
SENATE BILL 6360

State of Washington

53rd Legislature

1994 Regular Session

By Senators Vognild, Nelson, Drew, Sellar, Sheldon, Oke, Hargrove, Skratek, Haugen, Loveland, Franklin, A. Smith, Wojahn, Sutherland, Prentice, Snyder, Bauer, McDonald, Prince, Bluechel, Morton, Cantu, Moyer, L. Smith, Winsley, Hochstatter, Anderson, West, M. Rasmussen, Newhouse, Owen and Fraser

Read first time 01/20/94. Referred to Committee on Ways & Means.

1 AN ACT Relating to transferring moneys in funds related to
2 transportation; amending RCW 82.44.110 and 82.44.150; reenacting and
3 amending RCW 82.44.110; adding a new section to chapter 43.84 RCW;
4 providing effective dates; and declaring an emergency.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.84 RCW
7 to read as follows:

8 In addition to the funds in the exception to the state treasurer
9 crediting the general fund with all the earnings credited to the
10 treasury income account under RCW 43.84.092, the following accounts and
11 funds shall receive eighty percent of their proportionate share of
12 earnings based upon each account's or fund's average daily balance for
13 the period: The central Puget Sound public transportation account, the
14 city hardship assistance account, the county arterial preservation
15 account, the economic development account, the essential rail
16 assistance account, the essential rail banking account, the ferry bond
17 retirement fund, the grade crossing protective fund, the high capacity
18 transportation account, the highway bond retirement fund, the highway
19 construction stabilization account, the highway safety account, the

1 motorcycle safety education account, the pilotage account, the public
2 transportation systems account, the Puget Sound capital construction
3 account, the Puget Sound ferry operations account, the recreational
4 vehicle account, the rural arterial trust account, the special category
5 C account, the state patrol highway account, the transfer relief
6 account, the transportation capital facilities account, the
7 transportation equipment fund, the transportation improvement account,
8 and the urban arterial trust account.

9 **Sec. 2.** RCW 82.44.110 and 1993 sp.s. c 21 s 7 are each amended to
10 read as follows:

11 The county auditor shall regularly, when remitting license fee
12 receipts, pay over and account to the director of licensing for the
13 excise taxes collected under the provisions of this chapter. The
14 director shall forthwith transmit the excise taxes to the state
15 treasurer.

16 (1) The state treasurer shall deposit the excise taxes collected
17 under RCW 82.44.020(1) as follows:

18 (a) 1.60 percent into the motor vehicle fund to defray
19 administrative and other expenses incurred by the department in the
20 collection of the excise tax.

21 (b) 8.15 percent into the Puget Sound capital construction account
22 in the motor vehicle fund.

23 (c) 4.07 percent into the Puget Sound ferry operations account in
24 the motor vehicle fund.

25 (d) 8.83 percent into the general fund to be distributed under RCW
26 82.44.155.

27 (e) 4.75 percent into the municipal sales and use tax equalization
28 account in the general fund created in RCW 82.14.210.

29 (f) 1.60 percent into the county sales and use tax equalization
30 account in the general fund created in RCW 82.14.200.

31 (g) 62.6440 percent into the general fund through (~~June 30, 1995~~)
32 March 31, 1994, and 57.6440 percent into the general fund beginning
33 (~~July 1, 1995~~) April 1, 1994.

34 (h) 5 percent into the transportation fund created in RCW 82.44.180
35 beginning (~~July 1, 1995~~) April 1, 1994.

36 (i) 5.9686 percent into the county criminal justice assistance
37 account created in RCW 82.14.310.

1 (j) 1.1937 percent into the municipal criminal justice assistance
2 account for distribution under RCW 82.14.320.

3 (k) 1.1937 percent into the municipal criminal justice assistance
4 account for distribution under RCW 82.14.330.

