
SUBSTITUTE HOUSE BILL 3102

State of Washington

56th Legislature

2000 Regular Session

By House Committee on Transportation (originally sponsored by Representatives Fisher, Mitchell, Edwards and O'Brien)

Read first time 02/07/2000. Referred to Committee on .

1 AN ACT Relating to intercity passenger rail service; reenacting and
2 amending RCW 43.84.092, 43.84.092, and 43.84.092; adding new sections
3 to chapter 47.79 RCW; providing effective dates; providing an
4 expiration date; and declaring an emergency.

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

6 NEW SECTION. **Sec. 1.** The department of transportation may acquire
7 by purchase, lease, option to lease or purchase, condemnation, gift,
8 devise, bequest, grant, or exchange, title to or any interests or
9 rights in real property adjacent to, including, or used in association
10 with the King Street station building located in Seattle. The property
11 may include, but not be limited to, depots, platforms, parking areas,
12 pedestrian and vehicle access areas, and maintenance facilities. The
13 department may contract with a public or private entity for the
14 operation, maintenance, renovation, restoration, or management of these
15 properties.

16 NEW SECTION. **Sec. 2.** The department may exercise all the powers
17 and perform all the duties necessary, convenient, or incidental for the
18 planning, designing, constructing, improving, repairing, renovating,

1 restoring, operating, and maintaining the King Street station and
2 associated real property, which may include, but not be limited to,
3 depots, platforms, parking areas, pedestrian and vehicle access areas,
4 concessions for public benefit, and maintenance facilities. These
5 powers also include authority to sublease portions of the King Street
6 station for transportation or other public or private purposes; to
7 sell, assign, lease, or otherwise transfer the department's interest;
8 and to contract with other public or private entities for the
9 operation, administration, or maintenance as the secretary of
10 transportation deems appropriate. If the department sells, assigns, or
11 otherwise transfers its entire interest in the King Street station,
12 proceeds from the transaction must be placed in an account that
13 supports multimodal programs. Proceeds from this transaction may not
14 be placed in an account restricted by Article II, section 40 of the
15 state Constitution.

16 NEW SECTION. **Sec. 3.** The department may contract with a public or
17 private entity for the acquisition, operation, maintenance, financing,
18 renovation, restoration, or management of the King Street station as a
19 multimodal terminal that supports the state intercity passenger rail
20 service. The contract is not subject to chapters 39.94 and 43.82 RCW.
21 The contract must define the specific financing, leasing, and property
22 transfer elements. The contract will expire no later than thirty years
23 from the time the contract is executed, at which time ownership of the
24 King Street station and associated properties will revert to the
25 department.

26 NEW SECTION. **Sec. 4.** (1) The King Street station facility account
27 is created on behalf of the department of transportation in the custody
28 of the state treasurer. The purpose of the account is to provide the
29 funding needed for the historical renovation, restoration, maintenance,
30 operation, and acquisition of the King Street station as a principle
31 multimodal terminal for intercity passenger rail service. All receipts
32 from those sources listed in subsections (2) through (4) of this
33 section must be deposited into the account. Expenditures from the
34 account may be used only as provided in section 5 of this act. Only
35 the secretary or the secretary's designee may authorize expenditures
36 from the account. The account is subject to allotment procedures under

1 chapter 43.88 RCW, but an appropriation is not required for
2 expenditures.

3 (2) The department must transfer to the account all federal moneys
4 made available; all state funds appropriated by the legislature; and
5 all grants, gifts, and donations received from other public or private
6 entities for the purpose of purchase, acquisition, exchange, sale,
7 construction, repair, replacement, maintenance, or operation of real
8 property, buildings, parking and pedestrian and vehicle areas, depots,
9 platforms, maintenance facilities, and structures necessary or
10 convenient for the planning, design, construction, renovation,
11 operation, maintenance, and administration of the King Street station.

