

Justices consider lawsuit challenging tribal gas tax

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OLYMPIA — Justices will have to come to a decision on a case challenging the state's payment of more than \$30 million a year in gas tax proceeds to Indian tribes.

State Supreme Court justices on Tuesday considered both sides of a lawsuit filed by nontribal gas station owners against the state.

The Legislature authorized governors to sign agreements with Indian tribes on gas taxes, which over the decade have provided tribes refunds equal to 75 percent of the tax on fuel bought by tribal gas stations.

State Assistant Attorney General Rene Tomisser said the compacts benefit the state by providing incentive against a tribe becoming a fuel supplier.

An attorney for the gas stations said the state doesn't enforce the requirements of tribes to spend the gas tax money as they should.

— *The Associated Press*