5 Notwithstanding (i) through (k) of this subsection, no more than
6 sixty million dollars shall be deposited into the accounts specified in
7 (i) through (k) of this subsection for the period January 1, 1994,
8 through June 30, 1995. For the fiscal year ending June 30, 1998, and
9 for each fiscal year thereafter, the amounts deposited into the
10 accounts specified in (i) through (k) of this subsection shall not
11 increase by more than the amounts deposited into those accounts in the
12 previous fiscal year increased by the implicit price deflator for the
13 previous fiscal year. Any revenues in excess of this amount shall be
14 deposited into the (~~general fund~~) transportation fund.

15 (2) The state treasurer shall deposit the excise taxes collected
16 under RCW 82.44.020(2) into the transportation fund.

17 (3) The state treasurer shall deposit the excise tax imposed by RCW
18 82.44.020(3) into the air pollution control account created by RCW
19 70.94.015.

20 **Sec. 3.** RCW 82.44.110 and 1993 sp.s. c 21 s 7 and 1993 c 492 s 253
21 are each reenacted and amended to read as follows:

22 The county auditor shall regularly, when remitting license fee
23 receipts, pay over and account to the director of licensing for the
24 excise taxes collected under the provisions of this chapter. The
25 director shall forthwith transmit the excise taxes to the state
26 treasurer.

27 (1) The state treasurer shall deposit the excise taxes collected
28 under RCW 82.44.020(1) as follows:

29 (a) 1.60 percent into the motor vehicle fund to defray
30 administrative and other expenses incurred by the department in the
31 collection of the excise tax.

32 (b) 8.15 percent into the Puget Sound capital construction account
33 in the motor vehicle fund.

34 (c) 4.07 percent into the Puget Sound ferry operations account in
35 the motor vehicle fund.

36 (d) 5.88 percent into the general fund to be distributed under RCW
37 82.44.155.

1 (e) 4.75 percent into the municipal sales and use tax equalization
2 account in the general fund created in RCW 82.14.210.

3 (f) 1.60 percent into the county sales and use tax equalization
4 account in the general fund created in RCW 82.14.200.

5 (g) 62.6440 percent into the general fund through (~~June 30, 1995~~)
6 March 31, 1994, and 57.6440 percent into the general fund beginning
7 (~~July 1, 1995~~) April 1, 1994.

8 (h) 5 percent into the transportation fund created in RCW 82.44.180
9 beginning (~~July 1, 1995~~) April 1, 1994.

10 (i) 5.9686 percent into the county criminal justice assistance
11 account created in RCW 82.14.310.

12 (j) 1.1937 percent into the municipal criminal justice assistance
13 account for distribution under RCW 82.14.320.

14 (k) 1.1937 percent into the municipal criminal justice assistance
15 account for distribution under RCW 82.14.330.

16 (l) 2.95 percent into the general fund to be distributed by the
17 state treasurer to county health departments to be used exclusively for
18 public health. The state treasurer shall distribute these funds
19 proportionately among the counties based on population as determined by
20 the most recent United States census.

21 Notwithstanding (i) through (k) of this subsection, no more than
22 sixty million dollars shall be deposited into the accounts specified in
23 (i) through (k) of this subsection for the period January 1, 1994,
24 through June 30, 1995. For the fiscal year ending June 30, 1998, and
25 for each fiscal year thereafter, the amounts deposited into the
26 accounts specified in (i) through (k) of this subsection shall not
27 increase by more than the amounts deposited into those accounts in the
28 previous fiscal year increased by the implicit price deflator for the
29 previous fiscal year. Any revenues in excess of this amount shall be
30 deposited into the (~~general fund~~) transportation fund.

31 (2) The state treasurer shall deposit the excise taxes collected
32 under RCW 82.44.020(2) into the transportation fund.

33 (3) The state treasurer shall deposit the excise tax imposed by RCW
34 82.44.020(3) into the air pollution control account created by RCW
35 70.94.015.

