

2 EHB 2135 - S AMD
3 By Senator West

4

5 Beginning on page 5, line 29, strike all material through page 6,
6 line 18, and insert the following:

7 "NEW SECTION. **Sec. 5.** The treasurer of the county in which a
8 public facilities district is located shall be the treasurer of the
9 district and shall be vested with authority to receive and disburse
10 district revenues and taxes duly levied, credit district revenues and
11 taxes to the proper fund, and perform such other services as authorized
12 by law on behalf of the district. The public facilities district funds
13 shall be deposited with the county depositories under the same
14 restrictions and security as provided for county depositories subject
15 to the investment statutes governing investment of public funds. All
16 interest collected on public facilities district funds shall belong to
17 the district and be deposited to its credit in the proper district
18 funds. The treasurer shall, at least monthly, certify the amount of
19 all public facilities district funds and prepare such other reports as
20 requested by the district. All public facilities district funds shall
21 be paid to the treasurer and shall be disbursed by him or her upon
22 presentation of vouchers approved by the district.

23 NEW SECTION. **Sec. 6.** The board of directors of the public
24 facilities district shall adopt a resolution that may be amended from
25 time to time that shall establish the basic requirements governing
26 methods and amounts of reimbursement payable to such district officials
27 and employees for travel and other business expenses incurred on behalf
28 of the district. The resolution shall, among other things, establish
29 procedures for approving such expenses; the form of the travel and
30 expense voucher; and requirements governing the use of credit cards
31 issued in the name of the district. Such resolution may also establish
32 procedures for payment of per diem to board members. The state auditor
33 shall, as provided by general law, cooperate with the public facilities
34 district in establishing adequate procedures for regulating and
35 auditing the reimbursement of all such expenses.

1 NEW SECTION. **Sec. 7.** The board of directors of the public
2 facilities district may authorize payment of actual and necessary
3 expenses of officers and employees for lodging, meals, and travel-
4 related costs incurred in attending meetings or conferences on behalf
5 of the public facilities district and strictly in the public interest
6 and for public purposes. Officers and employees may be advanced
7 sufficient sums to cover their anticipated expenses in accordance with
8 rules adopted by the state auditor, which shall substantially conform
9 to the procedures provided in RCW 43.03.150 through 43.03.210.

10 NEW SECTION. **Sec. 8.** Each member of the board of directors of the
11 public facilities district may receive compensation of fifty dollars
12 per day for attending meetings or conferences on behalf of the
13 district, not to exceed three thousand dollars per year, if the public
14 facilities district board of directors has authorized by board
15 resolution, at a regularly scheduled meeting, the provision of such
16 compensation. Any director may waive all or any portion of his or her
17 compensation under this section as to any month or months during his or
18 her term of office, by a written waiver filed with the public
19 facilities district. The compensation provided in this section shall
20 be in addition to any reimbursement for expenses paid to such directors
21 by the public facilities district.

22 NEW SECTION. **Sec. 9.** The board of directors of the public
23 facilities district may purchase liability insurance with such limits
24 as they may deem reasonable for the purpose of protecting and holding
25 personally harmless district officers and employees against liability
26 for personal or bodily injuries and property damage arising from their
27 acts or omissions while performing or in good faith purporting to
28 perform their official duties.

29 NEW SECTION. **Sec. 10.** Whenever any action, claim, or proceeding
30 is instituted against any person who is or was an officer or employee
31 of the public facilities district arising out of the performance of
32 duties for or employment with the district, the public facilities
33 district may grant a request by such person that the attorney of the
34 district's choosing be authorized to defend said claim, suit, or
35 proceeding, and the costs of defense, attorney's fees, and any
36 obligation for payments arising from such action may be paid from the

1 district's funds. Costs of defense or judgment or settlement against
2 such person shall not be paid in any case where the court has found
3 that such person was not acting in good faith or within the scope of
4 employment with or duties for the public facilities district.

