

CERTIFICATION OF ENROLLMENT

**HOUSE BILL 3219**

Chapter 26, Laws of 2010

(partial veto)

61st Legislature  
2010 1st Special Session

RCW--TECHNICAL CORRECTIONS

EFFECTIVE DATE: 07/13/10 - Except sections 11-13, which become effective 06/30/10.

Passed by the House April 12, 2010  
Yeas 94 Nays 0

FRANK CHOPP

\_\_\_\_\_  
**Speaker of the House of Representatives**

Passed by the Senate April 12, 2010  
Yeas 42 Nays 0

BRAD OWEN

\_\_\_\_\_  
**President of the Senate**

Approved April 23, 2010, 1:54 p.m., with the exception of Section 11 which is vetoed.

CHRISTINE GREGOIRE

\_\_\_\_\_  
**Governor of the State of Washington**

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 3219** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BARBARA BAKER

\_\_\_\_\_  
**Chief Clerk**

FILED

April 23, 2010

**Secretary of State  
State of Washington**

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HOUSE BILL 3219

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Passed Legislature - 2010 1st Special Session

**State of Washington**                      **61st Legislature**                      **2010 1st Special Session**

**By** Representatives Goodman, Rodne, Pedersen, Hudgins, Chase, and  
Upthegrove

1            AN ACT Relating to technical corrections to the Revised Code of  
2 Washington; amending RCW 6.17.160, 6.27.140, 24.55.075, 36.16.050,  
3 36.70A.070, 41.45.150, 67.28.180, and 82.45.180; amending 2010 c 204 s  
4 1105 (uncodified); amending 2010 1st sp.s. c 7 s 132 (uncodified);  
5 amending 2010 1st sp.s. c 7 s 150 (uncodified); reenacting RCW  
6 28B.67.030; repealing 2010 1st sp.s. c 7 s 151 (uncodified); providing  
7 an effective date; and declaring an emergency.

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

9            **Sec. 1.** RCW 6.17.160 and 2007 c 37 s 1 are each amended to read as  
10 follows:

11            The sheriff to whom the writ is directed and delivered shall  
12 execute the same without delay as follows:

13            (1) Real property, including a vendee's interests under a real  
14 estate contract, shall be levied on by recording a copy of the writ,  
15 together with a description of the property attached, with the  
16 recording officer of the county in which the real estate is situated.

17            (2) Personal property, capable of manual delivery, shall be levied  
18 on by taking into custody. If the property or any part of it may be  
19 concealed in a building or enclosure, the sheriff may publicly demand

1 delivery of the property. If the property is not delivered and if the  
2 order of execution so directs, the sheriff may cause the building or  
3 enclosure to be broken open and take possession of the property.

4 (3) Shares of stock and other investment securities shall be levied  
5 on in accordance with the requirements of RCW (~~62A.8-317~~) 62A.8-112.

6 (4) A fund in court shall be levied on by leaving a copy of the  
7 writ with the clerk of the court with notice in writing specifying the  
8 fund.

9 (5) A franchise granted by a public or quasi-public corporation  
10 shall be levied on by (a) serving a copy of the writ on, or mailing it  
11 to, the judgment debtor as required by RCW 6.17.130 and (b) filing a  
12 copy of the writ in the office of the auditor of the county in which  
13 the franchise was granted together with a notice in writing that the  
14 franchise has been levied on to be sold, specifying the time and place  
15 of sale, the name of the owner, the amount of the judgment for which  
16 the franchise is to be sold, and the name of the judgment creditor.

17 (6) A vendor's interest under a real estate contract shall be  
18 levied on by (a) recording a copy of the writ, with descriptions of the  
19 contract and of the real property covered by the contract, with the  
20 recording officer of the county in which the real estate is located and  
21 (b) serving a copy of the writ, with a copy of the descriptions, on, or  
22 mailing the same to, the judgment debtor and the vendee under the  
23 contract in the manner as described in RCW 6.17.130.

24 (7) Other intangible personal property may be levied on by serving  
25 a copy of the writ on, or mailing it to, the judgment debtor in the  
26 manner as required by RCW 6.17.130, together with a description of the  
27 property. If the property is a claim on which suit has been commenced,  
28 a copy of the writ and of the description shall also be filed with the  
29 clerk of the court in which the suit is pending.

30 **Sec. 2.** RCW 6.27.140 and 2009 c 521 s 15 are each amended to read  
31 as follows:

32 (1) The notice required by RCW 6.27.130(1) to be mailed to or  
33 served on an individual judgment debtor shall be in the following form,  
34 printed or typed in type no smaller than elite type:

35 NOTICE OF GARNISHMENT  
36 AND OF YOUR RIGHTS

37 A Writ of Garnishment issued in a Washington court has been or

1 will be served on the garnishee named in the attached copy of  
2 the writ. After receipt of the writ, the garnishee is required  
3 to withhold payment of any money that was due to you and to  
4 withhold any other property of yours that the garnishee held or  
5 controlled. This notice of your rights is required by law.

6 YOU HAVE THE FOLLOWING EXEMPTION RIGHTS:

7 WAGES. If the garnishee is your employer who owes wages or  
8 other personal earnings to you, your employer is required to  
9 pay amounts to you that are exempt under state and federal  
10 laws, as explained in the writ of garnishment. You should  
11 receive a copy of your employer's answer, which will show how  
12 the exempt amount was calculated. If the garnishment is for  
13 child support, the exempt amount paid to you will be forty  
14 percent of wages due you, but if you are supporting a spouse,  
15 state registered domestic partner, or dependent child, you are  
16 entitled to claim an additional ten percent as exempt.

17 BANK ACCOUNTS. If the garnishee is a bank or other institution  
18 with which you have an account in which you have deposited  
19 benefits such as Temporary Assistance for Needy Families,  
20 Supplemental Security Income (SSI), Social Security, veterans'  
21 benefits, unemployment compensation, or a United States  
22 pension, you may claim the account as fully exempt if you have  
23 deposited only such benefit funds in the account. It may be  
24 partially exempt even though you have deposited money from  
25 other sources in the same account. An exemption is also  
26 available under RCW 26.16.200, providing that funds in a  
27 community bank account that can be identified as the earnings  
28 of a stepparent are exempt from a garnishment on the child  
29 support obligation of the parent.

30 OTHER EXEMPTIONS. If the garnishee holds other property of  
31 yours, some or all of it may be exempt under RCW 6.15.010, a  
32 Washington statute that exempts (~~up to five hundred dollars~~  
33 ~~of~~) certain property of your choice (including (~~up to one~~  
34 ~~hundred dollars in~~) specified cash or money in a bank account)  
35 and certain other property such as household furnishings, tools

1 of trade, and a motor vehicle (all limited by differing dollar  
2 values).

3 HOW TO CLAIM EXEMPTIONS. Fill out the enclosed claim form and  
4 mail or deliver it as described in instructions on the claim  
5 form. If the plaintiff does not object to your claim, the  
6 funds or other property that you have claimed as exempt must be  
7 released not later than 10 days after the plaintiff receives  
8 your claim form. If the plaintiff objects, the law requires a  
9 hearing not later than 14 days after the plaintiff receives  
10 your claim form, and notice of the objection and hearing date  
11 will be mailed to you at the address that you put on the claim  
12 form.

