

CHAPTER 197

[House Bill No. 376]

PACIFIC NORTHWEST FESTIVAL FACILITY—BOND ISSUE—STEERING
COMMISSION

AN ACT Relating to commerce and economic development; providing for the planning, design, construction, furnishing, and landscaping of a multi-theatre international performing arts facility; providing for the financing thereof by issuance of bonds and anticipation notes; creating the international performing arts festival steering commission; authorizing the acceptance of a gift of real property as a site for such facility; adding new sections to chapter 43.31 RCW; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Section 1. The legislature finds that expansion of cultural tourism would attract new visitors to our state and aid the development of a nonpolluting industry. The construction of the facility provided for in sections 2 through 9 of this act would enhance the industry's ability to attract such new visitors. The additional income and employment would strengthen the economic base of the state.

It is declared that the creation and development of a multi-theatre international performing arts facility will enhance the progress and economic growth of this state. The continued growth and development of this recreational industry provides for the general welfare and is an appropriate matter of concern to the people of the state of Washington.

NEW SECTION. Sec. 2. For the purpose of providing a matching grant for the planning, design, construction, furnishing, and landscaping of a multi-theatre international performing arts facility designated as "the Pacific northwest festival facility" and located in south King county in the vicinity of Federal Way, the state finance committee is authorized to issue general obligation bonds of the state of Washington in the sum of five million dollars, or so much thereof as may be required to finance that portion of the grant by the state for the project as provided by law. No bonds authorized by this section shall be offered for sale without prior legislative appropriation, and these bonds shall be paid and discharged within thirty years of the date of issuance in accordance with Article VIII, section 1 of the state Constitution.

No bonds may be issued until the director of the department of commerce and economic development certifies to the state finance committee that not less than fifteen million dollars in additional federal and private funding has been provided or secured as matching money for the purposes of sections 2 through 9 of this act.

The state finance committee is authorized to prescribe the form of the bonds, the time of sale of all or any portion or portions of the bonds, and the conditions of sale and issuance thereof.

The bonds shall pledge the full faith and credit of the state of Washington and contain an unconditional promise to pay the principal and interest when due. The committee may provide that the bonds, or any of them, may be called prior to the due date thereof under such terms and conditions as it may determine. The state finance committee may authorize the use of facsimile signatures in the issuance of the bonds.

NEW SECTION. Sec. 3. At the time the state finance committee determines to issue the bonds authorized in section 2 of this act, or a portion thereof, it may, pending the issuance thereof, issue, in the name of the state, temporary notes in anticipation of the money to be derived from the sale of the bonds, which notes shall be designated as "bond anticipation notes." The proceeds from the sale of bonds and notes authorized by section 2 of this act and this section shall be deposited in the Pacific northwest festival facility construction account, hereby created in the general fund in the state treasury, and shall be used exclusively for the purposes specified in sections 2 through 9 of this act and for the payment of expenses incurred in the issuance and sale of the bonds and notes: PROVIDED, That such portion of the proceeds of the sale of such bonds as may be required for the payment of the principal and interest on such anticipation notes as have been issued, shall be deposited in the Pacific northwest festival facility bond redemption fund of 1979 in the state treasury created by section 5 of this act.

NEW SECTION. Sec. 4. The principal proceeds from the sale of the bonds authorized in section 2 of this act shall be administered by the director of the department of commerce and economic development.

NEW SECTION. Sec. 5. The Pacific northwest festival facility bond redemption fund of 1979, hereby created in the state treasury, shall be used for the purpose of the payment of interest on and retirement of the bonds and notes authorized to be issued by sections 2 and 3 of this act. The state finance committee, on or before June 30th of each year, shall certify to the state treasurer the amount needed in the ensuing twelve months to meet bond retirement and interest requirements. Not less than thirty days prior to the date on which any such interest or principal and interest payment is due, the state treasurer shall withdraw from any general state revenues received in the state treasury and deposit in the Pacific northwest festival facility bond redemption fund of 1979 an amount equal to the amount certified by the state finance committee to be due on such payment date.

