

2 **ESHB 1418** - S AMD 258
3 By Senator Brown

4

5 Strike everything after the enacting clause and insert the
6 following:

7 NEW SECTION. **Sec. 1.** (1) It is declared to be the public policy
8 of the state of Washington to promote and facilitate the orderly
9 development and economic stability of its communities. Local
10 governments need the ability to raise revenue to finance public
11 improvements that are designed to encourage economic growth and
12 development in geographic areas characterized by high levels of
13 unemployment and stagnate employment and income growth. The
14 construction of necessary public improvements in accordance with local
15 economic development plans will encourage investment in job-producing
16 private development and expand the public tax base.

17 (2) It is the purpose of this chapter:

18 (a) To encourage taxing districts to cooperate in the allocation of
19 future tax revenues that are used to finance public improvements
20 designed to encourage private development in selected areas, in
21 particular in those local governments that are located adjacent to
22 another state or international border;

23 (b) To assist those local governments that have a competitive
24 disadvantage in its ability to attract business, private investment, or
25 commercial development due to its location near a state or
26 international border; and

27 (c) To prevent or arrest the decay of selected areas due to the
28 inability of existing financial methods to provide needed public
29 improvements, and to encourage private investment designed to promote
30 and facilitate the orderly redevelopment of selected areas.

31 NEW SECTION. **Sec. 2.** The definitions in this section apply
32 throughout this chapter unless the context clearly requires otherwise.

33 (1) "Assessed value of real property" means the valuation of real
34 property as placed on the last completed assessment roll.

1 (2) "Local government" means any city, town, county, port district,
2 or any combination thereof.

3 (3) "Ordinance" means any appropriate method of taking legislative
4 action by a local government.

5 (4) "Public improvements" means:

6 (a) Infrastructure improvements within the increment area that
7 include:

8 (i) Street and road construction and maintenance;

9 (ii) Water and sewer system construction and improvements;

10 (iii) Sidewalks and streetlights;

11 (iv) Parking, terminal, and dock facilities;

12 (v) Park and ride facilities of a transit authority;

13 (vi) Park facilities and recreational areas; and

14 (vii) Storm water and drainage management systems; and

15 (b) Expenditures for any of the following purposes:

16 (i) Providing environmental analysis, professional management,
17 planning, and promotion within the increment area, including the
18 management and promotion of retail trade activities in the increment
19 area;

20 (ii) Providing maintenance and security for common or public areas
21 in the increment area; or

22 (iii) Historic preservation activities authorized under RCW
23 35.21.395.

24 (5) "Public improvement costs" means the costs of: (a) Design,
25 planning, acquisition, site preparation, construction, reconstruction,
26 rehabilitation, improvement, and installation of public improvements;
27 (b) relocating, maintaining, and operating property pending
28 construction of public improvements; (c) relocating utilities as a
29 result of public improvements; (d) financing public improvements,
30 including interest during construction, legal and other professional
31 services, taxes, insurance, principal and interest costs on general
32 indebtedness issued to finance public improvements, and any necessary
33 reserves for general indebtedness; (e) assessments incurred in
34 revaluing real property for the purpose of determining the tax
35 allocation base value that are in excess of costs incurred by the
36 assessor in accordance with the revaluation plan under chapter 84.41
37 RCW, and the costs of apportioning the taxes and complying with this
38 chapter and other applicable law; and (f) administrative expenses and
39 feasibility studies reasonably necessary and related to these costs,

1 including related costs that may have been incurred before adoption of
2 the ordinance authorizing the public improvements and the use of
3 community revitalization financing to fund the costs of the public
4 improvements.

5 (6) "Regular property taxes" means regular property taxes as
6 defined in RCW 84.04.140, except: (a) Regular property taxes levied by
7 port districts or public utility districts specifically for the purpose
8 of making required payments of principal and interest on general
9 indebtedness; and (b) regular property taxes levied by the state for
10 the support of the common schools under RCW 84.52.065. Regular
11 property taxes do not include excess property tax levies that are
12 exempt from the aggregate limits for junior and senior taxing districts
13 as provided in RCW 84.52.043.

