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**SUBSTITUTE SENATE BILL 5518**

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**State of Washington**

**56th Legislature**

**1999 Regular Session**

**By** Senate Committee on Natural Resources, Parks & Recreation  
(originally sponsored by Senators Jacobsen, Eide, Goings and Winsley)

Read first time 02/26/1999.

1 AN ACT Relating to community outdoor athletic facilities; amending  
2 RCW 43.99N.060; adding a new section to chapter 43.99N RCW; and adding  
3 a new section to chapter 35.63 RCW.

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

5 **Sec. 1.** RCW 43.99N.060 and 1997 c 220 s 214 (Referendum Bill No.  
6 48) are each amended to read as follows:

7 (1) The stadium and exhibition center account is created in the  
8 custody of the state treasurer. All receipts from the taxes imposed  
9 under RCW 82.14.0494 and distributions under RCW 67.70.240(5) shall be  
10 deposited into the account. Only the director of the office of  
11 financial management or the director's designee may authorize  
12 expenditures from the account. The account is subject to allotment  
13 procedures under chapter 43.88 RCW. An appropriation is not required  
14 for expenditures from this account.

15 (2) Until bonds are issued under RCW 43.99N.020, up to five million  
16 dollars per year beginning January 1, 1999, shall be used for the  
17 purposes of subsection (3)(b) of this section, all remaining moneys in  
18 the account shall be transferred to the public stadium authority,

1 created under RCW 36.102.020, to be used for public stadium authority  
2 operations and development of the stadium and exhibition center.

3 (3) After bonds are issued under RCW 43.99N.020, all moneys in the  
4 stadium and exhibition center account shall be used exclusively for the  
5 following purposes in the following priority:

6 (a) On or before June 30th of each year, the office of financial  
7 management shall accumulate in the stadium and exhibition center  
8 account an amount at least equal to the amount required in the next  
9 succeeding twelve months for the payment of principal of and interest  
10 on the bonds issued under RCW 43.99N.020;

11 (b) An additional reserve amount not in excess of the expected  
12 average annual principal and interest requirements of bonds issued  
13 under RCW 43.99N.020 shall be accumulated and maintained in the  
14 account, subject to withdrawal by the state treasurer at any time if  
15 necessary to meet the requirements of (a) of this subsection, and,  
16 following any withdrawal, reaccumulated from the first tax revenues and  
17 other amounts deposited in the account after meeting the requirements  
18 of (a) of this subsection; and

19 (c) The balance, if any, shall be transferred to the youth athletic  
20 facility (~~(grant)~~) account under subsection (4) of this section.

21 Any revenues derived from the taxes authorized by RCW 36.38.010(5)  
22 and 36.38.040 or other amounts that if used as provided under (a) and  
23 (b) of this subsection would cause the loss of any tax exemption under  
24 federal law for interest on bonds issued under RCW 43.99N.020 shall be  
25 deposited in and used exclusively for the purposes of the youth  
26 athletic facility (~~(grant)~~) account and shall not be used, directly or  
27 indirectly, as a source of payment of principal of or interest on bonds  
28 issued under RCW 43.99N.020, or to replace or reimburse other funds  
29 used for that purpose.

30 (4) Any moneys in the stadium and exhibition center account not  
31 required or permitted to be used for the purposes described in  
32 subsection (3)(a) and (b) of this section shall be deposited in the  
33 youth athletic facility (~~(grant)~~) account hereby created in the state  
34 treasury. Expenditures from the account may be used only for purposes  
35 of grants or loans to cities, counties, and qualified nonprofit  
36 organizations for (~~(youth)~~) community outdoor athletic facilities.  
37 Only the director of the interagency committee for outdoor recreation  
38 or the director's designee may authorize expenditures from the account.  
39 The account is subject to allotment procedures under chapter 43.88 RCW,

1 but an appropriation is not required for expenditures. The athletic  
2 facility grants or loans may be used for acquiring, developing,  
3 equipping, maintaining, and improving youth or community outdoor  
4 athletic facilities. Funds shall be divided equally between the  
5 development of new community outdoor athletic facilities, the  
6 improvement of existing community outdoor athletic facilities, and the  
7 maintenance of existing community outdoor athletic facilities. Cities,  
8 counties, and qualified nonprofit organizations must submit proposals  
9 for grants or loans from the account. To the extent that funds are  
10 available, cities, counties, and qualified nonprofit organizations must  
11 meet eligibility criteria as established by the director of the  
12 interagency committee for outdoor recreation. The grants and loans  
13 shall be awarded on a competitive application process and the amount of  
14 the grant or loan shall be in proportion to the population of the city  
15 or county for where the ((youth)) community outdoor athletic facility  
16 is located. Grants or loans awarded in any one year need not be  
17 distributed in that year. The director of the interagency committee  
18 for outdoor recreation may expend up to one and one-half percent of the  
19 moneys deposited in the account created in this subsection for  
20 administrative purposes.

21 NEW SECTION. Sec. 2. A new section is added to chapter 43.99N RCW  
22 to read as follows:

23 The Washington state interagency committee for outdoor recreation,  
24 in consultation with the community outdoor athletic fields advisory  
25 council, shall establish the terms and conditions of repayment and  
26 interest, based on financial considerations for any loans made under  
27 this section. Loans made under this section shall be low or no  
28 interest.

29 NEW SECTION. Sec. 3. A new section is added to chapter 35.63 RCW  
30 to read as follows:

31 No municipality may issue a construction building permit, or make  
32 any change to a zoning or other land-use planning ordinance, with  
33 regard to any property being used as a community outdoor athletic field  
34 that would allow construction or operation of a use that is  
35 incompatible with the community outdoor athletic field, unless an area  
36 within the jurisdiction equivalent to twice the area of the affected  
37 community outdoor athletic field is concurrently rezoned from an

1 incompatible use to a use that will allow the area to be used as a  
2 community outdoor athletic field and the entity requesting the building  
3 permit or zoning change has executed an agreement providing that the  
4 property will be used as a community outdoor athletic field.

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