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ENGROSSED SUBSTITUTE HOUSE BILL 2126

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State of Washington                      65th Legislature                      2017 Regular Session

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

READ FIRST TIME 02/24/17.

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

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

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

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

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

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

3 NEW SECTION. **Sec. 3.** (1) The northeast Washington wolf-cattle  
4 management grant is created within the department. Funds from the  
5 grant program must be used only for the deployment of nonlethal  
6 deterrence resources in any Washington county east of the crest of  
7 the Cascade mountain range that shares a border with Canada,  
8 including equipment and tools, owned and strategically located  
9 locally.

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

- 23 (i) One Ferry county conservation district board member;
- 24 (ii) One Stevens county conservation district board member;
- 25 (iii) One Pend Oreille conservation district board member; and
- 26 (iv) One Okanogan conservation district board member.

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

- 30 (c) Board members may not:
  - 31 (i) Directly benefit, in whole or in part, from any contract
  - 32 entered into or grant awarded under this section; or
  - 33 (ii) Directly accept any compensation, gratuity, or reward in
  - 34 connection with such a contract from any other person with a
  - 35 beneficial interest in the contract.

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

1        NEW SECTION.    **Sec. 4.**    (1) The northeast Washington wolf-cattle  
2 management account is created as a nonappropriated account in the  
3 custody of the state treasurer. All receipts from the northeast  
4 Washington wolf-cattle management grant must be deposited into the  
5 account. Expenditures from the account may be used only for the  
6 deployment of nonlethal wolf deterrence resources as described in  
7 section 3 of this act. Only the director may authorize expenditures  
8 from the account in consultation with the advisory board created in  
9 section 3 of this act. The account is subject to allotment procedures  
10 under chapter 43.88 RCW, but an appropriation is not required for  
11 expenditures. Interest earned by deposits in the account must be  
12 retained in the account.

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

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

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

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

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

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

38        (b) The following accounts and funds must receive their  
39 proportionate share of earnings based upon each account's or fund's

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

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

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

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

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

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