
HOUSE BILL 2929

State of Washington 55th Legislature 1998 Regular Session

By Representatives Sterk, Sheahan, Costa, O'Brien, Conway and Gombosky

Read first time 01/22/98. Referred to Committee on Law & Justice.

1 AN ACT Relating to financial assistance to cities, towns, and
2 counties for the investigation of extraordinary crimes; amending RCW
3 43.84.092, 9.94A.386, and 3.62.090; adding new sections to chapter
4 43.101 RCW; adding a new section to chapter 9.92 RCW; adding a new
5 section to chapter 3.62 RCW; and providing an effective date.

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

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.101 RCW
8 to read as follows:

9 The extraordinary criminal investigations assistance account is
10 created in the state treasury. All receipts from moneys collected
11 under 1998 c . . . s 5 (section 5 of this act), 1998 c . . . s 6
12 (section 6 of this act), section 7 of this act, and section 8 of this
13 act must be deposited in the account. Moneys in the account may be
14 spent only after appropriation. Expenditures from the account may be
15 used only to reimburse the extraordinary salary costs incurred by local
16 law enforcement in the investigations of extraordinary crimes and for
17 the administrative costs of processing claims.

18 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.101 RCW

1 to read as follows:

2 Cities, towns, and counties may submit claims to the commission for
3 reimbursement from the extraordinary criminal investigations assistance
4 account. The claims shall be limited to the costs of law enforcement
5 officer salaries incurred in the investigation of a case. All claims
6 submitted to the commission shall be forwarded to the Washington
7 association of sheriffs and police chiefs. The association shall
8 review the claim using the procedures and criteria adopted under
9 section 3 of this act. The association shall make a recommendation to
10 the commission on how much, if any, should be paid on the claim.

11 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.101 RCW
12 to read as follows:

13 The Washington association of sheriffs and police chiefs shall, at
14 a public meeting, adopt procedures and criteria for reimbursement
15 awards under section 2 of this act. The procedures shall include, at
16 a minimum, how long claims are to take to be evaluated, documentation
17 required as part of the claim, and how claims are to be processed or
18 prioritized when claims exceed available revenue. The criteria shall
19 identify the types of extraordinary criminal investigations eligible
20 for reimbursement and shall also include, at a minimum, the following
21 factors: Nature of the crime; cost of the investigation; size of the
22 jurisdiction or jurisdictions; and ability of the jurisdiction or
23 jurisdictions to pay. Upon adoption, the procedures and criteria shall
24 be transmitted to the commission. The criteria and procedures, and any
25 amendments thereto, are public records within the meaning of chapter
26 42.17 RCW. A revision to the criteria or process must also be adopted
27 by the association in a public meeting and forwarded to the commission.

28 NEW SECTION. **Sec. 4.** A new section is added to chapter 43.101 RCW
29 to read as follows:

30 Subject to available moneys and to appropriation, the commission
31 may reimburse investigative costs from the extraordinary criminal
32 investigations assistance account. Reimbursements may be made only in
33 the amount recommended by the Washington association of sheriffs and
34 police chiefs. Reimbursement may not exceed the costs of law
35 enforcement salaries incurred in the investigation of the case.
36 Reimbursement may not be made for overhead equipment, officer training,
37 officer benefits, consultants, outside experts, or any expense other

1 than the salaries of the investigating officers. The commission may
2 withhold recommended reimbursements only if the account lacks
3 sufficient moneys, if the commission has cause to believe the claim or
4 claim amount is fraudulent, or if the commission believes the claim was
5 not reviewed in accordance with the published criteria and procedures.

6 **Sec. 5.** RCW 43.84.092 and 1997 c 218 s 5 are each amended to read
7 as follows:

8 (1) All earnings of investments of surplus balances in the state
9 treasury shall be deposited to the treasury income account, which
10 account is hereby established in the state treasury.

11 (2) The treasury income account shall be utilized to pay or receive
12 funds associated with federal programs as required by the federal cash
13 management improvement act of 1990. The treasury income account is
14 subject in all respects to chapter 43.88 RCW, but no appropriation is
15 required for refunds or allocations of interest earnings required by
16 the cash management improvement act. Refunds of interest to the
17 federal treasury required under the cash management improvement act
18 fall under RCW 43.88.180 and shall not require appropriation. The
19 office of financial management shall determine the amounts due to or
20 from the federal government pursuant to the cash management improvement
21 act. The office of financial management may direct transfers of funds
22 between accounts as deemed necessary to implement the provisions of the
23 cash management improvement act, and this subsection. Refunds or
24 allocations shall occur prior to the distributions of earnings set
25 forth in subsection (4) of this section.

26 (3) Except for the provisions of RCW 43.84.160, the treasury income
27 account may be utilized for the payment of purchased banking services
28 on behalf of treasury funds including, but not limited to, depository,
29 safekeeping, and disbursement functions for the state treasury and
30 affected state agencies. The treasury income account is subject in all
31 respects to chapter 43.88 RCW, but no appropriation is required for
32 payments to financial institutions. Payments shall occur prior to
33 distribution of earnings set forth in subsection (4) of this section.

34 (4) Monthly, the state treasurer shall distribute the earnings
35 credited to the treasury income account. The state treasurer shall
36 credit the general fund with all the earnings credited to the treasury
37 income account except:

38 (a) The following accounts and funds shall receive their

1 proportionate share of earnings based upon each account's and fund's
2 average daily balance for the period: The capitol building
3 construction account, the Cedar River channel construction and
4 operation account, the Central Washington University capital projects
5 account, the charitable, educational, penal and reformatory
6 institutions account, the common school construction fund, the county
7 criminal justice assistance account, the county sales and use tax
8 equalization account, the data processing building construction
9 account, the deferred compensation administrative account, the deferred
10 compensation principal account, the department of retirement systems
11 expense account, the drinking water assistance account, the Eastern
12 Washington University capital projects account, the education
13 construction fund, the emergency reserve fund, the extraordinary
14 criminal investigations assistance fund, the federal forest revolving
15 account, the health services account, the public health services
16 account, the health system capacity account, the personal health
17 services account, the highway infrastructure account, the industrial
18 insurance premium refund account, the judges' retirement account, the
19 judicial retirement administrative account, the judicial retirement
20 principal account, the local leasehold excise tax account, the local
21 real estate excise tax account, the local sales and use tax account,
22 the medical aid account, the mobile home park relocation fund, the
23 municipal criminal justice assistance account, the municipal sales and
24 use tax equalization account, the natural resources deposit account,
25 the perpetual surveillance and maintenance account, the public
26 employees' retirement system plan I account, the public employees'
27 retirement system plan II account, the Puyallup tribal settlement
28 account, the resource management cost account, the site closure
29 account, the special wildlife account, the state employees' insurance
30 account, the state employees' insurance reserve account, the state
31 investment board expense account, the state investment board commingled
32 trust fund accounts, the supplemental pension account, the teachers'
33 retirement system plan I account, the teachers' retirement system plan
34 II account, the transportation infrastructure account, the tuition
35 recovery trust fund, the University of Washington bond retirement fund,
36 the University of Washington building account, the volunteer fire
37 fighters' relief and pension principal account, the volunteer fire
38 fighters' relief and pension administrative account, the Washington
39 judicial retirement system account, the Washington law enforcement

1 officers' and fire fighters' system plan I retirement account, the
2 Washington law enforcement officers' and fire fighters' system plan II
3 retirement account, the Washington state patrol retirement account, the
4 Washington State University building account, the Washington State
5 University bond retirement fund, the water pollution control revolving
6 fund, and the Western Washington University capital projects account.
7 Earnings derived from investing balances of the agricultural permanent
8 fund, the normal school permanent fund, the permanent common school
9 fund, the scientific permanent fund, and the state university permanent
10 fund shall be allocated to their respective beneficiary accounts. All
11 earnings to be distributed under this subsection (4)(a) shall first be
12 reduced by the allocation to the state treasurer's service fund
13 pursuant to RCW 43.08.190.

14 (b) The following accounts and funds shall receive eighty percent
15 of their proportionate share of earnings based upon each account's or
16 fund's average daily balance for the period: The aeronautics account,
17 the aircraft search and rescue account, the central Puget Sound public
18 transportation account, the city hardship assistance account, the
19 county arterial preservation account, the department of licensing
20 services account, the economic development account, the essential rail
21 assistance account, the essential rail banking account, the ferry bond
22 retirement fund, the gasohol exemption holding account, the grade
23 crossing protective fund, the high capacity transportation account, the
24 highway bond retirement fund, the highway construction stabilization
25 account, the highway safety account, the marine operating fund, the
26 motor vehicle fund, the motorcycle safety education account, the
27 pilotage account, the public transportation systems account, the Puget
28 Sound capital construction account, the Puget Sound ferry operations
29 account, the recreational vehicle account, the rural arterial trust
30 account, the safety and education account, the small city account, the
31 special category C account, the state patrol highway account, the
32 transfer relief account, the transportation capital facilities account,
33 the transportation equipment fund, the transportation fund, the
34 transportation improvement account, the transportation revolving loan
35 account, and the urban arterial trust account.

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

1 **Sec. 6.** RCW 9.94A.386 and 1984 c 209 s 23 are each amended to read
2 as follows:

3 On all sentences under this chapter the court shall first impose
4 and collect a twenty-dollar fine for each felony committed. Revenue
5 from this fine shall be forwarded to the state treasurer for deposit in
6 the extraordinary criminal investigations assistance account. This
7 fine shall not be waived or reduced under any circumstances. After
8 imposing and collecting this fine, the court may impose additional
9 fines according to the following ranges:

10	Class A felonies	\$0 - 50,000
11	Class B felonies	\$0 - 20,000
12	Class C felonies	\$0 - 10,000

13 NEW SECTION. **Sec. 7.** A new section is added to chapter 9.92 RCW
14 to read as follows:

15 When sentencing any offender for any misdemeanor or gross
16 misdemeanor, the court shall impose and collect a ten-dollar fine for
17 each misdemeanor or gross misdemeanor committed before imposing any
18 other fine. Revenue from this fine shall be forwarded to the state
19 treasurer for deposit in the extraordinary criminal investigations
20 assistance account. The fine shall not be waived or reduced under any
21 circumstances.

22 NEW SECTION. **Sec. 8.** A new section is added to chapter 3.62 RCW
23 to read as follows:

24 When sentencing any offender for any misdemeanor or gross
25 misdemeanor, all courts organized under Title 3 or 35 RCW shall impose
26 and collect a ten-dollar fine for each misdemeanor or gross misdemeanor
27 committed before imposing any other fine. Revenue from this fine shall
28 be forwarded to the state treasurer for deposit in the extraordinary
29 criminal investigations assistance account