

E2SSB 5539 - H AMD 1320

By Representative Santos

WITHDRAWN 03/08/2012

1 Beginning on page 8, line 15, strike all of section 5 and insert
2 the following:

3 "**Sec. 5.** RCW 43.365.040 and 2009 c 518 s 14 are each amended to
4 read as follows:

5 (1) The legislature finds that accountability and effectiveness are
6 important aspects of setting tax policy. In order to make policy
7 choices regarding the best use of limited state resources the
8 legislature needs information on how incentives are used.

9 (2) Each motion picture production receiving funding assistance
10 under RCW 43.365.020 (~~shall report information to the department by~~
11 ~~filing a complete annual survey. The survey is due by March 31st of~~
12 ~~the year following any calendar year in which funding assistance under~~
13 ~~RCW 43.365.020 is taken. The department may extend the due date for~~
14 ~~timely filing of annual surveys under this section if failure to file~~
15 ~~was the result of circumstances beyond the control of the motion~~
16 ~~picture production receiving the funding assistance.~~

17 ~~(3) The survey shall include)~~ must report the information
18 specified in subsection (3) of this section to the Washington motion
19 picture competitiveness program. The information is due before funding
20 assistance under RCW 43.365.020 is provided.

21 (3) The Washington motion picture competitiveness program
22 established in RCW 43.365.030, in collaboration with the department and
23 the department of revenue, and in consultation with the joint
24 legislative audit and review committee, must develop a report form and
25 instructions that accompany the report form by November 1, 2012. The
26 instructions must provide sufficient detail to ensure consistent
27 reporting. The report must be designed to acquire data to allow the
28 state to better measure the effectiveness of the program and to provide
29 transparency of the Washington motion picture competitiveness program.
30 The report must include:

1 (a) The total amount of taxes paid;

2 (b) The amount of taxes paid classified by type, which may include,
3 but is not limited to, sales taxes, use taxes, business and occupation
4 taxes, unemployment insurance taxes, and workers' compensation
5 premiums;

6 (c) The amount of funding assistance received~~((The survey shall~~
7 ~~also include)); and~~

8 (d) The following information for employment positions in
9 Washington by the motion picture production receiving funding
10 assistance, including indirect employment by contractors or other
11 affiliates:

12 ~~((a))~~ (i) The number of ~~((total))~~ employment positions;

13 ~~((b) Full-time, part-time, and temporary employment positions as~~
14 ~~a percent of total employment;~~

15 ~~(c) The number of employment positions according to the following~~
16 ~~wage bands: Less than thirty thousand dollars; thirty thousand dollars~~
17 ~~or greater, but less than sixty thousand dollars; and sixty thousand~~
18 ~~dollars or greater. A wage band containing fewer than three~~
19 ~~individuals may be combined with another wage band; and~~

20 ~~(d))~~ (ii) The number of hours worked by each employed individual;

21 (iii) The average hourly wage or rate of each individual employed
22 by motion picture companies, including employer-provided contributions
23 to health care benefits and retirement plans;

24 (iv) The ~~((number of))~~ employment positions that have employer-
25 provided medical, dental, and retirement benefits~~((, by each of the~~
26 ~~wage bands)); and~~

27 (v) The employment positions filled by Washington state residents,
28 and residency information for employment positions filled by people
29 from other locations.

30 (4) The ~~((department))~~ Washington motion picture competitiveness
31 program may request additional information necessary to measure the
32 results of the funding assistance program, to be submitted at the same
33 time as the ~~((survey))~~ report.

34 (5) ~~((If a person fails to submit an annual survey under subsection~~
35 ~~(2) of this section by the due date of the report or any extension the~~
36 ~~department shall declare the amount of funding assistance for the~~
37 ~~previous calendar year to be immediately due and payable. The~~
38 ~~department shall assess interest, but not penalties, on the amounts due~~

1 under this section. The interest shall be assessed at the rate
2 provided for delinquent taxes under chapter 82.32 RCW, retroactively to
3 the date the funding assistance was received, and shall accrue until
4 the funding assistance is repaid.

5 ~~(6))~~ The ~~((department shall))~~ Washington motion picture
6 competitiveness program must use the information from this section to
7 prepare summary descriptive statistics. The ~~((department shall))~~
8 Washington motion picture competitiveness program must report these
9 statistics to the legislature each even-numbered year by September
10 1st. ~~((The department shall provide the complete annual surveys))~~ All
11 employment-related data provided pursuant to subsection (3)(d) of this
12 section must be categorized by hourly wage groups of: Less than
13 fifteen dollars; fifteen dollars to less than thirty dollars; and
14 thirty dollars or more. The Washington motion picture competitiveness
15 program must provide aggregated data for each funded production
16 collected pursuant to subsection (3) of this section to the joint
17 legislative audit and review committee.

18 (6) The Washington motion picture competitiveness program must
19 monitor the report information submitted by production companies for
20 completeness and accuracy."

EFFECT: Changes data collection and reporting responsibilities from the Department of Commerce to the Washington Motion Picture Competitiveness Program.

Requires production companies to submit a report containing specific data prior to receiving funding assistance, rather than a survey on March 31st following the year funding assistance is received.

Requires employment data submitted from production companies to be provided on an individual basis rather than in the aggregate. Requires the information on each production that is provided to the Joint Legislative Audit and Review Committee to be submitted in the aggregate. Requires employment data to be reported to the Legislature by hourly wage category.

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