



**KING COUNTY**

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

**Signature Report**

**September 14, 2009**

**Motion 13074**

**Proposed No.** 2009-0427.2

**Sponsors** Phillips, Patterson and Lambert

1                   A MOTION requesting the executive to collect program,  
2                   funding and revenue stream information for the purpose of  
3                   identifying state unfunded mandates, and directing the  
4                   auditor to conduct a financial review of the information.

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6                   WHEREAS, under RCW 43.135.060, after July 1, 1995, the legislature shall not  
7                   impose responsibility for new programs or increased levels of service under existing  
8                   programs on any political subdivision of the state unless the subdivision is fully  
9                   reimbursed by the state by: (a) a specific appropriation; or (b) increases in state  
10                  distributions of revenue to political subdivisions occurring after January 1, 1998, and

11                  WHEREAS, since 1995, the state has increasingly put demands for new programs  
12                  or services that have not been fully reimbursed to the county on the order of millions of  
13                  dollars, and

14                  WHEREAS, in today's economic climate the county can no longer bear the  
15                  burden of costs that are morally and legally the state's obligation to pay, and

16 WHEREAS, the council desires to work with all branches to gather the  
17 information needed in order to pursue reimbursement of these ongoing costs from the  
18 state;

19 NOW, THEREFORE, BE IT MOVED by the Council of King County:

20 A. The executive is requested to identify all increases in state distributions of  
21 revenue to the county occurring after January 1, 1998, and their permissible uses.

22 B.1. The executive is also requested to inventory all new programs or increased  
23 levels of service to the public that have been imposed by and required by the state  
24 legislature after July 1, 1995, the cost of which was not fully funded by the state by a  
25 specific appropriation or, to the extent known, by use of state distribution of revenue.  
26 The inventory shall include the following for each new program or increased level of  
27 service:

28 a. a description of the new program or increased level of service, including  
29 identification of a quantifiable benefit that the public receives from the new program or  
30 increased level of service;

31 b. the citation for each step of increase, including, at a minimum, citation to the  
32 RCW or bill number with year;

33 c. the estimated cost for each year for the past three years for the new program  
34 or increased level of service;

35 d. the basis for the cost estimates;

36 e. identification of sources of funding, including specific appropriations, and  
37 also including state distributions of revenue if known;

38 f. a description of how the shortfall was addressed; and

39 g. a contact person with knowledge of the information provided.

40 2. Examples of areas that may have new programs or increased level of service  
41 that should be included in the inventory include, but are not limited to, dependency  
42 hearings, the Becca bill, sexual predator tracking and firearm background checks.

43 C. Sample inventory instructions and a sample inventory template are attached as  
44 Attachments A and B to this motion. The executive is free to modify the samples as  
45 needed. The executive should work with the prosecuting attorney's office for assistance  
46 in identifying which new programs or increased levels of service should or should not be  
47 included in the inventory. The executive should work with the auditor's office for  
48 financial consultation.

49 D. The executive is requested to report the increases identified under subsection  
50 A. of this motion and the results of the inventory referenced in subsection B. of this  
51 motion to the council by June 1, 2010. Thirteen paper copies of the report should be filed  
52 with the clerk of the council, for distribution to all councilmembers, the auditor's office  
53 and the prosecuting attorney's office. Before the filing of the final report, the executive is  
54 encouraged to share ongoing results of the inventory with the auditor's office and the  
55 prosecuting attorney's office as information becomes available, and to focus efforts based  
56 on input from the prosecuting attorney's office.

57 E. The auditor's office shall conduct a financial review of the new programs or  
58 increased levels of service submitted by the executive. The auditor's office shall report  
59 its findings to the council by September 1, 2010. Twelve paper copies of the report  
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61 should be filed with the clerk of the council, for distribution to all councilmembers and  
62 the prosecuting attorney's office.