14 (7) "Tax allocation base value" means the true and fair value of
15 real property located within an increment area for taxes imposed in the
16 year in which the increment area is created, plus twenty-five percent
17 of any increase in the true and fair value of real property located
18 within an increment area that is placed on the assessment rolls after
19 the increment area is created.

20 (8) "Tax allocation revenues" means those tax revenues derived from
21 the imposition of regular property taxes on the increment value and
22 distributed to finance public improvements.

23 (9) "Increment area" means the geographic area from which taxes are
24 to be appropriated to finance public improvements authorized under this
25 chapter.

26 (10) "Increment value" means seventy-five percent of any increase
27 in the true and fair value of real property in an increment area that
28 is placed on the tax rolls after the increment area is created.

29 (11) "Taxing districts" means a governmental entity that levies or
30 has levied for it regular property taxes upon real property located
31 within a proposed or approved increment area.

32 (12) "Value of taxable property" means the value of the taxable
33 property as defined in RCW 39.36.015.

34 NEW SECTION. **Sec. 3.** A local government may finance public
35 improvements using community revitalization financing subject to the
36 following conditions:

37 (1) The local government adopts an ordinance designating an
38 increment area within its boundaries and specifying the public

1 improvements proposed to be financed in whole or in part with the use
2 of community revitalization financing;

3 (2) The public improvements proposed to be financed in whole or in
4 part using community revitalization financing are expected to encourage
5 private development within the increment area and to increase the fair
6 market value of real property within the increment area;

7 (3) Private development that is anticipated to occur within the
8 increment area, as a result of the public improvements, will be
9 consistent with the countywide planning policy adopted by the county
10 under RCW 36.70A.210 and the local government's comprehensive plan and
11 development regulations adopted under chapter 36.70A RCW;

12 (4) Taxing districts, in the aggregate, that levy at least seventy-
13 five percent of the regular property tax within which the increment
14 area is located approves the community revitalization financing of the
15 project under section 5(1) of this act; and

16 (5) In an increment area that includes any portion of a fire
17 protection district as defined in Title 52 RCW, the fire protection
18 district must approve their participation in the community
19 revitalization financing of the project under this act. Approval by
20 the fire protection district shall be considered as part of the
21 required participation by taxing districts under subsection (4) of this
22 section.

23 NEW SECTION. **Sec. 4.** Public improvements that are financed with
24 community revitalization financing may be undertaken and coordinated
25 with other programs or efforts undertaken by the local government and
26 other taxing districts and may be funded in part from revenue sources
27 other than community revitalization financing.

28 NEW SECTION. **Sec. 5.** Before adopting an ordinance creating the
29 increment area, a local government must:

30 (1) Obtain written agreement for the use of community
31 revitalization financing to finance all or a portion of the costs of
32 the designated public improvements from taxing districts that, in the
33 aggregate, levy at least seventy-five percent of the regular property
34 tax on property within the increment area. A signed, written agreement
35 from taxing districts that in the aggregate levy at least seventy-five
36 percent of the regular property tax within the increment area,
37 constitutes concurrence by all taxing districts in the increment area

1 in the public improvement and participation in the public improvement
2 to the extent of providing limited funding under community
3 revitalization financing authorized under this chapter. The agreement
4 must be authorized by the governing body of taxing districts that in
5 the aggregate levy at least seventy-five percent of the regular
6 property tax on property within the increment area;

7 (2) Hold a public hearing on the proposed financing of the public
8 improvement in whole or in part with community revitalization
9 financing. Notice of the public hearing must be published in a legal
10 newspaper of general circulation within the proposed increment area at
11 least ten days before the public hearing and posted in at least six
12 conspicuous public places located in the proposed increment area.
13 Notices must describe the contemplated public improvements, estimate
14 the costs of the public improvements, describe the portion of the costs
15 of the public improvements to be borne by community revitalization
16 financing, describe any other sources of revenue to finance the public
17 improvements, describe the boundaries of the proposed increment area,
18 and estimate the period during which community revitalization financing
19 is contemplated to be used. The public hearing may be held by either
20 the governing body of the local government, or a committee of the
21 governing body that includes at least a majority of the whole governing
22 body; and

23 (3) Adopt an ordinance establishing the increment area that
24 describes the public improvements, describes the boundaries of the
25 increment area, estimates the cost of the public improvements and the
26 portion of these costs to be financed by community revitalization
27 financing, estimates the time during which regular property taxes are
28 to be apportioned, provides the date when the apportionment of the
29 regular property taxes will commence, and finds that the conditions of
30 section 3 of this act are met.

