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**SUBSTITUTE SENATE BILL 5033**

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**State of Washington**

**53rd Legislature**

**1993 Regular Session**

**By** Senate Committee on Government Operations (originally sponsored by Senator Haugen)

Read first time 01/28/93.

1 AN ACT Relating to county research services; amending RCW  
2 82.14.200, 43.88.114, 43.110.030, and 43.110.010; reenacting RCW  
3 82.44.160; and adding a new section to chapter 36.32 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 36.32 RCW  
6 to read as follows:

7 A special account is created in the state treasury to be known as  
8 the "county research services account." Such moneys remaining in the  
9 county sales and use tax equalization account after distribution to  
10 counties under RCW 82.14.200 as are appropriated by the legislature  
11 shall be transferred into the county research services account. Moneys  
12 in the account may be spent only after appropriation.

13 Moneys in the county research services account may only be expended  
14 to finance the costs of county research.

15 **Sec. 2.** RCW 82.14.200 and 1991 sp.s. c 13 s 15 are each amended to  
16 read as follows:

17 There is created in the state treasury a special account to be  
18 known as the "county sales and use tax equalization account." Into

1 this account shall be placed a portion of all motor vehicle excise tax  
2 receipts as provided in RCW 82.44.110(1)(f). Funds in this account  
3 shall be allocated by the state treasurer according to the following  
4 procedure:

5 (1) Prior to April 1st of each year the director of revenue shall  
6 inform the state treasurer of the total and the per capita levels of  
7 revenues for the unincorporated area of each county and the state-wide  
8 weighted average per capita level of revenues for the unincorporated  
9 areas of all counties imposing the sales and use tax authorized under  
10 RCW 82.14.030(1) for the previous calendar year.

11 (2) At such times as distributions are made under RCW 82.44.150, as  
12 now or hereafter amended, the state treasurer shall apportion to each  
13 county imposing the sales and use tax under RCW 82.14.030(1) at the  
14 maximum rate and receiving less than one hundred fifty thousand dollars  
15 from the tax for the previous calendar year, an amount from the county  
16 sales and use tax equalization account sufficient, when added to the  
17 amount of revenues received the previous calendar year by the county,  
18 to equal one hundred fifty thousand dollars.

19 The department of revenue shall establish a governmental price  
20 index as provided in this subsection. The base year for the index  
21 shall be the end of the third quarter of 1982. Prior to November 1,  
22 1983, and prior to each November 1st thereafter, the department of  
23 revenue shall establish another index figure for the third quarter of  
24 that year. The department of revenue may use the implicit price  
25 deflators for state and local government purchases of goods and  
26 services calculated by the United States department of commerce to  
27 establish the governmental price index. Beginning on January 1, 1984,  
28 and each January 1st thereafter, the one hundred fifty thousand dollar  
29 base figure in this subsection shall be adjusted in direct proportion  
30 to the percentage change in the governmental price index from 1982  
31 until the year before the adjustment. Distributions made under this  
32 subsection for 1984 and thereafter shall use this adjusted base amount  
33 figure.

34 (3) Subsequent to the distributions under subsection (2) of this  
35 section and at such times as distributions are made under RCW  
36 82.44.150, as now or hereafter amended, the state treasurer shall  
37 apportion to each county imposing the sales and use tax under RCW  
38 82.14.030(1) at the maximum rate and receiving less than seventy  
39 percent of the state-wide weighted average per capita level of revenues

1 for the unincorporated areas of all counties as determined by the  
2 department of revenue under subsection (1) of this section, an amount  
3 from the county sales and use tax equalization account sufficient, when  
4 added to the per capita level of revenues for the unincorporated area  
5 received the previous calendar year by the county, to equal seventy  
6 percent of the state-wide weighted average per capita level of revenues  
7 for the unincorporated areas of all counties determined under  
8 subsection (1) of this section, subject to reduction under subsections  
9 (6) and (7) of this section. When computing distributions under this  
10 section, any distribution under subsection (2) of this section shall be  
11 considered revenues received from the tax imposed under RCW  
12 82.14.030(1) for the previous calendar year.

