

CERTIFICATION OF ENROLLMENT

ENGROSSED SENATE BILL 5316

65th Legislature
2017 3rd Special Session

Passed by the Senate June 30, 2017
Yeas 49 Nays 0

President of the Senate

Passed by the House June 30, 2017
Yeas 93 Nays 0

Speaker of the House of Representatives

Approved

Governor of the State of Washington

CERTIFICATE

I, Hunter G. Goodman, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SENATE BILL 5316** as passed by Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

ENGROSSED SENATE BILL 5316

AS AMENDED BY THE HOUSE

Passed Legislature - 2017 3rd Special Session

State of Washington 65th Legislature 2017 Regular Session

By Senators Fortunato, Rossi, Rivers, Miloscia, Padden, Becker, Braun, Angel, Warnick, Schoesler, Brown, Zeiger, and Wilson

Read first time 01/20/17. Referred to Committee on State Government.

1 AN ACT Relating to the removal of provisions that are no longer
2 necessary for continued publication in the Revised Code of
3 Washington; amending RCW 43.88.0301, 43.320.017, 70.95.532,
4 80.01.080, 48.17.563, 48.18A.035, 48.25.140, 48.29.015, 48.31.115,
5 43.70.900, 29A.04.510, 35A.39.010, 44.05.080, 77.125.040, 47.06.110,
6 82.42.090, 82.80.070, 47.68.250, 47.68.250, 14.20.060, 82.44.190, and
7 43.84.092; reenacting and amending RCW 46.18.060; adding a new
8 section to chapter 42.30 RCW; recodifying RCW 42.32.030; decodifying
9 RCW 43.88.910, 43.105.902, 43.105.903, 43.320.012, 43.320.013,
10 43.320.014, 43.320.015, 43.320.016, 43.320.901, 15.15.900, 15.49.920,
11 15.49.950, 15.51.900, 15.54.930, 15.58.900, 15.58.901, 15.58.943,
12 41.58.900, 41.58.901, 50.06.010, 50.13.010, 50.13.910, 50.38.900,
13 50.38.902, 50.60.902, 50.65.905, 50.70.902, 50.98.080, 69.50.545,
14 69.50.606, 69.50.607, 28A.315.075, 43.215.903, 43.215.905, 48.20.322,
15 48.23.520, 29A.04.903, 29A.04.905, 35.98.020, 35.98.050, 35A.90.030,
16 35A.90.040, 42.56.901, 42.56.902, 42.56.903, 71A.10.805, 10.77.900,
17 10.77.920, 10.77.930, 71.05.910, 71.05.920, 71.05.930, 71.24.900,
18 71.34.901, 74.14B.900, 74.18.903, 5.45.920, 46.61.990, 77.15.902,
19 77.50.900, 77.65.900, 77.105.900, 43.31A.400, 43.63A.902, 43.63A.903,
20 43.41.035, 43.41.901, 43.41.940, 43.41.950, 43.41.981, and 43.88.910;
21 repealing RCW 66.08.230, 66.08.250, 66.12.020, 69.50.1011,
22 28A.305.900, 28A.305.901, 28A.400.201, 28A.630.005, 70.94.505,
23 70.95H.005, 70.95H.007, 70.95H.010, 70.95H.030, 70.95H.040,

1 70.95H.050, 70.95H.900, 70.95N.270, 70.104.070, 70.104.090,
2 70.105A.035, 70.220.060, 80.36.901, 70.104.100, 30A.24.080,
3 31.04.185, 31.04.501, 31.45.095, 48.102.190, 35.13A.0301, 41.05.019,
4 41.05.230, 41.05.655, 70.22.005, 70.47A.010, 70.47A.020, 70.47A.030,
5 70.47A.040, 70.47A.050, 70.47A.060, 70.47A.070, 70.47A.080,
6 70.47A.090, 70.47A.100, 70.47A.110, 70.47A.901, 71A.20.190,
7 28B.65.010, 28B.65.020, 28B.65.030, 28B.65.040, 28B.65.050,
8 28B.65.060, 28B.65.070, 28B.65.080, 28B.65.110, 28B.65.900,
9 28B.65.905, 2.56.031, 10.77.810, 10.77.820, 71.24.055, 74.12.901,
10 74.12A.030, 74.13.017, 2.56.250, 9.04.040, 26.50.800, 43.30.8351,
11 76.01.080, 76.01.090, 76.09.380, 77.12.605, 77.12.710, 79A.20.005,
12 79A.20.010, 79A.20.030, 79A.20.900, 43.31.088, 43.31.522, 43.31.524,
13 43.31.800, 43.31.805, 43.31.810, 43.31.820, 43.31.830, 43.31.832,
14 43.31.833, 43.31.834, 43.31.840, 43.31.850, 43.374.005, 43.374.020,
15 47.01.141, 47.01.321, 47.01.350, 47.01.360, 47.01.400, 47.01.405,
16 47.01.406, 47.01.410, 47.01.418, 47.60.645, 47.78.010, 82.44.180,
17 82.80.040, 82.80.050, 82.80.060, 82.14.046, and 82.50.510; repealing
18 2009 c 548 s 302 and 2010 c 236 s 6 (uncodified); providing an
19 effective date; and providing an expiration date.

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

21 NEW SECTION. **Sec. 1.** RELATING TO ACCOUNTABILITY & REFORM. The
22 following sections are decodified:

- 23 (1) RCW 43.88.910 (Effective date—1975 1st ex.s. c 293);
24 (2) RCW 43.105.902 (Effective date—1987 c 504);
25 (3) RCW 43.105.903 (Effective date—1999 c 285);
26 (4) RCW 43.320.012 (Department of general administration and
27 department of licensing equipment, records, funds transferred);
28 (5) RCW 43.320.013 (Department of general administration and
29 department of licensing civil service employees transferred);
30 (6) RCW 43.320.014 (Department of general administration or
31 department of licensing rules, business, contracts, and obligations
32 continued);
33 (7) RCW 43.320.015 (Department of general administration and
34 department of licensing—Validity of acts);
35 (8) RCW 43.320.016 (Apportionment of budgeted funds); and
36 (9) RCW 43.320.901 (Implementation—1993 c 472).

1 **Sec. 2.** RCW 43.88.0301 and 2002 c 312 s 1 are each amended to
2 read as follows:

3 RELATING TO ACCOUNTABILITY & REFORM. (1) The office of financial
4 management must include in its capital budget instructions, beginning
5 with its instructions for the 2003-05 capital budget, a request for
6 "yes" or "no" answers for the following additional informational
7 questions from capital budget applicants for all proposed major
8 capital construction projects valued over five million dollars and
9 required to complete a predesign:

10 (a) For proposed capital projects identified in this subsection
11 that are located in or serving city or county planning under RCW
12 36.70A.040:

13 (i) Whether the proposed capital project is identified in the
14 host city or county comprehensive plan, including the capital
15 facility plan, and implementing rules adopted under chapter 36.70A
16 RCW;

17 (ii) Whether the proposed capital project is located within an
18 adopted urban growth area:

19 (A) If at all located within an adopted urban growth area
20 boundary, whether a project facilitates, accommodates, or attracts
21 planned population and employment growth;

22 (B) If at all located outside an urban growth area boundary,
23 whether the proposed capital project may create pressures for
24 additional development;

25 (b) For proposed capital projects identified in this subsection
26 that are requesting state funding:

27 (i) Whether there was regional coordination during project
28 development;

29 (ii) Whether local and additional funds were leveraged;

30 (iii) Whether environmental outcomes and the reduction of adverse
31 environmental impacts were examined.

32 (2) For projects subject to subsection (1) of this section, the
33 office of financial management shall request the required information
34 be provided during the predesign process of major capital
35 construction projects to reduce long-term costs and increase process
36 efficiency.

37 (3) The office of financial management, in fulfilling its duties
38 under RCW 43.88.030(~~(+3)~~) (5) to create a capital budget document,
39 must take into account information gathered under subsections (1) and
40 (2) of this section in an effort to promote state capital facility

1 expenditures that minimize unplanned or uncoordinated infrastructure
2 and development costs, support economic and quality of life benefits
3 for existing communities, and support local government planning
4 efforts.

5 (4) The office of community development must provide staff
6 support to the office of financial management and affected capital
7 budget applicants to help collect data required by subsections (1)
8 and (2) of this section.

9 **Sec. 3.** RCW 43.320.017 and 1993 c 472 s 13 are each amended to
10 read as follows:

11 SECTION 1 CONFORMING AMENDMENT. Nothing contained in RCW
12 43.320.011 (~~through 43.320.015~~) may be construed to alter any
13 existing collective bargaining unit or the provisions of any existing
14 collective bargaining agreement until the expiration date of the
15 current agreement or until the bargaining unit has been modified by
16 action of the Washington personnel resources board as provided by
17 law.

18 NEW SECTION. **Sec. 4.** RELATING TO AGRICULTURE, WATER & RURAL
19 ECONOMIC DEVELOPMENT. The following sections are decodified:

- 20 (1) RCW 15.15.900 (Effective date—1997 c 176);
21 (2) RCW 15.49.920 (Effective date—1969 c 63);
22 (3) RCW 15.49.950 (Severability—1969 c 63);
23 (4) RCW 15.51.900 (Effective date—2007 c 181);
24 (5) RCW 15.54.930 (Effective date—1967 ex.s. c 22);
25 (6) RCW 15.58.900 (Effective date—1971 ex.s. c 190);
26 (7) RCW 15.58.901 (Effective date—2000 c 96); and
27 (8) RCW 15.58.943 (Effective date—2003 c 212).

