

2 **SHB 2724** - S COMM AMD
3 By Committee on Ways & Means

4

5 Strike everything after the enacting clause and insert the
6 following:

7 "NEW SECTION. **Sec. 1.** A new section is added to chapter 43.88 RCW
8 to read as follows:

9 A state agency shall not expend moneys except pursuant to an
10 appropriation by law if the moneys are received in an administrative or
11 judicial regulatory or civil enforcement action, or settlement thereof,
12 brought by the state.

13 In any regulatory or civil enforcement action brought by the
14 attorney general under the authority of the attorney general or another
15 state agency where moneys are to be paid to the state or to a state-
16 administered account, the attorney general shall seek a court order or
17 settlement that includes a requirement that the moneys received by the
18 state shall not be expended except pursuant to an appropriation by law.

19 This section does not apply to:

20 (1) Moneys received by the state for payment by the state to
21 injured parties or a class of parties as damages, restitution, or
22 refunds. However, if such payments to a class of parties in lieu of
23 damages, restitution, or refunds, such as payments under the doctrine
24 of cy pres, include a payment to a state agency, the expenditure of the
25 payment by the state agency shall be subject to this section;

26 (2) Fees or enforcement actions to collect fees, including
27 investigation or examination fees, that are established by
28 administrative rule or statute;

29 (3) Expenditures from accounts outside the state treasury,
30 including court registries, exclusively for purposes of remedial action
31 or natural resource damages under chapters 70.105D, 90.48, and 90.56
32 RCW, 33 U.S.C. Sec. 2701 et seq., or 42 U.S.C. Sec. 9601 et seq., or
33 for purposes of financial assurance under chapter 70.95 or 70.105 RCW;
34 and

1 (4) Expenditures from nonappropriated funds and accounts that are
2 specifically established by statute if the statute does not incorporate
3 a reference to this section.

4 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.88 RCW
5 to read as follows:

6 Except as provided in section 1 of this act or as otherwise
7 provided by law, recoveries of amounts expended pursuant to an
8 appropriation, including but not limited to, payments for material
9 supplied or services rendered under chapter 39.34 RCW, may be expended
10 as part of the original appropriation of the fund to which such
11 recoveries belong, without further or additional appropriation. Such
12 expenditures shall be subject to conditions and procedures prescribed
13 by the director of financial management. The director may authorize
14 expenditures with respect to recoveries accrued but not received, in
15 accordance with generally accepted accounting principles, except that
16 such recoveries shall not be included in revenues or expended against
17 an appropriation for a subsequent fiscal period. This section does not
18 apply to the repayment of loans, except for loans between state
19 agencies.

20 **Sec. 3.** RCW 43.79.270 and 1996 c 288 s 37 are each amended to read
21 as follows:

22 Whenever any money, from the federal government, or from other
23 sources, which was not anticipated in the budget approved by the
24 legislature has actually been received and is designated to be spent
25 for a specific purpose, the head of any department, agency, board, or
26 commission through which such expenditure shall be made is to submit to
27 the governor a statement which may be in the form of a request for an
28 allotment amendment setting forth the facts constituting the need for
29 such expenditure and the estimated amount to be expended: PROVIDED,
30 That no expenditure shall be made in excess of the actual amount
31 received, ((and)) no money shall be expended for any purpose except the
32 specific purpose for which it was received, and no money shall be
33 expended under this section if an appropriation is required under
34 section 1 of this act. A copy of any proposal submitted to the
35 governor to expend money from an appropriated fund or account in excess
36 of appropriations provided by law which is based on the receipt of
37 unanticipated revenues shall be submitted to the joint legislative

1 audit and review committee and also to the standing committees on ways
2 and means of the house and senate if the legislature is in session at
3 the same time as it is transmitted to the governor.

