

CHAPTER 221

[Substitute House Bill No. 740]

HANDICAPPED PERSONS—TRAINING AND REHABILITATION
FACILITIES—BOND ISSUE—REFERENDUM

AN ACT Relating to state and local facilities for the care, training, and rehabilitation of persons with sensory, physical, or mental handicaps; authorizing the sale and issuance of state general obligation bonds and bond anticipation notes to provide funds for these needed facilities throughout the state; providing ways and means to pay the bonds and notes; adding a new chapter to Title 43 RCW; and providing for the submission of this act to a vote of the people.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Section 1. The physical and mental health of the people of the state directly affects the achievement of economic progress and full employment. The establishment of a system of regional and community facilities for the care, training, and rehabilitation of persons with sensory, physical, or mental handicaps will provide the improved and convenient services needed for an efficient work force and a healthy and secure people.

NEW SECTION. Sec. 2. For the purpose of financing the planning, acquisition, construction, renovation, improvement, and equipping of regional and community facilities for the care, training, and rehabilitation of persons with sensory, physical, or mental handicaps, the state finance committee is authorized to issue and sell general obligation bonds of the state of Washington in the sum of twenty-five million dollars, or so much thereof as may be required, to finance these projects and all costs incidental thereto. No bonds or bond anticipation notes authorized by this chapter shall be offered for sale without prior legislative appropriation and the bonds shall be paid and discharged within thirty years of the date of issuance in accordance with Article VIII, section 1 of the state Constitution.

NEW SECTION. Sec. 3. As used in this chapter, the term "facilities for the care, training, and rehabilitation of persons with sensory, physical, or mental handicaps" means real property and any interest therein, equipment, buildings, structures, mobile units, parking facilities, utilities, landscaping, and all incidental improvements and appurtenances thereto, developed and owned by any public body within the state for purposes of the care, training, and rehabilitation of persons with sensory, physical, or mental handicaps when used in the following limited programs as designated by the Department of Social and Health Services: nonprofit group training homes, community centers, close to home living units, sheltered workshops, vocational rehabilitation centers, developmental disability training centers, and community homes for the mentally ill.

As used in this chapter, the term "public body" means the state of Washington, or any agency, political subdivision, taxing district, or municipal corporation thereof.

NEW SECTION. Sec. 4. When the state finance committee has determined to issue the general obligation bonds, or a portion thereof, it may, pending the issuance of the bonds, issue in the name of the state temporary notes in anticipation of the bonds, which notes shall be designated as "bond anticipation notes." Such portion of the proceeds of the sale of the bonds as may be required for the payment of principal of and redemption premium, if any, and interest on the notes shall be applied thereto when the bonds are issued.

NEW SECTION. Sec. 5. The state finance committee is authorized to determine the amounts, dates, form, terms, conditions, denominations, interest rates, maturities, rights and manner of redemption prior to maturity, registration privileges, place(s) of payment, and covenants of the bonds and the bond anticipation notes; the time or times of sale of all or any portion of them; and the conditions and manner of their sale, issuance, and redemption.

NEW SECTION. Sec. 6. Each bond and bond anticipation note shall state that it is a general obligation of the state of Washington, shall contain a pledge of the full faith and credit of the state to the payment of the principal thereof and the interest thereon, and shall contain the state's unconditional promise to pay the principal and interest as the same shall become due.

NEW SECTION. Sec. 7. The proceeds from the sale of the bonds and bond anticipation notes authorized in this chapter, together with all grants, donations, transferred funds, and all of the moneys which the state finance committee or the state department of social and health services may direct the state treasurer to deposit therein, shall be deposited in the 1979 handicapped facilities construction account in the state general fund, hereby created in the state treasury: **PROVIDED**, That such portion of the proceeds of the sale of the bonds as may be required for the payment of the principal of and the interest on any outstanding bond anticipation notes, together with accrued interest on the bonds received from the purchasers upon their delivery, shall be deposited in the 1979 handicapped facilities bond retirement fund.

NEW SECTION. Sec. 8. Subject to legislative appropriation, all principal proceeds of the bonds and bond anticipation notes authorized in this chapter shall be administered by the state department of social and health services exclusively for the purposes specified in this chapter and for the payment of expenses incurred in connection with the sale and issuance of the bonds and bond anticipation notes.

In carrying out the purposes of this chapter all counties of the state shall be eligible to participate in the distribution of the bond proceeds. The share coming to each county shall be determined by a division among all counties according to the relation which the population of each county, as shown by the last federal or official state census, whichever is the later, bears to the total combined population of all counties, as shown by such census. No single project in a class AA county shall be eligible for more than fifteen percent of such county's total distribution of bond proceeds.

