
HOUSE BILL 1406

State of Washington

54th Legislature

1995 Regular Session

By Representatives Goldsmith, Kessler and Kremen; by request of
Community, Trade, and Economic Development

Read first time 01/24/95. Referred to Committee on Appropriations.

1 AN ACT Relating to disbursement of funds to border areas; amending
2 RCW 66.08.190, 66.08.195, and 43.63A.190; adding a new section to
3 chapter 66.08 RCW; providing an effective date; and declaring an
4 emergency.

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

6 **Sec. 1.** RCW 66.08.190 and 1991 sp.s. c 32 s 34 are each amended to
7 read as follows:

8 When excess funds are distributed, all moneys subject to
9 distribution shall be disbursed as follows:

10 (1) Three-tenths of one percent to the (~~department of community~~
11 ~~development to be allocated to~~) border areas under RCW 66.08.195; and

12 (2) From the amount remaining after distribution under subsection
13 (1) of this section, fifty percent to the general fund of the state,
14 ten percent to the counties of the state, and forty percent to the
15 incorporated cities and towns of the state.

16 (~~(3)~~) The governor may notify and direct the state treasurer to
17 withhold the revenues to which the counties and cities are entitled
18 under this section if the counties or cities are found to be in
19 noncompliance pursuant to RCW 36.70A.340.

1 **Sec. 2.** RCW 66.08.195 and 1988 c 229 s 3 are each amended to read
2 as follows:

3 For the purposes of this (~~(section, the term)~~) chapter:

4 (1) "Border area" means (~~(Blaine, Everson, Friday Harbor, Lynden,~~
5 ~~Nooksack, Northport, Oroville, Port Angeles, Sumas, and that area of~~
6 ~~Whatcom county commonly referred to as Point Roberts)~~) any incorporated
7 city or town located within seven miles of the Washington-Canadian
8 border or any point of land surrounded on three sides by water and
9 adjacent to the Canadian border.

10 (~~(Funds allocable to border areas under RCW 66.08.190 shall be~~
11 ~~distributed pursuant to a formula developed by the department of~~
12 ~~community development, by rule, based on border traffic and historical~~
13 ~~public impacts of law enforcement problems caused by the border on~~
14 ~~local budgets. All such funds received by Whatcom county pursuant to~~
15 ~~this allocation shall be spent within the Point Roberts area.)~~)

16 (2) "Border area per-capita law-enforcement spending" equals total
17 per capita expenditures in a border area on: Law enforcement operating
18 costs, court costs, law-enforcement related insurance, and detention
19 expenses, minus funds allocated to a border area under RCW 66.08.195.

20 (3) "Border-crossing traffic statistic" means the number of
21 vehicles, vessels, and aircraft crossing into the United States through
22 a United States customs service border crossing during a federal fiscal
23 year.

24 (4) "Border-related crime statistic" means the sum of infractions
25 and citations issued, and arrests of persons permanently residing
26 outside Washington state in a border area during a calendar year.

27 **Sec. 3.** RCW 43.63A.190 and 1984 c 125 s 11 are each amended to
28 read as follows:

29 Funds appropriated by the legislature as supplemental resources for
30 border areas shall be distributed by the state treasurer pursuant to
31 ((a)) the formula developed by the department ((under chapter 34.05 RCW
32 based on border traffic and historical public impacts of law
33 enforcement problems caused by the border on local budgets)) based on
34 the guidelines in section 4 of this act and the border area traffic
35 totals adopted in chapter 365-90 WAC. All funds received by Whatcom
36 county under this section shall be spent within the Point Roberts area.

37 (~~(As used in this section, "border area" means any incorporated~~
38 ~~city or town located within seven miles of the Washington-Canadian~~

1 ~~border and any point of land surrounded on three sides by water and~~
2 ~~adjacent to the Canadian border.))~~

3 NEW SECTION. **Sec. 4.** A new section is added to chapter 66.08 RCW
4 to read as follows:

5 (1) The formula used to allocate funds allocable to border areas
6 under RCW 66.08.190 shall be based on the following allocations:

7 (a) Sixty-five percent ratably based on border area traffic totals.

8 (b) Twenty-five percent ratably based on border-related crime
9 statistics.

10 (c) Ten percent ratably based on per-capita law-enforcement
11 spending.

12 (2) The formula based on guidelines in this section may be
13 reexamined every three years upon request of one of the recipients.

14 NEW SECTION. **Sec. 5.** This act is necessary for the immediate
15 preservation of the public peace, health, or safety, or support of the
16 state government and its existing public institutions, and shall take
17 effect July 1, 1995.

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