
SUBSTITUTE HOUSE BILL 2402

State of Washington

53rd Legislature

1994 Regular Session

By House Committee on Local Government (originally sponsored by Representatives Dellwo, Mielke, Brown, Orr and Silver)

Read first time 02/04/94.

1 AN ACT Relating to public facilities districts; amending RCW
2 36.100.030, 36.100.070, 36.100.060, and 82.14.048; and adding new
3 sections to chapter 36.100 RCW.

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

5 NEW SECTION. **Sec. 1.** The treasurer of the county in which a
6 public facilities district is located shall be the treasurer of the
7 district and is vested with authority to receive and disburse district
8 revenues and taxes levied, credit district revenues and taxes to the
9 proper fund, and perform other services as authorized by law on behalf
10 of the district.

11 The public facilities district funds shall be deposited with the
12 county depositories under the same restrictions and security as
13 provided for county depositories subject to the investment statutes
14 governing investment of public funds. All interest collected on public
15 facilities district funds shall belong to the district and be deposited
16 to its credit in the proper district funds. The treasurer shall, at
17 least monthly, certify the amount of all public facilities district
18 funds and prepare such other reports as requested by the district. All
19 public facilities district funds shall be paid to the treasurer and

1 shall be disbursed by him or her upon presentation of vouchers approved
2 by the district.

3 NEW SECTION. **Sec. 2.** The directors and employees of a public
4 facilities district are entitled to reimbursement for reasonable
5 expenses actually incurred in connection with official business,
6 including subsistence and lodging while away from the director's or
7 employee's place of residence, and mileage for use of a privately owned
8 vehicle, in accordance with chapter 42.24 RCW.

9 NEW SECTION. **Sec. 3.** Each director shall each receive fifty
10 dollars per day or portion of a day, not to exceed four thousand eight
11 hundred dollars per year, for attendance at board meetings and for
12 performance of other services in behalf of the district.

13 A director may waive all or a portion of his or her compensation
14 payable under this section as to a month or months during his or her
15 term of office, by a written waiver filed with the board as provided in
16 this section. The waiver, to be effective, must be filed any time
17 after the director's appointment and prior to the date on which the
18 compensation would otherwise be paid. The waiver shall specify the
19 month or period of months for which it is made.

20 Directors are entitled to receive the same insurance available to
21 all employees of the district. The premiums for such insurance, except
22 liability insurance, shall be paid by the individual directors who
23 elect to receive it. The amount and type of insurance made available
24 to directors may not exceed the insurance made available to the
25 employees except for liability insurance.

26 **Sec. 4.** RCW 36.100.030 and 1989 1st ex.s. c 8 s 3 are each amended
27 to read as follows:

28 (1) A public facilities district is authorized to acquire,
29 construct, own, maintain, and operate sports ((and)) or entertainment
30 facilities, or both sports and entertainment facilities, with
31 contiguous parking facilities. The taxes that are provided for in this
32 chapter may only be imposed for these purposes.

33 (2) A public facilities district may impose charges and fees for
34 the use of its facilities, and may accept and expend or use gifts,
35 grants, and donations. ((The taxes that are provided for in this
36 chapter may only be imposed for such purposes.))

1 NEW SECTION. **Sec. 5.** The board of directors of the public
2 facilities district shall have authority to authorize the expenditure
3 of funds for the public purposes of preparing and distributing
4 information to the general public promoting and advertising the
5 facilities of the district. Nothing contained in this section may be
6 construed to authorize preparation and distribution of information to
7 the general public for the purpose of influencing the outcome of a
8 district election.

9 **Sec. 6.** RCW 36.100.070 and 1988 ex.s. c 1 s 17 are each amended to
10 read as follows:

11 A public facilities district may acquire and transfer real and
12 personal property by lease, sublease, purchase, or sale, including
13 executory conditional sales contracts and leases with an option to
14 purchase.

15 NEW SECTION. **Sec. 7.** In addition to provisions contained in
16 chapter 39.04 RCW, the public facilities district is authorized to
17 follow procedures contained in RCW 43.19.1906 and 43.19.1911 for all
18 purchases, contracts for purchase, and sales.

19 NEW SECTION. **Sec. 8.** A public facilities district may issue
20 revenue bonds, and create related reserve funds, to finance revenue
21 generating facilities, or portions of facilities, that it is authorized
22 to provide or operate using the provisions of RCW 39.46.150 and
23 39.46.160.

24 **Sec. 9.** RCW 36.100.060 and 1989 1st ex.s. c 8 s 5 are each amended
25 to read as follows:

26 (1) To carry out the purpose of this chapter, a public facilities
27 district may (~~issue general obligation bonds~~) incur general
28 obligation indebtedness, not to exceed an amount, together with any
29 outstanding nonvoter approved general obligation indebtedness, equal to
30 three-eighths of one percent of the value of taxable property within
31 the district, as the term "value of taxable property" is defined in RCW
32 39.36.015. A facilities district additionally may (~~issue general~~
33 ~~obligation bonds~~) incur general obligation indebtedness for capital
34 purposes only, together with any outstanding general obligation
35 indebtedness, not to exceed an amount equal to one and one-fourth

1 percent of the value of the taxable property within the district, as
2 the term "value of taxable property" is defined in RCW 39.36.015, when
3 authorized by the voters of the public facilities district pursuant to
4 Article VIII, section 6 of the state Constitution, and to provide for
5 the retirement thereof by excess property tax levies as provided in
6 this chapter.

7 ~~((2))~~ General obligation indebtedness may be in the form of
8 general obligation bonds, executory conditional sales contracts, and
9 leases that finance the acquisition of property.

10 General obligation bonds may be issued with a maturity of up to
11 thirty years, and shall be issued and sold in accordance with the
12 provisions of chapter 39.46 RCW.

13 ~~((3))~~ The general obligation bonds may be payable from the
14 operating revenues of the public facilities district in addition to the
15 tax receipts of the district.

16 ~~((4))~~ (2) The excise tax imposed pursuant to RCW 36.100.040 shall
17 terminate upon final payment of all bonded indebtedness for the sports
18 and entertainment facility.

19 **Sec. 10.** RCW 82.14.048 and 1991 c 207 s 1 are each amended to read
20 as follows:

21 The governing board of a public facilities district under chapter
22 36.100 RCW may submit an authorizing proposition to the voters of the
23 district, and if the proposition is approved by a majority of persons
24 voting, fix and impose a sales and use tax in accordance with the terms
25 of this chapter.

26 The tax authorized in this section shall be in addition to any
27 other taxes authorized by law and shall be collected from those persons
28 who are taxable by the state under chapters 82.08 and 82.12 RCW upon
29 the occurrence of any taxable event within the public facilities
30 district. The rate of tax shall equal one-tenth of one percent of the
31 selling price in the case of a sales tax, or value of the article used,
32 in the case of a use tax.

33 Moneys received from any tax imposed under this section shall be
34 used for the purpose of providing funds for the costs associated with
35 the financing, design, acquisition, construction, equipping, operating,
36 maintaining, and reequipping of sports or entertainment facilities, or
37 both sports and entertainment facilities, and contiguous parking.

1 NEW SECTION. **Sec. 11.** Sections 1 through 3, 5, 7, and 8 of this
2 act are each added to chapter 36.100 RCW.

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