12 (3) All receipts from transactions by the department involving
13 capital facility sales, transfers, property leases and rents, incomes,
14 and parking fees associated with the King Street station must be
15 deposited into the account.

16 (4) Interest revenue earned from investments of excess funds must
17 be retained in the account subject to RCW 43.84.092.

18 NEW SECTION. **Sec. 5.** All moneys deposited into the King Street
19 station facility account must be expended by the department solely as
20 provided by this section, listed in priority order:

21 (1) Lease payments required by the financing contract described in
22 section 3 of this act;

23 (2) Maintenance and operating costs;

24 (3) Construction and renovation of the King Street station to
25 include associated platforms, parking areas, temporary buildings,
26 pedestrian access, and other structures essential to the operation of
27 the station as a multimodal terminal; and

28 (4) Acquisition of property for vehicle access and parking, and
29 pedestrian access for the King Street station.

30 **Sec. 6.** RCW 43.84.092 and 1999 c 380 s 8, 1999 c 309 s 928, 1999
31 c 268 s 4, and 1999 c 94 s 2 are each reenacted and amended to read as
32 follows:

33 (1) All earnings of investments of surplus balances in the state
34 treasury shall be deposited to the treasury income account, which
35 account is hereby established in the state treasury.

36 (2) The treasury income account shall be utilized to pay or receive
37 funds associated with federal programs as required by the federal cash

1 management improvement act of 1990. The treasury income account is
2 subject in all respects to chapter 43.88 RCW, but no appropriation is
3 required for refunds or allocations of interest earnings required by
4 the cash management improvement act. Refunds of interest to the
5 federal treasury required under the cash management improvement act
6 fall under RCW 43.88.180 and shall not require appropriation. The
7 office of financial management shall determine the amounts due to or
8 from the federal government pursuant to the cash management improvement
9 act. The office of financial management may direct transfers of funds
10 between accounts as deemed necessary to implement the provisions of the
11 cash management improvement act, and this subsection. Refunds or
12 allocations shall occur prior to the distributions of earnings set
13 forth in subsection (4) of this section.

14 (3) Except for the provisions of RCW 43.84.160, the treasury income
15 account may be utilized for the payment of purchased banking services
16 on behalf of treasury funds including, but not limited to, depository,
17 safekeeping, and disbursement functions for the state treasury and
18 affected state agencies. The treasury income account is subject in all
19 respects to chapter 43.88 RCW, but no appropriation is required for
20 payments to financial institutions. Payments shall occur prior to
21 distribution of earnings set forth in subsection (4) of this section.

22 (4) Monthly, the state treasurer shall distribute the earnings
23 credited to the treasury income account. The state treasurer shall
24 credit the general fund with all the earnings credited to the treasury
25 income account except:

26 (a) The following accounts and funds shall receive their
27 proportionate share of earnings based upon each account's and fund's
28 average daily balance for the period: The capitol building
29 construction account, the Cedar River channel construction and
30 operation account, the Central Washington University capital projects
31 account, the charitable, educational, penal and reformatory
32 institutions account, the common school construction fund, the county
33 criminal justice assistance account, the county sales and use tax
34 equalization account, the data processing building construction
35 account, the deferred compensation administrative account, the deferred
36 compensation principal account, the department of retirement systems
37 expense account, the drinking water assistance account, the Eastern
38 Washington University capital projects account, the education
39 construction fund, the emergency reserve fund, the federal forest