28 NEW SECTION. **Sec. 5.** RELATING TO COMMERCE & LABOR. The
29 following sections are decodified:

- 30 (1) RCW 41.58.900 (Effective dates—1975-'76 2nd ex.s. c 5);
31 (2) RCW 41.58.901 (Effective date—1975 1st ex.s. c 296 §§ 4, 6,
32 and 8 through 39);
33 (3) RCW 50.06.010 (Purpose);
34 (4) RCW 50.13.010 (Legislative intent and recognition);
35 (5) RCW 50.13.910 (Legislative designation and placement);
36 (6) RCW 50.38.900 (Effective date—1982 c 43);

- 1 (7) RCW 50.38.902 (Effective date—1993 c 62);
- 2 (8) RCW 50.60.902 (Effective date—1983 c 207);
- 3 (9) RCW 50.65.905 (Effective date—1987 c 167);
- 4 (10) RCW 50.70.902 (Effective date—1991 c 315);
- 5 (11) RCW 50.98.080 (Effective date—1945 c 35);
- 6 (12) RCW 69.50.545 (Departments of social and health services,
- 7 health—Adoption of rules for disbursement of marijuana excise taxes);
- 8 (13) RCW 69.50.606 (Repealers); and
- 9 (14) RCW 69.50.607 (Effective date—1971 ex.s. c 308).

10 NEW SECTION. **Sec. 6.** RELATING TO COMMERCE & LABOR. The
11 following acts or parts of acts are each repealed:

- 12 (1) RCW 66.08.230 (Initial disbursement to wine commission—
- 13 Repayment) and 1987 c 452 s 12;
- 14 (2) RCW 66.08.250 (Report on streamlining liquor tax collection)
- 15 and 2013 c 95 s 2;
- 16 (3) RCW 66.12.020 (Sales of liquor to board) and 1933 ex.s. c 62
- 17 s 48; and
- 18 (4) RCW 69.50.1011 (Definition—Commission) and 2013 c 19 s 86.

19 NEW SECTION. **Sec. 7.** RELATING TO EARLY LEARNING & K-12
20 EDUCATION. The following sections are decodified:

- 21 (1) RCW 28A.315.075 (Effect of 1999 c 315—Existing provisions not
- 22 affected);
- 23 (2) RCW 43.215.903 (Severability—1988 c 174); and
- 24 (3) RCW 43.215.905 (Effective date—2006 c 265).

25 NEW SECTION. **Sec. 8.** RELATING TO EARLY LEARNING & K-12
26 EDUCATION. The following acts or parts of acts are each repealed:

- 27 (1) RCW 28A.305.900 (Transfer of powers and duties—State board of
- 28 education) and 2005 c 497 s 301;
- 29 (2) RCW 28A.305.901 (Transfer of powers and duties—Academic
- 30 achievement and accountability commission) and 2005 c 497 s 302;
- 31 (3) RCW 28A.400.201 (Enhanced salary allocation model for
- 32 educator development and certification—Technical working group—
- 33 Report and recommendation) and 2016 c 162 s 4, 2011 1st sp.s. c 43 s
- 34 468, 2010 c 236 s 7, & 2009 c 548 s 601;
- 35 (4) RCW 28A.630.005 (Pilot project to assist school-age children
- 36 in short-term foster care) and 2002 c 326 s 2;

- 1 (5) 2009 c 548 s 302 (uncodified); and
2 (6) 2010 c 236 s 6 (uncodified).

3 NEW SECTION. **Sec. 9.** RELATING TO ENERGY, ENVIRONMENT &
4 TELECOMMUNICATIONS. The following acts or parts of acts are each
5 repealed:

6 (1) RCW 70.94.505 (Woodsmoke emissions—Work group) and 2007 c 339
7 s 3;

8 (2) RCW 70.95H.005 (Finding) and 1991 c 319 s 201;

9 (3) RCW 70.95H.007 (Center created) and 1995 c 399 s 192 & 1991 c
10 319 s 202;

11 (4) RCW 70.95H.010 (Purpose—Market development defined) and 1991
12 c 319 s 203;

13 (5) RCW 70.95H.030 (Duties and responsibilities) and 2015 c 225 s
14 108, 1992 c 131 s 2, & 1991 c 319 s 205;

15 (6) RCW 70.95H.040 (Authority) and 1991 c 319 s 206;

16 (7) RCW 70.95H.050 (Funding) and 1995 c 399 s 194 & 1991 c 319 s
17 207;

18 (8) RCW 70.95H.900 (Termination) and 1991 c 319 s 209;

19 (9) RCW 70.95N.270 (Reports) and 2006 c 183 s 28;

20 (10) RCW 70.104.070 (Pesticide incident reporting and tracking
21 review panel—Intent) and 1989 c 380 s 67;

22 (11) RCW 70.104.090 (Pesticide panel—Responsibilities) and 1991 c
23 3 s 364 & 1989 c 380 s 69;

24 (12) RCW 70.105A.035 (Revision of fees to provide a waste
25 reduction and recycling incentive) and 1989 c 2 s 16;

26 (13) RCW 70.220.060 (Funding report required by April 30, 2007)
27 and 2005 c 305 s 6; and

28 (14) RCW 80.36.901 (Legislative review of 1985 c 450—1989 c 101)
29 and 1989 c 101 s 18 & 1985 c 450 s 44.

30 **Sec. 10.** RCW 70.95.532 and 2010 c 247 s 704 are each amended to
31 read as follows:

32 RELATING TO ENERGY, ENVIRONMENT & TELECOMMUNICATIONS. (1) All
33 receipts from tire fees imposed under RCW 70.95.510, except as
34 provided in subsection (2) of this section, must be deposited in the
35 waste tire removal account created under RCW 70.95.521. Moneys in the
36 account may be spent only after appropriation. Expenditures from the
37 account may be used for the cleanup of unauthorized waste tire piles

1 and measures that prevent future accumulation of unauthorized waste
2 tire piles.

3 (2) On September 1st of odd-numbered years, the state treasurer
4 must transfer any cash balance in excess of one million dollars from
5 the waste tire removal account created under RCW 70.95.521 to the
6 motor vehicle account for the purpose of road wear related
7 maintenance on state and local public highways.

8 ~~((3) During the 2009-2011 fiscal biennium, the legislature may
9 transfer any cash balance in excess of one million dollars from the
10 waste tire removal account to the motor vehicle account for the
11 purpose of road wear related maintenance on state and local public
12 highways.))~~

13 **Sec. 11.** RCW 80.01.080 and 2010 1st sp.s. c 37 s 950 are each
14 amended to read as follows:

15 RELATING TO ENERGY, ENVIRONMENT & TELECOMMUNICATIONS. There is
16 created in the state treasury a public service revolving fund.
17 Regulatory fees payable by all types of public service companies
18 shall be deposited to the credit of the public service revolving
19 fund. Except for expenses payable out of the pipeline safety account,
20 all expense of operation of the Washington utilities and
21 transportation commission shall be payable out of the public service
22 revolving fund.

23 ~~((During the 2009-2011 fiscal biennium, the legislature may
24 transfer from the public service revolving fund to the state general
25 fund such amounts as reflect the excess fund balance of the fund.))~~

26 NEW SECTION. **Sec. 12.** SECTION 9 CONFORMING REPEALER.
27 RCW 70.104.100 (Industrial insurance statutes not affected) and 1989
28 c 380 s 70 are each repealed.

29 NEW SECTION. **Sec. 13.** RELATING TO FINANCIAL INSTITUTIONS &
30 INSURANCE. The following sections are decodified:

31 (1) RCW 48.20.322 (Effective date of standard provision and
32 certain other sections—Five year period); and

33 (2) RCW 48.23.520 (Operative date of RCW 48.23.410 through
34 48.23.520).

35 NEW SECTION. **Sec. 14.** RELATING TO FINANCIAL INSTITUTIONS &
36 INSURANCE. The following acts or parts of acts are each repealed:

- 1 (1) RCW 30A.24.080 (Securities in default ineligible) and 1955 c
2 33 s 30.24.080;
- 3 (2) RCW 31.04.185 (Repealed sections of law—Rules adopted under)
4 and 1994 c 92 s 173 & 1991 c 208 s 19;
- 5 (3) RCW 31.04.501 (Implementation) and 2009 c 149 s 9;
- 6 (4) RCW 31.45.095 (Report by director—Contents) and 2009 c 510 s
7 7; and
- 8 (5) RCW 48.102.190 (Existing viatical settlement licenses—July
9 26, 2009) and 2009 c 104 s 22.

10 **Sec. 15.** RCW 48.17.563 and 1994 c 131 s 6 are each amended to
11 read as follows:

12 RELATING TO FINANCIAL INSTITUTIONS & INSURANCE. (1) The
13 commissioner may require insurance education providers to furnish
14 specific information regarding their curricula, faculty, methods of
15 monitoring attendance, and other matters reasonably related to
16 providing insurance education under this chapter. The commissioner
17 may grant approvals to such providers who demonstrate the ability to
18 conduct and certify completion of one or more courses satisfying the
19 insurance education requirements of RCW 48.17.150.

20 (2) Provider and course approvals are valid for the time period
21 established by the commissioner and shall expire if not timely
22 renewed. Each provider shall pay the renewal fee set forth in RCW
23 48.14.010(1)(n).

