

2 **SSB 5977 - H COMM AMD ADOPTED 4/11/95**

3 By Committee on Appropriations

4

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

7 "Sec. 1. RCW 43.43.670 and 1980 c 69 s 2 are each amended to read
8 as follows:

9 There is created in the Washington state patrol a crime laboratory
10 system which is authorized to:

11 (1) Provide laboratory services for the purpose of analyzing and
12 scientifically handling any physical evidence relating to any crime.

13 (2) Provide training assistance for local law enforcement
14 personnel.

15 The crime laboratory system shall assign priority to a request for
16 services with due regard to whether the case involves criminal activity
17 against persons. The Washington state ((advisory)) forensic
18 investigations council ((~~on criminal justice services~~)) shall assist
19 the crime laboratory system in devising policies to promote the most
20 efficient use of laboratory resources consistent with this section.
21 The forensic investigations council shall be actively involved in the
22 preparation of the crime laboratory budget and shall approve the crime
23 laboratory budget prior to its formal submission by the state patrol to
24 the office of financial management pursuant to RCW 43.88.030.

25 **Sec. 2.** RCW 43.103.010 and 1983 1st ex.s. c 16 s 1 are each
26 amended to read as follows:

27 The purposes of this act are declared by the legislature to be as
28 follows:

29 (1) To preserve and enhance the state crime laboratory, which is an
30 essential part of the criminal justice system in the state of
31 Washington;

32 (2) To fund the death investigation system and to make related
33 state and local institutions more efficient;

1 (~~(2)~~) (3) To preserve and enhance the state toxicology laboratory
2 which is an essential part of the criminal justice and death
3 investigation systems in the state of Washington;

4 (~~(3)~~) (4) To provide resources necessary for the performance, by
5 qualified pathologists, of autopsies which are also essential to the
6 criminal justice and death investigation systems of this state and its
7 counties;

8 (~~(4)~~) (5) To improve the performance of death investigations and
9 the criminal justice system through the formal training of county
10 coroners and county medical examiners;

11 (~~(5)~~) (6) To establish and maintain a dental identification
12 system; and

13 (~~(6)~~) (7) To provide flexibility so that any county may establish
14 a county morgue when it serves the public interest.

15 **Sec. 3.** RCW 43.103.020 and 1983 1st ex.s. c 16 s 2 are each
16 amended to read as follows:

17 As used in this chapter, the following terms have the meanings
18 indicated unless the context clearly requires otherwise.

19 (1) "Council" means the Washington state (~~death~~) forensic
20 investigations council.

21 (2) "Crime laboratory" means the Washington state patrol crime
22 laboratory system created in RCW 43.43.670.

23 (3) "Toxicology laboratory" means the Washington state toxicology
24 laboratory.

25 **Sec. 4.** RCW 43.103.030 and 1991 c 176 s 2 are each amended to read
26 as follows:

27 There is created the Washington state (~~death~~) forensic
28 investigations council. The council shall oversee the state toxicology
29 laboratory and, together with the president of the University of
30 Washington or the president's designee, control the laboratory's
31 operation. The council may also study and recommend cost-efficient
32 improvements to the death investigation system in Washington and report
33 its findings to the legislature.

34 Further, the council shall, jointly with the chairperson of the
35 pathology department of the University of Washington's School of
36 Medicine, or the chairperson's designee, oversee the state forensic
37 pathology fellowship program, determine the budget for the program and

1 set the fellow's annual salary, and take those steps necessary to
2 administer the program.

3 The forensic investigations council shall be actively involved in
4 the preparation of the crime laboratory and toxicology laboratory
5 budgets and shall approve the crime laboratory and toxicology
6 laboratory budgets prior to their formal submission to the office of
7 financial management pursuant to RCW 43.88.030.

8 **Sec. 5.** RCW 43.103.040 and 1983 1st ex.s. c 16 s 4 are each
9 amended to read as follows:

10 The council shall consist of ~~((nine))~~ twelve members who shall be
11 selected as follows: One county coroner; one county prosecutor; one
12 county prosecutor who also serves as ex officio county coroner; one
13 county medical examiner; one county sheriff; one chief of police; ~~((one~~
14 ~~representative))~~ the chief of the state patrol; ((one)) two members of
15 a county legislative authority; ~~((and))~~ one pathologist who is
16 currently in private practice; and two members of a city legislative
17 authority.