36 **Sec. 4.** RCW 82.44.150 and 1993 c 491 s 2 are each amended to read
37 as follows:

1 (1) The director of licensing shall, on the twenty-fifth day of
2 February, May, August, and November of each year, advise the state
3 treasurer of the total amount of motor vehicle excise taxes imposed by
4 RCW 82.44.020 (1) and (2) remitted to the department during the
5 preceding calendar quarter ending on the last day of March, June,
6 September, and December, respectively, except for those payable under
7 RCW 82.44.030, from motor vehicle owners residing within each
8 municipality which has levied a tax under RCW 35.58.273, which amount
9 of excise taxes shall be determined by the director as follows:

10 The total amount of motor vehicle excise taxes remitted to the
11 department, except those payable under RCW 82.44.020(3) and 82.44.030,
12 from each county shall be multiplied by a fraction, the numerator of
13 which is the population of the municipality residing in such county,
14 and the denominator of which is the total population of the county in
15 which such municipality or portion thereof is located. The product of
16 this computation shall be the amount of excise taxes from motor vehicle
17 owners residing within such municipality or portion thereof. Where the
18 municipality levying a tax under RCW 35.58.273 is located in more than
19 one county, the above computation shall be made by county, and the
20 combined products shall provide the total amount of motor vehicle
21 excise taxes from motor vehicle owners residing in the municipality as
22 a whole. Population figures required for these computations shall be
23 supplied to the director by the office of financial management, who
24 shall adjust the fraction annually.

25 (2) On the first day of the months of January, April, July, and
26 October of each year, the state treasurer based upon information
27 provided by the department shall, from motor vehicle excise taxes
28 deposited in the general fund, under RCW 82.44.110(1)(g), make the
29 following deposits:

30 (a) To the high capacity transportation account created in RCW
31 47.78.010, a sum equal to four and five-tenths percent of the special
32 excise tax levied under RCW 35.58.273 by those municipalities
33 authorized to levy a special excise tax within (i) each county with a
34 population of two hundred ten thousand or more and (ii) each county
35 with a population of from one hundred twenty-five thousand to less than
36 two hundred ten thousand except for those counties that do not border
37 a county with a population as described in subsection (i) of this
38 subsection;

1 (b) To the central Puget Sound public transportation account
2 created in RCW 82.44.180, for revenues distributed after December 31,
3 1992, within a county with a population of one million or more and a
4 county with a population of from two hundred thousand to less than one
5 million bordering a county with a population of one million or more, a
6 sum equal to the difference between (i) the special excise tax levied
7 and collected under RCW 35.58.273 by those municipalities authorized to
8 levy and collect a special excise tax subject to the requirements of
9 subsections (3) and (4) of this section and (ii) the special excise tax
10 that the municipality would otherwise have been eligible to levy and
11 collect at a tax rate of .815 percent and been able to match with
12 locally generated tax revenues, other than the excise tax imposed under
13 RCW 35.58.273, budgeted for any public transportation purpose. Before
14 this deposit, the sum shall be reduced by an amount equal to the amount
15 distributed under (a) of this subsection for each of the municipalities
16 within the counties to which this subsection (2)(b) applies; however,
17 any transfer under this subsection (2)(b) must be greater than zero;

18 (c) To the public transportation systems account created in RCW
19 82.44.180, for revenues distributed after December 31, 1992, within
20 counties not described in (b) of this subsection, a sum equal to the
21 difference between (i) the special excise tax levied and collected
22 under RCW 35.58.273 by those municipalities authorized to levy and
23 collect a special excise tax subject to the requirements of subsections
24 (3) and (4) of this section and (ii) the special excise tax that the
25 municipality would otherwise have been eligible to levy and collect at
26 a tax rate of .815 percent and been able to match with locally
27 generated tax revenues, other than the excise tax imposed under RCW
28 35.58.273, budgeted for any public transportation purpose. Before this
29 deposit, the sum shall be reduced by an amount equal to the amount
30 distributed under (a) of this subsection for each of the municipalities
31 within the counties to which this subsection (2)(c) applies; however,
32 any transfer under this subsection (2)(c) must be greater than zero;
33 and

34 (d) To the ~~((general))~~ transportation fund created in RCW
35 82.44.180, for revenues distributed after ~~((June 30, 1993, and to the~~
36 ~~transportation fund, for revenues distributed after June 30, 1995))~~
37 March 31, 1994, a sum equal to the difference between (i) the special
38 excise tax levied and collected under RCW 35.58.273 by those
39 municipalities authorized to levy and collect a special excise tax

1 subject to the requirements of subsections (3) and (4) of this section
2 and (ii) the special excise tax that the municipality would otherwise
3 have been eligible to levy and collect at a tax rate of .815 percent
4 notwithstanding the requirements set forth in subsections (3) through
5 (6) of this section, reduced by an amount equal to distributions made
6 under (a), (b), and (c) of this subsection.

7 (3) On the first day of the months of January, April, July, and
8 October of each year, the state treasurer, based upon information
9 provided by the department, shall remit motor vehicle excise tax
10 revenues imposed and collected under RCW 35.58.273 as follows:

11 (a) The amount required to be remitted by the state treasurer to
12 the treasurer of any municipality levying the tax shall not exceed in
13 any calendar year the amount of locally-generated tax revenues,
14 excluding the excise tax imposed under RCW 35.58.273 for the purposes
15 of this section, which shall have been budgeted by the municipality to
16 be collected in such calendar year for any public transportation
17 purposes including but not limited to operating costs, capital costs,
18 and debt service on general obligation or revenue bonds issued for
19 these purposes; and

20 (b) In no event may the amount remitted in a single calendar
21 quarter exceed the amount collected on behalf of the municipality under
22 RCW 35.58.273 during the calendar quarter next preceding the
23 immediately preceding quarter.

24 (4) At the close of each calendar year accounting period, but not
25 later than April 1, each municipality that has received motor vehicle
26 excise taxes under subsection (3) of this section shall transmit to the
27 director of licensing and the state auditor a written report showing by
28 source the previous year's budgeted tax revenues for public
29 transportation purposes as compared to actual collections. Any
30 municipality that has not submitted the report by April 1 shall cease
31 to be eligible to receive motor vehicle excise taxes under subsection
32 (3) of this section until the report is received by the director of
33 licensing. If a municipality has received more or less money under
34 subsection (3) of this section for the period covered by the report
35 than it is entitled to receive by reason of its locally-generated
36 collected tax revenues, the director of licensing shall, during the
37 next ensuing quarter that the municipality is eligible to receive motor
38 vehicle excise tax funds, increase or decrease the amount to be
39 remitted in an amount equal to the difference between the locally-

1 generated budgeted tax revenues and the locally-generated collected tax
2 revenues. In no event may the amount remitted for a calendar year
3 exceed the amount collected on behalf of the municipality under RCW
4 35.58.273 during that same calendar year. At the time of the next
5 fiscal audit of each municipality, the state auditor shall verify the
6 accuracy of the report submitted and notify the director of licensing
7 of any discrepancies.

8 (5) The motor vehicle excise taxes imposed under RCW 35.58.273 and
9 required to be remitted under this section shall be remitted without
10 legislative appropriation.

11 (6) Any municipality levying and collecting a tax under RCW
12 35.58.273 which does not have an operating, public transit system or a
13 contract for public transportation services in effect within one year
14 from the initial effective date of the tax shall return to the state
15 treasurer all motor vehicle excise taxes received under subsection (3)
16 of this section.

17 NEW SECTION. **Sec. 5.** (1) Sections 1, 2, and 4 of this act are
18 necessary for the immediate preservation of the public peace, health,
19 or safety, or support of the state government and its existing public
20 institutions, and shall take effect April 1, 1994.

21 (2) Section 3 of this act shall take effect July 1, 1995.

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