

2 **ESSB 5972** - H AMD TO TR COMM AMD (H-2572.1/93) **000452 LOST 4-15-93**  
3 By Representatives Pruitt, Dunshee, and Wolfe

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5 On page 27, after line 18, insert the following:

6 "Sec. 62. 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 outdoor recreation account  
19 such of the moneys in the marine fuel tax refund account that are not  
20 required for payment of the refund claims or costs, and the state  
21 treasurer shall make the transfer.

22 **Sec. 63.** RCW 46.09.170 and 1990 c 42 s 115 are each amended to  
23 read 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  
19 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 account to be  
28 administered by the committee for planning, acquisition, development,  
29 maintenance, and management of ORV recreation facilities and nonhighway  
30 road recreation facilities; ORV user education and information; and ORV  
31 law enforcement programs. The funds under this subsection shall be  
32 expended in accordance with the following limitations:

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

35 (ii) Not less than an amount equal to the funds received by the  
36 interagency committee for outdoor recreation under RCW 46.09.110 and  
37 not more than sixty percent may be expended for ORV recreation  
38 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. 64.** RCW 46.10.170 and 1990 c 42 s 117 are each amended to  
8 read as follows:

9 From time to time, but at least once each biennium, the department  
10 shall determine the amount or proportion of moneys paid to it as motor  
11 vehicle fuel tax, (~~based on the tax rate in effect January 1, 1990,~~)  
12 which is tax on snowmobile fuel. Such determination may be made in any  
13 manner which is, in the judgment of the director, reasonable, but the  
14 manner used to make such determination shall be reported at the end of  
15 each biennium to the legislature. To offset the actual cost of making  
16 such determination the treasurer shall retain in, and the department is  
17 authorized to expend from, the motor vehicle fund a sum equal to such  
18 actual cost."

19 Renumber the remaining section consecutively.

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21 By Representative Pruitt

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23 On page 27, line 19, after "**62.**" insert "(1)"

24 On page 27, line 22, after "immediately." insert the following:

25 "(2) Sections 62 through 64 of this act are necessary for the  
26 immediate preservation of the public peace, health, or safety, or  
27 support of the state government and its existing public institutions,  
28 and shall take effect July 1, 1993."

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