

~~reconstituted within sixty days in accordance with the provisions of RCW 36.57A.050:))~~

Passed the House March 25, 1983.

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CHAPTER 66

[Substitute House Bill No. 547]

PUBLIC DEPOSITARIES

AN ACT Relating to public depositaries; amending section 28A.58.440, chapter 223, Laws of 1969 ex. sess. and RCW 28A.58.440; amending section 35A.40.050, chapter 119, Laws of 1967 ex. sess. as amended by section 64, chapter 3, Laws of 1983 and RCW 35A.40.050; amending section 1, chapter 193, Laws of 1969 ex. sess. as last amended by section 1, chapter 95, Laws of 1977 ex. sess. and RCW 39.58.010; amending section 2, chapter 193, Laws of 1969 ex. sess. as amended by section 10, chapter 126, Laws of 1973 and RCW 39.58.020; amending section 4, chapter 193, Laws of 1969 ex. sess. as amended by section 2, chapter 77, Laws of 1975 1st ex. sess. and RCW 39.58.040; amending section 5, chapter 193, Laws of 1969 ex. sess. as last amended by section 3, chapter 77, Laws of 1975 1st ex. sess. and RCW 39.58.050; amending section 6, chapter 193, Laws of 1969 ex. sess. as amended by section 12, chapter 126, Laws of 1973 and RCW 39.58.060; amending section 8, chapter 193, Laws of 1969 ex. sess. and RCW 39.58.080; amending section 10, chapter 193, Laws of 1969 ex. sess. and RCW 39.58.100; amending section 4, chapter 77, Laws of 1975 1st ex. sess. and RCW 39.58.103; amending section 5, chapter 77, Laws of 1975 1st ex. sess. and RCW 39.58.105; amending section 6, chapter 77, Laws of 1975 1st ex. sess. and RCW 39.58.108; amending section 3, chapter 193, Laws of 1969 ex. sess. and RCW 39.58.030; amending section 43.85.190, chapter 8, Laws of 1965 as last amended by section 113, chapter 3, Laws of 1983 and RCW 43.85.190; amending section 43.85.210, chapter 8, Laws of 1965 and RCW 43.85.210; amending section 43.85.230, chapter 8, Laws of 1965 and RCW 43.85.230; amending section 1, chapter 123, Laws of 1973 and RCW 43.86A.010; amending section 15, chapter 103, Laws of 1959 as last amended by section 3, chapter 24, Laws of 1981 and RCW 56.16.160; amending section 16, chapter 108, Laws of 1959 as last amended by section 4, chapter 24, Laws of 1981 and RCW 57.20.160; adding new sections to chapter 39.58 RCW; repealing section 11, chapter 176, Laws of 1963, section 3, chapter 111, Laws of 1965 and RCW 32.12.100; repealing section 6, chapter 230, Laws of 1969 ex. sess. and RCW 35.38.120; repealing section 7, chapter 230, Laws of 1969 ex. sess. and RCW 35.38.130; repealing section 8, chapter 230, Laws of 1969 ex. sess. and RCW 35.38.140; repealing section 3, chapter 230, Laws of 1969 ex. sess. and RCW 36.48.160; repealing section 4, chapter 230, Laws of 1969 ex. sess. and RCW 36.48.170; repealing section 5, chapter 230, Laws of 1969 ex. sess. and RCW 36.48.180; repealing section 1, chapter 6, Laws of 1951 and RCW 33.52.010; repealing section 11, chapter 193, Laws of 1969 ex. sess. and RCW 39.58.110; repealing section 43.85.010, chapter 8, Laws of 1965, section 14, chapter 193, Laws of 1969 ex. sess., section 15, chapter 126, Laws of 1973, section 7, chapter 77, Laws of 1975 1st ex. sess. and RCW 43.85.010; repealing section 43.85.030, chapter 8, Laws of 1965, section 1, chapter 132, Laws of 1967, section 15, chapter 193, Laws of 1969 ex. sess., section 16, chapter 126, Laws of 1973 and RCW 43.85.030; repealing section 1, chapter 230, Laws of 1969 ex. sess. and RCW 43.85.250; and repealing section 2, chapter 230, Laws of 1969 ex. sess. and RCW 43.85.260.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 28A.58.440, chapter 223, Laws of 1969 ex. sess. and RCW 28A.58.440 are each amended to read as follows:

