

SB 5316 - H AMD 453

By Representative Jenkins

NOT CONSIDERED 01/05/2018

1 On page 18, after line 36, insert the following:

2 "Sec. 37. RCW 47.68.250 and 2016 c 20 s 3 are each amended to  
3 read as follows:

4 SECTION 33 CONFORMING AMENDMENT. (1) Every aircraft must be  
5 registered with the department for each calendar year in which the  
6 aircraft is operated or is based within this state. A fee of fifteen  
7 dollars is charged for each such registration and each annual renewal  
8 thereof.

9 (2) Possession of the appropriate effective federal certificate,  
10 permit, rating, or license relating to ownership and airworthiness of  
11 the aircraft, and payment of the excise tax imposed by Title 82 RCW  
12 for the privilege of using the aircraft within this state during the  
13 year for which the registration is sought, and payment of the  
14 registration fee required by this section are the only requisites for  
15 registration of an aircraft under this section.

16 (3) The registration fee imposed by this section is payable to  
17 and collected by the secretary. The fee for any calendar year must be  
18 paid during the month of January, and must be collected by the  
19 secretary at the time of the collection by him or her of the excise  
20 tax. If the secretary is satisfied that the requirements for  
21 registration of the aircraft have been met, he or she must issue to  
22 the owner of the aircraft a certificate of registration therefor. The  
23 secretary must pay to the state treasurer the registration fees  
24 collected under this section, which registration fees must be  
25 credited to the aeronautics account (~~(in the transportation fund)~~).

26 (4) It is not necessary for the registrant to provide the  
27 secretary with originals or copies of federal certificates, permits,  
28 ratings, or licenses. The secretary must issue certificates of  
29 registration, or such other evidences of registration or payment of  
30 fees as he or she may deem proper; and in connection therewith may  
31 prescribe requirements for the possession and exhibition of such  
32 certificates or other evidences.

1 (5) The provisions of this section do not apply to:

2 (a) An aircraft owned by and used exclusively in the service of  
3 any government or any political subdivision thereof, including the  
4 government of the United States, any state, territory, or possession  
5 of the United States, or the District of Columbia, which is not  
6 engaged in carrying persons or property for commercial purposes;

7 (b) An aircraft registered under the laws of a foreign country;

8 (c) An aircraft that is owned by a nonresident if:

9 (i) The aircraft remains in this state or is based in this state,  
10 or both, for a period less than ninety days; or

11 (ii) The aircraft is a large private airplane as defined in RCW  
12 82.08.215 and remains in this state for a period of ninety days or  
13 longer, but only when:

14 (A) The airplane is in this state exclusively for the purpose of  
15 repairs, alterations, or reconstruction, including any flight testing  
16 related to the repairs, alterations, or reconstruction, or for the  
17 purpose of continual storage of not less than one full calendar year;

18 (B) An employee of the facility providing these services is on  
19 board the airplane during any flight testing; and

20 (C) Within ninety days of the date the airplane first arrived in  
21 this state during the calendar year, the nonresident files a written  
22 statement with the department indicating that the airplane is exempt  
23 from registration under this subsection (5)(c)(ii). The written  
24 statement must be filed in a form and manner prescribed by the  
25 department and must include such information as the department  
26 requires. The department may require additional periodic verification  
27 that the airplane remains exempt from registration under this  
28 subsection (5)(c)(ii) and that written statements conform with the  
29 provisions of RCW 9A.72.085;

30 (d) An aircraft engaged principally in commercial flying  
31 constituting an act of interstate or foreign commerce;

32 (e) An aircraft owned by the commercial manufacturer thereof  
33 while being operated for test or experimental purposes, or for the  
34 purpose of training crews for purchasers of the aircraft;

35 (f) An aircraft being held for sale, exchange, delivery, test, or  
36 demonstration purposes solely as stock in trade of an aircraft dealer  
37 licensed under Title 14 RCW; and

38 (g) An aircraft based within the state that is in an unairworthy  
39 condition, is not operated within the registration period, and has  
40 obtained a written exemption issued by the secretary.

