

**SENATE BILL REPORT**

**SB 5453**

**AS REPORTED BY COMMITTEE ON GOVERNMENT OPERATIONS,  
FEBRUARY 26, 1993**

**Brief Description:** Changing provisions relating to funding and planning criminal justice programs.

**SPONSORS:** Senators Haugen, Newhouse, Loveland, Niemi, Snyder and Gaspard

**SENATE COMMITTEE ON GOVERNMENT OPERATIONS**

**Majority Report:** That Substitute Senate Bill No. 5453 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Haugen, Chairman; Drew, Vice Chairman; Loveland, Oke, and Winsley.

**Staff:** Eugene Green (786-7405)

**Hearing Dates:** February 4, 1993; February 26, 1993

**SENATE COMMITTEE ON WAYS & MEANS**

**Staff:** Cindi Holmstrom (786-7715)

**Hearing Dates:** March 4, 1993

**BACKGROUND:**

In 1990, the Legislature passed the Local Criminal Justice Fiscal Assistance Act. The act was passed in response to concerns expressed by counties and cities as to the adequacy of their resources to provide for a variety of efficient criminal justice activities. A one-time general fund distribution was given to counties based on each county's size, crime rate and criminal case filings. A one-time general fund distribution was also given to cities: one-half based on crime rates; one-half based on population. For the period July 1, 1990 to January 1, 1994, the act distributes 5.9686 percent of the state Motor Vehicle Excise Tax (MVET) to counties based on population, crime rate, and number of criminal cases filed in the county superior court. For the 1991-1993 biennium, the county distribution is estimated at \$58.3 million. For the period July 1, 1990 to January 1, 1994, the act provides for two distributions of the state MVET to cities. The first distribution is 1.1937 percent of the MVET based on crime rates in excess of 125 percent of the statewide average. The second city distribution is also 1.1937 percent of the state MVET based on population. For the 1991-1993 biennium, the city distributions are estimated at \$23.3 million. All three of these distributions must be used exclusively for criminal justice programs.

Seven counties are authorized to impose a temporary one-tenth of 1 percent sales tax. King, Snohomish, Spokane, Thurston and Yakima counties have imposed this tax. The revenues from this tax are distributed to the county and the cities within the county essentially ratably based on population. This tax must be approved by the voters and its authorization expires on January 1, 1994. This tax must be used exclusively for criminal justice programs.

The act also created a Task Force on City and County Finances consisting of five members of the Senate, five members of the House, and two nonvoting representatives of the Governor. The task force was to examine and make recommendations on the need for fiscal assistance to cities and counties, the adequacy of city and county revenues, the promotion of efficiencies in local government, and revisions to Initiative 62. The task force was to submit a report to the Legislature by September 1, 1992. It expired on December 31, 1992.

A county legislative authority may establish a local law and justice council, whose membership is determined, in part, by statute. The local law and justice council must develop a local law and justice plan for the county. The general intent of the plan shall include seeking means to maximize local resources, reduce duplication of services, and share resources between local and state government. The plan must also include a section on jail management.

**SUMMARY:**

The state Motor Vehicle Excise Tax (MVET) distribution to counties for criminal justice programs is continued indefinitely.

The state MVET distribution to cities based on crime rates in excess of 125 percent of the statewide average is continued indefinitely.

The state MVET distribution to cities based on population is allowed to expire on December 31, 1993.

An "emergency pool" of 1 percent of the MVET distributions to the county and city funds is created and is administered by the Department of Community Development. Counties under 70,000 population and cities under 1,500 population are eligible for funds from the emergency pool. Cities applying for the funds must have shown reasonable efforts to cooperate and coordinate resources with the county sheriff or other cities.

Authorization for the one-tenth of 1 percent sales tax for criminal justice programs is made permanent and is extended to all counties. The sales tax is non-voter approved, but is subject to referendum.

A local law and justice council is made mandatory in every county. Representatives of a school district, social service

programs, and juvenile rehabilitation services within the county are added to the council.

**EFFECT OF PROPOSE SUBSTITUTE:**

The "pool" is increased to 3 percent of the MVET distributions; cities under 10,000 are eligible; and the funds may also be used for early intervention programs for juveniles.

**Appropriation:** none

**Revenue:** yes

**Fiscal Note:** available

**TESTIMONY FOR:**

Counties and cities badly need a continuance of these funds. The money has made an impact and will continue to be well spent.

**TESTIMONY AGAINST:** None

**TESTIFIED:** PRO: Sheriff Montgomery, King Co.; Chief Hamilton, Chehalis; Jim Lynch, Mayor, Wenatchee; Al Ogden, Mayor, Cheney; Mike McCarty; Margaret Casey, WA Assn. of Juvenile Ct. Adm.; Jay Weber, Gary Lowe, WSAC