
SUBSTITUTE SENATE BILL 5710

State of Washington

56th Legislature

1999 Regular Session

By Senate Committee on State & Local Government (originally sponsored by Senators Wojahn, Rasmussen, Winsley, Oke, Franklin, Goings, Eide and Swecker)

Read first time 03/03/1999.

1 AN ACT Relating to local retail sales and use tax for zoo and
2 aquariums; adding a new section to chapter 82.14 RCW; adding a new
3 section to chapter 36.29 RCW; and adding new sections to chapter 36.01
4 RCW.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 82.14 RCW
7 to read as follows:

8 (1) Upon the joint request of a metropolitan park district and a
9 city with a population of more than one hundred fifty thousand, a
10 county legislative authority in a county with a population of more than
11 five hundred thousand and less than one million may submit an
12 authorizing proposition to the county voters, fixing and imposing a
13 sales and use tax in accordance with this chapter for the purposes
14 designated in subsection (3) of this section. Such proposition must be
15 placed on a ballot for a special or general election to be held no
16 later than one year after the date of the joint request.

17 (2) The proposition is approved if it receives the votes of a
18 majority of those voting on the proposition.

1 (3) The tax authorized in this section is in addition to any other
2 taxes authorized by law and shall be collected from those persons who
3 are taxable by the state under chapters 82.08 and 82.12 RCW upon the
4 occurrence of any taxable event within the county. The rate of tax
5 shall equal no more than one-tenth of one percent of the selling price
6 in the case of a sales tax, or value of the article used, in the case
7 of a use tax.

8 (4) Moneys received from any tax imposed under this section shall
9 be used solely for the purpose of providing funds for costs associated
10 with financing, design, acquisition, construction, equipping,
11 operating, maintaining, remodeling, repairing, reequipping, or
12 improvement of zoo, aquarium, and wildlife preservation and display
13 facilities that are currently accredited by the American zoo and
14 aquarium association.

15 NEW SECTION. **Sec. 2.** A new section is added to chapter 36.29 RCW
16 to read as follows:

17 The county treasurer or, in the case of a home rule county, the
18 county official designated by county charter and ordinance as the
19 official with custody over the collection of county-wide tax revenues,
20 shall receive all money representing revenues from taxes authorized
21 under section 1 of this act, and shall disburse such money to the
22 authority established in section 3 of this act.

23 NEW SECTION. **Sec. 3.** A new section is added to chapter 36.01 RCW
24 to read as follows:

25 (1) Upon certification by the county auditor or, in the case of a
26 home rule county, upon certification by the chief elections officer,
27 that a proposition authorized under the terms of section 1 of this act
28 has received a majority of votes cast on the proposition, the county
29 legislative authority shall convene an initial meeting of the zoo and
30 aquarium advisory authority.

31 (2) Consistent with any agreement between the local governments
32 specified in section 1(1) of this act in requesting an election, the
33 zoo and aquarium advisory authority has authority to expend such funds
34 as it may receive on those purposes set out in section 1(4) of this
35 act. In addition, and consistent with any limitation placed on the
36 powers of the authority in such an agreement, the zoo and aquarium
37 advisory authority may exercise the following powers:

1 (a) Acquire by purchase, gift, or grant and to lease, construct,
2 add to, improve, replace, repair, maintain, operate, and regulate the
3 use of any zoo, aquarium, and wildlife preservation and display
4 facilities and properties, together with all lands, rights-of-way,
5 property, equipment, and accessories necessary for those facilities;

6 (b) Contract with the United States or any agency thereof, any
7 state or agency thereof, any metropolitan municipal corporation, any
8 other county, city, special district, or governmental agency, and any
9 private person, firm, or corporation for the purpose of receiving gifts
10 or grants or securing loans or advances for preliminary planning and
11 feasibility studies, or for the design, construction, operation, or
12 maintenance of zoo, aquarium, and wildlife preservation and display
13 facilities;

14 (c) Contract with any governmental agency or with a private person,
15 firm, or corporation for the use by either contracting party of all or
16 any part of the facilities, structures, lands, interests in lands, air
17 rights over lands, and rights-of-way of all kinds which are owned,
18 leased, or held by the other party, and for the purpose of planning,
19 constructing, or operating any facility or performing any service
20 related to zoos, aquariums, and wildlife preservation and display
21 facilities;

22 (d) Fix rates and charges for the use of those facilities;

23 (e) Sue and be sued in its corporate capacity in all courts and in
24 all proceedings.

25 NEW SECTION. **Sec. 4.** A new section is added to chapter 36.01 RCW
26 to read as follows:

27 (1) For any county in which a proposition authorized by section 1
28 of this act has been passed, there shall be created a zoo and aquarium
29 advisory authority.

30 (2) The initial board of the authority shall be constituted as
31 follows:

32 (a) Three members appointed by the county legislative authority to
33 represent unincorporated areas;

34 (b) Two members appointed by the legislative authority of the city
35 with the largest population within the county; and

36 (c) Two members jointly appointed by the legislative authorities of
37 the remaining cities within the county representing at least sixty
38 percent of the combined populations of those cities.

1 (3) Board members shall hold office for whatever terms are
2 determined by their appointing authorities, except that no term may be
3 less than one year nor more than three years, in duration. However, a
4 vacancy may be filled by an appointment for a term less than twelve
5 months in duration.

6 (4) The number and allocation of board positions initially set by
7 this act may be changed at any time with the joint concurrence of the
8 county legislative authority and the legislative authorities of cities
9 representing a majority of cities representing at least seventy-five
10 percent of the population residing within incorporated areas in the
11 county.

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