

otherwise applicable state tax revenue limit shall be increased or decreased, as the case may be, by the dollar amount of the costs of the program.

(4) The legislature, in consultation with the office of financial management or its successor agency, shall determine the costs of any new programs or increased levels of service under existing programs imposed on any taxing district or transferred to or from the state.

(5) Subsection (1) of this section does not apply to the costs incurred for voting devices or machines under section 1 of this act.

Passed the House March 6, 1990.

Passed the Senate March 2, 1990.

Approved by the Governor March 26, 1990.

Filed in Office of Secretary of State March 26, 1990.

CHAPTER 185

[Senate Bill No. 6816]

SPECIAL FUEL TAX—MILK PUMPING EXEMPTION

AN ACT Relating to a special fuel tax exemption for milk pumping; and amending RCW 82.38.080.

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

Sec. 1. Section 1, chapter 42, Laws of 1973 as last amended by section 4, chapter 108, Laws of 1983 and RCW 82.38.080 are each amended to read as follows:

There is exempted from the tax imposed by this chapter, the use of fuel for: (1) street and highway construction and maintenance purposes in motor vehicles owned and operated by the state of Washington, or any county or municipality; (2) publicly owned fire fighting equipment; (3) special mobile equipment as defined in RCW 46.04.552; (4) power pumping units or other power take-off equipment of any motor vehicle which is accurately measured by metering devices that have been specifically approved by the department or which is established by either of the following formulae: (a) pumping propane, or fuel or heating oils or milk picked up from a farm or dairy farm storage tank by a power take-off unit on a delivery truck, at the rate of three-fourths of one gallon for each one thousand gallons of fuel delivered or milk picked up; PROVIDED, That claimant when presenting his claim to the department in accordance with the provisions of this chapter, shall provide to said claim, invoices of propane, or fuel or heating oil delivered, or such other appropriate information as may be required by the department to substantiate his claim; or (b) operating a power take-off unit on a cement mixer truck or a load compactor on a garbage truck at the rate of twenty-five percent of the total gallons of fuel used in such a truck; (5) motor vehicles owned and operated by the United States government; (6) heating purposes; (7) moving a motor vehicle on a public highway between

two pieces of private property when said moving is incidental to the primary use of the motor vehicle; (8) transit services for only elderly or handicapped persons, or both, by a private, nonprofit transportation provider certified under chapter 81.66 RCW; and (9) notwithstanding any provision of law to the contrary, every urban passenger transportation system and carriers as defined by chapters 81.68 and 81.70 RCW shall be exempt from the provisions of this chapter requiring the payment of special fuel taxes. For the purposes of this section "urban passenger transportation system" means every transportation system, publicly or privately owned, having as its principal source of revenue the income from transporting persons for compensation by means of motor vehicles and/or trackless trolleys, each having a seating capacity for over fifteen persons over prescribed routes in such a manner that the routes of such motor vehicles and/or trackless trolleys, either alone or in conjunction with routes of other such motor vehicles and/or trackless trolleys subject to routing by the same transportation system, shall not extend for a distance exceeding twenty-five road miles beyond the corporate limits of the county in which the original starting points of such motor vehicles are located: PROVIDED, That no refunds or credits shall be granted on fuel used by any urban transportation vehicle or vehicle operated pursuant to chapters 81.68 and 81.70 RCW on any trip where any portion of said trip is more than twenty-five road miles beyond the corporate limits of the county in which said trip originated.

Passed the Senate February 9, 1990.

Passed the House March 1, 1990.

Approved by the Governor March 26, 1990.

Filed in Office of Secretary of State March 26, 1990.

CHAPTER 186

[Senate Bill No. 6562]

SUPERIOR COURT—ADDITIONAL JUDGES

AN ACT Relating to superior courts; amending RCW 2.08.062, 2.08.065, and 2.32.180; and creating a new section.

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

Sec. 1. Section 4, chapter 125, Laws of 1951 as last amended by section 2, chapter 323, Laws of 1987 and RCW 2.08.062 are each amended to read as follows:

There shall be in the counties of Chelan and Douglas jointly, three judges of the superior court; in the county of Clark six judges of the superior court; in the county of Grays Harbor two judges of the superior court; in the county of Kitsap (~~five~~) seven judges of the superior court; in the county of Kittitas one judge of the superior court; in the county of Lewis two judges of the superior court.