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**SENATE BILL 6091**

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**State of Washington**

**52nd Legislature**

**1992 Regular Session**

**By** Senators Talmadge and Williams

Read first time 01/15/92. Referred to Committee on Governmental Operations.

1 AN ACT Relating to historic preservation; amending RCW 27.34.020;  
2 adding a new section to chapter 27.34 RCW; and creating a new section.

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

4 NEW SECTION. **Sec. 1.** It is the intent of the legislature that  
5 historic motion picture theaters remain in operation as motion picture  
6 theaters whenever possible. The policy of the state of Washington is  
7 that agreements that prevent operations for more than a year are not  
8 favored and operate to unreasonably restrain trade.

9 **Sec. 2.** RCW 27.34.020 and 1986 c 266 s 9 are each amended to read  
10 as follows:

11 Unless the context clearly requires otherwise, the definitions in  
12 this section apply throughout this chapter:

1 (1) "Advisory council" means the advisory council on historic  
2 preservation.

3 (2) "Department" means the department of community development.

4 (3) "Director" means the director of community development.

5 (4) "Federal act" means the national historic preservation act of  
6 1966 (Public Law 89-655; 80 Stat. 915).

7 (5) "Heritage council" means the Washington state heritage council.

8 (6) "Historic motion picture theater" means a theater that has been  
9 listed in a community register of historic places or in the national  
10 register of historic places and was constructed primarily for the  
11 exhibition of motion picture film.

12 (7) "Historic preservation" includes the protection,  
13 rehabilitation, restoration, identification, scientific excavation, and  
14 reconstruction of districts, sites, buildings, structures, and objects  
15 significant in American and Washington state history, architecture,  
16 archaeology, or culture.

17 ~~((+7))~~ (8) "Office" means the office of archaeology and historic  
18 preservation within the department of community development.

19 ~~((+8))~~ (9) "Preservation officer" means the state historic  
20 preservation officer as provided for in RCW 27.34.210.

21 ~~((+9))~~ (10) "Project" means programs leading to the preservation  
22 for public benefit of historical properties, whether by state and local  
23 governments or other public bodies, or private organizations or  
24 individuals, including the acquisition of title or interests in, and  
25 the development of, any district, site, building, structure, or object  
26 that is significant in American and Washington state history,  
27 architecture, archaeology, or culture, and property used in connection  
28 therewith, or for its development.

1        (~~(10)~~) (11) "State historical agencies" means the state  
2 historical societies and the office of archaeology and historic  
3 preservation within the department of community development.

4        (~~(11)~~) (12) "State historical societies" means the Washington  
5 state historical society, the eastern Washington state historical  
6 society, and the state capital historical association.

7        (~~(12)~~) (13) "Cultural resource management plan" means a  
8 comprehensive plan which identifies and organizes information on the  
9 state of Washington's historic, archaeological, and architectural  
10 resources into a set of management criteria, and which is to be used  
11 for producing reliable decisions, recommendations, and advice relative  
12 to the identification, evaluation, and protection of these resources.

13        NEW SECTION. **Sec. 3.** A new section is added to chapter 27.34 RCW  
14 to read as follows:

15        No conveyance of a historic motion picture theater may contain a  
16 term or condition that prohibits the primary use of the theater for  
17 more than one year from the date of the conveyance.