
SENATE BILL 5059

State of Washington **59th Legislature** **2005 Regular Session**

By Senators Haugen, Swecker, Jacobsen, Benton and Rockefeller

Read first time 01/12/2005. Referred to Committee on Transportation.

1 AN ACT Relating to state transportation bond payment revenue; and
2 adding a new section to chapter 39.42 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 39.42 RCW
5 to read as follows:

6 (1) No bonds, notes, or other evidences of indebtedness for
7 borrowed money that is secured by state transportation bond payment
8 revenue shall be issued by the state which will cause the aggregate
9 debt contracted by the state to exceed that amount for which payments
10 of principal and interest in any fiscal year would require the state to
11 expend more than twenty-two percent of the arithmetic mean of state
12 transportation bond revenue, for the three immediately preceding fiscal
13 years. Upon making this computation, the state treasurer shall follow
14 the certification and notification process outlined in RCW 39.42.070.
15 It is the duty of the state finance committee to compute annually the
16 amount required to pay principal of and interest on outstanding debt.
17 In making this computation, the state finance committee shall include
18 all borrowed money represented by bonds, notes, or other evidences of
19 indebtedness which are secured by the full faith and credit of the

1 state and are required to be paid, directly or indirectly, from state
2 transportation bond payment revenue and which are incurred by the
3 state, any department, authority, public corporation or quasi public
4 corporation of the state, or any other public agency created by the
5 state but not by counties, cities, towns, school districts, or other
6 municipal corporations, but shall exclude the following:

7 (a) Debt authorized after January 1, 2005, pursuant to section 3 of
8 Article VIII of the Washington state Constitution; and

9 (b) Indebtedness authorized and incurred after July 1, 2002,
10 pursuant to statute that requires that the state treasury be
11 reimbursed, in the amount of the principal of and the interest on the
12 indebtedness, from tolls, fees, or other revenues derived from the
13 operation of a state transportation facility.

14 (2) For the purposes of this section, "state transportation bond
15 payment revenue" means revenue from license fees for motor vehicles and
16 excise taxes collected by the state on the sale, distribution, or use
17 of motor vehicle fuel or special fuel that may be used for the payment
18 of the principal and interest on general obligation bonds that are
19 exempt from the state debt limit under RCW 39.42.060. State
20 transportation bond payment revenue shall only include state motor
21 vehicle fuel tax and special fuel tax imposed under RCW 82.36.025(1)
22 and 82.38.030(1) and distributed under RCW 46.68.090(2) (a), (c), and
23 (d) and motor vehicle license fees imposed under RCW 46.16.0621,
24 46.16.070, and chapter 46.87 RCW. State transportation bond payment
25 revenue does not include state motor vehicle license fees and fuel
26 taxes that are distributed as tribal reservation refunds or other
27 refunds, statutory distributions of revenue for the benefit of cities
28 and counties, or distributions to state accounts whose primary purpose
29 is the payment of bond debt. On or after the effective date of this
30 act, the treasurer shall compute state transportation bond payment
31 revenue for the three fiscal years immediately preceding this date, and
32 determine the arithmetic mean. This computation shall be performed
33 each year after the close of the fiscal year.

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