

2 **HB 1042** - H AMD 1034 ADOPTED 3/3/98

3 By Representative Dyer

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

7 "Sec. 1. RCW 82.04.120 and 1997 c 384 s 1 are each amended to read
8 as follows:

9 "To manufacture" embraces all activities of a commercial or
10 industrial nature wherein labor or skill is applied, by hand or
11 machinery, to materials so that as a result thereof a new, different or
12 useful substance or article of tangible personal property is produced
13 for sale or commercial or industrial use, and shall include: (1) The
14 production or fabrication of special made or custom made articles; and
15 (2) the production or fabrication of dental appliances, devices,
16 restorations, substitutes, or other dental laboratory products by a
17 dental laboratory or dental technician.

18 "To manufacture" shall not include: Conditioning of seed for use
19 in planting; cubing hay or alfalfa; or activities which consist of
20 cutting, grading, or ice glazing seafood which has been cooked, frozen,
21 or canned outside this state.

22 **Sec. 2.** RCW 82.08.0283 and 1997 c 224 s 1 are each amended to read
23 as follows:

24 The tax levied by RCW 82.08.020 shall not apply to sales of
25 insulin; prosthetic devices and the components thereof; dental
26 appliances, devices, restorations, and substitutes, and the components
27 thereof, including but not limited to full and partial dentures,
28 crowns, inlays, fillings, braces, and retainers; orthotic devices
29 prescribed for an individual by a person licensed under chapters 18.25,
30 18.57, or 18.71 RCW; hearing instruments dispensed or fitted by a
31 person licensed or certified under chapter 18.35 RCW, and the
32 components thereof; medicines of mineral, animal, and botanical origin
33 prescribed, administered, dispensed, or used in the treatment of an
34 individual by a person licensed under chapter 18.36A RCW; ostomic
35 items; and medically prescribed oxygen, including, but not limited to,

1 oxygen concentrator systems, oxygen enricher systems, liquid oxygen
2 systems, and gaseous, bottled oxygen systems prescribed for an
3 individual by a person licensed under chapter 18.57 or 18.71 RCW for
4 use in the medical treatment of that individual. In addition, the tax
5 levied by RCW 82.08.020 shall not apply to charges made for labor and
6 services rendered in respect to the repairing, cleaning, altering, or
7 improving of (~~hearing instruments~~) any of the items exempted under
8 this section.

9 **Sec. 3.** RCW 82.12.0277 and 1997 c 224 s 2 are each amended to read
10 as follows:

11 The provisions of this chapter shall not apply in respect to the
12 use of insulin; prosthetic devices and the components thereof; dental
13 appliances, devices, restorations, and substitutes, and the components
14 thereof, including but not limited to full and partial dentures,
15 crowns, inlays, fillings, braces, and retainers; orthotic devices
16 prescribed for an individual by a person licensed under chapters 18.25,
17 18.57, or 18.71 RCW; hearing instruments dispensed or fitted by a
18 person licensed or certified under chapter 18.35 RCW, and the
19 components thereof; medicines of mineral, animal, and botanical origin
20 prescribed, administered, dispensed, or used in the treatment of an
21 individual by a person licensed under chapter 18.36A RCW; ostomic
22 items; and medically prescribed oxygen, including, but not limited to,
23 oxygen concentrator systems, oxygen enricher systems, liquid oxygen
24 systems, and gaseous, bottled oxygen systems prescribed for an
25 individual by a person licensed under chapter 18.57 or 18.71 RCW for
26 use in the medical treatment of that individual.

27 NEW SECTION. **Sec. 4.** This act takes effect October 1, 1998."

28 Correct the title.

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