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**SUBSTITUTE SENATE BILL 6482**

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**State of Washington**

**59th Legislature**

**2006 Regular Session**

**By** Senate Committee on Water, Energy & Environment (originally sponsored by Senators Honeyford, Mulliken, Schoesler, Finkbeiner, Esser and Delvin)

READ FIRST TIME 02/02/06.

1       AN ACT Relating to funding for energy assistance; amending RCW  
2 82.16.020; adding a new section to chapter 82.12 RCW; and adding a new  
3 section to chapter 82.16 RCW.

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

5       **Sec. 1.** RCW 82.16.020 and 1996 c 150 s 2 are each amended to read  
6 as follows:

7       (1) There is levied and there shall be collected from every person  
8 a tax for the act or privilege of engaging within this state in any one  
9 or more of the businesses herein mentioned. The tax shall be equal to  
10 the gross income of the business, multiplied by the rate set out after  
11 the business, as follows:

12       (a) Express, sewerage collection, and telegraph businesses: Three  
13 and six-tenths percent;

14       (b) Light and power business: Three and sixty-two one-hundredths  
15 percent;

16       (c) Gas distribution business: Three and six-tenths percent;

17       (d) Urban transportation business: Six-tenths of one percent;

18       (e) Vessels under sixty-five feet in length, except tugboats,  
19 operating upon the waters within the state: Six-tenths of one percent;

1 (f) Motor transportation, railroad, railroad car, and tugboat  
2 businesses, and all public service businesses other than ones mentioned  
3 above: One and eight-tenths of one percent;

4 (g) Water distribution business: Four and seven-tenths percent.

5 (2) An additional tax is imposed equal to the rate specified in RCW  
6 82.02.030 multiplied by the tax payable under subsection (1) of this  
7 section.

8 (3)(a) Twenty percent of the moneys collected under subsection (1)  
9 of this section on water distribution businesses and sixty percent of  
10 the moneys collected under subsection (1) of this section on sewerage  
11 collection businesses shall be deposited in the public works assistance  
12 account created in RCW 43.155.050.

13 (b)(i) The department shall determine the amount of revenue  
14 collected under subsection (1)(b) and (c) of this section in the 2004  
15 calendar year, and every year thereafter. The amount of revenue  
16 collected in the 2004 calendar year shall constitute base year revenue.

17 (ii) Beginning January 1, 2006, and every calendar year thereafter,  
18 revenue collected under subsection (1)(b) and (c) of this section that  
19 exceeds one hundred five percent of the base year's revenue collections  
20 shall be deposited on or before the first day of the next calendar  
21 quarter into the energy assistance account created in section 3 of this  
22 act.

23 (iii) Beginning January 1, 2006, and every calendar year  
24 thereafter, the collection of revenues shall be capped and the levy of  
25 taxes shall be discontinued for the remainder of the calendar year if  
26 revenues collected under subsection (1)(b) and (c) of this section  
27 reach one hundred fifty percent of the base year's revenue collections.  
28 The department may adopt rules necessary to administer this subsection  
29 (3)(b).

30 NEW SECTION. Sec. 2. A new section is added to chapter 82.12 RCW  
31 to read as follows:

32 (1) The department shall determine the amount of revenue collected  
33 under RCW 82.12.022 in the 2004 calendar year, and every year  
34 thereafter. The amount of revenue collected in the 2004 calendar year  
35 shall constitute base year revenue.

36 (2) Beginning January 1, 2006, and every calendar year thereafter,  
37 revenue collected under RCW 82.12.022 that exceeds one hundred five

1 percent of the base year's revenue collections shall be deposited on or  
2 before the first day of the next calendar quarter into the energy  
3 assistance account created in section 3 of this act.

4 (3) Beginning January 1, 2006, and every calendar year thereafter,  
5 collection of revenues shall be capped and the levy of taxes shall be  
6 discontinued for the remainder of the calendar year if revenues  
7 collected under subsection (1)(b) and (c) of this section reach one  
8 hundred fifty percent of the base year's revenue collections. The  
9 department may adopt rules necessary to administer this section.

10 NEW SECTION. **Sec. 3.** A new section is added to chapter 82.16 RCW  
11 to read as follows:

12 (1) The energy assistance account is created in the custody of the  
13 state treasurer. All receipts from sections 1 and 2 of this act must  
14 be deposited into the account. Only the director of the department of  
15 community, trade, and economic development or the director's designee  
16 may authorize expenditures from the account. The account is subject to  
17 allotment procedures under chapter 43.88 RCW, but an appropriation is  
18 not required for expenditures.

19 (2) The director of the department of community, trade, and  
20 economic development shall distribute the money as follows:

21 (a) Fifty percent to the grantees or charitable organizations of  
22 the department of community, trade, and economic development which  
23 administer federally funded energy assistance programs for the state.  
24 Expenditures from the account must be used only for the elderly on  
25 fixed incomes or low-income individuals. The department of community,  
26 trade, and economic development may adopt rules necessary to administer  
27 this section, including reasonable guidelines for determining which  
28 elderly on fixed incomes or low-income individuals qualify for  
29 assistance;

30 (b) Fifty percent to the department of agriculture for grants to  
31 assist with the development of customer-generated renewable energy  
32 systems utilizing anaerobic digesters as defined in RCW 82.16.110. The  
33 department shall distribute the funds in a manner similar to chapter  
34 517, Laws of 2005.

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