24 ~~((3) In granting approvals for courses required by RCW
25 48.17.150(1)(d):~~

26 ~~(a) The commissioner may require the availability of a licensed
27 agent with appropriate experience on the premises whenever
28 instruction is being offered; and~~

29 ~~(b) The commissioner shall not deny approval to any provider on
30 the grounds that the proposed method of education employs
31 nontraditional teaching techniques, such as substituting taped
32 lectures for live instruction, offering instruction without fixed
33 schedules, or providing education at individual learning rates.))~~

34 **Sec. 16.** RCW 48.18A.035 and 2008 c 217 s 19 are each amended to
35 read as follows:

36 RELATING TO FINANCIAL INSTITUTIONS & INSURANCE. ~~((1))~~ Every
37 individual variable contract issued shall have printed on its face or

1 attached thereto a notice stating in substance that the policy owner
2 shall be permitted to return the policy within ten days after it is
3 received by the policy owner and to have the market value of the
4 assets purchased by its premium, less taxes and investment brokerage
5 commissions, if any, refunded, if, after examination of the policy,
6 the policy owner is not satisfied with it for any reason. An
7 additional ten percent penalty shall be added to any premium refund
8 due which is not paid within thirty days of return of the policy to
9 the insurer or insurance producer. If a policy owner pursuant to such
10 notice returns the policy to the insurer at its home or branch office
11 or to the insurance producer through whom it was purchased, it shall
12 be void from the beginning and the parties shall be in the same
13 position as if no policy had been issued.

14 ~~((2) No later than January 1, 2010, or when the insurer has used
15 all of its existing paper variable contract forms which were in its
16 possession on July 1, 2009, whichever is earlier, the notice required
17 by subsection (1) of this section shall use the term insurance
18 producer in place of agent.))~~

19 **Sec. 17.** RCW 48.25.140 and 2008 c 217 s 33 are each amended to
20 read as follows:

21 RELATING TO FINANCIAL INSTITUTIONS & INSURANCE. ~~((1))~~ There
22 shall be a provision that no insurance producer shall have the power
23 or authority to waive, change, or alter any of the terms or
24 conditions of any policy; except that, at the option of the insurer,
25 the terms or conditions may be changed by an endorsement signed by a
26 duly authorized officer of the insurer.

27 ~~((2) No later than January 1, 2010, or when the insurer has used
28 all of its existing paper industrial life insurance contract forms
29 which were in its possession on July 1, 2009, whichever is earlier,
30 the notice required by subsection (1) of this section shall use the
31 term insurance producer in place of agent.))~~

32 **Sec. 18.** RCW 48.29.015 and 2008 c 110 s 2 are each amended to
33 read as follows:

34 RELATING TO FINANCIAL INSTITUTIONS & INSURANCE. (1) A title
35 insurance agent shall maintain records of its title orders sufficient
36 to indicate the source of the title orders.

37 (2) Every title insurance agent shall file with the commissioner
38 annually by March 15th of each year for the previous calendar year,

1 unless the commissioner for good cause shown extends the time for
2 filing, a report, on a form prescribed by the commissioner, setting
3 forth:

4 (a) The names and addresses of those persons, if any, who have
5 had a financial interest in the title insurance agent during the
6 calendar year, who are known or reasonably believed by the title
7 insurance agent to be producers of title business or associates of
8 producers; and

9 (b) The percent of title orders originating from each person who
10 owns, or had owned during the preceding calendar year, a financial
11 interest in the title insurance agent.

12 (3) Each title insurance agent shall keep current the information
13 required by that portion of the report required by subsection (2)(a)
14 of this section by reporting all changes or additions within fifteen
15 days after the end of the month in which it learns of each change or
16 addition.

17 (4) Each title insurance agent shall file that portion of the
18 report required by subsection (2)(a) of this section with its
19 application for a license.

20 ~~((5) Each title insurance agent licensed on June 12, 2008, shall
21 file the report required under this section within thirty days after
22 June 12, 2008.))~~

23 **Sec. 19.** RCW 48.31.115 and 2005 c 432 s 2 are each amended to
24 read as follows:

25 RELATING TO FINANCIAL INSTITUTIONS & INSURANCE. (1) The persons
26 entitled to protection under this section are:

27 (a) The commissioner and any other receiver or administrative
28 supervisor responsible for conducting a delinquency proceeding under
29 this chapter, including present and former commissioners,
30 administrative supervisors, and receivers; and

31 (b) The commissioner's employees, meaning all present and former
32 special deputies and assistant special deputies and special receivers
33 and special administrative supervisors appointed by the commissioner
34 and all persons whom the commissioner, special deputies, or assistant
35 special deputies have employed to assist in a delinquency proceeding
36 under this chapter. Attorneys, accountants, auditors, and other
37 professional persons or firms who are retained as independent
38 contractors, and their employees, are not considered employees of the
39 commissioner for purposes of this section.

1 (2) The commissioner and the commissioner's employees are immune
2 from suit and liability, both personally and in their official
3 capacities, for a claim for damage to or loss of property or personal
4 injury or other civil liability caused by or resulting from an
5 alleged act or omission of the commissioner or an employee arising
6 out of or by reason of his or her duties or employment. However,
7 nothing in this subsection may be construed to hold the commissioner
8 or an employee immune from suit or liability for any damage, loss,
9 injury, or liability caused by the intentional or willful and wanton
10 misconduct of the commissioner or an employee.

11 (3) If a legal action is commenced against the commissioner or an
12 employee, whether against him or her personally or in his or her
13 official capacity, alleging property damage, property loss, personal
14 injury, or other civil liability caused by or resulting from an
15 alleged act or omission of the commissioner or an employee arising
16 out of or by reason of his or her duties or employment, the
17 commissioner and any employee shall be indemnified from the assets of
18 the insurer for all expenses, attorneys' fees, judgments,
19 settlements, decrees, or amounts due and owing or paid in
20 satisfaction of or incurred in the defense of the legal action unless
21 it is determined upon a final adjudication on the merits that the
22 alleged act or omission of the commissioner or employee giving rise
23 to the claim did not arise out of or by reason of his or her duties
24 or employment, or was caused by intentional or willful and wanton
25 misconduct.

26 (a) Attorneys' fees and related expenses incurred in defending a
27 legal action for which immunity or indemnity is available under this
28 section shall be paid from the assets of the insurer, as they are
29 incurred, in advance of the final disposition of such action upon
30 receipt of an undertaking by or on behalf of the commissioner or
31 employee to repay the attorneys' fees and expenses if it is
32 ultimately determined upon a final adjudication on the merits and
33 that the commissioner or employee is not entitled to immunity or
34 indemnity under this section.

35 (b) Any indemnification under this section is an administrative
36 expense of the insurer.

37 (c) In the event of an actual or threatened litigation against
38 the commissioner or an employee for which immunity or indemnity may
39 be available under this section, a reasonable amount of funds that in
40 the judgment of the commissioner may be needed to provide immunity or

1 indemnity shall be segregated and reserved from the assets of the
2 insurer as security for the payment of indemnity until all applicable
3 statutes of limitation have run or all actual or threatened actions
4 against the commissioner or an employee have been completely and
5 finally resolved, and all obligations of the insurer and the
6 commissioner under this section have been satisfied.

7 (d) In lieu of segregation and reserving of funds, the
8 commissioner may obtain a surety bond or make other arrangements that
9 will enable the commissioner to secure fully the payment of all
10 obligations under this section.

11 (4) If a legal action against an employee for which indemnity may
12 be available under this section is settled before final adjudication
13 on the merits, the insurer shall pay the settlement amount on behalf
14 of the employee, or indemnify the employee for the settlement amount,
15 unless the commissioner determines:

16 (a) That the claim did not arise out of or by reason of the
17 employee's duties or employment; or

18 (b) That the claim was caused by the intentional or willful and
19 wanton misconduct of the employee.

20 (5) In a legal action in which the commissioner is a defendant,
21 that portion of a settlement relating to the alleged act or omission
22 of the commissioner is subject to the approval of the court before
23 which the delinquency proceeding is pending. The court may not
24 approve that portion of the settlement if it determines:

25 (a) That the claim did not arise out of or by reason of the
26 commissioner's duties or employment; or

27 (b) That the claim was caused by the intentional or willful and
28 wanton misconduct of the commissioner.

29 (6) Nothing in this section removes or limits an immunity,
30 indemnity, benefit of law, right, or defense otherwise available to
31 the commissioner, an employee, or any other person, not an employee
32 under subsection (1)(b) of this section, who is employed by or in the
33 office of the commissioner or otherwise employed by the state.

34 ~~((7)(a) Subsection (2) of this section applies to any suit based~~
35 ~~in whole or in part on an alleged act or omission that takes place on~~
36 ~~or after July 25, 1993.~~

37 ~~(b) No legal action lies against the commissioner or an employee~~
38 ~~based in whole or in part on an alleged act or omission that took~~
39 ~~place before July 25, 1993, unless suit is filed and valid service of~~
40 ~~process is obtained within twelve months after July 25, 1993.~~

1 ~~(c) Subsections (3), (4), and (5) of this section apply to a suit~~
2 ~~that is pending on or filed after July 25, 1993, without regard to~~
3 ~~when the alleged act or omission took place.))~~

4 NEW SECTION. **Sec. 20.** RELATING TO GOVERNMENT OPERATIONS &
5 SECURITY. The following sections are decodified:

6 (1) RCW 29A.04.903 (Effective date—2003 c 111);

7 (2) RCW 29A.04.905 (Effective date—2004 c 271);

8 (3) RCW 35.98.020 (Title, chapter, section headings not part of
9 law);

10 (4) RCW 35.98.050 (Emergency—1965 c 7);

11 (5) RCW 35A.90.030 (Title, chapter, section headings not part of
12 law);

13 (6) RCW 35A.90.040 (Effective date—1967 ex.s. c 119);

14 (7) RCW 42.56.901 (Part headings not law—2005 c 274);

15 (8) RCW 42.56.902 (Effective date—2005 c 274); and

16 (9) RCW 42.56.903 (Effective date—2006 c 209).

17 NEW SECTION. **Sec. 21.** RELATING TO GOVERNMENT OPERATIONS &
18 SECURITY. RCW 35.13A.0301 (Assumption of water-sewer district before
19 July 1, 1999—Limitations) and 1998 c 326 s 3 are each repealed.

20 NEW SECTION. **Sec. 22.** RELATING TO HEALTH CARE. RCW 71A.10.805
21 (Headings in Title 71A RCW not part of law) is decodified.