The county treasurer, or the trustee, guardian, or any other custodian of any school fund, when authorized to do so by the board of directors of any school district, shall invest or reinvest any school funds of such district in ~~((savings or time accounts in banks, trust companies and mutual savings banks which are doing business in this state, up to the amount of insurance afforded such accounts by the Federal Deposit Insurance Corporation, or in accounts in savings and loan associations which are doing business in this state, up to the amount of insurance afforded such accounts by the Federal Savings and Loan Insurance Corporation))~~ investment deposits in any qualified public depository, or any obligations, securities, certificates, notes, bonds, or short term securities or obligations, of the United States. The county treasurer shall have the power to select the particular investment in which said funds may be invested. All earnings and income from such investments shall inure to the benefit of any school fund designated by the board of directors of the school district which such board may lawfully designate: PROVIDED, That any interest or earnings being credited to a fund different from that which earned the interest or earnings shall only be expended for instructional supplies, equipment or capital outlay purposes. This section shall apply to all funds which may be lawfully so invested or reinvested which in the judgment of the school board are not required for the immediate necessities of the district.

Five percent of the interest or earnings, with an annual minimum of ten dollars or annual maximum of fifty dollars, on any transactions authorized by each resolution of the board of school directors shall be paid as an investment service fee to the office of county treasurer when the interest or earnings becomes available to the school district.

Sec. 2. Section 35A.40.050, chapter 119, Laws of 1967 ex. sess. as amended by section 64, chapter 3, Laws of 1983 and RCW 35A.40.050 are each amended to read as follows:

Excess and inactive funds on hand in the treasury of any code city may be invested in the same manner and subject to the same limitations as provided for city and town funds in all applicable statutes, including, but not limited to the following: RCW ~~((32.12.100, 33.52.010,))~~ 35.39.030, 35.58.510, 35.81.070, 35.82.070, 36.29.020, 39.58.020, 39.58.080, 39.58.130, 39.60.010, 39.60.020, 41.16.040, 68.12.060, 68.12.065, and 72.19.120.

The responsibility for determining the amount of money available in each fund for investment purposes shall be placed upon the department, division or board responsible for the administration of such fund.

Moneys thus determined available for this purpose may be invested on an individual fund basis or may, unless otherwise restricted by law be commingled within one common investment portfolio for the mutual benefit of all participating funds: PROVIDED, That if such moneys are commingled in a common investment portfolio, all income derived therefrom shall be

apportioned among the various participating funds in direct proportion to the amount of money invested by each.

Any excess or inactive funds on hand in the city treasury not otherwise invested for the specific benefit of any particular fund, may be invested by the city treasurer in United States government bonds, notes, bills or certificates of indebtedness for the benefit of the general or current expense fund.

Sec. 3. Section 1, chapter 193, Laws of 1969 ex. sess. as last amended by section 1, chapter 95, Laws of 1977 ex. sess. and RCW 39.58.010 are each amended to read as follows:

In this chapter, unless the context otherwise requires:

(1) "Public deposit" means moneys (~~of the state or of any county, city or town, or other political subdivision of the state or any commission, committee, board or officer thereof or any court of the state deposited in any qualified public depository~~) under the control of a treasurer or custodian belonging to, or held for the benefit of, the state or any of its political subdivisions, municipal corporations, agencies, courts, boards, commissions, or committees, including moneys held as trustee, agent, or bailee ((by the state, any county, city or town, or other political subdivision of the state, or any commission, committee, board or office thereof or any court of the state)), when deposited in any qualified public depository;

(2) "Qualified public depository," "public depository," or "depository" means a ((state bank or trust company, national banking association, or any branch of a bank engaged in the banking business in this state in accordance with RCW 30.04.300 which is located in this state and which receives or holds public deposits and segregates eligible collateral for public deposits as described in RCW 39.58.050 as now or hereafter amended)) financial institution which does not claim exemption from the payment of any sales or compensating use or ad valorem taxes under the laws of this state, which has been approved by the commission to hold public deposits, and which has segregated for the benefit of the commission eligible collateral having a value of not less than its maximum liability. Addition of the word "bank" denotes a bank, trust company, or national banking association and the word "thrift" denotes a savings and loan association, mutual savings bank, or stock savings bank;

