

1 **2ESSB 6049** - H AMDS **938 NOT CONSIDERED 5/19/95**

2 By Representative Sheldon and others

3 On page 1, line 18, after "(4)" strike everything through "no"
4 and insert "No"

5
6 On page 5, after line 31, strike everything through page 7,
7 line 11, and insert:

8 "**Sec. 7.** RCW 82.14.048 and 1995 c ... (Substitute Senate Bill
9 No. 5127) s 6 are each amended to read as follows:

10 (1) The governing board of a public facilities district under
11 chapter 36.100 RCW may submit an authorizing proposition to the
12 voters of the district, and if the proposition is approved by a
13 majority of persons voting, fix and impose a sales and use tax in
14 accordance with the terms of this chapter.

15 (2) The tax authorized in this section shall be in addition to
16 any other taxes authorized by law and shall be collected from those
17 persons who are taxable by the state under chapters 82.08 and 82.12
18 RCW upon the occurrence of any taxable event within the public
19 facilities district. The rate of tax shall equal one-tenth of one
20 percent of the selling price in the case of a sales tax, or value
21 of the article used, in the case of a use tax.

22 (3) Moneys received from any tax imposed under this section
23 shall be used for the purpose of providing funds for the costs
24 associated with the financing, design, acquisition, construction,
25 equipping, operating, maintaining, remodeling, repairing, and
26 reequipping of its public facilities.

27 (4) If the revenue from the tax imposed under this section is
28 used for the purpose of principal and interest payments on bonds
29 issued to acquire, construct, own, remodel, maintain, equip,
30 reequip, repair, and operate a baseball stadium with a retractable
31 roof or canopy and natural turf, the tax may be collected only

1 after the county executive has certified to the department of
2 revenue that a professional major league baseball team has made a
3 binding and legally enforceable contractual commitment to:

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

7 (b) Contribute principal of forty-five million dollars toward
8 the bonded cost of construction of the stadium, which contribution
9 shall be made during a term not to exceed the term of the bonds
10 issued to finance the initial construction of the stadium. If all
11 or part of the contribution is made after the date of issuance of
12 the bonds, the team shall contribute an additional amount equal to
13 the accruing interest on the deferred portion of the contribution,
14 calculated at the interest rate on the bonds maturing in the year
15 in which the deferred contribution is made; and

16 (c) Share a portion of the profits generated by the baseball
17 team from the operation of the professional franchise for a period
18 of time equal to the term of the bonds issued to finance the
19 initial construction of the stadium, after offsetting any losses
20 incurred by the baseball team after the effective date of this act.
21 Such profits and the portion to be shared shall be defined by
22 agreement between the public facilities district and the baseball
23 team. The shared profits shall be used to retire the bonds issued
24 to finance the initial construction of the stadium. If the bonds
25 are retired before the expiration of their term, the shared profits
26 shall be paid to the public facilities district.

27 (5) If subsection (4) of this section applies to the tax
28 imposed under this section, and the revenue from the tax exceeds
29 the amount needed for such principal and interest payments in any
30 year, the excess shall be used solely for either or both: (a)
31 Early retirement of the bonds issued for the baseball stadium; or
32 (b) retirement of bonds issued for expanding, remodelling,

1 repairing, or reequipping of a multipurpose stadium that has a
2 seating capacity over forty-five thousand.

3 (6) If subsection (4) of this section applies to the tax
4 imposed under this section, the tax imposed under this section
5 shall expire when the bonds issued for the construction of the new
6 public facilities are retired, but not later than twenty years
7 after the tax is first collected."

8

9 Correct the title accordingly.

EFFECT: Removes the non-voter approved 0.1% sales tax authority. If the Public Facilities District submits a 0.1% sales tax to the voters under SB 5127 (as signed by the governor) and the tax is used for a baseball stadium, the county executive must make the same certifications regarding the lease and profit-sharing as in the underlying bill.