4 **Sec. 4.** RCW 9.46.100 and 1991 sp.s. c 16 s 917 are each amended to
5 read as follows:

6 There is hereby created the gambling revolving fund which shall
7 consist of all moneys receivable for licensing, penalties, forfeitures,
8 and all other moneys, income, or revenue received by the commission.
9 The state treasurer shall be custodian of the fund. All moneys
10 received by the commission or any employee thereof, except for change
11 funds and an amount of petty cash as fixed by rule or regulation of the
12 commission, shall be deposited each day in a depository approved by the
13 state treasurer and transferred to the state treasurer to be credited
14 to the gambling revolving fund. Disbursements from the revolving fund
15 shall be on authorization of the commission or a duly authorized
16 representative thereof. In order to maintain an effective expenditure
17 and revenue control the gambling revolving fund shall be subject in all
18 respects to chapter 43.88 RCW but no appropriation shall be required to
19 permit expenditures and payment of obligations from such fund except as
20 provided in section 1 of this act. All expenses relative to commission
21 business, including but not limited to salaries and expenses of the
22 director and other commission employees shall be paid from the gambling
23 revolving fund.

24 The state treasurer shall transfer to the general fund one million
25 dollars from the gambling revolving fund for the 1991-93 fiscal
26 biennium.

27 **Sec. 5.** RCW 15.13.470 and 1993 c 120 s 17 are each amended to read
28 as follows:

29 All moneys collected under this chapter shall be paid to the
30 director, deposited in an account within the agricultural local fund,
31 and used solely for carrying out this chapter and rules adopted under
32 this chapter. Except as provided in section 1 of this act, no
33 appropriation is required for the disbursement of moneys from the
34 account by the director. Any residual balance of funds remaining in
35 the nursery inspection fund on July 26, 1987, shall be transferred to
36 that account within the agricultural local fund: PROVIDED, That all
37 fees collected for fruit tree, fruit tree related ornamental tree, and

1 fruit tree rootstock assessments as set forth in this chapter shall be
2 deposited in the northwest nursery fund to be used only for the
3 Washington fruit tree and fruit tree related ornamental tree
4 certification and nursery improvement programs as set forth in this
5 chapter and chapter 15.14 RCW.

6 **Sec. 6.** RCW 15.36.441 and 1995 c 374 s 7 are each amended to read
7 as follows:

8 (1) If the results of an antibiotic, pesticide, or other drug
9 residue test under RCW 15.36.201 are above the actionable level
10 established in the PMO and determined using procedures set forth in the
11 PMO, a person holding a milk producer's license is subject to a civil
12 penalty. The penalty shall be in an amount equal to one-half the value
13 of the sum of the volumes of milk equivalent produced under the license
14 on the day prior to and the day of the adulteration. The value of the
15 milk shall be computed by the weighted average price for the federal
16 market order under which the milk is delivered.

17 (2) The penalty is imposed by the department giving a written
18 notice which is either personally served upon or transmitted by
19 certified mail, return receipt requested, to the person incurring the
20 penalty. The notice of the civil penalty shall be a final order of the
21 department unless, within fifteen days after the notice is received,
22 the person incurring the penalty appeals the penalty by filing a notice
23 of appeal with the department. If a notice of appeal is filed in a
24 timely manner, a hearing shall be conducted on behalf of the department
25 by the office of administrative hearings in accordance with chapters
26 34.05 and 34.12 RCW. At the conclusion of the hearing, the department
27 shall determine whether the penalty should be affirmed, and, if so,
28 shall issue a final order setting forth the civil penalty assessed, if
29 any. The order may be appealed to superior court in accordance with
30 chapter 34.05 RCW. Tests performed for antibiotic, pesticide, or other
31 drug residues by an official laboratory or an officially designated
32 laboratory of a milk sample drawn by a department official or a
33 licensed dairy technician shall be admitted as prima facie evidence of
34 the presence or absence of an antibiotic, pesticide, or other drug
35 residue.

36 (3) Any penalty imposed under this section is due and payable upon
37 the issuance of the final order by the department. The penalty shall
38 be deducted by the violator's marketing organization from the

1 violator's final payment for the month following the issuance of the
2 final order. The department shall promptly notify the violator's
3 marketing organization of any penalties contained in the final order.

4 (4) All penalties received or recovered from violations of this
5 section shall be remitted monthly by the violator's marketing
6 organization to the Washington state dairy products commission and
7 deposited in a revolving fund to be used solely for the purposes of
8 education and research. Except as provided in section 1 of this act,
9 no appropriation is required for disbursements from this fund.

10 (5) In case of a violation of the antibiotic, pesticide, or other
11 drug residue test requirements, an investigation shall be made to
12 determine the cause of the residue which shall be corrected. Follow-up
13 sampling and testing must be done in accordance with the requirements
14 of the PMO.