1 (6) The secretary must be notified within thirty days of any  
2 change in ownership of a registered aircraft. The notification must  
3 contain the N, NC, NR, NL, or NX number of the aircraft, the full  
4 name and address of the former owner, and the full name and address  
5 of the new owner. For failure to so notify the secretary, the  
6 registration of that aircraft may be canceled by the secretary,  
7 subject to reinstatement upon application and payment of a  
8 reinstatement fee of ten dollars by the new owner.

9 (7) A municipality or port district that owns, operates, or  
10 leases an airport, as defined in RCW 47.68.020, with the intent to  
11 operate, must require from an aircraft owner proof of aircraft  
12 registration as a condition of leasing or selling tiedown or hangar  
13 space for an aircraft. It is the responsibility of the lessee or  
14 purchaser to register the aircraft. Proof of registration must be  
15 provided according to the following schedule:

16 (a) For the purchase of tiedown or hangar space, the municipality  
17 or port district must allow the purchaser thirty days from the date  
18 of the application for purchase to produce proof of aircraft  
19 registration.

20 (b) For the lease of tiedown or hangar space that extends thirty  
21 days or more, the municipality or port district must allow the lessee  
22 thirty days to produce proof of aircraft registration from the date  
23 of the application for lease of tiedown or hangar space.

24 (c) For the lease of tiedown or hangar space that extends less  
25 than thirty days, the municipality or port district must allow the  
26 lessee to produce proof of aircraft registration at any point prior  
27 to the final day of the lease.

28 (8) The airport must work with the aviation division to assist in  
29 its efforts to register aircraft by providing information about based  
30 aircraft on an annual basis as requested by the division.

31 NEW SECTION. **Sec. 38.** Section 37 of this act expires July 1,  
32 2021.

33 **Sec. 39.** RCW 47.68.250 and 2016 c 20 s 4 are each amended to  
34 read as follows:

35 SECTION 33 CONFORMING AMENDMENT. (1) Every aircraft must be  
36 registered with the department for each calendar year in which the  
37 aircraft is operated or is based within this state. A fee of fifteen

1 dollars is charged for each such registration and each annual renewal  
2 thereof.

3 (2) Possession of the appropriate effective federal certificate,  
4 permit, rating, or license relating to ownership and airworthiness of  
5 the aircraft, and payment of the excise tax imposed by Title 82 RCW  
6 for the privilege of using the aircraft within this state during the  
7 year for which the registration is sought, and payment of the  
8 registration fee required by this section are the only requisites for  
9 registration of an aircraft under this section.

10 (3) The registration fee imposed by this section is payable to  
11 and collected by the secretary. The fee for any calendar year must be  
12 paid during the month of January, and collected by the secretary at  
13 the time of the collection by him or her of the said excise tax. If  
14 the secretary is satisfied that the requirements for registration of  
15 the aircraft have been met, he or she must issue to the owner of the  
16 aircraft a certificate of registration therefor. The secretary must  
17 pay to the state treasurer the registration fees collected under this  
18 section, which registration fees must be credited to the aeronautics  
19 account (~~(in the transportation fund)~~).

20 (4) It is not necessary for the registrant to provide the  
21 secretary with originals or copies of federal certificates, permits,  
22 ratings, or licenses. The secretary must issue certificates of  
23 registration, or such other evidences of registration or payment of  
24 fees as he or she may deem proper; and in connection therewith may  
25 prescribe requirements for the possession and exhibition of such  
26 certificates or other evidences.

27 (5) The provisions of this section do not apply to:

28 (a) An aircraft owned by and used exclusively in the service of  
29 any government or any political subdivision thereof, including the  
30 government of the United States, any state, territory, or possession  
31 of the United States, or the District of Columbia, which is not  
32 engaged in carrying persons or property for commercial purposes;

33 (b) An aircraft registered under the laws of a foreign country;

34 (c) An aircraft which is owned by a nonresident and registered in  
35 another state. However, if said aircraft remains in and/or ((be)) is  
36 based in this state for a period of ninety days or longer it is not  
37 exempt under this section;

38 (d) An aircraft engaged principally in commercial flying  
39 constituting an act of interstate or foreign commerce;

1 (e) An aircraft owned by the commercial manufacturer thereof  
2 while being operated for test or experimental purposes, or for the  
3 purpose of training crews for purchasers of the aircraft;

4 (f) An aircraft being held for sale, exchange, delivery, test, or  
5 demonstration purposes solely as stock in trade of an aircraft dealer  
6 licensed under Title 14 RCW;

7 (g) An aircraft based within the state that is in an unairworthy  
8 condition, is not operated within the registration period, and has  
9 obtained a written exemption issued by the secretary.

