

special absentee ballot shall only be provided to a voter who completes an application stating that:

(a) The voter believes that she or he will be residing or stationed or working outside the continental United States; and

(b) The voter believes that she or he will be unable to vote and return a regular absentee ballot by normal mail delivery within the period provided for regular absentee ballots.

The application for a special absentee ballot may not be filed earlier than ninety days prior to the applicable state primary or general election. The special absentee ballot shall list the offices and measures, if known, scheduled to appear on the state primary or general election ballot. The voter may use the special absentee ballot to write in the name of any eligible candidate for each office and vote on any measure.

(2) With any special absentee ballot issued under this section, the county auditor shall include a listing of any candidates who have filed before the time of the application for offices that will appear on the ballot at that primary or election and a list of any issues that have been referred to the ballot before the time of the application.

(3) Write-in votes on special absentee ballots shall be counted in the same manner provided by law for the counting of other write-in votes. The county auditor shall process and canvass the special absentee ballots provided under this section in the same manner as other absentee ballots under chapters 29.36, 29.39, and 29.62 RCW.

(4) A voter who requests a special absentee ballot under this section may also make application for an absentee ballot under RCW 29.36.010 or a service absentee ballot under RCW 29.39.100. If the regular absentee or service absentee ballot is properly voted and returned, the special absentee ballot shall be deemed void and the county auditor shall reject it in whole when special absentee ballots are canvassed.

Passed the House February 3, 1984.

Passed the Senate February 25, 1984.

Approved by the Governor March 5, 1984.

Filed in Office of Secretary of State March 5, 1984.

CHAPTER 110

[Substitute House Bill No. 1582]

DRIVING WHILE INTOXICATED—ENFORCEMENT FUNDING—OFM TO DISTRIBUTE GRANTS

AN ACT Relating to funding for enforcement of laws against driving while intoxicated; creating new sections; making an appropriation; providing an expiration date; and declaring an emergency.

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

NEW SECTION. Sec. 1. The legislature finds that county and city governments affected by the 1982 supreme court decision in *Seattle v. Crumrine*, by speedy trial rules, and by municipal withdrawal from prosecution and adjudication of serious traffic offenses are in need of transitional funding to offset the initial cost impact as it relates to the enforcement of laws prohibiting driving while intoxicated. It is the intent of the legislature that funds be made available in the form of state grants through the end of the current biennium to allow time for local governments to assess the cost impact and review finance options for costs related to the enforcement of these laws, including the use of any local unused taxing authority.

NEW SECTION. Sec. 2. (1) From the funds appropriated in section 8 of this act, the office of financial management shall distribute grants to cities and counties to enhance the prosecution and adjudication of serious traffic offenses. "Serious traffic offenses," as used in this act, means driving or in physical control of a motor vehicle while under the influence of intoxicating liquor or drugs.

(2) Applications from cities and counties for grants under this section shall be evaluated and prioritized by the office of financial management with the advice of a committee consisting of:

(a) Two prosecuting attorneys appointed by the Washington association of prosecuting attorneys;

(b) One municipal attorney and one elected municipal official appointed by the association of Washington cities;

(c) One elected county official appointed by the Washington state association of counties;

(d) Two district court judges and one municipal court judge appointed by the Washington state magistrates association; and

(e) The administrator for the courts, or the administrator's designee.

(3) Members of the advisory committee shall be appointed within thirty days of the effective date of this act.

(4) Members of the advisory committee shall be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

NEW SECTION. Sec. 3. The office of financial management shall use the following criteria in establishing priorities for grant applications under section 2 of this act:

(1) The extent to which municipalities within a county have formally or informally withdrawn from the prosecution and adjudication of serious traffic offenses as of January 1, 1984;

(2) The extent to which counties and cities have increased local expenditures for the prosecution and adjudication of serious traffic offenses in 1983 as compared to 1982;

(3) The extent to which counties and cities have maintained their level of local expenditures for the prosecution and adjudication of serious traffic offenses in 1983 as compared to 1982; and

(4) The extent to which counties and cities have exceeded their overall capacity to handle court caseloads.