15 **Sec. 7.** RCW 15.36.471 and 1994 c 143 s 511 are each amended to
16 read as follows:

17 (1) The director of agriculture shall adopt rules imposing a civil
18 penalty for violations of the standards for component parts of fluid
19 dairy products which are established under this chapter or adopted
20 pursuant to RCW 69.04.398. The penalty shall not exceed ten thousand
21 dollars and shall be such as is necessary to achieve proper enforcement
22 of the standards. The rules shall be adopted before January 1, 1987,
23 and shall become effective on July 1, 1987.

24 (2) The penalty is imposed by the department giving a written
25 notice which is either personally served upon or transmitted by
26 certified mail, return receipt requested, to the person incurring the
27 penalty. The notice of the civil penalty shall be a final order of the
28 department unless, within fifteen days after the notice is received,
29 the person incurring the penalty appeals the penalty by filing a notice
30 of appeal with the department. If a notice of appeal is filed in a
31 timely manner, a hearing shall be conducted on behalf of the department
32 by the office of administrative hearings in accordance with chapters
33 34.05 and 34.12 RCW. At the conclusion of the hearing, the department
34 shall determine whether the penalty should be affirmed, reduced, or not
35 imposed and shall issue a final order setting forth the civil penalty
36 assessed, if any. The order may be appealed to superior court in
37 accordance with chapter 34.05 RCW. Tests performed for the component
38 parts of milk products by a state laboratory of a milk sample collected

1 by a department official shall be admitted as prima facie evidence of
2 the amounts of milk components in the product.

3 (3) Any penalty imposed under this section is due and payable upon
4 the issuance of the final order by the department.

5 (4) All penalties received or recovered from violations of this
6 section shall be remitted by the violator to the department and
7 deposited in the revolving fund of the Washington state dairy products
8 commission. One-half of the funds received shall be used for purposes
9 of education with the remainder one-half to be used for dairy
10 processing or marketing research, or both. Except as provided in
11 section 1 of this act, no appropriation is required for disbursements
12 from this fund.

13 (5) In case of a violation of the standards for the composition of
14 milk products, an investigation shall be made to determine the cause of
15 the violation which shall be corrected. Additional samples shall be
16 taken as soon as possible and tested by the department.

17 **Sec. 8.** RCW 18.160.050 and 1990 c 177 s 6 are each amended to read
18 as follows:

19 (1)(a) All certificate of competency holders that desire to
20 continue in the fire protection sprinkler business shall annually,
21 prior to January 1, secure from the state director of fire protection
22 a renewal certificate of competency upon payment of the fee as
23 prescribed by the state director of fire protection. Application for
24 renewal shall be upon a form prescribed by the state director of fire
25 protection and the certificate holder shall furnish the information
26 required by the director.

27 (b) Failure of any certificate of competency holder to secure his
28 or her renewal certificate of competency within sixty days after the
29 due date shall constitute sufficient cause for the state director of
30 fire protection to suspend the certificate of competency.

31 (c) The state director of fire protection may, upon the receipt of
32 payment of all delinquent fees including a late charge, restore a
33 certificate of competency that has been suspended for failure to pay
34 the renewal fee.

35 (d) A certificate of competency holder may voluntarily surrender
36 his or her certificate of competency to the state director of fire
37 protection and be relieved of the annual renewal fee. After
38 surrendering the certificate of competency, he or she shall not be

1 known as a certificate of competency holder and shall desist from the
2 practice thereof. Within two years from the time of surrender of the
3 certificate of competency, he or she may again qualify for a
4 certificate of competency, without examination, by the payment of the
5 required fee. If two or more years have elapsed, he or she shall
6 return to the status of a new applicant.

7 (2)(a) All licensed fire protection sprinkler system contractors
8 desiring to continue to be licensed shall annually, prior to January 1,
9 secure from the state director of fire protection a renewal license
10 upon payment of the fee as prescribed by the state director of fire
11 protection. Application for renewal shall be upon a form prescribed by
12 the state director of fire protection and the license holder shall
13 furnish the information required by the director.

14 (b) Failure of any license holder to secure his or her renewal
15 license within sixty days after the due date shall constitute
16 sufficient cause for the state director of fire protection to suspend
17 the license.

18 (c) The state director of fire protection may, upon the receipt of
19 payment of all delinquent fees including a late charge, restore a
20 license that has been suspended for failure to pay the renewal fee.