(3) "Loss" means the issuance of an order ((of)) by a regulatory or supervisory authority or a court of competent jurisdiction (a) restraining a qualified public depository from making payments of deposit liabilities or ((the appointment of)) (b) appointing a receiver for a qualified public depository;

(4) "Commission" means the Washington public deposit protection commission created under RCW 39.58.030;

(5) "Eligible collateral" means ((collateral)) securities which ((is eligible as security)) are enumerated in RCW 39.58.050(5) and (6) as eligible collateral for public deposits ((pursuant to applicable state law));

(6) The "maximum liability" of a qualified public depository on any given date means a sum equal to ten percent of (a) all public deposits held by the qualified public depository on the then most recent call report date if it is a bank depository and on the then most recent commission report date if it is a thrift depository, or (b) the average of the balances of said public deposits on the last four immediately preceding reports required pursuant to RCW 39.58.100, whichever amount is greater, less any assessments paid to the commission pursuant to this chapter since the then most recent call report date for a bank depository or commission report date for a thrift depository;

(7) "Public funds available for investment" means such public funds as are in excess of the anticipated cash needs throughout the duration of the contemplated investment period;

(8) "Investment deposits" means ~~((bank))~~ all time deposits and savings deposits in qualified public depositories of public funds available for investment;

(9) "Treasurer" shall mean the state treasurer, a county treasurer, a city treasurer, a treasurer of any other municipal corporation, and the custodian of any other public funds;

(10) "Financial institution" means a branch of a bank engaged in banking in this state in accordance with RCW 30.04.300, and any state bank or trust company, national banking association, stock savings bank, mutual savings bank, or savings and loan association located in this state and lawfully engaged in business;

(11) "Call report" means a formal accounting rendered by banks to the comptroller of the currency or the supervisor of banks in response to a demand made by such authority for a statement of the condition of each bank as of the close of business on a specified date, which is the "call report date." "Call report due date" is the last day for the timely filing of a call report;

(12) "Commission report" means a formal accounting rendered by all thrift depositories to the commission in response to a demand for specific information made upon all thrift depositories by the commission detailing pertinent affairs of each thrift depository as of the close of business on a specified date, which is the "commission report date." "Commission report due date" is the last day for the timely filing of a commission report;

(13) "Supervisor" means either the supervisor of banks or the supervisor of savings and loan associations or both depending upon context and usage in accordance with applicable statutory authority;

(14) "Net worth" of a depository means (a) for a bank depository, the aggregate of capital, surplus, undivided profits and all capital notes and debentures which are subordinate to the interest of depositors, and (b) for a thrift depository, the aggregate of such capital stock, guaranty fund, general reserves, surplus, undivided profits, and capital notes and debentures which

are subordinate to the interest of depositors, as are eligible for inclusion in otherwise determining the net worth of a mutual savings bank, stock savings bank, or savings and loan association.

NEW SECTION. Sec. 4. There is added to chapter 39.58 RCW a new section to read as follows:

The director of the department of revenue shall notify the public deposit protection commission quarterly on the first day of October, January, April, and July of the names and addresses of any financial institutions which have claimed exemption from the payment of any sales or compensating use or ad valorem taxes under the laws of this state.

Sec. 5. Section 2, chapter 193, Laws of 1969 ex. sess. as amended by section 10, chapter 126, Laws of 1973 and RCW 39.58.020 are each amended to read as follows:

~~((On and after August 11, 1969,))~~ All public deposits in qualified public depositories, including investment deposits and accrued interest thereon, shall be protected against loss, as provided in this chapter.

Sec. 6. Section 3, chapter 193, Laws of 1969 ex. sess. and RCW 39.58-.030 are each amended to read as follows:

The Washington public deposit protection commission shall be the state finance committee. The record of the proceedings of the public deposit protection commission shall be kept in the office of the commission and a duly certified copy thereof, or any part thereof, shall be admissible in evidence in any action or proceedings in any court of this state.

