

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE HOUSE BILL 2311

Chapter 315, Laws of 2005

59th Legislature
2005 Regular Session

TRANSPORTATION FUNDING--BONDS

EFFECTIVE DATE: 7/01/05

Passed by the House April 24, 2005
Yeas 62 Nays 36

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 24, 2005
Yeas 32 Nays 14

BRAD OWEN

President of the Senate

Approved May 9, 2005.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Richard Nafziger, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 2311** as passed by the House of Representatives and the Senate on the dates hereon set forth.

RICHARD NAFZIGER

Chief Clerk

FILED

May 9, 2005 - 12:04 p.m.

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE HOUSE BILL 2311

Passed Legislature - 2005 Regular Session

State of Washington 59th Legislature 2005 Regular Session

By House Committee on Transportation (originally sponsored by
Representatives Murray and Simpson)

READ FIRST TIME 04/14/05.

1 AN ACT Relating to authorizing bonds for transportation funding;
2 adding new sections to chapter 47.10 RCW; providing an effective date;
3 and declaring an emergency.

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

5 NEW SECTION. **Sec. 1.** In order to provide funds necessary for the
6 location, design, right of way, and construction of selected projects
7 or improvements that are identified as 2005 transportation partnership
8 projects or improvements in the omnibus transportation budget, there
9 shall be issued and sold upon the request of the department of
10 transportation a total of five billion one hundred million dollars of
11 general obligation bonds of the state of Washington.

12 NEW SECTION. **Sec. 2.** Upon the request of the department of
13 transportation, as appropriate, the state finance committee shall
14 supervise and provide for the issuance, sale, and retirement of the
15 bonds in this act in accordance with chapter 39.42 RCW. Bonds
16 authorized by this act shall be sold in the manner, at time or times,
17 in amounts, and at the price as the state finance committee shall

1 determine. No bonds may be offered for sale without prior legislative
2 appropriation of the net proceeds of the sale of the bonds.

3 The state finance committee shall consider the issuance of short-
4 term obligations in lieu of long-term obligations for the purposes of
5 more favorable interest rates, lower total interest costs, and
6 increased marketability and for the purpose of retiring the bonds
7 during the life of the project for which they were issued.

8 NEW SECTION. **Sec. 3.** The proceeds from the sale of bonds
9 authorized by section 1 of this act shall be deposited in the
10 transportation partnership account in the motor vehicle fund. The
11 proceeds shall be available only for the purposes enumerated in section
12 1 of this act, for the payment of bond anticipation notes, if any, and
13 for the payment of bond issuance costs, including the costs of
14 underwriting.

15 NEW SECTION. **Sec. 4.** Bonds issued under the authority of sections
16 1 through 6 of this act shall distinctly state that they are a general
17 obligation of the state of Washington, shall pledge the full faith and
18 credit of the state to the payment of the principal thereof and the
19 interest thereon, and shall contain an unconditional promise to pay
20 such principal and interest as the same shall become due. The
21 principal and interest on the bonds shall be first payable in the
22 manner provided in sections 1 through 6 of this act from the proceeds
23 of the state excise taxes on motor vehicle and special fuels imposed by
24 chapters 82.36 and 82.38 RCW. Proceeds of these excise taxes are
25 hereby pledged to the payment of any bonds and the interest thereon
26 issued under the authority of sections 1 through 6 of this act, and the
27 legislature agrees to continue to impose these excise taxes on motor
28 vehicle and special fuels in amounts sufficient to pay, when due, the
29 principal and interest on all bonds issued under the authority of
30 sections 1 through 6 of this act.

31 NEW SECTION. **Sec. 5.** Both principal and interest on the bonds
32 issued for the purposes of sections 1 through 6 of this act shall be
33 payable from the highway bond retirement fund. The state finance
34 committee may provide that a special account be created in the fund to
35 facilitate payment of the principal and interest. The state finance

1 committee shall, on or before June 30th of each year, certify to the
2 state treasurer the amount required for principal and interest on the
3 bonds in accordance with the bond proceedings. The state treasurer
4 shall withdraw revenues from the transportation partnership account in
5 the motor vehicle fund and deposit in the highway bond retirement fund,
6 or a special account in the fund, such amounts, and at such times, as
7 are required by the bond proceedings.

8 Any funds required for bond retirement or interest on the bonds
9 authorized by sections 1 through 6 of this act shall be taken from that
10 portion of the motor vehicle fund that results from the imposition of
11 excise taxes on motor vehicle and special fuels and that is distributed
12 to the transportation partnership account in the motor vehicle fund.
13 Funds required shall never constitute a charge against any other
14 allocations of motor vehicle fuel and special fuel tax revenues to the
15 state, counties, cities, and towns unless the amount arising from
16 excise taxes on motor vehicle and special fuels distributed to the
17 transportation 2005 account proves insufficient to meet the
18 requirements for bond retirement or interest on any such bonds.

19 Any payments for bond retirement or interest on the bonds taken
20 from other revenues from the motor vehicle fuel or special fuel taxes
21 that are distributable to the state, counties, cities, and towns shall
22 be repaid from the first revenues from the motor vehicle fuel or
23 special fuel taxes distributed to the transportation partnership
24 account not required for bond retirement or interest on the bonds.

25 NEW SECTION. **Sec. 6.** Bonds issued under the authority of sections
26 1 through 5 of this act and this section and any other general
27 obligation bonds of the state of Washington that have been or that may
28 be authorized and that pledge motor vehicle and special fuels excise
29 taxes for the payment of principal and interest thereon shall be an
30 equal charge against the revenues from such motor vehicle and special
31 fuels excise taxes.

32 NEW SECTION. **Sec. 7.** Sections 1 through 6 of this act are each
33 added to chapter 47.10 RCW.

34 NEW SECTION. **Sec. 8.** This act is necessary for the immediate

1 preservation of the public peace, health, or safety, or support of the
2 state government and its existing public institutions, and takes effect
3 July 1, 2005.

Passed by the House April 24, 2005.

Passed by the Senate April 24, 2005.

Approved by the Governor May 9, 2005.

Filed in Office of Secretary of State May 9, 2005.