
SUBSTITUTE HOUSE BILL 1372

State of Washington

60th Legislature

2007 Regular Session

By House Committee on Local Government (originally sponsored by Representatives Rolfes, Appleton, Simpson, Haigh, Seaquist and Darneille)

READ FIRST TIME 02/16/07.

1 AN ACT Relating to authorizing the acquisition and operation of
2 tourism-related facilities by port districts; amending RCW 67.28.080
3 and 67.28.140; and adding new sections to chapter 67.28 RCW.

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

5 **Sec. 1.** RCW 67.28.080 and 1997 c 452 s 2 are each amended to read
6 as follows:

7 The definitions in this section apply throughout this chapter
8 unless the context clearly requires otherwise.

9 (1) "Acquisition" includes, but is not limited to, siting,
10 acquisition, design, construction, refurbishing, expansion, repair, and
11 improvement, including paying or securing the payment of all or any
12 portion of general obligation bonds, leases, revenue bonds, or other
13 obligations issued or incurred for such purpose or purposes under this
14 chapter.

15 (2) "Municipality" means any county, city ((~~or~~)), town, or port
16 district of the state of Washington.

17 (3) "Operation" includes, but is not limited to, operation,
18 management, and marketing.

1 (4) "Person" means the federal government or any agency thereof,
2 the state or any agency, subdivision, taxing district or municipal
3 corporation thereof other than county, city or town, any private
4 corporation, partnership, association, or individual.

5 (5) "Tourism" means economic activity resulting from tourists,
6 which may include sales of overnight lodging, meals, tours, gifts, or
7 souvenirs.

8 (6) "Tourism promotion" means activities and expenditures designed
9 to increase tourism, including but not limited to advertising,
10 publicizing, or otherwise distributing information for the purpose of
11 attracting and welcoming tourists; developing strategies to expand
12 tourism; operating tourism promotion agencies; and funding marketing of
13 special events and festivals designed to attract tourists.

14 (7) "Tourism-related facility" means real or tangible personal
15 property with a usable life of three or more years, or constructed with
16 volunteer labor, and used to support tourism, performing arts, or to
17 accommodate tourist activities.

18 (8) "Tourist" means a person who travels from a place of residence
19 to a different town, city, county, state, or country, for purposes of
20 business, pleasure, recreation, education, arts, heritage, or culture.

21 **Sec. 2.** RCW 67.28.140 and 1967 c 236 s 7 are each amended to read
22 as follows:

23 (1) The acts authorized herein are declared to be strictly for the
24 public purposes of the municipalities authorized to perform same. With
25 the exception of port districts, any municipality as defined in RCW
26 67.28.080 shall have the power to acquire by condemnation and purchase
27 any lands and property rights, both within and without its boundaries,
28 which are necessary to carry out the purposes of this chapter. Such
29 right of eminent domain shall be exercised by the legislative body of
30 each such municipality in the manner provided by applicable general law
31 or under chapter 8.12 RCW.

32 (2) Port districts are prohibited from exercising the right of
33 eminent domain as authorized under this section for the purpose of the
34 activities and projects authorized under this chapter.

35 NEW SECTION. **Sec. 3.** A new section is added to chapter 67.28 RCW
36 to read as follows:

1 Port districts are prohibited from exercising the taxing authority
2 authorized under RCW 67.28.180, 67.28.1801, 67.28.181, 67.28.1815,
3 67.28.1817, 67.28.183, 67.28.184, and 67.28.200.

4 NEW SECTION. **Sec. 4.** A new section is added to chapter 67.28 RCW
5 to read as follows:

6 A port district and any municipality or other entity involved in a
7 joint venture or project with a port district under this chapter shall
8 comply with the provisions of chapter 39.12 RCW.

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