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**SUBSTITUTE HOUSE BILL 2612**

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**State of Washington**

**58th Legislature**

**2004 Regular Session**

**By** House Committee on Technology, Telecommunications & Energy (originally sponsored by Representatives Grant, Hankins, Delvin and Veloria; by request of Department of Community, Trade, and Economic Development)

READ FIRST TIME 02/10/04.

1 AN ACT Relating to the Hanford area economic investment fund; and  
2 amending RCW 43.31.422, 43.31.428, 43.200.230, and 43.200.233.

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

4 **Sec. 1.** RCW 43.31.422 and 1998 c 76 s 1 are each amended to read  
5 as follows:

6 The Hanford area economic investment fund is established in the  
7 custody of the state treasurer. Moneys in the fund shall only be used  
8 for reasonable assistant attorney general costs in support of the  
9 committee or pursuant to the ~~((recommendations))~~ decisions of the  
10 committee created in RCW 43.31.425 ~~((and the approval of the director  
11 of community, trade, and economic development))~~ for Hanford area  
12 revolving loan funds, Hanford area infrastructure projects, or other  
13 Hanford area economic development and diversification projects, but may  
14 not be used for government or nonprofit organization operating  
15 expenses. Up to five percent of moneys in the fund may be used for  
16 program administration. For the purpose of this chapter "Hanford area"  
17 means Benton and Franklin counties. ~~((Disbursements from the fund  
18 shall be on the authorization of))~~ The director of community, trade,  
19 and economic development or the director's designee shall authorize

1 disbursements from the fund after an affirmative vote of at least six  
2 members of the committee created in RCW 43.31.425 on any  
3 (~~recommendations~~) decisions reached by the committee created in RCW  
4 43.31.425. The fund is subject to the allotment procedures under  
5 chapter 43.88 RCW, but no appropriation is required for disbursements.  
6 The legislature intends to establish similar economic investment funds  
7 for areas that develop low-level radioactive waste disposal facilities.

8 **Sec. 2.** RCW 43.31.428 and 1998 c 76 s 3 are each amended to read  
9 as follows:

10 The Hanford area economic investment fund committee created under  
11 RCW 43.31.425 may:

12 (1) Adopt bylaws for the regulation of its affairs and the conduct  
13 of its business;

14 (2) Utilize the services of other governmental agencies;

15 (3) Accept from any federal or state agency loans or grants for the  
16 purposes of funding Hanford area revolving loan funds, Hanford area  
17 infrastructure projects, or Hanford area economic development projects;

18 (4) (~~Recommend to the director~~) Adopt rules for the  
19 administration of the program, including the terms and rates pertaining  
20 to its loans, and criteria for awarding grants, loans, and financial  
21 guarantees;

22 (5) (~~Recommend to the director~~) Adopt a spending strategy for the  
23 moneys in the fund created in RCW 43.31.422. The strategy shall  
24 include five and ten year goals for economic development and  
25 diversification for use of the moneys in the Hanford area;

26 (6) Recommend to the director no more than two allocations eligible  
27 for funding per calendar year, with a first priority on Hanford area  
28 revolving loan allocations, and Hanford area infrastructure allocations  
29 followed by other Hanford area economic development and diversification  
30 projects if the committee finds that there are no suitable allocations  
31 in the priority allocations described in this section;

32 (7) Establish and administer a revolving fund consistent with this  
33 section and RCW 43.31.422 and 43.31.425; and

34 (8) Make grants from the Hanford area economic investment fund  
35 consistent with this section and RCW 43.31.422 and 43.31.425.

1       **Sec. 3.** RCW 43.200.230 and 1991 c 272 s 16 are each amended to  
2 read as follows:

3       The director of the department of ecology shall require that  
4 generators of waste pay a fee for each cubic foot of waste disposed at  
5 any facility in the state equal to six dollars and fifty cents until  
6 July 1, 2004. Beginning July 1, 2004, the fee shall be eight dollars  
7 and seventy-five cents. Beginning July 1, 2005, and each July 1st  
8 thereafter, the department shall adjust the fee by the rate of yearly  
9 increase in the most recently published consumer price index, all urban  
10 consumers, for the United States, over the consumer price index for the  
11 preceding year, as compiled by the bureau of labor statistics, United  
12 States department of labor, rounded up to the nearest cent. The fee  
13 shall be imposed specifically on the generator of the waste and shall  
14 not be considered to apply in any way to the low-level site operator's  
15 disposal activities. The fee shall be allocated in accordance with RCW  
16 43.200.233 and 43.200.235. This subsection shall be invalidated and  
17 the authorization to collect a surcharge removed if the legislature or  
18 any administrative agency of the state of Washington prior to January  
19 1, 1993, (1) imposes fees, assessments, or charges other than perpetual  
20 care and maintenance, site surveillance, and site closing fees  
21 currently applicable to the Hanford commercial low-level waste site  
22 operator's activities, (2) imposes any additional fees, assessments, or  
23 charges on generators using the Hanford commercial low-level waste  
24 site, or (3) increases any existing fees, assessments, or charges.

25       **Sec. 4.** RCW 43.200.233 and 1991 c 272 s 17 are each amended to  
26 read as follows:

27       A portion of the surcharge received under RCW 43.200.230 shall be  
28 remitted monthly to the county in which the low-level radioactive waste  
29 disposal facility is located in the following manner:

30       (1) ~~((During 1993, six dollars and fifty cents per cubic foot of~~  
31 ~~waste;~~

32       ~~(2) During 1994, three dollars and twenty five cents per cubic foot~~  
33 ~~of waste; and~~

34       ~~(3) During 1995 and thereafter,)~~ Two dollars per cubic foot of  
35 waste until July 1, 2004;

36       (2) Beginning July 1, 2004, the surcharge shall be two dollars and  
37 sixty-five cents per cubic foot of waste; and

1       (3) Beginning July 1, 2005, and each July 1st thereafter, the  
2 department shall adjust the surcharge by the rate of yearly increase in  
3 the most recently published consumer price index, all urban consumers,  
4 for the United States, over the consumer price index for the preceding  
5 year, as compiled by the bureau of labor statistics, United States  
6 department of labor, rounded up to the nearest cent.

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