

2 **SHB 2821** - H COMM AMD
3 By Committee on Capital Budget

4

5 Strike everything after the enacting clause and insert the
6 following:

7 "Sec. 1. RCW 82.14.0485 and 1995 3rd sp.s. c 1 s 101 are each
8 amended to read as follows:

9 (1) The legislative authority of a county with a population of one
10 million or more may impose a sales and use tax in accordance with the
11 terms of this chapter. The tax is in addition to other taxes
12 authorized by law and shall be collected from those persons who are
13 taxable by the state under chapters 82.08 and 82.12 RCW upon the
14 occurrence of any taxable event within the county. The rate of tax
15 shall not exceed 0.017 percent of the selling price in the case of a
16 sales tax or value of the article used in the case of a use tax.

17 (2) The tax imposed under subsection (1) of this section shall be
18 deducted from the amount of tax otherwise required to be collected or
19 paid over to the department of revenue under chapter 82.08 or 82.12
20 RCW. The department of revenue shall perform the collection of such
21 taxes on behalf of the county at no cost to the county.

22 (3) Moneys collected under this section shall only be used for the
23 purpose of paying the principal and interest payments on bonds issued
24 by a county to construct a baseball stadium. If moneys collected under
25 this section, in any year, exceed the amount needed for such principal
26 and interest payments, the excess shall be deposited into a reserve
27 fund. The reserve fund and interest earned on the deposits in the
28 reserve fund shall be used solely for early retirement of bonds issued
29 for the baseball stadium.

30 (4) No tax may be collected under this section before January 1,
31 1996, and no tax may be collected under this section unless the taxes
32 under RCW 82.14.360 are being collected. The tax imposed in this
33 section shall expire when the bonds issued for the construction of the
34 baseball stadium or bonds issued to refund those bonds are retired, but
35 not more than twenty years after the tax is first collected.

36 (5) As used in this section, "baseball stadium" means a baseball
37 stadium with natural turf and a retractable roof or canopy, together

1 with associated parking facilities, constructed in the largest city in
2 a county with a population of one million or more.

3 **Sec. 2.** RCW 46.16.313 and 1995 3rd sp.s. c 1 s 103 are each
4 amended to read as follows:

5 (1) The department may establish a fee for each type of special
6 license plates issued under RCW 46.16.301(1) (a), (b), or (c) in an
7 amount calculated to offset the cost of production of the special
8 license plates and the administration of this program. The fee shall
9 not exceed thirty-five dollars and is in addition to all other fees
10 required to register and license the vehicle for which the plates have
11 been requested. All such additional special license plate fees
12 collected by the department shall be deposited in the state treasury
13 and credited to the motor vehicle fund.

14 (2) In addition to all fees and taxes required to be paid upon
15 application, registration, and renewal registration of a motor vehicle,
16 the holder of a collegiate license plate shall pay a fee of thirty
17 dollars. The department shall deduct an amount not to exceed two
18 dollars of each fee collected under this subsection for administration
19 and collection expenses incurred by it. The remaining proceeds, minus
20 the cost of plate production, shall be remitted to the custody of the
21 state treasurer with a proper identifying detailed report. The state
22 treasurer shall credit the funds to the appropriate collegiate license
23 plate fund as provided in RCW 28B.10.890.

24 (3) In addition to all fees and taxes required to be paid upon
25 application, registration, and renewal registration of a motor vehicle,
26 the holder of a special baseball stadium license plate shall pay a fee
27 of thirty dollars. The department shall deduct an amount not to exceed
28 two dollars of each fee collected under this subsection for
29 administration and collection expenses incurred by it. The remaining
30 proceeds, minus the cost of plate production, shall be distributed to
31 a county for the purpose of paying the principal and interest payments
32 on bonds issued by the county to construct a baseball stadium, (~~as~~
33 ~~defined in RCW 82.14.0485,~~) including reasonably necessary
34 preconstruction costs, both as defined in RCW 82.14.360, while the
35 taxes are being collected under RCW 82.14.360. After this date, the
36 state treasurer shall credit the funds to the state general fund.