13 (4) Subsequent to the distributions under subsection (3) of this  
14 section and at such times as distributions are made under RCW  
15 82.44.150, as now or hereafter amended, the state treasurer shall  
16 apportion to each county imposing the sales and use tax under RCW  
17 82.14.030(2) at the maximum rate and receiving a distribution under  
18 subsection (2) of this section, a third distribution from the county  
19 sales and use tax equalization account. The distribution to each  
20 qualifying county shall be equal to the distribution to the county  
21 under subsection (2) of this section, subject to the reduction under  
22 subsections (6) and (7) of this section. To qualify for the total  
23 distribution under this subsection, the county must impose the tax  
24 under RCW 82.14.030(2) for the entire calendar year. Counties imposing  
25 the tax for less than the full year shall qualify for prorated  
26 allocations under this subsection proportionate to the number of months  
27 of the year during which the tax is imposed.

28 (5) Subsequent to the distributions under subsection (4) of this  
29 section and at such times as distributions are made under RCW  
30 82.44.150, as now or hereafter amended, the state treasurer shall  
31 apportion to each county imposing the sales and use tax under RCW  
32 82.14.030(2) at the maximum rate and receiving a distribution under  
33 subsection (3) of this section, a fourth distribution from the county  
34 sales and use tax equalization account. The distribution to each  
35 qualifying county shall be equal to the distribution to the county  
36 under subsection (3) of this section, subject to the reduction under  
37 subsections (6) and (7) of this section. To qualify for the  
38 distributions under this subsection, the county must impose the tax  
39 under RCW 82.14.030(2) for the entire calendar year. Counties imposing

1 the tax for less than the full year shall qualify for prorated  
2 allocations under this subsection proportionate to the number of months  
3 of the year during which the tax is imposed.

4 (6) Revenues distributed under this section in any calendar year  
5 shall not exceed an amount equal to seventy percent of the state-wide  
6 weighted average per capita level of revenues for the unincorporated  
7 areas of all counties during the previous calendar year. If  
8 distributions under subsections (3) through (5) of this section cannot  
9 be made because of this limitation, then distributions under  
10 subsections (3) through (5) of this section shall be reduced ratably  
11 among the qualifying counties.

12 (7) If inadequate revenues exist in the county sales and use tax  
13 equalization account to make the distributions under subsections (3)  
14 through (5) of this section, then the distributions under subsections  
15 (3) through (5) of this section shall be reduced ratably among the  
16 qualifying counties. At such time during the year as additional funds  
17 accrue to the county sales and use tax equalization account, additional  
18 distributions shall be made under subsections (3) through (5) of this  
19 section to the counties.

20 (8) If the level of revenues in the county sales and use tax  
21 equalization account exceeds the amount necessary to make the  
22 distributions under subsections (2) through (5) of this section and the  
23 transfer authorized by appropriation pursuant to section 1 of this act,  
24 then the additional revenues shall be credited and transferred to the  
25 state general fund.

26 **Sec. 3.** RCW 43.88.114 and 1983 c 22 s 2 are each amended to read  
27 as follows:

28 Appropriations of funds to the municipal research council from  
29 motor vehicle excise taxes shall not be subject to allotment by the  
30 office of financial management.

31 **Sec. 4.** RCW 43.110.030 and 1990 c 104 s 2 are each amended to read  
32 as follows:

33 The municipal research council shall contract for the provision of  
34 municipal research and services to cities (~~and~~), towns, and counties.  
35 Contracts for municipal research and services shall be made with state  
36 agencies, educational institutions, or private consulting firms, that  
37 in the judgment of council members are qualified to provide such

1 research and services. Contracts for staff support may be made with  
2 state agencies, educational institutions, or private consulting firms  
3 that in the judgment of the council members are qualified to provide  
4 such support.

5 Municipal research and services shall consist of: (1) Studying and  
6 researching (~~((municipal))~~) city, town, and county government and issues  
7 relating to (~~((municipal))~~) city, town, and county government; (2)  
8 acquiring, preparing, and distributing publications related to  
9 (~~((municipal))~~) city, town, and county government and issues relating to  
10 (~~((municipal))~~) city, town, and county government; (3) providing  
11 educational conferences relating to (~~((municipal))~~) city, town, and  
12 county government and issues relating to (~~((municipal))~~) city, town, and  
13 county government; and (4) furnishing legal, technical, consultative,  
14 and field services to cities (~~((and)),~~) towns, and counties concerning  
15 planning, public health, utility services, fire protection, law  
16 enforcement, public works, and other issues relating to (~~((municipal))~~)  
17 city, town, and county government.