5 **Sec. 11.** RCW 36.100.030 and 1989 1st ex.s. c 8 s 3 are each
6 amended to read as follows:

7 (1) A public facilities district that is located in a county with
8 three hundred thousand or more population that is located more than one
9 hundred miles from any county in which the state has constructed and
10 owns a convention center is authorized to acquire, construct, own,
11 maintain, and operate sports ((and)) and/or entertainment facilities
12 with contiguous parking facilities and, upon the approval of the voters
13 of the public facilities district, a regional science education
14 facility may be located in any city or county within a public
15 facilities district that has a population of more than one hundred
16 fifty thousand. A public facility district that is located in a county
17 with a population of less than seventy-five thousand but greater than
18 twenty thousand in which is located part of a national monument is
19 authorized to acquire, construct, own, maintain, and operate a sports
20 and entertainment facility with contiguous parking facilities. A
21 public facilities district that is located in a county with a
22 population of one million or more is authorized to acquire, construct,
23 own, maintain, and operate facilities for youth and senior citizen
24 programs and activities, including recreational facilities, meeting
25 facilities, and contiguous parking facilities. The facilities must be
26 located within the boundaries of a participating city.

27 (2) A public facilities district may impose charges and fees for
28 the use of its facilities, and may accept and expend or use gifts,
29 grants, and donations. The taxes that are provided for in this chapter
30 may only be imposed ((for such purposes)) to finance the facilities
31 that the particular public facilities district is authorized to
32 provide.

33 NEW SECTION. **Sec. 12.** The board of directors of the public
34 facilities district shall have authority to authorize the expenditure
35 of funds for the public purposes of preparing and distributing
36 information to the general public and promoting, advertising,
37 improving, developing, operating, and maintaining facilities of the

1 district. Nothing contained in this section shall be construed to
2 authorize preparation and distribution of information to the general
3 public for the purpose of influencing the outcome of a district
4 election.

5 NEW SECTION. **Sec. 13.** The public facilities district shall have
6 authority to create and fill positions, to fix wages, salaries, and
7 bonds therefor, to pay costs involved in securing or arranging to
8 secure employees, and to establish such benefits for employees,
9 including holiday pay, vacations or vacation pay, retirement benefits,
10 medical, life, accident, or health disability insurance, as approved by
11 the board. Public facilities district board members, at their own
12 expense, shall be entitled to medical, life, accident, or health
13 disability insurance. Insurance for employees and board members shall
14 not be considered compensation. District coverage for the board is not
15 to exceed that provided public facilities district employees.

16 NEW SECTION. **Sec. 14.** The public facilities district may secure
17 services by means of an agreement with a service provider. The public
18 facilities district shall publish notice, establish criteria, receive
19 and evaluate proposals, and negotiate with respondents pursuant to
20 requirements set forth by district resolution.

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

25 NEW SECTION. **Sec. 16.** Sections 5 through 10 and 12 through 15 of
26 this act are each added to chapter 36.100 RCW."

27 Renumber the remaining sections consecutively and correct internal
28 references accordingly.

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32 On page 9, after line 16, insert the following:

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

3 The governing board of a public facilities district under chapter
4 36.100 RCW may submit an authorizing proposition to the voters of the
5 district, and if the proposition is approved by a majority of persons
6 voting, fix and impose a sales and use tax in accordance with the terms
7 of this chapter.

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

15 Moneys received from any tax imposed under this section shall be
16 used for the purpose of providing funds for the costs associated with
17 the financing, design, acquisition, construction, equipping, operating,
18 maintaining, and reequipping of (~~sports or entertainment facilities~~
19 ~~and contiguous parking~~) the facilities that the public facilities
20 district is authorized to provide."

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24 On page 1, line 1 of the title, after "revenue;" strike the
25 remainder of the title and insert "amending RCW 67.28.240, 36.100.010,
26 36.100.020, 36.100.030, 36.100.040, 36.100.050, 36.100.060, and
27 82.14.048; adding a new section to chapter 67.28 RCW; and adding new
28 sections to chapter 36.100 RCW."

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