

# Initiative Measure No. 215

\*OFFICIAL BALLOT TITLE

## 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.

\* Ballot Title Issued by John J. O'Connell, Attorney General.

## STATEMENT FOR

# INITIATIVE 215 IS FOR ALL OF US *Our children...and the prosperity of our state*

Washington's unique heritage of fresh and salt waters is an outdoor resource important to our residents and our tourist industry. Population is booming, public access to our waters is shrinking, and the price of waterfront land is soaring. Many a fisherman's favorite stream, many a family's favorite picnic spot or beach is already gone. Boaters already find long lines at launching sites and moorages.

**INITIATIVE 215 WILL SAVE WATERFRONT LAND FOR ALL OF US THROUGHOUT THE STATE**—on our bays, reservoirs, lakes and rivers, the Pacific Ocean and Puget Sound. State and local governments will share the funds. This state action will bring millions of additional dollars for Washington from the federal Land and Water Conservation Fund.

**INITIATIVE 215 ADDS NO NEW TAXES**, and the right of boaters (both recreational and commercial) to buy fuel "ex tax" or claim refunds will not be affected.

**HIGHWAY, OUTDOOR, CIVIC, EDUCATION, FARM, LABOR, BUSINESS AND GOVERNMENT GROUPS SUPPORT THIS FAIR USE OF NON-HIGHWAY FUEL TAXES.** Unreclaimed boat gas taxes (about \$1.3 million per year—a very small part of the highway fund) will be used to benefit those who pay the tax. The Automobile Club of Washington, boating, sportsmen's, school, outdoor, conservation, women's, labor, Grange, business and government organizations support this fair principle.

**SAVE OUR OUTDOOR HERITAGE...NO NEW TAXES**

## VOTE FOR INITIATIVE 215



PHOTO BY BOB AND IRA SPRING

COMMITTEE APPOINTED TO COMPOSE STATEMENT FOR INITIATIVE MEASURE NO. 215

LOU MARTIN, President  
Northwestern Boating Council  
718 North Cushman, Tacoma

MARVIN B. DURNING, Chairman  
Citizens for Outdoor Recreation  
1411 4th Avenue Building, Seattle

MRS. HAROLD E. GOODY, President  
Washington State Federation of Garden Clubs  
515 Old National Bank Building, Spokane

### ADVISORY COMMITTEE

JOE DAVIS, President  
Washington State Labor Council, AFL-CIO

DR. DONALD FAGER, Washington Vice-President  
Federation of Western Outdoor Clubs

ROBERT G. PETTIE, President  
Washington State Sportsmen's Council, Inc.

MRS. JEROME FREIBERG, President  
Washington Congress of Parents and Teachers, Inc.

HARTNEY OAKES, President  
Puget Sound Interclub Association

**EXPLANATORY COMMENT ISSUED BY THE ATTORNEY GENERAL AS REQUIRED BY LAW**

**The Law As It Now Exists:**

The state collects a tax of 7½ cents per gallon on motor vehicle fuel sold or used in this state. A person who uses the fuel in a boat may (after obtaining a permit) buy fuel from marine dealers without paying the tax, or he may pay the tax and have it refunded by filing a claim. Proceeds of the motor vehicle fuel tax, including taxes paid by boaters and not reclaimed, are used for highway purposes.

The federal government recently enacted the land and water conservation act, which provides for grants of federal money to match state expenditures for acquiring or developing outdoor recreation land.

**Effect of Initiative Measure No. 215 If Approved Into Law:**

Initiative No. 215, if approved, will provide that the unclaimed taxes paid on fuel used in boats be set aside to buy or improve marine recreation land—land bordering on or providing access to fresh or salt water suitable for recreational use by watercraft. Half of this money will be available for the use of state agencies and the other half will be granted on a matching basis to local governmental bodies. The money may be used to qualify for federal matching grants.

The amount of motor vehicle fuel taxes paid on fuel used in boats will be determined by the director of licenses after conducting surveys and holding public hearings. This amount, which may not exceed 2% of all taxes collected on motor vehicle fuel, will be removed from the highway fund. Boaters' claims for refunds will be paid from the money transferred, and the remainder will be used to buy or improve marine recreation land.

The act will create an interagency committee for outdoor recreation, consisting of the directors of several state departments, and five members of the public who will serve without pay. The committee will analyze proposals by state and local agencies for the acquisition and improvement of outdoor recreation lands. For the period ending June 30, 1967, the committee will distribute the funds appropriated by this act. For the period after that date the committee will recommend projects to the governor for inclusion in the budget.