18 The activities, programs, and services of the municipal research  
19 council shall be carried on, and all expenditures shall be made, in  
20 cooperation with the cities and towns of the state acting through the  
21 board of directors of the association of Washington cities, which is  
22 recognized as their official agency or instrumentality, and in  
23 cooperation with counties of the state acting through the Washington  
24 state association of counties. The provision of services to cities and  
25 towns shall be based upon the moneys appropriated to the municipal  
26 research council as provided in RCW 82.44.160 and the provision of  
27 services to counties shall be based upon the moneys appropriated to the  
28 municipal research council as provided in section 1 of this act.

29 **Sec. 5.** RCW 82.44.160 and 1990 c 104 s 3 and 1990 c 42 s 310 are  
30 each reenacted to read as follows:

31 Before distributing or paying moneys to the cities and towns from  
32 the general fund on the first day of July of each year, under the  
33 formula provided in RCW 82.44.155, and from the municipal sales and use  
34 tax equalization account, as provided in RCW 82.14.210, the state  
35 treasurer shall deduct from these moneys a sum equal to one-half of the  
36 biennial appropriation made to the municipal research council. Sixty-  
37 five percent of the annual deduction shall be from the distribution to  
38 cities and towns under RCW 82.44.155, and thirty-five percent of the

1 annual deduction shall be from the distribution to the municipal sales  
2 and use tax equalization account under RCW 82.14.210.

3 The amount that is appropriated to the municipal research council  
4 shall be at least seven cents per capita of the population of all  
5 cities or towns as last determined by the office of financial  
6 management. Moneys appropriated to the municipal research council  
7 shall be kept in the treasury in the general fund. Expenditures of the  
8 municipal research council, including council expenses and contract  
9 payments, shall be disbursed by warrant or check from invoices or  
10 vouchers certified by the chair of the municipal research council or a  
11 designee. Payments to public agencies may be made in advance of actual  
12 work contracted for, in the discretion of the council.

13 Sixty-five percent of any moneys remaining unexpended or  
14 uncontracted for by the municipal research council at the end of any  
15 fiscal biennium shall be returned to the general fund and be paid to  
16 cities and towns under RCW 82.44.155. The remaining thirty-five  
17 percent shall be deposited into the municipal sales and use tax  
18 equalization account.

19 **Sec. 6.** RCW 43.110.010 and 1990 c 104 s 1 are each amended to read  
20 as follows:

21 There shall be a state agency which shall be known as the municipal  
22 research council. The council shall be composed of ~~((eighteen))~~  
23 nineteen members. ~~((Four))~~ Two members shall be appointed by the  
24 president of the senate, with equal representation from each of the two  
25 major political parties; ~~((four))~~ two members shall be appointed by the  
26 speaker of the house of representatives, with equal representation from  
27 each of the two major political parties; one member shall be appointed  
28 by the governor independently; ~~((and the other))~~ nine members, who  
29 shall be city or town officials, shall be appointed by the governor  
30 from a list of nine nominees submitted by the board of directors of the  
31 association of Washington cities; and five members, who shall be county  
32 officials, shall be appointed by the governor, two of whom shall be  
33 from a list of two nominees submitted by the board of directors of the  
34 Washington association of county officials, and three of whom shall be  
35 from a list of three nominees submitted by the board of directors of  
36 the Washington state association of counties. Of the ~~((members~~  
37 ~~appointed by the association))~~ city or town officials, at least one  
38 shall be an official of a city having a population of twenty thousand

1 or more; at least one shall be an official of a city having a  
2 population of one thousand five hundred to twenty thousand; and at  
3 least one shall be an official of a town having a population of less  
4 than one thousand five hundred.

5 The terms of members shall be for two years (~~and shall not~~). The  
6 terms of those members who are appointed as legislators or city, town,  
7 or county officials shall be dependent upon continuance in legislative  
8 (~~or~~), city, town, or county office. The terms of all members except  
9 legislative members shall commence on the first day of August in every  
10 odd-numbered year. The speaker of the house of representatives and the  
11 president of the senate shall make their appointments on or before the  
12 third Monday in January in each odd-numbered year, and the terms of the  
13 members thus appointed shall commence on the third Monday of January in  
14 each odd-numbered year.

15 Council members shall receive no compensation but shall be  
16 reimbursed for travel expenses at rates in accordance with RCW  
17 43.03.050 and 43.03.060 as now existing or hereafter amended, except  
18 that members of the council who are also members of the legislature  
19 shall be reimbursed at the rates provided by RCW 44.04.120.

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