

ESHB 2125 - S AMD 423

By Senators Kastama, Fairley

ADOPTED 04/17/2009

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 43.167.020 and 2007 c 501 s 4 are each amended to
4 read as follows:

5 (1) A community preservation and development authority shall have
6 the power to:

7 (a) Accept gifts, grants, loans, or other aid from public or
8 private entities; (~~and~~

9 ~~(b) Exercise such additional powers as may be authorized by law))~~

10 (b) Employ and appoint such agents, attorneys, officers, and
11 employees as may be necessary to implement the purposes and duties of
12 an authority;

13 (c) Contract and enter into partnerships with individuals,
14 associations, corporations, and local, state, and federal governments;

15 (d) Buy, own, lease, and sell real and personal property;

16 (e) Hold in trust, improve, and develop land;

17 (f) Invest, deposit, and reinvest its funds;

18 (g) Incur debt in furtherance of its mission; and

19 (h) Lend its funds, property, credit, or services for corporate
20 purposes.

21 (2) A community preservation and development authority (~~shall~~
22 ~~have~~) has no power of eminent domain nor any power to levy taxes or
23 special assessments.

24 (3) A community preservation and development authority that accepts
25 public funds under subsection (1)(a) of this section:

26 (a) Is subject in all respects to Article VIII, section 5 or 7, as
27 appropriate, of the state Constitution, and to RCW 42.17.128; and

28 (b) May not use the funds to support or oppose a candidate, ballot
29 proposition, political party, or political committee.

1 **Sec. 2.** RCW 43.167.030 and 2007 c 501 s 5 are each amended to read
2 as follows:

3 A community preservation and development authority shall have the
4 duty to:

5 (1) Establish specific geographic boundaries for the authority
6 within its bylaws based on the general geographic boundaries
7 established in the proposal submitted and approved by the legislature;

8 (2) Solicit input from members of its community and develop a
9 strategic preservation and development plan to restore and promote the
10 health, safety, and economic well-being of the impacted community and
11 to restore and preserve its cultural and historical identity;

12 (3) Include within the strategic plan a prioritized list of
13 projects identified and supported by the community, including capital
14 or operating components (~~that address one or more of the purposes~~
15 ~~under section 1(3) of this act~~);

16 (4) Establish funding mechanisms to support projects and programs
17 identified in the strategic plan including but not limited to grants
18 and loans;

19 (5) Use gifts, grants, loans, and other aid from public or private
20 entities to carry out projects identified in the strategic plan
21 including, but not limited to, those that: (a) Enhance public safety;
22 (b) reduce community blight; and (c) provide ongoing mitigation of the
23 adverse effects of multiple publicly funded projects on the impacted
24 community; and

25 (6) Demonstrate ongoing accountability for its actions by:

26 (a) Reporting to the appropriate committees of the legislature, one
27 year after formation and every biennium thereafter, on the authority's
28 strategic plan, activities, accomplishments, and any recommendations
29 for statutory changes;

30 (b) Reporting any changes in the authority's geographic boundaries
31 to the appropriate committees of the legislature when the legislature
32 next convenes in regular session;

33 (c) Convening a local town hall meeting with its constituency on an
34 annual basis to: (i) Report its activities and accomplishments from
35 the previous year; (ii) present and receive input from members of the
36 impacted community regarding its proposed strategic plan and activities
37 for the upcoming year; and (iii) hold board member elections as
38 necessary; and

1 (d) Maintaining books and records as appropriate for the conduct of
2 its affairs."

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3 On page 1, line 2 of the title, after "authorities;" strike the
4 remainder of the title and insert "and amending RCW 43.167.020 and
5 43.167.030."

EFFECT: Removes findings, purposes, and definitions. The striker provides certain powers to community preservation and development authorities, including the right to enter into contracts, hire employees, buy, sell, or lease property, incur debt, and lend its funds for corporate purposes, subject to lending of credit restrictions. Clarification is also provided on the permissible uses of gifts, grants, and loans from public or private entities.

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