NEW SECTION. Sec. 4. (1) The office of financial management shall establish guidelines for grant applications consistent with the criteria set forth in section 3 of this act and shall transmit the guidelines and grant application forms to all cities and counties by June 15, 1984.

(2) Grant applications shall contain:

(a) Certification as to the number of employees prosecuting and adjudicating serious traffic offenses in 1982 and 1983, and the time commitment of those employees to that purpose;

(b) Quantification of filings, dismissals, pleas to reduced charges, jury trials demanded and conducted, and deferred prosecutions. This information shall be grouped by serious traffic offenses filings and total filings and shall be based on the best available data for 1982 and 1983, including statistics from the administrator for the courts, uniform crime reports, department of licensing reports, locally maintained records, and any other information deemed relevant by the office of financial management;

(c) Information on the county's or city's overall capacity to handle court caseloads, including jury and bench trials disposed of per judge, use of pro tem judges, and other techniques for handling caseloads;

(d) The use to which the grant moneys will be put and the anticipated results; and

(e) A certified statement that the grant moneys will not be used to supplant local funds.

(3) Grant applications shall be made to the office of financial management by August 1, 1984.

(4) Counties and cities may submit joint grant applications.

NEW SECTION. Sec. 5. (1) The office of financial management may award grants in whole or in part based on priority, evaluation of need, and available revenues as appropriated by section 8 of this act.

(2) Cities and counties receiving grants under section 2 of this act shall ensure that local funds are not supplanted by the grant moneys and shall report by November 1, 1985, to the office of financial management the manner in which grant funds were expended and the results obtained from the grant. If the grant moneys are used to supplant local funds, the local government shall repay to the state the total amount of the grant moneys received under this act.

NEW SECTION. Sec. 6. The legislative budget committee shall conduct a study of local revenues and expenses for activities related to the prosecution and adjudication of serious traffic offenses. The study shall include a history of the distribution of revenues from liquor profits, liquor taxes, and court fees and fines and shall contain recommendations for

changes in the distribution of these revenues based on changed circumstances. The legislative budget committee shall report the results of this study to the legislature by December 15, 1984.

NEW SECTION. Sec. 7. The corrections standards board shall develop minimum design standards for inexpensive local or regional facilities to be used for the incarceration of nonviolent serious traffic offenders without prior history of criminal conviction. The design standards developed shall not preclude the conversion of existing public or private structures. The design standards shall be completed by September 15, 1984.

NEW SECTION. Sec. 8. There is appropriated to the office of financial management for the biennium ending June 30, 1985, from the general fund the sum of three million dollars, or so much thereof as may be necessary, to carry out the purposes of this act. The office of financial management shall distribute these moneys by September 15, 1984. The office of financial management shall transfer up to twenty-nine thousand dollars of the moneys appropriated in this section to the corrections standards board to carry out the purposes of section 7 of this act.

NEW SECTION. Sec. 9. This act shall expire on December 31, 1985.

NEW SECTION. Sec. 10. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the House February 3, 1984.

Passed the Senate February 26, 1984.

Approved by the Governor March 5, 1984.

Filed in Office of Secretary of State March 5, 1984.

CHAPTER 111

[Substitute Senate Bill No. 3504]

TIMBER LAND PROPERTY TAX CLASSIFICATION—EASEMENTS ARE NOT REQUIRED—TRANSFERS BETWEEN FARM AND AGRICULTURAL LAND AND TIMBER LAND

AN ACT Relating to property taxation; amending section 5, chapter 212, Laws of 1973 1st ex. sess. and RCW 84.34.037; and amending section 7, chapter 87, Laws of 1970 ex. sess. as amended by section 8, chapter 212, Laws of 1973 1st ex. sess. and RCW 84.34.070.

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

Sec. 1. Section 5, chapter 212, Laws of 1973 1st ex. sess. and RCW 84.34.037 are each amended to read as follows:

Applications for classification under RCW 84.34.020 subsection (1) or (3) shall be made to the county legislative authority. An application made for classification of land under RCW 84.34.020 subsection (1)(b), or (3) which is in an area subject to a comprehensive plan shall be acted upon in