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HOUSE BILL 3102

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State of Washington                      56th Legislature                      2000 Regular Session

By Representatives Fisher, Mitchell, Edwards and O'Brien

Read first time 01/31/2000. Referred to Committee on Transportation.

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 is  
7 authorized to acquire by purchase, lease, condemnation, gift, devise,  
8 bequest, grant, or exchange, title to or any interests or rights in  
9 real property adjacent to, including, or used in association with the  
10 King street station building located in Seattle. Such property may  
11 include, but not be limited to, depots, platforms, parking areas,  
12 pedestrian access areas, and maintenance facilities. The department is  
13 authorized to 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 of transportation is  
17 authorized to exercise all the powers and perform all the duties  
18 necessary, convenient, or incidental for the planning, designing,

1 constructing, improving, repairing, renovating, restoring, operating,  
2 and maintaining the King street station and adjacent real property  
3 which may include, but not be limited to, depots, platforms, parking  
4 areas, pedestrian access areas, concessions for public benefit, and  
5 maintenance facilities. These powers also include authority to  
6 sublease portions of King street station for transportation or other  
7 public purposes; to sell, assign, or otherwise transfer the  
8 department's interest; and to contract with other public or private  
9 entities for the operation, administration, or maintenance as the  
10 secretary of transportation deems appropriate.

11 NEW SECTION. **Sec. 3.** The department of transportation is  
12 authorized to contract with a public or private entity for the  
13 acquiring, operation, maintenance, financing, renovation, restoration,  
14 or management of King street station as a multimodal terminal that  
15 supports the state intercity passenger rail service. The contract  
16 shall not be subject to the provisions of chapters 39.94 and 43.82 RCW.  
17 The contract shall define the specific financing, leasing, and property  
18 transfer elements. The contract expires no later than thirty years  
19 from the time the contract is executed, at which time ownership of King  
20 street station and associated properties reverts to the department of  
21 transportation.

22 NEW SECTION. **Sec. 4.** (1) The King street station facility account  
23 is created in the custody of the state treasurer. The purpose of the  
24 account is to provide the funding needed for the historical renovation,  
25 restoration, and acquisition of the King street station as a principle  
26 multimodal terminal for intercity passenger rail service. All receipts  
27 from those sources listed in subsections (2) through (4) of this  
28 section must be deposited into the account. Expenditures from the  
29 account may be used only as provided in section 5 of this act. Only  
30 the secretary of transportation or the secretary's designee may  
31 authorize expenditures from the account. The account is subject to  
32 allotment procedures under chapter 43.88 RCW, but an appropriation is  
33 not required for expenditures.

34 (2) The department may transfer to the account all federal moneys  
35 made available, and all state funds appropriated by the legislature,  
36 for the purpose of purchase, acquisition, exchange, sale, construction,  
37 repair, replacement, maintenance, or operation of real property,

1 buildings, parking and pedestrian areas, depots, platforms, maintenance  
2 facilities, and structures necessary or convenient for the planning,  
3 design, construction, operation, maintenance, and administration of the  
4 King street station.

5 (3) All receipts from transactions by the department of  
6 transportation involving capital facility sales, transfers, property  
7 leases and rents, incomes, and parking fees associated with the King  
8 street station shall be deposited into the account.

9 (4) Interest revenue earned from investments of excess funds shall  
10 be retained in the account subject to RCW 43.84.092.

11 NEW SECTION. **Sec. 5.** All moneys deposited into the King street  
12 station facility account shall be expended by the department of  
13 transportation solely as provided by this section, listed in priority  
14 order:

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

17 (2) Maintenance and operating costs;

18 (3) Construction and renovation of King street station to include  
19 associated platforms, parking areas, temporary buildings, pedestrian  
20 access, and other structures essential to the operation of the station  
21 as a multimodal terminal; and

22 (4) Acquisition of property for vehicle access and parking, and  
23 pedestrian access for King street station.

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

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

30 (2) The treasury income account shall be utilized to pay or receive  
31 funds associated with federal programs as required by the federal cash  
32 management improvement act of 1990. The treasury income account is  
33 subject in all respects to chapter 43.88 RCW, but no appropriation is  
34 required for refunds or allocations of interest earnings required by  
35 the cash management improvement act. Refunds of interest to the  
36 federal treasury required under the cash management improvement act  
37 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 marine operating fund, the motor vehicle fund, the motorcycle  
7 safety education account, the pilotage account, the public  
8 transportation systems account, the Puget Sound capital construction  
9 account, the Puget Sound ferry operations account, the recreational  
10 vehicle account, the rural arterial trust account, the safety and  
11 education account, the special category C account, the state patrol  
12 highway account, the transportation equipment fund, the transportation  
13 fund, the transportation improvement account, the transportation  
14 improvement board bond retirement account, and the urban arterial trust  
15 account.

