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**ENGROSSED SUBSTITUTE HOUSE BILL 2126**

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

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

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

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

NEW SECTION. **Sec.**  The legislature finds that there is a need to provide resources to help livestock producers adapt their operations in light of the recovery of wolves on the landscape and a desire by many to increase use of nonlethal deterrence measures to reduce the probability of livestock depredations by wolves. The application of resources in support of these goals must respect livestock producers' values of independence, privacy, and local decision making. The legislature further recognizes that livestock producers have unique and valuable knowledge, occupy an important place in their local communities and the state's social fabric, and are critical partners in creating sound natural resource policies.

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

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

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

NEW SECTION. **Sec.**  (1) The northeast Washington wolf-cattle management grant is created within the department. Funds from the grant program must be used only for the deployment of nonlethal deterrence resources in any Washington county east of the crest of the Cascade mountain range that shares a border with Canada, including equipment and tools, owned and strategically located locally.

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

(i) One Ferry county conservation district board member;

(ii) One Stevens county conservation district board member;

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

(iv) One Okanogan conservation district board member.

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

(c) Board members may not:

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

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

(3) The board must help direct the deployment of nonlethal deterrence resources, including equipment and tools, owned and strategically located locally.

NEW SECTION. **Sec.**  (1) The northeast Washington wolf-cattle management account is created as a nonappropriated account in the custody of the state treasurer. All receipts from the northeast Washington wolf-cattle management grant must be deposited into the account. Expenditures from the account may be used only for the deployment of nonlethal wolf deterrence resources as described in section 3 of this act. Only the director may authorize expenditures from the account in consultation with the advisory board created in section 3 of this act. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures. Interest earned by deposits in the account must be retained in the account.

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

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

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

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

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

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

(b) The following accounts and funds must receive their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The 24/7 sobriety account, the Washington promise scholarship account, the Washington advanced college tuition payment program account, the Washington college savings program account, the accessible communities account, the Washington achieving a better life experience program account, the community and technical college innovation account, the agricultural local fund, the American Indian scholarship endowment fund, the foster care scholarship endowment fund, the foster care endowed scholarship trust fund, the contract harvesting revolving account, the Washington state combined fund drive account, the commemorative works account, the county enhanced 911 excise tax account, the toll collection account, the developmental disabilities endowment trust fund, the energy account, the fair fund, the family leave insurance account, the food animal veterinarian conditional scholarship account, the fruit and vegetable inspection account, the future teachers conditional scholarship account, the game farm alternative account, the GET ready for math and science scholarship account, the Washington global health technologies and product development account, the grain inspection revolving fund, the industrial insurance rainy day fund, the juvenile accountability incentive account, the law enforcement officers' and firefighters' plan 2 expense fund, the local tourism promotion account, the multiagency permitting team account, the northeast Washington wolf-cattle management account, the pilotage account, the produce railcar pool account, the regional transportation investment district account, the rural rehabilitation account, the Washington sexual assault kit account, the stadium and exhibition center account, the youth athletic facility account, the self-insurance revolving fund, the children's trust fund, the Washington horse racing commission Washington bred owners' bonus fund and breeder awards account, the Washington horse racing commission class C purse fund account, the individual development account program account, the Washington horse racing commission operating account, the life sciences discovery fund, the Washington state heritage center account, the reduced cigarette ignition propensity account, the center for childhood deafness and hearing loss account, the school for the blind account, the Millersylvania park trust fund, the public employees' and retirees' insurance reserve fund, and the radiation perpetual maintenance fund.

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

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

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

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

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