

(5) The utility providing energy for any water heater under this section shall at least annually, include in its billing a statement:

(a) Recommending that water heaters be set no higher than one hundred twenty degrees Fahrenheit or the minimum setting on a water heater which cannot be set as low as that temperature to prevent severe burns and reduce excessive energy consumption; and

(b) That the thermostat of an individual water heater furnished in a residential unit leased or rented in this state to new tenants shall be set no higher than one hundred twenty degrees Fahrenheit or the minimum setting on a water heater which cannot be set as low as that temperature pursuant to chapter 19.27 RCW.

(6) The manufacturer of a water heater under this section which is offered for sale or installed after July 24, 1983, shall have a tag attached to the thermostat access plate or immediately adjacent to exposed thermostats. The tag shall state that the thermostat settings above the preset temperature may cause severe burns and consume excessive energy.

(7) Nothing in this section requires or permits any inspections other than those otherwise required or permitted by law.

(8) This section does not apply to multiple-unit residences supplied by central water heater systems.

Passed the House January 30, 1985.

Passed the Senate April 11, 1985.

Approved by the Governor April 22, 1985.

Filed in Office of Secretary of State April 22, 1985.

CHAPTER 120

[Substitute House Bill No. 321]

COUNTY ROAD FUNDS

AN ACT Relating to county road funds; amending RCW 46.68.120, 46.68.124, and 36-.80.080; and providing an effective date.

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

Sec. 1. Section 46.68.120, chapter 12, Laws of 1961 as last amended by section 1, chapter 33, Laws of 1982 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) One and one-half percent of such funds shall be deducted monthly as such funds accrue and set aside for the use of the department of transportation 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 department of transportation has responsibility: PROVIDED, That any

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

~~(2) ((Two-tenths of one percent of such funds shall be deducted monthly as such funds accrue and set aside for the use of the department of transportation to carry out the responsibilities specified in RCW 46.68.124: PROVIDED, That any funds so retained and not expended shall be credited in the succeeding biennium to the counties in proportion to deductions herein made;~~

~~(3))~~ All sums required to be repaid to counties composed entirely of islands shall be deducted;

~~((4))~~ (3) The balance of such funds remaining to the credit of counties after such deductions shall be paid to the several counties monthly, as such funds accrue, in accordance with RCW 46.68.122 and 46.68.124.

Sec. 2. Section 3, chapter 33, Laws of 1982 and RCW 46.68.124 are each amended to read as follows:

(1) The equivalent population for each county shall be computed as the sum of the population residing in the county's unincorporated area plus twenty-five percent of the population residing in the county's incorporated area. Population figures required for the computations in this subsection shall be certified by the director of the office of financial management on or before July 1st of each odd-numbered year~~((: PROVIDED HOWEVER, That for the purposes of computing the counties' allocation factors effective March 1, 1982, through December 31, 1983, the director of the office of financial management shall furnish to the secretary of transportation those population figures required for the computation that were effective July 1, 1981))~~.

(2) The total annual road cost for each county shall be computed as the sum of one twenty-fifth of the total estimated county road replacement cost, plus the total estimated annual maintenance cost. Appropriate costs for bridges and ferries shall be included. The ~~((secretary of transportation with the advice and assistance of the))~~ county road administration board shall be responsible for establishing a uniform system of roadway categories for both maintenance and construction and also for establishing a single state-wide cost per mile rate for each roadway category. The total annual cost for each county will be based on the established state-wide cost per mile and associated mileage for each category. The mileage to be used for these computations shall be as shown in the county road log as maintained by the ~~((secretary of transportation))~~ county road administration board as of July 1, ~~((1983))~~ 1985, and each two years thereafter. Each county shall be responsible for submitting changes, corrections, and deletions as regards the county road log to the ~~((secretary of transportation))~~ county road administration board. Such changes, corrections, and deletions shall be subject to verification and approval by the ~~((secretary of transportation))~~ county

road administration board prior to inclusion in the county road log(~~(-PROVIDED HOWEVER, That for the purpose of computing the counties' allocation factors effective March 1, 1982, through December 31, 1983, the total annual road costs shall be those shown on page K-3, column 4 of the "1980 Cost Factor Study" published December 9, 1980, by the department of transportation)~~)).