18 ~~((All members shall be appointed to the council by the governor.))~~
19 The governor shall appoint members to the council from among the
20 nominees submitted for each position as follows: The Washington
21 association of county officials shall submit two nominees each for the
22 coroner position and the medical examiner position; the Washington
23 state association of counties shall submit two nominees each for the
24 two county legislative authority positions; the association of
25 Washington cities shall submit two nominees each for the two city
26 legislative authority positions; the Washington association of
27 prosecuting attorneys shall submit two nominees each for the county
28 prosecutor-ex officio county coroner and for the county prosecutor
29 position; the Washington association of sheriffs and police chiefs
30 shall submit two nominees each for the county sheriff position and the
31 chief of police position; and the Washington association of
32 pathologists shall submit two nominees for the private pathologist
33 position.

34 **Sec. 6.** RCW 43.103.050 and 1983 1st ex.s. c 16 s 5 are each
35 amended to read as follows:

36 All members of the council are appointed for terms of four years,
37 commencing on July 1 and expiring on June 30. However, of the members

1 appointed to the (~~initial~~) council, five shall be appointed for two-
2 year terms and (~~four~~) six shall be appointed for four-year terms. A
3 person chosen to fill a vacancy created other than by the natural
4 expiration of a member's term shall be nominated and appointed as
5 provided in RCW 43.103.040 for the unexpired term of the member he or
6 she is to succeed. Any member may be reappointed for additional terms.

7 **Sec. 7.** RCW 43.103.070 and 1983 1st ex.s. c 16 s 7 are each
8 amended to read as follows:

9 The council shall elect a (~~chairman~~) chair and a vice
10 (~~chairman~~) chair from among its members. (~~Five~~) The chair shall
11 not vote except in case of a tie vote. Seven members of the council
12 shall constitute a quorum. The governor shall summon the council to
13 its first meeting. Otherwise, meetings may be called by the
14 (~~chairman~~) chair and shall be called by him or her upon the written
15 request of five members of the council. Conference calls by telephone
16 are a proper form of meeting.

17 **Sec. 8.** RCW 43.103.090 and 1983 1st ex.s. c 16 s 9 are each
18 amended to read as follows:

19 The council (~~has the following powers~~) may:

20 (1) (~~To~~) Meet at such times and places as may be designated by a
21 majority vote of the council members or, if a majority cannot agree, by
22 the (~~chairman~~) chair;

23 (2) (~~To~~) Adopt rules governing the council and the conduct of its
24 meetings;

25 (3) (~~To~~) Require reports from the state toxicologist on matters
26 pertaining to the toxicology laboratory;

27 (4) (~~To review and, if necessary, require changes in the budget~~
28 ~~request of the toxicology laboratory~~) Require reports from the chief
29 of the Washington state patrol on matters pertaining to the crime
30 laboratory;

31 (5) Be actively involved in the preparation of the crime laboratory
32 and toxicology laboratory budgets and shall approve the crime
33 laboratory and toxicology laboratory budgets prior to their formal
34 submission to the office of financial management pursuant to RCW
35 43.88.030; (~~and~~

36 (~~5) To~~) (6) Do anything, necessary or convenient, which enables
37 the council to perform its duties and to exercise its powers;

1 (7) Appoint a toxicologist as state toxicologist to serve at the
2 pleasure of the council; and

3 (8) Set the salary for the state toxicologist.

4 **Sec. 9.** RCW 43.79.445 and 1991 sp.s. c 13 s 21 are each amended to
5 read as follows:

6 There is established an account in the state treasury referred to
7 as the "death investigations' account" which shall exist for the
8 purpose of receiving, holding, investing, and disbursing funds
9 appropriated or provided in RCW 70.58.107 and any moneys appropriated
10 or otherwise provided thereafter.

11 Moneys in the death investigations' account shall be disbursed by
12 the state treasurer once every year on December 31 and at any other
13 time determined by the treasurer. The treasurer shall make
14 disbursements to: The state toxicology laboratory, counties for the
15 cost of autopsies, the University of Washington to fund the state
16 forensic pathology fellowship program, the state patrol for providing
17 partial funding for the state dental identification system, the
18 criminal justice training commission for training county coroners,
19 medical examiners and their staff, and the state ~~((death))~~ forensic
20 investigations council.

