

2 **ESHB 1787** - S AMD 336
3 By Senators Fraser and Prince

4 NOT ADOPTED 4/13/95 - RULES WITHIN SCOPE

5 On page 5, after line 16, insert the following new sections:

6 "Sec. 3. RCW 43.99.070 and 1990 c 42 s 116 are each amended to
7 read as follows:

8 Upon expiration of the time limited by RCW 82.36.330 for claiming
9 of refunds of tax on marine fuel, the state of Washington shall succeed
10 to the right to such refunds. From time to time, but at least once
11 each biennium, the director of licensing, after taking into account
12 past and anticipated claims for refunds from and deposits to the marine
13 fuel tax refund account and the costs of carrying out the provisions of
14 RCW 43.99.030, shall request the state treasurer to transfer ((an
15 amount equal to the proportion of the moneys in the account
16 representing the motor vehicle fuel tax rate under RCW 82.36.025 in
17 effect on January 1, 1990, to the outdoor recreation account and the
18 remainder to the motor vehicle fund)) to the recreation resource
19 account such of the moneys in the marine fuel tax refund account that
20 are not required for payment of the refund claims or costs, and the
21 state treasurer shall make the transfer.

22 **Sec. 4.** RCW 46.09.170 and 1994 c 264 s 36 are each amended to read
23 as follows:

24 (1) From time to time, but at least once each year, the state
25 treasurer shall refund from the motor vehicle fund one percent of the
26 motor vehicle fuel tax revenues collected under chapter 82.36 RCW,
27 ((based on the tax rate in effect January 1, 1990,)) less proper
28 deductions for refunds and costs of collection as provided in RCW
29 46.68.090. The treasurer shall place these funds in the general fund
30 as follows:

31 (a) Forty percent shall be credited to the ORV and nonhighway
32 vehicle account and administered by the department of natural resources
33 solely for planning, maintenance, and management of ORV recreation
34 facilities, nonhighway roads, and nonhighway road recreation

1 facilities. The funds under this subsection shall be expended in
2 accordance with the following limitations:

3 (i) Not more than five percent may be expended for information
4 programs under this chapter;

5 (ii) Not less than ten percent and not more than fifty percent may
6 be expended for ORV recreation facilities;

7 (iii) Not more than twenty-five percent may be expended for
8 maintenance of nonhighway roads;

9 (iv) Not more than fifty percent may be expended for nonhighway
10 road recreation facilities;

11 (v) Ten percent shall be transferred to the interagency committee
12 for outdoor recreation for grants to law enforcement agencies in those
13 counties where the department of natural resources maintains ORV
14 facilities. This amount is in addition to those distributions made by
15 the interagency committee for outdoor recreation under (d)(i) of this
16 subsection;

17 (b) Three and one-half percent shall be credited to the ORV and
18 nonhighway vehicle account and administered by the department of fish
19 and wildlife solely for the acquisition, planning, development,
20 maintenance, and management of nonhighway roads and recreation
21 facilities;

22 (c) Two percent shall be credited to the ORV and nonhighway vehicle
23 account and administered by the parks and recreation commission solely
24 for the maintenance and management of ORV use areas and facilities; and

25 (d) Fifty-four and one-half percent, together with the funds
26 received by the interagency committee for outdoor recreation under RCW
27 46.09.110, shall be credited to the (~~outdoor recreation~~) nonhighway
28 road and off-road vehicle activities account to be administered by the
29 committee for planning, acquisition, development, maintenance, and
30 management of ORV recreation facilities and nonhighway road recreation
31 facilities; ORV user education and information; and ORV law enforcement
32 programs. The funds under this subsection shall be expended in
33 accordance with the following limitations:

34 (i) Not more than twenty percent may be expended for ORV education,
35 information, and law enforcement programs under this chapter;

36 (ii) Not less than an amount equal to the funds received by the
37 interagency committee for outdoor recreation under RCW 46.09.110 and
38 not more than sixty percent may be expended for ORV recreation
39 facilities;

1 (iii) Not more than twenty percent may be expended for nonhighway
2 road recreation facilities.

3 (2) On a yearly basis an agency may not, except as provided in RCW
4 46.09.110, expend more than ten percent of the funds it receives under
5 this chapter for general administration expenses incurred in carrying
6 out this chapter.

7 **Sec. 5.** RCW 46.10.170 and 1994 c 262 s 4 are each amended to read
8 as follows:

9 From time to time, but at least once each four years, the
10 department shall determine the amount of moneys paid to it as motor
11 vehicle fuel tax that is tax on snowmobile fuel. Such determination
12 shall use one hundred thirty-five gallons as the average yearly fuel
13 usage per snowmobile(~~((7))~~) and the number of registered snowmobiles
14 during the calendar year under determination(~~((7, and the fuel tax rate~~
15 ~~in effect January 1, 1990))~~)."

16
17 Renumber remaining sections and correct any internal references
18 accordingly.

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22 On page 1, line 2 after "43.79A.040" insert the following:
23 "amending RCW 43.99.070, 46.09.170, and 46.10.170"

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