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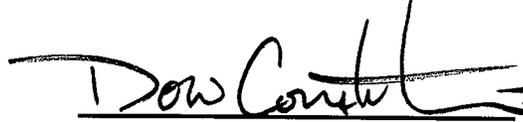
Motion 13074 was introduced on 7/13/2009 and passed by the Metropolitan King County Council on 9/14/2009, by the following vote:

Yes: 9 - Mr. Constantine, Mr. Ferguson, Ms. Hague, Ms. Lambert, Mr. von Reichbauer, Mr. Gossett, Mr. Phillips, Ms. Patterson and Mr. Dunn

No: 0

Excused: 0

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON



Dow Constantine, Chair

ATTEST:



Anne Noris, Clerk of the Council

**Attachments**      A. Sample Inventory Instructions, B. Sample Inventory Template

Attachment A. Sample Inventory Instructions

**UNFUNDED MANDATE INVENTORY**

DUE by no later than \_\_\_\_, 2009

**Purpose/Instructions:** This is a countywide inventory of all new programs and increased levels of service imposed by the state legislature since July 1, 1995, the costs of which were not fully funded by the state via a specific appropriation.

For each new program or increased level of service in your department or agency, you will be asked to provide:

- A description of the new program or increased level of service
- The statutory citation for each step of the increase, including at a minimum the RCW citation, or bill number with year
- To the best of your knowledge, a line-item cost estimate for each year for 2008 and 2009, including identifying sources of funding
- A description of how the shortfall was addressed
- A contact person with knowledge of the information provided.

**Questions?** Any questions about this inventory should be directed to \_\_\_\_.

**Due Date:** You must return this survey by \_\_\_\_, 2009.

**What new programs or increased level of services should I include in my response?** Here is some guidance. You can contact \_\_\_\_\_ for clarification if you are wondering if one of your programs counts.

**Include the new program or increased level of service if:**

1. It was required by the state legislature.
2. It was started after July 1, 1995.
3. The new program or increased level of service provided a measurable and quantifiable benefit to the public.
4. To the best of your knowledge, the new program or increased level of service was not fully funded by the state.

**ERR ON THE SIDE OF INCLUSION. HOWEVER, do not include the new program or increased level of service if:**

1. It was required by the federal government or the county.
2. The program was put into place before 7/1/95 (but do count increased levels of service after 1995 for programs that existed before 1995).
3. It cost the county money but didn't provide a new benefit to the public (e.g., increasing salaries or benefits costs the county money, but isn't providing a new program or increased level of service to the public).
4. The state provided sufficient money to do the bare minimum, but the county spent more than the bare minimum putting together a nicer program.
5. The costs would have already been incurred (e.g., the cost of training facilities, if training for other purposes was already planned).
6. Loss of potential revenue (e.g., due to decreased fees).
7. It is something you are not required to do (e.g., state imposes requirements for grant eligibility that would cost the county money to comply, but the county is not required to apply for the grant).
8. The state requirement uses the word "should" instead of "shall."

# UNFUNDED MANDATE INVENTORY

Department or Agency \_\_\_\_\_  
 Your Name \_\_\_\_\_  
 Title \_\_\_\_\_  
 Phone \_\_\_\_\_  
 E-mail address \_\_\_\_\_

*If the same program has multiple increases in levels of service since 1995, list each increase as a separate item.*

Program Name	Description of new program or increased level of service, and how the state has failed to provide sufficient funding	Legal citation for the specific increase, not just for the entire program unless it is a new program (RCW or session law)	Year that the new program or increased level of service was implemented	2009 Projected Costs			2008 Actual Costs			Confirm inclusion of attachments: spread sheets which show costs and document how costs derived assumptions and methodology for estimating costs	Description of how your department/agency dealt with the shortfall (provided less services, paid with other funds)	Comments
				County funding	State funding	Other funding	County funding	State funding	Other funding			
				Personnel costs			Personnel costs					
				Non-personnel costs			Non-personnel costs					