21 The University of Washington and the Washington state ~~((death))~~
22 forensic investigations council shall jointly determine the yearly
23 amount for the state forensic pathology fellowship program established
24 by RCW 28B.20.426.

25 **Sec. 10.** RCW 68.50.107 and 1986 c 87 s 2 are each amended to read
26 as follows:

27 There shall be established ~~((at))~~ in conjunction with the
28 University of Washington Medical School and under the authority of the
29 state forensic investigations council a state toxicological laboratory
30 under the direction of the state toxicologist whose duty it will be to
31 perform all necessary toxicologic procedures requested by all coroners,
32 medical examiners, and prosecuting attorneys. ~~((Annually the president~~
33 ~~of the University of Washington, with the consent of))~~ The state
34 ~~((death))~~ forensic investigations council~~((7))~~ shall appoint a
35 ~~((competent))~~ toxicologist as state toxicologist ~~((who shall serve a~~
36 ~~one year term. The state toxicologist may be reappointed to as many~~
37 ~~additional one year terms as the president of the university and the~~

1 ~~death investigations council deem proper. The facilities of the police~~
2 ~~school of the Washington State University and the services of its~~
3 ~~professional staff shall be made available to coroners, medical~~
4 ~~examiners, and prosecuting attorneys in their investigations under this~~
5 ~~chapter. This)).~~ The laboratory shall be funded by disbursement from
6 the class H license fees as provided in RCW 66.08.180 and by
7 appropriation from the death investigations account as provided in RCW
8 43.79.445.

9 **Sec. 11.** RCW 82.14.310 and 1993 sp.s. c 21 s 1 are each amended to
10 read as follows:

11 (1) The county criminal justice assistance account is created in
12 the state treasury.

13 (2) The moneys deposited in the county criminal justice assistance
14 account for distribution under this section, less any moneys
15 appropriated for purposes under RCW 82.44.110, shall be distributed at
16 such times as distributions are made under RCW 82.44.150 and on the
17 relative basis of each county's funding factor as determined under this
18 subsection.

19 (a) A county's funding factor is the sum of:

20 (i) The population of the county, divided by one thousand, and
21 multiplied by two-tenths;

22 (ii) The crime rate of the county, multiplied by three-tenths; and

23 (iii) The annual number of criminal cases filed in the county
24 superior court, for each one thousand in population, multiplied by
25 five-tenths.

26 (b) Under this section and RCW 82.14.320 and 82.14.330:

27 (i) The population of the county or city shall be as last
28 determined by the office of financial management;

29 (ii) The crime rate of the county or city is the annual occurrence
30 of specified criminal offenses, as calculated in the most recent annual
31 report on crime in Washington state as published by the Washington
32 association of sheriffs and police chiefs, for each one thousand in
33 population;

34 (iii) The annual number of criminal cases filed in the county
35 superior court shall be determined by the most recent annual report of
36 the courts of Washington, as published by the office of the
37 administrator for the courts.

1 (iv) Distributions and eligibility for distributions in the 1989-91
2 biennium shall be based on 1988 figures for both the crime rate as
3 described under (ii) of this subsection and the annual number of
4 criminal cases that are filed as described under (iii) of this
5 subsection. Future distributions shall be based on the most recent
6 figures for both the crime rate as described under (ii) of this
7 subsection and the annual number of criminal cases that are filed as
8 described under (iii) of this subsection.

9 (3) Moneys distributed under this section shall be expended
10 exclusively for criminal justice purposes and shall not be used to
11 replace or supplant existing funding. Criminal justice purposes are
12 defined as activities that substantially assist the criminal justice
13 system, which may include circumstances where ancillary benefit to the
14 civil justice system occurs, and which includes domestic violence
15 services such as those provided by domestic violence programs,
16 community advocates, and legal advocates, as defined in RCW 70.123.020.
17 Existing funding for purposes of this subsection is defined as calendar
18 year 1989 actual operating expenditures for criminal justice purposes.
19 Calendar year 1989 actual operating expenditures for criminal justice
20 purposes exclude the following: Expenditures for extraordinary events
21 not likely to reoccur, changes in contract provisions for criminal
22 justice services, beyond the control of the local jurisdiction
23 receiving the services, and major nonrecurring capital expenditures.