This act will appropriate \$2,600,000 for marine recreation projects, to be distributed as indicated above. If Referendum Bill No. 11 is approved by the voters, then \$2,000,000 of the money raised by that act will be appropriated for the acquisition of outdoor recreational land.

NOTE: Complete text of Initiative Measure No. 215 starts on Page 18.

**STATEMENT AGAINST**

Proponents for this Initiative have fallaciously attempted to convey the impression that "unclaimed refunds" will pay the cost of this program and that no new taxes will be required. The road building agencies of the state have automatically received these monies in the past. Road money for the counties, cities and the state will be cut approximately \$3,000,000 per biennium.

The Act, if passed, will take away from the Legislature the job of approving expenditures for Parks and entrust approval to an Interagency Board. The Legislature has always guarded its rights to approve capital expenditure.

The Act will limit the amount to be spent on improvements to 20% of the total, leaving 80% to be used for the acquisition of land. **We don't need more land.** The State and Federal Government own approximately 20,000,000 acres of forest, park and ocean front lands now. To purchase more with already scarce tax dollars will reduce the acres now paying taxes.

The 1963 Legislature refused to pass a bill similar to this proposed Act. It had to reappropriate approximately half of the money which had been appropriated for the Park Department in 1961 because of the difficulty in getting the design and construction completed.

Defeat this Initiative and save an additional tax load being forced upon the State's Citizens. **VOTE AGAINST INITIATIVE MEASURE NO. 215.**

COMMITTEE APPOINTED TO COMPOSE STATEMENT **AGAINST** INITIATIVE MEASURE NO. 215

SAM C. GUESS  
State Senator  
W. 408 33rd, Spokane

ALFRED O. ADAMS  
State Representative  
W. 909 Melinda Lane, Spokane

MIKE E. ODELL  
State Representative  
E. 13016 Blosssey, Spokane

## COMPLETE TEXT OF

# Initiative Measure No. 215

\*OFFICIAL BALLOT TITLE

### 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 governmental units. The act also creates a committee for outdoor recreation and makes appropriations.

\* Ballot Title issued by John J. O'Connell, Attorney General.

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

**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 Washington 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.

**SECTION 2.** Definitions: As used in this act:

- (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.

**SECTION 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 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.

**SECTION 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.

**SECTION 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.

**SECTION 6.** There is created the outdoor recreation account in the general fund, in which shall be deposited 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.

**SECTION 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.

**SECTION 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:

- (a) One share by the state for (1) acquisition of title to, or any interests 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 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.

**SECTION 9.** Not more than twenty per cent 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.

**SECTION 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.

**SECTION 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.

**SECTION 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.

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

**SECTION 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 per cent 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.

**SECTION 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.

**SECTION 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.

**SECTION 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.

**SECTION 18.** This act shall be known and may be cited as the Marine Recreation Land Act of 1964.

Initiative measure filed in the office of the Secretary of State January 3, 1964.

Signature petitions found to be sufficient September 2, 1964, and measure certified to voters for approval or rejection at the November 3, 1964 state general election.

VICTOR A. MEYERS, *Secretary of State.*

**COMPLETE TEXT OF**

*Referendum Bill No. 11*

(Chapter 12, Laws Extraordinary Session, 1963)

**\*OFFICIAL BALLOT TITLE**

**OUTDOOR RECREATION BOND ISSUE**

**AN ACT** Providing for the issuance and sale of state general obligation bonds in an amount not exceeding \$10,000,000 to acquire land and appurtenances for outdoor public recreational use, and providing that one-half of the proceeds from existing corporation fees collected by the state be deposited in a fund for payment of principal and interest on the bonds, subject to existing charges on such proceeds.

\* Ballot Title issued by John J. O'Connell, Attorney General.

**LEGISLATIVE TITLE**  
**(House Bill No. 6)**

**OUTDOOR RECREATIONAL FACILITIES—BONDS—  
CORPORATION FEES**

**AN ACT** Providing funds for the development of outdoor recreational facilities in the state; authorizing the issuance and sale of state general obligation bonds; providing ways and means to pay said bonds;

amending section 13, chapter 174, Laws of 1957 and RCW 43.31.620; amending section 14, chapter 152, Laws of 1961 and RCW 43.31.740; providing for the submission of this act to a vote of the people; and declaring an emergency.

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

**NEW SECTION.** Section 1. For the purpose of providing funds for the development of outdoor recreational facilities in the state, the state finance committee is hereby