1 revolving account, the health services account, the public health
2 services account, the health system capacity account, the personal
3 health services account, the state higher education construction
4 account, the higher education construction account, the highway
5 infrastructure account, the industrial insurance premium refund
6 account, the judges' retirement account, the judicial retirement
7 administrative account, the judicial retirement principal account, the
8 King Street station facility account, the local leasehold excise tax
9 account, the local real estate excise tax account, the local sales and
10 use tax account, the medical aid account, the mobile home park
11 relocation fund, the municipal criminal justice assistance account, the
12 municipal sales and use tax equalization account, the natural resources
13 deposit account, the perpetual surveillance and maintenance account,
14 the public employees' retirement system plan 1 account, the public
15 employees' retirement system plan 2 account, the Puyallup tribal
16 settlement account, the resource management cost account, the site
17 closure account, the special wildlife account, the state employees'
18 insurance account, the state employees' insurance reserve account, the
19 state investment board expense account, the state investment board
20 commingled trust fund accounts, the supplemental pension account, the
21 teachers' retirement system plan 1 account, the teachers' retirement
22 system plan 2 account, the tobacco prevention and control account, the
23 tobacco settlement account, the transportation infrastructure account,
24 the tuition recovery trust fund, the University of Washington bond
25 retirement fund, the University of Washington building account, the
26 volunteer fire fighters' and reserve officers' relief and pension
27 principal ((~~account~~)) fund, the volunteer fire fighters' ((~~relief and~~
28 ~~pension~~)) and reserve officers' administrative ((~~account~~)) fund, the
29 Washington judicial retirement system account, the Washington law
30 enforcement officers' and fire fighters' system plan 1 retirement
31 account, the Washington law enforcement officers' and fire fighters'
32 system plan 2 retirement account, the Washington state patrol
33 retirement account, the Washington State University building account,
34 the Washington State University bond retirement fund, the water
35 pollution control revolving fund, and the Western Washington University
36 capital projects account. Earnings derived from investing balances of
37 the agricultural permanent fund, the normal school permanent fund, the
38 permanent common school fund, the scientific permanent fund, and the
39 state university permanent fund shall be allocated to their respective

1 beneficiary accounts. All earnings to be distributed under this
2 subsection (4)(a) shall first be reduced by the allocation to the state
3 treasurer's service fund pursuant to RCW 43.08.190.

4 (b) The following accounts and funds shall receive eighty percent
5 of their proportionate share of earnings based upon each account's or
6 fund's average daily balance for the period: The aeronautics account,
7 the aircraft search and rescue account, the county arterial
8 preservation account, the department of licensing services account, the
9 essential rail assistance account, the ferry bond retirement fund, the
10 grade crossing protective fund, the high capacity transportation
11 account, the highway bond retirement fund, the highway safety account,
12 the marine operating fund, the motor vehicle fund, the motorcycle
13 safety education account, the pilotage account, the public
14 transportation systems account, the Puget Sound capital construction
15 account, the Puget Sound ferry operations account, the recreational
16 vehicle account, the rural arterial trust account, the safety and
17 education account, the special category C account, the state patrol
18 highway account, the transportation equipment fund, the transportation
19 fund, the transportation improvement account, the transportation
20 improvement board bond retirement account, and the urban arterial trust
21 account.

22 (5) In conformance with Article II, section 37 of the state
23 Constitution, no treasury accounts or funds shall be allocated earnings
24 without the specific affirmative directive of this section.

25 **Sec. 7.** RCW 43.84.092 and 1999 c 380 s 8, 1999 c 309 s 928, 1999
26 c 268 s 4, 1999 c 94 s 3, and 1999 c 94 s 2 are each reenacted and
27 amended to read as follows:

28 (1) All earnings of investments of surplus balances in the state
29 treasury shall be deposited to the treasury income account, which
30 account is hereby established in the state treasury.

31 (2) The treasury income account shall be utilized to pay or receive
32 funds associated with federal programs as required by the federal cash
33 management improvement act of 1990. The treasury income account is
34 subject in all respects to chapter 43.88 RCW, but no appropriation is
35 required for refunds or allocations of interest earnings required by
36 the cash management improvement act. Refunds of interest to the
37 federal treasury required under the cash management improvement act
38 fall under RCW 43.88.180 and shall not require appropriation. The

1 office of financial management shall determine the amounts due to or
2 from the federal government pursuant to the cash management improvement
3 act. The office of financial management may direct transfers of funds
4 between accounts as deemed necessary to implement the provisions of the
5 cash management improvement act, and this subsection. Refunds or
6 allocations shall occur prior to the distributions of earnings set
7 forth in subsection (4) of this section.

