

SHB 2299 - H AMD 612

By Representative Dunshee

ADOPTED 04/22/2005

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** For the purpose of providing funds to  
4 finance the projects described and authorized by the legislature in the  
5 capital and operating appropriation acts for the 2003-2005 and 2005-  
6 2007 fiscal bienniums, and all costs incidental thereto, the state  
7 finance committee is authorized to issue general obligation bonds of  
8 the state of Washington in the sum of one billion four hundred thirty-  
9 four million dollars, or as much thereof as may be required, to finance  
10 these projects and all costs incidental thereto. Bonds authorized in  
11 this section may be sold at such price as the state finance committee  
12 shall determine. No bonds authorized in this section may be offered  
13 for sale without prior legislative appropriation of the net proceeds of  
14 the sale of the bonds.

15 NEW SECTION. **Sec. 2.** The proceeds from the sale of the bonds  
16 authorized in section 1 of this act shall be deposited in the state  
17 building construction account created by RCW 43.83.020. The proceeds  
18 shall be transferred as follows:

19 (1) One billion two hundred thirty-four million dollars to remain  
20 in the state building construction account created by RCW 43.83.020;

21 (2) Twenty-five million dollars to the outdoor recreation account  
22 created by RCW 79A.25.060;

23 (3) Twenty-five million dollars to the habitat conservation account  
24 created by RCW 79A.15.020;

25 (4) One hundred eight million two hundred thousand dollars to the  
26 state taxable building construction account. All receipts from taxable  
27 bond issues are to be deposited into the account. If the state finance  
28 committee deems it necessary to issue more than the amount specified in  
29 this subsection (4) as taxable bonds in order to comply with federal

1 internal revenue service rules and regulations pertaining to the use of  
2 nontaxable bond proceeds, the proceeds of such additional taxable bonds  
3 shall be transferred to the state taxable building construction account  
4 in lieu of any transfer otherwise provided by this section. The state  
5 treasurer shall submit written notice to the director of financial  
6 management if it is determined that any such additional transfer to the  
7 state taxable building construction account is necessary. Moneys in  
8 the account may be spent only after appropriation.

9 These proceeds shall be used exclusively for the purposes specified  
10 in this section and for the payment of expenses incurred in the  
11 issuance and sale of the bonds issued for the purposes of this section,  
12 and shall be administered by the office of financial management subject  
13 to legislative appropriation.

14 NEW SECTION. **Sec. 3.** (1) The debt-limit general fund bond  
15 retirement account shall be used for the payment of the principal of  
16 and interest on the bonds authorized in section 2 (1), (2), (3), and  
17 (4) of this act.

18 (2) The state finance committee shall, on or before June 30th of  
19 each year, certify to the state treasurer the amount needed in the  
20 ensuing twelve months to meet the bond retirement and interest  
21 requirements on the bonds authorized in section 2 (1), (2), (3), and  
22 (4) of this act.

23 (3) On each date on which any interest or principal and interest  
24 payment is due on bonds issued for the purposes of section 2 (1), (2),  
25 (3), and (4) of this act the state treasurer shall withdraw from any  
26 general state revenues received in the state treasury and deposit in  
27 the debt-limit general fund bond retirement account an amount equal to  
28 the amount certified by the state finance committee to be due on the  
29 payment date.

30 NEW SECTION. **Sec. 4.** (1) Bonds issued under sections 1 through 3  
31 of this act shall state that they are a general obligation of the state  
32 of Washington, shall pledge the full faith and credit of the state to  
33 the payment of the principal thereof and the interest thereon, and  
34 shall contain an unconditional promise to pay the principal and  
35 interest as the same shall become due.

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

5 NEW SECTION. **Sec. 5.** The legislature may provide additional means  
6 for raising moneys for the payment of the principal of and interest on  
7 the bonds authorized in section 1 of this act, and sections 2 and 3 of  
8 this act shall not be deemed to provide an exclusive method for the  
9 payment.

10 **Sec. 6.** RCW 28B.14H.050 and 2003 1st sp.s. c 18 s 7 are each  
11 amended to read as follows:

12 (1)(a) The proceeds from the sale of the bonds authorized in RCW  
13 28B.14H.020 shall be deposited in the Gardner-Evans higher education  
14 construction account created in RCW 28B.14H.110.

15 (b) If the state finance committee deems it necessary to issue the  
16 bonds authorized in RCW 28B.14H.020 as taxable bonds in order to comply  
17 with federal internal revenue service rules and regulations pertaining  
18 to the use of nontaxable bond proceeds, the proceeds of such taxable  
19 bonds shall be deposited to the state taxable building construction  
20 account in lieu of any deposit otherwise provided by this section. The  
21 state treasurer shall submit written notice to the director of  
22 financial management if it is determined that any such deposit to the  
23 state taxable building construction account is necessary. Moneys in  
24 the account may be spent only after appropriation.

25 (2) The proceeds shall be used exclusively for the purposes in RCW  
26 28B.14H.020 and for the payment of the expenses incurred in connection  
27 with the sale and issuance of the bonds.

28 **Sec. 7.** RCW 39.53.120 and 1999 c 230 s 11 are each amended to read  
29 as follows:

30 (1) Except as specifically provided in this chapter, refunding  
31 bonds issued under this chapter shall be issued in accordance with the  
32 provisions of law applicable to the type of bonds of the issuer to be  
33 refunded, at the time of the issuance of either the refunding bonds or  
34 the bonds to be refunded.

