

CERTIFICATION OF ENROLLMENT

SENATE BILL 6372

Chapter 61, Laws of 2002

57th Legislature
2002 Regular Session

COMBINED FUND DRIVE

EFFECTIVE DATE: 6/13/02

Passed by the Senate February 18, 2002
YEAS 44 NAYS 0

BRAD OWEN

President of the Senate

Passed by the House March 7, 2002
YEAS 93 NAYS 0

FRANK CHOPP

**Speaker of the
House of Representatives**

CERTIFICATE

I, Tony M. Cook, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 6372** as passed by the Senate and the House of Representatives on the dates hereon set forth.

TONY M. COOK

Secretary

Approved March 21, 2002

FILED

March 21, 2002 - 2:09 p.m.

GARY LOCKE

Governor of the State of Washington

**Secretary of State
State of Washington**

SENATE BILL 6372

Passed Legislature - 2002 Regular Session

State of Washington 57th Legislature 2002 Regular Session

By Senators Fraser and Winsley; by request of Department of Personnel

Read first time 01/16/2002. Referred to Committee on Ways & Means.

1 AN ACT Relating to the combined fund drive; amending RCW 41.04.035,
2 41.04.036, and 41.04.230; reenacting and amending RCW 43.79A.040; and
3 adding new sections to chapter 41.04 RCW.

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

5 **Sec. 1.** RCW 41.04.035 and 1957 c 208 s 1 are each amended to read
6 as follows:

7 For the purpose of RCW 41.04.035 and 41.04.036 "United Fund" means
8 the organization conducting the single, annual, consolidated effort to
9 secure funds for distribution to agencies engaged in charitable and
10 public health, welfare and service purposes, which is commonly known as
11 the United Fund(~~(, or the organization which serves in place of the~~
12 ~~United Fund organizations in communities where an organization known as~~
13 ~~the United Fund is not organized)) or the Washington state combined
14 fund drive.~~

15 **Sec. 2.** RCW 41.04.036 and 1983 1st ex.s. c 28 s 2 are each amended
16 to read as follows:

17 Any official of the state or of any of its political subdivisions
18 authorized to disburse funds in payment of salaries or wages of public

1 officers or employees is authorized, upon written request of the
2 officer or employee, to deduct from the salary or wages of the officer
3 or employee the amount of money designated by the officer or employee
4 for payment to the United Fund or the Washington state combined fund
5 drive.

6 The moneys so deducted shall be paid over promptly to the United
7 Fund or the Washington state combined fund drive designated by the
8 officer or employee. Subject to any (~~regulations prescribed~~) rules
9 adopted by the office of financial management, the official authorized
10 to disburse the funds in payment of salaries or wages may prescribe any
11 procedures necessary to carry out RCW 41.04.035 and 41.04.036.

12 NEW SECTION. Sec. 3. A new section is added to chapter 41.04 RCW
13 to read as follows:

14 The Washington state combined fund drive account is created in the
15 custody of the state treasurer. All receipts from the combined fund
16 drive must be deposited into the account. Expenditures from the
17 account may be used only for the beneficiaries of the Washington state
18 combined fund drive. Only the director of the department of personnel
19 or the director's designee may authorize expenditures from the account.
20 The account is not subject to allotment procedures under chapter 43.88
21 RCW, and an appropriation is not required for expenditures.

22 NEW SECTION. Sec. 4. A new section is added to chapter 41.04 RCW
23 to read as follows:

24 The director of the department of personnel is authorized to adopt
25 rules, after consultation with state agencies, institutions of higher
26 education, and employee organizations, for the operation of the
27 Washington state combined fund drive.

28 **Sec. 5.** RCW 41.04.230 and 1995 1st sp.s. c 6 s 21 are each amended
29 to read as follows:

30 Any official of the state authorized to disburse funds in payment
31 of salaries and wages of public officers or employees is authorized,
32 upon written request of the officer or employee, to deduct from the
33 salaries or wages of the officers or employees, the amount or amounts
34 of subscription payments, premiums, contributions, or continuation
35 thereof, for payment of the following:

1 (1) Credit union deductions: PROVIDED, That twenty-five or more
2 employees of a single state agency or a total of one hundred or more
3 state employees of several agencies have authorized such a deduction
4 for payment to the same credit union. An agency may, in its own
5 discretion, establish a minimum participation requirement of fewer than
6 twenty-five employees.

7 (2) Parking fee deductions: PROVIDED, That payment is made for
8 parking facilities furnished by the agency or by the department of
9 general administration.

10 (3) U.S. savings bond deductions: PROVIDED, That a person within
11 the particular agency shall be appointed to act as trustee. The
12 trustee will receive all contributions; purchase and deliver all bond
13 certificates; and keep such records and furnish such bond or security
14 as will render full accountability for all bond contributions.

15 (4) Board, lodging or uniform deductions when such board, lodging
16 and uniforms are furnished by the state, or deductions for academic
17 tuitions or fees or scholarship contributions payable to the employing
18 institution.

19 (5) Dues and other fees deductions: PROVIDED, That the deduction
20 is for payment of membership dues to any professional organization
21 formed primarily for public employees or college and university
22 professors: AND PROVIDED, FURTHER, That twenty-five or more employees
23 of a single state agency, or a total of one hundred or more state
24 employees of several agencies have authorized such a deduction for
25 payment to the same professional organization.

26 (6) Labor or employee organization dues may be deducted in the
27 event that a payroll deduction is not provided under a collective
28 bargaining agreement under the provisions of RCW 41.06.150: PROVIDED,
29 That twenty-five or more officers or employees of a single agency, or
30 a total of one hundred or more officers or employees of several
31 agencies have authorized such a deduction for payment to the same labor
32 or employee organization: PROVIDED, FURTHER, That labor or employee
33 organizations with five hundred or more members in state government may
34 have payroll deduction for employee benefit programs.

35 (7) Insurance contributions to the authority for payment of
36 premiums under contracts authorized by the state health care authority.
37 However, enrollment or assignment by the state health care authority to
38 participate in a health care benefit plan, as required by RCW
39 41.05.065(5), shall authorize a payroll deduction of premium

1 contributions without a written consent under the terms and conditions
2 established by the public employees' benefits board.

3 (8) Deductions to a bank, savings bank, or savings and loan
4 association if (a) the bank, savings bank, or savings and loan
5 association is authorized to do business in this state; and (b) twenty-
6 five or more employees of a single agency, or fewer, if a lesser number
7 is established by such agency, or a total of one hundred or more state
8 employees of several agencies have authorized a deduction for payment
9 to the same bank, savings bank, or savings and loan association.

10 Deductions from salaries and wages of public officers and employees
11 other than those enumerated in this section or by other law, may be
12 authorized by the director of financial management for purposes clearly
13 related to state employment or goals and objectives of the agency and
14 for plans authorized by the state health care authority.

15 (9) Contributions to the Washington state combined fund drive.

16 The authority to make deductions from the salaries and wages of
17 public officers and employees as provided for in this section shall be
18 in addition to such other authority as may be provided by law:
19 PROVIDED, That the state or any department, division, or separate
20 agency of the state shall not be liable to any insurance carrier or
21 contractor for the failure to make or transmit any such deduction.

22 **Sec. 6.** RCW 43.79A.040 and 2001 c 201 s 4 and 2001 c 184 s 4 are
23 each reenacted and amended to read as follows:

24 (1) Money in the treasurer's trust fund may be deposited, invested,
25 and reinvested by the state treasurer in accordance with RCW 43.84.080
26 in the same manner and to the same extent as if the money were in the
27 state treasury.

28 (2) All income received from investment of the treasurer's trust
29 fund shall be set aside in an account in the treasury trust fund to be
30 known as the investment income account.

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

1 (4)(a) Monthly, the state treasurer shall distribute the earnings
2 credited to the investment income account to the state general fund
3 except under (b) and (c) of this subsection.

4 (b) The following accounts and funds shall receive their
5 proportionate share of earnings based upon each account's or fund's
6 average daily balance for the period: The college savings program
7 account, the Washington advanced college tuition payment program
8 account, the agricultural local fund, the American Indian scholarship
9 endowment fund, the basic health plan self-insurance reserve account,
10 the Washington state combined fund drive account, the Washington
11 international exchange scholarship endowment fund, the developmental
12 disabilities endowment trust fund, the energy account, the fair fund,
13 the game farm alternative account, the grain inspection revolving fund,
14 the juvenile accountability incentive account, the rural rehabilitation
15 account, the stadium and exhibition center account, the youth athletic
16 facility account, the self-insurance revolving fund, the sulfur dioxide
17 abatement account, and the children's trust fund. However, the
18 earnings to be distributed shall first be reduced by the allocation to
19 the state treasurer's service fund pursuant to RCW 43.08.190.

20 (c) The following accounts and funds shall receive eighty percent
21 of their proportionate share of earnings based upon each account's or
22 fund's average daily balance for the period: The advanced right of way
23 revolving fund, the advanced environmental mitigation revolving
24 account, the city and county advance right-of-way revolving fund, the
25 federal narcotics asset forfeitures account, the high occupancy vehicle
26 account, the local rail service assistance account, and the
27 miscellaneous transportation programs account.

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

Passed the Senate February 18, 2002.

Passed the House March 7, 2002.

Approved by the Governor March 21, 2002.

Filed in Office of Secretary of State March 21, 2002.