13 THE LAW ALSO PROVIDES OTHER EXEMPTION RIGHTS. IF NECESSARY, AN  
14 ATTORNEY CAN ASSIST YOU TO ASSERT THESE AND OTHER RIGHTS, BUT  
15 YOU MUST ACT IMMEDIATELY TO AVOID LOSS OF RIGHTS BY DELAY.

16 (2) The claim form required by RCW 6.27.130(1) to be mailed to or  
17 served on an individual judgment debtor shall be in the following form,  
18 printed or typed in type no smaller than elite type:

19 [Caption to be filled in by judgment creditor  
20 or plaintiff before mailing.]

21 .....  
22 Name of Court  
23 ..... No.....  
24 Plaintiff,  
25 vs.  
26 ..... EXEMPTION CLAIM  
27 Defendant,  
28 .....  
29 Garnishee Defendant

30 INSTRUCTIONS:

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1. Read this whole form after reading the enclosed notice. Then put an X in the box or boxes that describe your exemption claim or claims and write in the necessary information on the blank lines. If additional space is needed, use the bottom of the last page or attach another sheet.
  
2. Make two copies of the completed form. Deliver the original form by first-class mail or in person to the clerk of the court, whose address is shown at the bottom of the writ of garnishment. Deliver one of the copies by first-class mail or in person to the plaintiff or plaintiff's attorney, whose name and address are shown at the bottom of the writ. Keep the other copy. **YOU SHOULD DO THIS AS QUICKLY AS POSSIBLE, BUT NO LATER THAN 28 DAYS (4 WEEKS) AFTER THE DATE ON THE WRIT.**

I/We claim the following money or property as exempt:

**IF BANK ACCOUNT IS GARNISHED:**

The account contains payments from:

- Temporary assistance for needy families, SSI, or other public assistance. I receive \$ . . . . monthly.
- Social Security. I receive \$ . . . . monthly.
- Veterans' Benefits. I receive \$ . . . . monthly.
- U.S. Government Pension. I receive \$ . . . . monthly.
- Unemployment Compensation. I receive \$ . . . . monthly.
- Child support. I receive \$ . . . . monthly.
- Other. Explain . . . . .  
. . . . .

**IF EXEMPTION IN BANK ACCOUNT IS CLAIMED,  
ANSWER ONE OR BOTH OF THE FOLLOWING:**

- No money other than from above payments are in the account.



1 .....  
2 Telephone number Telephone number  
3 (if different from yours)

4 CAUTION: If the plaintiff objects to your claim, you will have to  
5 go to court and give proof of your claim. For example, if you claim  
6 that a bank account is exempt, you may have to show the judge your bank  
7 statements and papers that show the source of the money you deposited  
8 in the bank. Your claim may be granted more quickly if you attach  
9 copies of such proof to your claim.

10 IF THE JUDGE DENIES YOUR EXEMPTION CLAIM, YOU WILL HAVE TO PAY THE  
11 PLAINTIFF'S COSTS. IF THE JUDGE DECIDES THAT YOU DID NOT MAKE THE  
12 CLAIM IN GOOD FAITH, HE OR SHE MAY DECIDE THAT YOU MUST PAY THE  
13 PLAINTIFF'S ATTORNEY FEES.

14 **Sec. 3.** RCW 24.55.075 and 2009 c 436 s 9 are each amended to read  
15 as follows:

16 This chapter modifies, limits, and supersedes the electronic  
17 signatures in global and national commerce act (15 U.S.C. Sec. 7001 et  
18 seq.), but does not modify, limit, or supersede 15 U.S.C. Sec.  
19 7001(~~(a)~~) (c), or authorize electronic delivery of any of the notices  
20 described in 15 U.S.C. Sec. 7003(b).

21 **Sec. 4.** RCW 28B.67.030 and 2009 c 296 s 2 and 2009 c 564 s 1804  
22 are each reenacted to read as follows:

23 (1) All payments received from a participant in the Washington  
24 customized employment training program created in RCW 28B.67.020 shall  
25 be deposited into the employment training finance account, which is  
26 hereby created in the custody of the state treasurer. Only the state  
27 board for community and technical colleges may authorize expenditures  
28 from the account and no appropriation is required for expenditures.  
29 The money in the account must be used solely for training allowances  
30 under the Washington customized employment training program created in  
31 RCW 28B.67.020 and for providing up to seventy-five thousand dollars  
32 per year for training, marketing, and facilitation services to increase  
33 the use of the program. The deposit of payments under this section  
34 from a participant shall cease when the board specifies that the



1 participant has met the monetary obligations of the program. During  
2 the 2007-2009 fiscal biennium, the legislature may transfer from the  
3 employment training finance account to the state general fund such  
4 amounts as reflect the excess fund balance in the account.

5 (2) All revenue solicited and received under the provisions of RCW  
6 28B.67.020(4) shall be deposited into the employment training finance  
7 account to provide training allowances.

8 (3) The definitions in RCW 28B.67.010 apply to this section.

9 (4) This section expires July 1, 2012.

10 **Sec. 5.** RCW 36.16.050 and 1991 c 363 s 49 are each amended to read  
11 as follows:

12 Every county official before he or she enters upon the duties of  
13 his or her office shall furnish a bond conditioned that he or she will  
14 faithfully perform the duties of his or her office and account for and  
15 pay over all money which may come into his or her hands by virtue of  
16 his or her office, and that he or she, or his or her executors or  
17 administrators, will deliver to his or her successor safe and undefaced  
18 all books, records, papers, seals, equipment, and furniture belonging  
19 to his or her office. Bonds of elective county officers shall be as  
20 follows:

21 (1) Assessor: Amount to be fixed and sureties to be approved by  
22 proper county legislative authority;

23 (2) Auditor: Amount to be fixed at not less than ten thousand  
24 dollars and sureties to be approved by the proper county legislative  
25 authority;

26 (3) Clerk: Amount to be fixed in a penal sum not less than double  
27 the amount of money liable to come into his or her hands and sureties  
28 to be approved by the judge or a majority of the judges presiding over  
29 the court of which he or she is clerk: PROVIDED, That the maximum bond  
30 fixed for the clerk shall not exceed in amount that required for the  
31 treasurer in ((a)) the same county ((of that class));

32 (4) Coroner: Amount to be fixed at not less than five thousand  
33 dollars with sureties to be approved by the proper county legislative  
34 authority;

35 (5) Members of the proper county legislative authority: Sureties  
36 to be approved by the county clerk and the amounts to be:

1 (a) In each county with a population of one hundred twenty-five  
2 thousand or more, twenty-five thousand dollars;

3 (b) In each county with a population of from seventy thousand to  
4 less than one hundred twenty-five thousand, twenty-two thousand five  
5 hundred dollars;

6 (c) In each county with a population of from forty (~~(thousand)~~)  
7 thousand to less than seventy thousand, twenty thousand dollars;

8 (d) In each county with a population of from eighteen thousand to  
9 less than forty thousand, fifteen thousand dollars;

10 (e) In each county with a population of from twelve thousand to  
11 less than eighteen thousand, ten thousand dollars;

12 (f) In each county with a population of from eight thousand to less  
13 than twelve thousand, seven thousand five hundred dollars;

14 (g) In all other counties, five thousand dollars;

15 (6) Prosecuting attorney: In the amount of five thousand dollars  
16 with sureties to be approved by the proper county legislative  
17 authority;

18 (7) Sheriff: Amount to be fixed and bond approved by the proper  
19 county legislative authority at not less than five thousand nor more  
20 than fifty thousand dollars; surety to be a surety company authorized  
21 to do business in this state;

22 (8) Treasurer: Sureties to be approved by the proper county  
23 legislative authority and the amounts to be fixed by the proper county  
24 legislative authority at double the amount liable to come into the  
25 treasurer's hands during his or her term, the maximum amount of the  
26 bond, however, not to exceed:

27 (a) In each county with a population of two hundred ten thousand or  
28 more, two hundred fifty thousand dollars;

29 (b) In each county with a population of from one hundred twenty-  
30 five thousand to less than two hundred ten thousand, two hundred  
31 thousand dollars;

32 (c) In each county with a population of from eighteen thousand to  
33 less than one hundred twenty-five thousand, one hundred fifty thousand  
34 dollars;

35 (d) In all other counties, one hundred thousand dollars.