31 NEW SECTION. **Sec. 6.** The local government shall:

32 (1) Publish notice in a legal newspaper of general circulation
33 within the increment area that describes the public improvement,
34 describes the boundaries of the increment area, and identifies the
35 location and times where the ordinance and other public information
36 concerning the public improvement may be inspected; and

1 (2) Deliver a certified copy of the ordinance to the county
2 treasurer, the county assessor, and the governing body of each taxing
3 district within which the increment area is located.

4 NEW SECTION. **Sec. 7.** (1) Commencing in the calendar year
5 following the passage of the ordinance, the county treasurer shall
6 distribute receipts from regular taxes imposed on real property located
7 in the increment area as follows:

8 (a) Each taxing district shall receive that portion of its regular
9 property taxes produced by the rate of tax levied by or for the taxing
10 district on the tax allocation base value for that community
11 revitalization financing project in the taxing district, or upon the
12 total assessed value of real property in the taxing district, whichever
13 is smaller; and

14 (b) The local government that created the increment area shall
15 receive an additional portion of the regular property taxes levied by
16 or for each taxing district upon the increment value within the
17 increment area. However, the local government that created the
18 increment area may agree to receive less than the full amount of this
19 portion as long as bond debt service, reserve, and other bond covenant
20 requirements are satisfied, in which case the balance of these tax
21 receipts shall be allocated to the taxing districts that imposed
22 regular property taxes, or have regular property taxes imposed for
23 them, in the increment area for collection that year in proportion to
24 their regular tax levy rates for collection that year. The local
25 government may request that the treasurer transfer this additional
26 portion of the property taxes to its designated agent. The portion of
27 the tax receipts distributed to the local government or its agent under
28 this subsection (1)(b) may only be expended to finance public
29 improvement costs associated with the public improvements financed in
30 whole or in part by community revitalization financing.

31 (2) The county assessor shall allocate twenty-five percent of any
32 increased real property value occurring in the increment area to the
33 tax allocation base value and seventy-five percent to the increment
34 value. This section does not authorize revaluations of real property
35 by the assessor for property taxation that are not made in accordance
36 with the assessor's revaluation plan under chapter 84.41 RCW or under
37 other authorized revaluation procedures.

1 (3) The apportionment of increases in assessed valuation in an
2 increment area, and the associated distribution to the local government
3 of receipts from regular property taxes that are imposed on the
4 increment value, must cease when tax allocation revenues are no longer
5 necessary or obligated to pay the costs of the public improvements.
6 Any excess tax allocation revenues and earnings on the tax allocation
7 revenues remaining at the time the apportionment of tax receipts
8 terminates must be returned to the county treasurer and distributed to
9 the taxing districts that imposed regular property taxes, or had
10 regular property taxes imposed for it, in the increment area for
11 collection that year, in proportion to the rates of their regular
12 property tax levies for collection that year.

13 NEW SECTION. **Sec. 8.** (1) A local government designating an
14 increment area and authorizing the use of community revitalization
15 financing may incur general indebtedness, and issue general obligation
16 bonds, to finance the public improvements and retire the indebtedness
17 in whole or in part from tax allocation revenues it receives, subject
18 to the following requirements:

19 (a) The ordinance adopted by the local government creating the
20 increment area and authorizing the use of community revitalization
21 financing indicates an intent to incur this indebtedness and the
22 maximum amount of this indebtedness that is contemplated; and

23 (b) The local government includes this statement of the intent in
24 all notices required by section 5 of this act.

25 (2) The general indebtedness incurred under subsection (1) of this
26 section may be payable from other tax revenues, the full faith and
27 credit of the local government, and nontax income, revenues, fees, and
28 rents from the public improvements, as well as contributions, grants,
29 and nontax money available to the local government for payment of costs
30 of the public improvements or associated debt service on the general
31 indebtedness.

