
SENATE BILL 5979

State of Washington

56th Legislature

1999 Regular Session

By Senator Roach

Read first time 02/18/1999. Referred to Committee on Ways & Means.

1 AN ACT Relating to designating lottery moneys for school
2 construction, arts education, and construction of outdoor athletic
3 facilities; and amending RCW 67.70.240, 43.99N.060, and 28A.300.040.

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

5 **Sec. 1.** RCW 67.70.240 and 1997 c 220 s 206 (Referendum Bill No.
6 48) are each amended to read as follows:

7 (1) The moneys in the state lottery account shall be used only for
8 the following:

9 ~~((1) For))~~ (a) The payment of prizes to the holders of winning
10 lottery tickets or shares;

11 ~~((2) For purposes of))~~ (b) Making deposits into the reserve
12 account created by RCW 67.70.250 and into the lottery administrative
13 account created by RCW 67.70.260;

14 ~~((3) For purposes of making deposits into the state's general~~
15 ~~fund;~~

16 ~~(4) For))~~ (c) Distribution to a county for the purpose of paying
17 the principal and interest payments on bonds issued by the county to
18 construct a baseball stadium, as defined in RCW 82.14.0485, including
19 reasonably necessary preconstruction costs. Three million dollars

1 shall be distributed under this subsection during calendar year 1996.
2 During subsequent years, such distributions shall equal the prior
3 year's distributions increased by four percent. Distributions under
4 this subsection shall cease when the bonds issued for the construction
5 of the baseball stadium are retired, but not more than twenty years
6 after the tax under RCW 82.14.0485 is first imposed;

7 ~~((5) For))~~ (d) Distribution to the stadium and exhibition center
8 account, created in RCW 43.99N.060. Subject to the conditions of RCW
9 43.99N.070, six million dollars shall be distributed under this
10 subsection during the calendar year 1998. During subsequent years,
11 such distribution shall equal the prior year's distributions increased
12 by four percent. No distribution may be made under this subsection
13 after December 31, 1999, unless the conditions for issuance of the
14 bonds under RCW 43.99N.020(2) are met. Distributions under this
15 subsection shall cease when the bonds are retired, but not later than
16 December 31, 2020;

17 ~~((6) For))~~ (e) The purchase and promotion of lottery games and
18 game-related services; and

19 ~~((7) For))~~ (f) The payment of agent compensation.

20 (2) Five percent of the moneys not used for the purposes outlined
21 in subsection (1)(a) through (e) of this section shall be used as
22 matching funds for:

23 (a) Construction of performing or community arts centers located in
24 whole or in part on school district property; or

25 (b) Construction of athletic fields and fieldhouses located in
26 whole or in part on school district property.

27 This determination and level of disbursement shall be made by the
28 office of the superintendent of public instruction based on anticipated
29 school district requests and need. These funds shall be administered
30 by the office of the superintendent of public instruction who may
31 coordinate athletic facility projects with the interagency committee
32 for outdoor recreation.

33 (3) The school district shall provide twenty-five percent of the
34 funding for programs under subsection (2) of this section.
35 Contributions of private or public funds, donated goods and services,
36 and other measurable commitments including volunteer services,
37 materials, supplies, physical facilities, or a combination thereof may
38 be considered as all or part of the funding provided by the school
39 district. The office of the superintendent of public instruction shall

1 determine the appropriate level of value of donated goods and services,
2 and establish a process to prioritize project requests.

3 (4) Funds intended as matching funds under subsection (2) of this
4 section, for a school district that does not demonstrate by the end of
5 the current fiscal biennium an intent to use those funds, must be
6 deposited into the common school construction fund.

7 (5) Moneys not used for the purposes outlined in subsections (1)
8 and (2) of this section shall be deposited into the common school
9 construction fund for school construction in amounts as may be
10 available or sufficient to fund all the school construction and
11 modernization projects approved by the state board of education,
12 whichever is less.

13 (6) Funds not used for the purposes outlined in subsections (1)
14 through (5) of this section shall be deposited into the state's general
15 fund.

16 The office of financial management shall require the allotment of
17 all expenses paid from the account and shall report to the ways and
18 means committees of the senate and house of representatives any changes
19 in the allotments.

20 **Sec. 2.** RCW 43.99N.060 and 1997 c 220 s 214 (Referendum Bill No.
21 48) are each amended to read as follows:

22 (1) The stadium and exhibition center account is created in the
23 custody of the state treasurer. All receipts from the taxes imposed
24 under RCW 82.14.0494 and distributions under RCW 67.70.240((+5))
25 (1)(d) shall be deposited into the account. Only the director of the
26 office of financial management or the director's designee may authorize
27 expenditures from the account. The account is subject to allotment
28 procedures under chapter 43.88 RCW. An appropriation is not required
29 for expenditures from this account.

30 (2) Until bonds are issued under RCW 43.99N.020, up to five million
31 dollars per year beginning January 1, 1999, shall be used for the
32 purposes of subsection (3)(b) of this section, all remaining moneys in
33 the account shall be transferred to the public stadium authority,
34 created under RCW 36.102.020, to be used for public stadium authority
35 operations and development of the stadium and exhibition center.