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

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

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

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

1 allocations shall occur prior to the distributions of earnings set  
2 forth in subsection (4) of this section.

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

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

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

1 municipal sales and use tax equalization account, the natural resources  
2 deposit account, the perpetual surveillance and maintenance account,  
3 the public employees' retirement system plan 1 account, the public  
4 employees' retirement system plan 2 account, the Puyallup tribal  
5 settlement account, the resource management cost account, the site  
6 closure account, the special wildlife account, the state employees'  
7 insurance account, the state employees' insurance reserve account, the  
8 state investment board expense account, the state investment board  
9 commingled trust fund accounts, the supplemental pension account, the  
10 teachers' retirement system plan 1 account, the teachers' retirement  
11 system plan 2 account, the tobacco prevention and control account, the  
12 tobacco settlement account, the transportation infrastructure account,  
13 the tuition recovery trust fund, the University of Washington bond  
14 retirement fund, the University of Washington building account, the  
15 volunteer fire fighters' and reserve officers' relief and pension  
16 principal ((~~account~~)) fund, the volunteer fire fighters' ((~~relief and~~  
17 ~~pension~~)) and reserve officers' administrative ((~~account~~)) fund, the  
18 Washington judicial retirement system account, the Washington law  
19 enforcement officers' and fire fighters' system plan 1 retirement  
20 account, the Washington law enforcement officers' and fire fighters'  
21 system plan 2 retirement account, the Washington state patrol  
22 retirement account, the Washington State University building account,  
23 the Washington State University bond retirement fund, the water  
24 pollution control revolving fund, and the Western Washington University  
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26 the agricultural permanent fund, the normal school permanent fund, the  
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29 beneficiary accounts. All earnings to be distributed under this  
30 subsection (4)(a) shall first be reduced by the allocation to the state  
31 treasurer's service fund 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 **Sec. 8.** RCW 43.84.092 and 1999 c 380 s 9, 1999 c 309 s 929, 1999  
14 c 268 s 5, and 1999 c 94 s 4 are each reenacted and amended to read as  
15 follows:

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

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20 funds associated with federal programs as required by the federal cash  
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27 office of financial management shall determine the amounts due to or  
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32 allocations shall occur prior to the distributions of earnings set  
33 forth in subsection (4) of this section.

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38 affected state agencies. The treasury income account is subject in all

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12 operation account, the Central Washington University capital projects  
13 account, the charitable, educational, penal and reformatory  
14 institutions account, the common school construction fund, the county  
15 criminal justice assistance account, the county sales and use tax  
16 equalization account, the data processing building construction  
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18 compensation principal account, the department of retirement systems  
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20 Washington University capital projects account, the education  
21 construction fund, the emergency reserve fund, the federal forest  
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23 services account, the health system capacity account, the personal  
24 health services account, the state higher education construction  
25 account, the higher education construction account, the highway  
26 infrastructure account, the industrial insurance premium refund  
27 account, the judges' retirement account, the judicial retirement  
28 administrative account, the judicial retirement principal account, the  
29 King street station facility account, the local leasehold excise tax  
30 account, the local real estate excise tax account, the local sales and  
31 use tax account, the medical aid account, the mobile home park  
32 relocation fund, the municipal criminal justice assistance account, the  
33 municipal sales and use tax equalization account, the natural resources  
34 deposit account, the perpetual surveillance and maintenance account,  
35 the public employees' retirement system plan 1 account, the public  
36 employees' retirement system plan 2 account, the Puyallup tribal  
37 settlement account, the resource management cost account, the site  
38 closure account, the special wildlife account, the state employees'  
39 insurance account, the state employees' insurance reserve account, the

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

27 (b) The following accounts and funds shall receive eighty percent  
28 of their proportionate share of earnings based upon each account's or  
29 fund's average daily balance for the period: The aeronautics account,  
30 the aircraft search and rescue account, the county arterial  
31 preservation account, the department of licensing services account, the  
32 essential rail assistance account, the ferry bond retirement fund, the  
33 grade crossing protective fund, the high capacity transportation  
34 account, the highway bond retirement fund, the highway safety account,  
35 the motor vehicle fund, the motorcycle safety education account, the  
36 pilotage account, the public transportation systems account, the Puget  
37 Sound capital construction account, the Puget Sound ferry operations  
38 account, the recreational vehicle account, the rural arterial trust  
39 account, the safety and education account, the special category C

1 account, the state patrol highway account, the transportation equipment  
2 fund, the transportation fund, the transportation improvement account,  
3 the transportation improvement board bond retirement account, and the  
4 urban arterial trust account.

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

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

10 NEW SECTION. **Sec. 10.** (1) Section 7 of this act takes effect July  
11 1, 2000.

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

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

15 NEW SECTION. **Sec. 12.** This act is necessary for the immediate  
16 preservation of the public peace, health, or safety, or support of the  
17 state government and its existing public institutions, and takes effect  
18 immediately.

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