36 The treasurer's bond shall be conditioned that all moneys received  
37 by him or her for the use of the county shall be paid as the proper  
38 county legislative authority shall from time to time direct, except

1 where special provision is made by law for the payment of such moneys,  
2 by order of any court, or otherwise, and for the faithful discharge of  
3 his or her duties.

4 Bonds for other than elective officials, if deemed necessary by the  
5 proper county legislative authority, shall be in such amount and form  
6 as such legislative authority shall determine.

7 In the approval of official bonds, the chair may act for the county  
8 legislative authority if it is not in session.

9 **Sec. 6.** RCW 36.70A.070 and 2005 c 360 s 2 are each amended to read  
10 as follows:

11 The comprehensive plan of a county or city that is required or  
12 chooses to plan under RCW 36.70A.040 shall consist of a map or maps,  
13 and descriptive text covering objectives, principles, and standards  
14 used to develop the comprehensive plan. The plan shall be an  
15 internally consistent document and all elements shall be consistent  
16 with the future land use map. A comprehensive plan shall be adopted  
17 and amended with public participation as provided in RCW 36.70A.140.

18 Each comprehensive plan shall include a plan, scheme, or design for  
19 each of the following:

20 (1) A land use element designating the proposed general  
21 distribution and general location and extent of the uses of land, where  
22 appropriate, for agriculture, timber production, housing, commerce,  
23 industry, recreation, open spaces, general aviation airports, public  
24 utilities, public facilities, and other land uses. The land use  
25 element shall include population densities, building intensities, and  
26 estimates of future population growth. The land use element shall  
27 provide for protection of the quality and quantity of groundwater used  
28 for public water supplies. Wherever possible, the land use element  
29 should consider utilizing urban planning approaches that promote  
30 physical activity. Where applicable, the land use element shall review  
31 drainage, flooding, and storm water run-off in the area and nearby  
32 jurisdictions and provide guidance for corrective actions to mitigate  
33 or cleanse those discharges that pollute waters of the state, including  
34 Puget Sound or waters entering Puget Sound.

35 (2) A housing element ensuring the vitality and character of  
36 established residential neighborhoods that: (a) Includes an inventory  
37 and analysis of existing and projected housing needs that identifies

1 the number of housing units necessary to manage projected growth; (b)  
2 includes a statement of goals, policies, objectives, and mandatory  
3 provisions for the preservation, improvement, and development of  
4 housing, including single-family residences; (c) identifies sufficient  
5 land for housing, including, but not limited to, government-assisted  
6 housing, housing for low-income families, manufactured housing,  
7 multifamily housing, and group homes and foster care facilities; and  
8 (d) makes adequate provisions for existing and projected needs of all  
9 economic segments of the community.

10 (3) A capital facilities plan element consisting of: (a) An  
11 inventory of existing capital facilities owned by public entities,  
12 showing the locations and capacities of the capital facilities; (b) a  
13 forecast of the future needs for such capital facilities; (c) the  
14 proposed locations and capacities of expanded or new capital  
15 facilities; (d) at least a six-year plan that will finance such capital  
16 facilities within projected funding capacities and clearly identifies  
17 sources of public money for such purposes; and (e) a requirement to  
18 reassess the land use element if probable funding falls short of  
19 meeting existing needs and to ensure that the land use element, capital  
20 facilities plan element, and financing plan within the capital  
21 facilities plan element are coordinated and consistent. Park and  
22 recreation facilities shall be included in the capital facilities plan  
23 element.

24 (4) A utilities element consisting of the general location,  
25 proposed location, and capacity of all existing and proposed utilities,  
26 including, but not limited to, electrical lines, telecommunication  
27 lines, and natural gas lines.

28 (5) Rural element. Counties shall include a rural element  
29 including lands that are not designated for urban growth, agriculture,  
30 forest, or mineral resources. The following provisions shall apply to  
31 the rural element:

32 (a) Growth management act goals and local circumstances. Because  
33 circumstances vary from county to county, in establishing patterns of  
34 rural densities and uses, a county may consider local circumstances,  
35 but shall develop a written record explaining how the rural element  
36 harmonizes the planning goals in RCW 36.70A.020 and meets the  
37 requirements of this chapter.

1 (b) Rural development. The rural element shall permit rural  
2 development, forestry, and agriculture in rural areas. The rural  
3 element shall provide for a variety of rural densities, uses, essential  
4 public facilities, and rural governmental services needed to serve the  
5 permitted densities and uses. To achieve a variety of rural densities  
6 and uses, counties may provide for clustering, density transfer, design  
7 guidelines, conservation easements, and other innovative techniques  
8 that will accommodate appropriate rural densities and uses that are not  
9 characterized by urban growth and that are consistent with rural  
10 character.

11 (c) Measures governing rural development. The rural element shall  
12 include measures that apply to rural development and protect the rural  
13 character of the area, as established by the county, by:

- 14 (i) Containing or otherwise controlling rural development;
- 15 (ii) Assuring visual compatibility of rural development with the  
16 surrounding rural area;
- 17 (iii) Reducing the inappropriate conversion of undeveloped land  
18 into sprawling, low-density development in the rural area;
- 19 (iv) Protecting critical areas, as provided in RCW 36.70A.060, and  
20 surface water and groundwater resources; and
- 21 (v) Protecting against conflicts with the use of agricultural,  
22 forest, and mineral resource lands designated under RCW 36.70A.170.

23 (d) Limited areas of more intensive rural development. Subject to  
24 the requirements of this subsection and except as otherwise  
25 specifically provided in this subsection (5)(d), the rural element may  
26 allow for limited areas of more intensive rural development, including  
27 necessary public facilities and public services to serve the limited  
28 area as follows:

29 (i) Rural development consisting of the infill, development, or  
30 redevelopment of existing commercial, industrial, residential, or  
31 mixed-use areas, whether characterized as shoreline development,  
32 villages, hamlets, rural activity centers, or crossroads developments.

33 (A) A commercial, industrial, residential, shoreline, or mixed-use  
34 area shall be subject to the requirements of (d)(iv) of this  
35 subsection, but shall not be subject to the requirements of (c)(ii) and  
36 (iii) of this subsection.

37 (B) Any development or redevelopment other than an industrial area

1 or an industrial use within a mixed-use area or an industrial area  
2 under this subsection (5)(d)(i) must be principally designed to serve  
3 the existing and projected rural population.

