

**E2SSB 6111** - H AMD 1413

By Representative McCoy

WITHDRAWN 03/06/2008

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 82.08 RCW  
4 to read as follows:

5 (1) The tax levied by RCW 82.08.020 does not apply to sales of  
6 machinery and equipment used directly in generating tidal or wave  
7 energy, or to sales of or charges made for labor and services rendered  
8 in respect to installing such machinery and equipment, but only if the  
9 purchaser develops with such machinery, equipment, and labor a facility  
10 capable of generating at least two hundred kilowatts of electricity and  
11 provides the seller with an exemption certificate in a form and manner  
12 prescribed by the department. The seller shall retain a copy of the  
13 certificate for the seller's files.

14 (2) For purposes of this section and section 2 of this act:

15 (a) "Machinery and equipment" has the same meaning as provided in  
16 RCW 82.08.02567.

17 (b) Machinery and equipment is "used directly" in generating  
18 electricity with tidal or wave energy if it provides any part of the  
19 process that captures the energy of the tidal or wave energy.

20 (3) This section expires June 30, 2018.

21 NEW SECTION. **Sec. 2.** A new section is added to chapter 82.12 RCW  
22 to read as follows:

23 (1) The provisions of this chapter do not apply with respect to  
24 machinery and equipment used directly in generating at least two  
25 hundred kilowatts of electricity using tidal or wave energy as the  
26 principal source of power, or to the use of labor and services rendered  
27 in respect to installing such machinery and equipment.

28 (2) The definitions in section 1 of this act apply to this section.

29 (3) This section expires June 30, 2018."

1 Correct the title.

EFFECT: Removes a public utility tax deduction for costs of producing electrical energy from tidal or wave energy devices. Removes provisions requiring the Department of Ecology to establish a wave and tidal energy work group to review issues relating to the siting and operation of tidal and wave energy projects. Increases the minimum generating capacity of a wave or tidal facility eligible to receive the sales and use tax exemption to two hundred kilowatts.

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