Sec. 7. Section 4, chapter 193, Laws of 1969 ex. sess. as amended by section 2, chapter 77, Laws of 1975 1st ex. sess. and RCW 39.58.040 are each amended to read as follows:

The commission shall have power (1) to make and enforce regulations necessary and proper to the full and complete performance of its functions under this chapter; (2) to require any qualified public depository to furnish such information dealing with public deposits and the exact status of its capital, surplus, and undivided profits as the commission shall request. Any public depository which refuses or neglects to give promptly and accurately or to allow verification of any information so requested shall no longer be a qualified public depository and shall be excluded from the right to receive or hold public deposits until such time as the commission shall acknowledge that such depository has furnished the information requested; (3) to take such action as it deems best for the protection, collection, compromise or settlement of any claim arising in case of loss; (4) to prescribe regulations, subject to this chapter, fixing the requirements for qualification of ~~((banks))~~ financial institutions as public depositories, and fixing other terms and conditions consistent with this chapter, under which public deposits may be received and held; (5) to fix the official date on which any loss shall be deemed to have occurred taking into consideration the orders, rules and

regulations of supervisory authority as they affect the failure or inability of a qualified public depository to repay public deposits in full; (6) in case loss occurs in more than one qualified public depository, to determine the allocation and time of payment of any sums due to public depositors under this chapter.

Sec. 8. Section 5, chapter 193, Laws of 1969 ex. sess. as last amended by section 3, chapter 77, Laws of 1975 1st ex. sess. and RCW 39.58.050 are each amended to read as follows:

(1) Every qualified public depository shall at all times maintain, segregated from its other assets, eligible collateral in the form of securities enumerated in this section having a value at least equal to its maximum liability under this chapter. Such collateral may be segregated by deposit in the trust department of the depository or in such other manner as the commission approves and shall be clearly designated as security for the benefit of public depositors under this chapter.

(2) Securities eligible as collateral shall be valued at face value or market value as determined by the commission.

(3) The depository shall have the right to make substitutions of such collateral at any time.

(4) The income from the securities which have been segregated as collateral shall belong to the depository (~~(bank)~~) without restriction.

(5) Each of the following enumerated classes of securities, providing there has been no default in the payment of principal or interest thereon, shall be eligible to qualify as collateral:

(a) Bonds, notes, or other securities constituting direct and general obligations of the United States or the bonds, notes, or other securities constituting the direct and general obligation of any instrumentality of the United States, the interest and principal of which is unconditionally guaranteed by the United States, and bonds, notes, letters of credit, or other securities or evidence of indebtedness constituting the direct and general obligation of a federal home loan bank or federal reserve bank;

(b) (i) Direct and general obligation bonds and warrants of the state of Washington or of any other state of the United States;

(ii) Revenue bonds of this state or any authority, board, commission, committee, or similar agency thereof;

(c) Direct and general obligation bonds and warrants of any city, town, county, school district, port district, or other political subdivision of the state, having the power to levy general taxes, which are payable from general ad valorem taxes;

(d) Bonds issued by public utility districts as authorized under the provisions of Title 54 RCW, as now or hereafter amended;

(e) Bonds of any city of the state of Washington for the payment of which the entire revenues of the city's water system, power and light system, or both, less maintenance and operating costs, are irrevocably pledged, even though such bonds are not general obligations of such city;

~~((f))~~ (6) In addition to the securities enumerated in subsections ~~((s))~~ (5)(a) through (e) of this section, every public depository may also segregate such bonds, securities, and other obligations as are designated to be authorized security for all public deposits pursuant to RCW 35.58.510, 35.81.110, 35.82.220, 39.60.030, 39.60.040 and 54.24.120, as now or hereafter amended.

(7) The commission may at any time or times declare any particular security as ineligible to qualify as collateral when in the commission's judgment it is deemed desirable to do so.

Sec. 9. Section 6, chapter 193, Laws of 1969 ex. sess. as amended by section 12, chapter 126, Laws of 1973 and RCW 39.58.060 are each amended to read as follows:

When the commission determines that a loss has occurred in a bank depository, it shall as soon as possible make payment to the proper public officers of all funds subject to such loss, pursuant to the following procedures:

(1) For the purposes of determining the sums to be paid, the supervisor ~~((of banking))~~ or receiver shall, within twenty days after issuance of a restraining order or taking possession of any qualified bank public depository, ascertain the amount of public funds on deposit therein as disclosed by its records and the amount thereof covered by deposit insurance and certify the amounts thereof to the commission and each such public depositor;

