

CERTIFICATION OF ENROLLMENT

HOUSE BILL 2338

Chapter 83, Laws of 1994

53rd Legislature
1994 Regular Session

UTILITIES AND TRANSPORTATION COMMISSION--INTEREST ON
DELINQUENT PAYMENTS

EFFECTIVE DATE: 6/9/94

Passed by the House February 14, 1994
Yeas 95 Nays 0

BRIAN EBERSOLE

**Speaker of the
House of Representatives**

Passed by the Senate March 2, 1994
Yeas 33 Nays 13

R. LORRAINE WOJAHN

President of the Senate

Approved March 23, 1994

MIKE LOWRY

Governor of the State of Washington

CERTIFICATE

I, Marilyn Showalter, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 2338** as passed by the House of Representatives and the Senate on the dates hereon set forth.

MARILYN SHOWALTER

Chief Clerk

FILED

March 23, 1994 - 9:44 a.m.

**Secretary of State
State of Washington**

HOUSE BILL 2338

Passed Legislature - 1994 Regular Session

State of Washington 53rd Legislature 1994 Regular Session

By Representatives Bray and Long; by request of Utilities & Transportation Commission

Read first time 01/14/94. Referred to Committee on Energy & Utilities.

1 AN ACT Relating to interest on delinquent payment of regulatory
2 fees imposed by the utilities and transportation commission; amending
3 RCW 80.24.010, 81.70.350, 81.80.321, and 81.108.090; and adding a new
4 section to chapter 81.24 RCW.

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

6 **Sec. 1.** RCW 80.24.010 and 1990 c 48 s 1 are each amended to read
7 as follows:

8 Every public service company subject to regulation by the
9 commission shall, on or before the date specified by the commission for
10 filing annual reports under RCW 80.04.080, file with the commission a
11 statement on oath showing its gross operating revenue from intrastate
12 operations for the preceding calendar year or portion thereof and pay
13 to the commission a fee equal to one-tenth of one percent of the first
14 fifty thousand dollars of gross operating revenue, plus two-tenths of
15 one percent of any gross operating revenue in excess of fifty thousand
16 dollars: PROVIDED, That the fee shall in no case be less than one
17 dollar.

18 The percentage rates of gross operating revenue to be paid in any
19 year may be decreased by the commission for any class of companies

1 subject to the payment of such fees, by general order entered before
2 March 1st of such year, and for such purpose such companies shall be
3 classified as follows:

4 Electrical, gas, water, telecommunications, and irrigation
5 companies shall constitute class one. Every other company subject to
6 regulation by the commission, for which regulatory fees are not
7 otherwise fixed by law shall pay fees as herein provided and shall
8 constitute additional classes according to kinds of businesses engaged
9 in.

10 Any payment of the fee imposed by this section made after its due
11 date shall include a late fee of two percent of the amount due.
12 Delinquent fees shall accrue interest at the rate of one percent per
13 month.

14 NEW SECTION. Sec. 2. A new section is added to chapter 81.24 RCW
15 to read as follows:

16 Any payment of a fee imposed by this chapter made after its due
17 date shall include a late fee of two percent of the amount due.
18 Delinquent fees shall accrue interest at the rate of one percent per
19 month.

20 **Sec. 3.** RCW 81.70.350 and 1989 c 163 s 16 are each amended to read
21 as follows:

22 (1) The commission shall collect from each charter party carrier
23 and excursion service carrier holding a certificate issued pursuant to
24 this chapter and from each interstate or foreign carrier subject to
25 this chapter an annual regulatory fee, to be established by the
26 commission but which in total shall not exceed the cost of supervising
27 and regulating such carriers, for each bus used by such carrier.

28 (2) All fees prescribed by this section shall be due and payable on
29 or before December 31 of each year, to cover the ensuing year beginning
30 February 1.

31 (3) Any payment of the fee imposed by this section made after its
32 due date shall include a late fee of two percent of the amount due.
33 Delinquent fees shall accrue interest at the rate of one percent per
34 month.

35 **Sec. 4.** RCW 81.80.321 and 1993 c 97 s 3 are each amended to read
36 as follows:

1 In addition to all other fees to be paid, a common carrier and
2 contract carrier shall pay a regulatory fee of no more than 0.0025 of
3 its gross income from intrastate operations for the previous calendar
4 year, or such other period as the commission designates by rule. The
5 carrier shall pay the fee no later than four months after the end of
6 the appropriate period and shall include with the payment such
7 information as the commission requires by rule.

8 The legislature intends that the fees collected under this chapter
9 shall reasonably approximate the cost of supervising and regulating
10 motor carriers subject to this chapter, and to that end the commission
11 may by general order decrease fees provided in this section if it
12 determines that the moneys then in the motor carrier account of the
13 public service revolving fund and the fees currently to be paid will
14 exceed the reasonable cost of supervising and regulating carriers.

15 Any payment of the fee imposed by this section made after its due
16 date shall include a late fee of two percent of the amount due.
17 Delinquent fees shall accrue interest at the rate of one percent per
18 month.

19 All fees collected under any other provision of this chapter must
20 be paid to the commission. The commission shall transmit the fees to
21 the state treasurer within thirty days for deposit to the credit of the
22 public service revolving fund.

23 **Sec. 5.** RCW 81.108.090 and 1991 c 272 s 10 are each amended to
24 read as follows:

25 (1) A site operator shall, on or before May 1, 1992, and each year
26 thereafter, file with the commission a statement showing its gross
27 operating revenue from intrastate operations for the preceding calendar
28 year, or portion thereof, and pay to the commission a fee equal to one
29 percent of the amount of the gross operating revenue, exclusive of site
30 surveillance fees, perpetual care and maintenance fees, site closure
31 fees, and state or federally imposed out-of-region surcharges.

32 (2) Fees collected under this chapter shall reasonably approximate
33 the cost of supervising and regulating site operators. The commission
34 may order a decrease in fees by March 1st of any year in which it
35 determines that the moneys then in the radioactive waste disposal
36 companies account of the public service revolving fund and the fees
37 currently to be paid will exceed the reasonable cost of supervising and
38 regulating site operators.

1 (3) Fees collected under this section or under any other provision
2 of this chapter shall be paid to the commission and shall be
3 transmitted to the state treasurer within thirty days to be deposited
4 to the credit of the public service revolving fund.

5 (4) Any payment of a fee imposed by this chapter made after its due
6 date shall include a late fee of two percent of the amount due.
7 Delinquent fees shall accrue interest at the rate of one percent per
8 month.

Passed the House February 14, 1994.

Passed the Senate March 2, 1994.

Approved by the Governor March 23, 1994.

Filed in Office of Secretary of State March 23, 1994.