

distributed to the counties under this section in any year is less than the distribution of such funds in 1981.

Passed the Senate February 15, 1982.

Passed the House March 8, 1982.

Approved by the Governor March 18, 1982.

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CHAPTER 34

[Substitute House Bill No. 1015]

STATE CONVENTION AND TRADE CENTER, SEATTLE—BOND ISSUE—
SPECIAL EXCISE TAX—LOCAL CONVENTION AND TRADE FACILITIES—
APPROPRIATION

AN ACT Relating to public facilities; adding a new chapter to Title 67 RCW; making an appropriation; and declaring an emergency.

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

NEW SECTION. Section 1. The legislature finds:

(1) The convention and trade show business will provide both direct and indirect civic and economic benefits to the people of the state of Washington.

(2) The location of a state convention and trade center in the city of Seattle will particularly benefit and increase the occupancy of larger hotels and other lodging facilities in the city of Seattle and to a lesser extent in King county.

(3) Imposing a special excise tax on the price of lodging in Seattle, and at a lower rate elsewhere in King county, is an appropriate method of paying for a substantial part of the cost of constructing, maintaining, and operating a state convention and trade center.

NEW SECTION. Sec. 2. The governor is authorized to form a public nonprofit corporation in the same manner as a private nonprofit corporation is formed under chapter 24.03 RCW. The public corporation shall be an instrumentality of the state and have all the powers and be subject to the same restrictions as are permitted or prescribed to private nonprofit corporations, but shall exercise those powers only for carrying out the purposes of this act and those purposes necessarily implied therefrom. The governor shall appoint a board of nine directors for the corporation who shall serve terms of six years, except that two of the original directors shall serve for two years and two of the original directors shall serve for four years. The directors may provide for the payment of their expenses. The corporation may cause a state convention and trade center with an overall size of approximately three hundred thousand square feet to be designed and constructed on a site in the city of Seattle. In acquiring, designing, and constructing the state convention and trade center, the corporation shall

consider the recommendations and proposals issued on December 11, 1981, by the joint select committee on the state convention and trade center.

The corporation may acquire real and personal property by lease, purchase, condemnation of privately owned land, or gift, accept grants, request the financing provided for in section 3 of this act, cause the state convention and trade center facilities to be constructed, and do whatever is necessary or appropriate to carry out those purposes. The corporation shall maintain, operate, promote, and manage the state convention and trade center.

NEW SECTION. Sec. 3. For the purpose of providing funds for the state convention and trade center, the state finance committee is authorized to issue, upon request of the corporation formed under section 2 of this act and in a single offering, general obligation bonds of the state of Washington in the sum of ninety-nine million dollars, or so much thereof as may be required, to finance this project and all costs incidental thereto. No bonds authorized in this section may be offered for sale without prior legislative appropriation.

NEW SECTION. Sec. 4. The proceeds from the sale of the bonds authorized in section 3 of this act, earnings from the investment of the proceeds, proceeds of the tax imposed under section 9 of this act, and operating revenues of the state convention and trade center shall be deposited in the state convention and trade center account hereby created in the general fund.

Moneys in the account shall be used exclusively for the following purposes in the following order:

- (1) For reimbursement of the state general fund under section 6 of this act;
- (2) For payment of expenses incurred in the issuance and sale of the bonds issued under section 3 of this act;
- (3) For acquisition, design, and construction of the state convention and trade center;
- (4) For operation and promotion of the center;
- (5) For reimbursement of any expenditures from the state general fund in support of the state convention and trade center;
- (6) For early retirement of the bonds issued under section 3 of this act;
- (7) To establish a sinking fund of up to fifty million dollars for expansion or renovation of the center; and
- (8) To reduce or eliminate the tax imposed under section 9 of this act.

NEW SECTION. Sec. 5. The moneys deposited pursuant to section 4 of this act in the state convention and trade center account of the general fund shall be administered by the corporation formed under section 2 of this act, subject to legislative appropriation.

