

Emergency.

SEC. 2. This act is necessary for the immediate support of the state government and shall take effect immediately.

Passed the Senate January 25, 1965.

Passed the House January 26, 1965.

Approved by the Governor January 27, 1965.

CHAPTER 5.

[Initiative Measure No. 215.]

MARINE RECREATION LAND ACT.

AN ACT providing for the use of monies, derived from existing motor vehicle fuel taxes paid by purchasers of fuel used in watercraft and not reclaimed by them as presently allowed by law, for the acquisition or improvement of land on fresh or salt water for marine recreational purposes. The act provides methods for determining the proportion of motor vehicle fuel tax paid for marine fuel, and it provides for distributing the unreclaimed monies one-half to the state and one-half to local government units. The act also creates a committee for outdoor recreation and makes appropriations.

Be it enacted by the People of the State of Washington:

Marine Recreation Land Act. Purpose.

SECTION 1. Washington is uniquely endowed with fresh and salt waters rich in scenic and recreational value. This outdoor heritage enriches the lives of citizens, attracts new residents and businesses to the state, and is a major support of its expanding tourist industry. Rising population, increased income and leisure time, and the rapid growth of boating and other water sports have greatly increased the demand for water related recreation, while waterfront land is rapidly rising in value and disappearing from public use. There is consequently an urgent need for the acquisition or improvement of waterfront land on fresh and salt water suitable for marine recreational use by Wash-

ington residents and visitors. To meet this need, it is necessary and proper that the portion of motor vehicle fuel taxes paid by boat owners and operators on fuel consumed in their watercraft and not reclaimed as presently provided by law should be expended for the acquisition or improvement of marine recreation land on the Pacific Ocean, Puget Sound, bays, lakes, rivers, reservoirs and other fresh and salt waters of the state.

SEC. 2. Definitions: As used in this act:

Definitions.

(a) "Marine recreation land" means any land with or without improvements which (1) provides access to, or in whole or in part borders on, fresh or salt water suitable for recreational use by watercraft, or (2) may be used to create, add to, or make more usable, bodies of water, waterways, or land, for recreational use by watercraft.

(b) "Public body" means any county, city, town, port district, park and recreation district, metropolitan park district, or other municipal corporation which is authorized to acquire or improve public outdoor recreation land.

(c) "Tax on marine fuel" means motor vehicle fuel tax which is (1) tax on fuel used in, or sold or distributed for use in, any watercraft, (2) refundable pursuant to chapter 82.36 RCW, and (3) paid to the director of licenses with respect to taxable sales, distributions, or uses occurring on or after the effective date of this act.

(d) "Watercraft" means any boat, vessel, or other craft used for navigation on or through water.

(e) "Committee" means the interagency committee for outdoor recreation.

SEC. 3. From time to time, but at least once each biennium, the director of licenses shall determine the amount or proportion of monies paid to him as motor vehicle fuel tax which is tax on marine fuel. The

Determining
tax paid on
marine fuel—
Fund to pay
cost of.

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director shall make or authorize the making of studies, surveys, or investigations to assist him in making such determination, and shall hold one or more public hearings on the findings of such studies, surveys, or investigations prior to making his determination. The director may delegate his duties and authority under this section to one or more persons of the department of licenses if he finds such delegation necessary and proper to the efficient performance of these duties. Except as provided in section 16, costs of carrying out the provisions of this section shall be paid from the marine fuel tax refund account created in section 4.

Marine fuel tax refund account. Created—Monies credited to.

SEC. 4. There is created the marine fuel tax refund account in the general fund. From time to time, but at least once each biennium, the director of licenses shall request the state treasurer to refund from the motor vehicle fund amounts which have been determined to be tax on marine fuel. The state treasurer shall refund such amounts and place them in the marine fuel tax refund account to be held for those entitled thereto pursuant to chapter 82.36 RCW and section 5 of this act, except that he shall not refund and place in the marine fuel tax refund account for any period for which a determination has been made pursuant to section 3 more than the greater of the following amounts: (a) an amount equal to 2% of all monies paid to him as motor vehicle fuel tax for such period, (b) an amount necessary to meet all approved claims for refund of tax on marine fuel for such period.

—Claims paid from.

