

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE HOUSE BILL 2235**

Chapter 112, Laws of 1994

(partial veto)

53rd Legislature  
1994 Regular Session

PERIODICALS AND MAGAZINES--BUSINESS AND OCCUPATION TAX

EFFECTIVE DATE: 6/9/94

Passed by the House March 5, 1994  
Yeas 95 Nays 0

BRIAN EBERSOLE

**Speaker of the  
House of Representatives**

Passed by the Senate March 3, 1994  
Yeas 48 Nays 0

R. LORRAINE WOJAHN

**President of the Senate**

Approved March 28, 1994, with the  
exception of sections 2 and 4, which  
are vetoed.

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 **SUBSTITUTE HOUSE  
BILL 2235** as passed by the House of  
Representatives and the Senate on the  
dates hereon set forth.

MARILYN SHOWALTER

**Chief Clerk**

FILED

March 28, 1994 - 11:18 a.m.

**Secretary of State  
State of Washington**

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**SUBSTITUTE HOUSE BILL 2235**

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AS AMENDED BY THE SENATE

Passed Legislature - 1994 Regular Session

**State of Washington                      53rd Legislature                      1994 Regular Session**

**By** House Committee on Revenue (originally sponsored by Representatives Cothorn, Foreman, Thibaudeau, J. Kohl, L. Johnson, Ogden, Rust, Chappell, Van Luven, Brough, Brown and Cooke)

Read first time 02/02/94.

1            AN ACT Relating to business and occupation taxes for periodicals  
2 and magazines; amending RCW 82.04.280; adding a new section to chapter  
3 82.04 RCW; adding a new section to chapter 35.21 RCW; and creating new  
4 sections.

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

6            **Sec. 1.** RCW 82.04.280 and 1993 sp.s. c 25 s 303 are each amended  
7 to read as follows:

8            Upon every person engaging within this state in the business of:  
9 (1) Printing, and of publishing newspapers, periodicals, or magazines;  
10 (2) building, repairing or improving any street, place, road, highway,  
11 easement, right of way, mass public transportation terminal or parking  
12 facility, bridge, tunnel, or trestle which is owned by a municipal  
13 corporation or political subdivision of the state or by the United  
14 States and which is used or to be used, primarily for foot or vehicular  
15 traffic including mass transportation vehicles of any kind and  
16 including any readjustment, reconstruction or relocation of the  
17 facilities of any public, private or cooperatively owned utility or  
18 railroad in the course of such building, repairing or improving, the  
19 cost of which readjustment, reconstruction, or relocation, is the

1 responsibility of the public authority whose street, place, road,  
2 highway, easement, right of way, mass public transportation terminal or  
3 parking facility, bridge, tunnel, or trestle is being built, repaired  
4 or improved; (3) extracting for hire or processing for hire; (4)  
5 operating a cold storage warehouse or storage warehouse, but not  
6 including the rental of cold storage lockers; (5) representing and  
7 performing services for fire or casualty insurance companies as an  
8 independent resident managing general agent licensed under the  
9 provisions of RCW 48.05.310; (6) radio and television broadcasting,  
10 excluding network, national and regional advertising computed as a  
11 standard deduction based on the national average thereof as annually  
12 reported by the Federal Communications Commission, or in lieu thereof  
13 by itemization by the individual broadcasting station, and excluding  
14 that portion of revenue represented by the out-of-state audience  
15 computed as a ratio to the station's total audience as measured by the  
16 100 micro-volt signal strength and delivery by wire, if any; (7)  
17 engaging in activities which bring a person within the definition of  
18 consumer contained in RCW 82.04.190(6); as to such persons, the amount  
19 of tax on such business shall be equal to the gross income of the  
20 business multiplied by the rate of 0.484 percent.

21 As used in this section, "cold storage warehouse" means a storage  
22 warehouse used to store fresh and/or frozen perishable fruits or  
23 vegetables, meat, seafood, dairy products, or fowl, or any combination  
24 thereof, at a desired temperature to maintain the quality of the  
25 product for orderly marketing.

26 As used in this section, "storage warehouse" means a building or  
27 structure, or any part thereof, in which goods, wares, or merchandise  
28 are received for storage for compensation, except field warehouses,  
29 fruit warehouses, fruit packing plants, warehouses licensed under  
30 chapter 22.09 RCW, public garages storing automobiles, railroad freight  
31 sheds, docks and wharves, and "self-storage" or "mini storage"  
32 facilities whereby customers have direct access to individual storage  
33 areas by separate entrance.

34 As used in this section, "periodical or magazine" means a printed  
35 publication, other than a newspaper, issued regularly at stated  
36 intervals at least once every three months, including any supplement or  
37 special edition of the publication.

1        **\*NEW SECTION.** *Sec. 2. A new section is added to chapter 82.04 RCW*  
2 *to read as follows:*

3        *This chapter shall not apply to a newspaper carrier under eighteen*  
4 *years of age.*

5        *\*Sec. 2 was vetoed, see message at end of chapter.*

6        **NEW SECTION.** **Sec. 3.** A new section is added to chapter 35.21 RCW  
7 to read as follows:

8        A city or town, including a code city, may not license newspaper  
9 carriers under eighteen years of age for either regulatory or revenue-  
10 generating purposes.

11        **\*NEW SECTION.** *Sec. 4. Each person employing or contracting with*  
12 *a juvenile newspaper carrier for delivery of newspapers shall notify*  
13 *the carrier in writing that the exemption provided in section 2 of this*  
14 *act expires when the carrier reaches eighteen years of age.*

15        *\*Sec. 4 was vetoed, see message at end of chapter.*

16        **NEW SECTION.** **Sec. 5.** Section 1 of this act shall apply  
17 retroactively to July 1, 1993.

Passed the House March 5, 1994.

Passed the Senate March 3, 1994.

Approved by the Governor March 28, 1994, with the exception of  
certain items which were vetoed.

Filed in Office of Secretary of State March 28, 1994.

1        Note: Governor's explanation of partial veto is as follows:

2        "I am returning herewith, without my approval as to sections 2 and  
3 4, Substitute House Bill No. 2235 entitled:

4        "AN ACT Relating to business and occupation taxes for periodicals  
5 and magazines;"

6        This bill relates to reducing the business and occupation tax rate  
7 for publishers of newspapers, magazines, and periodicals and provides  
8 an exemption from state, city, and town business and occupation taxes  
9 for juvenile newspaper carriers.

10        Sections 2 and 4 of the bill provide a state business and  
11 occupation exemption for newspaper carriers under the age of eighteen.  
12 Another bill which passed this session, Substitute House Bill No. 2671,  
13 provides B&O tax relief for small businesses, and will effectively  
14 relieve juvenile newspaper carriers of all B&O tax liability. In  
15 addition, under Substitute House Bill No. 2671, these carriers will not  
16 have to pay a \$15 fee to register with the Department of Revenue. As  
17 a result of this general tax relief for small businesses, sections 2  
18 and 4 of Substitute House Bill No. 2235 are redundant and unnecessary.

1           With the exception of sections 2 and 4, Substitute House Bill No.  
2 2235 is approved."