

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE HOUSE BILL 2126

65th Legislature
2017 Regular Session

Passed by the House April 17, 2017
Yeas 97 Nays 0

Speaker of the House of Representatives

Passed by the Senate April 12, 2017
Yeas 49 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 2126** as passed by House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE HOUSE BILL 2126

AS AMENDED BY THE SENATE

Passed Legislature - 2017 Regular Session

State of Washington **65th Legislature** **2017 Regular Session**

By House Appropriations (originally sponsored by Representatives
Blake and Wilcox)

READ FIRST TIME 02/24/17.

1 AN ACT Relating to creating a community-based approach to provide
2 assistance with nonlethal management methods to reduce livestock
3 depredations by wolves; reenacting and amending RCW 43.79A.040; and
4 adding a new chapter to Title 16 RCW.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that there is a need
7 to provide resources to help livestock producers adapt their
8 operations in light of the recovery of wolves on the landscape and a
9 desire by many to increase use of nonlethal deterrence measures to
10 reduce the probability of livestock depredations by wolves. The
11 application of resources in support of these goals must respect
12 livestock producers' values of independence, privacy, and local
13 decision making. The legislature further recognizes that the recent
14 recolonization of wolves places a relatively large time and monetary
15 burden on livestock producers, and that livestock producers have
16 unique and valuable knowledge, occupy an important place in their
17 local communities and the state's social fabric, and are critical
18 partners in creating sound natural resource policies.

1 NEW SECTION. **Sec. 2.** The definitions in this section apply
2 throughout this chapter unless the context clearly requires
3 otherwise.

4 (1) "Department" means the department of agriculture.

5 (2) "Director" means the director of the department of
6 agriculture.

7 (3) "Northeast Washington" means Okanogan, Ferry, Stevens, and
8 Pend Oreille counties.

9 NEW SECTION. **Sec. 3.** (1) The northeast Washington wolf-
10 livestock management grant is created within the department. Funds
11 from the grant program must be used only for the deployment of
12 nonlethal deterrence resources in any Washington county east of the
13 crest of the Cascade mountain range that shares a border with Canada,
14 including human presence, and locally owned and deliberately located
15 equipment and tools.

16 (2)(a) A four-member advisory board is established to advise the
17 department on the expenditure of the northeast Washington wolf-
18 livestock management grant funds. Advisory board members must be
19 knowledgeable about wolf depredation issues, and have a special
20 interest in the use of nonlethal wolf management techniques. Board
21 members are unpaid, are not state employees, and are not eligible for
22 reimbursement for subsistence, lodging, or travel expenses incurred
23 in the performance of their duties as board members. The director
24 must appoint each member to the board for a term of two years. Board
25 members may be reappointed for subsequent two-year terms. The
26 following board members must be appointed by the director in
27 consultation with each applicable conservation district and the
28 legislators in the legislative district encompassing each county:

29 (i) One Ferry county conservation district board member;

30 (ii) One Stevens county conservation district board member;

31 (iii) One Pend Oreille conservation district board member; and

32 (iv) One Okanogan conservation district board member.

33 (b) If no board member qualifies under this section, the director
34 must appoint a resident of the applicable county to serve on the
35 board.

36 (c) Board members may not:

37 (i) Directly benefit, in whole or in part, from any contract
38 entered into or grant awarded under this section; or

1 (ii) Directly accept any compensation, gratuity, or reward in
2 connection with such a contract from any other person with a
3 beneficial interest in the contract.

4 (3) The board must help direct funding for the deployment of
5 nonlethal deterrence resources, including human presence, and locally
6 owned and deliberately located equipment and tools. Funds may only be
7 distributed to nonprofit community-based collaborative organizations
8 that have advisory boards that include personnel from relevant
9 agencies including, but not limited to, the United States forest
10 service and the Washington department of fish and wildlife, or to
11 individuals that are willing to receive technical assistance from the
12 same agencies.

13 NEW SECTION. **Sec. 4.** (1) The northeast Washington wolf-
14 livestock management account is created as a nonappropriated account
15 in the custody of the state treasurer. All receipts, any legislative
16 appropriations, private donations, or any other private or public
17 source directed to the northeast Washington wolf-livestock management
18 grant must be deposited into the account. Expenditures from the
19 account may be used only for the deployment of nonlethal wolf
20 deterrence resources as described in section 3 of this act. Only the
21 director may authorize expenditures from the account in consultation
22 with the advisory board created in section 3 of this act. The account
23 is subject to allotment procedures under chapter 43.88 RCW, but an
24 appropriation is not required for expenditures. Interest earned by
25 deposits in the account must be retained in the account.

26 (2) The advisory board created in section 3 of this act may
27 solicit and receive gifts and grants from public and private sources
28 for the purposes of section 3 of this act.

29 **Sec. 5.** RCW 43.79A.040 and 2016 c 203 s 2, 2016 c 173 s 10, 2016
30 c 69 s 21, and 2016 c 39 s 7 are each reenacted and amended to read
31 as follows:

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

1 (2) All income received from investment of the treasurer's trust
2 fund must be set aside in an account in the treasury trust fund to be
3 known as the investment income account.

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

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

15 (b) The following accounts and funds must receive their
16 proportionate share of earnings based upon each account's or fund's
17 average daily balance for the period: The 24/7 sobriety account, the
18 Washington promise scholarship account, the Washington advanced
19 college tuition payment program account, the Washington college
20 savings program account, the accessible communities account, the
21 Washington achieving a better life experience program account, the
22 community and technical college innovation account, the agricultural
23 local fund, the American Indian scholarship endowment fund, the
24 foster care scholarship endowment fund, the foster care endowed
25 scholarship trust fund, the contract harvesting revolving account,
26 the Washington state combined fund drive account, the commemorative
27 works account, the county enhanced 911 excise tax account, the toll
28 collection account, the developmental disabilities endowment trust
29 fund, the energy account, the fair fund, the family leave insurance
30 account, the food animal veterinarian conditional scholarship
31 account, the fruit and vegetable inspection account, the future
32 teachers conditional scholarship account, the game farm alternative
33 account, the GET ready for math and science scholarship account, the
34 Washington global health technologies and product development
35 account, the grain inspection revolving fund, the industrial
36 insurance rainy day fund, the juvenile accountability incentive
37 account, the law enforcement officers' and firefighters' plan 2
38 expense fund, the local tourism promotion account, the multiagency
39 permitting team account, the northeast Washington wolf-livestock
40 management account, the pilotage account, the produce railcar pool

1 account, the regional transportation investment district account, the
2 rural rehabilitation account, the Washington sexual assault kit
3 account, the stadium and exhibition center account, the youth
4 athletic facility account, the self-insurance revolving fund, the
5 children's trust fund, the Washington horse racing commission
6 Washington bred owners' bonus fund and breeder awards account, the
7 Washington horse racing commission class C purse fund account, the
8 individual development account program account, the Washington horse
9 racing commission operating account, the life sciences discovery
10 fund, the Washington state heritage center account, the reduced
11 cigarette ignition propensity account, the center for childhood
12 deafness and hearing loss account, the school for the blind account,
13 the Millersylvania park trust fund, the public employees' and
14 retirees' insurance reserve fund, and the radiation perpetual
15 maintenance fund.

16 (c) The following accounts and funds must 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-
19 way revolving fund, the advanced environmental mitigation revolving
20 account, the federal narcotics asset forfeitures account, the high
21 occupancy vehicle account, the local rail service assistance account,
22 and the miscellaneous transportation programs account.

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

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 NEW SECTION. **Sec. 6.** Sections 1 through 4 of this act
34 constitute a new chapter in Title 16 RCW.

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