8 (3) Except for the provisions of RCW 43.84.160, the treasury income
9 account may be utilized for the payment of purchased banking services
10 on behalf of treasury funds including, but not limited to, depository,
11 safekeeping, and disbursement functions for the state treasury and
12 affected state agencies. The treasury income account is subject in all
13 respects to chapter 43.88 RCW, but no appropriation is required for
14 payments to financial institutions. Payments shall occur prior to
15 distribution of earnings set forth in subsection (4) of this section.

16 (4) Monthly, the state treasurer shall distribute the earnings
17 credited to the treasury income account. The state treasurer shall
18 credit the general fund with all the earnings credited to the treasury
19 income account except:

20 (a) The following accounts and funds shall receive their
21 proportionate share of earnings based upon each account's and fund's
22 average daily balance for the period: The capitol building
23 construction account, the Cedar River channel construction and
24 operation account, the Central Washington University capital projects
25 account, the charitable, educational, penal and reformatory
26 institutions account, the common school construction fund, the county
27 criminal justice assistance account, the county sales and use tax
28 equalization account, the data processing building construction
29 account, the deferred compensation administrative account, the deferred
30 compensation principal account, the department of retirement systems
31 expense account, the drinking water assistance account, the Eastern
32 Washington University capital projects account, the education
33 construction fund, the emergency reserve fund, the federal forest
34 revolving account, the health services account, the public health
35 services account, the health system capacity account, the personal
36 health services account, the state higher education construction
37 account, the higher education construction account, the highway
38 infrastructure account, the industrial insurance premium refund
39 account, the judges' retirement account, the judicial retirement

1 administrative account, the judicial retirement principal account, the
2 King Street station facility account, the local leasehold excise tax
3 account, the local real estate excise tax account, the local sales and
4 use tax account, the medical aid account, the mobile home park
5 relocation fund, the municipal criminal justice assistance account, the
6 municipal sales and use tax equalization account, the natural resources
7 deposit account, the perpetual surveillance and maintenance account,
8 the public employees' retirement system plan 1 account, the public
9 employees' retirement system plan 2 account, the Puyallup tribal
10 settlement account, the resource management cost account, the site
11 closure account, the special wildlife account, the state employees'
12 insurance account, the state employees' insurance reserve account, the
13 state investment board expense account, the state investment board
14 commingled trust fund accounts, the supplemental pension account, the
15 teachers' retirement system plan 1 account, the teachers' retirement
16 system plan 2 account, the tobacco prevention and control account, the
17 tobacco settlement account, the transportation infrastructure account,
18 the tuition recovery trust fund, the University of Washington bond
19 retirement fund, the University of Washington building account, the
20 volunteer fire fighters' and reserve officers' relief and pension
21 principal ((~~account~~)) fund, the volunteer fire fighters' ((~~relief and~~
22 ~~pension~~)) and reserve officers' administrative ((~~account~~)) fund, the
23 Washington judicial retirement system account, the Washington law
24 enforcement officers' and fire fighters' system plan 1 retirement
25 account, the Washington law enforcement officers' and fire fighters'
26 system plan 2 retirement account, the Washington state patrol
27 retirement account, the Washington State University building account,
28 the Washington State University bond retirement fund, the water
29 pollution control revolving fund, and the Western Washington University
30 capital projects account. Earnings derived from investing balances of
31 the agricultural permanent fund, the normal school permanent fund, the
32 permanent common school fund, the scientific permanent fund, and the
33 state university permanent fund shall be allocated to their respective
34 beneficiary accounts. All earnings to be distributed under this
35 subsection (4)(a) shall first be reduced by the allocation to the state
36 treasurer's service fund pursuant to RCW 43.08.190.