In carrying out the purposes specified in this chapter, the department may use or permit the use of the proceeds by direct expenditures, grants, or loans to any public body, including but not limited to grants to a public body as matching funds in any case where federal, local, or other funds are made available on a matching basis for purposes specified in this chapter.

NEW SECTION. Sec. 9. The 1979 handicapped facilities bond redemption fund, hereby created in the state treasury, shall be used for the purpose of the payment of the principal of and redemption premium, if any, and interest on the bonds and the bond anticipation notes authorized to be issued under this chapter.

The state finance committee, on or before June 30 of each year, shall certify to the state treasurer the amount required in the next succeeding twelve months for the payment of the principal of and interest coming due on the bonds. Not less than thirty days prior to the date on which any interest or principal and interest payment is due, the state treasurer shall withdraw from any general state revenue received in the state treasury and deposit in the 1979 handicapped facilities bond redemption fund an amount equal to the amount certified by the state finance committee to be due on the payment date.

If a state general obligation bond retirement fund is created in the state treasury by chapter ... (SB 2361 or HB 569), Laws of 1979 1st ex. sess., and becomes effective by statute prior to the issuance of any of the bonds authorized by this chapter, the state general obligation bond retirement fund shall be used for purposes of this chapter in lieu of the 1979 handicapped facilities bond redemption fund, and the 1979 handicapped facilities bond redemption fund shall cease to exist.

NEW SECTION. Sec. 10. The legislature may provide additional means for raising moneys for the payment of the principal of and the interest on the bonds authorized in this chapter, and this chapter shall not be deemed to provide an exclusive method for the payment.

NEW SECTION. Sec. 11. The bonds authorized in this chapter shall constitute a legal investment for all state funds or for funds under state control and all funds of municipal corporations.

NEW SECTION. Sec. 12. Sections 1 through 11 of this act shall constitute a new chapter in Title 43 RCW.

NEW SECTION. Sec. 13. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 14. This act shall be submitted to the people for their adoption and ratification, or rejection, at a special election hereby ordered by the legislature, which election shall be held in conjunction with the next succeeding general election to be held in this state, all in accordance with the provisions of Article II, section 1 of the state Constitution, as amended, and the laws adopted to facilitate the operation thereof.

Passed the House June 1, 1979.

Passed the Senate June 1, 1979.

Filed in Office of Secretary of State June 11, 1979.

CHAPTER 222

[Engrossed Senate Bill No. 2062]

PUBLIC PERFORMING AND VISUAL ARTS CENTER FACILITIES— OPERATION, FINANCING

AN ACT Relating to performing and visual arts center facilities; amending section 5, chapter 236, Laws of 1967 as amended by section 1, chapter 34, Laws of 1973 2nd ex. sess. and RCW 67.28.120; amending section 6, chapter 236, Laws of 1967 as amended by section 2, chapter 34, Laws of 1973 2nd ex. sess. and RCW 67.28.130; amending section 9, chapter 236, Laws of 1967 as amended by section 3, chapter 34, Laws of 1973 2nd ex. sess. and RCW 67.28.160; amending section 10, chapter 236, Laws of 1967 as amended by section 4, chapter 34, Laws of 1973 2nd ex. sess. and RCW 67.28.170; and amending section 14, chapter 236, Laws of 1967 as last amended by section 6, chapter 34, Laws of 1973 2nd ex. sess. and RCW 67.28.210.

Be it enacted by the Legislature of the State of Washington:

Section 1. Section 5, chapter 236, Laws of 1967 as amended by section 1, chapter 34, Laws of 1973 2nd ex. sess. and RCW 67.28.120 are each amended to read as follows:

Any municipality is authorized either individually or jointly with any other municipality, or person, or any combination thereof, to acquire by purchase, gift or grant, to lease as lessee, and to construct, install, add to, improve, replace, repair, maintain, operate and regulate the use of public stadium facilities (~~(and/or)~~), convention center facilities, performing arts center facilities, and/or visual art center facilities, whether located within or without such municipality, including but not limited to buildings, structures, concession and service facilities, roads, bridges, walks, ramps and other access facilities, terminal and parking facilities for private vehicles and public transportation vehicles and systems, together with all lands, properties, property rights, equipment, utilities, accessories and appurtenances necessary for such public stadium facilities (~~(and/or)~~), convention center facilities, performing arts center facilities, or visual arts center facilities, and to