24 **Sec. 12.** RCW 82.14.320 and 1993 sp.s. c 21 s 2 are each amended to
25 read as follows:

26 (1) The municipal criminal justice assistance account is created in
27 the state treasury.

28 (2) No city may receive a distribution under this section from the
29 municipal criminal justice assistance account unless:

30 (a) The city has a crime rate in excess of one hundred twenty-five
31 percent of the state-wide average as calculated in the most recent
32 annual report on crime in Washington state as published by the
33 Washington association of sheriffs and police chiefs;

34 (b) The city has levied the tax authorized in RCW 82.14.030(2) at
35 the maximum rate or the tax authorized in RCW 82.46.010(3) at the
36 maximum rate; and

37 (c) The city has a per capita yield from the tax imposed under RCW
38 82.14.030(1) at the maximum rate of less than one hundred fifty percent

1 of the state-wide average per capita yield for all cities from such
2 local sales and use tax.

3 (3) The moneys deposited in the municipal criminal justice
4 assistance account for distribution under this section, less any moneys
5 appropriated for purposes under RCW 82.44.110, shall be distributed at
6 such times as distributions are made under RCW 82.44.150. The
7 distributions shall be made as follows:

8 (a) Unless reduced by this subsection, thirty percent of the moneys
9 shall be distributed ratably based on population as last determined by
10 the office of financial management to those cities eligible under
11 subsection (2) of this section that have a crime rate determined under
12 subsection (2)(a) of this section which is greater than one hundred
13 seventy-five percent of the state-wide average crime rate. No city may
14 receive more than fifty percent of any moneys distributed under this
15 subsection (a) but, if a city distribution is reduced as a result of
16 exceeding the fifty percent limitation, the amount not distributed
17 shall be distributed under (b) of this subsection.

18 (b) The remainder of the moneys, including any moneys not
19 distributed in subsection (2)(a) of this section, shall be distributed
20 to all cities eligible under subsection (2) of this section ratably
21 based on population as last determined by the office of financial
22 management.

23 (4) No city may receive more than thirty percent of all moneys
24 distributed under subsection (3) of this section.

25 (5) Notwithstanding other provisions of this section, the
26 distributions to any city that substantially decriminalizes or repeals
27 its criminal code after July 1, 1990, and that does not reimburse the
28 county for costs associated with criminal cases under RCW 3.50.800 or
29 3.50.805(2), shall be made to the county in which the city is located.

30 (6) Moneys distributed under this section shall be expended
31 exclusively for criminal justice purposes and shall not be used to
32 replace or supplant existing funding. Criminal justice purposes are
33 defined as activities that substantially assist the criminal justice
34 system, which may include circumstances where ancillary benefit to the
35 civil justice system occurs, and which includes domestic violence
36 services such as those provided by domestic violence programs,
37 community advocates, and legal advocates, as defined in RCW 70.123.020.
38 Existing funding for purposes of this subsection is defined as calendar
39 year 1989 actual operating expenditures for criminal justice purposes.

1 Calendar year 1989 actual operating expenditures for criminal justice
2 purposes exclude the following: Expenditures for extraordinary events
3 not likely to reoccur, changes in contract provisions for criminal
4 justice services, beyond the control of the local jurisdiction
5 receiving the services, and major nonrecurring capital expenditures.

6 **Sec. 13.** RCW 82.14.330 and 1994 c 273 s 22 are each amended to
7 read as follows:

8 (1) The moneys deposited in the municipal criminal justice
9 assistance account for distribution under this section, less any moneys
10 appropriated for purposes under RCW 82.44.110, shall be distributed to
11 the cities of the state as follows:

12 (a) Twenty percent appropriated for distribution shall be
13 distributed to cities with a three-year average violent crime rate for
14 each one thousand in population in excess of one hundred fifty percent
15 of the state-wide three-year average violent crime rate for each one
16 thousand in population. The three-year average violent crime rate
17 shall be calculated using the violent crime rates for each of the
18 preceding three years from the annual reports on crime in Washington
19 state as published by the Washington association of sheriffs and police
20 chiefs. Moneys shall be distributed under this subsection (1)(a)
21 ratably based on population as last determined by the office of
22 financial management, but no city may receive more than one dollar per
23 capita. Moneys remaining undistributed under this subsection at the
24 end of each calendar year shall be distributed to the criminal justice
25 training commission to reimburse participating city law enforcement
26 agencies with ten or fewer full-time commissioned patrol officers the
27 cost of temporary replacement of each officer who is enrolled in basic
28 law enforcement training, as provided in RCW 43.101.200.