(3) The money need factor for each county shall be the county's total annual road cost less the following four amounts:

(a) One-half the sum of the actual county road tax levied upon the valuation of all taxable property within the county road districts pursuant to RCW 36.82.040 for the two calendar years next preceding the year of computation of the allocation amounts as certified by the department of revenue;

(b) One-half the sum of all funds received by the county road fund from the federal forest reserve fund pursuant to RCW (~~36.33.110~~) 28A.02.300 and 28A.02.310 during the two calendar years next preceding the year of computation of the allocation amounts as certified by the state treasurer;

(c) One-half the sum of timber excise taxes received by the county road fund pursuant to chapter 84.33 RCW in the two calendar years next preceding the year of computation of the allocation amounts as certified by the state treasurer;

(d) One-half the sum of motor vehicle license fees and motor vehicle and special fuel taxes refunded to the county, pursuant to RCW 46.68.080 during the two calendar years next preceding the year of computation of the allocation amounts as certified by the state treasurer.

(4) The state treasurer and the department of revenue shall furnish to the ~~((secretary of transportation))~~ county road administration board the information required by subsection (3) of this section on or before July 1st of each odd-numbered year(~~(-PROVIDED HOWEVER, That for the purpose of computing the counties' allocation factors effective March 1, 1982, through December 31, 1983, the information required by subsection (3) of this section shall be for calendar years 1980 and 1981)~~)).

(5) The ~~((secretary of transportation, with the advice and assistance of the))~~ county road administration board, shall compute and provide to the counties the allocation factors of the several counties on or before September 1st of each year based solely upon the sources of information herein before required: PROVIDED, That the allocation factor shall be held to a level not more than five percent above or five percent below the allocation factor in use during the previous calendar year. Upon computation of the actual allocation factors of the several counties, the ~~((secretary of transportation))~~ county road administration board shall provide such factors to the state treasurer to be used in the computation of the counties' fuel tax allocation for the succeeding calendar year. The state treasurer shall adjust the

fuel tax allocation of each county on January 1st of every year based solely upon the information provided by the ~~((secretary of transportation))~~ county road administration board.

~~((6) Notwithstanding the provisions of subsection (5) of this section; the secretary of transportation, with the advice and assistance of the county road administration board, shall adjust, as necessary, the allocation percentages of the several counties so that no county shall in any calendar year receive less than eighty-five percent of the actual funds distributed to that county in calendar year 1981 under this section. The eighty-five percent entitlement of funds authorized by this subsection shall be reduced proportionally in the succeeding year in the event that the total amount of funds distributed to the counties under this section in any year is less than the distribution of such funds in 1981.))~~

Sec. 3. Section 36.80.080, chapter 4, Laws of 1963 as amended by section 34, chapter 7, Laws of 1984 and RCW 36.80.080 are each amended to read as follows:

The division of municipal corporations shall annually make a cost-audit examination of the books and records of the county road engineer and make a written report thereon to the county legislative authority. The expense of the examination shall be paid ~~((out of that portion of the motor vehicle fund allocated to the several counties and withheld for use of the department of transportation under the terms of RCW 46.68.120(1). The state auditor shall certify the expense of such examination to the department))~~ from the county road fund.

NEW SECTION. Sec. 4. Section 3 of this act shall take effect July 1, 1987.

Passed the House March 14, 1985.

Passed the Senate April 11, 1985.

Approved by the Governor April 22, 1985.

Filed in Office of Secretary of State April 22, 1985.

CHAPTER 121

[Substitute House Bill No. 460]

TELEPHONE SOLICITATION—WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION TO STUDY

AN ACT Relating to telephone solicitation; and creating a new section.

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

NEW SECTION. Sec. 1. (1) The legislature finds that telephone solicitations by commercial and charitable organizations are increasing and that such solicitations cause increasing intrusions on the legitimate privacy rights of Washington citizens. The legislature further finds that current