

SHB 2638 - H AMD 1231

By Representative Orcutt

NOT ADOPTED 02/13/2020

1 On page 2, line 1, after "(1)" strike "Upon" and insert "Subject
2 to subsection (3) of this section, upon"

3 On page 2, after line 17, insert the following:

4 "(3)(a) A tribe's class III gaming compact may not be amended
5 pursuant to this section and RCW 9.46.360 to authorize the tribe to
6 conduct and operate sports wagering unless the tribe agrees in the
7 compact amendment to, annually, transfer an amount of money
8 equivalent to fifty percent of all revenues realized from sports
9 wagering to the state for deposit into the motor vehicle fund created
10 in RCW 46.68.070 to be used solely in the geographic area of the
11 tribe's usual and accustomed areas for the purpose of removing fish
12 passage barriers on public roadways and replacing existing crossings
13 with fish passable crossings.

14 (b) This subsection (3) requires an agreement for annual payments
15 to the state motor vehicle fund created in RCW 46.68.070 by a tribe
16 conducting and operating sports wagering only until all fish passage
17 barriers have been replaced on all public roads of the state, cities,
18 towns, and counties within the tribe's usual and accustomed areas.
19 The compact amendment must provide that when no more fish passage
20 barriers remain in a tribe's usual and accustomed areas or the
21 tribe's financial obligation is otherwise fulfilled as provided in
22 this subsection (3)(b), all revenues from sports wagering are
23 retained by the tribe.

24 (c) When an area is a usual and accustomed area of more than one
25 tribe, for purposes of this subsection the financial obligation of a
26 tribe to fund fish passage barrier removal is divided equally with
27 the other tribe or tribes whose usual and accustomed areas includes
28 the fish passage barrier."

29 On page 14, after line 29, insert the following:

30 "**Sec. 13.** RCW 46.68.070 and 1972 ex.s. c 103 s 6 are each
31 amended to read as follows:

1 (1) There is created in the state treasury a permanent fund to be
2 known as the motor vehicle fund to the credit of which shall be
3 deposited all moneys directed by law to be deposited therein. This
4 fund shall be for the use of the state, and through state agencies,
5 for the use of counties, cities, and towns for proper road, street,
6 and highway purposes, including the purposes of RCW 47.30.030.

7 (2) Funds received from a federally recognized Indian tribe
8 pursuant to section 2(3) of this act must be used solely for the
9 purposes of section 2(3) of this act."

10 Renumber the remaining section consecutively and correct the
11 title.

EFFECT: Prohibits the amendment of a tribal-state gaming compact to authorize a tribe to conduct and operate sports wagering unless the tribe agrees in the compact amendment to, annually, transfer 50 percent of all revenues realized from sports wagering to the state for deposit into the Motor Vehicle Fund to be used solely in the geographic area of the tribe's usual and accustomed areas for the purpose of removing fish passage barriers on public roadways and replacing existing crossings with fish passable crossings.

Specifies that these payments to the Motor Vehicle Fund would cease when all fish passage barriers have been replaced on all public roads of the state, cities, towns, and counties within the tribe's usual and accustomed areas.

Specifies that when an area is a usual and accustomed area shared by multiple tribes, a tribe's financial obligation for funding removal of fish passage barriers with sports wagering revenues is divided equally between the tribes.

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