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HOUSE BILL 2727

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State of Washington                      59th Legislature                      2006 Regular Session

By Representatives Kristiansen, Blake, Shabro, Hinkle, Condotta, B. Sullivan and McDonald

Read first time 01/12/2006.            Referred to Committee on Natural Resources, Ecology & Parks.

1            AN ACT Relating to eligibility for nonhighway and off-road vehicle  
2 activities program account grant funding; and amending RCW 46.09.170.

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

4            **Sec. 1.** RCW 46.09.170 and 2004 c 105 s 6 are each amended to read  
5 as follows:

6            (1) From time to time, but at least once each year, the state  
7 treasurer shall refund from the motor vehicle fund one percent of the  
8 motor vehicle fuel tax revenues collected under chapter 82.36 RCW,  
9 based on a tax rate of: (a) Nineteen cents per gallon of motor vehicle  
10 fuel from July 1, 2003, through June 30, 2005; (b) twenty cents per  
11 gallon of motor vehicle fuel from July 1, 2005, through June 30, 2007;  
12 (c) twenty-one cents per gallon of motor vehicle fuel from July 1,  
13 2007, through June 30, 2009; (d) twenty-two cents per gallon of motor  
14 vehicle fuel from July 1, 2009, through June 30, 2011; and (e) twenty-  
15 three cents per gallon of motor vehicle fuel beginning July 1, 2011,  
16 and thereafter, less proper deductions for refunds and costs of  
17 collection as provided in RCW 46.68.090.

18            (2) The treasurer shall place these funds in the general fund as  
19 follows:

1 (a) Thirty-six percent shall be credited to the ORV and nonhighway  
2 vehicle account and administered by the department of natural resources  
3 solely for acquisition, planning, development, maintenance, and  
4 management of ORV, nonmotorized, and nonhighway road recreation  
5 facilities, and information programs and maintenance of nonhighway  
6 roads;

7 (b) Three and one-half percent shall be credited to the ORV and  
8 nonhighway vehicle account and administered by the department of fish  
9 and wildlife solely for the acquisition, planning, development,  
10 maintenance, and management of ORV, nonmotorized, and nonhighway road  
11 recreation facilities and the maintenance of nonhighway roads;

12 (c) Two percent shall be credited to the ORV and nonhighway vehicle  
13 account and administered by the parks and recreation commission solely  
14 for the acquisition, planning, development, maintenance, and management  
15 of ORV, nonmotorized, and nonhighway road recreation facilities; and

16 (d) Fifty-eight and one-half percent shall be credited to the  
17 nonhighway and off-road vehicle activities program account to be  
18 administered by the committee for planning, acquisition, development,  
19 maintenance, and management of ORV, nonmotorized, and nonhighway road  
20 recreation facilities and for education, information, and law  
21 enforcement programs. The funds under this subsection shall be  
22 expended in accordance with the following limitations:

23 (i) Not more than thirty percent may be expended for education,  
24 information, and law enforcement programs under this chapter;

25 (ii) Not less than seventy percent may be expended for ORV,  
26 nonmotorized, and nonhighway road recreation facilities. Except as  
27 provided in (d)(iii) of this subsection, of this amount:

28 (A) Not less than thirty percent, together with the funds the  
29 committee receives under RCW 46.09.110, may be expended for ORV  
30 recreation facilities;

31 (B) Not less than thirty percent may be expended for nonmotorized  
32 recreation facilities. Funds expended under this subsection  
33 (2)(d)(ii)(B) shall be known as Ira Spring outdoor recreation  
34 facilities funds; and

35 (C) Not less than thirty percent may be expended for nonhighway  
36 road recreation facilities;

37 (iii) The committee may waive the minimum percentage cited in  
38 (d)(ii) of this subsection due to insufficient requests for funds or

1 projects that score low in the committee's project evaluation. Funds  
2 remaining after such a waiver must be allocated in accordance with  
3 committee policy;

4 (iv) The committee may not award grants to any federal public land  
5 management agency in (d)(ii) of this subsection if the grant applicant  
6 does not have an ORV management plan that designates areas allowing ORV  
7 use.

8 (3) On a yearly basis an agency may not, except as provided in RCW  
9 46.09.110, expend more than ten percent of the funds it receives under  
10 this chapter for general administration expenses incurred in carrying  
11 out this chapter.

12 ~~((4) During the 2003-05 fiscal biennium, the legislature may~~  
13 ~~appropriate such amounts as reflect the excess fund balance in the NOVA~~  
14 ~~account to the interagency committee for outdoor recreation, the~~  
15 ~~department of natural resources, the department of fish and wildlife,~~  
16 ~~and the state parks and recreation commission. This appropriation is~~  
17 ~~not required to follow the specific distribution specified in~~  
18 ~~subsection (2) of this section.))~~

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