
SENATE BILL 5390

State of Washington

61st Legislature

2009 Regular Session

By Senators Delvin, Hewitt, Holmquist, King, Honeyford, Marr, Hatfield, Zarelli, Kastama, McDermott, Pridemore, and Shin

Read first time 01/21/09. Referred to Committee on Ways & Means.

1 AN ACT Relating to the tax on cleaning up radioactive waste and
2 other byproducts of weapons production and nuclear research and
3 development; amending RCW 82.04.263; creating new sections; providing
4 an effective date; and declaring an emergency.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that the cleaning up
7 of radioactive waste at the Hanford site is crucial to the environment
8 in this state. The legislature further finds that the purpose of this
9 tax classification is to provide the same tax treatment allowed to
10 companies when production activities occurred at the Hanford site. The
11 legislature clarifies that it intended to include certain activities in
12 support of the cleanup that should benefit from the reduced business
13 and occupation tax rate.

14 It is the legislature's intent in enacting this act to ensure that
15 the radioactive waste cleanup business and occupation tax
16 classification applies to all activities funded by the United States
17 department of energy's environmental management budget and that any
18 doubts or ambiguities in RCW 82.04.263 should be resolved consistent
19 with this intent.

1 **Sec. 2.** RCW 82.04.263 and 1996 c 112 s 3 are each amended to read
2 as follows:

3 Upon every person engaging within this state in the business of
4 cleaning up for the United States, or its instrumentalities,
5 radioactive waste and other byproducts of weapons production and
6 nuclear research and development; as to such persons the amount of the
7 tax with respect to such business shall be equal to the value of the
8 gross income of the business multiplied by the rate of 0.471 percent.

9 For the purposes of this chapter, "cleaning up radioactive waste
10 and other byproducts of weapons production and nuclear research and
11 development" means the activities of handling, storing, treating,
12 immobilizing, stabilizing, or disposing of radioactive waste,
13 radioactive tank waste and capsules, nonradioactive hazardous solid and
14 liquid wastes, or spent nuclear fuel; spent nuclear fuel conditioning;
15 removal of contamination in soils and ground water; decontamination and
16 decommissioning of facilities; information technology and computer
17 support; services rendered in respect to infrastructure; security,
18 safety, and health services; and activities (~~(integral and necessary to~~
19 ~~the direct)) supporting the performance of cleanup.~~

20 NEW SECTION. **Sec. 3.** This act applies retroactively.

21 NEW SECTION. **Sec. 4.** This act is necessary for the immediate
22 preservation of the public peace, health, or safety, or support of the
23 state government and its existing public institutions, and takes effect
24 July 1, 2009.

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