21 (3) The initial certificate of competency or license fee shall be
22 prorated based upon the portion of the year such certificate of
23 competency or license is in effect, prior to renewal on January 1.

24 (4) The fire protection contractor license fund is created in the
25 custody of the state treasurer. All receipts from license and
26 certificate fees and charges or from the money generated by the rules
27 and regulations promulgated under this chapter shall be deposited into
28 the fund. Expenditures from the fund may be used only for purposes
29 authorized under this chapter. Only the state director of fire
30 protection or the director's designee may authorize expenditures from
31 the fund. The fund is subject to allotment procedures under chapter
32 43.88 RCW(~~(7-but)~~). Except as provided in section 1 of this act, no
33 appropriation is required for expenditures from the fund.

34 **Sec. 9.** RCW 19.146.228 and 1997 c 106 s 13 are each amended to
35 read as follows:

36 The director shall establish fees by rule in accordance with RCW
37 43.24.086 sufficient to cover, but not exceed, the costs of
38 administering this chapter. These fees may include:

1 (1) An annual assessment paid by each licensee on or before a date
2 specified by rule;

3 (2) An investigation fee to cover the costs of any investigation of
4 the books and records of a licensee or other person subject to this
5 chapter; and

6 (3) An application fee to cover the costs of processing
7 applications made to the director under this chapter.

8 Mortgage brokers shall not be charged investigation fees for the
9 processing of complaints when the investigation determines that no
10 violation of this chapter occurred or when the mortgage broker provides
11 a remedy satisfactory to the complainant and the director and no order
12 of the director is issued. All moneys, fees, and penalties collected
13 under the authority of this chapter shall be subject to section 1 of
14 this act and shall be deposited into the banking examination fund,
15 unless the consumer services account is created as a dedicated,
16 nonappropriated account, in which case all moneys, fees, and penalties
17 collected under this chapter shall be deposited in the consumer
18 services account.

19 **Sec. 10.** RCW 22.09.411 and 1991 sp.s. c 13 s 67 are each amended
20 to read as follows:

21 (1) There is hereby established a fund to be known as the grain
22 indemnity fund. The grain indemnity fund shall consist of assessments
23 remitted by licensees pursuant to the provisions of RCW 22.09.416
24 through 22.09.426.

25 (2) All assessments shall be paid to the department and shall be
26 deposited in the grain indemnity fund. The state treasurer shall be
27 the custodian of the grain indemnity fund. Disbursements shall be on
28 authorization of the director. Except as provided in section 1 of this
29 act, no appropriation is required for disbursements from this fund.

30 (3) The grain indemnity fund shall be used exclusively for purposes
31 of paying claimants pursuant to this chapter, and paying necessary
32 expenses of administering the grain indemnity fund, provided however,
33 that moneys equivalent to one-half of the interest earned by the fund
34 for deposit to the general fund may be paid to the department to defray
35 costs of administering the warehouse audit program. The state of
36 Washington shall not be liable for any claims presented against the
37 fund.

1 **Sec. 11.** RCW 22.09.830 and 1994 sp.s. c 6 s 901 and 1994 c 46 s 6
2 are each reenacted and amended to read as follows:

3 (1) All moneys collected as fees for weighing, grading, and
4 inspecting commodities and all other fees collected under the
5 provisions of this chapter, except as provided in subsections (2) and
6 (3) of this section, shall be deposited in the grain inspection
7 revolving fund, which is hereby established. The state treasurer is
8 the custodian of the revolving fund. Disbursements from the revolving
9 fund shall be on authorization of the director of the department of
10 agriculture. The revolving fund is subject to the allotment procedure
11 provided in chapter 43.88 RCW(~~(7-but)~~). Except as provided in section
12 1 of this act, no appropriation is required for disbursements from the
13 fund. The fund shall be used for all expenses directly incurred by the
14 grain inspection program in carrying out the provisions of this chapter
15 and for departmental administrative expenses during the 1993-95
16 biennium. The department may use so much of such fund not exceeding
17 five percent thereof as the director of agriculture may determine
18 necessary for research and promotional work, including rate studies,
19 relating to wheat and wheat products.