22 NEW SECTION. **Sec. 23.** RELATING TO HEALTH CARE. The following
23 acts or parts of acts are each repealed:

24 (1) RCW 41.05.019 (Direct patient-provider primary care practices
25 —Plan) and 2011 1st sp.s. c 8 s 2;

26 (2) RCW 41.05.230 (Multicultural health care technical assistance
27 program) and 1993 c 492 s 272;

28 (3) RCW 41.05.655 (School district health benefits—Reports) and
29 2012 2nd sp.s. c 3 s 6;

30 (4) RCW 70.22.005 (Transfer of duties to the department of
31 health) and 1989 1st ex.s. c 9 s 246;

32 (5) RCW 70.47A.010 (Finding—Intent) and 2007 c 260 s 1 & 2006 c
33 255 s 1;

34 (6) RCW 70.47A.020 (Definitions) and 2011 c 287 s 1, 2008 c 143 s
35 1, 2007 c 260 s 2, & 2006 c 255 s 2;

1 (7) RCW 70.47A.030 (Health insurance partnership established—
2 Administrator duties) and 2011 c 287 s 2, 2009 c 257 s 1, 2008 c 143
3 s 2, 2007 c 259 s 58, & 2006 c 255 s 3;

4 (8) RCW 70.47A.040 (Applications for premium subsidies) and 2009
5 c 257 s 2, 2008 c 143 s 3, 2007 c 260 s 6, & 2006 c 255 s 4;

6 (9) RCW 70.47A.050 (Enrollment to remain within appropriation)
7 and 2011 c 287 s 3, 2007 c 260 s 12, & 2006 c 255 s 5;

8 (10) RCW 70.47A.060 (Rules) and 2007 c 260 s 13 & 2006 c 255 s 6;

9 (11) RCW 70.47A.070 (Reports) and 2009 c 257 s 3, 2008 c 143 s 4,
10 & 2006 c 255 s 7;

11 (12) RCW 70.47A.080 (Health insurance partnership account) and
12 2007 c 260 s 14 & 2006 c 255 s 8;

13 (13) RCW 70.47A.090 (State children's health insurance program—
14 Federal waiver request) and 2006 c 255 s 9;

15 (14) RCW 70.47A.100 (Health insurance partnership board) and 2007
16 c 260 s 4;

17 (15) RCW 70.47A.110 (Health insurance partnership board—Duties)
18 and 2011 c 287 s 4, 2008 c 143 s 5, & 2007 c 260 s 5;

19 (16) RCW 70.47A.901 (Construction—Chapter applicable to state
20 registered domestic partnerships—2009 c 521) and 2009 c 521 s 152;
21 and

22 (17) RCW 71A.20.190 (Developmental disability service system task
23 force) and 2015 c 225 s 111 & 2011 1st sp.s. c 30 s 8.

24 **Sec. 24.** RCW 43.70.900 and 2015 1st sp.s. c 4 s 31 are each
25 amended to read as follows:

26 SECTION 23 CONFORMING AMENDMENT. All references to the secretary
27 or department of social and health services in the Revised Code of
28 Washington shall be construed to mean the secretary or department of
29 health when referring to the functions transferred in RCW 43.70.080,
30 18.104.005, 70.08.005, (~~70.22.005,~~) 70.24.005, 70.40.005,
31 70.41.005, and 70.54.005.

32 NEW SECTION. **Sec. 25.** RELATING TO HIGHER EDUCATION. The
33 following acts or parts of acts are each repealed:

34 (1) RCW 28B.65.010 (Legislative findings) and 1983 1st ex.s. c 72
35 s 2;

36 (2) RCW 28B.65.020 (Definitions) and 1983 1st ex.s. c 72 s 3;

- 1 (3) RCW 28B.65.030 (Washington state high-technology education
2 and training program established—Goals) and 1983 1st ex.s. c 72 s 4;
3 (4) RCW 28B.65.040 (Washington high-technology coordinating board
4 created—Members—Travel expenses) and 2012 c 229 s 539 & 1995 c 399 s
5 29;
6 (5) RCW 28B.65.050 (Board—Duties—Rules—Termination of board)
7 and 2012 c 229 s 540, 1998 c 245 s 22, & 1995 c 399 s 30;
8 (6) RCW 28B.65.060 (Board—Staff support) and 1995 c 399 s 31,
9 1985 c 381 s 3, & 1983 1st ex.s. c 72 s 7;
10 (7) RCW 28B.65.070 (Board—Solicitation of private and federal
11 support, gifts, conveyances, etc.) and 1983 1st ex.s. c 72 s 8;
12 (8) RCW 28B.65.080 (Consortium and baccalaureate degree training
13 programs—Board recommendations—Requirements—Coordination) and 1983
14 1st ex.s. c 72 s 9;
15 (9) RCW 28B.65.110 (Statewide off-campus telecommunications
16 system—Establishment by Washington State University for education in
17 high-technology fields);
18 (10) RCW 28B.65.900 (Short title—1983 1st ex.s. c 72) and 1983
19 1st ex.s. c 72 s 1; and
20 (11) RCW 28B.65.905 (Effective date—1983 1st ex.s. c 72) and 1983
21 1st ex.s. c 72 s 18.

22 NEW SECTION. **Sec. 26.** RELATING TO HUMAN SERVICES, MENTAL HEALTH
23 & HOUSING. The following sections are decodified:

- 24 (1) RCW 10.77.900 (Savings—Construction—1973 1st ex.s. c 117);
25 (2) RCW 10.77.920 (Chapter successor to chapter 10.76 RCW);
26 (3) RCW 10.77.930 (Effective date—1973 1st ex.s. c 117);
27 (4) RCW 71.05.910 (Construction—1973 1st ex.s. c 142);
28 (5) RCW 71.05.920 (Section headings not part of the law);
29 (6) RCW 71.05.930 (Effective date—1973 1st ex.s. c 142);
30 (7) RCW 71.24.900 (Effective date—1967 ex.s. c 111);
31 (8) RCW 71.34.901 (Effective date—1985 c 354);
32 (9) RCW 74.14B.900 (Captions); and
33 (10) RCW 74.18.903 (Effective dates—1983 c 194).

34 NEW SECTION. **Sec. 27.** RELATING TO HUMAN SERVICES, MENTAL HEALTH
35 & HOUSING. The following acts or parts of acts are each repealed:

- 36 (1) RCW 2.56.031 (Juvenile offender information—Plan) and 2010
37 1st sp.s. c 7 s 61 & 1993 c 415 s 2;

1 (2) RCW 10.77.810 (Joint legislative audit and review committee
2 assessment—Report) and 2012 c 256 s 9;

3 (3) RCW 10.77.820 (Washington state institute for public policy
4 study—Report) and 2012 c 256 s 10;

5 (4) RCW 71.24.055 (Children's mental health services—Children's
6 access to care standards and benefit package—Recommendations to
7 legislature) and 2014 c 225 s 47 & 2007 c 359 s 4;

8 (5) RCW 74.12.901 (Federal waivers and legislation—1994 c 299)
9 and 1994 c 299 s 39;

10 (6) RCW 74.12A.030 (Federal waiver—Governor to seek) and 1993 c
11 312 s 12; and

12 (7) RCW 74.13.017 (Accreditation—Completion date) and 2003 c 207
13 s 8 & 2001 c 265 s 2.

14 NEW SECTION. **Sec. 28.** RELATING TO LAW & JUSTICE. The following
15 sections are decodified:

16 (1) RCW 5.45.920 (Repeal of inconsistent provisions); and

17 (2) RCW 46.61.990 (Recodification of sections—Organization of
18 chapter—Construction).

19 NEW SECTION. **Sec. 29.** RELATING TO LAW & JUSTICE. The following
20 acts or parts of acts are each repealed:

21 (1) RCW 2.56.250 (Revocation of concealed pistol licenses—
22 Information transmittal—Work group) and 2010 c 274 s 601;

23 (2) RCW 9.04.040 (Advertising cures of lost sexual potency—
24 Evidence) and 1921 c 168 s 2; and

25 (3) RCW 26.50.800 (Recidivism study) and 2012 c 223 s 10.

26 NEW SECTION. **Sec. 30.** RELATING TO LAW & JUSTICE. RCW 42.32.030
27 is recodified as a section in chapter 42.30 RCW.

28 **Sec. 31.** RCW 29A.04.510 and 2003 c 111 s 149 are each amended to
29 read as follows:

30 SECTION 30 CONFORMING AMENDMENT. (1) The Washington state
31 election administration and certification board is established and
32 has the responsibilities and authorities prescribed by this chapter.
33 The board is composed of the following members:

34 (a) The secretary of state or the secretary's designee;

35 (b) The state director of elections or the director's designee;

1 (c) Four county auditors appointed by the Washington state
2 association of county auditors or their alternates who are county
3 auditors designated by the association to serve as such alternates,
4 each appointee and alternate to serve at the pleasure of the
5 association;

6 (d) One member from each of the two largest political party
7 caucuses of the house of representatives designated by and serving at
8 the pleasure of the legislative leader of the respective caucus;

9 (e) One member from each of the two largest political party
10 caucuses of the senate designated by and serving at the pleasure of
11 the legislative leader of the respective caucus; and

12 (f) One representative from each major political party,
13 designated by and serving at the pleasure of the chair of the party's
14 state central committee.

15 (2) The board shall elect a chair from among its number; however,
16 neither the secretary of state nor the state director of elections
17 nor their designees may serve as the chair of the board. A majority
18 of the members appointed to the board constitutes a quorum for
19 conducting the business of the board. Chapter 42.30 RCW, the Open
20 Public Meetings Act, and RCW 42.32.030 (as recodified by this act)
21 regarding minutes of meetings, apply to the meetings of the board.