4 (C) Any development or redevelopment in terms of building size,  
5 scale, use, or intensity shall be consistent with the character of the  
6 existing areas. Development and redevelopment may include changes in  
7 use from vacant land or a previously existing use so long as the new  
8 use conforms to the requirements of this subsection (5);

9 (ii) The intensification of development on lots containing, or new  
10 development of, small-scale recreational or tourist uses, including  
11 commercial facilities to serve those recreational or tourist uses, that  
12 rely on a rural location and setting, but that do not include new  
13 residential development. A small-scale recreation or tourist use is  
14 not required to be principally designed to serve the existing and  
15 projected rural population. Public services and public facilities  
16 shall be limited to those necessary to serve the recreation or tourist  
17 use and shall be provided in a manner that does not permit low-density  
18 sprawl;

19 (iii) The intensification of development on lots containing  
20 isolated nonresidential uses or new development of isolated cottage  
21 industries and isolated small-scale businesses that are not principally  
22 designed to serve the existing and projected rural population and  
23 nonresidential uses, but do provide job opportunities for rural  
24 residents. Rural counties may allow the expansion of small-scale  
25 businesses as long as those small-scale businesses conform with the  
26 rural character of the area as defined by the local government  
27 according to RCW 36.70A.030(~~((+14+))~~) (15). Rural counties may also  
28 allow new small-scale businesses to utilize a site previously occupied  
29 by an existing business as long as the new small-scale business  
30 conforms to the rural character of the area as defined by the local  
31 government according to RCW 36.70A.030(~~((+14+))~~) (15). Public services  
32 and public facilities shall be limited to those necessary to serve the  
33 isolated nonresidential use and shall be provided in a manner that does  
34 not permit low-density sprawl;

35 (iv) A county shall adopt measures to minimize and contain the  
36 existing areas or uses of more intensive rural development, as  
37 appropriate, authorized under this subsection. Lands included in such  
38 existing areas or uses shall not extend beyond the logical outer

1 boundary of the existing area or use, thereby allowing a new pattern of  
2 low-density sprawl. Existing areas are those that are clearly  
3 identifiable and contained and where there is a logical boundary  
4 delineated predominately by the built environment, but that may also  
5 include undeveloped lands if limited as provided in this subsection.  
6 The county shall establish the logical outer boundary of an area of  
7 more intensive rural development. In establishing the logical outer  
8 boundary, the county shall address (A) the need to preserve the  
9 character of existing natural neighborhoods and communities, (B)  
10 physical boundaries, such as bodies of water, streets and highways, and  
11 land forms and contours, (C) the prevention of abnormally irregular  
12 boundaries, and (D) the ability to provide public facilities and public  
13 services in a manner that does not permit low-density sprawl;

14 (v) For purposes of (d) of this subsection, an existing area or  
15 existing use is one that was in existence:

16 (A) On July 1, 1990, in a county that was initially required to  
17 plan under all of the provisions of this chapter;

18 (B) On the date the county adopted a resolution under RCW  
19 36.70A.040(2), in a county that is planning under all of the provisions  
20 of this chapter under RCW 36.70A.040(2); or

21 (C) On the date the office of financial management certifies the  
22 county's population as provided in RCW 36.70A.040(5), in a county that  
23 is planning under all of the provisions of this chapter pursuant to RCW  
24 36.70A.040(5).

25 (e) Exception. This subsection shall not be interpreted to permit  
26 in the rural area a major industrial development or a master planned  
27 resort unless otherwise specifically permitted under RCW 36.70A.360 and  
28 36.70A.365.

29 (6) A transportation element that implements, and is consistent  
30 with, the land use element.

31 (a) The transportation element shall include the following  
32 subelements:

33 (i) Land use assumptions used in estimating travel;

34 (ii) Estimated traffic impacts to state-owned transportation  
35 facilities resulting from land use assumptions to assist the department  
36 of transportation in monitoring the performance of state facilities, to  
37 plan improvements for the facilities, and to assess the impact of land-  
38 use decisions on state-owned transportation facilities;

1 (iii) Facilities and services needs, including:

2 (A) An inventory of air, water, and ground transportation  
3 facilities and services, including transit alignments and general  
4 aviation airport facilities, to define existing capital facilities and  
5 travel levels as a basis for future planning. This inventory must  
6 include state-owned transportation facilities within the city or  
7 county's jurisdictional boundaries;

8 (B) Level of service standards for all locally owned arterials and  
9 transit routes to serve as a gauge to judge performance of the system.  
10 These standards should be regionally coordinated;

11 (C) For state-owned transportation facilities, level of service  
12 standards for highways, as prescribed in chapters 47.06 and 47.80 RCW,  
13 to gauge the performance of the system. The purposes of reflecting  
14 level of service standards for state highways in the local  
15 comprehensive plan are to monitor the performance of the system, to  
16 evaluate improvement strategies, and to facilitate coordination between  
17 the county's or city's six-year street, road, or transit program and  
18 the (~~department of transportation's six-year~~) office of financial  
19 management's ten-year investment program. The concurrency requirements  
20 of (b) of this subsection do not apply to transportation facilities and  
21 services of statewide significance except for counties consisting of  
22 islands whose only connection to the mainland are state highways or  
23 ferry routes. In these island counties, state highways and ferry route  
24 capacity must be a factor in meeting the concurrency requirements in  
25 (b) of this subsection;

26 (D) Specific actions and requirements for bringing into compliance  
27 locally owned transportation facilities or services that are below an  
28 established level of service standard;

29 (E) Forecasts of traffic for at least ten years based on the  
30 adopted land use plan to provide information on the location, timing,  
31 and capacity needs of future growth;

32 (F) Identification of state and local system needs to meet current  
33 and future demands. Identified needs on state-owned transportation  
34 facilities must be consistent with the statewide multimodal  
35 transportation plan required under chapter 47.06 RCW;

36 (iv) Finance, including:

37 (A) An analysis of funding capability to judge needs against  
38 probable funding resources;



1 (B) A multiyear financing plan based on the needs identified in the  
2 comprehensive plan, the appropriate parts of which shall serve as the  
3 basis for the six-year street, road, or transit program required by RCW  
4 35.77.010 for cities, RCW 36.81.121 for counties, and RCW 35.58.2795  
5 for public transportation systems. The multiyear financing plan should  
6 be coordinated with the (~~six-year improvement~~) ten-year investment  
7 program developed by the (~~department of transportation~~) office of  
8 financial management as required by RCW 47.05.030;

9 (C) If probable funding falls short of meeting identified needs, a  
10 discussion of how additional funding will be raised, or how land use  
11 assumptions will be reassessed to ensure that level of service  
12 standards will be met;

13 (v) Intergovernmental coordination efforts, including an assessment  
14 of the impacts of the transportation plan and land use assumptions on  
15 the transportation systems of adjacent jurisdictions;

16 (vi) Demand-management strategies;

17 (vii) Pedestrian and bicycle component to include collaborative  
18 efforts to identify and designate planned improvements for pedestrian  
19 and bicycle facilities and corridors that address and encourage  
20 enhanced community access and promote healthy lifestyles.