29 (b) Sixteen percent shall be distributed to cities ratably based on
30 population as last determined by the office of financial management,
31 but no city may receive less than one thousand dollars.

32 The moneys deposited in the municipal criminal justice assistance
33 account for distribution under this subsection shall be distributed at
34 such times as distributions are made under RCW 82.44.150.

35 Moneys distributed under this subsection shall be expended
36 exclusively for criminal justice purposes and shall not be used to
37 replace or supplant existing funding. Criminal justice purposes are
38 defined as activities that substantially assist the criminal justice

1 system, which may include circumstances where ancillary benefit to the
2 civil justice system occurs, and which includes domestic violence
3 services such as those provided by domestic violence programs,
4 community advocates, and legal advocates, as defined in RCW 70.123.020.
5 Existing funding for purposes of this subsection is defined as calendar
6 year 1989 actual operating expenditures for criminal justice purposes.
7 Calendar year 1989 actual operating expenditures for criminal justice
8 purposes exclude the following: Expenditures for extraordinary events
9 not likely to reoccur, changes in contract provisions for criminal
10 justice services, beyond the control of the local jurisdiction
11 receiving the services, and major nonrecurring capital expenditures.

12 (2) In addition to the distributions under subsection (1) of this
13 section:

14 (a) Fourteen percent shall be distributed to cities that have
15 initiated innovative law enforcement strategies, including alternative
16 sentencing and crime prevention programs. No city may receive more
17 than one dollar per capita under this subsection (2)(a).

18 (b) Twenty percent shall be distributed to cities that have
19 initiated programs to help at-risk children or child abuse victim
20 response programs. No city may receive more than fifty cents per
21 capita under this subsection (2)(b).

22 (c) Twenty percent shall be distributed to cities that have
23 initiated programs designed to reduce the level of domestic violence
24 within their jurisdictions or to provide counseling for domestic
25 violence victims. No city may receive more than fifty cents per capita
26 under this subsection (2)(c).

27 (d) Ten percent shall be distributed to cities that contract with
28 another governmental agency for a majority of the city's law
29 enforcement services.

30 Moneys distributed under this subsection shall be distributed to
31 those cities that submit funding requests under this subsection to the
32 department of community, trade, and economic development based on
33 criteria developed under RCW 82.14.335. Allocation of funds shall be
34 in proportion to the population of qualified jurisdictions, but the
35 distribution to a city shall not exceed the amount of funds requested.
36 Cities shall submit requests for program funding to the department of
37 community, trade, and economic development by November 1 of each year
38 for funding the following year. The department shall certify to the

1 state treasurer the cities eligible for funding under this subsection
2 and the amount of each allocation.

3 The moneys deposited in the municipal criminal justice assistance
4 account for distribution under this subsection, less any moneys
5 appropriated for purposes under RCW 82.44.110, shall be distributed at
6 the times as distributions are made under RCW 82.44.150. Moneys
7 remaining undistributed under this subsection at the end of each
8 calendar year shall be distributed to the criminal justice training
9 commission to reimburse participating city law enforcement agencies
10 with ten or fewer full-time commissioned patrol officers the cost of
11 temporary replacement of each officer who is enrolled in basic law
12 enforcement training, as provided in RCW 43.101.200.

13 If a city is found by the state auditor to have expended funds
14 received under this subsection in a manner that does not comply with
15 the criteria under which the moneys were received, the city shall be
16 ineligible to receive future distributions under this subsection until
17 the use of the moneys are justified to the satisfaction of the director
18 or are repaid to the state general fund. The director may allow
19 noncomplying use of moneys received under this subsection upon a
20 showing of hardship or other emergent need.

21 (3) Notwithstanding other provisions of this section, the
22 distributions to any city that substantially decriminalizes or repeals
23 its criminal code after July 1, 1990, and that does not reimburse the
24 county for costs associated with criminal cases under RCW 3.50.800 or
25 3.50.805(2), shall be made to the county in which the city is located.

