

ESHB 2126 - S COMM AMD

By Committee on Natural Resources & Parks

ADOPTED 04/12/2017

1 Strike everything after the enacting clause and insert the  
2 following:

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

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

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

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

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

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

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

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

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

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

17 (iv) One Okanogan conservation district board member.

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

21 (c) Board members may not:

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

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

27 (3) The board must help direct funding for the deployment of  
28 nonlethal deterrence resources, including human presence, and locally  
29 owned and deliberately located equipment and tools. Funds may only be  
30 distributed to nonprofit community-based collaborative organizations  
31 that have advisory boards that include personnel from relevant  
32 agencies including, but not limited to, the United States forest  
33 service and the Washington department of fish and wildlife, or to  
34 individuals that are willing to receive technical assistance from the  
35 same agencies.

36 NEW SECTION. **Sec. 4.** (1) The northeast Washington wolf-  
37 livestock management account is created as a nonappropriated account  
38 in the custody of the state treasurer. All receipts, any legislative  
39 appropriations, private donations, or any other private or public

1 source directed to the northeast Washington wolf-livestock management  
2 grant must be deposited into the account. Expenditures from the  
3 account may be used only for the deployment of nonlethal wolf  
4 deterrence resources as described in section 3 of this act. Only the  
5 director may authorize expenditures from the account in consultation  
6 with the advisory board created in section 3 of this act. The account  
7 is subject to allotment procedures under chapter 43.88 RCW, but an  
8 appropriation is not required for expenditures. Interest earned by  
9 deposits in the account must be retained in the account.

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

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

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

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

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

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

35 (b) The following accounts and funds must receive their  
36 proportionate share of earnings based upon each account's or fund's  
37 average daily balance for the period: The 24/7 sobriety account, the  
38 Washington promise scholarship account, the Washington advanced  
39 college tuition payment program account, the Washington college

1 savings program account, the accessible communities account, the  
2 Washington achieving a better life experience program account, the  
3 community and technical college innovation account, the agricultural  
4 local fund, the American Indian scholarship endowment fund, the  
5 foster care scholarship endowment fund, the foster care endowed  
6 scholarship trust fund, the contract harvesting revolving account,  
7 the Washington state combined fund drive account, the commemorative  
8 works account, the county enhanced 911 excise tax account, the toll  
9 collection account, the developmental disabilities endowment trust  
10 fund, the energy account, the fair fund, the family leave insurance  
11 account, the food animal veterinarian conditional scholarship  
12 account, the fruit and vegetable inspection account, the future  
13 teachers conditional scholarship account, the game farm alternative  
14 account, the GET ready for math and science scholarship account, the  
15 Washington global health technologies and product development  
16 account, the grain inspection revolving fund, the industrial  
17 insurance rainy day fund, the juvenile accountability incentive  
18 account, the law enforcement officers' and firefighters' plan 2  
19 expense fund, the local tourism promotion account, the multiagency  
20 permitting team account, the northeast Washington wolf-livestock  
21 management account, the pilotage account, the produce railcar pool  
22 account, the regional transportation investment district account, the  
23 rural rehabilitation account, the Washington sexual assault kit  
24 account, the stadium and exhibition center account, the youth  
25 athletic facility account, the self-insurance revolving fund, the  
26 children's trust fund, the Washington horse racing commission  
27 Washington bred owners' bonus fund and breeder awards account, the  
28 Washington horse racing commission class C purse fund account, the  
29 individual development account program account, the Washington horse  
30 racing commission operating account, the life sciences discovery  
31 fund, the Washington state heritage center account, the reduced  
32 cigarette ignition propensity account, the center for childhood  
33 deafness and hearing loss account, the school for the blind account,  
34 the Millersylvania park trust fund, the public employees' and  
35 retirees' insurance reserve fund, and the radiation perpetual  
36 maintenance fund.

37 (c) The following accounts and funds must receive eighty percent  
38 of their proportionate share of earnings based upon each account's or  
39 fund's average daily balance for the period: The advanced right-of-  
40 way revolving fund, the advanced environmental mitigation revolving

1 account, the federal narcotics asset forfeitures account, the high  
2 occupancy vehicle account, the local rail service assistance account,  
3 and the miscellaneous transportation programs account.

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

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

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

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16 On page 1, line 3 of the title, after "wolves;" strike the  
17 remainder of the title and insert "reenacting and amending RCW  
18 43.79A.040; and adding a new chapter to Title 16 RCW."

EFFECT: Specifies eligible uses of funds through the grant  
program including for human presence resources, locally owned  
equipment and tools, and to certain nonprofit collaborative  
organizations and individuals receiving technical assistance from  
agencies. Adds a definition and intent language. Makes technical  
changes.

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