21 (b) After adoption of the comprehensive plan by jurisdictions  
22 required to plan or who choose to plan under RCW 36.70A.040, local  
23 jurisdictions must adopt and enforce ordinances which prohibit  
24 development approval if the development causes the level of service on  
25 a locally owned transportation facility to decline below the standards  
26 adopted in the transportation element of the comprehensive plan, unless  
27 transportation improvements or strategies to accommodate the impacts of  
28 development are made concurrent with the development. These strategies  
29 may include increased public transportation service, ride sharing  
30 programs, demand management, and other transportation systems  
31 management strategies. For the purposes of this subsection (6),  
32 "concurrent with the development" (~~shall~~) means that improvements or  
33 strategies are in place at the time of development, or that a financial  
34 commitment is in place to complete the improvements or strategies  
35 within six years.

36 (c) The transportation element described in this subsection (6),  
37 (~~and~~) the six-year plans required by RCW 35.77.010 for cities, RCW

1 36.81.121 for counties, and RCW 35.58.2795 for public transportation  
2 systems, and the ten-year investment program required by RCW 47.05.030  
3 for the state, must be consistent.

4 (7) An economic development element establishing local goals,  
5 policies, objectives, and provisions for economic growth and vitality  
6 and a high quality of life. The element shall include: (a) A summary  
7 of the local economy such as population, employment, payroll, sectors,  
8 businesses, sales, and other information as appropriate; (b) a summary  
9 of the strengths and weaknesses of the local economy defined as the  
10 commercial and industrial sectors and supporting factors such as land  
11 use, transportation, utilities, education, workforce, housing, and  
12 natural/cultural resources; and (c) an identification of policies,  
13 programs, and projects to foster economic growth and development and to  
14 address future needs. A city that has chosen to be a residential  
15 community is exempt from the economic development element requirement  
16 of this subsection.

17 (8) A park and recreation element that implements, and is  
18 consistent with, the capital facilities plan element as it relates to  
19 park and recreation facilities. The element shall include: (a)  
20 Estimates of park and recreation demand for at least a ten-year period;  
21 (b) an evaluation of facilities and service needs; and (c) an  
22 evaluation of intergovernmental coordination opportunities to provide  
23 regional approaches for meeting park and recreational demand.

24 (9) It is the intent that new or amended elements required after  
25 January 1, 2002, be adopted concurrent with the scheduled update  
26 provided in RCW 36.70A.130. Requirements to incorporate any such new  
27 or amended elements shall be null and void until funds sufficient to  
28 cover applicable local government costs are appropriated and  
29 distributed by the state at least two years before local government  
30 must update comprehensive plans as required in RCW 36.70A.130.

31 **Sec. 7.** RCW 41.45.150 and 2009 c 561 s 5 are each amended to read  
32 as follows:

33 (1) Beginning July 1, 2009, and ending June 30, 2015, maximum  
34 annual contribution rates are established for the portion of the  
35 employer contribution rate for the public employees' retirement system  
36 and the public safety employees' retirement system that is used for the  
37 sole purpose of amortizing that portion of the unfunded actuarial

1 accrued liability in the public employees' retirement system plan 1  
2 that excludes any amounts required to amortize plan 1 benefit  
3 improvements effective after June 30, 2009. The maximum rates are:

4	Fiscal Yearending:					
5	2010	2011	2012	2013	2014	2015
6	1.25%	1.25%	3.75%	4.50%	5.25%	6.00%

7 (2) Beginning September 1, 2009, and ending August 31, 2015,  
8 maximum annual contribution rates are established for the portion of  
9 the employer contribution rate for the school employees' retirement  
10 system that is used for the sole purpose of amortizing that portion of  
11 the unfunded actuarial accrued liability in the public employees'  
12 retirement system plan 1 that excludes any amounts required to amortize  
13 plan 1 benefit improvements effective after June 30, 2009. The maximum  
14 rates are:

15	Fiscal Yearending:					
16	2010	2011	2012	2013	2014	2015
17	1.25%	1.25%	3.75%	4.50%	5.25%	6.00%

18 (3) Beginning September 1, 2009, and ending August 31, 2015,  
19 maximum annual contribution rates are established for the portion of  
20 the employer contribution rate for the teachers' retirement system that  
21 is used for the sole purpose of amortizing that portion of the unfunded  
22 actuarial accrued liability in the teachers' retirement system plan 1  
23 that excludes any amounts required to amortize plan 1 benefit  
24 improvements effective after June 30, 2009. The maximum rates are:

25	Fiscal Yearending:					
26	2010	2011	2012	2013	2014	2015
27	2.04%	2.04%	6.50%	7.50%	8.50%	9.50%

28 (4) Beginning July 1, 2015, a minimum 5.25 percent contribution is  
29 established as part of the basic employer contribution rate for the

1 public employees' retirement system and the public safety employees'  
2 retirement system, to be used for the sole purpose of amortizing that  
3 portion of the unfunded actuarial accrued liability in the public  
4 employees' retirement system plan 1 that excludes any amounts required  
5 to amortize plan 1 benefit improvements effective after June 30, 2009.  
6 This minimum contribution rate shall remain effective until the  
7 actuarial value of assets in plan 1 of the public employees' retirement  
8 system equals one hundred (~~twenty-five~~) percent of the actuarial  
9 accrued liability.

10 (5) Beginning September 1, 2015, a minimum 5.25 percent  
11 contribution is established as part of the basic employer contribution  
12 rate for the school employees' retirement system, to be used for the  
13 sole purpose of amortizing that portion of the unfunded actuarial  
14 accrued liability in the public employees' retirement system plan 1  
15 that excludes any amounts required to amortize plan 1 benefit  
16 improvements effective after June 30, 2009. This minimum contribution  
17 rate shall remain effective until the actuarial value of assets in plan  
18 1 of the public employees' retirement system equals one hundred percent  
19 of the actuarial accrued liability.

20 (6) Beginning September 1, 2015, a minimum 8.00 percent  
21 contribution is established as part of the basic employer contribution  
22 rate for the teachers' retirement system, to be used for the sole  
23 purpose of amortizing that portion of the unfunded actuarial accrued  
24 liability in the teachers' retirement system plan 1 that excludes any  
25 amounts required to amortize plan 1 benefit improvements effective  
26 after June 30, 2009. This minimum contribution rate shall remain  
27 effective until the actuarial value of assets in plan 1 of the  
28 teachers' retirement system equals one hundred percent of the actuarial  
29 accrued liability.

30 (7) Upon completion of each biennial actuarial valuation, the state  
31 actuary shall review the appropriateness of the minimum contribution  
32 rates and recommend to the council any adjustments as may be needed due  
33 to material changes in benefits or actuarial assumptions, methods, or  
34 experience. Any changes adopted by the council shall be subject to  
35 revision by the legislature.

36 **Sec. 8.** RCW 67.28.180 and 2007 c 189 s 1 are each amended to read  
37 as follows:

1 (1) Subject to the conditions set forth in subsections (2) and (3)  
2 of this section, the legislative body of any county or any city, is  
3 authorized to levy and collect a special excise tax of not to exceed  
4 two percent on the sale of or charge made for the furnishing of lodging  
5 that is subject to tax under chapter 82.08 RCW.

6 (2) Any levy authorized by this section shall be subject to the  
7 following:

8 (a) Any county ordinance or resolution adopted pursuant to this  
9 section shall contain, in addition to all other provisions required to  
10 conform to this chapter, a provision allowing a credit against the  
11 county tax for the full amount of any city tax imposed pursuant to this  
12 section upon the same taxable event.