26 **Sec. 14.** RCW 82.44.110 and 1993 sp.s. c 21 s 7 and 1993 c 492 s
27 253 are each reenacted and amended to read as follows:

28 The county auditor shall regularly, when remitting license fee
29 receipts, pay over and account to the director of licensing for the
30 excise taxes collected under the provisions of this chapter. The
31 director shall forthwith transmit the excise taxes to the state
32 treasurer.

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

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

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

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

5 (d) 5.88 percent into the general fund to be distributed under RCW
6 82.44.155.

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

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

11 (g) 62.6440 percent into the general fund through June 30, 1995,
12 and 57.6440 percent into the general fund beginning July 1, 1995.

13 (h) 5 percent into the transportation fund created in RCW 82.44.180
14 beginning July 1, 1995.

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

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

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

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

26 Notwithstanding (i) through (k) of this subsection, no more than
27 sixty million dollars shall be deposited into the accounts specified in
28 (i) through (k) of this subsection for the period January 1, 1994,
29 through June 30, 1995. Not more than five percent of the funds
30 deposited to these accounts shall be available for appropriations for
31 enhancements to the state patrol crime laboratory system and the
32 continuing costs related to these enhancements. Motor vehicle excise
33 tax funds appropriated for such enhancements shall not supplant
34 existing funds from the state general fund. For the fiscal year ending
35 June 30, 1998, and for each fiscal year thereafter, the amounts
36 deposited into the accounts specified in (i) through (k) of this
37 subsection shall not increase by more than the amounts deposited into
38 those accounts in the previous fiscal year increased by the implicit

1 price deflator for the previous fiscal year. Any revenues in excess of
2 this amount shall be deposited into the general fund.

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

5 (3) The state treasurer shall deposit the excise tax imposed by RCW
6 82.44.020(3) into the air pollution control account created by RCW
7 70.94.015.

8 **Sec. 15.** RCW 46.61.5054 and 1994 c 275 s 7 are each amended to
9 read as follows:

10 (1)(a) In addition to penalties set forth in RCW 46.61.5051 through
11 46.61.5053, a one hundred twenty-five dollar fee shall be assessed to
12 a person who is either convicted, sentenced to a lesser charge, or
13 given deferred prosecution, as a result of an arrest for violating RCW
14 46.61.502, 46.61.504, 46.61.520, or 46.61.522. This fee is for the
15 purpose of funding the Washington state toxicology laboratory and the
16 Washington state patrol (~~breath test program~~) for grants and
17 activities to increase the conviction rate and decrease the incidence
18 of persons driving under the influence of alcohol or drugs.

19 (b) Upon a verified petition by the person assessed the fee, the
20 court may suspend payment of all or part of the fee if it finds that
21 the person does not have the ability to pay.

22 (c) When a minor has been adjudicated a juvenile offender for an
23 offense which, if committed by an adult, would constitute a violation
24 of RCW 46.61.502, 46.61.504, 46.61.520, or 46.61.522, the court shall
25 assess the one hundred twenty-five dollar fee under (a) of this
26 subsection. Upon a verified petition by a minor assessed the fee, the
27 court may suspend payment of all or part of the fee if it finds that
28 the minor does not have the ability to pay the fee.

29 (2) The fee assessed under subsection (1) of this section shall be
30 collected by the clerk of the court and distributed as follows:

31 (a) Forty percent shall be subject to distribution under RCW
32 3.46.120, 3.50.100, 35.20.220, 3.62.020, 3.62.040, or 10.82.070.

33 (b) (~~If the case involves a blood test by the state toxicology~~
34 ~~laboratory,~~) The remainder of the fee shall be forwarded to the state
35 treasurer (~~for~~) who shall, through June 30, 1997, deposit: Fifty
36 percent in the death investigations' account to be used solely for
37 funding the state toxicology laboratory blood or breath testing
38 programs(~~-~~

1 ~~(c) Otherwise, the remainder of the fee shall be forwarded to the~~
2 ~~state treasurer for deposit)); and fifty percent~~ in the state patrol
3 highway account to be used solely for funding ~~((the Washington state~~
4 ~~patrol breath test program))~~ activities to increase the conviction rate
5 and decrease the incidence of persons driving under the influence of
6 alcohol or drugs. Effective July 1, 1997, the remainder of the fee
7 shall be forwarded to the state treasurer who shall deposit: Fifteen
8 percent in the death investigations' account to be used solely for
9 funding the state toxicology laboratory blood or breath testing
10 programs; and eighty-five percent in the state patrol highway account
11 to be used solely for funding activities to increase the conviction
12 rate and decrease the incidence of persons driving under the influence
13 of alcohol or drugs.