32 (3) In addition to the requirements in subsection (1) of this
33 section, a local government designating an increment area and
34 authorizing the use of community revitalization financing may require
35 the nonpublic participant to provide adequate security to protect the
36 public investment in the public improvement within the increment area.

1 NEW SECTION. **Sec. 9.** A direct or collateral attack on a public
2 improvement, public improvement ordinance, or increment area purported
3 to be authorized or created in conformance with applicable legal
4 requirements, including this chapter, may not be commenced more than
5 thirty days after publication of notice as required by section 6 of
6 this act.

7 NEW SECTION. **Sec. 10.** This chapter supplements and neither
8 restricts nor limits any powers which the state or any local government
9 might otherwise have under any laws of this state.

10 NEW SECTION. **Sec. 11.** A new section is added to chapter 27.12 RCW
11 to read as follows:

12 In addition to other authority that a rural county library district
13 or intercounty rural library district possesses, a rural county library
14 district or an intercounty rural library district may provide any
15 public improvement as defined under section 2 of this act, but this
16 additional authority is limited to participating in the financing of
17 the public improvements as provided under section 5 of this act.

18 This section does not limit the authority of a rural county library
19 district or intercounty rural library district to otherwise participate
20 in the public improvements if that authority exists elsewhere.

21 NEW SECTION. **Sec. 12.** A new section is added to chapter 35.61 RCW
22 to read as follows:

23 In addition to other authority that a metropolitan park district
24 possesses, a metropolitan park district may provide any public
25 improvement as defined under section 2 of this act, but this additional
26 authority is limited to participating in the financing of the public
27 improvements as provided under section 5 of this act.

28 This section does not limit the authority of a metropolitan park
29 district to otherwise participate in the public improvements if that
30 authority exists elsewhere.

31 NEW SECTION. **Sec. 13.** A new section is added to chapter 36.32 RCW
32 to read as follows:

33 In addition to other authority that a county possesses, a county
34 may provide any public improvement as defined under section 2 of this
35 act, but this additional authority is limited to participating in the

1 financing of the public improvements as provided under section 5 of
2 this act.

3 This section does not limit the authority of a county to otherwise
4 participate in the public improvements if that authority exists
5 elsewhere.

6 NEW SECTION. Sec. 14. A new section is added to chapter 36.68 RCW
7 to read as follows:

8 In addition to other authority that a park and recreation service
9 area possesses, a park and recreation service area may provide any
10 public improvement as defined under section 2 of this act, but this
11 additional authority is limited to participating in the financing of
12 the public improvements as provided under section 5 of this act.

13 This section does not limit the authority of a park and recreation
14 service area to otherwise participate in the public improvements if
15 that authority exists elsewhere.

16 NEW SECTION. Sec. 15. A new section is added to chapter 36.69 RCW
17 to read as follows:

18 In addition to other authority that a park and recreation district
19 possesses, a park and recreation district may provide any public
20 improvement as defined under section 2 of this act, but this additional
21 authority is limited to participating in the financing of the public
22 improvements as provided under section 5 of this act.

23 This section does not limit the authority of a park and recreation
24 district to otherwise participate in the public improvements if that
25 authority exists elsewhere.

26 NEW SECTION. Sec. 16. A new section is added to chapter 36.75 RCW
27 to read as follows:

28 In addition to other authority that a road district possesses, a
29 road district may provide any public improvement as defined under
30 section 2 of this act, but this additional authority is limited to
31 participating in the financing of the public improvements as provided
32 under section 5 of this act.

33 This section does not limit the authority of a road district to
34 otherwise participate in the public improvements if that authority
35 exists elsewhere.

1 NEW SECTION. **Sec. 17.** A new section is added to chapter 52.12 RCW
2 to read as follows:

3 In addition to other authority that a fire protection district
4 possesses, a fire protection district may provide any public
5 improvement as defined under section 2 of this act, but this additional
6 authority is limited to participating in the financing of the public
7 improvements as provided under section 5 of this act.