20 (2) All fees collected for the inspection, grading, and testing of
21 hops shall be deposited into the hop inspection fund, which is hereby
22 established, and shall be retained by the department for the purpose of
23 inspecting, grading, and testing hops. Any moneys in any fund retained
24 by the department on July 1, 1963, and derived from hop inspection and
25 grading shall be deposited to this hop inspection fund. For the
26 purposes of research which would contribute to the development of
27 superior hop varieties and to improve hop production and harvest
28 practices, the department may expend up to twenty percent of the moneys
29 deposited in the hop inspection fund during the fiscal year ending June
30 30th immediately preceding the year in which such expenditures are to
31 be made. No expenditures shall be made under the provisions of this
32 subsection when the hop inspection fund is, or the director may
33 reasonably anticipate that it will be, reduced below twenty thousand
34 dollars as the result of such expenditure or other necessary
35 expenditures made to carry out the inspection, grading, and testing of
36 hops.

37 (3) All moneys collected by the grain warehouse audit program,
38 including grain warehouse license fees pursuant to RCW 22.09.050 and
39 22.09.055, shall be deposited by the director into the grain warehouse

1 audit account, hereby created within the agricultural local fund
2 established in RCW 43.23.230. Moneys collected shall be used to
3 support the grain warehouse audit program.

4 **Sec. 12.** RCW 28C.10.082 and 1991 sp.s. c 13 s 85 are each amended
5 to read as follows:

6 The tuition recovery trust fund is hereby established in the
7 custody of the state treasurer. The agency shall deposit in the fund
8 all moneys received under RCW 28C.10.084. Moneys in the fund may be
9 spent only for the purposes under RCW 28C.10.084. Disbursements from
10 the fund shall be on authorization of the agency. The fund is subject
11 to the allotment procedure provided under chapter 43.88 RCW(~~(, but)~~).
12 Except as provided in section 1 of this act, no appropriation is
13 required for disbursements from the fund.

14 **Sec. 13.** RCW 43.10.200 and 1971 ex.s. c 71 s 6 are each amended to
15 read as follows:

16 Except as provided in section 1 of this act, court costs,
17 attorneys' fees, and other expenses recovered by the attorney general
18 shall be deposited in the legal services revolving fund and shall be
19 considered as returned loans of materials supplied or services
20 rendered. Such amounts may be expended in the same manner and under
21 the same conditions and restrictions as set forth in section 11,
22 chapter 282, Laws of 1969 ex. sess.

23 **Sec. 14.** RCW 43.10.220 and 1974 ex.s. c 162 s 3 are each amended
24 to read as follows:

25 Except as provided in section 1 of this act, the attorney general
26 is authorized to expend from the antitrust revolving fund, created by
27 RCW 43.10.210 through 43.10.220, such funds as are necessary for the
28 payment of costs, expenses and charges incurred in the preparation,
29 institution and maintenance of antitrust actions under the state and
30 federal antitrust acts.

31 **Sec. 15.** RCW 43.23.230 and 1988 c 254 s 1 are each amended to read
32 as follows:

33 The agricultural local fund is hereby established in the custody of
34 the state treasurer. The fund shall consist of such money as is
35 directed by law for deposit in the fund, and such other money not

1 subject to appropriation that the department authorizes to be deposited
2 in the fund. Any money deposited in the fund, the use of which has
3 been restricted by law, may only be expended in accordance with those
4 restrictions. The department may make disbursements from the fund.
5 The fund is not subject to legislative appropriation except as provided
6 in section 1 of this act.

7 **Sec. 16.** RCW 43.320.110 and 1995 c 238 s 9 are each amended to
8 read as follows:

9 There is created a local fund known as the "banking examination
10 fund" which shall consist of all moneys received by the department of
11 financial institutions from banks, savings banks, foreign bank
12 branches, savings and loan associations, consumer loan companies, check
13 cashers and sellers, trust companies and departments, and escrow
14 agents, and which shall be used for the purchase of supplies and
15 necessary equipment and the payment of salaries, wages, utilities, and
16 other incidental costs required for the proper regulation of these
17 companies. The state treasurer shall be the custodian of the fund.
18 Disbursements from the fund shall be on authorization of the director
19 of financial institutions or the director's designee. In order to
20 maintain an effective expenditure and revenue control, the fund shall
21 be subject in all respects to chapter 43.88 RCW(~~(, but)~~). Except as
22 provided in section 1 of this act, no appropriation is required to
23 permit expenditures and payment of obligations from the fund.

