

(3) Section 14, chapter 117, Laws of 1951, section 8, chapter 160, Laws of 1953 and RCW 18.51.130.

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CHAPTER 100

[Senate Bill No. 2328]

DISTRIBUTION OF FUEL TAX REVENUES TO
CITIES, TOWNS, AND COUNTIES

AN ACT Relating to the distribution of motor vehicle fuel tax and use fuel tax revenues to cities and counties; amending section 46.68.110, chapter 12, Laws of 1961 as amended by section 7, chapter 7, Laws of 1961 ex. sess. and RCW 46.68.110; and amending section 46.68.120, chapter 12, Laws of 1961 as last amended by section 47, chapter 195, Laws of 1973 1st ex. sess. and RCW 46.68.120.

Be it enacted by the Legislature of the State of Washington:

Section 1. Section 46.68.110, chapter 12, Laws of 1961 as amended by section 7, chapter 7, Laws of 1961 ex. sess. and RCW 46.68.110 are each amended to read as follows:

Funds credited to the incorporated cities and towns of the state as set forth in subdivision (1) of RCW 46.68.150 shall be subject to deduction and distribution as follows:

(1) (~~Three-fourths of~~) One and one-half percent of such sums shall be deducted monthly as such sums are credited and set aside for the use of the state highway commission for the supervision of work and expenditures of such incorporated cities and towns on the city and town streets thereof, including the supervision and administration of federal-aid programs for which the highway commission has responsibility: PROVIDED, That any moneys so retained and not expended shall be credited in the succeeding biennium to the incorporated cities and towns in proportion to deductions herein made;

(2) The balance remaining to the credit of incorporated cities and towns after such deduction shall be apportioned monthly as such funds accrue among the several cities and towns within the state ratably on the basis of the population last determined by the state census board.

Sec. 2. Section 46.68.120, chapter 12, Laws of 1961 as last amended by section 47, chapter 195, Laws of 1973 1st ex. sess. and RCW 46.68.120 are each amended to read as follows:

Funds to be paid to the counties of the state shall be subject to deduction and distribution as follows:

(1) (~~Three-fourths of~~) One and one-half percent of such sums shall be deducted monthly as such sums accrue and set aside for the use of the state highway commission and the county road administration board for the supervision of work and expenditures of such counties on the county roads thereof including the supervision and administration of federal-aid programs for which the highway commission has responsibility: PROVIDED, That any moneys so retained and

not expended shall be credited in the succeeding biennium to the counties in proportion to deductions herein made;

(2) All sums required to be repaid to counties composed entirely of islands shall be deducted;

(3) The balance remaining to the credit of counties after such deductions shall be paid to the several counties monthly, as such funds accrue, upon the basis of the following formula:

(a) Ten percent of such sum shall be divided equally among the several counties.

(b) Thirty percent shall be paid to each county in direct proportion that the sum of the total number of private automobiles and trucks licensed by registered owners residing in unincorporated areas and seven percent of the number of private automobiles and trucks licensed by registered owners residing in incorporated areas within each county bears to the total of such sums for all counties. The number of registered vehicles so used shall be as certified by the director of the department of motor vehicles for the year next preceding the date of calculation of the allocation amounts. The director of the department shall first supply such information not later than the fifteenth day of February, 1956, and on the fifteenth of February each two years thereafter.

(c) Thirty percent shall be paid to each county in direct proportion that the product of the county's trunk highway mileage and its prorated estimated annual cost per trunk mile as provided in subsection (e) is to the sum of such products for all counties. County trunk highways are defined as county roads regularly used by school buses and/or rural free delivery mail carriers of the United States post office department, but not foot carriers. Determination of the number of miles of county roads used in each county by school buses shall be based solely upon information supplied by the superintendent of public instruction who shall on October 1, 1955 and on October 1st of each odd-numbered year thereafter furnish the state highway commission with a map of each county upon which is indicated the county roads used by school buses at the close of the preceding school year, together with a detailed statement showing the total number of miles of county highway over which school buses operated in each county during such year. Determination of the number of miles of county roads used in each county by rural mail carriers on routes serviced by vehicles during the year shall be based solely upon information supplied by the United States postal department as of January 1st of the even-numbered years.

(d) Thirty percent of such sum shall be paid to each of the several counties in the direct proportion that the product of the trunk highway mileage of the county and its "money need factor" as defined in subsection (f) is to the total of such products for all counties.

(e) Every four years, beginning with the 1958 allocation, the highway commission and the legislative transportation committee shall reexamine or cause to be reexamined all the factors on which the estimated annual costs per trunk mile for the several counties have been based and shall make such adjustments as may be necessary. The following formula shall be used: One twenty-fifth of the estimated total county road replacement cost, plus the total annual maintenance cost, divided by the total miles of county road in such county, and multiplied by the result

obtained from dividing the total miles of county road in said county by the total trunk road mileage in said county. For the purpose of allocating funds from the motor vehicle fund, a county road shall be defined as one established as such by resolution or order of establishment of the board of county commissioners. The first allocation of funds shall be based on the following prorated estimated annual costs per trunk mile for the several counties as follows:

