

SENATE BILL REPORT

SHB 1137

AS REPORTED BY COMMITTEE ON LAW & JUSTICE, MARCH 27, 1991

Brief Description: Clarifying "criminal justice purposes" for local government criminal justice assistance.

SPONSORS: House Committee on Local Government (originally sponsored by Representatives Haugen, Horn, Wang, Prince, Scott, Wilson, Zellinsky, Riley, Morris, Rayburn, Dorn, Wood, Paris, Orr, Ferguson, Winsley, Bray, Ludwig, Chandler, Inslee, Ogden, Ballard, Forner, Rasmussen, Roland, R. Johnson, Vance, Sheldon, Appelwick, Spanel, Leonard, Broback, D. Sommers, Hine, Kremen, Hargrove, Jones, May, Edmondson, Brough, Holland, Betrozoff, Wynne, Nealey, Miller, Bowman and Moyer; by request of Task Force on City/County Finances).

HOUSE COMMITTEE ON LOCAL GOVERNMENT

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass as amended.

Signed by Senators Nelson, Chairman; Thorsness, Vice Chairman; Erwin, Hayner, L. Kreidler, Madsen, Newhouse, Rasmussen, and A. Smith.

Staff: Jack Brummel (786-7428)

Hearing Dates: March 25, 1991; March 27, 1991

BACKGROUND:

In 1990 the Legislature appropriated \$99.4 million to counties and cities to support the expansion of their criminal justice systems. The enabling legislation specified that the moneys were to be expended exclusively for criminal justice purposes and were not to replace or supplant existing funding. Some local governments do not have accounting systems which separate criminal and civil costs, and are uncertain of their ability to comply with the law. Local governments are also uncertain about the basis for determining existing levels of funding.

Some local governments are issuing checks rather than warrants. Currently, the abandoned property statute does not allow local governments to retain uncashed checks.

SUMMARY:

Criminal justice purposes are activities that substantially assist the criminal justice system or provide ancillary benefit to the civil justice system. Existing funding means actual operating expenditures for criminal justice purposes

for calendar year 1989. Extraordinary expenditures and major nonrecurring capital expenditures are not included in the determination of 1989 actual operating expenditures.

Uncashed checks are included in the abandoned property statute and may be held by local officials.

Appropriation: none

Revenue: none

Fiscal Note: none requested

Effective Date: The bill contains an emergency clause and takes effect immediately.

SUMMARY OF PROPOSED SENATE AMENDMENT:

Counties east of the crest of the Cascade mountains with a population of 150,000 or more may submit to the voters a proposition authorizing additional sales tax for criminal justice purposes.

TESTIMONY FOR:

This is largely a technical measure that gives greater flexibility to counties on the expenditure of funds for crime control.

TESTIMONY AGAINST: None

TESTIFIED: Kurt Sharar, Washington State Association of Counties (pro); Stan Finkelstein, Association of Washington Cities (pro)