22 (3) Members of the board shall serve without compensation. The
23 secretary of state shall reimburse members of the board, other than
24 those who are members of the legislature, for travel expenses in
25 accordance with RCW 43.03.050 and 43.03.060. Members of the board who
26 are members of the legislature shall be reimbursed as provided in
27 chapter 44.04 RCW.

28 **Sec. 32.** RCW 35A.39.010 and 1995 c 21 s 2 are each amended to
29 read as follows:

30 SECTION 30 CONFORMING AMENDMENT. Every code city shall keep a
31 journal of minutes of its legislative meetings with orders,
32 resolutions and ordinances passed, and records of the proceedings of
33 any city department, division or commission performing quasi-judicial
34 functions as required by ordinances of the city and general laws of
35 the state and shall keep such records open to the public as required
36 by RCW 42.32.030 (as recodified by this act) and shall keep and
37 preserve all public records and publications or reproduce and destroy
38 the same as provided by Title 40 RCW. Each code city may duplicate

1 and sell copies of its ordinances at fees reasonably calculated to
2 defray the cost of such duplication and handling.

3 **Sec. 33.** RCW 44.05.080 and 2011 c 60 s 42 are each amended to
4 read as follows:

5 SECTION 30 CONFORMING AMENDMENT. In addition to other duties
6 prescribed by law, the commission shall:

7 (1) Adopt rules pursuant to the Administrative Procedure Act,
8 chapter 34.05 RCW, to carry out the provisions of Article II, section
9 43 of the state Constitution and of this chapter, which rules shall
10 provide that three voting members of the commission constitute a
11 quorum to do business, and that the votes of three of the voting
12 members are required for any official action of the commission;

13 (2) Act as the legislature's recipient of the final redistricting
14 data and maps from the United States Bureau of the Census;

15 (3) Comply with requirements to disclose and preserve public
16 records as specified in chapters 40.14 and 42.56 RCW;

17 (4) Hold open meetings pursuant to the open public meetings act,
18 chapter 42.30 RCW;

19 (5) Prepare and disclose its minutes pursuant to RCW 42.32.030
20 (as recodified by this act);

21 (6) Be subject to the provisions of RCW 42.17A.700;

22 (7) Prepare and publish a report with the plan; the report will
23 be made available to the public at the time the plan is published.
24 The report will include but will not be limited to: (a) The
25 population and percentage deviation from the average district
26 population for every district; (b) an explanation of the criteria
27 used in developing the plan with a justification of any deviation in
28 a district from the average district population; (c) a map of all the
29 districts; and (d) the estimated cost incurred by the counties for
30 adjusting precinct boundaries.

31 NEW SECTION. **Sec. 34.** RELATING TO NATURAL RESOURCES & PARKS.
32 The following sections are decodified:

33 (1) RCW 77.15.902 (Savings—1998 c 190);

34 (2) RCW 77.50.900 (Purpose—2000 c 107);

35 (3) RCW 77.65.900 (Effective date—1989 c 316); and

36 (4) RCW 77.105.900 (Effective date—1993 sp.s. c 2 §§ 7, 60, 80,
37 and 82-100).

1 NEW SECTION. **Sec. 35.** RELATING TO NATURAL RESOURCES & PARKS.

2 The following acts or parts of acts are each repealed:

3 (1) RCW 43.30.8351 (Progress report) and 2009 c 163 s 3;

4 (2) RCW 76.01.080 (Lacey compound—Light industrial facilities/
5 land—Sale or exchange) and 2001 c 189 s 1;

6 (3) RCW 76.01.090 (Proposal for exchange or sale—Lacey compound
7 site) and 2001 c 189 s 2;

8 (4) RCW 76.09.380 (Report to the legislature—Emergency rules—
9 Permanent rules) and 1999 sp.s. c 4 s 205;

10 (5) RCW 77.12.605 (Whidbey Island game farm—Sale of property) and
11 1999 c 205 s 1;

12 (6) RCW 77.12.710 (Game fish production—Double by year 2000) and
13 1998 c 245 s 159, 1995 c 399 s 208, 1993 sp.s. c 2 s 70, & 1990 c 110
14 s 2;

15 (7) RCW 79A.20.005 (Findings) and 1992 c 153 s 2;

16 (8) RCW 79A.20.010 (Definitions) and 1992 c 153 s 3;

17 (9) RCW 79A.20.030 (Allocation and distribution of moneys) and
18 1994 c 264 s 30 & 1992 c 153 s 5; and

19 (10) RCW 79A.20.900 (Short title) and 1992 c 153 s 1.

20 **Sec. 36.** RCW 77.125.040 and 2001 c 86 s 4 are each amended to
21 read as follows:

22 RELATING TO NATURAL RESOURCES & PARKS. Rules to implement this
23 chapter shall be adopted no sooner than thirty days following the end
24 of the 2002 regular legislative session. (~~The director shall provide~~
25 ~~a written report to the appropriate legislative committees by January~~
26 ~~1, 2003, on the progress of the program.~~)

27 NEW SECTION. **Sec. 37.** RELATING TO TRADE & ECONOMIC DEVELOPMENT.

28 The following sections are decodified:

29 (1) RCW 43.31A.400 (Economic assistance authority abolished—
30 Transfer of duties to department of revenue);

31 (2) RCW 43.63A.902 (Headings—1984 c 125); and

32 (3) RCW 43.63A.903 (Effective date—1984 c 125).

33 NEW SECTION. **Sec. 38.** RELATING TO TRADE & ECONOMIC DEVELOPMENT.

34 The following acts or parts of acts are each repealed:

35 (1) RCW 43.31.088 (Business assistance center—ISO-9000 quality
36 standards) and 1994 c 140 s 2;

1 (2) RCW 43.31.522 (Marketplace program—Definitions) and 2009 c
2 565 s 29, 2005 c 136 s 17, 1993 c 280 s 46, 1990 c 57 s 2, & 1989 c
3 417 s 2;

4 (3) RCW 43.31.524 (Marketplace program—Generally) and 1993 c 280
5 s 47, 1990 c 57 s 3, & 1989 c 417 s 3;

6 (4) RCW 43.31.800 (State international trade fairs—"Director"
7 defined) and 2009 c 565 s 30, 1993 c 280 s 52, 1987 c 195 s 4, & 1965
8 c 148 s 2;

9 (5) RCW 43.31.805 (State trade fair fund) and 1998 c 345 s 3;

10 (6) RCW 43.31.810 (State international trade fairs—State aid
11 eligibility requirements) and 1987 c 195 s 5, 1975 1st ex.s. c 292 s
12 3, & 1965 c 148 s 3;

13 (7) RCW 43.31.820 (State international trade fairs—Application
14 for funds) and 1987 c 195 s 6, 1975 1st ex.s. c 292 s 4, & 1965 c 148
15 s 4;

16 (8) RCW 43.31.830 (State international trade fairs—Certification
17 of fairs—Allotments—Division and payment from state trade fair fund)
18 and 1993 c 280 s 53, 1987 c 195 s 7, 1975 1st ex.s. c 292 s 5, & 1965
19 c 148 s 5;

20 (9) RCW 43.31.832 (State trade fairs—Transfer of surplus funds in
21 state trade fair fund to general fund—Expenditure) and 1985 c 466 s
22 34, 1981 2nd ex.s. c 2 s 1, 1975 1st ex.s. c 292 s 8, & 1972 ex.s. c
23 93 s 2;

24 (10) RCW 43.31.833 (State trade fairs—Transfer of surplus funds
25 in state trade fair fund to general fund—Construction) and 1987 c 195
26 s 8, 1985 c 466 s 35, & 1972 ex.s. c 93 s 3;

27 (11) RCW 43.31.834 (State trade fairs—Transfer of surplus funds
28 in state trade fair fund to general fund—Construction) and 1985 c 466
29 s 36 & 1972 ex.s. c 93 s 4;

30 (12) RCW 43.31.840 (State international trade fairs—Post audit of
31 participating fairs—Reports) and 1993 c 280 s 54, 1975 1st ex.s. c
32 292 s 6, & 1965 c 148 s 6;

33 (13) RCW 43.31.850 (State international trade fairs—State
34 international trade fair defined) and 1987 c 195 s 9, 1975 1st ex.s.
35 c 292 s 7, & 1965 c 148 s 8;

36 (14) RCW 43.374.005 (Finding—Intent—Purpose) and 2010 1st sp.s.
37 c 13 s 1; and

38 (15) RCW 43.374.020 (Washington global health technologies and
39 product development account) and 2010 1st sp.s. c 13 s 3.

1 NEW SECTION. **Sec. 39.** RELATING TO TRANSPORTATION. The following
2 acts or parts of acts are each repealed:

3 (1) RCW 47.01.141 (Biennial report) and 1987 c 505 s 49, 1984 c 7
4 s 75, 1977 c 75 s 68, & 1973 2nd ex.s. c 12 s 1;

5 (2) RCW 47.01.321 (Skills bank—Report) and 2003 c 363 s 203;

6 (3) RCW 47.01.350 (Ferry grant program) and 2008 c 45 s 1, 2007 c
7 223 s 2, & 2006 c 332 s 4;

8 (4) RCW 47.01.360 (Backup plan for passenger-only ferry service
9 between Vashon and Seattle) and 2006 c 332 s 6;

10 (5) RCW 47.01.400 (Alaskan Way viaduct, Seattle Seawall, and
11 state route No. 520 improvements—Expert review panel—Governor's
12 finding) and 2006 c 311 s 28;

13 (6) RCW 47.01.405 (State route No. 520 improvements—Project
14 impact plan—Mediator, duties) and 2007 c 517 s 2;

15 (7) RCW 47.01.406 (State route No. 520 improvements—Review of
16 project design plans—Goals) and 2007 c 517 s 3;

17 (8) RCW 47.01.410 (State route No. 520 improvements—Multimodal
18 transportation plan) and 2007 c 517 s 6;

19 (9) RCW 47.01.418 (State route No. 520 improvements—Work group,
20 subgroups—Corridor projects) and 2009 c 472 s 3;

21 (10) RCW 47.60.645 (Passenger ferry account) and 2009 c 8 s 504,
22 2008 c 45 s 2, 2006 c 332 s 1, & 1995 2nd sp.s. c 14 s 558;

23 (11) RCW 47.78.010 (High capacity transportation account) and
24 1997 c 457 s 513, 1991 sp.s. c 13 ss 66, 121, 1990 c 43 s 47, & 1987
25 c 428 s 1;

26 (12) RCW 82.44.180 (Transportation fund—Deposits and
27 distributions) and 2013 c 251 s 9;

28 (13) RCW 82.80.040 (Street utility—Establishment) and 1991 c 141
29 s 1;

30 (14) RCW 82.80.050 (Street utility—Charges, credits) and 2006 c
31 301 s 5, 2000 c 103 s 21, & 1991 c 141 s 2; and

32 (15) RCW 82.80.060 (Use of other proceeds by utility) and 1991 c
33 141 s 3.

