
ENGROSSED SUBSTITUTE HOUSE BILL 2326

State of Washington

53rd Legislature

1994 Regular Session

By House Committee on Transportation (originally sponsored by Representatives R. Fisher, Heavey, Cooke, Schmidt, Sheldon and Springer)

Read first time 02/04/94.

1 AN ACT Relating to gasohol; amending RCW 46.68.090; repealing RCW
2 82.36.2251; providing an effective date; providing for contingent
3 submission of this act to a vote of the people; and declaring an
4 emergency.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** RCW 82.36.2251 and 1993 c 268 s 2 are each
7 repealed.

8 **Sec. 2.** RCW 46.68.090 and 1991 c 342 s 56 are each amended to read
9 as follows:

10 (1) All moneys that have accrued or may accrue to the motor vehicle
11 fund from the motor vehicle fuel tax and special fuel tax shall be
12 first expended for the following purposes:

13 (a) For payment of refunds of motor vehicle fuel tax and special
14 fuel tax that has been paid and is refundable as provided by law;

15 (b) For payment of amounts to be expended pursuant to
16 appropriations for the administrative expenses of the offices of state
17 treasurer, state auditor, and the department of licensing of the state

1 of Washington in the administration of the motor vehicle fuel tax and
2 the special fuel tax, which sums shall be distributed monthly;

3 (c) From April 1, 1992, through March 31, 1996, for distribution to
4 the transfer relief account, hereby created in the motor vehicle fund,
5 an amount not to exceed three hundred twenty-five one-thousandths of
6 one percent;

7 (d) For distribution to the rural arterial trust account in the
8 motor vehicle fund, an amount as provided in RCW 82.36.025(2) and
9 46.68.095(3);

10 (e) For distribution to the urban arterial trust account in the
11 motor vehicle fund, an amount as provided in RCW 82.36.025(3);

12 (f) For distribution to the transportation improvement account in
13 the motor vehicle fund, an amount as provided in RCW 46.68.095(1);

14 (g) For distribution to the special category C account, hereby
15 created in the motor vehicle fund, an amount as provided in RCW
16 46.68.095(2);

17 (h) For distribution to the county arterial preservation account,
18 hereby created in the motor vehicle fund, an amount as provided in RCW
19 46.68.095(4);

20 (i) For distribution to the motor vehicle fund to be allocated to
21 cities and towns as provided in RCW 46.68.110, an amount as provided in
22 RCW 46.68.095(5);

23 (j) For distribution to the motor vehicle fund to be allocated to
24 counties as provided in RCW 46.68.120, an amount as provided in RCW
25 46.68.095(6);

26 (k) For expenditure for highway purposes of the state as defined in
27 RCW 46.68.130, an amount as provided in RCW 82.36.025(4) and
28 46.68.095(7);

29 (l) From May 1, 1994, through June 30, 1995, for distribution to
30 the gasohol exemption holding account, hereby created in the motor
31 vehicle fund, an amount equal to four and sixty-five one hundredths of
32 one percent to be used only for highway construction.

33 (2) The amount accruing to the motor vehicle fund by virtue of the
34 motor vehicle fuel tax and the special fuel tax and remaining after
35 payments, distributions, and expenditures as provided in this section
36 shall, for the purposes of this chapter, be referred to as the "net tax
37 amount."

1 NEW SECTION. **Sec. 3.** (1) If a court enters a final order
2 invalidating or remanding section 1 of this act on the grounds that it
3 does not comply with section 13, chapter 2, Laws of 1994, it is the
4 intent of the legislature that this measure be submitted to the people
5 for their adoption, ratification, or rejection, at the next succeeding
6 general election to be held in this state, in accordance with Article
7 II, section 1 of the state Constitution, as amended, and the laws
8 adopted to facilitate the operation thereof.

9 (2) If a court remands this act for a vote of the people, the
10 ballot title shall be substantially as follows: "Shall the alcohol
11 fuel tax exemption given to fuel distributors be eliminated?"

12 NEW SECTION. **Sec. 4.** This act is necessary for the immediate
13 preservation of the public peace, health, or safety, or support of the
14 state government and its existing public institutions, and shall take
15 effect May 1, 1994.

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