SENATE BILL 5378

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State of Washington   54th Legislature   1995 Regular Session

By Senators Haugen, Morton and Winsley; by request of Community, Trade, and Economic Development

Read first time 01/23/95.   Referred to Committee on Government Operations.

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.

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

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

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

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

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

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

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

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

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

((As used in this section, "border area" means any incorporated
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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