34 **Sec. 40.** RCW 46.18.060 and 2016 c 36 s 4, 2016 c 16 s 4, and
35 2016 c 15 s 4 are each reenacted and amended to read as follows:

36 RELATING TO TRANSPORTATION. (1) The department must review and
37 either approve or reject special license plate applications submitted
38 by sponsoring organizations.

1 (2) Duties of the department include, but are not limited to, the
2 following:

3 (a) Review and approve the annual financial reports submitted by
4 sponsoring organizations with active special license plate series and
5 present those annual financial reports to the joint transportation
6 committee;

7 (b) Report annually to the joint transportation committee on the
8 special license plate applications that were considered by the
9 department;

10 (c) Issue approval and rejection notification letters to
11 sponsoring organizations, the executive committee of the joint
12 transportation committee, and the legislative sponsors identified in
13 each application. The letters must be issued within seven days of
14 making a determination on the status of an application; and

15 (d) Review annually the number of plates sold for each special
16 license plate series created after January 1, 2003. The department
17 may submit a recommendation to discontinue a special plate series to
18 the executive committee of the joint transportation committee.

19 ~~((3) In order to assess the effects and impact of the~~
20 ~~proliferation of special license plates, the legislature declares a~~
21 ~~temporary moratorium on the issuance of any additional plates until~~
22 ~~July 1, 2015. During this period of time, the department is~~
23 ~~prohibited from accepting, reviewing, processing, or approving any~~
24 ~~applications. Additionally, a special license plate may not be~~
25 ~~enacted by the legislature during the moratorium, unless the proposed~~
26 ~~license plate has been approved by the former special license plate~~
27 ~~review board before February 15, 2005.~~

28 ~~(4) The limitations under subsection (3) of this section do not~~
29 ~~apply to the following special license plates:~~

30 ~~(a) 4-H license plates created under RCW 46.18.200;~~

31 ~~(b) Breast cancer awareness license plates created under RCW~~
32 ~~46.18.200;~~

33 ~~(c) Gold star license plates created under RCW 46.18.245;~~

34 ~~(d) Music Matters license plates created under RCW 46.18.200;~~

35 ~~(e) Seattle Seahawks license plates created under RCW 46.18.200;~~

36 ~~(f) Seattle Sounders FC license plates created under RCW~~
37 ~~46.18.200;~~

38 ~~(g) Seattle University license plates created under RCW~~
39 ~~46.18.200;~~

40 ~~(h) State flower license plates created under RCW 46.18.200;~~

1 ~~(i) Volunteer firefighter license plates created under RCW~~
2 ~~46.18.200;~~
3 ~~(j) Washington farmers and ranchers license plates created under~~
4 ~~RCW 46.18.200;~~
5 ~~(k) Washington state wrestling license plates created under RCW~~
6 ~~46.18.200;~~
7 ~~(l) Washington tennis license plates created under RCW~~
8 ~~46.18.200.))~~

9 **Sec. 41.** RCW 47.06.110 and 2005 c 319 s 124 are each amended to
10 read as follows:

11 SECTION 39 CONFORMING AMENDMENT. The state-interest component of
12 the statewide multimodal transportation plan shall include a state
13 public transportation plan that:

14 (1) Articulates the state vision of an interest in public
15 transportation and provides quantifiable objectives, including
16 benefits indicators;

17 (2) Identifies the goals for public transit and the roles of
18 federal, state, regional, and local entities in achieving those
19 goals;

20 (3) Recommends mechanisms for coordinating state, regional, and
21 local planning for public transportation;

22 (4) Recommends mechanisms for coordinating public transportation
23 with other transportation services and modes;

24 (5) Recommends criteria, consistent with the goals identified in
25 subsection (2) of this section (~~and with RCW 82.44.180 (2) and~~
26 ~~(3))~~), for existing federal authorizations administered by the
27 department to transit agencies; and

28 (6) Recommends a statewide public transportation facilities and
29 equipment management system as required by federal law.

30 In developing the state public transportation plan, the
31 department shall involve local jurisdictions, public and private
32 providers of transportation services, nonmotorized interests, and
33 state agencies with an interest in public transportation, including
34 but not limited to the departments of (~~community, trade, and~~
35 ~~economic development~~)) commerce, social and health services, and
36 ecology, the office of the superintendent of public instruction, the
37 office of the governor, and the office of financial management.

1 The department shall submit to the senate and house
2 transportation committees by December 1st of each year, reports
3 summarizing the plan's progress.

4 **Sec. 42.** RCW 82.42.090 and 1995 c 170 s 1 are each amended to
5 read as follows:

6 SECTION 39 CONFORMING AMENDMENT. All moneys collected by the
7 director from the aircraft fuel excise tax as provided in RCW
8 82.42.020 shall be transmitted to the state treasurer and shall be
9 credited to the aeronautics account hereby created in the
10 (~~transportation fund of the~~) state treasury. Moneys collected from
11 the consumer or user of aircraft fuel from either the use tax imposed
12 by RCW 82.12.020 or the retail sales tax imposed by RCW 82.08.020
13 shall be transmitted to the state treasurer and credited to the state
14 general fund.

15 **Sec. 43.** RCW 82.80.070 and 2005 c 319 s 139 are each amended to
16 read as follows:

17 SECTION 39 CONFORMING AMENDMENT. (1) The proceeds collected
18 pursuant to the exercise of the local option authority of RCW
19 82.80.010(~~(7)~~) and 82.80.030(~~(7, and 82.80.050)~~) (hereafter called
20 "local option transportation revenues") shall be used for
21 transportation purposes only, including but not limited to the
22 following: The operation and preservation of roads, streets, and
23 other transportation improvements; new construction, reconstruction,
24 and expansion of city streets, county roads, and state highways and
25 other transportation improvements; development and implementation of
26 public transportation and high capacity transit improvements and
27 programs; and planning, design, and acquisition of right-of-way and
28 sites for such transportation purposes. The proceeds collected from
29 excise taxes on the sale, distribution, or use of motor vehicle fuel
30 and special fuel under RCW 82.80.010 shall be used exclusively for
31 "highway purposes" as that term is construed in Article II, section
32 40 of the state Constitution.

33 (2) The local option transportation revenues shall be expended
34 for transportation uses consistent with the adopted transportation
35 and land use plans of the jurisdiction expending the funds and
36 consistent with any applicable and adopted regional transportation
37 plan for metropolitan planning areas.

1 (3) Each local government with a population greater than eight
2 thousand that levies or expends local option transportation funds, is
3 also required to develop and adopt a specific transportation program
4 that contains the following elements:

5 (a) The program shall identify the geographic boundaries of the
6 entire area or areas within which local option transportation
7 revenues will be levied and expended.

8 (b) The program shall be based on an adopted transportation plan
9 for the geographic areas covered and shall identify the proposed
10 operation and construction of transportation improvements and
11 services in the designated plan area intended to be funded in whole
12 or in part by local option transportation revenues and shall identify
13 the annual costs applicable to the program.

14 (c) The program shall indicate how the local transportation plan
15 is coordinated with applicable transportation plans for the region
16 and for adjacent jurisdictions.

17 (d) The program shall include at least a six-year funding plan,
18 updated annually, identifying the specific public and private sources
19 and amounts of revenue necessary to fund the program. The program
20 shall include a proposed schedule for construction of projects and
21 expenditure of revenues. The funding plan shall consider the
22 additional local tax revenue estimated to be generated by new
23 development within the plan area if all or a portion of the
24 additional revenue is proposed to be earmarked as future
25 appropriations for transportation improvements in the program.

26 (4) Local governments with a population greater than eight
27 thousand exercising the authority for local option transportation
28 funds shall periodically review and update their transportation
29 program to ensure that it is consistent with applicable local and
30 regional transportation and land use plans and within the means of
31 estimated public and private revenue available.

32 (5) In the case of expenditure for new or expanded transportation
33 facilities, improvements, and services, priorities in the use of
34 local option transportation revenues shall be identified in the
35 transportation program and expenditures shall be made based upon the
36 following criteria, which are stated in descending order of weight to
37 be attributed:

38 (a) First, the project serves a multijurisdictional function;

39 (b) Second, it is necessitated by existing or reasonably
40 foreseeable congestion;

1 (c) Third, it has the greatest person-carrying capacity;

2 (d) Fourth, it is partially funded by other government funds,
3 such as from the state transportation improvement board, or by
4 private sector contributions, such as those from the local
5 transportation act, chapter 39.92 RCW; and

6 (e) Fifth, it meets such other criteria as the local government
7 determines is appropriate.

8 (6) It is the intent of the legislature that as a condition of
9 levying, receiving, and expending local option transportation
10 revenues, no local government agency use the revenues to replace,
11 divert, or loan any revenues currently being used for transportation
12 purposes to nontransportation purposes.