(2) Within ten days after receipt of such certification, each such public depositor shall furnish to the commission verified statements of its deposits in such bank depository as disclosed by its records;

(3) Upon receipt of such certificate and statements, the commission shall ascertain and fix the amount of such public deposits, net after deduction of any deposit insurance, and, after determining and declaring the apparent net loss, assess the same against all then qualified bank public depositories, as follows: First, against the depository in which the loss occurred, to the extent of the full value of collateral segregated pursuant to this chapter; second, against all other ~~((then))~~ qualified bank public depositories pro rata in proportion to ~~((their))~~ the maximum liability ~~((which))~~ of each such depository as it existed ~~((at))~~ on the date of loss;

(4) Assessments made by the commission shall be payable on the second business day following demand, and in case of the failure of any qualified public depository so to pay, the commission shall forthwith take possession of the securities segregated as collateral by such depository pursuant to this chapter and liquidate the same for the purpose of paying such assessment;

(5) Upon receipt of such assessment payments, the commission shall reimburse the public depositors of the depository in which the loss occurred to the extent of the depository's net deposit liability to them.

NEW SECTION, Sec. 10. There is added to chapter 39.58 RCW a new section to read as follows:

When the commission determines that a loss has occurred in a thrift depository, it shall as soon as possible make payment to the proper public officers of all funds subject to such loss, pursuant to the following procedures:

(1) For the purposes of determining the sums to be paid, the supervisor or receiver shall, within twenty days after issuance of a restraining order or taking possession of any qualified thrift public depository, ascertain the amount of public funds on deposit therein as disclosed by its records and the amount thereof covered by deposit insurance and certify the amounts thereof to the commission and each such public depositor;

(2) Within ten days after receipt of such certification, each such public depositor shall furnish to the commission verified statements of its deposits in such thrift depository as disclosed by its records;

(3) Upon receipt of such certificate and statements, the commission shall ascertain and fix the amount of such public deposits, net after deduction of any deposit insurance, and, after determining and declaring the apparent net loss, assess the same against all then qualified thrift public depositories, as follows: First, against the depository in which the loss occurred, to the extent of the full value of collateral segregated pursuant to this chapter; second, against all other qualified thrift public depositories pro rata in proportion to the maximum liability of each such depository as it existed on the date of loss;

(4) Assessments made by the commission shall be payable on the second business day following demand, and in case of the failure of any qualified public depository so to pay, the commission shall forthwith take possession of the securities segregated as collateral by such depository pursuant to this chapter and liquidate the same for the purpose of paying such assessment;

(5) Upon receipt of such assessment payments, the commission shall reimburse the public depositors of the depository in which the loss occurred to the extent of the depository's net deposit liability to them.

Sec. 11. Section 8, chapter 193, Laws of 1969 ex. sess. and RCW 39.58.080 are each amended to read as follows:

~~((Except as provided in RCW 39.58.110;))~~ No public deposit shall be made except in a qualified public depository located in this state.

Sec. 12. Section 10, chapter 193, Laws of 1969 ex. sess. and RCW 39.58.100 are each amended to read as follows:

On each call report due date, each ~~((qualified public))~~ bank depository shall render to the commission a written report, certified under oath, indicating the total amount of public deposits held by it on the call report date and the amount and nature of ~~((the))~~ eligible collateral then segregated ~~((and designated therefor in accordance with this chapter))~~ for the benefit of the commission.

On each commission report due date, each thrift depository shall render to the commission a written report, certified under oath, indicating the total amount of public deposits held by it on the commission report date and the amount and nature of eligible collateral then segregated for the benefit of the commission.

The commission may instruct the supervisor ~~((of banking))~~ to examine and thereafter certify as to the accuracy of any statement as to the segregation of securities by any public ~~((depositories))~~ depository.

Sec. 13. Section 4, chapter 77, Laws of 1975 1st ex. sess. and RCW 39-.58.103 are each amended to read as follows:

Each public depository shall ~~((within five working days of the event))~~ notify the commission in writing ~~((when the aggregate of the capital, surplus, and undivided profits of such depository has been))~~ within five working days of the happening of an event which causes its net worth to be reduced by an amount ~~((equal to or))~~ greater than ten percent of the amount shown as ~~((the capital accounts on the last))~~ its net worth on the most recent report submitted ~~((to the commission as required by))~~ pursuant to RCW 39.58.100.