NEW SECTION. Sec. 6. The state general obligation bond retirement fund shall be used for the payment of the principal of and interest on the bonds authorized in section 3 of this act.

The state finance committee shall, on or before June 30th of each year, certify to the state treasurer the amount needed in the ensuing twelve months to meet the bond retirement and interest requirements. Not less than thirty days prior to the date on which any 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 state general obligation bond retirement fund an amount equal to the amount certified by the state finance committee to be due on that payment date. On each date on which any interest or principal and interest is due, the state treasurer shall cause an identical amount to be paid out of the state convention and trade center account from the proceeds of the special excise tax imposed under section 9 of this act and operating revenues of the state convention and trade center for deposit in the general fund of the state treasury. Any deficiency in such excise tax transfer shall be made up as soon as such taxes are available for transfer and shall constitute a continuing obligation of the state convention and trade center account until all deficiencies are fully paid.

Bonds issued under section 3 of this act shall state that they are a general obligation of the state of Washington, shall pledge the full faith and credit of the state to the payment of the principal thereof and the interest thereon, and shall contain an unconditional promise to pay the principal and interest as the same shall become due.

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

NEW SECTION. Sec. 7. The legislature may increase the rate of tax imposed in section 9 (1) and (2) of this act or may provide additional means for raising moneys for the payment of the principal of and interest on the bonds authorized in section 3 of this act, and section 6 of this act shall not be deemed to provide an exclusive method for the payment.

NEW SECTION. Sec. 8. The bonds authorized in section 3 of this act shall be a legal investment for all state funds or funds under state control and for all funds of any other public body.

NEW SECTION. Sec. 9. Commencing April 1, 1982, there is imposed, and the department of revenue shall collect, in King county a special excise tax on the sale of or charge made for the furnishing of lodging by a hotel, rooming house, tourist court, motel, or trailer camp, and the granting of any similar license to use real property, as distinguished from the renting or leasing of real property, except that no such tax may be levied on any

premises having fewer than sixty lodging units. It shall be presumed that the occupancy of real property for a continuous period of one month or more constitutes rental or lease of real property and not a mere license to use or enjoy the same. The legislature on behalf of the state pledges to maintain and continue this tax until the bonds authorized by this chapter are fully redeemed, both principal and interest.

The rate of the tax imposed under this section shall be:

(1) From April 1, 1982, through December 31, 1982, inclusive, three percent in the city of Seattle and two percent in King county outside the city of Seattle; and

(2) On and after January 1, 1983, five percent in the city of Seattle and two percent in King county outside the city of Seattle.

The proceeds of the special excise tax shall be deposited in the state convention and trade center account. Chapter 82.32 RCW applies to the tax imposed under this section.

NEW SECTION. Sec. 10. (1) Except as provided in chapters 67.28 and 82.14 RCW and subsection (2) of this section, after January 1, 1983, no city, town, or county in which the tax under section 9 of this act is imposed may impose a license fee or tax on the act or privilege of engaging in business to furnish lodging by a hotel, rooming house, tourist court, motel, trailer camp, or similar facilities in excess of the rate imposed upon other persons engaged in the business of making sales at retail as that term is defined in chapter 82.04 RCW.

(2) A city incorporated before January 1, 1982, with a population over sixty thousand located in a county with a population over one million, other than the city of Seattle, may impose a special excise tax under the following conditions:

(a) The proceeds of the tax must be used solely for the acquisition, design, and construction of convention and trade facilities.

(b) The legislative body of the city, before imposing the tax, must authorize a complete study and investigation of the desirability and economic feasibility of the proposed convention and trade facilities.

(c) The rate of the tax shall not exceed three percent.

(d) The tax shall be imposed on the sale of or charge made for the furnishing of lodging by a hotel, rooming house, tourist court, motel, or trailer camp, and the granting of any similar license to use real property, as distinguished from the renting or leasing of real property, except that no such tax may be levied on any premises having fewer than sixty lodging units.

NEW SECTION. Sec. 11. Sections 1 through 10 of this act shall constitute a new chapter in Title 67 RCW.