13 (b) In the event that any county has levied the tax authorized by  
14 this section and has, prior to June 26, 1975, either pledged the tax  
15 revenues for payment of principal and interest on city revenue or  
16 general obligation bonds authorized and issued pursuant to RCW  
17 67.28.150 through 67.28.160 or has authorized and issued revenue or  
18 general obligation bonds pursuant to the provisions of RCW 67.28.150  
19 through 67.28.160, such county shall be exempt from the provisions of  
20 (a) of this subsection, to the extent that the tax revenues are pledged  
21 for payment of principal and interest on bonds issued at any time  
22 pursuant to the provisions of RCW 67.28.150 through 67.28.160:  
23 PROVIDED, That so much of such pledged tax revenues, together with any  
24 investment earnings thereon, not immediately necessary for actual  
25 payment of principal and interest on such bonds may be used: (i) In  
26 any county with a population of one million or more, for repayment  
27 either of limited tax levy general obligation bonds or of any county  
28 fund or account from which a loan was made, the proceeds from the bonds  
29 or loan being used to pay for constructing, installing, improving, and  
30 equipping stadium capital improvement projects, and to pay for any  
31 engineering, planning, financial, legal and professional services  
32 incident to the development of such stadium capital improvement  
33 projects, regardless of the date the debt for such capital improvement  
34 projects was or may be incurred; (ii) in any county with a population  
35 of one million or more, for repayment or refinancing of bonded  
36 indebtedness incurred prior to January 1, 1997, for any purpose  
37 authorized by this section or relating to stadium repairs or  
38 rehabilitation, including but not limited to the cost of settling legal

1 claims, reimbursing operating funds, interest payments on short-term  
2 loans, and any other purpose for which such debt has been incurred if  
3 the county has created a public stadium authority to develop a stadium  
4 and exhibition center under RCW 36.102.030; or (iii) in other counties,  
5 for county-owned facilities for agricultural promotion until January 1,  
6 2009, and thereafter for any purpose authorized in this chapter.

7 A county is exempt under this subsection with respect to city  
8 revenue or general obligation bonds issued after April 1, 1991, only if  
9 such bonds mature before January 1, 2013. If any county located east  
10 of the crest of the Cascade mountains has levied the tax authorized by  
11 this section and has, prior to June 26, 1975, pledged the tax revenue  
12 for payment of principal and interest on city revenue or general  
13 obligation bonds, the county is exempt under this subsection with  
14 respect to revenue or general obligation bonds issued after January 1,  
15 2007, only if the bonds mature before January 1, 2021. Such a county  
16 may only use funds under this subsection (2)(b) for constructing or  
17 improving facilities authorized under this chapter, including county-  
18 owned facilities for agricultural promotion, and must perform an annual  
19 financial audit of organizations receiving funding on the use of the  
20 funds.

21 As used in this subsection (2)(b), "capital improvement projects"  
22 may include, but not be limited to a stadium restaurant facility,  
23 restroom facilities, artificial turf system, seating facilities,  
24 parking facilities and scoreboard and information system adjacent to or  
25 within a county owned stadium, together with equipment, utilities,  
26 accessories and appurtenances necessary thereto. The stadium  
27 restaurant authorized by this subsection (2)(b) shall be operated by a  
28 private concessionaire under a contract with the county.

29 (c)(i) No city within a county exempt under subsection (2)(b) of  
30 this section may levy the tax authorized by this section so long as  
31 said county is so exempt.

32 (ii) If bonds have been issued under RCW 43.99N.020 and any  
33 necessary property transfers have been made under RCW 36.102.100, no  
34 city within a county with a population of one million or more may levy  
35 the tax authorized by this section before January 1, 2021.

36 (iii) However, in the event that any city in a county described in  
37 (i) or (ii) of this subsection (2)(c) has levied the tax authorized by  
38 this section and has, prior to June 26, 1975, authorized and issued

1 revenue or general obligation bonds pursuant to the provisions of RCW  
2 67.28.150 through 67.28.160, such city may levy the tax so long as the  
3 tax revenues are pledged for payment of principal and interest on bonds  
4 issued at any time pursuant to the provisions of RCW 67.28.150 through  
5 67.28.160.

6 (3) Any levy authorized by this section by a county that has levied  
7 the tax authorized by this section and has, prior to June 26, 1975,  
8 either pledged the tax revenues for payment of principal and interest  
9 on city revenue or general obligation bonds authorized and issued  
10 pursuant to RCW 67.28.150 through 67.28.160 or has authorized and  
11 issued revenue or general obligation bonds pursuant to the provisions  
12 of RCW 67.28.150 through 67.28.160 shall be subject to the following:

13 (a) Taxes collected under this section in any calendar year before  
14 2013 in excess of five million three hundred thousand dollars shall  
15 only be used as follows:

16 (i) Seventy-five percent from January 1, 1992, through December 31,  
17 2000, and seventy percent from January 1, 2001, through December 31,  
18 2012, for art museums, cultural museums, heritage museums, the arts,  
19 and the performing arts. Moneys spent under this subsection (3)(a)(i)  
20 shall be used for the purposes of this subsection (3)(a)(i) in all  
21 parts of the county.

22 (ii) Twenty-five percent from January 1, 1992, through December 31,  
23 2000, and thirty percent from January 1, 2001, through December 31,  
24 2012, for the following purposes and in a manner reflecting the  
25 following order of priority: Stadium purposes as authorized under  
26 subsection (2)(b) of this section; acquisition of open space lands;  
27 youth sports activities; and tourism promotion. If all or part of the  
28 debt on the stadium is refinanced, all revenues under this subsection  
29 (3)(a)(ii) shall be used to retire the debt.

30 (b) From January 1, 2013, through December 31, 2015, in a county  
31 with a population of one million or more, all revenues under this  
32 section shall be used to retire the debt on the stadium, or deposited  
33 in the stadium and exhibition center account under RCW 43.99N.060 after  
34 the debt on the stadium is retired.

35 (c) From January 1, 2016, through December 31, 2020, in a county  
36 with a population of one million or more, all revenues under this  
37 section shall be deposited in the stadium and exhibition center account  
38 under RCW 43.99N.060.

1 (d) At least seventy percent of moneys spent under (a)(i) of this  
2 subsection for the period January 1, 1992, through December 31, 2000,  
3 shall be used only for the purchase, design, construction, and  
4 remodeling of performing arts, visual arts, heritage, and cultural  
5 facilities, and for the purchase of fixed assets that will benefit art,  
6 heritage, and cultural organizations. For purposes of this subsection,  
7 fixed assets are tangible objects such as machinery and other equipment  
8 intended to be held or used for ten years or more. Moneys received  
9 under this subsection (3)(d) may be used for payment of principal and  
10 interest on bonds issued for capital projects. Qualifying  
11 organizations receiving moneys under this subsection (3)(d) must be  
12 financially stable and have at least the following:

- 13 (i) A legally constituted and working board of directors;
- 14 (ii) A record of artistic, heritage, or cultural accomplishments;
- 15 (iii) Been in existence and operating for at least two years;
- 16 (iv) Demonstrated ability to maintain net current liabilities at  
17 less than thirty percent of general operating expenses;
- 18 (v) Demonstrated ability to sustain operational capacity subsequent  
19 to completion of projects or purchase of machinery and equipment; and
- 20 (vi) Evidence that there has been independent financial review of  
21 the organization.