8 This section does not limit the authority of a fire protection
9 district to otherwise participate in the public improvements if that
10 authority exists elsewhere.

11 NEW SECTION. **Sec. 18.** A new section is added to chapter 53.08 RCW
12 to read as follows:

13 In addition to other authority that a port district possesses, a
14 port district may provide any public improvement as defined under
15 section 2 of this act, but this additional authority is limited to
16 participating in the financing of the public improvements as provided
17 under section 5 of this act.

18 This section does not limit the authority of a port district to
19 otherwise participate in the public improvements if that authority
20 exists elsewhere.

21 NEW SECTION. **Sec. 19.** A new section is added to chapter 54.16 RCW
22 to read as follows:

23 In addition to other authority that a public utility district
24 possesses, a public utility district may provide any public improvement
25 as defined under section 2 of this act, but this additional authority
26 is limited to participating in the financing of the public improvements
27 as provided under section 5 of this act.

28 This section does not limit the authority of a public utility
29 district to otherwise participate in the public improvements if that
30 authority exists elsewhere.

31 NEW SECTION. **Sec. 20.** A new section is added to chapter 67.38 RCW
32 to read as follows:

33 In addition to other authority that a cultural arts, stadium, and
34 convention center district possesses, a cultural arts, stadium, and
35 convention center district may provide any public improvement as
36 defined under section 2 of this act, but this additional authority is

1 limited to participating in the financing of the public improvements as
2 provided under section 5 of this act.

3 This section does not limit the authority of a cultural arts,
4 stadium, and convention center district to otherwise participate in the
5 public improvements if that authority exists elsewhere.

6 NEW SECTION. **Sec. 21.** A new section is added to chapter 68.52 RCW
7 to read as follows:

8 In addition to other authority that a cemetery district possesses,
9 a cemetery district may provide any public improvement as defined under
10 section 2 of this act, but this additional authority is limited to
11 participating in the financing of the public improvements as provided
12 under section 5 of this act.

13 This section does not limit the authority of a cemetery district to
14 otherwise participate in the public improvements if that authority
15 exists elsewhere.

16 NEW SECTION. **Sec. 22.** A new section is added to chapter 70.44 RCW
17 to read as follows:

18 In addition to other authority that a public hospital district
19 possesses, a public hospital district may provide any public
20 improvement as defined under section 2 of this act, but this additional
21 authority is limited to participating in the financing of the public
22 improvements as provided under section 5 of this act.

23 This section does not limit the authority of a public hospital
24 district to otherwise participate in the public improvements if that
25 authority exists elsewhere.

26 NEW SECTION. **Sec. 23.** A new section is added to chapter 86.15 RCW
27 to read as follows:

28 In addition to other authority that a flood control zone district
29 possesses, a flood control zone district may provide any public
30 improvement as defined under section 2 of this act, but this additional
31 authority is limited to participating in the financing of the public
32 improvements as provided under section 5 of this act.

33 This section does not limit the authority of a flood control zone
34 district to otherwise participate in the public improvements if that
35 authority exists elsewhere.

1 NEW SECTION. Sec. 24. A new section is added to chapter 84.55 RCW
2 to read as follows:

3 Limitations on regular property taxes that are provided in this
4 chapter shall continue in a taxing district whether or not an increment
5 area exists within the taxing district as provided under chapter 39.--
6 RCW (sections 1 through 10 and 29 of this act).

7 **Sec. 25.** RCW 36.33.220 and 1973 1st ex.s. c 195 s 142 are each
8 amended to read as follows:

9 The legislative authority of any county may budget, in accordance
10 with the provisions of chapter 36.40 RCW, and expend any portion of the
11 county road property tax revenues for any service to be provided in the
12 unincorporated area of the county notwithstanding any other provision
13 of law, including chapter 36.82 RCW and RCW 84.52.050 and 84.52.043.
14 County road property tax revenues that are diverted under chapter 39.--
15 RCW (sections 1 through 10 and 29 of this act) may be expended as
16 provided under chapter 39.-- RCW (sections 1 through 10 and 29 of this
17 act).

