
Local Government & Housing Committee

HB 2450

Brief Description: Updating the Washington trade center act to authorize electronic commerce activities.

Sponsors: Representatives Hatfield, Dunshee, DeBolt, Jarrett and Anderson.

Brief Summary of Bill

- Changes the Trade Center Act by recognizing that activities, services, and facilities connected with a trade center include electronic facilities and services as well as physical facilities.
- Authorizes port districts and the Washington Public Ports Association to invest jointly with public and private agencies and other entities.

Hearing Date: 1/30/02

Staff: Scott MacColl (786-7106).

Background:

The Washington Public Ports Association (WPPA) is a nonprofit corporation established in 1961 to promote the interests of the port community. WPPA is recognized by statute as the organizing agency for coordinating and harmonizing programs and operations of its member districts, and for submitting recommendations to the Governor and the Legislature.

Currently, the power to establish trade centers is given to port districts, the WPPA, or the Federation of Washington Ports. The Trade Center Act was created in 1989 to provide port districts and the WPPA with additional powers to provide trade centers and to promote and encourage trade, tourism, travel and economic development in a coordinated and efficient manner through the ports of the state. Specifically, port districts and the WPPA are given the power to acquire, construct, develop, operate and maintain all land or other property interests, buildings, structures or other improvements necessary to provide a trade center.

A trade center is a physical facility consisting of one or more structures with areas for the centralized accommodation of public and private agencies, persons and facilities in order to afford improved service to waterborne and airborne import and export trade and commerce and all the related functions and activities.

Additionally, port districts and the WPPA are authorized to cooperate and act jointly with other public and private agencies, including but not limited to the federal government, the state, other ports, other states, and private nonprofit trade promotion groups and associate development organizations.

Summary of Bill:

The Trade Center Act declaration of purpose is changed to recognize that servicing functions and activities connected with the oceanborne and overseas airborne trade and commerce of port districts include electronic facilities and services as well as physical facilities. The purpose specifies these electronic facilities and services are most efficient and effective when they are centralized as part of the functions of a trade center. Additionally, the services that trade centers accommodate are acknowledged to include the security of persons and property as well as their transportation.

This power to establish trade centers is expanded in two ways. First, ports may participate in transactions necessary to provide electronic or other facilities of a trade center or to exercise powers or purposes of a trade center. The term "transaction" is specifically defined as having the same meaning as in the Federal Electronic Signatures in Global and National Commerce Act (Title 15 U.S.C. Sec. 7006 (13)):

An action or set of actions relating to the conduct of business, consumer, or commercial affairs between two or more persons, including any of the following types of conduct:

(A) the sale, lease, exchange, licensing, or other disposition of (i) personal property, including goods and intangibles, (ii) services, and (iii) any combination thereof; and

(B) the sale, lease, exchange, or other disposition of any interest in real property, or any combination thereof."

Second, port districts and the WPPA are authorized to invest jointly with public and private agencies and persons, including but not limited to the federal government, the state, other ports and municipal corporations, other states and their political subdivisions, and private nonprofit trade promotion groups and associate development organizations. Additionally, the term "persons" is specifically defined as having the same meaning as in the Federal Electronic Signatures in Global and National Commerce Act (Title 15 U.S.C. Sec 7006 (8)):

...an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, governmental agency, public corporation, or any other legal or commercial entity.

Appropriation: None.

Fiscal Note: Not Requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.