
ENGROSSED SUBSTITUTE SENATE BILL 5838

State of Washington

65th Legislature

2017 Regular Session

By Senate Ways & Means (originally sponsored by Senators Rossi, Kuderer, Palumbo, Braun, Hunt, Fain, O'Ban, Hawkins, Brown, Sheldon, Rivers, Zeiger, Angel, Bailey, Honeyford, Miloscia, Walsh, Wilson, Becker, Warnick, Mullet, and Hobbs)

READ FIRST TIME 03/21/17.

1 AN ACT Relating to the capital construction of and bonding for
2 addressing the facilities maintenance backlog for the state parks and
3 recreation commission; and adding a new chapter to Title 79A RCW.

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

5 NEW SECTION. **Sec. 1.** Park lands and park facilities are a vital
6 component of the future health and prosperity of the state. In order
7 to ensure that the state continues to be able to provide high quality
8 park, recreation, and open space for the public, it is the intent of
9 the legislature through this act to provide funding for capital
10 projects to help overcome the extensive backlog of maintenance needs
11 at state parks. This new source of funding for the critical capital
12 needs of the state's parks furthers the mission of recreation and
13 outdoor education and is intended to enhance the ability of the state
14 parks and recreation commission, over the next eight years, to
15 fulfill its critical role in providing recreational access for the
16 state's youth and public as they enjoy the natural heritage of
17 Washington.

18 NEW SECTION. **Sec. 2.** The definitions in this section apply
19 throughout this chapter unless the context clearly requires
20 otherwise.

1 (1) "Bonds" means bonds, notes, commercial paper, certificates of
2 indebtedness, or other evidences of indebtedness of the state issued
3 under this chapter.

4 (2) "Commission" means the state parks and recreation commission
5 defined in RCW 79A.05.010.

6 NEW SECTION. **Sec. 3.** (1) With the exception of subsection (2)
7 of this section, for the purpose of providing needed capital
8 improvements consisting of the predesign, design, maintenance,
9 construction, modification, renovation, modifying existing structures
10 to meet current and future needs, equipping, and other improvement of
11 state buildings and facilities for the commission, the state finance
12 committee is authorized to issue general obligation bonds of the
13 state of Washington in the sum of five hundred million dollars, or as
14 much thereof as may be required, to finance all or a part of the cost
15 of these projects and all costs incidental thereto.

16 (2) Proceeds from these bonds may not be used for any
17 expenditures to any part of the cross-state trail east of the
18 Columbia river known by the names of the Milwaukie Road corridor,
19 John Wayne trail or iron horse trail, or for the Columbia Plateau
20 trail south of the Turnbull national wildlife refuge where the
21 scablands nature trail and the Columbia Plateau trail meet and north
22 of the Snake river junction trailhead. Proceeds from these bonds may
23 not be used for any expenditures pertaining to any part of trails
24 acquired by the commission after the effective date of this section.

25 (3) Proceeds from these bonds may not be used to purchase or
26 acquire any new land.

27 (4) Bonds authorized in this section shall be sold in the manner,
28 at the time or times, in amounts, and at such prices as the state
29 finance committee shall determine.

30 (5) No bonds authorized in this section may be offered for sale
31 without prior legislative appropriation of the net proceeds of the
32 sale of the bonds.

33 (6) The bonds issued under the authority of this section shall be
34 known as Washington's state parks future bonds.

35 NEW SECTION. **Sec. 4.** It is the intent of the legislature that
36 the proceeds of new bonds authorized in this chapter will be
37 appropriated in phases over five biennia, beginning with the
38 2017-2019 biennium, to provide additional funding for capital

1 projects and facilities of the commission. This chapter is not
2 intended to limit the legislature's ability to appropriate bond
3 proceeds if the full amount authorized in this chapter has not been
4 appropriated after four biennia, and the authorization to issue bonds
5 contained in this chapter does not expire until the full
6 authorization has been appropriated and issued.

7 NEW SECTION. **Sec. 5.** The commission shall prepare a reporting
8 structure for use in tracking the success and progress of
9 implementing this chapter. Reports must be submitted concurrent with
10 the office of financial management requirements for agency biennial
11 budget requests, including submittal to the appropriate fiscal
12 committees of the legislature, and at a minimum contain the
13 following:

- 14 (1) The total anticipated project list to be funded with this
15 chapter, with updates provided each biennia;
- 16 (2) A list of the subsequent biennia project proposals including
17 those with completed designs and completed permit submittals;
- 18 (3) The accomplishments to date, with projected and actual
19 spending on projects funded by this chapter; and
- 20 (4) The overall facility condition index, reflecting changes in
21 condition as expenditures are made.