Sec. 14. Section 5, chapter 77, Laws of 1975 1st ex. sess. and RCW 39-.58.105 are each amended to read as follows:

The commission may require the state auditor or the supervisor ~~((of banking))~~ to thoroughly investigate and report to it concerning the condition of any ~~((bank))~~ financial institution which makes application to become a qualified public depository, and may also as often as it deems necessary require such investigation and report concerning the condition of any ~~((bank))~~ financial institution which has been designated as ~~((such))~~ a qualified public depository. The expense of ~~((any of the foregoing))~~ all such investigations or reports shall be borne by the ~~((depository))~~ financial institution examined. In lieu of any such investigation or report, the commission may rely upon information made available to it or the supervisor ~~((of banking))~~ by the office of the comptroller of the currency, the federal deposit insurance corporation, ~~((or))~~ the federal reserve board, the federal savings and loan insurance corporation, or the federal home loan bank board.

The supervisor ~~((of banking))~~ shall in addition advise the commission of any action the supervisor has directed any qualified public depository to take which ~~((would))~~ will result in a reduction~~((, equal to or))~~ of greater

than ten percent(;) of the (~~aggregate of the capital, surplus, and undivided profits~~) net worth of such depository as shown on the most recent report it submitted pursuant to RCW 39.58.100.

Sec. 15. Section 6, chapter 77, Laws of 1975 1st ex. sess. and RCW 39.58.108 are each amended to read as follows:

Newly chartered (~~banks in the state of Washington~~) financial institutions may become qualified depositories upon approval by the commission and segregation of collateral in the manner as set forth in this chapter, and upon compliance with all rules as promulgated by the commission. Until such time as newly chartered depositories have submitted four consecutive reports to the commission as required by RCW 39.58.100, they shall at all times pledge and segregate eligible securities in an amount equal to not less than ten percent of all public funds on deposit in said depository.

Sec. 16. Section 13, chapter 193, Laws of 1969 ex. sess. and RCW 39.58.130 are each amended to read as follows:

A treasurer as defined in RCW 39.58.010 is authorized to deposit in investment deposits in a qualified public depository any public funds available for investment and secured by collateral in accordance with the provisions of this chapter, and receive interest thereon. The authority provided by this section is additional to any authority now or hereafter provided by law for the investment or deposit of public funds by any such treasurer: PROVIDED, That in no case shall the deposit or deposits of public funds by any such treasurer in any one (~~bank or trust company~~) qualified public depository exceed at any (~~one~~) time (~~in the aggregate the total of the capital, surplus, and undivided profits of such bank or trust company~~) the net worth of that depository.

Sec. 17. Section 43.85.190, chapter 8, Laws of 1965 as last amended by section 113, chapter 3, Laws of 1983 and RCW 43.85.190 are each amended to read as follows:

It is the purpose of RCW 43.85.190 through 43.85.230 to authorize the state treasurer to make investment deposits of state moneys or funds in his custody in (~~state~~) qualified public depositories at a rate of interest (~~fixed by the public deposit protection commission in accordance with RCW 39.58.120~~) permitted by any applicable statute or regulation.

Sec. 18. Section 43.85.210, chapter 8, Laws of 1965 and RCW 43.85.210 are each amended to read as follows:

The state treasurer may deposit state moneys or funds at interest in any qualified (~~state depository bank~~) public depository upon a demand or time account basis.

Sec. 19. Section 43.85.230, chapter 8, Laws of 1965 and RCW 43.85.230 are each amended to read as follows:

The state treasurer, upon approval by the state finance committee, may deposit moneys not required to meet current demands upon a term deposit

basis not to exceed one year at such interest rates and upon such conditions as to withdrawals of such moneys as may be agreed upon between the state finance committee and any qualified public depository (~~bank or banks in the state~~).

Sec. 20. Section 1, chapter 123, Laws of 1973 and RCW 43.86A.010 are each amended to read as follows:

The legislature finds that a procedure should be established for the management of short term treasury surplus funds by the state treasurer in order to insure a maximum return while they are on deposit in public depositories. The objectives of this procedure are to minimize noninterest earning demand deposits and provide fair compensation to ~~((banks))~~ financial institutions for services rendered to the state through the investment of state funds in time deposits.