SEC. 5. Claims submitted pursuant to chapter 82.36 RCW for refund of tax on marine fuel which has been placed in the marine fuel tax refund account shall, if approved, be paid from that account.

Outdoor recreation account.

SEC. 6. There is created the outdoor recreation account in the general fund, in which shall be depos-

ited all monies received from the marine fuel tax refund account pursuant to section 7 of this act, the proceeds of the bond issue authorized by chapter 12, Laws of 1963, Extraordinary Session, and any monies made available to the State of Washington by the federal government for outdoor recreation not specifically designated for another fund or agency.

Created—
Monies
credited to.

SEC. 7. Upon expiration of the time limited by RCW 82.36.330 for claiming of refunds of tax on marine fuel, the State of Washington shall succeed to the right to such refunds. From time to time, but at least once each biennium, the director of licenses, after taking into account past and anticipated claims for refunds from and deposits to the marine fuel tax refund account and the costs of carrying out the provisions of section 3, shall request the state treasurer to transfer to the outdoor recreation account such of the monies in the marine fuel tax refund account as shall not be required for payment of such refund claims or costs, and the state treasurer shall make such transfer.

State succeeds
to right to
refunds—
Transfers
between
accounts.

SEC. 8. Monies transferred to the outdoor recreation account from the marine fuel tax refund account shall be divided into two equal shares and shall be used to benefit watercraft recreation in this state as follows:

Outdoor recre-
ation account
monies, dispo-
sition of—
Limitations.

(a) One share by the state for (1) acquisition of title to, or any interest or rights in, marine recreation land, (2) capital improvement of marine recreation land, or (3) matching funds in any case where federal or other funds are made available on a matching basis for purposes described in (1) or (2);

(b) One share as grants to public bodies to help finance (1) acquisition of title to, or any interests or rights in, marine recreation land, or (2) capital improvement of marine recreation land. The total granted for any project shall not exceed forty per-

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cent of the cost of the project. A public body is authorized to use a grant, together with its own contribution, as matching funds in any case where federal or other funds are made available for purposes described in (1) or (2). The committee may prescribe further terms and conditions for the making of grants in order to carry out the purposes of this act.

—Capital improvement limitation.

SEC. 9. Not more than twenty percent of the monies transferred to the outdoor recreation account from the marine fuel tax refund account shall be used for capital improvement of marine recreation land.

Marine recreation land, limitation on conversion of.

SEC. 10. Marine recreation land with respect to which money has been expended under section 8 of this act shall not, without the approval of the committee, be converted to uses other than those for which such expenditure was originally approved. The committee shall only approve any such conversion upon conditions which will assure the substitution of other marine recreation land of at least equal fair market value at the time of conversion and of as nearly as feasible equivalent usefulness and location.

Interagency committee for outdoor recreation. Created —Members, terms, expenses.

SEC. 11. There is created the interagency committee for outdoor recreation consisting of the commissioner of public lands, the director of parks and recreation, the director of game, the director of fisheries, the director of highways, and the director of commerce and economic development, and, by appointment of the governor, five members from the public at large who have a demonstrated interest in and a general knowledge of outdoor recreation in the state. The terms of members appointed from the public at large shall commence on January 1 of the year of appointment and shall be for three years except in the case of appointments to fill vacancies

which shall be for the remainder of the unexpired term; provided, the first such members shall be appointed for terms as follows: One member for one year, two members for two years, and two members for three years. The governor shall appoint one of the members from the public at large to serve as chairman of the committee for the duration of the member's term. Members employed by the state shall serve without additional pay and participation in the work of the committee shall be deemed performance of their employment. Members from the public at large shall serve without pay, but shall be entitled to reimbursement individually for necessary travel and other expenses incurred in performance of their duties as members of the committee on the same basis as is provided by law for state officials and employees generally.

Sec. 12. Any public body or any agency of state government authorized to acquire or improve public outdoor recreation land which desires funds from the outdoor recreation account shall submit to the committee a six-year plan for developing outdoor recreation facilities within its authority and detailed plans for the projects sought to be financed from the outdoor recreation account, including estimated cost and such other information as the committee may require. The committee shall analyze all proposed plans and projects, and, except as provided in section 14, shall recommend to the governor for inclusion in the budget such projects as it may approve and find to be consistent with an orderly plan for the acquisition and improvement of outdoor recreation lands in the state.