NEW SECTION. Sec. 12. There is appropriated from the state convention and trade center account of the general fund to the corporation formed under section 2 of this act for the biennium ending June 30, 1983,

ninety-nine million dollars to carry out the purposes of section 2 of this act. Not more than ninety million dollars may be spent for the acquisition, design, and construction of the state convention and trade center.

NEW SECTION. Sec. 13. If any provision of this act or its application to any municipality, person, or circumstance is held invalid, the remainder of the act or the application of the provision to other municipalities, persons, or circumstances is not affected.

NEW SECTION. Sec. 14. 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 March 4, 1982.

Passed the Senate March 2, 1982.

Approved by the Governor March 19, 1982.

Filed in Office of Secretary of State March 19, 1982.

CHAPTER 35

[Substitute Senate Bill No. 4716]

SECRETARY OF STATE—CORPORATIONS LAWS—FILING SCHEDULES— FEES

AN ACT Relating to state government; amending section 3, chapter 53, Laws of 1965 as amended by section 1, chapter 16, Laws of 1979 and RCW 23A.04.010; amending section 9, chapter 53, Laws of 1965 as last amended by section 6, chapter 16, Laws of 1979 and RCW 23A.08.060; amending section 12, chapter 53, Laws of 1965 and RCW 23A.08.090; amending section 13, chapter 53, Laws of 1965 as last amended by section 7, chapter 16, Laws of 1979 and RCW 23A.08.100; amending section 14, chapter 53, Laws of 1965 as amended by section 2, chapter 190, Laws of 1967 and RCW 23A.08.110; amending section 16, chapter 53, Laws of 1965 as last amended by section 2, chapter 193, Laws of 1977 ex. sess. and RCW 23A.08.130; amending section 37, chapter 53, Laws of 1965 as amended by section 4, chapter 99, Laws of 1980 and RCW 23A.08.340; amending section 48, chapter 53, Laws of 1965 as last amended by section 8, chapter 99, Laws of 1980 and RCW 23A.08.450; amending section 51, chapter 53, Laws of 1965 as last amended by section 9, chapter 99, Laws of 1980 and RCW 23A.08.480; amending section 55, chapter 53, Laws of 1965 as amended by section 27, chapter 16, Laws of 1979 and RCW 23A.12.020; amending section 56, chapter 53, Laws of 1965 as amended by section 4, chapter 193, Laws of 1977 ex. sess. and RCW 23A.12.030; amending section 57, chapter 53, Laws of 1965 as amended by section 28, chapter 16, Laws of 1979 and RCW 23A.12.040; amending section 63, chapter 53, Laws of 1965 as last amended by section 31, chapter 16, Laws of 1979 and RCW 23A.16.040; amending section 64, chapter 53, Laws of 1965 as last amended by section 6, chapter 193, Laws of 1977 ex. sess. and RCW 23A.16.050; amending section 65, chapter 53, Laws of 1965 as amended by section 32, chapter 16, Laws of 1979 and RCW 23A.16.060; amending section 33, chapter 16, Laws of 1979 and RCW 23A.16.075; amending section 67, chapter 53, Laws of 1965 as last amended by section 34, chapter 16, Laws of 1979 and RCW 23A.16.080; amending section 69, chapter 53, Laws of 1965 as amended by section 9, chapter 193, Laws of 1977 ex. sess. and RCW 23A.16.100; amending section 70, chapter 53, Laws of 1965 as amended by section 10, chapter 193, Laws of 1977 ex. sess. and RCW 23A.16.110; amending section 71, chapter 53, Laws of 1965 as amended by section 11, chapter 193, Laws of 1977 ex. sess. and RCW 23A.16.120; amending section 76, chapter 53, Laws of 1965 as last amended by section 37, chapter 16, Laws of 1979 and RCW 23A.20.040; amending section 77, chapter 53, Laws of 1965 as last amended by section 38, chapter 16, Laws of 1979 and RCW