
HOUSE BILL 2149

State of Washington

59th Legislature

2005 Regular Session

By Representatives Curtis, Haler, Armstrong, Wallace, Tom, Rodne, Walsh, Strow, Condotta, Schindler, Anderson, Kristiansen, Cox, Buck, Williams, Moeller, Chase, Campbell, Linville, Buri and Ahern

Read first time 02/21/2005. Referred to Committee on State Government Operations & Accountability.

1 AN ACT Relating to compensation for state employees on active
2 military duty; amending RCW 38.40.060; reenacting and amending RCW
3 43.79A.040; and adding new sections to chapter 38.40 RCW.

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

5 **Sec. 1.** RCW 38.40.060 and 2001 c 71 s 1 are each amended to read
6 as follows:

7 (1) Every officer and employee of the state or of any county, city,
8 or other political subdivision thereof who is a member of the
9 Washington national guard or of the army, navy, air force, coast guard,
10 or marine corps reserve of the United States, or of any organized
11 reserve or armed forces of the United States (~~(shall be)~~) is entitled
12 to and shall be granted military leave of absence from such employment
13 for a period not exceeding fifteen days during each year beginning
14 October 1st and ending the following September 30th. Such leave shall
15 be granted (~~(in order)~~) so that the person may report for active duty,
16 when called, or take part in active training duty in such manner and at
17 such time as he or she may be ordered to active duty or active training
18 duty. Such military leave of absence (~~(shall be)~~) is in addition to
19 any vacation or sick leave to which the officer or employee might

1 otherwise be entitled, and shall not involve any loss of efficiency
2 rating, privileges, or pay. During the period of military leave, the
3 officer or employee shall receive from the state, or the county, city,
4 or other political subdivision, his or her normal pay.

5 (2) If, on or after July 1, 2005, an officer or employee of the
6 state is called into the federal service of the United States for a
7 period exceeding thirty days, the officer or employee shall receive
8 from the state fifty percent of the difference between his or her
9 normal pay while employed by the state and his or her pay and
10 allowances while in the service of the United States, if the pay and
11 allowances while in the service of the United States is less than his
12 or her pay while employed by the state. Payment and benefits provided
13 for a mobilization under this subsection shall not exceed four years.

14 NEW SECTION. Sec. 2. A new section is added to chapter 38.40 RCW
15 to read as follows:

16 The support our deployed state employees program is created. The
17 purpose of the program is to enable and encourage state employees to
18 make voluntary contributions for the support of officers or employees
19 of the state who are called into the federal service of the United
20 States for more than thirty days, in order to assist those officers and
21 their families with the loss of salary compensation and other financial
22 burdens occasioned by a period of active military deployment. The
23 department of personnel shall administer this program through a system
24 of voluntary payroll deductions. The state shall match voluntary
25 contributions to the support our deployed state employees program to a
26 maximum of forty dollars per employee per month. The military
27 department shall provide any information required by the department of
28 personnel for implementation of this section and RCW 38.40.060(2).

29 NEW SECTION. Sec. 3. A new section is added to chapter 38.40 RCW
30 to read as follows:

31 (1) The deployed state employees' account is created in the custody
32 of the state treasurer. All receipts from state employee contributions
33 and state matching contributions must be deposited into the account.
34 Except under subsection (2) of this section, expenditures from the
35 account may be used only for pay and allowances under RCW 38.40.060(2).
36 Only the director of personnel or the director's designee may authorize

1 expenditures from the account. The account is subject to allotment
2 procedures under chapter 43.88 RCW, but an appropriation is not
3 required for expenditures.

4 (2) The director shall retain funds as necessary to administer the
5 program under section 2 of this act.

6 **Sec. 4.** RCW 43.79A.040 and 2004 c 246 s 8 and 2004 c 58 s 10 are
7 each reenacted and amended to read as follows:

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

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

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

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

26 (b) The following accounts and funds shall receive their
27 proportionate share of earnings based upon each account's or fund's
28 average daily balance for the period: The Washington promise
29 scholarship account, the college savings program account, the
30 Washington advanced college tuition payment program account, the
31 agricultural local fund, the American Indian scholarship endowment
32 fund, the students with dependents grant account, the basic health plan
33 self-insurance reserve account, the contract harvesting revolving
34 account, the Washington state combined fund drive account, the
35 Washington international exchange scholarship endowment fund, the
36 developmental disabilities endowment trust fund, the energy account,
37 the fair fund, the fruit and vegetable inspection account, the future

1 teachers conditional scholarship account, the game farm alternative
2 account, the grain inspection revolving fund, the juvenile
3 accountability incentive account, the law enforcement officers' and
4 fire fighters' plan 2 expense fund, the local tourism promotion
5 account, the produce railcar pool account, the rural rehabilitation
6 account, the stadium and exhibition center account, the youth athletic
7 facility account, the self-insurance revolving fund, the sulfur dioxide
8 abatement account, the children's trust fund, the Washington horse
9 racing commission Washington bred owners' bonus fund account, the
10 Washington horse racing commission class C purse fund account, (~~and~~)
11 the Washington horse racing commission operating account (earnings from
12 the Washington horse racing commission operating account must be
13 credited to the Washington horse racing commission class C purse fund
14 account), and the deployed state employees' account. However, the
15 earnings to be distributed shall first be reduced by the allocation to
16 the state treasurer's service fund pursuant to RCW 43.08.190.

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

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

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