
SENATE BILL 6149

State of Washington 60th Legislature 2007 Regular Session

By Senators Hobbs, Haugen, Berkey and Shin

Read first time 03/19/2007. Referred to Committee on Higher Education.

1 AN ACT Relating to higher education investment districts; and
2 adding a new chapter to Title 28B RCW.

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

4 NEW SECTION. **Sec. 1.** The governing board of a higher education
5 investment district created under section 2 of this act may submit an
6 authorizing proposition to the voters of the district, and if the
7 proposition is approved by a majority of persons voting, the district
8 may fix and impose a sales and use tax in accordance with the terms of
9 this chapter.

10 The tax authorized in this section is in addition to any other
11 taxes authorized by law and shall be collected from those persons who
12 are taxable by the state under chapters 82.08 and 82.12 RCW upon the
13 occurrence of any taxable event within the higher education investment
14 district. The rate of the tax may not exceed two-tenths of one percent
15 of the selling price in the case of a sales tax, or value of the
16 article used, in the case of a use tax.

17 Moneys received from any tax imposed under this section must be
18 used for the purpose of providing funds for the costs associated with

1 the financing, design, acquisition, construction, equipping,
2 maintaining, and the operations for a higher education facility as
3 defined in section 4 of this act.

4 NEW SECTION. **Sec. 2.** (1) The county legislative authority of a
5 county with a population greater than six hundred thousand persons but
6 less than seven hundred fifty thousand persons may create a higher
7 education investment district that is coextensive with the boundaries
8 of the county.

9 (2) The county legislative authority that meets the criteria of
10 section 1 of this act may enter into an agreement under chapter 39.34
11 RCW with any contiguous counties for the creation and joint operation
12 of a higher education investment district.

13 (3) A higher education investment district is created upon adoption
14 of a resolution providing for the creation of such a district by the
15 county legislative authority or county legislative authorities in which
16 the proposed district is located.

17 (4) A higher education investment district is a municipal
18 corporation, an independent taxing "authority" within the meaning of
19 Article VII, section 1 of the state Constitution, and a "taxing
20 district" within the meaning of Article VII, section 2 of the state
21 Constitution.

22 (5) No taxes authorized under section 1 of this act may be assessed
23 or levied unless a majority of the voters of the higher education
24 investment district has approved such tax at a general or special
25 election. A single ballot proposition may validate the imposition of
26 the sales and use tax under section 1 of this act.

27 (6) A higher education investment district constitutes a body
28 corporate and possesses all the usual powers of a corporation for
29 public purposes as well as all other powers that may now or hereafter
30 be specifically conferred by statute, including, but not limited to,
31 the authority to: Hire employees, staff, and services; enter into
32 contracts; and sue and be sued.

33 (7) A county legislative authority or a city council may transfer
34 property to the higher education investment district created under this
35 chapter. No property that is encumbered with debt or that is in need
36 of major capital renovation may be transferred to the district without

1 the agreement of the district and revenues adequate to retire the
2 existing indebtedness.

3 NEW SECTION. **Sec. 3.** The governing board of the higher education
4 investment district must consist of nine members selected as follows:
5 (1) Two members appointed by the legislative authorities of the cities
6 and towns; (2) three members appointed by the legislative authorities
7 of the counties; and (3) four members appointed by the legislative
8 authorities of the counties based upon recommendations from local
9 organizations. The members appointed may not be members of the
10 legislative authorities. The members appointed under subsection (3) of
11 this section must be based on recommendations received from local
12 organizations that include, but are not limited to, the local chamber
13 of commerce, local economic development council, or the local labor
14 council. The members of the governing board must be appointed to serve
15 four-year terms. Of the initial members, two must be appointed for a
16 one-year term, three must be appointed to a three-year term, and the
17 remainder must be appointed for four-year terms.

18 NEW SECTION. **Sec. 4.** For the purposes of this chapter, "higher
19 education facility" means an independent comprehensive four-year
20 institution of higher education with a polytechnical focus.

21 NEW SECTION. **Sec. 5.** Sections 1 through 4 of this act constitute
22 a new chapter in Title 28B RCW.

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