

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5224

Chapter 62, Laws of 2001

57th Legislature
2001 Regular Session

INTERCITY PASSENGER RAIL SERVICE

EFFECTIVE DATE: 4/18/01

Passed by the Senate March 10, 2001
YEAS 46 NAYS 2

ROSA FRANKLIN

President of the Senate

Passed by the House April 5, 2001
YEAS 79 NAYS 10

FRANK CHOPP

**Speaker of the House of
Representatives**

CLYDE BALLARD

**Speaker of the House of
Representatives**

Approved April 18, 2001.

GARY LOCKE

Governor of the State of Washington

CERTIFICATE

I, Tony M. Cook, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5224** as passed by the Senate and the House of Representatives on the dates hereon set forth.

TONY M. COOK

Secretary

FILED

April 18, 2001 - 1:37 p.m.

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5224

Passed Legislature - 2001 Regular Session

State of Washington 57th Legislature 2001 Regular Session

By Senate Committee on Transportation (originally sponsored by Senators Prentice, Patterson, Haugen, Horn, Oke, Jacobsen and Kohl-Welles; by request of Department of Transportation)

READ FIRST TIME 02/21/01.

1 AN ACT Relating to intercity passenger rail service; adding new
2 sections to chapter 47.79 RCW; and declaring an emergency.

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

4 NEW SECTION. **Sec. 1.** The legislature finds that a balanced,
5 multimodal transportation system is an essential element of the state's
6 infrastructure, and that effective rail passenger service is an
7 integral part of a balanced, multimodal transportation system. The
8 legislature further finds that the King Street railroad station is the
9 key hub for both Puget Sound's intermodal passenger transportation
10 system and the state's rail passenger system. The legislature
11 recognizes that the redevelopment of the King Street railroad station
12 depot, along with necessary and related properties, is critical to its
13 continued functioning as a transportation hub and finds that innovative
14 funding arrangements can materially assist in furthering the
15 redevelopment at reduced public expense.

16 NEW SECTION. **Sec. 2.** The department may acquire, or contract to
17 acquire, by purchase, lease, option to lease or purchase, condemnation,
18 gift, devise, bequest, grant, or exchange of title, the King Street

1 railroad station depot located in Seattle, or any interests or rights
2 in it, and other real property and improvements adjacent to, or used in
3 association with, the King Street railroad station depot. The property
4 may include, but not be limited to, the depot, platforms, parking
5 areas, pedestrian and vehicle access areas, and maintenance facilities.
6 These properties, in the aggregate, will be known as the King Street
7 railroad station.

8 NEW SECTION. **Sec. 3.** During all periods that the department
9 contracts to own or lease some, or all, of the King Street railroad
10 station properties, the department may exercise all the powers and
11 perform all the duties necessary, convenient, or incidental for
12 planning, designing, constructing, improving, repairing, renovating,
13 restoring, operating, and maintaining the King Street railroad station
14 properties. These powers also include authority to lease or sell,
15 assign, sublease, or otherwise transfer all, or portions of, the King
16 Street railroad station properties for transportation or other public
17 or private purposes and to contract with other public or private
18 entities for the operation, administration, maintenance, or improvement
19 of the King Street railroad station properties after the department
20 takes possession of some, or all, of the properties, as the secretary
21 deems appropriate. If the department transfers any of its fee
22 ownership interests in the King Street railroad station properties,
23 proceeds from the transaction must be placed in an account that
24 supports multimodal programs, but not into an account restricted by
25 Article II, section 40 of the state Constitution.

26 NEW SECTION. **Sec. 4.** To facilitate tax exempt financing for the
27 acquisition and improvement of the King Street railroad station, the
28 department may lease from or contract with public or private entities
29 for the acquisition, lease, operation, maintenance, financing,
30 renovation, restoration, or management of some, or all, of the King
31 Street railroad station properties as a multimodal terminal that
32 supports the state intercity passenger rail service. The leases or
33 contracts are not subject to either chapter 39.94 or 43.82 RCW. The
34 leases and contracts will expire no later than fifty years from the
35 time they are executed, and at that time the department will either
36 receive title or have the right to receive title to the financed
37 property without additional obligation to compensate the owner of those

1 properties for the acquisition of them. The secretary may take all
2 actions necessary, convenient, or incidental to the financing.

3 NEW SECTION. **Sec. 5.** (1) The department may establish the King
4 Street railroad station facility account as an interest-bearing local
5 account. Receipts from the sources listed in subsection (2) of this
6 section must be deposited into the account. Nothing in this section is
7 a pledge of funds deposited to the account for repayment of tax exempt
8 financing related to the King Street railroad station. The department
9 may invest funds from the account as permitted by law and may enter
10 into contracts with financial advisors as deemed necessary for that
11 purpose. Only the secretary or the secretary's designee may authorize
12 expenditures from the account.

13 (2) All funds appropriated to the King Street railroad station
14 facility account by the legislature; all contributions, payments,
15 grants, gifts, and donations to the account from other public or
16 private entities; all receipts from departmental transactions involving
17 capital facility sales, transfers, property leases and rents, incomes,
18 and parking fees associated with the King Street railroad station; as
19 well as all investment income associated with the account must be
20 deposited into the King Street railroad station facility account for
21 purposes specified in subsection (3) of this section.

22 (3) All funds deposited into the King Street railroad station
23 facility account must be expended by the department solely to pay the
24 following expenses:

25 (a) Costs for management of the account;

26 (b) Purchase and acquisition costs for King Street railroad station
27 properties;

28 (c) Payments, including incidental expenses, relating to the King
29 Street railroad station depot as required by a lease or contract under
30 section 4 of this act;

31 (d) Maintenance and operating costs for the King Street railroad
32 station properties; and

33 (e) Capital improvement projects initiated by the department
34 associated with, and for the benefit of, the King Street railroad
35 station depot occurring after the date of the department's beneficial
36 occupancy of the renovated King Street railroad station depot, and for
37 capital improvement projects initiated at any time by the department
38 for the benefit of King Street railroad station properties other than

1 the depot including, but not limited to, improvements to associated
2 platforms, parking areas, temporary buildings, maintenance facilities,
3 pedestrian access, and other improvements essential to the operation of
4 the station as a multimodal terminal.

5 (4) Nothing in this section is intended to restrict the right of
6 the department from otherwise funding purchase, acquisition, capital
7 improvement, maintenance, rental, operational, and other incidental
8 costs relating to the King Street railroad station from appropriations
9 and resources that are not designated for deposit in the King Street
10 railroad station facility account.

11 NEW SECTION. **Sec. 6.** Sections 1 through 5 of this act are each
12 added to chapter 47.79 RCW.

13 NEW SECTION. **Sec. 7.** Due to the irrevocable expiration of federal
14 and Amtrak funds critical to the redevelopment of the King Street
15 railroad station on or before June 30, 2001, sections 1 through 6 of
16 this act are necessary for the immediate preservation of the public
17 peace, health, or safety, or support of the state government and its
18 existing public institutions, and take effect immediately.

Passed the Senate March 10, 2001.

Passed the House April 5, 2001.

Approved by the Governor April 18, 2001.

Filed in Office of Secretary of State April 18, 2001.