

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE HOUSE BILL 2119**

Chapter 115, Laws of 1996

54th Legislature  
1996 Regular Session

PRESERVED FRUITS AND VEGETABLES--EXCISE TAXATION REVISED

EFFECTIVE DATE: 7/1/96

Passed by the House February 5, 1996  
Yeas 95 Nays 0

CLYDE BALLARD  
**Speaker of the  
House of Representatives**

Passed by the Senate March 7, 1996  
Yeas 49 Nays 0

JOEL PRITCHARD  
**President of the Senate**

Approved March 20, 1996

MIKE LOWRY  
**Governor of the State of Washington**

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 2119** as passed by the House of Representatives and the Senate on the dates hereon set forth.

TIMOTHY A. MARTIN  
**Chief Clerk**

FILED

March 20, 1996 - 2:33 p.m.

**Secretary of State  
State of Washington**

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**SUBSTITUTE HOUSE BILL 2119**

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Passed Legislature - 1996 Regular Session

**State of Washington**

**54th Legislature**

**1996 Regular Session**

**By** House Committee on Agriculture & Ecology (originally sponsored by Representatives Honeyford, Lisk, Morris, Chandler, Mastin, Grant, Delvin, Clements, Basich, Mulliken, Skinner, Kremen, Koster, Boldt, Goldsmith, McMorris, Johnson, Hymes, Thompson, Foreman, Hankins, Sheldon, Schoesler, Campbell, L. Thomas, Sheahan and Stevens)

Read first time 01/25/96.

1       AN ACT Relating to excise taxation of fruit and vegetables  
2 preserved by canning or other means; reenacting and amending RCW  
3 82.04.260; and providing an effective date.

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

5       **Sec. 1.** RCW 82.04.260 and 1995 2nd sp.s. c 12 s 1 and 1995 2nd  
6 sp.s. c 6 s 1 are each reenacted and amended to read as follows:

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

13       (2) Upon every person engaging within this state in the business of  
14 manufacturing wheat into flour, barley into pearl barley, soybeans into  
15 soybean oil, canola into canola oil, canola meal, or canola byproducts,  
16 or sunflower seeds into sunflower oil; as to such persons the amount of  
17 tax with respect to such business shall be equal to the value of the  
18 flour, pearl barley, oil, canola meal, or canola byproduct  
19 manufactured, multiplied by the rate of 0.138 percent.

1 (3) Upon every person engaging within this state in the business of  
2 splitting or processing dried peas; as to such persons the amount of  
3 tax with respect to such business shall be equal to the value of the  
4 peas split or processed, multiplied by the rate of 0.275 percent.

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

11 (5) Upon every person engaging within this state in the business of  
12 manufacturing by canning, preserving, freezing, processing, or  
13 dehydrating fresh fruits and vegetables, or selling at wholesale fresh  
14 fruits and vegetables canned, preserved, frozen, processed, or  
15 dehydrated by the seller and sold to purchasers who transport in the  
16 ordinary course of business the goods out of this state; as to such  
17 persons the amount of tax with respect to such business shall be equal  
18 to the value of the products canned, preserved, frozen, processed, or  
19 dehydrated multiplied by the rate of 0.33 percent. As proof of sale to  
20 a person who transports in the ordinary course of business goods out of  
21 this state, the seller shall annually provide a statement in a form  
22 prescribed by the department and retain the statement as a business  
23 record.

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

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

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

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

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

9 (11) Upon every person engaging within this state in business as an  
10 international steamship agent, international customs house broker,  
11 international freight forwarder, vessel and/or cargo charter broker in  
12 foreign commerce, and/or international air cargo agent; as to such  
13 persons the amount of the tax with respect to only international  
14 activities shall be equal to the gross income derived from such  
15 activities multiplied by the rate of 0.363 percent.

16 (12) Upon every person engaging within this state in the business  
17 of stevedoring and associated activities pertinent to the movement of  
18 goods and commodities in waterborne interstate or foreign commerce; as  
19 to such persons the amount of tax with respect to such business shall  
20 be equal to the gross proceeds derived from such activities multiplied  
21 by the rate of 0.363 percent. Persons subject to taxation under this  
22 subsection shall be exempt from payment of taxes imposed by chapter  
23 82.16 RCW for that portion of their business subject to taxation under  
24 this subsection. Stevedoring and associated activities pertinent to  
25 the conduct of goods and commodities in waterborne interstate or  
26 foreign commerce are defined as all activities of a labor, service or  
27 transportation nature whereby cargo may be loaded or unloaded to or  
28 from vessels or barges, passing over, onto or under a wharf, pier, or  
29 similar structure; cargo may be moved to a warehouse or similar holding  
30 or storage yard or area to await further movement in import or export  
31 or may move to a consolidation freight station and be stuffed,  
32 unstuffed, containerized, separated or otherwise segregated or  
33 aggregated for delivery or loaded on any mode of transportation for  
34 delivery to its consignee. Specific activities included in this  
35 definition are: Wharfage, handling, loading, unloading, moving of  
36 cargo to a convenient place of delivery to the consignee or a  
37 convenient place for further movement to export mode; documentation  
38 services in connection with the receipt, delivery, checking, care,  
39 custody and control of cargo required in the transfer of cargo;

1 imported automobile handling prior to delivery to consignee; terminal  
2 stevedoring and incidental vessel services, including but not limited  
3 to plugging and unplugging refrigerator service to containers,  
4 trailers, and other refrigerated cargo receptacles, and securing ship  
5 hatch covers.

6 (13) Upon every person engaging within this state in the business  
7 of disposing of low-level waste, as defined in RCW 43.145.010; as to  
8 such persons the amount of the tax with respect to such business shall  
9 be equal to the gross income of the business, excluding any fees  
10 imposed under chapter 43.200 RCW, multiplied by the rate of 3.3  
11 percent.

12 If the gross income of the taxpayer is attributable to activities  
13 both within and without this state, the gross income attributable to  
14 this state shall be determined in accordance with the methods of  
15 apportionment required under RCW 82.04.460.

16 (14) Upon every person engaging within this state as an insurance  
17 agent, insurance broker, or insurance solicitor licensed under chapter  
18 48.17 RCW; as to such persons, the amount of the tax with respect to  
19 such licensed activities shall be equal to the gross income of such  
20 business multiplied by the rate of 0.55 percent.

21 (15) Upon every person engaging within this state in business as a  
22 hospital, as defined in chapter 70.41 RCW, that is operated as a  
23 nonprofit corporation or by the state or any of its political  
24 subdivisions, as to such persons, the amount of tax with respect to  
25 such activities shall be equal to the gross income of the business  
26 multiplied by the rate of 0.75 percent through June 30, 1995, and 1.5  
27 percent thereafter. The moneys collected under this subsection shall  
28 be deposited in the health services account created under RCW  
29 43.72.900.

30 NEW SECTION. **Sec. 2.** This act shall take effect July 1, 1996.

Passed the House February 5, 1996.

Passed the Senate March 7, 1996.

Approved by the Governor March 20, 1996.

Filed in Office of Secretary of State March 20, 1996.