
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 four biennia, beginning with the
38 2017-2019 biennium, to provide additional funding for capital

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

7 NEW SECTION. **Sec. 5.** (1) The state finance committee is
8 authorized to prescribe the form, terms, conditions, and covenants of
9 the bonds provided for in this chapter, the time or times of sale of
10 all or any portion of them, and the conditions and manner of their
11 sale and issuance.

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

17 NEW SECTION. **Sec. 6.** (1) The proceeds from the sale of the
18 bonds authorized in section 3 of this act shall be deposited in the
19 Evans state parks preservation account created in section 12 of this
20 act.

21 (2) The proceeds shall be used exclusively for the purposes
22 identified in section 3 of this act and for the payment of the
23 expenses incurred in connection with the sale and issuance of the
24 bonds.

25 NEW SECTION. **Sec. 7.** The legislature intends to use the
26 proceeds from the sale of bonds issued under this chapter for the
27 projects identified during the 2017-2019, 2019-2021, 2021-2023, and
28 2023-2025 biennia and for other projects that maintain access to
29 commission property or facilities.

30 NEW SECTION. **Sec. 8.** (1) The debt-limit general fund bond
31 retirement account shall be used for the payment of the principal of
32 and interest on the bonds authorized in this chapter.

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

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

7 (4) The owner and holder of each of the bonds or the trustee for
8 the owner and holder of any of the bonds may by mandamus or other
9 appropriate proceeding require the transfer and payment of funds as
10 directed in this section.

11 NEW SECTION. **Sec. 9.** The bonds authorized by this chapter
12 constitute a legal investment for all state funds or for funds under
13 state control and all funds of municipal corporations.

14 NEW SECTION. **Sec. 10.** The legislature may provide additional
15 means for raising moneys for the payment of the principal of and
16 interest on the bonds authorized under this chapter, and section 9 of
17 this act shall not be deemed to provide an exclusive method for
18 payment.

19 NEW SECTION. **Sec. 11.** This chapter provides a complete,
20 additional, and alternative method for accomplishing the purposes of
21 this chapter and is supplemental and additional to powers conferred
22 by other laws. The issuance of bonds under this chapter shall not be
23 deemed to be the only method to fund projects under this chapter.

24 NEW SECTION. **Sec. 12.** The Evans state parks preservation
25 account is created in the state treasury. Proceeds from the bonds
26 issued under section 3 of this act must be deposited in the account.
27 Moneys in the account may be spent only after appropriation.
28 Expenditures from the account may be used only for those purposes
29 identified in section 3 of this act.

30 NEW SECTION. **Sec. 13.** This act may be known and cited as the
31 securing the future of Washington's state parks bonding act.

32 NEW SECTION. **Sec. 14.** If any provision of this act or its
33 application to any person or circumstance is held invalid, the

1 remainder of the act or the application of the provision to other
2 persons or circumstances is not affected.

3 NEW SECTION. **Sec. 15.** Sections 1 through 13 of this act
4 constitute a new chapter in Title 79A RCW.

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