1       (2) For all refunding bonds previously or hereafter issued by the  
2 state of Washington under this chapter, the state treasurer shall  
3 transfer from the designated funds or accounts the amount necessary for  
4 the payment of principal of and interest on the refunding bonds to the  
5 applicable bond retirement account for such refunding bonds on each  
6 date on which the interest or principal and interest payment is due on  
7 such refunding bonds unless an earlier transfer date, as determined by  
8 the state finance committee, is necessary or appropriate to the  
9 financial framework of the refunding bonds.

10       **Sec. 8.** RCW 43.99K.030 and 1997 c 456 s 23 are each amended to  
11 read as follows:

12       (1)(a) The debt-limit general fund bond retirement account shall be  
13 used for the payment of the principal of and interest on the bonds  
14 authorized in RCW 43.99K.020 (1), (2), and (3).

15       (b) The debt-limit reimbursable bond retirement account shall be  
16 used for the payment of the principal of and interest on the bonds  
17 authorized in RCW 43.99K.020(4).

18       (c) The nondebt-limit reimbursable bond retirement account shall be  
19 used for the payment of the principal of and interest on the bonds  
20 authorized in RCW 43.99K.020(5).

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. (~~(Not less than thirty days prior to the)~~) On each date  
25 on which any interest or principal and interest payment is due, the  
26 state treasurer shall withdraw from any general state revenues received  
27 in the state treasury and deposit in the debt-limit general fund bond  
28 retirement account, debt-limit reimbursable bond retirement account,  
29 nondebt-limit reimbursable bond retirement account, as necessary, an  
30 amount equal to the amount certified by the state finance committee to  
31 be due on the payment date.

32       (3) On each date on which any interest or principal and interest  
33 payment is due on bonds issued for the purposes of RCW 43.99K.020(4),  
34 the state treasurer shall transfer from the public safety and education  
35 account to the general fund of the state treasury the amount computed  
36 in subsection (2) of this section for the bonds issued for the purposes  
37 of RCW 43.99K.020(4).

1 (4) On each date on which any interest or principal and interest  
2 payment is due on bonds issued for the purposes of RCW 43.99K.020(5),  
3 the board of regents of the University of Washington shall cause to be  
4 paid out of University of Washington nonappropriated local funds to the  
5 state treasurer for deposit into the general fund of the state treasury  
6 the amount computed in subsection (2) of this section for bonds issued  
7 for the purposes of RCW 43.99K.020(5).

8 (5) Bonds issued under this section and RCW 43.99K.010 and  
9 43.99K.020 shall state that they are a general obligation of the state  
10 of Washington, shall pledge the full faith and credit of the state to  
11 the payment of the principal thereof and the interest thereon, and  
12 shall contain an unconditional promise to pay the principal and  
13 interest as the same shall become due.

14 (6) The owner and holder of each of the bonds or the trustee for  
15 the owner and holder of any of the bonds may by mandamus or other  
16 appropriate proceeding require the transfer and payment of funds as  
17 directed in this section.

18 **Sec. 9.** RCW 67.40.060 and 1997 c 456 s 25 are each amended to read  
19 as follows:

20 The nondebt-limit proprietary appropriated bond retirement account  
21 shall be used for the payment of the principal of and interest on the  
22 bonds authorized in RCW 67.40.030.

23 The state finance committee shall, on or before June 30th of each  
24 year, certify to the state treasurer the amount needed in the ensuing  
25 twelve months to meet the bond retirement and interest requirements.  
26 (~~Not less than thirty days prior to the~~) On each date on which any  
27 interest or principal and interest payment is due, the state treasurer  
28 shall withdraw from any general state revenues received in the state  
29 treasury and deposit in the nondebt-limit proprietary appropriated bond  
30 retirement account an amount equal to the amount certified by the state  
31 finance committee to be due on that payment date. On each date on  
32 which any interest or principal and interest is due, the state  
33 treasurer shall cause an identical amount to be paid out of the state  
34 convention and trade center account, or state convention and trade  
35 center operations account, from the proceeds of the special excise tax  
36 imposed under RCW 67.40.090, operating revenues of the state convention  
37 and trade center, and bond proceeds and earnings on the investment of

1 bond proceeds, for deposit in the general fund of the state treasury.  
2 Any deficiency in such transfer shall be made up as soon as special  
3 excise taxes are available for transfer and shall constitute a  
4 continuing obligation of the state convention and trade center account  
5 until all deficiencies are fully paid.

6 Bonds issued under RCW 67.40.030 shall state that they are a  
7 general obligation of the state of Washington, shall pledge the full  
8 faith and credit of the state to the payment of the principal thereof  
9 and the interest thereon, and shall contain an unconditional promise to  
10 pay the principal and interest as the same shall become due.

11 The owner and holder of each of the bonds or the trustee for the  
12 owner and holder of any of the bonds may by mandamus or other  
13 appropriate proceeding require the transfer and payment of funds as  
14 directed in this section.

15 NEW SECTION. **Sec. 10.** Sections 1 through 5 of this act constitute  
16 a new chapter in Title 43 RCW.

17 NEW SECTION. **Sec. 11.** If any provision of this act or its  
18 application to any person or circumstance is held invalid, the  
19 remainder of the act or the application of the provision to other  
20 persons or circumstances is not affected.

21 NEW SECTION. **Sec. 12.** This act is necessary for the immediate  
22 preservation of the public peace, health, or safety, or support of the  
23 state government and its existing public institutions, and takes effect  
24 immediately."

25 Correct the title.

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