

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

NEW SECTION. Sec. 1. A new section is added to Title 28A RCW to read as follows:

Each school district that receives federal moneys from or through the superintendent of public instruction shall comply with applicable federal requirements and shall repay expenditures subsequently disallowed by the federal government together with such interest as may be assessed by the federal government. Once a federal disallowance determination, decision, or order becomes final respecting federal moneys expended by a school district, the superintendent of public instruction may withhold all or a portion of the annual basic education allocation amounts otherwise due and apportionable to the school district as necessary to facilitate payment of the principal and interest to the federal government. The superintendent of public instruction may pay withheld basic education allocation moneys:

(1) To the school district before the close of the biennium and following the school district's repayment of moneys due the federal government, or the school district's commitment to an acceptable repayment plan, or both; or

(2) To the federal government, subject to the reappropriation of the withheld basic education allocation, moneys for the purpose of payment to the federal government.

No withholding of basic education allocation moneys may occur under this subsection until the superintendent of public instruction has first determined that the withholding should not substantially impair the school district's financial ability to provide the basic education program offerings required by statute.

Passed the Senate February 12, 1990.

Passed the House March 1, 1990.

Approved by the Governor March 19, 1990.

Filed in Office of Secretary of State March 19, 1990.

CHAPTER 104

[House Bill No. 2260]

MUNICIPAL RESEARCH COUNCIL

AN ACT Relating to the municipal research council; amending RCW 43.110.010 and 82.44.160; and adding a new section to chapter 43.110 RCW.

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

Sec. 1. Section 2, chapter 108, Laws of 1969 as last amended by section 1, chapter 22, Laws of 1983 and RCW 43.110.010 are each amended to read as follows:

There shall be a state agency which shall be known as the municipal research council. The council shall be composed of eighteen members. Four

members shall be appointed by the president of the senate, with equal representation from each of the two major political parties; four members shall be appointed by the speaker of the house of representatives, with equal representation from each of the two major political parties; one member shall be appointed by the governor; and the other nine members, who shall be city officials, shall be appointed by the board of directors of the association of Washington cities. Of the members appointed by the association, at least one shall be an official of a city having a population of twenty thousand or more; at least one shall be an official of a city having a population of one thousand five hundred to twenty thousand; and at least one shall be an official of a town having a population of less than one thousand five hundred.

The terms of members shall be for two years and shall not be dependent upon continuance in legislative or city office. The terms of all members except legislative members shall commence on the first day of August in every odd-numbered year. The speaker of the house of representatives and the president of the senate shall make their appointments on or before the third Monday in January in each odd-numbered year, and the terms of the members thus appointed shall commence on the third Monday of January in each odd-numbered year. (~~Certificates of appointment of all members shall be filed in the offices of the association within ten days after the appointments are made.~~)

Council members shall receive no compensation but shall be reimbursed for travel expenses at rates in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended, except that members of the council who are also members of the legislature shall be reimbursed at the rates provided by RCW 44.04.120.

NEW SECTION. Sec. 2. A new section is added to chapter 43.110 RCW to read as follows:

The municipal research council shall contract for the provision of municipal research and services to cities and towns. Contracts for municipal research and services shall be made with state agencies, educational institutions, or private consulting firms, that in the judgment of council members are qualified to provide such research and services. Contracts for staff support may be made with state agencies, educational institutions, or private consulting firms that in the judgment of the council members are qualified to provide such support.

Municipal research and services shall consist of: (1) Studying and researching municipal government and issues relating to municipal government; (2) acquiring, preparing, and distributing publications related to municipal government and issues relating to municipal government; (3) providing educational conferences relating to municipal government and issues relating to municipal government; and (4) furnishing legal, technical, consultative, and field services to cities and towns concerning planning,

public health, utility services, fire protection, law enforcement, public works, and other issues relating to municipal government.

The activities, programs, and services of the municipal research council shall be carried on, and all expenditures shall be made, in cooperation with the cities and towns of the state acting through the board of directors of the association of Washington cities, which is recognized as their official agency or instrumentality.