22 (e) At least forty percent of the revenues distributed pursuant to  
23 (a)(i) of this subsection for the period January 1, 2001, through  
24 December 31, 2012, shall be deposited in an account and shall be used  
25 to establish an endowment. Principal in the account shall remain  
26 permanent and irreducible. The earnings from investments of balances  
27 in the account may only be used for the purposes of (a)(i) of this  
28 subsection.

29 (f) School districts and schools shall not receive revenues  
30 distributed pursuant to (a)(i) of this subsection.

31 (g) Moneys distributed to art museums, cultural museums, heritage  
32 museums, the arts, and the performing arts, and moneys distributed for  
33 tourism promotion shall be in addition to and may not be used to  
34 replace or supplant any other funding by the legislative body of the  
35 county.

36 (h) As used in this section, "tourism promotion" includes  
37 activities intended to attract visitors for overnight stays, arts,  
38 heritage, and cultural events, and recreational, professional, and



1 amateur sports events. Moneys allocated to tourism promotion in a  
2 (~~class-AA~~) county with a population of one million or more shall be  
3 allocated to nonprofit organizations formed for the express purpose of  
4 tourism promotion in the county. Such organizations shall use moneys  
5 from the taxes to promote events in all parts of the (~~class-AA~~)  
6 county.

7 (i) No taxes collected under this section may be used for the  
8 operation or maintenance of a public stadium that is financed directly  
9 or indirectly by bonds to which the tax is pledged. Expenditures for  
10 operation or maintenance include all expenditures other than  
11 expenditures that directly result in new fixed assets or that directly  
12 increase the capacity, life span, or operating economy of existing  
13 fixed assets.

14 (j) No ad valorem property taxes may be used for debt service on  
15 bonds issued for a public stadium that is financed by bonds to which  
16 the tax is pledged, unless the taxes collected under this section are  
17 or are projected to be insufficient to meet debt service requirements  
18 on such bonds.

19 (k) If a substantial part of the operation and management of a  
20 public stadium that is financed directly or indirectly by bonds to  
21 which the tax is pledged is performed by a nonpublic entity or if a  
22 public stadium is sold that is financed directly or indirectly by bonds  
23 to which the tax is pledged, any bonds to which the tax is pledged  
24 shall be retired. This subsection (3)(k) does not apply in respect to  
25 a public stadium under chapter 36.102 RCW transferred to, owned by, or  
26 constructed by a public facilities district under chapter 36.100 RCW or  
27 a stadium and exhibition center.

28 (l) The county shall not lease a public stadium that is financed  
29 directly or indirectly by bonds to which the tax is pledged to, or  
30 authorize the use of the public stadium by, a professional major league  
31 sports franchise unless the sports franchise gives the right of first  
32 refusal to purchase the sports franchise, upon its sale, to local  
33 government. This subsection (3)(l) does not apply to contracts in  
34 existence on April 1, 1986.

35 If a court of competent jurisdiction declares any provision of this  
36 subsection (3) invalid, then that invalid provision shall be null and  
37 void and the remainder of this section is not affected.

1       **Sec. 9.** RCW 82.45.180 and 2009 c 308 s 5 are each amended to read  
2 as follows:

3       (1)(a) For taxes collected by the county under this chapter, the  
4 county treasurer shall collect a five-dollar fee on all transactions  
5 required by this chapter where the transaction does not require the  
6 payment of tax. A total of five dollars shall be collected in the form  
7 of a tax and fee, where the calculated tax payment is less than five  
8 dollars. Through June 30, 2006, the county treasurer shall place one  
9 percent of the taxes collected by the county under this chapter and the  
10 treasurer's fee in the county current expense fund to defray costs of  
11 collection. After June 30, 2006, the county treasurer shall place one  
12 and three-tenths percent of the taxes collected by the county under  
13 this chapter and the treasurer's fee in the county current expense fund  
14 to defray costs of collection. For taxes collected by the county under  
15 this chapter before July 1, 2006, the county treasurer shall pay over  
16 to the state treasurer and account to the department of revenue for the  
17 proceeds at the same time the county treasurer remits funds to the  
18 state under RCW 84.56.280. For taxes collected by the county under  
19 this chapter after June 30, 2006, on a monthly basis the county  
20 treasurer shall pay over to the state treasurer the month's  
21 transmittal. The month's transmittal must be received by the state  
22 treasurer by 12:00 p.m. on the last working day of each month. The  
23 county treasurer shall account to the department for the month's  
24 transmittal by the twentieth day of the month following the month in  
25 which the month's transmittal was paid over to the state treasurer.  
26 The state treasurer shall deposit the proceeds in the general fund.

27       (b) For purposes of this subsection, the definitions in this  
28 subsection apply.

29       (i) "Close of business" means the time when the county treasurer  
30 makes his or her daily deposit of proceeds.

31       (ii) "Month's transmittal" means all proceeds deposited by the  
32 county through the close of business of the day that is two working  
33 days before the last working day of the month. This definition of  
34 "month's transmittal" shall not be construed as requiring any change in  
35 a county's practices regarding the timing of its daily deposits of  
36 proceeds.

37       (iii) "Proceeds" means moneys collected and receipted by the county

1 from the taxes imposed by this chapter, less the county's share of the  
2 proceeds used to defray the county's costs of collection allowable in  
3 (a) of this subsection.

4 (iv) "Working day" means a calendar day, except Saturdays, Sundays,  
5 and all legal holidays as provided in RCW 1.16.050.

6 (2) For taxes collected by the department of revenue under this  
7 chapter, the department shall remit the tax to the state treasurer who  
8 shall deposit the proceeds of any state tax in the general fund. The  
9 state treasurer shall deposit the proceeds of any local taxes imposed  
10 under chapter 82.46 RCW in the local real estate excise tax account  
11 hereby created in the state treasury. Moneys in the local real estate  
12 excise tax account may be spent only for distribution to counties,  
13 cities, and towns imposing a tax under chapter 82.46 RCW. Except as  
14 provided in RCW 43.08.190, all earnings of investments of balances in  
15 the local real estate excise tax account shall be credited to the local  
16 real estate excise tax account and distributed to the counties, cities,  
17 and towns monthly. Monthly the state treasurer shall make distribution  
18 from the local real estate excise tax account to the counties, cities,  
19 and towns the amount of tax collected on behalf of each taxing  
20 authority. The state treasurer shall make the distribution under this  
21 subsection without appropriation.

22 (3)(a) The real estate excise tax electronic technology account is  
23 created in the custody of the state treasurer. An appropriation is not  
24 required for expenditures and the account is not subject to allotment  
25 procedures under chapter 43.88 RCW.

26 (b) Through June 30, 2010, the county treasurer shall collect an  
27 additional five-dollar fee on all transactions required by this  
28 chapter, regardless of whether the transaction requires the payment of  
29 tax. The county treasurer shall remit this fee to the state treasurer  
30 at the same time the county treasurer remits funds to the state under  
31 subsection (1) of this section. The state treasurer shall place money  
32 from this fee in the real estate excise tax electronic technology  
33 account. By the twentieth day of the subsequent month, the state  
34 treasurer shall distribute to each county treasurer according to the  
35 following formula: Three-quarters of the funds available shall be  
36 equally distributed among the thirty-nine counties; and the balance  
37 shall be ratably distributed among the counties in direct proportion to

1 their population as it relates to the total state's population based on  
2 most recent statistics by the office of financial management.

3 (c) When received by the county treasurer, the funds shall be  
4 placed in a special real estate excise tax electronic technology fund  
5 held by the county treasurer to be used exclusively for the  
6 development, implementation, and maintenance of an electronic  
7 processing and reporting system for real estate excise tax affidavits.  
8 Funds may be expended to make the system compatible with the automated  
9 real estate excise tax system developed by the department and  
10 compatible with the processes used in the offices of the county  
11 assessor and county auditor. Any funds held in the account that are  
12 not expended by the earlier of: July 1, 2015, or at such time that the  
13 county treasurer is utilizing an electronic processing and reporting  
14 system for real estate excise tax affidavits compatible with the  
15 department and compatible with the processes used in the offices of the  
16 county assessor and county (~~assessor~~~~[auditor]~~) auditor, revert to  
17 the special real estate and property tax administration assistance  
18 account in accordance with subsection (5)(c) of this section.

19 (4) Beginning July 1, 2010, through December 31, 2013, the county  
20 treasurer shall continue to collect the additional five-dollar fee in  
21 subsection (3) of this section on all transactions required by this  
22 chapter, regardless of whether the transaction requires the payment of  
23 tax. During this period, the county treasurer shall remit this fee to  
24 the state treasurer at the same time the county treasurer remits funds  
25 to the state under subsection (1) of this section. The state treasurer  
26 shall place money from this fee in the annual property revaluation  
27 grant account created in RCW 84.41.170.

28 (5)(a) The real estate and property tax administration assistance  
29 account is created in the custody of the state treasurer. An  
30 appropriation is not required for expenditures and the account is not  
31 subject to allotment procedures under chapter 43.88 RCW.

32 (b) Beginning January 1, 2014, the county treasurer must continue  
33 to collect the additional five-dollar fee in subsection (3) of this  
34 section on all transactions required by this chapter, regardless of  
35 whether the transaction requires the payment of tax. The county  
36 treasurer shall deposit one-half of this fee in the special real estate  
37 and property tax administration assistance account in accordance with  
38 (c) of this subsection and remit the balance to the state treasurer at

1 the same time the county treasurer remits funds to the state under  
2 subsection (1) of this section. The state treasurer must place money  
3 from this fee in the real estate and property tax administration  
4 assistance account. By the twentieth day of the subsequent month, the  
5 state treasurer must distribute the funds to each county treasurer  
6 according to the following formula: One-half of the funds available  
7 must be equally distributed among the thirty-nine counties; and the  
8 balance must be ratably distributed among the counties in direct  
9 proportion to their population as it relates to the total state's  
10 population based on most recent statistics by the office of financial  
11 management.

12 (c) When received by the county treasurer, the funds must be placed  
13 in a special real estate and property tax administration assistance  
14 account held by the county treasurer to be used for:

15 (i) Maintenance and operation of an annual revaluation system for  
16 property tax valuation; and

17 (ii) Maintenance and operation of an electronic processing and  
18 reporting system for real estate excise tax affidavits.

19 **Sec. 10.** 2010 c 204 s 1105 (uncodified) is amended to read as  
20 follows:

21 Sections 101 through 504, 506 through 601, (~~and~~) 603 through 702,  
22 and 801 through 1103 of (~~this act~~) chapter 204, Laws of 2010 take  
23 effect January 1, 2012.

24 **\*Sec. 11.** 2010 1st sp.s. c 7 s 132 (uncodified) is amended to read  
25 as follows:

26 **The following acts or parts of acts are each repealed:**

27 (1) **RCW 17.21.230 (Pesticide advisory board) and 1994 c 283 s 26,**  
28 **1989 c 380 s 54, 1988 c 36 s 8, 1974 ex.s. c 20 s 1, 1971 ex.s. c 191**  
29 **s 8, 1967 c 177 s 14, & 1961 c 249 s 23;**

30 (2) **RCW 17.21.240 (Pesticide advisory board--Vacancies) and 1994 c**  
31 **283 s 27, 1989 c 380 s 55, & 1961 c 249 s 24;**

32 (3) **RCW 17.21.250 (Pesticide advisory board--Duties) and 1989 c 380**  
33 **s 56 & 1961 c 249 s 25;**

34 (4) **RCW 17.21.260 (Pesticide advisory board--Officers, meetings)**  
35 **and 1994 c 283 s 28, 1989 c 380 s 57, & 1961 c 249 s 26; and**

1 (5) RCW 17.21.270 (Pesticide advisory board--Travel expenses) and  
2 1989 c 380 s 58, 1975-'76 2nd ex.s. c 34 s 24, & 1961 c 249 s 27(~~and~~  
3 ~~(6) RCW 70.104.080 (Pesticide panel--Generally) and 1994 c 264 s~~  
4 ~~41, 1991 c 3 s 363, & 1989 c 380 s 68~~)).

\*Sec. 11 was vetoed. See message at end of chapter.

5 **Sec. 12.** 2010 1st sp.s. c 7 s 150 (uncodified) is amended to read  
6 as follows:

7 Sections 1 through 118, (~~(125))~~ 120 through 122, and 124 through  
8 (~~(135, and 141 through 146))~~ 150 of ((this act)) chapter 7, Laws of  
9 2010 1st sp. sess. are necessary for the immediate preservation of the  
10 public peace, health, or safety, or support of the state government and  
11 its existing public institutions, and take effect June 30, 2010.

12 NEW SECTION. **Sec. 13.** 2010 1st sp.s. c 7 s 151 (uncodified) is  
13 hereby repealed.

14 NEW SECTION. **Sec. 14.** Sections 11 through 13 of this act are  
15 necessary for the immediate preservation of the public peace, health,  
16 or safety, or support of the state government and its existing public  
17 institutions, and take effect June 30, 2010.

Passed by the House April 12, 2010.

Passed by the Senate April 12, 2010.

Approved by the Governor April 23, 2010, with the exception of  
certain items that were vetoed.

Filed in Office of Secretary of State April 23, 2010.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith, without my approval as to Section 11, House  
Bill 3219 entitled:

"AN ACT Relating technical corrections to the Revised Code of  
Washington."

This bill implements several changes recommended by the Statute Law  
Committee which were not enacted during the regular session. It also  
updates effective dates for the elimination of boards and commissions  
and for a campaign law provision.

Section 11 is not a technical change, but reinstates the Pesticide  
Incident Reporting and Tracking (PIRT) Review Panel which was  
eliminated in Engrossed Second Substitute House Bill 2617 which I  
signed on March 29, 2010. Section 11 requires the Department of  
Health to support the PIRT Review Panel activities, but the operating  
budget passed by the Legislature does not provide funding for such  
support. The Department of Health would have to decrease support for  
pesticide investigation and exposure response activities to fund this  
panel. In a time of difficult choices, I am vetoing this section so  
that the Department of Health can focus its limited funding on front  
line services instead of support to operate the PIRT Review Panel.

For these reasons, I have vetoed Section 11 of House Bill 3219.

With the exception of Section 11, House Bill 3219 is approved."