Adams	\$1,227.00
Asotin	1,629.00
Benton	1,644.00
Chelan	2,224.00
Clallam	2,059.00
Clark	1,710.00
Columbia	1,391.00
Cowlitz	1,696.00
Douglas	1,603.00
Ferry	1,333.00
Franklin	1,612.00
Garfield	1,223.00
Grant	1,714.00
Grays Harbor	2,430.00
Island	1,153.00
Jefferson	2,453.00
King	2,843.00
Kitsap	1,938.00
Kittitas	1,565.00
Klickitat	1,376.00
Lewis	1,758.00
Lincoln	1,038.00
Mason	1,748.00
Okanogan	1,260.00
Pacific	2,607.00
Pend Oreille	1,753.00
Pierce	2,276.00
San Juan	1,295.00
Skagit	1,966.00
Skamania	2,023.00
Snohomish	2,269.00
Spokane	1,482.00
Stevens	1,068.00
Thurston	1,870.00
Wahkiakum	2,123.00
Walla Walla	1,729.00
Whatcom	1,738.00
Whitman	1,454.00
Yakima	1,584.00

PROVIDED, HOWEVER, That the prorated estimated annual costs per trunk mile in this subsection shall be adjusted every four years, beginning with the 1958 allocation by the highway commission on the basis of changes in the trunk and total county road mileage based on information supplied by the superintendent of public instruction, the United States postal department and the annual reports of the county road departments.

(f) The "money need factor" for each of the several counties shall be the difference between the prorated estimated annual costs as listed above and the sum of the following three amounts divided by the county trunk highway mileage:

(1) The equivalent of a two dollar and twenty-five cents per thousand dollars of assessed value tax levy on the valuation, as equalized by the state department of revenue for state purposes, of all taxable property in the county road districts;

(2) One-fourth the sum of all funds received by the county from the federal forest reserve fund during the two calendar years next preceding the date of the adjustment of the allocation amounts as certified by the state treasurer; and

(3) One-half the sum of motor vehicle license fees and motor vehicle fuel tax refunded to the county during the two calendar years next preceding the date of the adjustment of the allocation amounts as provided in RCW 46.68.080. These shall be as supplied to the highway commission by the state treasurer for that purpose. The department of revenue and the state treasurer shall supply the information herein requested on or before January 1, 1956 and on said date each two years thereafter.

The following formula shall be used for the purpose of obtaining the "money need factor" of the several counties: The prorated estimated annual cost per trunk mile multiplied by the trunk miles will equal the total need of the individual county. The total need minus the sum of the three resources set forth in subsection (f) shall equal the net need. The net need of the individual county divided by the total net needs for all counties shall equal the "money need factor" for that county.

(g) The state highway commission shall adjust the allocations of the several counties on March 1st of every even-numbered year based solely upon the sources of information hereinbefore required: PROVIDED, That the total allocation factor composed of the sum of the four factors defined in subsections (a), (b), (c) and (d) shall be held to a level not more than five percent above or five percent below the total allocation factor in use during the previous two year period.

(h) The highway commission and the legislative transportation committee shall relog or cause to be relogged the total road mileages upon which the prorated estimated annual costs per trunk mile are based and shall recalculate such costs on the basis of such relogging and shall report their findings and recommendations to the legislature at its next regular session.

(i) The highway commission and the legislative transportation committee shall study and report their findings and recommendations to the legislature concerning the following problems as they affect the allocation of "motor vehicle fund" funds to counties:

(1) Comparative costs per trunk mile based on federal aid contracts versus those herein advocated.

(2) Average costs per trunk mile.

(3) The advisability of using either "trunk mileage" or "county road" mileage exclusively as the criterion instead of both as in this plan adopted.

(4) Reassessment of bridge costs based on current information and relogging of bridges.

(5) The items in the list of resources used in determining the "need factor".

(6) The development of a uniform accounting system for counties with regard to road and bridge construction and maintenance costs.

(7) A redefinition of rural and urban vehicles which better reflects the use of said vehicles on county roads.

Passed the Senate April 15, 1975.

Passed the House May 19, 1975.

Approved by the Governor May 28, 1975.

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CHAPTER 101

[Reengrossed Senate Bill No. 2385]

REHABILITATION OF THE YACOLT BURN

AN ACT Relating to the rehabilitation of the Yacolt burn; and amending section 5, chapter 74, Laws of 1953 as amended by section 2, chapter 171, Laws of 1955 and RCW 76.14.050.

Be it enacted by the Legislature of the State of Washington:

Section 1. Section 5, chapter 74, Laws of 1953 as amended by section 2, chapter 171, Laws of 1955 and RCW 76.14.050 are each amended to read as follows:

The supervisor is authorized to cooperate with owners of land located in ~~((this))~~ the area described in RCW 76.14.020 in establishing firebreaks in their most logical position regardless of land ownership. The board may by gift, purchase, condemnation or otherwise acquire easements for road rights of way and land or interests therein located in the high hazard forest area described in RCW 76.14.020 for any purpose deemed necessary for access for forest protection, reforestation, development and utilization, and for access to state-owned lands within the area described in RCW 76.14.020 for all other purposes, and the supervisor shall have authority to regulate the use thereof. ~~((These roads shall not be used for any other purpose and))~~ When the landowner is using the land for agricultural grazing purposes the state shall maintain gates or adequate cattle guards at each place the road enters upon the private landowner's fenced lands.

NEW SECTION. Sec. 2. There is added to chapter 76.14 RCW a new section to read as follows:

Nothing in the provisions of RCW 76.14.050 as now or hereafter amended shall be construed to otherwise alter the terms of any existing agreements heretofore entered into by the state and private parties under the authority of RCW 76.14.050 as now or hereafter amended.

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