22 NEW SECTION. **Sec. 6.** (1) The state finance committee is
23 authorized to prescribe the form, terms, conditions, and covenants of
24 the bonds provided for in this chapter, the time or times of sale of
25 all or any portion of them, and the conditions and manner of their
26 sale and issuance.

27 (2) Bonds issued under this chapter shall state that they are a
28 general obligation of the state of Washington, shall pledge the full
29 faith and credit of the state to the payment of the principal thereof
30 and the interest thereon, and shall contain an unconditional promise
31 to pay the principal and interest as the same shall become due.

32 NEW SECTION. **Sec. 7.** (1) The proceeds from the sale of the
33 bonds authorized in section 3 of this act shall be deposited in the
34 state building construction account created in RCW 43.83.020.

35 (2) The treasurer shall transfer bond proceeds deposited in the
36 state building construction account into the Daniel J. and Nancy
37 Evans state parks preservation account created in section 13 of this

1 act at various times and in various amounts necessary to support
2 authorized expenditures from the account.

3 (3) The proceeds shall be used exclusively for the purposes
4 identified in section 3 of this act and for the payment of the
5 expenses incurred in connection with the sale and issuance of the
6 bonds.

7 NEW SECTION. **Sec. 8.** (1) The legislature intends to use the
8 proceeds from the sale of bonds issued under this chapter for the
9 projects identified during the 2017-2019, 2019-2021, 2021-2023,
10 2023-2025, and 2025-2027 biennia and for other projects that maintain
11 access to commission property or facilities.

12 (2) The legislature intends that the proceeds from the sale of
13 the bonds authorized in section 3 of this act will not be in addition
14 to the proceeds from the sale of bonds authorized by the 2017-2019
15 bond bill, chapter . . . (Substitute Senate Bill No. 5090), Laws of
16 2017 and by bills authorizing bond issuance to support future capital
17 budget appropriations.

18 NEW SECTION. **Sec. 9.** (1) The debt-limit general fund bond
19 retirement account shall be used for the payment of the principal of
20 and interest on the bonds authorized in this chapter.

21 (2) The state finance committee shall, on or before June 30th of
22 each year, certify to the state treasurer the amount needed in the
23 ensuing twelve months to meet the bond retirement and interest
24 requirements on the bonds authorized in this chapter.

25 (3) On each date on which any interest or principal and interest
26 payment is due on bonds issued under this chapter, the state
27 treasurer shall withdraw from any general state revenues received in
28 the state treasury and deposit in the debt-limit general fund bond
29 retirement account an amount equal to the amount certified by the
30 state finance committee to be due on the payment date.

31 (4) The owner and holder of each of the bonds or the trustee for
32 the owner and holder of any of the bonds may by mandamus or other
33 appropriate proceeding require the transfer and payment of funds as
34 directed in this section.

35 NEW SECTION. **Sec. 10.** The bonds authorized by this chapter
36 constitute a legal investment for all state funds or for funds under
37 state control and all funds of municipal corporations.

1 NEW SECTION. **Sec. 11.** The legislature may provide additional
2 means for raising moneys for the payment of the principal of and
3 interest on the bonds authorized under this chapter, and section 10
4 of this act shall not be deemed to provide an exclusive method for
5 payment.

6 NEW SECTION. **Sec. 12.** This chapter provides a complete,
7 additional, and alternative method for accomplishing the purposes of
8 this chapter and is supplemental and additional to powers conferred
9 by other laws. The issuance of bonds under this chapter shall not be
10 deemed to be the only method to fund projects under this chapter.

11 NEW SECTION. **Sec. 13.** The Daniel J. and Nancy Evans state parks
12 preservation account is created in the state treasury. Proceeds from
13 the bonds issued under section 3 of this act must be deposited in the
14 account. Moneys in the account may be spent only after appropriation.
15 Expenditures from the account may be used only for those purposes
16 identified in section 3 of this act.

17 NEW SECTION. **Sec. 14.** This act may be known and cited as the
18 securing the future of Washington's state parks bonding act.

19 NEW SECTION. **Sec. 15.** If any provision of this act or its
20 application to any person or circumstance is held invalid, the
21 remainder of the act or the application of the provision to other
22 persons or circumstances is not affected.

23 NEW SECTION. **Sec. 16.** Sections 1 through 14 of this act
24 constitute a new chapter in Title 79A RCW.

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