14 **Sec. 16.** RCW 66.08.180 and 1987 c 458 s 10 are each amended to
15 read as follows:

16 Moneys in the liquor revolving fund shall be distributed by the
17 board at least once every three months in accordance with RCW
18 66.08.190, 66.08.200 and 66.08.210: PROVIDED, That the board shall
19 reserve from distribution such amount not exceeding five hundred
20 thousand dollars as may be necessary for the proper administration of
21 this title(~~(: AND PROVIDED FURTHER, That))~~).

22 (1) All license fees, penalties and forfeitures derived under this
23 act from class H licenses or class H licensees shall every three months
24 be disbursed by the board as follows:

25 ~~((1) 5.95 percent to the University of Washington and 3.97 percent~~
26 ~~to Washington State University for alcoholism and drug abuse research~~
27 ~~and for the dissemination of such research;~~

28 ~~(2) 1.75 percent, but in no event less than one))~~ (a) Three hundred
29 ((fifty)) thousand dollars per biennium, to the University of
30 Washington for the forensic investigations council to conduct the state
31 toxicological laboratory pursuant to RCW ((68.08.107)) 68.50.107; and

32 ~~((3) 88.33))~~ (b) Of the remaining funds:

33 (i) 6.06 percent to the University of Washington and 4.04 percent
34 to Washington State University for alcoholism and drug abuse research
35 and for the dissemination of such research; and

36 (ii) 89.9 percent to the general fund to be used by the department
37 of social and health services solely to carry out the purposes of RCW
38 ((70.96.085, as now or hereafter amended)) 70.96A.050;

1 (~~(4)~~) (2) The first fifty-five dollars per license fee provided
2 in RCW 66.24.320 and 66.24.330 up to a maximum of one hundred fifty
3 thousand dollars annually shall be disbursed every three months by the
4 board to the general fund to be used for juvenile alcohol and drug
5 prevention programs for kindergarten through third grade to be
6 administered by the superintendent of public instruction;

7 (~~(5)~~) (3) Twenty percent of the remaining total amount derived
8 from license fees pursuant to RCW 66.24.320, 66.24.330, 66.24.340,
9 66.24.350, 66.24.360, and 66.24.370, shall be transferred to the
10 general fund to be used by the department of social and health services
11 solely to carry out the purposes of RCW (~~(70.96.085)~~) 70.96A.050; and

12 (~~(6)~~) (4) One-fourth cent per liter of the tax imposed by RCW
13 66.24.210 shall every three months be disbursed by the board to
14 Washington State University solely for wine and wine grape research,
15 extension programs related to wine and wine grape research, and
16 resident instruction in both wine grape production and the processing
17 aspects of the wine industry in accordance with RCW 28B.30.068. The
18 director of financial management shall prescribe suitable accounting
19 procedures to ensure that the funds transferred to the general fund to
20 be used by the department of social and health services and
21 appropriated are separately accounted for.

22 NEW SECTION. Sec. 17. 1994 c 275 s 44 (uncodified) is repealed.

23 NEW SECTION. Sec. 18. Section 17 of this act is necessary for the
24 immediate preservation of the public peace, health, or safety, or
25 support of the state government and its existing public institutions,
26 and shall take effect immediately."

27 **SSB 5977** - H COMM AMD
28 By Committee on Appropriations

29
30 On page 1, line 1 of the title, after "investigations;" strike the
31 remainder of the title and insert "amending RCW 43.43.670, 43.103.010,
32 43.103.020, 43.103.030, 43.103.040, 43.103.050, 43.103.070, 43.103.090,
33 43.79.445, 68.50.107, 82.14.310, 82.14.320, 82.14.330, 46.61.5054, and

1 66.08.180; reenacting and amending RCW 82.44.110; repealing 1994 c 275
2 s 44 (uncodified); and declaring an emergency."

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