

ESHB 2211 - S COMM AMD  
By Committee on Transportation

NOT ADOPTED 04/24/2009

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

3 "NEW SECTION. **Sec. 1.** It is the intent of the legislature to  
4 impose tolls on the state route number 520 floating bridge subject to  
5 section 2 of this act, to help finance construction of the replacement  
6 state route number 520 floating bridge.

7 It is further the intent of the legislature to expedite the  
8 replacement of the floating bridge in a manner that does not preclude  
9 local design options on either side of the state route number 520  
10 corridor. For all projects in the state route number 520 corridor  
11 program, the legislature intends that the total cost will be no more  
12 than four billion six hundred fifty million dollars.

13 It is further the intent of the legislature that if the tolls on  
14 the state route number 520 corridor significantly alter the performance  
15 of nearby facilities, the legislature will reconsider the tolling  
16 policy for the corridor.

17 It is further the intent of the legislature that the department of  
18 transportation applies for federal stimulus funds for projects in the  
19 corridor.

20 It is further the intent of the legislature that the provisions of  
21 this act not be construed to preclude continued work on the east side  
22 of the state route number 520 corridor.

23 NEW SECTION. **Sec. 2.** A new section is added to chapter 47.56 RCW  
24 under the subchapter heading "toll facilities created after July 1,  
25 2008" to read as follows:

26 (1) The initial imposition of tolls on the state route number 520  
27 corridor is authorized, the state route number 520 corridor is  
28 designated an eligible toll facility, and toll revenue generated in the  
29 corridor must only be expended as allowed under RCW 47.56.820.

1 (2) The state route number 520 corridor consists of that portion of  
2 state route number 520 between the junctions of Interstate 5 and state  
3 route number 202. The toll imposed by this section shall be charged  
4 only for travel on the floating bridge portion of the state route  
5 number 520 corridor.

6 (3)(a) In setting the toll rates for the corridor pursuant to RCW  
7 47.56.850, the tolling authority shall set a variable schedule of toll  
8 rates to maintain travel time, speed, and reliability on the corridor  
9 and generate the necessary revenue as required under (b) of this  
10 subsection.

11 (b) The tolling authority shall initially set the variable schedule  
12 of toll rates, which the tolling authority may adjust at least annually  
13 to reflect inflation as measured by the consumer price index or as  
14 necessary to meet the redemption of bonds and interest payments on the  
15 bonds, to generate revenue sufficient to provide for:

16 (i) The issuance of general obligation bonds first payable from  
17 toll revenue and then excise taxes on motor vehicle and special fuels  
18 pledged for the payment of those bonds in the amount necessary to fund  
19 state route number 520 corridor projects, subject to subsection (4) of  
20 this section; and

21 (ii) Costs associated with the project designated in subsection (4)  
22 of this section, or associated with state route number 520 corridor  
23 projects beginning July 1, 2010, that are eligible under RCW 47.56.820.

24 (4) Until July 1, 2010, the proceeds of the bonds designated in  
25 subsection (3)(b)(i) of this section, which together with other  
26 appropriated and identified state and federal funds is sufficient to  
27 pay for the replacement of the floating bridge segment of state route  
28 number 520, must be used only to fund the construction of the  
29 replacement state route number 520 floating bridge.

30 (5) The department may carry out the construction and improvements  
31 designated in subsection (4) of this section and administer the tolling  
32 program on the state route number 520 corridor.

33 NEW SECTION. **Sec. 3.** A new section is added to chapter 47.56 RCW  
34 to read as follows:

35 (1)(a) The state route number 520 work group is created. The work  
36 group shall consist of the following members:

1 (i) The chairs and ranking minority members of the transportation  
2 committees of the legislature;

3 (ii) The legislators from the forty-third legislative district;

4 (iii) The legislators from the forty-eighth legislative district;

5 (iv) The governor or the governor's designee; and

6 (v) The member of the transportation commission representing King  
7 county.

8 (b) The work group members shall elect two cochairs to consist of  
9 one legislative member representing the east side of the state route  
10 number 520 corridor and one legislative member representing the west  
11 side of the state route number 520 corridor. The work group shall  
12 conduct at least three meetings consisting of an initial meeting, a  
13 midcourse meeting, and a final meeting.

14 (2) The state route number 520 work group, in consultation with the  
15 department, must:

16 (a) After consultation with legislators representing the primary  
17 users of the state route number 520 corridor, review and recommend a  
18 financing strategy to fund the projects in the state route number 520  
19 corridor, as developed by the department, that reflects the design  
20 options recommended under (b) of this subsection. The financing  
21 strategy must be based on a total cost of all the intended projects in  
22 the state route number 520 corridor that does not exceed four billion  
23 six hundred fifty million dollars; and

24 (b) After consultation with neighborhood and community groups in  
25 the area impacted by the westside landing and with legislators  
26 representing the primary users of the state route number 520 corridor,  
27 consider design options on the west side of the corridor, which extends  
28 from the west end of the floating bridge to Interstate 5. The work  
29 group must work with the department to review and evaluate the design  
30 options.