13 (7) Local governments are encouraged to enter into interlocal
14 agreements to jointly develop and adopt with other local governments
15 the transportation programs required by this section for the purpose
16 of accomplishing regional transportation planning and development.

17 (8) Local governments may use all or a part of the local option
18 transportation revenues for the amortization of local government
19 general obligation and revenue bonds issued for transportation
20 purposes consistent with the requirements of this section.

21 (9) Subsections (1) through (8) of this section do not apply to a
22 regional transportation investment district imposing a tax or fee
23 under the local option authority of this chapter. Proceeds collected
24 under the exercise of local option authority under this chapter by a
25 district must be used in accordance with chapter 36.120 RCW.

26 **Sec. 44.** RCW 47.68.250 and 2016 c 20 s 3 are each amended to
27 read as follows:

28 SECTION 39 CONFORMING AMENDMENT. (1) Every aircraft must be
29 registered with the department for each calendar year in which the
30 aircraft is operated or is based within this state. A fee of fifteen
31 dollars is charged for each such registration and each annual renewal
32 thereof.

33 (2) Possession of the appropriate effective federal certificate,
34 permit, rating, or license relating to ownership and airworthiness of
35 the aircraft, and payment of the excise tax imposed by Title 82 RCW
36 for the privilege of using the aircraft within this state during the
37 year for which the registration is sought, and payment of the
38 registration fee required by this section are the only requisites for
39 registration of an aircraft under this section.

1 (3) The registration fee imposed by this section is payable to
2 and collected by the secretary. The fee for any calendar year must be
3 paid during the month of January, and must be collected by the
4 secretary at the time of the collection by him or her of the excise
5 tax. If the secretary is satisfied that the requirements for
6 registration of the aircraft have been met, he or she must issue to
7 the owner of the aircraft a certificate of registration therefor. The
8 secretary must pay to the state treasurer the registration fees
9 collected under this section, which registration fees must be
10 credited to the aeronautics account (~~in the transportation fund~~).

11 (4) It is not necessary for the registrant to provide the
12 secretary with originals or copies of federal certificates, permits,
13 ratings, or licenses. The secretary must issue certificates of
14 registration, or such other evidences of registration or payment of
15 fees as he or she may deem proper; and in connection therewith may
16 prescribe requirements for the possession and exhibition of such
17 certificates or other evidences.

18 (5) The provisions of this section do not apply to:

19 (a) An aircraft owned by and used exclusively in the service of
20 any government or any political subdivision thereof, including the
21 government of the United States, any state, territory, or possession
22 of the United States, or the District of Columbia, which is not
23 engaged in carrying persons or property for commercial purposes;

24 (b) An aircraft registered under the laws of a foreign country;

25 (c) An aircraft that is owned by a nonresident if:

26 (i) The aircraft remains in this state or is based in this state,
27 or both, for a period less than ninety days; or

28 (ii) The aircraft is a large private airplane as defined in RCW
29 82.08.215 and remains in this state for a period of ninety days or
30 longer, but only when:

31 (A) The airplane is in this state exclusively for the purpose of
32 repairs, alterations, or reconstruction, including any flight testing
33 related to the repairs, alterations, or reconstruction, or for the
34 purpose of continual storage of not less than one full calendar year;

35 (B) An employee of the facility providing these services is on
36 board the airplane during any flight testing; and

37 (C) Within ninety days of the date the airplane first arrived in
38 this state during the calendar year, the nonresident files a written
39 statement with the department indicating that the airplane is exempt
40 from registration under this subsection (5)(c)(ii). The written

1 statement must be filed in a form and manner prescribed by the
2 department and must include such information as the department
3 requires. The department may require additional periodic verification
4 that the airplane remains exempt from registration under this
5 subsection (5)(c)(ii) and that written statements conform with the
6 provisions of RCW 9A.72.085;

7 (d) An aircraft engaged principally in commercial flying
8 constituting an act of interstate or foreign commerce;

9 (e) An aircraft owned by the commercial manufacturer thereof
10 while being operated for test or experimental purposes, or for the
11 purpose of training crews for purchasers of the aircraft;

12 (f) An aircraft being held for sale, exchange, delivery, test, or
13 demonstration purposes solely as stock in trade of an aircraft dealer
14 licensed under Title 14 RCW; and

15 (g) An aircraft based within the state that is in an unairworthy
16 condition, is not operated within the registration period, and has
17 obtained a written exemption issued by the secretary.

18 (6) The secretary must be notified within thirty days of any
19 change in ownership of a registered aircraft. The notification must
20 contain the N, NC, NR, NL, or NX number of the aircraft, the full
21 name and address of the former owner, and the full name and address
22 of the new owner. For failure to so notify the secretary, the
23 registration of that aircraft may be canceled by the secretary,
24 subject to reinstatement upon application and payment of a
25 reinstatement fee of ten dollars by the new owner.

26 (7) A municipality or port district that owns, operates, or
27 leases an airport, as defined in RCW 47.68.020, with the intent to
28 operate, must require from an aircraft owner proof of aircraft
29 registration as a condition of leasing or selling tiedown or hangar
30 space for an aircraft. It is the responsibility of the lessee or
31 purchaser to register the aircraft. Proof of registration must be
32 provided according to the following schedule:

33 (a) For the purchase of tiedown or hangar space, the municipality
34 or port district must allow the purchaser thirty days from the date
35 of the application for purchase to produce proof of aircraft
36 registration.

37 (b) For the lease of tiedown or hangar space that extends thirty
38 days or more, the municipality or port district must allow the lessee
39 thirty days to produce proof of aircraft registration from the date
40 of the application for lease of tiedown or hangar space.

1 (c) For the lease of tiedown or hangar space that extends less
2 than thirty days, the municipality or port district must allow the
3 lessee to produce proof of aircraft registration at any point prior
4 to the final day of the lease.

5 (8) The airport must work with the aviation division to assist in
6 its efforts to register aircraft by providing information about based
7 aircraft on an annual basis as requested by the division.

8 NEW SECTION. **Sec. 45.** Section 44 of this act expires July 1,
9 2021.

10 **Sec. 46.** RCW 47.68.250 and 2016 c 20 s 4 are each amended to
11 read as follows:

12 SECTION 39 CONFORMING AMENDMENT. (1) Every aircraft must be
13 registered with the department for each calendar year in which the
14 aircraft is operated or is based within this state. A fee of fifteen
15 dollars is charged for each such registration and each annual renewal
16 thereof.

17 (2) Possession of the appropriate effective federal certificate,
18 permit, rating, or license relating to ownership and airworthiness of
19 the aircraft, and payment of the excise tax imposed by Title 82 RCW
20 for the privilege of using the aircraft within this state during the
21 year for which the registration is sought, and payment of the
22 registration fee required by this section are the only requisites for
23 registration of an aircraft under this section.

24 (3) The registration fee imposed by this section is payable to
25 and collected by the secretary. The fee for any calendar year must be
26 paid during the month of January, and collected by the secretary at
27 the time of the collection by him or her of the said excise tax. If
28 the secretary is satisfied that the requirements for registration of
29 the aircraft have been met, he or she must issue to the owner of the
30 aircraft a certificate of registration therefor. The secretary must
31 pay to the state treasurer the registration fees collected under this
32 section, which registration fees must be credited to the aeronautics
33 account (~~(in the transportation fund)~~).

34 (4) It is not necessary for the registrant to provide the
35 secretary with originals or copies of federal certificates, permits,
36 ratings, or licenses. The secretary must issue certificates of
37 registration, or such other evidences of registration or payment of
38 fees as he or she may deem proper; and in connection therewith may

1 prescribe requirements for the possession and exhibition of such
2 certificates or other evidences.

3 (5) The provisions of this section do not apply to:

4 (a) An aircraft owned by and used exclusively in the service of
5 any government or any political subdivision thereof, including the
6 government of the United States, any state, territory, or possession
7 of the United States, or the District of Columbia, which is not
8 engaged in carrying persons or property for commercial purposes;

9 (b) An aircraft registered under the laws of a foreign country;

10 (c) An aircraft which is owned by a nonresident and registered in
11 another state. However, if said aircraft remains in and/or ((be)) is
12 based in this state for a period of ninety days or longer it is not
13 exempt under this section;

14 (d) An aircraft engaged principally in commercial flying
15 constituting an act of interstate or foreign commerce;

16 (e) An aircraft owned by the commercial manufacturer thereof
17 while being operated for test or experimental purposes, or for the
18 purpose of training crews for purchasers of the aircraft;

19 (f) An aircraft being held for sale, exchange, delivery, test, or
20 demonstration purposes solely as stock in trade of an aircraft dealer
21 licensed under Title 14 RCW;

22 (g) An aircraft based within the state that is in an unairworthy
23 condition, is not operated within the registration period, and has
24 obtained a written exemption issued by the secretary.

25 (6) The secretary must be notified within thirty days of any
26 change in ownership of a registered aircraft. The notification must
27 contain the N, NC, NR, NL, or NX number of the aircraft, the full
28 name and address of the former owner, and the full name and address
29 of the new owner. For failure to so notify the secretary, the
30 registration of that aircraft may be canceled by the secretary,
31 subject to reinstatement upon application and payment of a
32 reinstatement fee of ten dollars by the new owner.

33 (7) A municipality or port district that owns, operates, or
34 leases an airport, as defined in RCW 47.68.020, with the intent to
35 operate, must require from an aircraft owner proof of aircraft
36 registration as a condition of leasing or selling tiedown or hangar
37 space for an aircraft. It is the responsibility of the lessee or
38 purchaser to register the aircraft. Proof of registration must be
39 provided according to the following schedule:

1 (a) For the purchase of tiedown or hangar space, the municipality
2 or port district must allow the purchaser thirty days from the date
3 of the application for purchase to produce proof of aircraft
4 registration.

