

ESB 5316 - H AMD 623

By Representative Jenkins

ADOPTED 06/30/2017

1 Beginning on page 13, line 4, strike all of section 20

2 Renumber the remaining sections consecutively and correct any  
3 internal references accordingly.

4 On page 28, after line 36, insert the following:

5 "Sec. 45. RCW 47.68.250 and 2016 c 20 s 3 are each amended to  
6 read as follows:

7 SECTION 40 CONFORMING AMENDMENT. (1) Every aircraft must be  
8 registered with the department for each calendar year in which the  
9 aircraft is operated or is based within this state. A fee of fifteen  
10 dollars is charged for each such registration and each annual renewal  
11 thereof.

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

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

29 (4) It is not necessary for the registrant to provide the  
30 secretary with originals or copies of federal certificates, permits,  
31 ratings, or licenses. The secretary must issue certificates of

1 registration, or such other evidences of registration or payment of  
2 fees as he or she may deem proper; and in connection therewith may  
3 prescribe requirements for the possession and exhibition of such  
4 certificates or other evidences.

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

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

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

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

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

15 (ii) The aircraft is a large private airplane as defined in RCW  
16 82.08.215 and remains in this state for a period of ninety days or  
17 longer, but only when:

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

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

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

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

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

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

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

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

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

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

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

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

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

37 NEW SECTION. **Sec. 46.** Section 45 of this act expires July 1,  
38 2021.

1       **Sec. 47.** RCW 47.68.250 and 2016 c 20 s 4 are each amended to  
2 read as follows:

3       SECTION 40 CONFORMING AMENDMENT. (1) Every aircraft must be  
4 registered with the department for each calendar year in which the  
5 aircraft is operated or is based within this state. A fee of fifteen  
6 dollars is charged for each such registration and each annual renewal  
7 thereof.

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

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

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

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

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

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

39       (c) An aircraft which is owned by a nonresident and registered in  
40 another state. However, if said aircraft remains in and/or (~~be~~) is

1 based in this state for a period of ninety days or longer it is not  
2 exempt under this section;

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

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

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

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

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

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

29 (a) For the purchase of tiedown or hangar space, the municipality  
30 or port district must allow the purchaser thirty days from the date  
31 of the application for purchase to produce proof of aircraft  
32 registration.

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

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

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

4 NEW SECTION. **Sec. 48.** Section 47 of this act takes effect July  
5 1, 2021.

6 **Sec. 49.** RCW 14.20.060 and 1998 c 187 s 2 are each amended to  
7 read as follows:

8 SECTION 40 CONFORMING AMENDMENT. The fees set forth in RCW  
9 14.20.050 shall be paid to the secretary. The fee for any calendar  
10 year may be paid on and after the first day of December of the  
11 preceding year. The secretary shall give appropriate receipts  
12 therefor. The fees collected under this chapter shall be credited to  
13 the aeronautics account (~~(of the transportation fund)~~). The secretary  
14 may prescribe requirements for the possession and exhibition of  
15 aircraft dealer's licenses and aircraft dealer's certificates.

16 **Sec. 50.** RCW 82.44.190 and 1996 c 262 s 2 are each amended to  
17 read as follows:

18 SECTION 40 CONFORMING AMENDMENT. The transportation  
19 infrastructure account is hereby created in the (~~(transportation~~  
20 ~~fund)~~) state treasury. Public and private entities may deposit moneys  
21 in the transportation infrastructure account from federal, state,  
22 local, or private sources. Proceeds from bonds or other financial  
23 instruments sold to finance surface transportation projects from the  
24 transportation infrastructure account shall be deposited into the  
25 account. Principal and interest payments made on loans from the  
26 transportation infrastructure account shall be deposited into the  
27 account. Moneys in the account shall be available for purposes  
28 specified in RCW 82.44.195. Expenditures from the transportation  
29 infrastructure account shall be subject to appropriation by the  
30 legislature. To the extent required by federal law or regulations  
31 promulgated by the United States secretary of transportation, the  
32 state treasurer is authorized to create separate subaccounts within  
33 the transportation infrastructure account.

34 **Sec. 51.** RCW 43.84.092 and 2017 c 290 s 8 are each amended to  
35 read as follows:

1 SECTION 40 CONFORMING AMENDMENT. (1) All earnings of investments  
2 of surplus balances in the state treasury shall be deposited to the  
3 treasury income account, which account is hereby established in the  
4 state treasury.

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

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

30 (4) Monthly, the state treasurer shall distribute the earnings  
31 credited to the treasury income account. The state treasurer shall  
32 credit the general fund with all the earnings credited to the  
33 treasury income account except:

34 (a) The following accounts and funds shall receive their  
35 proportionate share of earnings based upon each account's and fund's  
36 average daily balance for the period: The aeronautics account, the  
37 aircraft search and rescue account, the Alaskan Way viaduct  
38 replacement project account, the brownfield redevelopment trust fund  
39 account, the budget stabilization account, the capital vessel  
40 replacement account, the capitol building construction account, the

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



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

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

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

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

29 Renumber the remaining sections consecutively and correct any  
30 internal references accordingly.

31 Correct the title.

EFFECT: Removes section 20 of the bill, which makes amendments to  
RCW 21.20.880 that are identical in relevant part to those made by  
2017 session law.

Removes references to the transportation fund, which is repealed  
by section 40 of the bill, and modifies references to accounts  
created within the transportation fund accordingly.

Removes a reference in RCW 43.84.092 to the "drinking water assistance repayment account," which was eliminated in 2016.

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