24 **Sec. 17.** RCW 43.320.120 and 1993 c 472 s 26 are each amended to
25 read as follows:

26 There is created a local fund known as the "credit unions
27 examination fund" which shall consist of all moneys received by the
28 department of financial institutions from credit unions and which shall
29 be used for the purchase of supplies and necessary equipment and the
30 payment of salaries, wages, utilities, and other incidental costs
31 required for the regulation of these institutions. The state treasurer
32 shall be the custodian of the fund. Disbursements from the fund shall
33 be on authorization of the director of financial institutions or the
34 director's designee. In order to maintain an effective expenditure and
35 revenue control, the fund shall be subject in all respects to chapter
36 43.88 RCW(~~(, but)~~) and, except as provided in section 1 of this act, no

1 appropriation is required to permit expenditures and payment of
2 obligations from the fund.

3 **Sec. 18.** RCW 43.320.130 and 1993 c 472 s 27 are each amended to
4 read as follows:

5 (1) There is created in the state treasury a fund known as the
6 "securities regulation fund" that shall consist of thirteen percent of
7 all moneys received by the division of securities of the department of
8 financial institutions, except as provided in subsection (2) of this
9 section. Expenditures from the account may be used only for the
10 purchase of supplies and necessary equipment and the payment of
11 salaries, wages, utilities, and other incidental costs required for the
12 regulation of securities, franchises, business opportunities,
13 commodities, and other similar areas regulated by the division. Moneys
14 in the account may be spent only after appropriation.

15 (2) All moneys that are received by the division of securities in
16 settlement of a regulatory or enforcement action that are designated
17 for a specific purpose shall be placed in the securities regulation
18 fund and be subject to appropriation for that purpose. If those
19 settlement moneys are not appropriated by the end of the following
20 biennium, eighty-seven percent of those moneys shall be deposited into
21 the general fund on the first day of the succeeding biennium.

22 **Sec. 19.** RCW 43.70.340 and 1990 c 253 s 3 are each amended to read
23 as follows:

24 (1) The farmworker housing inspection fund is established in the
25 custody of the state treasury. The department of health shall deposit
26 all funds received under subsection (2) of this section and from the
27 legislature to administer a labor camp inspection program conducted by
28 the department of health. Disbursement from the fund shall be on
29 authorization of the secretary of health or the secretary's designee.
30 The fund is subject to the allotment procedure provided under chapter
31 43.88 RCW(~~(, but)~~). Except as provided in section 1 of this act, no
32 appropriation is required for disbursements.

33 (2) There is imposed a fee on each operating license issued by the
34 department of health to every operator of a labor camp that is
35 regulated by the state board of health. The fee paid under this
36 subsection shall include all necessary inspection of the units to

1 ensure compliance with applicable state board of health rules on labor
2 camps.

3 (a) Fifty dollars shall be charged for each labor camp containing
4 six or less units.

5 (b) Seventy-five dollars shall be charged for each labor camp
6 containing more than six units.

7 (3) The term of the operating license and the application
8 procedures shall be established, by rule, by the department of health.

9 **Sec. 20.** RCW 59.21.050 and 1995 c 122 s 9 are each amended to read
10 as follows:

11 (1) The existence of the mobile home park relocation fund in the
12 custody of the state treasurer is affirmed. Expenditures from the fund
13 may be used only for relocation assistance under RCW 59.21.015 through
14 59.21.025. Only the director or the director's designee may authorize
15 expenditures from the fund. All relocation payments to tenants shall
16 be made from the fund. The fund is subject to allotment procedures
17 under chapter 43.88 RCW(~~, but~~). Except as provided in section 1 of
18 this act, no appropriation is required for expenditures from the fund.