Sec. 21. Section 15, chapter 103, Laws of 1959 as last amended by section 3, chapter 24, Laws of 1981 and RCW 56.16.160 are each amended to read as follows:

Whenever there shall have accumulated in any general or special fund of a sewer district moneys, the disbursement of which is not yet due, the board of commissioners may, by resolution, authorize the county treasurer to deposit or invest such moneys in ~~((banks, mutual savings banks, or savings and loan associations in an amount in each institution no greater than the amount insured by any department or agency of the United States government, the federal deposit insurance corporation, or the federal savings and loan insurance corporation))~~ qualified public depositories, or to invest such moneys in direct obligations of the United States government: PROVIDED, That the county treasurer may refuse to invest any district moneys the disbursement of which will be required during the period of investment to meet outstanding obligations of the district.

Sec. 22. Section 16, chapter 108, Laws of 1959 as last amended by section 4, chapter 24, Laws of 1981 and RCW 57.20.160 are each amended to read as follows:

Whenever there shall have accumulated in any general or special fund of a water district moneys, the disbursement of which is not yet due, the board of water commissioners may, by resolution, authorize the county treasurer to deposit or invest such moneys in ~~((banks, mutual savings banks, or savings and loan associations in an amount in each institution no greater than the amount insured by any department or agency of the United States government, the federal deposit insurance corporation, or the federal savings and loan insurance corporation))~~ qualified public depositories, or to invest such moneys in direct obligations of the United States government: PROVIDED, That the county treasurer may refuse to invest any district moneys the disbursement of which will be required during the period of investment to meet outstanding obligations of the district.

NEW SECTION. Sec. 23. The following acts or parts of acts are each repealed:

(1) Section 11, chapter 176, Laws of 1963, section 3, chapter 111, Laws of 1965 and RCW 32.12.100;

(2) Section 6, chapter 230, Laws of 1969 ex. sess. and RCW 35.38.120;

(3) Section 7, chapter 230, Laws of 1969 ex. sess. and RCW 35.38.130;

(4) Section 8, chapter 230, Laws of 1969 ex. sess. and RCW 35.38.140;

(5) Section 3, chapter 230, Laws of 1969 ex. sess. and RCW 36.48.160;

(6) Section 4, chapter 230, Laws of 1969 ex. sess. and RCW 36.48.170;

(7) Section 5, chapter 230, Laws of 1969 ex. sess. and RCW 36.48.180;

(8) Section 1, chapter 6, Laws of 1951 and RCW 33.52.010;

(9) Section 11, chapter 193, Laws of 1969 ex. sess. and RCW 39.58.110;

(10) Section 43.85.010, chapter 8, Laws of 1965, section 14, chapter 193, Laws of 1969 ex. sess., section 15, chapter 126, Laws of 1973, section 7, chapter 77, Laws of 1975 1st ex. sess. and RCW 43.85.010;

(11) Section 43.85.030, chapter 8, Laws of 1965, section 1, chapter 132, Laws of 1967, section 15, chapter 193, Laws of 1969 ex. sess., section 16, chapter 126, Laws of 1973 and RCW 43.85.030;

(12) Section 1, chapter 230, Laws of 1969 ex. sess. and RCW 43.85-.250; and

(13) Section 2, chapter 230, Laws of 1969 ex. sess. and RCW 43.85.260.

NEW SECTION. Sec. 24. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

Passed the House March 14, 1983.

Passed the Senate April 12, 1983.

Approved by the Governor April 21, 1983.

Filed in Office of Secretary of State April 21, 1983.

CHAPTER 67

[House Bill No. 787]

UNEMPLOYMENT COMPENSATION—REMUNERATION DEFINITION EXCLUDES ARMED FORCES RESERVE PAY

AN ACT Relating to unemployment compensation; and amending section 33, chapter 35, Laws of 1945 as last amended by section 3, chapter 2, Laws of 1970 ex. sess. and RCW 50.04.320.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 33, chapter 35, Laws of 1945 as last amended by section 3, chapter 2, Laws of 1970 ex. sess. and RCW 50.04.320 are each amended to read as follows: