

((††)) (j) Take any other action authorized by agency rule consistent with this chapter.

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CHAPTER 32

[Senate Bill No. 3404]

STATE FUNDS AND ACCOUNTS—DISESTABLISHMENT

AN ACT Relating to state government; amending section 3, chapter 109, Laws of 1974 ex. sess. as amended by section 2, chapter 109, Laws of 1975. 1st ex. sess. and RCW 28B.30-.604; amending section 13, chapter 127, Laws of 1974 ex. sess. and RCW 29.07.230; amending section 43.79.330, chapter 8, Laws of 1965 as amended by section 3, chapter 67, Laws of 1979 ex. sess. and RCW 43.79.330; amending section 7, chapter 91, Laws of 1975-'76 2nd ex. sess. and RCW 46.12.360; amending section 1, chapter 140, Laws of 1969 ex. sess. and RCW 48.58.010; amending section 11, chapter 55, Laws of 1933 and RCW 67.16.110; amending section 74.09.160, chapter 26, Laws of 1959 as last amended by section 1, chapter 81, Laws of 1979 ex. sess. and RCW 74.09.160; amending section 3, chapter 136, Laws of 1967 ex. sess. and RCW 86.18.030; amending section 1, chapter 141, Laws of 1969 ex. sess. and RCW 90.48.285; amending section 3, chapter 106, Laws of 1967 and RCW 90.50.030; amending section 1, chapter 123, Laws of 1933 (uncodified); creating new sections; repealing section 74.16.190, chapter 26, Laws of 1959, section 19, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.190; repealing section 2, chapter 136, Laws of 1967 ex. sess. and RCW 86.18.020; repealing section 7, chapter 106, Laws of 1967 and RCW 90.50.070; repealing section 4, chapter 9, Laws of 1973 and RCW 43-75.220; and providing effective dates.

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

Section 1. Section 1, chapter 123, Laws of 1933 (uncodified) is amended to read as follows:

~~((That there be and is hereby created a fund in the state treasury to be known as the "Lewis river hatchery fund," into which shall be paid))~~ All monies received from the Inland Power & Light company, its successors and assigns, in virtue of an agreement made and entered into between said company and the State of Washington on August 31, 1932, relating to a fish hatchery on Lewis river, shall be deposited in the general fund.

NEW SECTION. Sec. 2. Section 1 of this act shall take effect September 1, 1981.

Sec. 3. Section 43.79.330, chapter 8, Laws of 1965 as amended by section 3, chapter 67, Laws of 1979 ex. sess. and RCW 43.79.330 are each amended to read as follows:

All moneys to the credit of the following state funds on the first day of August, 1955, and all moneys thereafter paid to the state treasurer for or to the credit of such funds, are hereby transferred to the following accounts in the state general fund, the creation of which is hereby authorized:

- (1) Capitol building construction fund moneys, to the capitol building construction account;
- (2) Cemetery fund moneys, to the cemetery account;
- (3) Feed and fertilizer fund moneys, to the feed and fertilizer account;
- (4) Forest development fund moneys, to the forest development account;
- (5) Harbor improvement fund moneys, to the harbor improvement account;
- (6) Investment reserve fund moneys, to the investment reserve account;
- (7) ~~((Lewis river hatchery fund moneys, to the Lewis river hatchery account;~~
- ~~((8)))~~ Millersylvania Park current fund moneys, to the Millersylvania Park current account;
- ~~((9)))~~ (8) Puget Sound pilotage fund moneys, to the Puget Sound pilotage account;
- ~~((10)))~~ (9) Real estate commission fund moneys, to the real estate commission account;
- ~~((11)))~~ (10) Reclamation revolving fund moneys, to the reclamation revolving account;
- ~~((12)))~~ (11) University of Washington building fund moneys, to the University of Washington building account; and
- ~~((13)))~~ (12) State College of Washington building fund moneys, to the Washington State University building account.

NEW SECTION. Sec. 4. Section 3 of this act shall take effect September 1, 1981.

Sec. 5. Section 3, chapter 109, Laws of 1974 ex. sess. as amended by section 2, chapter 109, Laws of 1975 1st ex. sess. and RCW 28B.30.604 are each amended to read as follows:

At the time the state finance committee determines to issue such bonds or a portion thereof, it may, pending the issuance of such bonds, issue, in the name of the state, temporary notes in anticipation of the money to be derived from the sale of the bonds, which notes shall be designated as "anticipation notes". The proceeds from the sale of bonds and notes authorized by RCW 28B.30.600 through 28B.30.619 ~~((shall be deposited in the office=laboratory construction account hereby created in the general fund of the state treasury and))~~ shall be used exclusively for the purposes specified in RCW 28B.30.600 through 28B.30.619 and for the payment of expenses incurred in the issuance and sale of bonds: PROVIDED, That such portion of the proceeds of the sale of such bonds as may be required for the payment of the principal and interest on such anticipation notes as have been issued, shall be deposited in the bond redemption fund created in RCW 28B.30.610.

Sec. 6. Section 13, chapter 127, Laws of 1974 ex. sess. and RCW 29-.07.230 are each amended to read as follows:

~~((There is established in the general fund an account, entitled the voter registration assistance account, to be used to))~~ To compensate ~~((county auditors))~~ counties with fewer than ten thousand registered voters at the time of the most recent state general election for unrecoverable costs incident to the ~~((establishment and))~~ maintenance of voter registration records on electronic data processing systems~~((For establishment of such systems, county auditors in counties with fewer than thirty thousand registered voters at the time of the most recent state general election shall be paid thirty cents per registered voter from the voter registration assistance account. For maintenance of such voter registration files, county auditors in counties with fewer than ten thousand registered voters at the time of the most recent state general election shall be paid))~~, the secretary of state shall, in June of each year, pay such counties an amount equal to thirty cents ~~((per))~~ for each registered voter ~~((per year from the voter registration assistance account: PROVIDED, That prior to July 1, 1975, the secretary of state shall prorate the maintenance subsidy for each county under such rules and regulations as he may prescribe to reflect the portion of the year or years during which the information on the computer file must be updated and maintained))~~ in the county at the time of the most recent state general election.

Sec. 7. Section 7, chapter 91, Laws of 1975-'76 2nd ex. sess. and RCW 46.12.360 are each amended to read as follows:

~~((There is hereby created in the motor vehicle fund the vehicle title guarantee account which shall be used to reimburse))~~ A vehicle owner shall be reimbursed from the motor vehicle fund when: (1) His vehicle identification number was physically inspected and verified pursuant to RCW 46.12.030(3); and (2) the vehicle is determined subsequently to have been reported stolen at the time of the inspection. Such reimbursement shall be for the value of the vehicle as determined by criteria set forth in RCW 82.44.040: PROVIDED, That no claim shall be allowed under this section following a satisfactory showing by the department that errors, omissions, or transpositions were made in entering the vehicle's identity in the stolen vehicle file.

NEW SECTION. Sec. 8. Section 7 of this act shall take effect on September 1, 1981. Any moneys held on that date in the account disestablished by section 7 of this act shall be transferred to the motor vehicle fund.

Sec. 9. Section 1, chapter 140, Laws of 1969 ex. sess. and RCW 48.58-.010 are each amended to read as follows:

(1) ~~((A fund designated "riot reinsurance reimbursement fund" is hereby established, hereafter referred to as the fund which shall be used for the payment of amounts necessary to))~~ The commissioner may reimburse the secretary of the department of housing and urban development under the

provisions of Section 1223(a)(1) of the Urban Property Protection and Reinsurance Act of 1968 (Public Law 90-448) for losses reinsured by the secretary of the department of housing and urban development and occurring in this state on or after August 1, 1968. After receipt by the state treasurer of a statement requesting reimbursement from the secretary of the department of housing and urban development and upon certification promptly made by the commissioner of insurance, hereafter referred to as the commissioner, of the correctness of the amount thereof, the commissioner is hereby authorized to provide for an assessment upon insurers authorized to do business in this state in amounts sufficient (~~for the fund~~) to pay reimbursement to the secretary of the department of housing and urban development: PROVIDED, That the amount assessed each insurer shall be in the same proportion that the premiums written by each insurer in this state bear to the aggregate premiums written in this state by all insurance companies on those lines for which reinsurance was available in this state from the secretary of the department of housing and urban development during the preceding calendar year.

(2) In the event any insurer fails, by reason of insolvency, to pay any assessment as provided herein, the amount assessed each insurer, as computed under subsection (1) of this section, shall be immediately recalculated excluding therefrom the insolvent insurer so that its assessment is, in effect, assumed and redistributed among the remaining insurers.

(3) When assessments as provided herein are made, the individual insurer, after having paid the full amount assessed against the insurer, may deduct from future premium tax liabilities an amount not to exceed twenty percent per annum until such deductions equal the amount of the assessment levied against the insurer.

(4) This section shall cease to be of any force and effect upon termination of the Urban Property Protection and Reinsurance Act of 1968 (Public Law 90-448), except that obligations incurred pursuant to the provisions of this section shall not be impaired by the expiration of the same.

Sec. 10. Section 11, chapter 55, Laws of 1933 and RCW 67.16.110 are each amended to read as follows:

All radio broadcasting rights, and motion picture rights in connection with meets licensed hereunder are reserved to the state and the commission shall lease or license same only to the highest bidder. The exercise of such rights shall at all times be under the supervision of the commission. (~~All income therefrom shall be paid into the state treasury and credited to the old-age pension fund-~~)

Sec. 11. Section 74.09.160, chapter 26, Laws of 1959 as last amended by section 1, chapter 81, Laws of 1979 ex. sess. and RCW 74.09.160 are each amended to read as follows:

Each vendor or group who has a contract and is rendering service to eligible persons as defined in this chapter shall submit such charges as agreed

upon between the department and the individual or group on a monthly basis and shall present their final charges not more than one hundred twenty days after the termination of service. If the final charges are not presented within the one hundred twenty-day period they shall not be a charge against the state unless previous extension in writing has been given by the department. Said one hundred twenty-day period may also be extended by regulation, but only if required by applicable federal law or regulation, and to no more than the extension of time so required.

~~((The department is authorized to set up a medical prepayments revolving fund, or funds, to be used solely for the payment of medical care. Deposits into this fund or these funds shall be made from the appropriation for medical care. Such deposits shall be based upon a per capita amount per beneficiary, said amounts to be determined by the department from time to time. The department may set up such fund or funds to cover any one, several, or all items of the medical care costs of one, several, or all public assistance programs as deemed most advantageous by the secretary for the best interests of the state. PROVIDED, That in the event such fund, or funds is, or are dissolved, the federal government shall be reimbursed for its proportionate share of contributions into such fund or funds.))~~

Sec. 12. Section 3, chapter 136, Laws of 1967 ex. sess. and RCW 86.18.030 are each amended to read as follows:

Funds shall be expended and contributions made to a political subdivision of the state from ~~((the))~~ flood control ~~((contribution fund))~~ appropriations only after:

(1) The project for which the funds are to be used has been approved by the state supervisor of flood control in accordance with the regulatory provisions of chapter 86.16 RCW.

(2) Engineering studies and plans have been made and filed with the county engineer of the county in which the project is located, or the county engineers of all counties in which the project is located, if it is located in more than one county.

(3) The estimate of cost of acquisition of necessary lands, rights of way and construction of the project or improvements, together with adequate supporting data have been completed and filed with the state supervisor of flood control.

(4) A comprehensive plan for the area involved has been completed and filed with the state supervisor of flood control.

(5) The political subdivision desiring a contribution has made an application for a contribution to the state supervisor of flood control showing the estimated cost of the project and the requested contribution.

(6) Federal funds are available for contribution for payment of a portion of the cost of the project.

The director of the department of water resources is authorized to determine when these conditions have been met and to request the proper

warrant for the state's contribution. Contributions to a political subdivision for a specific project shall not exceed fifty percent of the cost of acquisition of necessary lands and rights of way, and construction of the project or works of improvement.

Sec. 13. Section 1, chapter 141, Laws of 1969 ex. sess. and RCW 90-48.285 are each amended to read as follows:

The commission is authorized to enter into contracts with any municipal or public corporation or political subdivision within the state for the purpose of assisting such agencies to finance the construction of water pollution control projects necessary to prevent the discharge of untreated or inadequately treated sewage or other waste into the waters of the state, including but not limited to, systems for the control of storm or surface waters which will provide for the removal of waste or polluting materials in a manner conforming to the comprehensive plan of water pollution control and abatement proposed by the agencies and approved by the commission. Any such contract may provide for:

((†)) The payment by the commission to a municipal or public corporation or political subdivision on a monthly, quarterly, or annual basis of varying amounts of moneys as advances which shall be repayable by said municipal or public corporation, or political subdivision under conditions determined by the commission.

Contracts made by the commission shall be subject to the following limitations:

(1) No contract shall be made unless the commission shall find that the project cannot be financed at reasonable cost or within statutory limitations by the borrower without the making of such contract.

(2) No contract shall be made with any public or municipal corporation or political subdivision to assist in the financing of any project located within a sewage drainage basin for which the commission shall have previously adopted a comprehensive water pollution control and abatement plan unless the project is found by the commission to conform with the basin comprehensive plan.

(3) The commission shall determine the interest rate, not to exceed ten percent per annum, which such advances shall bear.

(4) The commission shall provide such reasonable terms and conditions of repayment of advances as it may determine.

(5) ~~((A pollution facilities construction revolving account in the general fund is created; the moneys therein to be used solely to fulfill commitments arising from contracts authorized under this section.))~~ The total outstanding amount which the commission may at any time be obligated to pay under all outstanding contracts made pursuant to this section shall not exceed the moneys available for such payment ~~((from said account. Moneys of said account may be invested in direct obligations of the United States pending~~

application to such payment. Earnings from such investment shall be paid into said account and applied as other moneys of said account).

(6) (~~Repayments of advances made pursuant to such contracts shall be paid into the pollution facilities construction revolving account and may be again advanced by the commission to finance other water pollution control projects pursuant to this section on as nearly a continuous revolving basis as is practical.~~

~~(7))~~ Municipal or public corporations or political subdivisions shall meet such qualifications and follow such procedures in applying for contract assistance as shall be established by the commission.

In making such contracts the commission shall give priority to projects which will provide relief from actual or potential public health hazards or water pollution conditions and which provide substantial capacity beyond present requirements to meet anticipated future demand.

Sec. 14. Section 3, chapter 106, Laws of 1967 and RCW 90.50.030 are each amended to read as follows:

The proceeds from the sale of the bonds authorized herein, together with all grants, donations, transferred funds and all other moneys which the state finance committee may direct (~~the state treasurer to deposit therein shall be deposited in the water pollution control facilities account hereby created in the state general fund, and~~) shall be administered by the pollution control commission under the authority granted by RCW 90.50.020.

NEW SECTION. Sec. 15. Section 14 of this act shall take effect on September 1, 1981. Any moneys held on that date in the account disestablished by section 14 of this act shall be transferred to the water pollution control facilities bond redemption fund.

NEW SECTION. Sec. 16. The following acts or parts of acts are each repealed:

(1) Section 74.16.190, chapter 26, Laws of 1959, section 19, chapter 40, Laws of 1977 ex. sess. and RCW 74.16.190;

(2) Section 2, chapter 136, Laws of 1967 ex. sess. and RCW 86.18.020; and

(3) Section 7, chapter 106, Laws of 1967 and RCW 90.50.070.

NEW SECTION. Sec. 17. Section 4, chapter 9, Laws of 1973 and RCW 43.75.220 are each hereby repealed, effective September 1, 1981. Any moneys held on that date in the account disestablished by the repeal of RCW 43.75.220 shall be transferred to the state building authority bond redemption fund.

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