37 (b) The following accounts and funds shall receive eighty percent
38 of their proportionate share of earnings based upon each account's or
39 fund's average daily balance for the period: The aeronautics account,

1 the aircraft search and rescue account, the county arterial
2 preservation account, the department of licensing services account, the
3 essential rail assistance account, the ferry bond retirement fund, the
4 grade crossing protective fund, the high capacity transportation
5 account, the highway bond retirement fund, the highway safety account,
6 the motor vehicle fund, the motorcycle safety education account, the
7 pilotage account, the public transportation systems account, the Puget
8 Sound capital construction account, the Puget Sound ferry operations
9 account, the recreational vehicle account, the rural arterial trust
10 account, the safety and education account, the special category C
11 account, the state patrol highway account, the transportation equipment
12 fund, the transportation fund, the transportation improvement account,
13 the transportation improvement board bond retirement account, and the
14 urban arterial trust account.

15 (5) In conformance with Article II, section 37 of the state
16 Constitution, no treasury accounts or funds shall be allocated earnings
17 without the specific affirmative directive of this section.

18 **Sec. 8.** RCW 43.84.092 and 1999 c 380 s 9, 1999 c 309 s 929, 1999
19 c 268 s 5, and 1999 c 94 s 4 are each reenacted and amended to read as
20 follows:

21 (1) All earnings of investments of surplus balances in the state
22 treasury shall be deposited to the treasury income account, which
23 account is hereby established in the state treasury.

24 (2) The treasury income account shall be utilized to pay or receive
25 funds associated with federal programs as required by the federal cash
26 management improvement act of 1990. The treasury income account is
27 subject in all respects to chapter 43.88 RCW, but no appropriation is
28 required for refunds or allocations of interest earnings required by
29 the cash management improvement act. Refunds of interest to the
30 federal treasury required under the cash management improvement act
31 fall under RCW 43.88.180 and shall not require appropriation. The
32 office of financial management shall determine the amounts due to or
33 from the federal government pursuant to the cash management improvement
34 act. The office of financial management may direct transfers of funds
35 between accounts as deemed necessary to implement the provisions of the
36 cash management improvement act, and this subsection. Refunds or
37 allocations shall occur prior to the distributions of earnings set
38 forth in subsection (4) of this section.

1 (3) Except for the provisions of RCW 43.84.160, the treasury income
2 account may be utilized for the payment of purchased banking services
3 on behalf of treasury funds including, but not limited to, depository,
4 safekeeping, and disbursement functions for the state treasury and
5 affected state agencies. The treasury income account is subject in all
6 respects to chapter 43.88 RCW, but no appropriation is required for
7 payments to financial institutions. Payments shall occur prior to
8 distribution of earnings set forth in subsection (4) of this section.

9 (4) Monthly, the state treasurer shall distribute the earnings
10 credited to the treasury income account. The state treasurer shall
11 credit the general fund with all the earnings credited to the treasury
12 income account except:

13 (a) The following accounts and funds shall receive their
14 proportionate share of earnings based upon each account's and fund's
15 average daily balance for the period: The capitol building
16 construction account, the Cedar River channel construction and
17 operation account, the Central Washington University capital projects
18 account, the charitable, educational, penal and reformatory
19 institutions account, the common school construction fund, the county
20 criminal justice assistance account, the county sales and use tax
21 equalization account, the data processing building construction
22 account, the deferred compensation administrative account, the deferred
23 compensation principal account, the department of retirement systems
24 expense account, the drinking water assistance account, the Eastern
25 Washington University capital projects account, the education
26 construction fund, the emergency reserve fund, the federal forest
27 revolving account, the health services account, the public health
28 services account, the health system capacity account, the personal
29 health services account, the state higher education construction
30 account, the higher education construction account, the highway
31 infrastructure account, the industrial insurance premium refund
32 account, the judges' retirement account, the judicial retirement
33 administrative account, the judicial retirement principal account, the
34 King Street station facility account, the local leasehold excise tax
35 account, the local real estate excise tax account, the local sales and
36 use tax account, the medical aid account, the mobile home park
37 relocation fund, the municipal criminal justice assistance account, the
38 municipal sales and use tax equalization account, the natural resources
39 deposit account, the perpetual surveillance and maintenance account,