5 (b) For the lease of tiedown or hangar space that extends thirty
6 days or more, the municipality or port district must allow the lessee
7 thirty days to produce proof of aircraft registration from the date
8 of the application for lease of tiedown or hangar space.

9 (c) For the lease of tiedown or hangar space that extends less
10 than thirty days, the municipality or port district must allow the
11 lessee to produce proof of aircraft registration at any point prior
12 to the final day of the lease.

13 (8) The airport must work with the aviation division to assist in
14 its efforts to register aircraft by providing information about based
15 aircraft on an annual basis as requested by the division.

16 NEW SECTION. **Sec. 47.** Section 46 of this act takes effect July
17 1, 2021.

18 **Sec. 48.** RCW 14.20.060 and 1998 c 187 s 2 are each amended to
19 read as follows:

20 SECTION 39 CONFORMING AMENDMENT. The fees set forth in RCW
21 14.20.050 shall be paid to the secretary. The fee for any calendar
22 year may be paid on and after the first day of December of the
23 preceding year. The secretary shall give appropriate receipts
24 therefor. The fees collected under this chapter shall be credited to
25 the aeronautics account (~~(of the transportation fund)~~). The secretary
26 may prescribe requirements for the possession and exhibition of
27 aircraft dealer's licenses and aircraft dealer's certificates.

28 **Sec. 49.** RCW 82.44.190 and 1996 c 262 s 2 are each amended to
29 read as follows:

30 SECTION 39 CONFORMING AMENDMENT. The transportation
31 infrastructure account is hereby created in the (~~(transportation~~
32 ~~fund)~~) state treasury. Public and private entities may deposit moneys
33 in the transportation infrastructure account from federal, state,
34 local, or private sources. Proceeds from bonds or other financial
35 instruments sold to finance surface transportation projects from the
36 transportation infrastructure account shall be deposited into the
37 account. Principal and interest payments made on loans from the

1 transportation infrastructure account shall be deposited into the
2 account. Moneys in the account shall be available for purposes
3 specified in RCW 82.44.195. Expenditures from the transportation
4 infrastructure account shall be subject to appropriation by the
5 legislature. To the extent required by federal law or regulations
6 promulgated by the United States secretary of transportation, the
7 state treasurer is authorized to create separate subaccounts within
8 the transportation infrastructure account.

9 **Sec. 50.** RCW 43.84.092 and 2017 c 290 s 8 are each amended to
10 read as follows:

11 SECTION 39 CONFORMING AMENDMENT. (1) All earnings of investments
12 of surplus balances in the state treasury shall be deposited to the
13 treasury income account, which account is hereby established in the
14 state treasury.

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

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

1 (4) Monthly, the state treasurer shall distribute the earnings
2 credited to the treasury income account. The state treasurer shall
3 credit the general fund with all the earnings credited to the
4 treasury income account except:

5 (a) The following accounts and funds shall receive their
6 proportionate share of earnings based upon each account's and fund's
7 average daily balance for the period: The aeronautics account, the
8 aircraft search and rescue account, the Alaskan Way viaduct
9 replacement project account, the brownfield redevelopment trust fund
10 account, the budget stabilization account, the capital vessel
11 replacement account, the capitol building construction account, the
12 Cedar River channel construction and operation account, the Central
13 Washington University capital projects account, the charitable,
14 educational, penal and reformatory institutions account, the Chehalis
15 basin account, the cleanup settlement account, the Columbia river
16 basin water supply development account, the Columbia river basin
17 taxable bond water supply development account, the Columbia river
18 basin water supply revenue recovery account, the common school
19 construction fund, the community forest trust account, the connecting
20 Washington account, the county arterial preservation account, the
21 county criminal justice assistance account, the deferred compensation
22 administrative account, the deferred compensation principal account,
23 the department of licensing services account, the department of
24 retirement systems expense account, the developmental disabilities
25 community trust account, the diesel idle reduction account, the
26 drinking water assistance account, the drinking water assistance
27 administrative account, (~~the drinking water assistance repayment~~
28 ~~account,~~) the Eastern Washington University capital projects
29 account, the Interstate 405 express toll lanes operations account,
30 the education construction fund, the education legacy trust account,
31 the election account, the electric vehicle charging infrastructure
32 account, the energy freedom account, the energy recovery act account,
33 the essential rail assistance account, The Evergreen State College
34 capital projects account, the federal forest revolving account, the
35 ferry bond retirement fund, the freight mobility investment account,
36 the freight mobility multimodal account, the grade crossing
37 protective fund, the public health services account, the high
38 capacity transportation account, the state higher education
39 construction account, the higher education construction account, the
40 highway bond retirement fund, the highway infrastructure account, the

1 highway safety fund, the high occupancy toll lanes operations
2 account, the hospital safety net assessment fund, the industrial
3 insurance premium refund account, the judges' retirement account, the
4 judicial retirement administrative account, the judicial retirement
5 principal account, the local leasehold excise tax account, the local
6 real estate excise tax account, the local sales and use tax account,
7 the marine resources stewardship trust account, the medical aid
8 account, the mobile home park relocation fund, the money-purchase
9 retirement savings administrative account, the money-purchase
10 retirement savings principal account, the motor vehicle fund, the
11 motorcycle safety education account, the multimodal transportation
12 account, the multiuse roadway safety account, the municipal criminal
13 justice assistance account, the natural resources deposit account,
14 the oyster reserve land account, the pension funding stabilization
15 account, the perpetual surveillance and maintenance account, the
16 pollution liability insurance agency underground storage tank
17 revolving account, the public employees' retirement system plan 1
18 account, the public employees' retirement system combined plan 2 and
19 plan 3 account, the public facilities construction loan revolving
20 account beginning July 1, 2004, the public health supplemental
21 account, the public works assistance account, the Puget Sound capital
22 construction account, the Puget Sound ferry operations account, the
23 Puget Sound taxpayer accountability account, the real estate
24 appraiser commission account, the recreational vehicle account, the
25 regional mobility grant program account, the resource management cost
26 account, the rural arterial trust account, the rural mobility grant
27 program account, the rural Washington loan fund, the sexual assault
28 prevention and response account, the site closure account, the
29 skilled nursing facility safety net trust fund, the small city
30 pavement and sidewalk account, the special category C account, the
31 special wildlife account, the state employees' insurance account, the
32 state employees' insurance reserve account, the state investment
33 board expense account, the state investment board commingled trust
34 fund accounts, the state patrol highway account, the state route
35 number 520 civil penalties account, the state route number 520
36 corridor account, the state wildlife account, the supplemental
37 pension account, the Tacoma Narrows toll bridge account, the
38 teachers' retirement system plan 1 account, the teachers' retirement
39 system combined plan 2 and plan 3 account, the tobacco prevention and
40 control account, the tobacco settlement account, the toll facility

1 bond retirement account, the transportation 2003 account (nickel
2 account), the transportation equipment fund, (~~the transportation~~
3 ~~fund,~~) the transportation future funding program account, the
4 transportation improvement account, the transportation improvement
5 board bond retirement account, the transportation infrastructure
6 account, the transportation partnership account, the traumatic brain
7 injury account, the tuition recovery trust fund, the University of
8 Washington bond retirement fund, the University of Washington
9 building account, the volunteer firefighters' and reserve officers'
10 relief and pension principal fund, the volunteer firefighters' and
11 reserve officers' administrative fund, the Washington judicial
12 retirement system account, the Washington law enforcement officers'
13 and firefighters' system plan 1 retirement account, the Washington
14 law enforcement officers' and firefighters' system plan 2 retirement
15 account, the Washington public safety employees' plan 2 retirement
16 account, the Washington school employees' retirement system combined
17 plan 2 and 3 account, the Washington state health insurance pool
18 account, the Washington state patrol retirement account, the
19 Washington State University building account, the Washington State
20 University bond retirement fund, the water pollution control
21 revolving administration account, the water pollution control
22 revolving fund, the Western Washington University capital projects
23 account, the Yakima integrated plan implementation account, the
24 Yakima integrated plan implementation revenue recovery account, and
25 the Yakima integrated plan implementation taxable bond account.
26 Earnings derived from investing balances of the agricultural
27 permanent fund, the normal school permanent fund, the permanent
28 common school fund, the scientific permanent fund, the state
29 university permanent fund, and the state reclamation revolving
30 account shall be allocated to their respective beneficiary accounts.

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

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

1 NEW SECTION. **Sec. 51.** SECTION 39 CONFORMING REPEALERS. The
2 following acts or parts of acts are each repealed:

3 (1) RCW 82.14.046 (Sales and use tax equalization payments from
4 local transit taxes) and 1998 c 321 s 37, 1995 c 298 s 1, & 1994 c
5 241 s 2; and

6 (2) RCW 82.50.510 (Remittance of tax to state—Distribution to
7 cities, towns, counties, and schools) and 1998 c 321 s 24, 1991 c 199
8 s 227, 1990 c 42 s 322, 1975-'76 2nd ex.s. c 75 s 1, & 1971 ex.s. c
9 299 s 66.

10 NEW SECTION. **Sec. 52.** RELATING TO WAYS & MEANS. The following
11 sections are decodified:

12 (1) RCW 43.41.035 (Office of program planning and fiscal
13 management redesignated office of financial management);

14 (2) RCW 43.41.901 (Construction—1977 ex.s. c 270);

15 (3) RCW 43.41.940 (Central budget agency abolished);

16 (4) RCW 43.41.950 (Saving—1969 ex.s. c 239);

17 (5) RCW 43.41.981 (Transfer of certain powers, duties, functions,
18 and assets of the department of personnel); and

19 (6) RCW 43.88.910 (Effective date—1975 1st ex.s. c 293).

--- END ---