31 (3) All design options considered or recommended by the state route  
32 number 520 work group must adhere to RCW 47.01.408.

33 (4) The state route number 520 work group must recommend design  
34 options that meet the region's mobility needs while providing  
35 appropriate mitigation for the neighborhood and communities in the area  
36 directly impacted by the projects.

37 (5) The state route number 520 work group must present a final  
38 report with recommendations on financing and design options to the

1 legislature and the governor by January 1, 2010. The recommendations  
2 will inform the supplemental draft environmental impact statement  
3 process for the state route number 520 corridor. The process must  
4 continue through 2009.

5 (6) The department shall provide staff support to the state route  
6 number 520 work group.

7 NEW SECTION. **Sec. 4.** A new section is added to chapter 47.56 RCW  
8 under the subchapter heading "toll facilities created after July 1,  
9 2008" to read as follows:

10 A special account to be known as the state route number 520  
11 corridor account is created in the state treasury.

12 (1) Deposits to the account must include:

13 (a) All proceeds of bonds issued for construction of the  
14 replacement state route number 520 floating bridge, including any  
15 capitalized interest;

16 (b) All of the tolls and other revenues received from the operation  
17 of the state route number 520 corridor as a toll facility, to be  
18 deposited at least monthly;

19 (c) Any interest that may be earned from the deposit or investment  
20 of those revenues;

21 (d) Notwithstanding RCW 47.12.063, proceeds from the sale of any  
22 surplus real property acquired for the purpose of building the  
23 replacement state route number 520 floating bridge; and

24 (e) All damages, liquidated or otherwise, collected under any  
25 contract involving the construction of the replacement state route  
26 number 520 floating bridge.

27 (2) Subject to the covenants made by the state in the bond  
28 proceedings authorizing the issuance and sale of bonds for the  
29 replacement state route number 520 floating bridge, toll charges, other  
30 revenues, and interest received from the operation of the state route  
31 number 520 corridor as a toll facility may be used to:

32 (a) Pay any required costs allowed under RCW 47.56.820; and

33 (b) Repay amounts to the motor vehicle fund as required.

34 (3) When repaying the motor vehicle fund, the state treasurer shall  
35 transfer funds from the state route number 520 corridor account to the  
36 motor vehicle fund on or before each debt service date for bonds issued  
37 for the replacement state route number 520 floating bridge project in

1 an amount sufficient to repay the motor vehicle fund for amounts  
2 transferred from that fund to the highway bond retirement fund to  
3 provide for any bond principal and interest due on that date. The  
4 state treasurer may establish subaccounts for the purpose of  
5 segregating toll charges, bond sale proceeds, and other revenues.

6 **Sec. 5.** RCW 43.84.092 and 2008 c 128 s 19 and 2008 c 106 s 4 are  
7 each reenacted and amended to read as follows:

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

11 (2) The treasury income account shall be utilized to pay or receive  
12 funds associated with federal programs as required by the federal cash  
13 management improvement act of 1990. The treasury income account is  
14 subject in all respects to chapter 43.88 RCW, but no appropriation is  
15 required for refunds or allocations of interest earnings required by  
16 the cash management improvement act. Refunds of interest to the  
17 federal treasury required under the cash management improvement act  
18 fall under RCW 43.88.180 and shall not require appropriation. The  
19 office of financial management shall determine the amounts due to or  
20 from the federal government pursuant to the cash management improvement  
21 act. The office of financial management may direct transfers of funds  
22 between accounts as deemed necessary to implement the provisions of the  
23 cash management improvement act, and this subsection. Refunds or  
24 allocations shall occur prior to the distributions of earnings set  
25 forth in subsection (4) of this section.

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

34 (4) Monthly, the state treasurer shall distribute the earnings  
35 credited to the treasury income account. The state treasurer shall  
36 credit the general fund with all the earnings credited to the treasury  
37 income account except:

