
SUBSTITUTE HOUSE BILL 2941

State of Washington

57th Legislature

2002 Regular Session

By House Committee on Finance (originally sponsored by Representatives Delvin, Hankins, Grant and Kessler)

Read first time 02/11/2002. Referred to Committee on .

1 AN ACT Relating to creating a special impact mitigation assistance
2 program to offset the impact of the construction of a nuclear waste
3 treatment and immobilization plant; reenacting and amending RCW
4 43.79A.040; adding a new section to chapter 82.32 RCW; adding a new
5 section to chapter 70.99 RCW; creating a new section; and providing an
6 effective date.

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

8 NEW SECTION. **Sec. 1.** The legislature recognizes the fiscal impact
9 the proposed nuclear waste treatment and immobilization plant at
10 Hanford will have on local government operations from the influx of
11 thousands of workers constructing the plant. The legislature further
12 recognizes that the facility will be located on federal land, which is
13 exempt from property taxation. Therefore, the local governments have
14 limited tax sources to offset these increased costs. It is the intent
15 of the legislature to create a special impact mitigation assistance
16 program funded by a portion of the state business and occupation tax
17 collected from the prime contractor on the construction of the project.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 82.32 RCW
2 to read as follows:

3 (1) As provided in subsection (2) of this section, the business and
4 occupation tax imposed under chapter 82.04 RCW and remitted by the
5 prime contractor responsible for the construction and/or commissioning
6 of a nuclear waste treatment and immobilization plant shall be
7 deposited into the nuclear waste mitigation account created in section
8 3 of this act.

9 (2)(a) Beginning July 1, 2002, and ending no later than December
10 31, 2012, the department shall, on a quarterly basis, transmit the tax
11 proceeds under subsection (1) of this section to the state treasurer
12 who shall deposit them into the nuclear waste mitigation account.

13 (b) Distributions under this section may not exceed two million
14 dollars in any one year. Total distributions may not exceed ten
15 million dollars.

16 (c) The distribution under this section shall be made based on an
17 estimate of the tax remitted to the department by the prime contractor
18 that is attributable to the contract for construction and/or
19 commissioning of a nuclear waste treatment and immobilization plant.
20 The estimate shall be done using information obtained from the United
21 States department of energy and from the affected taxpayer.

22 NEW SECTION. **Sec. 3.** A new section is added to chapter 70.99 RCW
23 to read as follows:

24 The nuclear waste mitigation account is created in the custody of
25 the state treasurer. Receipts from section 2 of this act must be
26 deposited into the account. The state treasurer shall annually
27 distribute the money in the account to the county or counties where
28 construction takes place. Money received by a county or counties must
29 be distributed by the county or counties to local governments using a
30 formula devised by the Hanford communities organization, created
31 pursuant to interlocal agreement under chapter 39.34 RCW. Only the
32 state treasurer may authorize the annual distributions from this
33 account. The account is subject to allotment procedures under chapter
34 43.88 RCW, but an appropriation is not required for expenditures.
35 Notwithstanding the provisions of RCW 43.84.092, investment earnings on
36 the funds shall be deposited into the nuclear waste mitigation account.

1 **Sec. 4.** RCW 43.79A.040 and 2001 c 201 s 4 and 2001 c 184 s 4 are
2 each reenacted and amended to read as follows:

3 (1) Money in the treasurer's trust fund may be deposited, invested,
4 and reinvested by the state treasurer in accordance with RCW 43.84.080
5 in the same manner and to the same extent as if the money were in the
6 state treasury.

7 (2) All income received from investment of the treasurer's trust
8 fund shall be set aside in an account in the treasury trust fund to be
9 known as the investment income account.

10 (3) The investment income account may be utilized for the payment
11 of purchased banking services on behalf of treasurer's trust funds
12 including, but not limited to, depository, safekeeping, and
13 disbursement functions for the state treasurer or affected state
14 agencies. The investment income account is subject in all respects to
15 chapter 43.88 RCW, but no appropriation is required for payments to
16 financial institutions. Payments shall occur prior to distribution of
17 earnings set forth in subsection (4) of this section.

18 (4)(a) Monthly, the state treasurer shall distribute the earnings
19 credited to the investment income account to the state general fund
20 except under (b) and (c) of this subsection.

21 (b) The following accounts and funds shall receive their
22 proportionate share of earnings based upon each account's or fund's
23 average daily balance for the period: The college savings program
24 account, the Washington advanced college tuition payment program
25 account, the agricultural local fund, the American Indian scholarship
26 endowment fund, the basic health plan self-insurance reserve account,
27 the Washington international exchange scholarship endowment fund, the
28 developmental disabilities endowment trust fund, the energy account,
29 the fair fund, the game farm alternative account, the grain inspection
30 revolving fund, the juvenile accountability incentive account, the
31 nuclear waste mitigation account, the rural rehabilitation account, the
32 stadium and exhibition center account, the youth athletic facility
33 account, the self-insurance revolving fund, the sulfur dioxide
34 abatement account, and the children's trust fund. However, the
35 earnings to be distributed shall first be reduced by the allocation to
36 the state treasurer's service fund pursuant to RCW 43.08.190.

37 (c) The following accounts and funds shall receive eighty percent
38 of their proportionate share of earnings based upon each account's or
39 fund's average daily balance for the period: The advanced right of way

1 revolving fund, the advanced environmental mitigation revolving
2 account, the city and county advance right-of-way revolving fund, the
3 federal narcotics asset forfeitures account, the high occupancy vehicle
4 account, the local rail service assistance account, and the
5 miscellaneous transportation programs account.

6 (5) In conformance with Article II, section 37 of the state
7 Constitution, no trust accounts or funds shall be allocated earnings
8 without the specific affirmative directive of this section.

9 NEW SECTION. **Sec. 5.** This act takes effect July 1, 2002.

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