

CERTIFICATION OF ENROLLMENT

SENATE BILL 5378

Chapter 159, Laws of 1995

54th Legislature
1995 Regular Session

BORDER AREAS--DISBURSEMENT OF FUNDS

EFFECTIVE DATE: 7/1/95

Passed by the Senate April 17, 1995
YEAS 43 NAYS 0

JOEL PRITCHARD

President of the Senate

Passed by the House April 4, 1995
YEAS 96 NAYS 0

CLYDE BALLARD

**Speaker of the
House of Representatives**

Approved April 27, 1995

MIKE LOWRY

Governor of the State of Washington

CERTIFICATE

I, Marty Brown, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5378** as passed by the Senate and the House of Representatives on the dates hereon set forth.

MARTY BROWN

Secretary

FILED

April 27, 1995 - 1:26 p.m.

**Secretary of State
State of Washington**

SENATE BILL 5378

AS AMENDED BY THE HOUSE

Passed Legislature - 1995 Regular Session

State of Washington 54th Legislature 1995 Regular Session

By Senators Haugen, Morton and Winsley; by request of Community, Trade, and Economic Development

Read first time 01/23/95. Referred to Committee on Government Operations.

1 AN ACT Relating to disbursement of funds to border areas; amending
2 RCW 66.08.190, 66.08.195, and 43.63A.190; adding new sections to
3 chapter 66.08 RCW; providing an effective date; and declaring an
4 emergency.

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

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

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

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

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

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

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

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

7 ~~Funds allocable to border areas under RCW 66.08.190 shall be~~
8 ~~distributed pursuant to a formula developed by the department of~~
9 ~~community development, by rule, based on border traffic and historical~~
10 ~~public impacts of law enforcement problems caused by the border on~~
11 ~~local budgets. All such funds received by Whatcom county pursuant to~~
12 ~~this allocation shall be spent within the Point Roberts area)) any~~
13 incorporated city or town located within seven miles of the Washington-
14 Canadian border or any unincorporated area that is a point of land
15 surrounded on three sides by saltwater and adjacent to the Canadian
16 border.

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

22 (3) "Border-crossing traffic total" means the number of vehicles,
23 vessels, and aircraft crossing into the United States through a United
24 States customs service border crossing that enter into the border area
25 during a federal fiscal year, using border crossing statistics and
26 criteria included in guidelines adopted by the department of community,
27 trade, and economic development.

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

31 NEW SECTION. **Sec. 3.** A new section is added to chapter 66.08 RCW
32 to read as follows:

33 Distribution of funds to border areas under RCW 66.08.190 shall be
34 as follows:

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

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

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

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

7 NEW SECTION. **Sec. 4.** A new section is added to chapter 66.08 RCW
8 to read as follows:

9 The department of community, trade, and economic development shall
10 develop guidelines to determine the figures used under the three
11 distribution factors defined in RCW 66.08.195. At the request of any
12 border community, the department may review these guidelines once every
13 three years.

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

16 Funds appropriated by the legislature as supplemental resources for
17 border areas shall be distributed by the state treasurer pursuant to
18 ~~((a)) the formula ((developed by the department under chapter 34.05 RCW~~
19 ~~based on border traffic and historical public impacts of law~~
20 ~~enforcement problems caused by the border on local budgets. All funds~~
21 ~~received by Whatcom county under this section shall be spent within the~~
22 ~~Point Roberts area.~~

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

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

Passed the Senate April 17, 1995.

Passed the House April 4, 1995.

Approved by the Governor April 27, 1995.

Filed in Office of Secretary of State April 27, 1995.