

2 SSB 6608 - S AMD
3 By Senator Rinehart

4 ADOPTED 3/10/94

5 Strike everything after the enacting clause and insert the
6 following:

7 "Sec. 1. RCW 82.04.030 and 1963 ex.s. c 28 s 1 are each amended to
8 read as follows:

9 "Person" or "company", herein used interchangeably, means any
10 individual, receiver, administrator, executor, assignee, trustee in
11 bankruptcy, trust, estate, firm, copartnership, joint venture, club,
12 company, joint stock company, business trust, municipal corporation,
13 political subdivision of the state of Washington, corporation,
14 association, society, or any group of individuals acting as a unit,
15 whether mutual, cooperative, fraternal, nonprofit, or otherwise and the
16 United States or any instrumentality thereof. The term shall also
17 include the state and its departments and institutions with respect to
18 the gross income of the business derived from the operation of a
19 hospital, as defined in chapter 70.41 RCW.

20 **Sec. 2.** RCW 82.04.260 and 1993 sp.s. c 25 s 104 are each amended
21 to read as follows:

22 (1) Upon every person engaging within this state in the business of
23 buying wheat, oats, dry peas, dry beans, lentils, triticale, corn, rye
24 and barley, but not including any manufactured or processed products
25 thereof, and selling the same at wholesale; the tax imposed shall be
26 equal to the gross proceeds derived from such sales multiplied by the
27 rate of 0.011 percent.

28 (2) Upon every person engaging within this state in the business of
29 manufacturing wheat into flour, barley into pearl barley, soybeans into
30 soybean oil, or sunflower seeds into sunflower oil; as to such persons
31 the amount of tax with respect to such business shall be equal to the
32 value of the flour, pearl barley, or oil manufactured, multiplied by
33 the rate of 0.138 percent.

34 (3) Upon every person engaging within this state in the business of
35 splitting or processing dried peas; as to such persons the amount of

1 tax with respect to such business shall be equal to the value of the
2 peas split or processed, multiplied by the rate of 0.275 percent.

3 (4) Upon every person engaging within this state in the business of
4 manufacturing seafood products which remain in a raw, raw frozen, or
5 raw salted state at the completion of the manufacturing by that person;
6 as to such persons the amount of tax with respect to such business
7 shall be equal to the value of the products manufactured, multiplied by
8 the rate of 0.138 percent.

9 (5) Upon every person engaging within this state in the business of
10 manufacturing by canning, preserving, freezing or dehydrating fresh
11 fruits and vegetables; as to such persons the amount of tax with
12 respect to such business shall be equal to the value of the products
13 canned, preserved, frozen or dehydrated multiplied by the rate of 0.33
14 percent.

15 (6) Upon every nonprofit corporation and nonprofit association
16 engaging within this state in research and development, as to such
17 corporations and associations, the amount of tax with respect to such
18 activities shall be equal to the gross income derived from such
19 activities multiplied by the rate of 0.484 percent.

20 (7) Upon every person engaging within this state in the business of
21 slaughtering, breaking and/or processing perishable meat products and/
22 or selling the same at wholesale only and not at retail; as to such
23 persons the tax imposed shall be equal to the gross proceeds derived
24 from such sales multiplied by the rate of 0.138 percent.

25 (8) Upon every person engaging within this state in the business of
26 making sales, at retail or wholesale, of nuclear fuel assemblies
27 manufactured by that person, as to such persons the amount of tax with
28 respect to such business shall be equal to the gross proceeds of sales
29 of the assemblies multiplied by the rate of 0.275 percent.

30 (9) Upon every person engaging within this state in the business of
31 manufacturing nuclear fuel assemblies, as to such persons the amount of
32 tax with respect to such business shall be equal to the value of the
33 products manufactured multiplied by the rate of 0.275 percent.

34 (10) Upon every person engaging within this state in the business
35 of acting as a travel agent; as to such persons the amount of the tax
36 with respect to such activities shall be equal to the gross income
37 derived from such activities multiplied by the rate of 0.275 percent.

38 (11) Upon every person engaging within this state in business as an
39 international steamship agent, international customs house broker,

1 international freight forwarder, vessel and/or cargo charter broker in
2 foreign commerce, and/or international air cargo agent; as to such
3 persons the amount of the tax with respect to only international
4 activities shall be equal to the gross income derived from such
5 activities multiplied by the rate of 0.363 percent.