10 (6) The secretary must be notified within thirty days of any  
11 change in ownership of a registered aircraft. The notification must  
12 contain the N, NC, NR, NL, or NX number of the aircraft, the full  
13 name and address of the former owner, and the full name and address  
14 of the new owner. For failure to so notify the secretary, the  
15 registration of that aircraft may be canceled by the secretary,  
16 subject to reinstatement upon application and payment of a  
17 reinstatement fee of ten dollars by the new owner.

18 (7) A municipality or port district that owns, operates, or  
19 leases an airport, as defined in RCW 47.68.020, with the intent to  
20 operate, must require from an aircraft owner proof of aircraft  
21 registration as a condition of leasing or selling tiedown or hangar  
22 space for an aircraft. It is the responsibility of the lessee or  
23 purchaser to register the aircraft. Proof of registration must be  
24 provided according to the following schedule:

25 (a) For the purchase of tiedown or hangar space, the municipality  
26 or port district must allow the purchaser thirty days from the date  
27 of the application for purchase to produce proof of aircraft  
28 registration.

29 (b) For the lease of tiedown or hangar space that extends thirty  
30 days or more, the municipality or port district must allow the lessee  
31 thirty days to produce proof of aircraft registration from the date  
32 of the application for lease of tiedown or hangar space.

33 (c) For the lease of tiedown or hangar space that extends less  
34 than thirty days, the municipality or port district must allow the  
35 lessee to produce proof of aircraft registration at any point prior  
36 to the final day of the lease.

37 (8) The airport must work with the aviation division to assist in  
38 its efforts to register aircraft by providing information about based  
39 aircraft on an annual basis as requested by the division.

1        NEW SECTION.    **Sec. 40.**    Section 39 of this act takes effect July  
2    1, 2021.

3        **Sec. 41.**    RCW 14.20.060 and 1998 c 187 s 2 are each amended to  
4    read as follows:

5        SECTION 33 CONFORMING AMENDMENT. The fees set forth in RCW  
6    14.20.050 shall be paid to the secretary. The fee for any calendar  
7    year may be paid on and after the first day of December of the  
8    preceding year. The secretary shall give appropriate receipts  
9    therefor. The fees collected under this chapter shall be credited to  
10   the aeronautics account (~~(of the transportation fund)~~). The secretary  
11   may prescribe requirements for the possession and exhibition of  
12   aircraft dealer's licenses and aircraft dealer's certificates.

13       **Sec. 42.**    RCW 82.44.190 and 1996 c 262 s 2 are each amended to  
14   read as follows:

15       SECTION 33 CONFORMING AMENDMENT. The transportation  
16   infrastructure account is hereby created in the (~~(transportation~~  
17   ~~fund)~~) state treasury. Public and private entities may deposit moneys  
18   in the transportation infrastructure account from federal, state,  
19   local, or private sources. Proceeds from bonds or other financial  
20   instruments sold to finance surface transportation projects from the  
21   transportation infrastructure account shall be deposited into the  
22   account. Principal and interest payments made on loans from the  
23   transportation infrastructure account shall be deposited into the  
24   account. Moneys in the account shall be available for purposes  
25   specified in RCW 82.44.195. Expenditures from the transportation  
26   infrastructure account shall be subject to appropriation by the  
27   legislature. To the extent required by federal law or regulations  
28   promulgated by the United States secretary of transportation, the  
29   state treasurer is authorized to create separate subaccounts within  
30   the transportation infrastructure account.

31       **Sec. 43.**    RCW 43.84.092 and 2016 c 194 s 5, 2016 c 161 s 20, and  
32   2016 c 112 s 4 are each reenacted and amended to read as follows:

33       SECTION 33 CONFORMING AMENDMENT. (1) All earnings of investments  
34   of surplus balances in the state treasury shall be deposited to the  
35   treasury income account, which account is hereby established in the  
36   state treasury.