1 the public employees' retirement system plan 1 account, the public
2 employees' retirement system plan 2 account, the Puyallup tribal
3 settlement account, the resource management cost account, the site
4 closure account, the special wildlife account, the state employees'
5 insurance account, the state employees' insurance reserve account, the
6 state investment board expense account, the state investment board
7 commingled trust fund accounts, the supplemental pension account, the
8 teachers' retirement system plan 1 account, the teachers' retirement
9 system combined plan 2 and plan 3 account, the tobacco prevention and
10 control account, the tobacco settlement account, the transportation
11 infrastructure account, the tuition recovery trust fund, the University
12 of Washington bond retirement fund, the University of Washington
13 building account, the volunteer fire fighters' and reserve officers'
14 relief and pension principal ((~~account~~)) fund, the volunteer fire
15 fighters' ((~~relief and pension~~)) and reserve officers' administrative
16 ((~~account~~)) fund, the Washington judicial retirement system account,
17 the Washington law enforcement officers' and fire fighters' system plan
18 1 retirement account, the Washington law enforcement officers' and fire
19 fighters' system plan 2 retirement account, the Washington school
20 employees' retirement system combined plan 2 and 3 account, the
21 Washington state patrol retirement account, the Washington State
22 University building account, the Washington State University bond
23 retirement fund, the water pollution control revolving fund, and the
24 Western Washington University capital projects account. Earnings
25 derived from investing balances of the agricultural permanent fund, the
26 normal school permanent fund, the permanent common school fund, the
27 scientific permanent fund, and the state university permanent fund
28 shall be allocated to their respective beneficiary accounts. All
29 earnings to be distributed under this subsection (4)(a) shall first be
30 reduced by the allocation to the state treasurer's service fund
31 pursuant to RCW 43.08.190.

32 (b) The following accounts and funds shall receive eighty percent
33 of their proportionate share of earnings based upon each account's or
34 fund's average daily balance for the period: The aeronautics account,
35 the aircraft search and rescue account, the county arterial
36 preservation account, the department of licensing services account, the
37 essential rail assistance account, the ferry bond retirement fund, the
38 grade crossing protective fund, the high capacity transportation
39 account, the highway bond retirement fund, the highway safety account,

1 the motor vehicle fund, the motorcycle safety education account, the
2 pilotage account, the public transportation systems account, the Puget
3 Sound capital construction account, the Puget Sound ferry operations
4 account, the recreational vehicle account, the rural arterial trust
5 account, the safety and education account, the special category C
6 account, the state patrol highway account, the transportation equipment
7 fund, the transportation fund, the transportation improvement account,
8 the transportation improvement board bond retirement account, and the
9 urban arterial trust account.

10 (5) In conformance with Article II, section 37 of the state
11 Constitution, no treasury accounts or funds shall be allocated earnings
12 without the specific affirmative directive of this section.

13 NEW SECTION. **Sec. 9.** Sections 1 through 5 of this act are each
14 added to chapter 47.79 RCW.

15 NEW SECTION. **Sec. 10.** (1) Section 7 of this act takes effect July
16 1, 2000.

17 (2) Section 8 of this act takes effect September 1, 2000.

18 NEW SECTION. **Sec. 11.** Sections 6 and 7 of this act expire
19 September 1, 2000.

20 NEW SECTION. **Sec. 12.** Sections 1 through 6 of this act are
21 necessary for the immediate preservation of the public peace, health,
22 or safety, or support of the state government and its existing public
23 institutions, and take effect immediately.

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