19 (2) A park tenant is eligible for assistance under RCW 59.21.015
20 only after an application is submitted by that tenant or an
21 organization acting on the tenant's account under RCW 59.21.021(4) on
22 a form approved by the director which shall include:

23 (a) For those persons who maintained ownership of and relocated
24 their homes: (i) A copy of the notice from the park-owner, or other
25 adequate proof, that the tenancy is terminated due to closure of the
26 park or its conversion to another use; (ii) a copy of the rental
27 agreement then in force, or other proof that the applicant was a tenant
28 at the time of notice of closure; (iii) a copy of the contract for
29 relocating the home which includes the date of relocation, or other
30 proof of actual relocation expenses incurred on a date certain; and
31 (iv) a statement of any other available assistance;

32 (b) For those persons who sold their homes and incurred no
33 relocation expenses: (i) A copy of the notice from the park-owner, or
34 other adequate proof, that the tenancy is terminated due to closure of
35 the park or its conversion to another use; (ii) a copy of the rental
36 agreement then in force, or other proof that the applicant was a tenant
37 at the time of notice of closure; and (iii) a copy of the record of
38 title transfer issued by the department of licensing when the tenant

1 sold the home rather than relocate it due to park closure or
2 conversion.

3 **Sec. 21.** RCW 70.47.030 and 1995 2nd sp.s. c 18 s 913 are each
4 amended to read as follows:

5 (1) The basic health plan trust account is hereby established in
6 the state treasury. Any nongeneral fund-state funds collected for this
7 program shall be deposited in the basic health plan trust account and
8 may be expended without further appropriation. Moneys in the account
9 shall be used exclusively for the purposes of this chapter, including
10 payments to participating managed health care systems on behalf of
11 enrollees in the plan and payment of costs of administering the plan.

12 During the 1995-97 fiscal biennium, the legislature may transfer
13 funds from the basic health plan trust account to the state general
14 fund.

15 (2) The basic health plan subscription account is created in the
16 custody of the state treasurer. All receipts from amounts due from or
17 on behalf of nonsubsidized enrollees shall be deposited into the
18 account. Funds in the account shall be used exclusively for the
19 purposes of this chapter, including payments to participating managed
20 health care systems on behalf of nonsubsidized enrollees in the plan
21 and payment of costs of administering the plan. The account is subject
22 to allotment procedures under chapter 43.88 RCW(~~(, but)~~). Except as
23 provided in section 1 of this act, no appropriation is required for
24 expenditures.

25 (3) The administrator shall take every precaution to see that none
26 of the funds in the separate accounts created in this section or that
27 any premiums paid either by subsidized or nonsubsidized enrollees are
28 commingled in any way, except that the administrator may combine funds
29 designated for administration of the plan into a single administrative
30 account.

31 **Sec. 22.** RCW 77.21.080 and 1989 c 11 s 29 are each amended to read
32 as follows:

33 The state wildlife conservation reward fund is established in the
34 custody of the state treasurer. The director shall deposit in the fund
35 all moneys designated to be placed in the fund by rule of the director.
36 Moneys in the fund shall be spent to provide rewards to persons
37 informing the department about violations of this title or rules

1 adopted pursuant to this title. Disbursements from the fund shall be
2 on the authorization of the director or the director's designee. The
3 fund is subject to the allotment procedure provided under chapter 43.88
4 RCW(~~(, but)~~). Except as provided in section 1 of this act, no
5 appropriation is required for disbursements from the fund.

6 NEW SECTION. Sec. 23. If any part of this act is found to be in
7 conflict with federal requirements that are a prescribed condition to
8 the allocation of federal funds to the state, the conflicting part of
9 this act is inoperative solely to the extent of the conflict and with
10 respect to the agencies directly affected, and this finding does not
11 affect the operation of the remainder of this act in its application to
12 the agencies concerned. Rules adopted under this act must meet federal
13 requirements that are a necessary condition to the receipt of federal
14 funds by the state.

15 NEW SECTION. Sec. 24. If any provision of this act or its
16 application to any person or circumstance is held invalid, the
17 remainder of the act or the application of the provision to other
18 persons or circumstances is not affected.

19 NEW SECTION. Sec. 25. This act takes effect July 1, 1999."

20 **SHB 2724** - S COMM AMD
21 By Committee on Ways & Means

22

23 On page 1, line 3 of the title, after "enforcement actions;" strike
24 the remainder of the title and insert "amending RCW 43.79.270,
25 9.46.100, 15.13.470, 15.36.441, 15.36.471, 18.160.050, 19.146.228,
26 22.09.411, 28C.10.082, 43.10.200, 43.10.220, 43.23.230, 43.320.110,
27 43.320.120, 43.320.130, 43.70.340, 59.21.050, 70.47.030, and 77.21.080;
28 reenacting and amending RCW 22.09.830; adding new sections to chapter
29 43.88 RCW; creating a new section; and providing an effective date."

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