Plans for outdoor facilities
—Committee recommendations on.

SEC. 13. When requested by the committee, members employed by the state shall furnish assistance to the committee from their departments for the analysis and review of proposed plans and projects,

State departments to assist committee.

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and such assistance shall be a proper charge against the appropriations to the several agencies represented on the committee.

Appropriation—Limitation on use.

SEC. 14. There is appropriated to the committee from the outdoor recreation account for the period from the effective date of this act through June 30, 1967, the sum of \$4,600,000, consisting of the following sums and for the following purposes:

(a) \$2,000,000 from the funds realized from the sale of the bonds authorized by chapter 12, Laws of 1963, Extraordinary Session, for the purposes set forth therein;

(b) \$1,300,000 from the state share of the monies transferred to the outdoor recreation account from the marine fuel tax refund account, for the purposes set forth for that share in section 8 (a) of this act;

(c) \$1,300,000 from the share of the monies transferred to the outdoor recreation account from the marine fuel tax refund account designated for grants to public bodies, for the purposes set forth for that share in section 8 (b) of this act.

Not more than twenty percent of the total of all monies expended pursuant to (b) and (c) above shall be used for capital improvement of marine recreation land. To carry out the purposes of this act and chapter 12, Laws of 1963, Extraordinary Session, the committee is authorized to allocate funds from this appropriation for projects which it approves and finds to be consistent with an orderly plan for the acquisition and improvement of outdoor recreation lands in the state. State agencies receiving such allocations from the committee may disburse funds for approved projects without further appropriation and the committee may disburse matching grants to public bodies without further appropriation.

SEC. 15. The 1967 and subsequent legislatures shall appropriate funds requested in the budget for state agencies from the outdoor recreation account directly to the state agencies which are to expend such funds, and shall appropriate funds requested in the budget for grants to public bodies from the outdoor recreation account to the committee for allocation and disbursement. Direction to legislature.

SEC. 16. For the period from the effective date of this act through June 30, 1967, there is appropriated to the director of licenses from the general fund the sum of \$50,000 for the purpose of carrying out the provisions of section 3 of this act. Expenditures from this appropriation shall be repaid to the general fund at the direction of the budget director from monies in the marine fuel tax refund account without further appropriation. Appropriation.

SEC. 17. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected. Severability.

SEC. 18. This act shall be known and may be cited as the Marine Recreation Land Act of 1964. Short title.

Filed in the office of the Secretary of State January 3, 1964.

Passed by the vote of the people November 3, 1964 at the state general election.

Proclamation signed by the Governor December 3, 1964 declaring measure effective law.

CHAPTER 6.

[House Bill No. 196.]

LEGISLATIVE REAPPORTIONMENT AND REDISTRICTING.

AN ACT relating to the legislature; providing for the redistricting and reapportionment thereof; repealing chapter 5, Laws of 1957, chapter 289, Laws of 1957, and chapter 44.06 RCW; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

Legislature—Redistricting of. Number of districts—Precincts, streets and other boundaries.

SECTION 1. For election of members of the legislature, the territory of the state shall be divided into fifty-six legislative districts and forty-nine senatorial districts described in sections 2 through 50 of this act. Precincts, streets, and all other boundaries referred to in this act for purposes of defining the territory of the legislative districts are those precincts, streets, and boundaries as they existed on November 3, 1964. Streets referred to in this act also refer to street rights-of-way as described in the records of the various counties' engineers and to the logical extension or projection of existing streets.

First legislative district.

SEC. 2. First legislative district—the area in the county of King that is encompassed by the following boundaries: Beginning at the intersection of the King-Snohomish county line and 124th Ave. N.E., proceed south along 124th Ave. N.E., east along N.E. 145th St., south along 140th Ave. N.E., west along N.E. 90th St., north along 116th Ave. N.E., generally west along the northern city limits of the city of Kirkland, north along 98th Ave. N.E., west along N.E. 112th St., generally northwest through Lake Washington, west along N.E. 145th St. and N. 145th St., north along Aurora Ave. N., west along N. 165th St. and N.W. 165th St., north along 8th Ave. N.W., east along N.W. 185th St. and N. 185th St., north along