1           (2) The treasury income account shall be utilized to pay or  
2 receive funds associated with federal programs as required by the  
3 federal cash management improvement act of 1990. The treasury income  
4 account is subject in all respects to chapter 43.88 RCW, but no  
5 appropriation is required for refunds or allocations of interest  
6 earnings required by the cash management improvement act. Refunds of  
7 interest to the federal treasury required under the cash management  
8 improvement act fall under RCW 43.88.180 and shall not require  
9 appropriation. The office of financial management shall determine the  
10 amounts due to or from the federal government pursuant to the cash  
11 management improvement act. The office of financial management may  
12 direct transfers of funds between accounts as deemed necessary to  
13 implement the provisions of the cash management improvement act, and  
14 this subsection. Refunds or allocations shall occur prior to the  
15 distributions of earnings set forth in subsection (4) of this  
16 section.

17           (3) Except for the provisions of RCW 43.84.160, the treasury  
18 income account may be utilized for the payment of purchased banking  
19 services on behalf of treasury funds including, but not limited to,  
20 depository, safekeeping, and disbursement functions for the state  
21 treasury and affected state agencies. The treasury income account is  
22 subject in all respects to chapter 43.88 RCW, but no appropriation is  
23 required for payments to financial institutions. Payments shall occur  
24 prior to distribution of earnings set forth in subsection (4) of this  
25 section.

26           (4) Monthly, the state treasurer shall distribute the earnings  
27 credited to the treasury income account. The state treasurer shall  
28 credit the general fund with all the earnings credited to the  
29 treasury income account except:

30           (a) The following accounts and funds shall receive their  
31 proportionate share of earnings based upon each account's and fund's  
32 average daily balance for the period: The aeronautics account, the  
33 aircraft search and rescue account, the Alaskan Way viaduct  
34 replacement project account, the brownfield redevelopment trust fund  
35 account, the budget stabilization account, the capital vessel  
36 replacement account, the capitol building construction account, the  
37 Cedar River channel construction and operation account, the Central  
38 Washington University capital projects account, the charitable,  
39 educational, penal and reformatory institutions account, the Chehalis  
40 basin account, the cleanup settlement account, the Columbia river

1 basin water supply development account, the Columbia river basin  
2 taxable bond water supply development account, the Columbia river  
3 basin water supply revenue recovery account, the common school  
4 construction fund, the community forest trust account, the connecting  
5 Washington account, the county arterial preservation account, the  
6 county criminal justice assistance account, the deferred compensation  
7 administrative account, the deferred compensation principal account,  
8 the department of licensing services account, the department of  
9 retirement systems expense account, the developmental disabilities  
10 community trust account, the diesel idle reduction account, the  
11 drinking water assistance account, the drinking water assistance  
12 administrative account, (~~the drinking water assistance repayment~~  
13 ~~account,~~) the Eastern Washington University capital projects  
14 account, the Interstate 405 express toll lanes operations account,  
15 the education construction fund, the education legacy trust account,  
16 the election account, the electric vehicle charging infrastructure  
17 account, the energy freedom account, the energy recovery act account,  
18 the essential rail assistance account, The Evergreen State College  
19 capital projects account, the federal forest revolving account, the  
20 ferry bond retirement fund, the freight mobility investment account,  
21 the freight mobility multimodal account, the grade crossing  
22 protective fund, the public health services account, the high  
23 capacity transportation account, the state higher education  
24 construction account, the higher education construction account, the  
25 highway bond retirement fund, the highway infrastructure account, the  
26 highway safety fund, the high occupancy toll lanes operations  
27 account, the hospital safety net assessment fund, the industrial  
28 insurance premium refund account, the judges' retirement account, the  
29 judicial retirement administrative account, the judicial retirement  
30 principal account, the local leasehold excise tax account, the local  
31 real estate excise tax account, the local sales and use tax account,  
32 the marine resources stewardship trust account, the medical aid  
33 account, the mobile home park relocation fund, the money-purchase  
34 retirement savings administrative account, the money-purchase  
35 retirement savings principal account, the motor vehicle fund, the  
36 motorcycle safety education account, the multimodal transportation  
37 account, the multiuse roadway safety account, the municipal criminal  
38 justice assistance account, the natural resources deposit account,  
39 the oyster reserve land account, the pension funding stabilization  
40 account, the perpetual surveillance and maintenance account, the



