

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE HOUSE BILL 1273**

Chapter 320, Laws of 1995

54th Legislature  
1995 Regular Session

INDIAN TRIBES--REFUND OF MOTOR VEHICLE AND SPECIAL FUEL TAXES TO

EFFECTIVE DATE: 5/11/95

Passed by the House April 19, 1995  
Yeas 97 Nays 0

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CLYDE BALLARD

**Speaker of the  
House of Representatives**

Passed by the Senate April 13, 1995  
Yeas 43 Nays 0

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JOEL PRITCHARD

**President of the Senate**

Approved May 11, 1995

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MIKE LOWRY

**Governor of the State of Washington**

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1273** as passed by the House of Representatives and the Senate on the dates hereon set forth.

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TIMOTHY A. MARTIN

**Chief Clerk**

FILED

May 11, 1995 - 1:12 p.m.

**Secretary of State  
State of Washington**

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**SUBSTITUTE HOUSE BILL 1273**

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AS AMENDED BY THE SENATE

Passed Legislature - 1995 Regular Session

**State of Washington                      54th Legislature                      1995 Regular Session**

**By** House Committee on Transportation (originally sponsored by Representatives Fuhrman, Blanton, Elliot and McMorris)

Read first time 02/09/95.

1            AN ACT Relating to refunding motor vehicle fuel and special fuel  
2 taxes to Indian tribes; adding a new section to chapter 82.36 RCW;  
3 adding a new section to chapter 82.38 RCW; creating a new section; and  
4 declaring an emergency.

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

6            NEW SECTION.    **Sec. 1.**    The legislature recognizes that certain  
7 Indian tribes located on reservations within this state dispute the  
8 authority of the state to impose a tax upon the tribe, or upon tribal  
9 members, based upon the distribution, sale, or other transfer of motor  
10 vehicle and other fuels to the tribe or its members when that  
11 distribution, sale, or other transfer takes place upon that tribe's  
12 reservation. While the legislature believes it has the authority to  
13 impose state motor vehicle and other fuel taxes under such  
14 circumstances, it also recognizes that all of the state citizens may  
15 benefit from resolution of these disputes between the respective  
16 governments.

17            NEW SECTION.    **Sec. 2.**    A new section is added to chapter 82.36 RCW  
18 to read as follows:

1 The department of licensing may enter into an agreement with any  
2 federally recognized Indian tribe located on a reservation within this  
3 state regarding the imposition, collection, and use of this state's  
4 motor vehicle fuel tax, or the budgeting or use of moneys in lieu  
5 thereof, upon terms substantially the same as those in the consent  
6 decree entered by the federal district court (Eastern District of  
7 Washington) in *Confederated Tribes of the Colville Reservation v. DOL,*  
8 *et al.*, District Court No. *CY-92-248-JLO*.

9 NEW SECTION. **Sec. 3.** A new section is added to chapter 82.38 RCW  
10 to read as follows:

11 The department of licensing may enter into an agreement with any  
12 federally recognized Indian tribe located on a reservation within this  
13 state regarding the imposition, collection, and use of this state's  
14 special fuel tax, or the budgeting or use of moneys in lieu thereof,  
15 upon terms substantially the same as those in the consent decree  
16 entered by the federal district court (Eastern District of Washington)  
17 in *Confederated Tribes of the Colville Reservation v. DOL, et al.*,  
18 District Court No. *CY-92-248-JLO*.

19 NEW SECTION. **Sec. 4.** If any provision of this act or its  
20 application to any person or circumstance is held invalid, the  
21 remainder of the act or the application of the provision to other  
22 persons or circumstances is not affected.

23 NEW SECTION. **Sec. 5.** This act is necessary for the immediate  
24 preservation of the public peace, health, or safety, or support of the  
25 state government and its existing public institutions, and shall take  
26 effect immediately.

Passed the House April 19, 1995.

Passed the Senate April 13, 1995.

Approved by the Governor May 11, 1995.

Filed in Office of Secretary of State May 11, 1995.