If a state general obligation bond retirement fund is created in the state treasury by chapter ... (SB 2361 or HB 569), Laws of 1979 1st ex. sess. and becomes effective by statute prior to the issuance of any of the bonds authorized by sections 2 through 9 of this act, the state general obligation bond retirement fund shall be used for purposes of sections 2 through 9 of this act in lieu of the Pacific northwest festival facility bond redemption fund of

1979, and the Pacific northwest festival facility bond redemption fund of 1979 shall cease to exist.

The owner and holder of each of the bonds or the trustee for any of the bonds, by mandamus or other appropriate proceeding, may require and compel the transfer and payment of funds as directed in this section.

NEW SECTION. Sec. 6. The bonds authorized by section 2 of this act shall be a legal investment for all state funds under state control and all funds of municipal corporations.

NEW SECTION. Sec. 7. The legislature finds that the forty-third and forty-fourth legislatures conducted studies relating to the feasibility and desirability of an international performing arts festival as an aid to the growth of the cultural tourism industry. The favorable results of those studies mandate that a steering commission be established to advise the director of the department of commerce and economic development in carrying out the provisions of sections 2 through 9 of this act.

The international performing festival arts steering commission is hereby created and shall consist of twelve members selected as follows:

(1) Five members shall be appointed by the governor, one of whom shall be designated by the governor as chairperson of the commission;

(2) Two members of the senate shall be appointed by the president of the senate;

(3) Two members of the house of representatives shall be appointed by the speakers of the house of representatives;

(4) One member of the King county council who shall be appointed by the council;

(5) One member of the Tacoma city council who shall be appointed by the council; and

(6) One member appointed by the Pierce county board of commissioners who may or may not be a board member.

The members of the commission shall serve without compensation. Meetings of the commission shall be at the call of the governor or the chairperson.

The commission shall terminate its duties on July 31, 1982, unless such termination date be removed or extended by law.

NEW SECTION. Sec. 8. The state of Washington is authorized to accept a gift from a private donor of thirty acres of unimproved real estate located in south King county in the vicinity of Federal Way for the location of a multi-theatre international performing arts facility as a facility for the people of the state of Washington.

NEW SECTION. Sec. 9. The members of the international performing festival arts steering commission are empowered to form a nonprofit corporation under chapter 24.03 RCW. The members of the corporation shall be

members as long as they are members of the commission or until their successors are appointed and qualify.

NEW SECTION. Sec. 10. Sections 2 through 9 of this act shall be added to chapter 43.31 RCW.

NEW SECTION. Sec. 11. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 12. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the House May 12, 1979.

Passed the Senate May 11, 1979.

Approved by the Governor May 24, 1979.

Filed in Office of Secretary of State May 24, 1979.

CHAPTER 198

[House Bill No. 441]

UTILITIES AND TRANSPORTATION REGULATION—PENALTY FEES

AN ACT Relating to regulatory fees; amending section 80.24.050, chapter 14, Laws of 1961 as amended by section 37, chapter 199, Laws of 1969 ex. sess. and RCW 80.24.050; amending section 81.24.080, chapter 14, Laws of 1961 and RCW 81.24.080; and prescribing penalties.

Be it enacted by the Legislature of the State of Washington:

Section 1. Section 80.24.050, chapter 14, Laws of 1961 as amended by section 37, chapter 199, Laws of 1969 ex. sess. and RCW 80.24.050 are each amended to read as follows:

Every person, firm, company or corporation, or the officers, agents or employees thereof, failing or neglecting to pay the fees herein required shall be guilty of a misdemeanor(~~(, and in addition thereto shall be subject to a penalty of twenty-five dollars for each and every day that the fee remains unpaid after it becomes due, said penalty to be collected by the commission in a civil action)~~). All fines and penalties collected under the provisions of this chapter shall be deposited into the public service revolving fund of the state treasury: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

Sec. 2. Section 81.24.080, chapter 14, Laws of 1961 and RCW 81.24-.080 are each amended to read as follows: