

2 **SB 5378** - H COMM AMD **ADOPTED 4/4/95**
3 By Committee on Government Operations

4

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

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

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

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

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

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

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

23 For the purposes of this (~~section, the term~~) chapter: (1)
24 "Border area" means (~~Blaine, Everson, Friday Harbor, Lynden, Nooksack,~~
25 ~~Northport, Oroville, Port Angeles, Sumas, and that area of Whatcom~~
26 ~~county commonly referred to as Point Roberts.~~

27 ~~Funds allocable to border areas under RCW 66.08.190 shall be~~
28 ~~distributed pursuant to a formula developed by the department of~~
29 ~~community development, by rule, based on border traffic and historical~~
30 ~~public impacts of law enforcement problems caused by the border on~~
31 ~~local budgets. All such funds received by Whatcom county pursuant to~~
32 ~~this allocation shall be spent within the Point Roberts area)) any~~
33 incorporated city or town located within seven miles of the Washington-
34 Canadian border or any unincorporated area that is a point of land
35 surrounded on three sides by saltwater and adjacent to the Canadian

1 border.

2 (2) "Border area per-capita law-enforcement spending" equals total
3 per capita expenditures in a border area on: Law enforcement operating
4 costs, court costs, law enforcement-related insurance, and detention
5 expenses, minus funds allocated to a border area under RCW 66.08.190
6 and section 3 of this act.

7 (3) "Border-crossing traffic total" means the number of vehicles,
8 vessels, and aircraft crossing into the United States through a United
9 States customs service border crossing that enter into the border area
10 during a federal fiscal year, using border crossing statistics and
11 criteria included in guidelines adopted by the department of community,
12 trade, and economic development.

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

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

18 Distribution of funds to border areas under RCW 66.08.190 shall be
19 as follows:

20 (1) Sixty-five percent of the funds shall be distributed to border
21 areas ratably based on border area traffic totals;

22 (2) Twenty-five percent of the funds shall be distributed to border
23 areas ratably based on border-related crime statistics; and

24 (3) Ten percent of the funds shall be distributed to border areas
25 ratably based upon border area per capita law enforcement spending.

26 Distributions to an unincorporated area that is a point of land
27 surrounded on three sides by saltwater and adjacent to the Canadian
28 border shall be made to the county in which such an area is located and
29 may only be spent on services provided to that area.

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

32 The department of community, trade, and economic development shall
33 develop guidelines to determine the figures used under the three
34 distribution factors defined in RCW 66.08.195. At the request of any
35 border community, the department may review these guidelines once every
36 three years.

1 **Sec. 5.** RCW 43.63A.190 and 1984 c 125 s 11 are each amended to
2 read as follows:

3 Funds appropriated by the legislature as supplemental resources for
4 border areas shall be distributed by the state treasurer pursuant to
5 ((a)) the formula ((developed by the department under chapter 34.05 RCW
6 based on border traffic and historical public impacts of law
7 enforcement problems caused by the border on local budgets. All funds
8 received by Whatcom county under this section shall be spent within the
9 Point Roberts area.

10 As used in this section, "border area" means any incorporated city
11 or town located within seven miles of the Washington-Canadian border
12 and any point of land surrounded on three sides by water and adjacent
13 to the Canadian border)) for distributing funds from the liquor
14 revolving fund to border areas, and expenditure requirements for such
15 distributions, under section 3 of this act.

16 NEW SECTION. **Sec. 6.** This act is necessary for the immediate
17 preservation of the public peace, health, or safety, or support of the
18 state government and its existing public institutions, and shall take
19 effect July 1, 1995.

20 **SB 5378** - H COMM AMD
21 By Committee on Government Operations

22

23 On page 1, line 1 of the title, after "areas;" strike the remainder
24 of the title and insert "amending RCW 66.08.190, 66.08.195, and
25 43.63A.190; adding new sections to chapter 66.08 RCW; providing an
26 effective date; and declaring an emergency."

--- END ---