1 **Sec. 3.** RCW 67.70.240 and 1995 3rd sp.s. c 1 s 105 are each
2 amended to read as follows:

3 The moneys in the state lottery account shall be used only: (1)
4 For the payment of prizes to the holders of winning lottery tickets or
5 shares; (2) for purposes of making deposits into the reserve account
6 created by RCW 67.70.250 and into the lottery administrative account
7 created by RCW 67.70.260; (3) for purposes of making deposits into the
8 state's general fund; (4) ~~((for purposes of making deposits into the
9 housing trust fund under the provisions of section 7 of this 1987 act;
10 +5))~~ for distribution to a county for the purpose of paying the
11 principal and interest payments on bonds issued by the county to
12 construct a baseball stadium, ~~((as defined in RCW 82.14.0485,))~~
13 including reasonably necessary preconstruction costs, both as defined
14 in RCW 82.14.360; ~~((+6))~~ (5) for the purchase and promotion of lottery
15 games and game-related services; and ~~((+7))~~ (6) for the payment of
16 agent compensation. Three million dollars shall be distributed under
17 subsection ~~((+5))~~ (4) of this section during calendar year 1996.
18 During subsequent years, such distributions shall equal the prior
19 year's distributions increased by four percent. Distributions under
20 subsection ~~((+5))~~ (4) of this section shall cease when the bonds
21 issued for the construction of the baseball stadium or bonds issued to
22 refund those bonds are retired, but not more than twenty years after
23 the tax under RCW 82.14.0485 is first imposed.

24 The office of financial management shall require the allotment of
25 all expenses paid from the account and shall report to the ways and
26 means committees of the senate and house of representatives any changes
27 in the allotments.

28 **Sec. 4.** RCW 82.14.360 and 1995 3rd sp.s. c 1 s 201 are each
29 amended to read as follows:

30 (1) The legislative authority of a county with a population of one
31 million or more may impose a special stadium sales and use tax upon the
32 retail sale or use within the county by restaurants, taverns, and bars
33 of food and beverages that are taxable by the state under chapters
34 82.08 and 82.12 RCW. The rate of the tax shall not exceed five-tenths
35 of one percent of the selling price in the case of a sales tax, or
36 value of the article used in the case of a use tax. The tax imposed
37 under this subsection is in addition to any other taxes authorized by
38 law and shall not be credited against any other tax imposed upon the

1 same taxable event. As used in this section, "restaurant" does not
2 include grocery stores, mini-markets, or convenience stores.

3 (2) The legislative authority of a county with a population of one
4 million or more may impose a special stadium sales and use tax upon
5 retail car rentals within the county that are taxable by the state
6 under chapters 82.08 and 82.12 RCW. The rate of the tax shall not
7 exceed two percent of the selling price in the case of a sales tax, or
8 rental value of the vehicle in the case of a use tax. The tax imposed
9 under this subsection is in addition to any other taxes authorized by
10 law and shall not be credited against any other tax imposed upon the
11 same taxable event.

12 (3) The revenue from the taxes imposed under this section shall be
13 used for the purpose of principal and interest payments on bonds,
14 issued by the county, to acquire, construct, own, remodel, maintain,
15 equip, reequip, repair, and operate a baseball stadium. Revenues from
16 the taxes authorized in this section may be used for design and other
17 preconstruction costs of the baseball stadium until bonds are issued
18 for the baseball stadium. As used in this section, "preconstruction
19 costs" include but are not limited to the reasonably necessary
20 administrative and operating costs of a public facilities district
21 created under chapter 36.100 RCW to build a baseball stadium. The
22 county shall issue bonds, in an amount determined to be necessary by
23 the public facilities district, for the district to acquire, construct,
24 own, and equip the baseball stadium. The county shall have no
25 obligation to issue bonds in an amount greater than that which would be
26 supported by the tax revenues under this section, RCW 82.14.0485,
27 (~~and~~) 36.38.010(3) (a) and (b), and 67.70.240(4). If the revenue
28 from the taxes imposed under this section exceeds the amount needed for
29 such principal and interest payments in any year, the excess shall be
30 deposited into a reserve fund. The reserve fund and interest earned on
31 the deposits in the reserve fund shall be used solely:

32 (a) For early retirement of the bonds issued for the baseball
33 stadium; and

34 (b) If the revenue from the taxes imposed under this section
35 exceeds the amount needed for the purposes in (a) of this subsection in
36 any year, the excess (~~shall be placed in a contingency fund which~~)
37 may only be used to pay unanticipated capital costs on the baseball
38 stadium, excluding any cost overruns on initial construction.

1 (4) The taxes authorized under this section shall not be collected
2 after June 30, 1997, unless the county executive has certified to the
3 department of revenue that a professional major league baseball team
4 has made a binding and legally enforceable contractual commitment to:

5 (a) Play at least ninety percent of its home games in the stadium
6 for a period of time not shorter than the term of the bonds issued to
7 finance the initial construction of the stadium;

8 (b) Contribute forty-five million dollars toward the reasonably
9 necessary preconstruction costs including, but not limited to
10 architectural, engineering, environmental, and legal services, and the
11 cost of construction of the stadium, or to any associated public
12 purpose separate from bond-financed property, including without
13 limitation land acquisition, parking facilities, equipment,
14 infrastructure, or other similar costs associated with the project,
15 which contribution shall be made during a term not to exceed the term
16 of the bonds issued to finance the initial construction of the stadium.
17 If all or part of the contribution is made after the date of issuance
18 of the bonds, the team shall contribute an additional amount equal to
19 the accruing interest on the deferred portion of the contribution,
20 calculated at the interest rate on the bonds maturing in the year in
21 which the deferred contribution is made. No part of the contribution
22 may be made without the consent of the county until a public facilities
23 district is created under chapter 36.100 RCW to acquire, construct,
24 own, remodel, maintain, equip, reequip, repair, and operate a baseball
25 stadium. To the extent possible, contributions shall be structured in
26 a manner that would allow for the issuance of bonds to construct the
27 stadium that are exempt from federal income taxes; and

28 (c) Share a portion of the profits generated by the baseball team
29 from the operation of the professional franchise for a period of time
30 equal to the term of the bonds issued to finance the initial
31 construction of the stadium, after offsetting any losses incurred by
32 the baseball team after the effective date of chapter 14, Laws of 1995
33 1st sp. sess. Such profits and the portion to be shared shall be
34 defined by agreement between the public facilities district and the
35 baseball team. The shared profits shall be used to retire the bonds
36 issued to finance the initial construction of the stadium. If the
37 bonds are retired before the expiration of their term, the shared
38 profits shall be paid to the public facilities district.

1 (5) No tax may be collected under this section before January 1,
2 1996. Before collecting the taxes under this section or issuing bonds
3 for a baseball stadium, the county shall create a public facilities
4 district under chapter 36.100 RCW to acquire, construct, own, remodel,
5 maintain, equip, reequip, repair, and operate a baseball stadium.

6 (6) The county shall assemble such real property as the district
7 determines to be necessary as a site for the baseball stadium.
8 Property which is necessary for this purpose that is owned by the
9 county on October 17, 1995, shall be contributed to the district, and
10 property which is necessary for this purpose that is acquired by the
11 county on or after October 17, 1995, shall be conveyed to the district.

12 (7) The proceeds of any bonds issued for the baseball stadium shall
13 be provided to the district.

14 (8) As used in this section, "baseball stadium" means "baseball
15 stadium" as defined in RCW 82.14.0485.