18 **Sec. 26.** RCW 36.79.140 and 1997 c 81 s 6 are each amended to read
19 as follows:

20 At the time the board reviews the six-year program of each county
21 each even-numbered year, it shall consider and shall approve for
22 inclusion in its recommended budget, as required by RCW 36.79.130, the
23 portion of the rural arterial construction program scheduled to be
24 performed during the biennial period beginning the following July 1st.
25 Subject to the appropriations actually approved by the legislature, the
26 board shall as soon as feasible approve rural arterial trust account
27 funds to be spent during the ensuing biennium for preliminary proposals
28 in priority sequence as established pursuant to RCW 36.79.090. Only
29 those counties that during the preceding twelve months have spent all
30 revenues collected for road purposes only for such purposes, including
31 traffic law enforcement, as are allowed to the state by Article II,
32 section 40 of the state Constitution are eligible to receive funds from
33 the rural arterial trust account(~~(: PROVIDED HOWEVER)~~), except that:
34 (1) Counties with a population of less than eight thousand are exempt
35 from this eligibility restriction(~~(: AND PROVIDED FURTHER, That)~~); (2)
36 counties expending revenues collected for road purposes only on other
37 governmental services after authorization from the voters of that

1 county under RCW 84.55.050 are also exempt from this eligibility
2 restriction; and (3) this restriction shall not apply to any moneys
3 diverted from the road district levy under chapter 39.-- RCW (sections
4 1 through 10 and 29 of this act). The board shall authorize rural
5 arterial trust account funds for the construction project portion of a
6 project previously authorized for a preliminary proposal in the
7 sequence in which the preliminary proposal has been completed and the
8 construction project is to be placed under contract. At such time the
9 board may reserve rural arterial trust account funds for expenditure in
10 future years as may be necessary for completion of preliminary
11 proposals and construction projects to be commenced in the ensuing
12 biennium.

13 The board may, within the constraints of available rural arterial
14 trust funds, consider additional projects for authorization upon a
15 clear and conclusive showing by the submitting county that the proposed
16 project is of an emergent nature and that its need was unable to be
17 anticipated at the time the six-year program of the county was
18 developed. The proposed projects shall be evaluated on the basis of
19 the priority rating factors specified in RCW 36.79.080.

20 **Sec. 27.** RCW 36.82.040 and 1973 1st ex.s. c 195 s 41 are each
21 amended to read as follows:

22 For the purpose of raising revenue for establishing, laying out,
23 constructing, altering, repairing, improving, and maintaining county
24 roads, bridges, and wharves necessary for vehicle ferriage and for
25 other proper county purposes, the board shall annually at the time of
26 making the levy for general purposes make a uniform tax levy throughout
27 the county, or any road district thereof, of not to exceed two dollars
28 and twenty-five cents per thousand dollars of assessed value of the
29 last assessed valuation of the taxable property in the county, or road
30 district thereof, unless other law of the state requires a lower
31 maximum levy, in which event such lower maximum levy shall control.
32 All funds accruing from such levy shall be credited to and deposited in
33 the county road fund except that revenue diverted under RCW 36.33.220
34 shall be placed in a separate and identifiable account within the
35 county current expense fund and except that revenue diverted under
36 chapter 39.-- RCW (sections 1 through 10 and 29 of this act) shall be
37 expended as provided under chapter 39.-- RCW (sections 1 through 10 and
38 29 of this act).

1 **Sec. 28.** RCW 46.68.124 and 1990 c 33 s 586 are each amended to
2 read as follows:

3 (1) The equivalent population for each county shall be computed as
4 the sum of the population residing in the county's unincorporated area
5 plus twenty-five percent of the population residing in the county's
6 incorporated area. Population figures required for the computations in
7 this subsection shall be certified by the director of the office of
8 financial management on or before July 1st of each odd-numbered year.