6 (12) Upon every person engaging within this state in the business
7 of stevedoring and associated activities pertinent to the movement of
8 goods and commodities in waterborne interstate or foreign commerce; as
9 to such persons the amount of tax with respect to such business shall
10 be equal to the gross proceeds derived from such activities multiplied
11 by the rate of 0.363 percent. Persons subject to taxation under this
12 subsection shall be exempt from payment of taxes imposed by chapter
13 82.16 RCW for that portion of their business subject to taxation under
14 this subsection. Stevedoring and associated activities pertinent to
15 the conduct of goods and commodities in waterborne interstate or
16 foreign commerce are defined as all activities of a labor, service or
17 transportation nature whereby cargo may be loaded or unloaded to or
18 from vessels or barges, passing over, onto or under a wharf, pier, or
19 similar structure; cargo may be moved to a warehouse or similar holding
20 or storage yard or area to await further movement in import or export
21 or may move to a consolidation freight station and be stuffed,
22 unstuffed, containerized, separated or otherwise segregated or
23 aggregated for delivery or loaded on any mode of transportation for
24 delivery to its consignee. Specific activities included in this
25 definition are: Wharfage, handling, loading, unloading, moving of
26 cargo to a convenient place of delivery to the consignee or a
27 convenient place for further movement to export mode; documentation
28 services in connection with the receipt, delivery, checking, care,
29 custody and control of cargo required in the transfer of cargo;
30 imported automobile handling prior to delivery to consignee; terminal
31 stevedoring and incidental vessel services, including but not limited
32 to plugging and unplugging refrigerator service to containers,
33 trailers, and other refrigerated cargo receptacles, and securing ship
34 hatch covers.

35 (13) Upon every person engaging within this state in the business
36 of disposing of low-level waste, as defined in RCW 43.145.010; as to
37 such persons the amount of the tax with respect to such business shall
38 be equal to the gross income of the business, excluding any fees

1 imposed under chapter 43.200 RCW, multiplied by the rate of 3.3
2 percent.

3 If the gross income of the taxpayer is attributable to activities
4 both within and without this state, the gross income attributable to
5 this state shall be determined in accordance with the methods of
6 apportionment required under RCW 82.04.460.

7 (14) Upon every person engaging within this state as an insurance
8 agent, insurance broker, or insurance solicitor licensed under chapter
9 48.17 RCW; as to such persons, the amount of the tax with respect to
10 such licensed activities shall be equal to the gross income of such
11 business multiplied by the rate of 1.1 percent.

12 (15) Upon every person engaging within this state in business as a
13 hospital, as defined in chapter 70.41 RCW, (~~that is operated as a~~
14 ~~nonprofit corporation or by the state or any of its political~~
15 ~~subdivisions,~~) as to such persons, the amount of tax with respect to
16 such activities shall be equal to the gross income of the business
17 multiplied by the rate of (~~0.75 percent through June 30, 1995, and~~)
18 1.5 percent (~~thereafter~~). The moneys collected under this subsection
19 shall be deposited in the health services account created under RCW
20 43.72.900.

21 **Sec. 3.** RCW 82.04.4297 and 1988 c 67 s 1 are each amended to read
22 as follows:

23 In computing tax there may be deducted from the measure of tax
24 amounts received from the United States or any instrumentality thereof
25 or from the state of Washington or any municipal corporation or
26 political subdivision thereof as compensation for, or to support,
27 health or social welfare services rendered by a health or social
28 welfare organization or by a municipal corporation or political
29 subdivision, except deductions are not allowed under this section for
30 amounts that are received under an employee benefit plan or amounts
31 that are received by a person with respect to the operation of a
32 hospital, as defined in chapter 70.41 RCW.

33 NEW SECTION. **Sec. 4.** This act shall take effect July 1, 1995,
34 except that if a court in a permanent injunction, permanent order, or
35 final decision determines that any part of this act must be submitted
36 to the people for their adoption and ratification, or rejection, as a

1 result of section 13, chapter 2, Laws of 1994, this act shall be null
2 and void."

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6 On page 1, line 3 of the title, after "services;" strike the
7 remainder of the title and insert "amending RCW 82.04.030, 82.04.260,
8 and 82.04.4297; and providing an effective date."

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