

be conclusive that the same is of special benefit to the lands within the district.

(2) In addition, the board of county commissioners may appropriate money from the county general fund necessary for the administration of the county noxious weed control program. In addition the board of county commissioners may make emergency appropriations as it deems necessary for the implementation of this chapter.

NEW SECTION. Sec. 5. There is added to chapter 17.10 RCW a new section to read as follows:

Each noxious weed control board may purchase liability insurance with such limits as they may deem reasonable for the purpose of protecting their officials and employees against liability for personal or bodily injuries and property damage arising from their acts or omissions while performing or in good faith purporting to perform their official duties.

Passed the House January 28, 1974.
Passed the Senate February 5, 1974.
Approved by the Governor February 13, 1974, with the exception of Section 4 which is vetoed.
Filed in Office of Secretary of State February 26, 1974.
Note: Governor's explanation of partial veto is as follows:
"I am returning herewith without my approval as to one section House Bill No. 1373 entitled:

"AN ACT Relating to noxious weeds." Veto Message

Section 4 of the bill, by obvious legislative oversight, merely restates RCW 17.10.240 as it presently reads, and contains no amendatory changes. If approved, needless time and expense would be incurred by the Code Reviser to insert the section as re-enacted into the Revised Code of Washington. For this reason, I have determined to veto section 4.

The remainder of House Bill No. 1373 is approved."

CHAPTER 144
[House Bill No. 1423]
MOTOR VEHICLE FUEL EXCISE TAXES—
ALL-TERRAIN VEHICLES

AN ACT Relating to motor vehicle fuel excise taxes; amending section 20, chapter 47, Laws of 1971 ex. sess. as amended by section 13, chapter 153, Laws of 1972 ex. sess. and RCW 46.09.150; amending section 21, chapter 47, Laws of 1971 ex. sess. as amended by section 14, chapter 153, Laws of 1972 ex. sess. and RCW 46.09.160; and amending section 22, chapter 47, Laws of 1971 ex. sess. as amended by section 15, chapter 153, Laws of 1972 ex. sess. and RCW 46.09.170.

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

Section 1. Section 20, chapter 47, Laws of 1971 ex. sess. as amended by section 13, chapter 153, Laws of 1972 ex. sess. and RCW 46.09.150 are each amended to read as follows:

Motor vehicle fuel excise taxes paid on fuel used and purchased for providing the motive power for all-terrain vehicles shall ~~((be considered a nonhighway use of fuel, and for purposes of this chapter shall be known as APV fuel. Persons purchasing and using APV fuel shall not be entitled to a refund of the motor vehicle fuel excise tax paid))~~ not be refundable in accordance with the provisions of RCW 82.36.280 as it now exists or is hereafter amended.

Sec. 2. Section 21, chapter 47, Laws of 1971 ex. sess. as amended by section 14, chapter 153, Laws of 1972 ex. sess. and RCW 46.09.160 are each amended to read as follows:

From time to time, but at least once each four years the department shall determine the amount or proportion of moneys paid to it as motor vehicle fuel tax which is taxed on ~~((all-terrain vehicle))~~ fuel used and purchased for providing the motive power for all-terrain vehicles. Such determination may be made in any manner which is, in the judgment of the director, reasonable, but the manner used to make such determination shall be reported at the end of each four-year period to the legislature. To offset the cost of making such determination the treasurer shall retain in, and the department is authorized to expend from, the motor vehicle fund, the sum of twenty thousand dollars in the first biennium after August 9, 1971, and ten thousand dollars in each succeeding biennium in which such a determination is to be made.

Sec. 3. Section 22, chapter 47, Laws of 1971 ex. sess. as amended by section 15, chapter 153, Laws of 1972 ex. sess. and RCW 46.09.170 are each amended to read as follows:

From time to time, but at least once each biennium, the director of the department of motor vehicles shall request the state treasurer to refund from the motor vehicle fund amounts which have been determined to be ~~((a tax on all terrain vehicle fuel in an amount not to exceed one million dollars for the 1974-73 biennium, and))~~ the tax on fuel used and purchased for providing the motive power for all-terrain vehicles, but which shall in no event exceed one percent of the motor vehicle fuel tax revenues collected pursuant to chapter 82.36 RCW for the balance of the 1973-75 biennium, less proper deductions for refunds and costs of collection as provided in RCW 46.68.090. The treasurer shall refund ~~((such amounts))~~ such amounts and place ~~((them))~~ such amounts in the outdoor recreation account of the general fund to be administered by the interagency committee for outdoor recreation, and such amounts shall be distributed to departments of state government, to counties, and to municipalities

on a basis determined by the amount of present or proposed ATV trails or areas on which they permit ATV use. Such distribution shall be reviewed and may be revised by the committee at least once each biennium. These moneys shall be expended by each agency only for all-terrain vehicle trail and area related expenses.

Passed the House February 13, 1974.
Passed the Senate February 12, 1974.
Approved by the Governor February 19, 1974, with the exception of a certain item which was vetoed.
Filed in Office of Secretary of State February 26, 1974.
Note: Governor's explanation of partial veto is as follows:
"I am returning herewith without my approval as to a certain item House Bill No. 1423 entitled:
"AN ACT Relating to motor vehicle fuel excise taxes."
Veto
Message

It is my understanding that the amendatory language of Section 3 was proposed to amend RCW 46.09.170, which limited the amount of motor vehicle fuel tax collections attributable to all-terrain vehicles refundable to other state agencies for development of ATV road and trails to one million dollars for the 1971-73 biennium. As amended, it would provide that the limit be changed to 1% of motor vehicle fuel tax revenues for the 1973-75 biennium. That language, however, includes an item which, contrary to the intent of its proponents, would limit the refunds to 1% of motor vehicle fuel tax revenues solely for the balance of the 1973-75 biennium from and after the effective date of the bill. In order to restore the original legislative intent of the section, I have determined to veto the referenced item.

With the exception of the foregoing item which I have vetoed, the remainder of House Bill No. 1423 is approved."

CHAPTER 145

[Substitute House Bill No. 1525]

CIVIL COMMITMENT

AN ACT Relating to civil commitment; amending section 71.05.560, Laws of 1959 as amended by section 1, chapter 142, Laws of 1973 1st ex. sess. and RCW 71.12.560; amending section 72.23.010, chapter 28, Laws of 1959 as amended by section 3, chapter 142, Laws of 1973 1st ex. sess. and RCW 72.23.010; amending section 72.23.070, chapter 28, Laws of 1959 as last amended by section 1, chapter 24, Laws of 1973 2nd ex. sess. and RCW 72.23.070; amending section 8, chapter 142, Laws of 1973 1st ex. sess. as amended by section 2, chapter 24, Laws of 1973 2nd ex. sess. and RCW 71.05.030; amending section 9, chapter 142, Laws of 1973 1st ex. sess. and RCW 71.05.040; amending section 10, chapter 142, Laws of 1973 1st ex. sess. and RCW 71.05.050; amending section 17, chapter 142, Laws of 1973 1st ex. sess. as amended by section 5, chapter 24, Laws of 1973 2nd ex. sess. and RCW 71.05.120; amending section 20, chapter 142,