
SENATE BILL 6763

State of Washington 56th Legislature 2000 Regular Session

By Senators Finkbeiner, Hochstatter, Stevens and Oke

Read first time 01/26/2000. Referred to Committee on Ways & Means.

1 AN ACT Relating to common school and higher education construction
2 and renovation; amending RCW 67.70.040, 67.70.240, 39.42.060,
3 39.42.070, and 39.12.020; adding a new section to chapter 43.79 RCW;
4 adding a new section to chapter 43.135 RCW; and providing an effective
5 date.

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

7 **Sec. 1.** RCW 67.70.040 and 1994 c 218 s 4 are each amended to read
8 as follows:

9 The commission shall have the power, and it shall be its duty:

10 (1) To promulgate such rules governing the establishment and
11 operation of a state lottery as it deems necessary and desirable in
12 order that such a lottery be initiated at the earliest feasible and
13 practicable time, and in order that such lottery produce the maximum
14 amount of net revenues for the state consonant with the dignity of the
15 state and the general welfare of the people. Such rules shall include,
16 but shall not be limited to, the following:

17 (a) The type of lottery to be conducted which may include the
18 selling of tickets or shares. The use of electronic or mechanical
19 devices or video terminals which allow for individual play against such

1 devices or terminals shall be prohibited. Approval of the legislature
2 shall be required before entering any agreement with other state
3 lotteries to conduct shared games;

4 (b) The price, or prices, of tickets or shares in the lottery;

5 (c) The numbers and sizes of the prizes on the winning tickets or
6 shares;

7 (d) The manner of selecting the winning tickets or shares;

8 (e) The manner and time of payment of prizes to the holder of
9 winning tickets or shares which, at the director's option, may be paid
10 in lump sum amounts or installments over a period of years;

11 (f) The frequency of the drawings or selections of winning tickets
12 or shares. Approval of the legislature is required before conducting
13 any on-line game in which the drawing or selection of winning tickets
14 occurs more frequently than once every twenty-four hours;

15 (g) Without limit as to number, the type or types of locations at
16 which tickets or shares may be sold;

17 (h) The method to be used in selling tickets or shares;

18 (i) The licensing of agents to sell or distribute tickets or
19 shares, except that a person under the age of eighteen shall not be
20 licensed as an agent;

21 (j) The manner and amount of compensation, if any, to be paid
22 licensed sales agents necessary to provide for the adequate
23 availability of tickets or shares to prospective buyers and for the
24 convenience of the public;

25 (k) The apportionment of the total revenues accruing from the sale
26 of lottery tickets or shares and from all other sources among: (i) The
27 payment of prizes to the holders of winning tickets or shares, which
28 shall not be less than forty-five percent of the gross annual revenue
29 from such lottery, (ii) transfers to the lottery administrative account
30 created by RCW 67.70.260, and (iii) transfer to the (~~state's general~~
31 ~~fund~~) common school construction fund and the institutions of higher
32 education construction account. Of the amounts apportioned under this
33 subsection (1)(k)(iii), seventy percent shall be transferred to the
34 common school construction fund and thirty percent shall be transferred
35 to the institutions of higher education construction account.
36 Transfers to the (~~state general fund~~) common school construction fund
37 and the institutions of higher education construction account shall be
38 made in compliance with RCW 43.01.050;

1 (1) Such other matters necessary or desirable for the efficient and
2 economical operation and administration of the lottery and for the
3 convenience of the purchasers of tickets or shares and the holders of
4 winning tickets or shares.

5 (2) To ensure that in each place authorized to sell lottery tickets
6 or shares, on the back of the ticket or share, and in any advertising
7 or promotion there shall be conspicuously displayed an estimate of the
8 probability of purchasing a winning ticket.

9 (3) To amend, repeal, or supplement any such rules from time to
10 time as it deems necessary or desirable.

11 (4) To advise and make recommendations to the director for the
12 operation and administration of the lottery.

