account, the contract harvesting revolving account,
22 the Washington state combined fund drive account, the commemorative
23 works account, the county enhanced 911 excise tax account, the
24 Washington international exchange scholarship endowment fund, the toll
25 collection account, the developmental disabilities endowment trust
26 fund, the energy account, the fair fund, (~~the family leave insurance~~
27 ~~account,~~) the food animal veterinarian conditional scholarship
28 account, the fruit and vegetable inspection account, the future
29 teachers conditional scholarship account, the game farm alternative
30 account, the GET ready for math and science scholarship account, the
31 Washington global health technologies and product development account,
32 the grain inspection revolving fund, the juvenile accountability
33 incentive account, the law enforcement officers' and firefighters' plan
34 2 expense fund, the local tourism promotion account, the pilotage
35 account, the produce railcar pool account, the regional transportation
36 investment district account, the rural rehabilitation account, the
37 stadium and exhibition center account, the youth athletic facility
38 account, the self-insurance revolving fund, the sulfur dioxide

1 abatement account, the children's trust fund, the Washington horse
2 racing commission Washington bred owners' bonus fund and breeder awards
3 account, the Washington horse racing commission class C purse fund
4 account, the individual development account program account, the
5 Washington horse racing commission operating account (earnings from the
6 Washington horse racing commission operating account must be credited
7 to the Washington horse racing commission class C purse fund account),
8 the life sciences discovery fund, the Washington state heritage center
9 account, the reduced cigarette ignition propensity account, and the
10 reading achievement account.

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

18 (d) Any state agency that has independent authority over accounts
19 or funds not statutorily required to be held in the custody of the
20 state treasurer that deposits funds into a fund or account in the
21 custody of the state treasurer pursuant to an agreement with the office
22 of the state treasurer shall receive its proportionate share of
23 earnings based upon each account's or fund's average daily balance for
24 the period.

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

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

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

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

1 (1) RCW 49.86.005 (Findings) and 2007 c 357 s 1;
2 (2) RCW 49.86.010 (Definitions) and 2007 c 357 s 3;
3 (3) RCW 49.86.020 (Family leave insurance program) and 2007 c 357
4 s 4;
5 (4) RCW 49.86.030 (Eligibility for benefits) and 2009 c 544 s 1 &
6 2007 c 357 s 5;
7 (5) RCW 49.86.040 (Disqualification from benefits) and 2007 c 357
8 s 6;
9 (6) RCW 49.86.050 (Duration of benefits--Payment of benefits) and
10 2007 c 357 s 7;
11 (7) RCW 49.86.060 (Amount of benefits) and 2007 c 357 s 8;
12 (8) RCW 49.86.070 (Federal income tax) and 2007 c 357 s 9;
13 (9) RCW 49.86.080 (Erroneous payments--Payments induced by willful
14 misrepresentation--Claim rejected after payments) and 2007 c 357 s 10;
15 (10) RCW 49.86.090 (Leave and employment protection) and 2007 c 357
16 s 11;
17 (11) RCW 49.86.100 (Employment by same employer) and 2007 c 357 s
18 12;
19 (12) RCW 49.86.110 (Elective coverage) and 2007 c 357 s 13;
20 (13) RCW 49.86.120 (Appeals) and 2007 c 357 s 14;
21 (14) RCW 49.86.130 (Prohibited acts--Discrimination--Enforcement)
22 and 2007 c 357 s 15;
23 (15) RCW 49.86.140 (Coordination of leave) and 2007 c 357 s 16;
24 (16) RCW 49.86.150 (Continuing entitlement or contractual rights--
25 Not created) and 2007 c 357 s 17;
26 (17) RCW 49.86.160 (Rules) and 2007 c 357 s 18;
27 (18) RCW 49.86.170 (Family leave insurance account) and 2009 c 4 s
28 905 & 2007 c 357 s 19;
29 (19) RCW 49.86.180 (Family leave insurance account funds--
30 Investment) and 2007 c 357 s 20;
31 (20) RCW 49.86.190 (Initial program administration--Loans) and 2007
32 c 357 s 22;
33 (21) RCW 49.86.200 (Authority to contract) and 2007 c 357 s 24;
34 (22) RCW 49.86.210 (Reports) and 2009 c 544 s 2 & 2007 c 357 s 26;
35 (23) RCW 49.86.900 (Severability--2007 c 357) and 2007 c 357 s 27;
36 (24) RCW 49.86.901 (Captions not law--2007 c 357) and 2007 c 357 s
37 28;

1 (25) RCW 49.86.902 (Effective dates--2007 c 357) and 2007 c 357 s
2 30; and

3 (26) RCW 49.86.903 (Construction--Chapter applicable to state
4 registered domestic partnerships--2009 c 521) and 2009 c 521 s 136.

5 NEW SECTION. **Sec. 4.** This act takes effect August 1, 2011.

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