1 pollution liability insurance agency underground storage tank  
2 revolving account, the public employees' retirement system plan 1  
3 account, the public employees' retirement system combined plan 2 and  
4 plan 3 account, the public facilities construction loan revolving  
5 account beginning July 1, 2004, the public health supplemental  
6 account, the public works assistance account, the Puget Sound capital  
7 construction account, the Puget Sound ferry operations account, the  
8 Puget Sound taxpayer accountability account, the real estate  
9 appraiser commission account, the recreational vehicle account, the  
10 regional mobility grant program account, the resource management cost  
11 account, the rural arterial trust account, the rural mobility grant  
12 program account, the rural Washington loan fund, the site closure  
13 account, the skilled nursing facility safety net trust fund, the  
14 small city pavement and sidewalk account, the special category C  
15 account, the special wildlife account, the state employees' insurance  
16 account, the state employees' insurance reserve account, the state  
17 investment board expense account, the state investment board  
18 commingled trust fund accounts, the state patrol highway account, the  
19 state route number 520 civil penalties account, the state route  
20 number 520 corridor account, the state wildlife account, the  
21 supplemental pension account, the Tacoma Narrows toll bridge account,  
22 the teachers' retirement system plan 1 account, the teachers'  
23 retirement system combined plan 2 and plan 3 account, the tobacco  
24 prevention and control account, the tobacco settlement account, the  
25 toll facility bond retirement account, the transportation 2003  
26 account (nickel account), the transportation equipment fund, (~~the~~  
27 ~~transportation—fund,~~) the transportation future funding program  
28 account, the transportation improvement account, the transportation  
29 improvement board bond retirement account, the transportation  
30 infrastructure account, the transportation partnership account, the  
31 traumatic brain injury account, the tuition recovery trust fund, the  
32 University of Washington bond retirement fund, the University of  
33 Washington building account, the volunteer firefighters' and reserve  
34 officers' relief and pension principal fund, the volunteer  
35 firefighters' and reserve officers' administrative fund, the  
36 Washington judicial retirement system account, the Washington law  
37 enforcement officers' and firefighters' system plan 1 retirement  
38 account, the Washington law enforcement officers' and firefighters'  
39 system plan 2 retirement account, the Washington public safety  
40 employees' plan 2 retirement account, the Washington school

1 employees' retirement system combined plan 2 and 3 account, the  
2 Washington state health insurance pool account, the Washington state  
3 patrol retirement account, the Washington State University building  
4 account, the Washington State University bond retirement fund, the  
5 water pollution control revolving administration account, the water  
6 pollution control revolving fund, the Western Washington University  
7 capital projects account, the Yakima integrated plan implementation  
8 account, the Yakima integrated plan implementation revenue recovery  
9 account, and the Yakima integrated plan implementation taxable bond  
10 account. Earnings derived from investing balances of the agricultural  
11 permanent fund, the normal school permanent fund, the permanent  
12 common school fund, the scientific permanent fund, the state  
13 university permanent fund, and the state reclamation revolving  
14 account shall be allocated to their respective beneficiary accounts.

15 (b) Any state agency that has independent authority over accounts  
16 or funds not statutorily required to be held in the state treasury  
17 that deposits funds into a fund or account in the state treasury  
18 pursuant to an agreement with the office of the state treasurer shall  
19 receive its proportionate share of earnings based upon each account's  
20 or fund's average daily balance for the period.

21 (5) In conformance with Article II, section 37 of the state  
22 Constitution, no treasury accounts or funds shall be allocated  
23 earnings without the specific affirmative directive of this section."

24 Renumber the remaining sections consecutively, correct any  
25 internal references accordingly, and correct the title.

EFFECT: Corrects technical issues in several RCW provisions by removing references to the transportation fund, which is repealed by section 33 of the bill.

Removes a reference to the "drinking water assistance repayment account," which was eliminated by 2016 c 111 § 1.

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