13 **Sec. 2.** RCW 67.70.240 and 1997 c 220 s 206 are each amended to
14 read as follows:

15 The moneys in the state lottery account shall be used only:

16 (1) For the payment of prizes to the holders of winning lottery
17 tickets or shares;

18 (2) For purposes of making deposits into the reserve account
19 created by RCW 67.70.250 and into the lottery administrative account
20 created by RCW 67.70.260;

21 (3) For purposes of making deposits into the (~~state's general~~
22 ~~fund~~) common school construction fund and the institutions of higher
23 education construction account;

24 (4) For distribution to a county for the purpose of paying the
25 principal and interest payments on bonds issued by the county to
26 construct a baseball stadium, as defined in RCW 82.14.0485, including
27 reasonably necessary preconstruction costs. Three million dollars
28 shall be distributed under this subsection during calendar year 1996.
29 During subsequent years, such distributions shall equal the prior
30 year's distributions increased by four percent. Distributions under
31 this subsection shall cease when the bonds issued for the construction
32 of the baseball stadium are retired, but not more than twenty years
33 after the tax under RCW 82.14.0485 is first imposed;

34 (5) For distribution to the stadium and exhibition center account,
35 created in RCW 43.99N.060. Subject to the conditions of RCW
36 43.99N.070, six million dollars shall be distributed under this
37 subsection during the calendar year 1998. During subsequent years,
38 such distribution shall equal the prior year's distributions increased

1 by four percent. No distribution may be made under this subsection
2 after December 31, 1999, unless the conditions for issuance of the
3 bonds under RCW 43.99N.020(2) are met. Distributions under this
4 subsection shall cease when the bonds are retired, but not later than
5 December 31, 2020;

6 (6) For the purchase and promotion of lottery games and game-
7 related services; and

8 (7) For the payment of agent compensation.

9 The office of financial management shall require the allotment of
10 all expenses paid from the account and shall report to the ways and
11 means committees of the senate and house of representatives any changes
12 in the allotments.

13 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.79 RCW
14 to read as follows:

15 The institutions of higher education construction account is
16 created in the state treasury. All receipts from lottery revenues must
17 be deposited in the account as provided in RCW 67.70.040. Moneys in
18 the account may be spent only after appropriation. Expenditures from
19 the account shall be used exclusively for financing the construction of
20 facilities for the state institutions of higher education.

21 **Sec. 4.** RCW 39.42.060 and 1999 c 273 s 9 are each amended to read
22 as follows:

23 No bonds, notes, or other evidences of indebtedness for borrowed
24 money shall be issued by the state which will cause the aggregate debt
25 contracted by the state to exceed that amount for which payments of
26 principal and interest in any fiscal year would require the state to
27 expend more than seven percent of the arithmetic mean of its general
28 state revenues, as ~~((defined in section 1(c) of Article VIII of the~~
29 ~~Washington state Constitution))~~ determined under RCW 39.42.070 for the
30 three immediately preceding fiscal years as certified by the treasurer
31 in accordance with RCW 39.42.070. It shall be the duty of the state
32 finance committee to compute annually the amount required to pay
33 principal of and interest on outstanding debt. In making such
34 computation, the state finance committee shall include all borrowed
35 money represented by bonds, notes, or other evidences of indebtedness
36 which are secured by the full faith and credit of the state or are
37 required to be paid, directly or indirectly, from general state

1 revenues and which are incurred by the state, any department,
2 authority, public corporation or quasi public corporation of the state,
3 any state university or college, or any other public agency created by
4 the state but not by counties, cities, towns, school districts, or
5 other municipal corporations, and shall include debt incurred pursuant
6 to section 3 of Article VIII of the Washington state Constitution, but
7 shall exclude the following:

8 (1) Obligations for the payment of current expenses of state
9 government;

10 (2) Indebtedness incurred pursuant to RCW 39.42.080 or 39.42.090;

11 (3) Principal of and interest on bond anticipation notes;

12 (4) Any indebtedness which has been refunded;

13 (5) Financing contracts entered into under chapter 39.94 RCW;

14 (6) Indebtedness authorized or incurred before July 1, 1993,
15 pursuant to statute which requires that the state treasury be
16 reimbursed, in the amount of the principal of and the interest on such
17 indebtedness, from money other than general state revenues or from the
18 special excise tax imposed pursuant to chapter 67.40 RCW;

19 (7) Indebtedness authorized and incurred after July 1, 1993,
20 pursuant to statute that requires that the state treasury be
21 reimbursed, in the amount of the principal of and the interest on such
22 indebtedness, from (a) moneys outside the state treasury, except higher
23 education operating fees, (b) higher education building fees, (c)
24 indirect costs recovered from federal grants and contracts, and (d)
25 fees and charges associated with hospitals operated or managed by
26 institutions of higher education;

27 (8) Any agreement, promissory note, or other instrument entered
28 into by the state finance committee under RCW 39.42.030 in connection
29 with its acquisition of bond insurance, letters of credit, or other
30 credit support instruments for the purpose of guaranteeing the payment
31 or enhancing the marketability, or both, of any state bonds, notes, or
32 other evidence of indebtedness;

33 (9) Indebtedness incurred for the purposes identified in RCW
34 43.99N.020; and

35 (10) Indebtedness incurred for the purposes of the school district
36 bond guaranty established by chapter 39.98 RCW.