16 (9) The taxes imposed under this section shall expire when the
17 bonds issued for the construction of the baseball stadium or bonds
18 issued to refund those bonds are retired, but not later than twenty
19 years after the taxes are first collected.

20 **Sec. 5.** RCW 36.38.010 and 1995 3rd sp.s. c 1 s 203 are each
21 amended to read as follows:

22 (1) Any county may by ordinance enacted by its county legislative
23 authority, levy and fix a tax of not more than one cent on twenty cents
24 or fraction thereof to be paid for county purposes by persons who pay
25 an admission charge to any place, including a tax on persons who are
26 admitted free of charge or at reduced rates to any place for which
27 other persons pay a charge or a regular higher charge for the same or
28 similar privileges or accommodations; and require that one who receives
29 any admission charge to any place shall collect and remit the tax to
30 the county treasurer of the county: PROVIDED, No county shall impose
31 such tax on persons paying an admission to any activity of any
32 elementary or secondary school.

33 (2) As used in this chapter, the term "admission charge" includes
34 a charge made for season tickets or subscriptions, a cover charge, or
35 a charge made for use of seats and tables, reserved or otherwise, and
36 other similar accommodations; a charge made for food and refreshments
37 in any place where any free entertainment, recreation, or amusement is
38 provided; a charge made for rental or use of equipment or facilities

1 for purpose of recreation or amusement, and where the rental of the
2 equipment or facilities is necessary to the enjoyment of a privilege
3 for which a general admission is charged, the combined charges shall be
4 considered as the admission charge. It shall also include any
5 automobile parking charge where the amount of such charge is determined
6 according to the number of passengers in any automobile.

7 (3) The tax herein authorized shall not be exclusive and shall not
8 prevent any city or town within the taxing county, when authorized by
9 law, from imposing within its corporate limits a tax of the same or
10 similar kind: PROVIDED, That whenever the same or similar kind of tax
11 is imposed by any such city or town, no such tax shall be levied within
12 the corporate limits of such city or town by the county, except that
13 the legislative authority of a county with a population of one million
14 or more may exclusively levy taxes on events in stadiums constructed on
15 or after January 1, 1995, that are owned by a public facilities
16 district under chapter 36.100 RCW and that have seating capacities over
17 forty thousand at the rates of:

18 (a) Not more than one cent on twenty cents or fraction thereof, to
19 be used for the purpose of paying the principal and interest payments
20 on bonds issued by a county to construct a baseball stadium as defined
21 in RCW 82.14.0485, or bonds issued to refund those bonds. If the
22 revenue from the tax exceeds the amount needed for that purpose in any
23 year, the excess shall be placed in a contingency fund which may only
24 be used to pay unanticipated capital costs on the baseball stadium,
25 excluding any cost overruns on initial construction; and

26 (b) Not more than one cent on twenty cents or fraction thereof, to
27 be used for the purpose of paying the principal and interest payments
28 on bonds issued by a county to construct a baseball stadium as defined
29 in RCW 82.14.0485. The tax imposed under this subsection (3)(b) shall
30 expire when the bonds issued for the construction of the baseball
31 stadium are retired, but not later than twenty years after the tax is
32 first collected.

33 **Sec. 6.** RCW 67.70.042 and 1995 3rd sp.s. c 1 s 104 are each
34 amended to read as follows:

35 The lottery commission shall conduct at least two but not more than
36 four scratch games with sports themes per year. These games are
37 intended to generate additional moneys sufficient to cover the
38 distributions under RCW 67.70.240(~~(+5)~~)(4)."

1 **SHB 2821** - H COMM AMD
2 By Committee on Capital Budget

3

4 On page 1, line 1 of the title, after "facilities;" strike the
5 remainder of the title and insert "and amending RCW 82.14.0485,
6 46.16.313, 67.70.240, 82.14.360, 36.38.010, and 67.70.042."

--- END ---