Sec. 3. Section 82.44.160, chapter 15, Laws of 1961 as last amended by section 7, chapter 54, Laws of 1974 ex. sess. and RCW 82.44.160 are each amended to read as follows:

Before distributing or paying moneys to the cities and towns from the general fund(~~(, as)~~) on the first day of July of each year, under the formula provided in RCW 82.44.150, the state treasurer shall(~~(, on the first day of July of each year, make an annual deduction therefrom of)~~) deduct from these moneys a sum equal to one-half of the biennial appropriation made (~~(pursuant to this section, which)~~) to the municipal research council.

The amount that is appropriated to the municipal research council shall be at least seven cents per capita of the population of all cities or towns as (~~(legally certified on that date, determined as provided in said section, which sum shall be apportioned and transmitted to the municipal research council, herein created. The municipal research council may contract with and allocate moneys to any state agency, educational institution, or private consulting firm, which in its judgment is qualified to carry on a municipal research and service program. Moneys may be utilized to match federal funds available for technical research and service programs to cities and towns. Moneys allocated shall be used for studies and research in municipal government, publications, educational, conferences, and attendance thereat, and in furnishing technical, consultative, and field services to cities and towns in problems relating to planning, public health, municipal sanitation, fire protection, law enforcement, postwar improvements, and public works, and in all matters relating to city and town government. The programs shall be carried on and all expenditures shall be made in cooperation with the cities and towns of the state acting through the Association of Washington Cities by its board of directors which is hereby recognized as their official agency or instrumentality:~~

Funds) last determined by the office of financial management. Moneys appropriated to the municipal research council shall be kept in the treasury in the general fund(~~(, and)~~). Expenditures of the municipal research council, including council expenses and contract payments, shall be disbursed by warrant or check (~~(to contracting parties on)~~) from invoices or vouchers certified by the chairman of the municipal research council or (~~(his)~~) a designee. Payments to public agencies may be made in advance of actual work contracted for, in the discretion of the council.

Any moneys remaining unexpended or uncontracted for by the municipal research council at the end of any fiscal biennium shall be returned to the general fund and be paid to cities and towns under the provisions of RCW 82.44.150.

Passed the House February 2, 1990.

Passed the Senate February 26, 1990.

Approved by the Governor March 19, 1990.

Filed in Office of Secretary of State March 19, 1990.

CHAPTER 105

[Substitute Senate Bill No. 6348]

TEMPORARY-USE SPARE TIRES

AN ACT Relating to temporary-use spare tires; and amending RCW 46.37.420, 46.37.425, and 46.61.455.

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

Sec. 1. Section 46.37.420, chapter 12, Laws of 1961 as last amended by section 721, chapter 330, Laws of 1987 and RCW 46.37.420 are each amended to read as follows:

(1) It is unlawful to operate a vehicle upon the public highways of this state unless it is completely equipped with pneumatic rubber tires except vehicles equipped with temporary-use spare tires that meet federal standards that are installed and used in accordance with the manufacturer's instructions.

(2) No tire on a vehicle moved on a highway may have on its periphery any block, flange, cleat, or spike or any other protuberance of any material other than rubber which projects beyond the tread of the traction surface of the tire, except that it is permissible to use farm machinery with tires having protuberances that will not injure the highway, and except also that it is permissible to use tire chains or metal studs imbedded within the tire of reasonable proportions and of a type conforming to rules adopted by the state patrol, upon any vehicle when required for safety because of snow, ice, or other conditions tending to cause a vehicle to skid. It is unlawful to use metal studs imbedded within the tire between April 1st and November 1st. The state department of transportation may, from time to time, determine additional periods in which the use of tires with metal studs imbedded therein is lawful.

(3) The state department of transportation and local authorities in their respective jurisdictions may issue special permits authorizing the operation upon a highway of traction engines or tractors having movable tracks with transverse corrugations upon the periphery of the movable tracks or farm tractors or other farm machinery, the operation of which upon a highway would otherwise be prohibited under this section.