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

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

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

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

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

25 (4) Any moneys in the stadium and exhibition center account not
26 required or permitted to be used for the purposes described in
27 subsection (3)(a) and (b) of this section shall be deposited in the
28 youth athletic facility grant account hereby created in the state
29 treasury. Expenditures from the account may be used only for purposes
30 of grants to cities, counties, and qualified nonprofit organizations
31 for youth athletic facilities. Only the director of the interagency
32 committee for outdoor recreation or the director's designee may
33 authorize expenditures from the account. The account is subject to
34 allotment procedures under chapter 43.88 RCW, but an appropriation is
35 not required for expenditures. The athletic facility grants may be
36 used for acquiring, developing, equipping, maintaining, and improving
37 youth or community athletic facilities. Funds shall be divided equally
38 between the development of new athletic facilities, the improvement of
39 existing athletic facilities, and the maintenance of existing athletic

1 facilities. Cities, counties, and qualified nonprofit organizations
2 must submit proposals for grants from the account. To the extent that
3 funds are available, cities, counties, and qualified nonprofit
4 organizations must meet eligibility criteria as established by the
5 director of the interagency committee for outdoor recreation. The
6 grants shall be awarded on a competitive application process and the
7 amount of the grant shall be in proportion to the population of the
8 city or county for where the youth athletic facility is located.
9 Grants awarded in any one year need not be distributed in that year.
10 The director of the interagency committee for outdoor recreation may
11 expend up to one and one-half percent of the moneys deposited in the
12 account created in this subsection for administrative purposes.

13 **Sec. 3.** RCW 28A.300.040 and 1992 c 198 s 6 are each amended to
14 read as follows:

15 In addition to any other powers and duties as provided by law, the
16 powers and duties of the superintendent of public instruction shall be:

17 (1) To have supervision over all matters pertaining to the public
18 schools of the state.

19 (2) To report to the governor and the legislature such information
20 and data as may be required for the management and improvement of the
21 schools.

22 (3) To prepare and have printed such forms, registers, courses of
23 study, rules and regulations for the government of the common schools,
24 (~~questions prepared for the examination of persons as provided for in~~
25 ~~RCW 28A.305.130(9),~~) and such other material and books as may be
26 necessary for the discharge of the duties of teachers and officials
27 charged with the administration of the laws relating to the common
28 schools, and to distribute the same to educational service district
29 superintendents.

30 (4) To travel, without neglecting his or her other official duties
31 as superintendent of public instruction, for the purpose of attending
32 educational meetings or conventions, of visiting schools, of consulting
33 educational service district superintendents or other school officials.

34 (5) To prepare and from time to time to revise a manual of the
35 Washington state common school code, copies of which shall be provided
36 in such numbers as determined by the superintendent of public
37 instruction at no cost to those public agencies within the common
38 school system and which shall be sold at approximate actual cost of

1 publication and distribution per volume to all other public and
2 nonpublic agencies or individuals, said manual to contain Titles 28A
3 and 28C RCW, rules and regulations related to the common schools, and
4 such other matter as the state superintendent or the state board of
5 education shall determine. Proceeds of the sale of such code shall be
6 transmitted to the public printer who shall credit the state
7 superintendent's account within the state printing plant revolving fund
8 by a like amount.

9 (6) To act as ex officio member and the chief executive officer of
10 the state board of education.

11 (7) To file all papers, reports and public documents transmitted to
12 the superintendent by the school officials of the several counties or
13 districts of the state, each year separately. Copies of all papers
14 filed in the superintendent's office, and the superintendent's official
15 acts, may, or upon request, shall be certified by the superintendent
16 and attested by the superintendent's official seal, and when so
17 certified shall be evidence of the papers or acts so certified to.

18 (8) To require annually, on or before the 15th day of August, of
19 the president, manager, or principal of every educational institution
20 in this state, a report as required by the superintendent of public
21 instruction; and it is the duty of every president, manager or
22 principal, to complete and return such forms within such time as the
23 superintendent of public instruction shall direct.

24 (9) To keep in the superintendent's office a record of all teachers
25 receiving certificates to teach in the common schools of this state.

26 (10) To issue certificates as provided by law.

27 (11) To keep in the superintendent's office at the capital of the
28 state, all books and papers pertaining to the business of the
29 superintendent's office, and to keep and preserve in the
30 superintendent's office a complete record of statistics, as well as a
31 record of the meetings of the state board of education.

32 (12) With the assistance of the office of the attorney general, to
33 decide all points of law which may be submitted to the superintendent
34 in writing by any educational service district superintendent, or that
35 may be submitted to the superintendent by any other person, upon appeal
36 from the decision of any educational service district superintendent;
37 and the superintendent shall publish his or her rulings and decisions
38 from time to time for the information of school officials and teachers;

1 and the superintendent's decision shall be final unless set aside by a
2 court of competent jurisdiction.

3 (13) To administer oaths and affirmations in the discharge of the
4 superintendent's official duties.

5 (14) To deliver to his or her successor, at the expiration of the
6 superintendent's term of office, all records, books, maps, documents
7 and papers of whatever kind belonging to the superintendent's office or
8 which may have been received by the superintendent's for the use of the
9 superintendent's office.

10 (15) To administer family services and programs to promote the
11 state's policy as provided in RCW 74.14A.025.

12 (16) To administer the funds provided under RCW 67.70.240 (1), (2),
13 and (3).

14 (17) To perform such other duties as may be required by law.

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