37 To the extent necessary because of the constitutional or statutory
38 debt limitation, priorities with respect to the issuance or

1 guaranteeing of bonds, notes, or other evidences of indebtedness by the
2 state shall be determined by the state finance committee.

3 **Sec. 5.** RCW 39.42.070 and 1971 ex.s. c 184 s 7 are each amended to
4 read as follows:

5 (~~On or after the effective date of this act,~~) The treasurer shall
6 compute general state revenues for the three fiscal years immediately
7 preceding such date and shall determine the arithmetic mean thereof.
8 As soon as is practicable after the close of each fiscal year
9 thereafter, he shall do likewise. In determining the amount of general
10 state revenues, the treasurer shall include all state money received in
11 the treasury from each and every source whatsoever except: (1) fees
12 and revenues derived from the ownership or operation of any
13 undertaking, facility or project; (2) moneys received as gifts, grants,
14 donations, aid or assistance or otherwise from the United States or any
15 department, bureau or corporation thereof, or any person, firm or
16 corporation, public or private, when the terms and conditions of such
17 gift, grant, donation, aid or assistance require the application and
18 disbursement of such moneys otherwise than for the general purposes of
19 the state of Washington; (3) moneys to be paid into and received from
20 retirement system funds, and performance bonds and deposits; (4) moneys
21 to be paid into and received from trust funds including but not limited
22 to moneys received from taxes levied for specific purposes, under the
23 lottery revenues, and the several permanent and irreducible funds of
24 the state and the moneys derived therefrom but excluding bond
25 redemption funds; (5) proceeds received from the sale of bonds or other
26 evidences of indebtedness. Upon computing general state revenues, the
27 treasurer shall make and file in the office of the secretary of state,
28 a certificate containing the results of such computations. Copies of
29 said certificate shall be sent to each elected official of the state
30 and each member of the legislature. The treasurer shall, at the same
31 time, advise each elected official and each member of the legislature
32 of the current available debt capacity of the state, and may make
33 estimated projections for one or more years concerning debt capacity.

34 NEW SECTION. **Sec. 6.** A new section is added to chapter 43.135 RCW
35 to read as follows:

36 RCW 43.135.035(4) does not apply to sections 1 and 2, chapter
37 . . ., Laws of 2000 (sections 1 and 2 of this act).

1 **Sec. 7.** RCW 39.12.020 and 1989 c 12 s 7 are each amended to read
2 as follows:

3 The hourly wages to be paid to laborers, workers, or mechanics,
4 upon all public works and under all public building service maintenance
5 contracts of the state or any county, municipality or political
6 subdivision created by its laws, shall be not less than the prevailing
7 rate of wage for an hour's work in the same trade or occupation in the
8 locality within the state where such labor is performed. For a
9 contract in excess of ten thousand dollars, a contractor required to
10 pay the prevailing rate of wage shall post in a location readily
11 visible to workers at the job site: PROVIDED, That on road
12 construction, sewer line, pipeline, transmission line, street, or alley
13 improvement projects for which no field office is needed or
14 established, a contractor may post the prevailing rate of wage
15 statement at the contractor's local office, gravel crushing, concrete,
16 or asphalt batch plant as long as the contractor provides a copy of the
17 wage statement to any employee on request:

18 (1) A copy of a statement of intent to pay prevailing wages
19 approved by the industrial statistician of the department of labor and
20 industries under RCW 39.12.040; and

21 (2) The address and telephone number of the industrial statistician
22 of the department of labor and industries where a complaint or inquiry
23 concerning prevailing wages may be made.

24 This chapter shall not apply to workers or other persons regularly
25 employed on monthly or per diem salary by the state, or any county,
26 municipality, or political subdivision created by its laws. This
27 chapter also shall not apply to the renovation or construction of
28 common schools in the state or state higher education facilities.

29 NEW SECTION. **Sec. 8.** This act takes effect July 1, 2000.

--- END ---