

CERTIFICATION OF ENROLLMENT

ENGROSSED HOUSE BILL 3068

Chapter 246, Laws of 2000

56th Legislature
2000 Regular Session

HANFORD RESERVATION--PRIVATIZATION CONTRACTS--TAX EXEMPTION

EFFECTIVE DATE: 1/1/01

Passed by the House March 9, 2000
Yeas 98 Nays 0

CLYDE BALLARD
Speaker of the House of Representatives

FRANK CHOPP
Speaker of the House of Representatives

Passed by the Senate March 9, 2000
Yeas 44 Nays 2

BRAD OWEN
President of the Senate

Approved March 31, 2000

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

We, Timothy A. Martin and Cynthia Zehnder, Co-Chief Clerks of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED HOUSE BILL 3068** as passed by the House of Representatives and the Senate on the dates hereon set forth.

TIMOTHY A. MARTIN
Chief Clerk

CYNTHIA ZEHNDER
Chief Clerk

FILED

March 31, 2000 - 3:24 p.m.

**Secretary of State
State of Washington**

ENGROSSED HOUSE BILL 3068

Passed Legislature - 2000 Regular Session

State of Washington

56th Legislature

2000 Regular Session

By Representatives Kessler, Hankins, Delvin, Mastin, Grant, Linville
and G. Chandler

Read first time 01/26/2000. Referred to Committee on Finance.

1 AN ACT Relating to exempting privatization contracts for the
2 treatment of radioactive waste and hazardous substances from property
3 taxes; adding a new section to chapter 84.36 RCW; and providing an
4 effective date.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 84.36 RCW
7 to read as follows:

8 (1)(a) Beginning with taxes levied for collection in calendar year
9 2006, all personal property located on land owned by the United States,
10 or an instrumentality of the United States, at the Hanford reservation
11 that is used exclusively in the performance of a privatization contract
12 to pretreat, treat, vitrify, and immobilize tank waste under subsection
13 (2) of this section is exempt from taxation.

14 (b) Beginning with taxes levied for collection in calendar year
15 2002, and until the application of (a) of this subsection, all personal
16 property located on land owned by the United States, or an
17 instrumentality of the United States, at the Hanford reservation that
18 is used exclusively in the performance of a privatization contract to

1 pretreat, treat, vitrify, and immobilize tank waste under subsection
2 (3) of this section is exempt from taxes levied by the state.

3 (2) To qualify for the exemption provided in subsection (1)(a) of
4 this section, the personal property must be owned by a person that has
5 a privatization contract to pretreat, treat, vitrify, and immobilize
6 tank waste located at the Hanford reservation. For the purposes of
7 this section, a privatization contract means a contract in which the
8 United States, or an instrumentality of the United States, has
9 designated the other contracting party as a party responsible for
10 carrying out tank waste clean-up operations at the Hanford reservation.

11 (3) To qualify for the exemption provided in subsection (1)(b) of
12 this section, the personal property must be owned by a person that has,
13 and complies with, a privatization contract to pretreat, treat,
14 vitrify, and immobilize tank waste located at the Hanford reservation.
15 The personal property must be acquired or constructed, and operated, in
16 compliance with the tank waste treatment complex requirements of the
17 Hanford federal facility agreement and consent order, including
18 schedules for tank waste treatment complex start of construction,
19 initiation of hot commissioning, and schedules for tank waste
20 pretreatment processing and vitrification. The privatization
21 contractor shall submit annually, on or before August 1st, a progress
22 report to the Washington state department of ecology documenting
23 compliance with the requirements of the agreement and consent order and
24 the terms of the privatization contract. The department of ecology
25 shall annually issue, on or before October 1st, a determination to the
26 department of revenue indicating whether the privatization contractor
27 is in compliance with the requirements of the agreement and consent
28 order.

29 (4) An inadvertent use of property, which otherwise qualifies for
30 an exemption under this section, in a manner inconsistent with the
31 purpose for which the exemption is granted, does not nullify the
32 exemption if the inadvertent use is not part of a pattern of use. A
33 pattern of use is presumed when an inadvertent use is repeated in the
34 same assessment year or in two or more successive assessment years.

35 NEW SECTION. **Sec. 2.** This act takes effect January 1, 2001.

Passed the House March 9, 2000.

Passed the Senate March 9, 2000.

Approved by the Governor March 31, 2000.

Filed in Office of Secretary of State March 31, 2000.