1           The following accounts and funds shall receive their proportionate  
2 share of earnings based upon each account's and fund's average daily  
3 balance for the period: The aeronautics account, the aircraft search  
4 and rescue account, the budget stabilization account, the capitol  
5 building construction account, the Cedar River channel construction and  
6 operation account, the Central Washington University capital projects  
7 account, the charitable, educational, penal and reformatory  
8 institutions account, the cleanup settlement account, the Columbia  
9 river basin water supply development account, the common school  
10 construction fund, the county arterial preservation account, the county  
11 criminal justice assistance account, the county sales and use tax  
12 equalization account, the data processing building construction  
13 account, the deferred compensation administrative account, the deferred  
14 compensation principal account, the department of licensing services  
15 account, the department of retirement systems expense account, the  
16 developmental disabilities community trust account, the drinking water  
17 assistance account, the drinking water assistance administrative  
18 account, the drinking water assistance repayment account, the Eastern  
19 Washington University capital projects account, the education  
20 construction fund, the education legacy trust account, the election  
21 account, the energy freedom account, the essential rail assistance  
22 account, The Evergreen State College capital projects account, the  
23 federal forest revolving account, the ferry bond retirement fund, the  
24 freight congestion relief account, the freight mobility investment  
25 account, the freight mobility multimodal account, the grade crossing  
26 protective fund, the health services account, the public health  
27 services account, the health system capacity account, the personal  
28 health services account, the high capacity transportation account, the  
29 state higher education construction account, the higher education  
30 construction account, the highway bond retirement fund, the highway  
31 infrastructure account, the highway safety account, the high occupancy  
32 toll lanes operations account, the industrial insurance premium refund  
33 account, the judges' retirement account, the judicial retirement  
34 administrative account, the judicial retirement principal account, the  
35 local leasehold excise tax account, the local real estate excise tax  
36 account, the local sales and use tax account, the medical aid account,  
37 the mobile home park relocation fund, the motor vehicle fund, the  
38 motorcycle safety education account, the multimodal transportation

1 account, the municipal criminal justice assistance account, the  
2 municipal sales and use tax equalization account, the natural resources  
3 deposit account, the oyster reserve land account, the pension funding  
4 stabilization account, the perpetual surveillance and maintenance  
5 account, the public employees' retirement system plan 1 account, the  
6 public employees' retirement system combined plan 2 and plan 3 account,  
7 the public facilities construction loan revolving account beginning  
8 July 1, 2004, the public health supplemental account, the public  
9 transportation systems account, the public works assistance account,  
10 the Puget Sound capital construction account, the Puget Sound ferry  
11 operations account, the Puyallup tribal settlement account, the real  
12 estate appraiser commission account, the recreational vehicle account,  
13 the regional mobility grant program account, the resource management  
14 cost account, the rural arterial trust account, the rural Washington  
15 loan fund, the safety and education account, the site closure account,  
16 the small city pavement and sidewalk account, the special category C  
17 account, the special wildlife account, the state employees' insurance  
18 account, the state employees' insurance reserve account, the state  
19 investment board expense account, the state investment board commingled  
20 trust fund accounts, the state patrol highway account, the state route  
21 number 520 corridor account, the supplemental pension account, the  
22 Tacoma Narrows toll bridge account, the teachers' retirement system  
23 plan 1 account, the teachers' retirement system combined plan 2 and  
24 plan 3 account, the tobacco prevention and control account, the tobacco  
25 settlement account, the transportation 2003 account (nickel account),  
26 the transportation equipment fund, the transportation fund, the  
27 transportation improvement account, the transportation improvement  
28 board bond retirement account, the transportation infrastructure  
29 account, the transportation partnership account, the traumatic brain  
30 injury account, the tuition recovery trust fund, the University of  
31 Washington bond retirement fund, the University of Washington building  
32 account, the urban arterial trust account, the volunteer firefighters'  
33 and reserve officers' relief and pension principal fund, the volunteer  
34 firefighters' and reserve officers' administrative fund, the Washington  
35 fruit express account, the Washington judicial retirement system  
36 account, the Washington law enforcement officers' and firefighters'  
37 system plan 1 retirement account, the Washington law enforcement  
38 officers' and firefighters' system plan 2 retirement account, the

1 Washington public safety employees' plan 2 retirement account, the  
2 Washington school employees' retirement system combined plan 2 and 3  
3 account, the Washington state health insurance pool account, the  
4 Washington state patrol retirement account, the Washington State  
5 University building account, the Washington State University bond  
6 retirement fund, the water pollution control revolving fund, and the  
7 Western Washington University capital projects account. Earnings  
8 derived from investing balances of the agricultural permanent fund, the  
9 normal school permanent fund, the permanent common school fund, the  
10 scientific permanent fund, and the state university permanent fund  
11 shall be allocated to their respective beneficiary accounts. All  
12 earnings to be distributed under this subsection (4)((+a)) shall first  
13 be reduced by the allocation to the state treasurer's service fund  
14 pursuant to RCW 43.08.190.

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 NEW SECTION. **Sec. 6.** A new section is added to chapter 47.56 RCW  
19 to read as follows:

20 Prior to the convening of each regular session of the legislature,  
21 the transportation commission must provide the transportation  
22 committees of the legislature with a detailed report regarding any  
23 increase or decrease in any toll rate approved by the commission that  
24 has not been described in a previous report provided pursuant to this  
25 section, along with a detailed justification for each such increase or  
26 decrease.

27 NEW SECTION. **Sec. 7.** This act takes effect August 1, 2009."

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**NOT ADOPTED 04/24/2009**

28 On page 1, line 2 of the title, after "corridor;" strike the



1 remainder of the title and insert "reenacting and amending RCW  
2 43.84.092; adding new sections to chapter 47.56 RCW; creating a new  
3 section; and providing an effective date."

--- END ---