

---

SENATE BILL 5159

---

State of Washington

63rd Legislature

2013 Regular Session

By Senators Braun, Holmquist Newbry, Becker, Bailey, Carrell, Padden, Tom, Sheldon, Schoesler, Honeyford, and Parlette

Read first time 01/21/13. Referred to Committee on Commerce & Labor.

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, 49.86.210, 49.86.900, 49.86.901, 49.86.902, and  
7 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 2012 c 198 s 8, 2012 c 196 s 6, 2012 c  
10 187 s 13, and 2012 c 114 s 3 are each reenacted and amended to read as  
11 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 Washington advanced college tuition payment  
16 program account, the accessible communities account, the community and  
17 technical college innovation 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 basic health plan self-insurance reserve account, the contract  
21 harvesting revolving account, the Washington state combined fund drive  
22 account, the commemorative works account, the county enhanced 911  
23 excise tax account, the toll collection account, the developmental  
24 disabilities endowment trust fund, the energy account, the fair fund,  
25 (~~the family leave insurance account,~~) the food animal veterinarian  
26 conditional scholarship account, the fruit and vegetable inspection  
27 account, the future teachers conditional scholarship account, the game  
28 farm alternative account, the GET ready for math and science  
29 scholarship account, the Washington global health technologies and  
30 product development account, the grain inspection revolving fund, the  
31 industrial insurance rainy day fund, the juvenile accountability  
32 incentive account, the law enforcement officers' and firefighters' plan  
33 2 expense fund, the local tourism promotion account, the multiagency  
34 permitting team account, the pilotage account, the produce railcar pool  
35 account, the regional transportation investment district account, the  
36 rural rehabilitation account, the stadium and exhibition center  
37 account, the youth athletic facility account, the self-insurance  
38 revolving fund, the children's trust fund, the Washington horse racing

1 commission Washington bred owners' bonus fund and breeder awards  
2 account, the Washington horse racing commission class C purse fund  
3 account, the individual development account program account, the  
4 Washington horse racing commission operating account (earnings from the  
5 Washington horse racing commission operating account must be credited  
6 to the Washington horse racing commission class C purse fund account),  
7 the life sciences discovery fund, the Washington state heritage center  
8 account, (~~and~~) the reduced cigarette ignition propensity account, the  
9 center for childhood deafness and hearing loss account, (~~and~~) the  
10 school for the blind account, the Millersylvania park trust fund, the  
11 public employees' and retirees' insurance reserve fund, and the  
12 radiation perpetual maintenance fund.

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

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

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

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

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

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

3        (1) RCW 49.86.005 (Findings) and 2007 c 357 s 1;

4        (2) RCW 49.86.010 (Definitions) and 2007 c 357 s 3;

5        (3) RCW 49.86.020 (Family leave insurance program) and 2007 c 357  
6 s 4;

7        (4) RCW 49.86.030 (Eligibility for benefits) and 2011 1st sp.s. c  
8 25 s 1, 2009 c 544 s 1, & 2007 c 357 s 5;

9        (5) RCW 49.86.040 (Disqualification from benefits) and 2007 c 357  
10 s 6;

11       (6) RCW 49.86.050 (Duration of benefits--Payment of benefits) and  
12 2007 c 357 s 7;

13       (7) RCW 49.86.060 (Amount of benefits) and 2007 c 357 s 8;

14       (8) RCW 49.86.070 (Federal income tax) and 2007 c 357 s 9;

15       (9) RCW 49.86.080 (Erroneous payments--Payments induced by willful  
16 misrepresentation--Claim rejected after payments) and 2007 c 357 s 10;

17       (10) RCW 49.86.090 (Leave and employment protection) and 2007 c 357  
18 s 11;

19       (11) RCW 49.86.100 (Employment by same employer) and 2007 c 357 s  
20 12;

21       (12) RCW 49.86.110 (Elective coverage) and 2007 c 357 s 13;

22       (13) RCW 49.86.120 (Appeals) and 2007 c 357 s 14;

23       (14) RCW 49.86.130 (Prohibited acts--Discrimination--Enforcement)  
24 and 2007 c 357 s 15;

25       (15) RCW 49.86.140 (Coordination of leave) and 2007 c 357 s 16;

26       (16) RCW 49.86.150 (Continuing entitlement or contractual rights--  
27 Not created) and 2007 c 357 s 17;

28       (17) RCW 49.86.160 (Rules) and 2007 c 357 s 18;

29       (18) RCW 49.86.170 (Family leave insurance account) and 2009 c 4 s  
30 905 & 2007 c 357 s 19;

31       (19) RCW 49.86.180 (Family leave insurance account funds--  
32 Investment) and 2007 c 357 s 20;

33       (20) RCW 49.86.210 (Reports) and 2011 1st sp.s. c 25 s 2, 2009 c  
34 544 s 2, & 2007 c 357 s 26;

35       (21) RCW 49.86.900 (Severability--2007 c 357) and 2007 c 357 s 27;

36       (22) RCW 49.86.901 (Captions not law--2007 c 357) and 2007 c 357 s  
37 28;

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

3 (24) 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, 2013.

--- END ---