9 (2) The total annual road cost for each county shall be computed as
10 the sum of one twenty-fifth of the total estimated county road
11 replacement cost, plus the total estimated annual maintenance cost.
12 Appropriate costs for bridges and ferries shall be included. The
13 county road administration board shall be responsible for establishing
14 a uniform system of roadway categories for both maintenance and
15 construction and also for establishing a single statewide cost per mile
16 rate for each roadway category. The total annual cost for each county
17 will be based on the established statewide cost per mile and associated
18 mileage for each category. The mileage to be used for these
19 computations shall be as shown in the county road log as maintained by
20 the county road administration board as of July 1, 1985, and each two
21 years thereafter. Each county shall be responsible for submitting
22 changes, corrections, and deletions as regards the county road log to
23 the county road administration board. Such changes, corrections, and
24 deletions shall be subject to verification and approval by the county
25 road administration board prior to inclusion in the county road log.

26 (3) The money need factor for each county shall be the county's
27 total annual road cost less the following four amounts:

28 (a) One-half the sum of the actual county road tax levied upon the
29 valuation of all taxable property within the county road districts
30 pursuant to RCW 36.82.040, including any amount of such tax diverted
31 under chapter 39.-- RCW (sections 1 through 10 and 29 of this act), for
32 the two calendar years next preceding the year of computation of the
33 allocation amounts as certified by the department of revenue;

34 (b) One-half the sum of all funds received by the county road fund
35 from the federal forest reserve fund pursuant to RCW 28A.520.010 and
36 28A.520.020 during the two calendar years next preceding the year of
37 computation of the allocation amounts as certified by the state
38 treasurer;

1 (c) One-half the sum of timber excise taxes received by the county
2 road fund pursuant to chapter 84.33 RCW in the two calendar years next
3 preceding the year of computation of the allocation amounts as
4 certified by the state treasurer;

5 (d) One-half the sum of motor vehicle license fees and motor
6 vehicle and special fuel taxes refunded to the county, pursuant to RCW
7 46.68.080 during the two calendar years next preceding the year of
8 computation of the allocation amounts as certified by the state
9 treasurer.

10 (4) The state treasurer and the department of revenue shall furnish
11 to the county road administration board the information required by
12 subsection (3) of this section on or before July 1st of each odd-
13 numbered year.

14 (5) The county road administration board, shall compute and provide
15 to the counties the allocation factors of the several counties on or
16 before September 1st of each year based solely upon the sources of
17 information herein before required: PROVIDED, That the allocation
18 factor shall be held to a level not more than five percent above or
19 five percent below the allocation factor in use during the previous
20 calendar year. Upon computation of the actual allocation factors of
21 the several counties, the county road administration board shall
22 provide such factors to the state treasurer to be used in the
23 computation of the counties' fuel tax allocation for the succeeding
24 calendar year. The state treasurer shall adjust the fuel tax
25 allocation of each county on January 1st of every year based solely
26 upon the information provided by the county road administration board.

27 NEW SECTION. **Sec. 29.** Sections 1 through 10 of this act expire
28 July 1, 2010.

29 NEW SECTION. **Sec. 30.** Sections 1 through 10 and 29 of this act
30 constitute a new chapter in Title 39 RCW.

31 NEW SECTION. **Sec. 31.** If any provision of this act or its
32 application to any person or circumstance is held invalid, the
33 remainder of the act or the application of the provision to other
34 persons or circumstances is not affected."

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2 By Senator Brown

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4 On page 1, line 1 of the title, after "financing;" strike the
5 remainder of the title and insert "amending RCW 36.33.220, 36.79.140,
6 36.82.040, and 46.68.124; adding a new section to chapter 27.12 RCW;
7 adding a new section to chapter 35.61 RCW; adding a new section to
8 chapter 36.32 RCW; adding a new section to chapter 36.68 RCW; adding a
9 new section to chapter 36.69 RCW; adding a new section to chapter 36.75
10 RCW; adding a new section to chapter 52.12 RCW; adding a new section to
11 chapter 53.08 RCW; adding a new section to chapter 54.16 RCW; adding a
12 new section to chapter 67.38 RCW; adding a new section to chapter 68.52
13 RCW; adding a new section to chapter 70.44 RCW; adding a new section to
14 chapter 86.15 RCW; adding a new section to chapter 84.55 RCW; adding a
15 new chapter to Title 39 RCW; and providing an expiration date."

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