

CHAPTER 209.

[Sub. S. B. 431.]

COLUMBIA RIVER TOLL BRIDGE.

AN ACT relating to a toll bridge over the lower Columbia river; and repealing sections 47.56.510 through 47.56.560, chapter 13, Laws of 1961 and RCW 47.56.510 through 47.56.560.

Be it enacted by the Legislature of the State of Washington:

Toll bridge over lower Columbia river, commission authorization to aid in erection.

SECTION 1. The Washington state highway commission is hereby authorized in conjunction with the Oregon state highway commission to erect a bridge or so much thereof as may be agreed upon with the Oregon state highway commission, including approaches thereto, across the Columbia river in the vicinity of Astoria, Oregon and Megler, Washington. Such bridge shall be an integral part of U. S. highway No. 101 and to the Oregon boundary shall be a part of primary state highway No. 12. All acts necessary to the design and construction of said new bridge and approaches thereto may be done and performed by either the Oregon state highway commission or the Washington state highway commission with the approval of the other or by both of them jointly.

Commission authorization for federal cooperation.

SEC. 2. In order to carry out the provisions of this act the Washington state highway commission may consult, cooperate and enter into agreements with the government of the United States or any of its agencies and accept and expend moneys from any public or private source, including the government of the United States or any political subdivision, which is now or may be made available for carrying out the purposes contained in this act.

Commission authorization to enter into agreements with Oregon commission —Contents.

SEC. 3. Subject to the conditions stated in section 7 of this act, the Washington state highway commission is hereby authorized to enter into such agreements with the Oregon state highway commis-

sion as it shall find necessary or convenient to carry out the purposes of this act.

Any such agreements shall include, but shall not be limited to, the following:

(1) A provision that the state of Oregon or the Oregon state highway commission shall issue general obligation bonds in the aggregate principal sum of not to exceed twenty-four million dollars par value or so much thereof as shall be required to pay all costs of location and construction of said bridge, but excluding costs of location, relocation, improvement, construction or reconstruction of approaches as the same are shown and described in "A Report On A Proposed Bridge Across The Columbia River," prepared by the Oregon and Washington state highway commissions, dated January, 1959. In determining the amount of money required for construction, there shall be taken into account all available financial contributions for such construction costs, of whatever description and from whatever source.

(2) A provision that to the extent that revenues derived from the imposition and collection of tolls and franchise fees for the use of the bridge in any year are insufficient to provide for the payment of principal, interest and other charges incidental to the issuance, sale and retirement of the bonds issued by Oregon or any subsequent refunding bond issues, the state of Oregon will pay the first one hundred thousand dollars of such deficit and the state of Washington is bound to pay, when due, forty percent of the balance of such deficit for such year from any moneys in the motor vehicle fund not otherwise pledged or from any other source available to the Washington state highway commission for said purpose: *Provided*, That in no case shall the portion of such deficit paid by the state of Washington exceed two hundred thousand dollars in any such year.

(3) A provision that the Oregon state highway commission shall assume and have complete responsibility for the operation of the bridge as a toll facility and each portion thereof, whether within or without the borders of Washington and with full power in the Oregon state highway commission to impose and collect all toll charges and franchise fees from the users of said bridge and to disburse the revenue derived therefrom for the following purposes in the following order:

(a) Payment of all costs of toll collection and insurance in the event the bridge is insured.

(b) Payment of the principal, interest and other charges incidental to the issuance, sale and retirement of the bonds herein provided for including any subsequent refunding bonds.

(4) A provision that the Oregon state highway commission, after consultation with the Washington state highway commission shall fix the classifications and amounts of tolls to be charged and collected from users of said toll facility with power after consultation with the Washington state highway commission to revise the same if deemed necessary, and the time or times when such tolls shall first be imposed.

(5) A provision that all acts pertaining to the design and construction of said bridge may be done and performed by the Oregon state highway commission or the Washington state highway commission with the approval of the other, or by both, and that any and all contracts for the construction of the bridge shall be awarded in the name of the state of Oregon by and through its state highway commission or the state of Washington by and through its state highway commission, or both: *Provided, however,* That there shall be a further provision that each state shall have full power to design and construct approaches to the bridge within the respective boundaries of each state. Such approaches shall

constitute a part of the state highways system of each state and the cost of design, right of way and construction thereof shall be borne by the respective states from any funds available for such purposes. In the event design or construction of approaches is included in any contract for the construction of the bridge, the cost of such approaches within the respective boundaries of each state shall be segregated and paid for by the respective states.

Any such agreements may include, but shall not be limited to the following:

(1) A provision that the state of Oregon, the Oregon state highway commission, and any other duly constituted agency of the state of Oregon, the state of Washington, the Washington toll bridge authority, the Washington state highway commission, and any other duly constituted agency of the state of Washington shall be reimbursed out of the proceeds of the sale of such bonds for any advances they may have made or expenses they may have incurred subsequent to March 1, 1961 for any of the purposes for which said bonds may be issued by the state of Oregon, after duly verified, itemized statements of such advances and expenses have been submitted to and jointly approved by the Oregon state highway commission and Washington state highway commission.

(2) A provision that during the period of operation of said bridge as a toll facility all or any part of the maintenance and repair work may be performed by either the Oregon state highway commission or by the Washington state highway commission with a provision for payment of the costs of such maintenance and repair one-half from the Oregon state highway commission and one-half from the Washington state highway commission.

SEC. 4. To the extent that all revenues from the imposition and collection of tolls and franchise fees

Charge on motor vehicle fund moneys declared.

for use of the bridge are insufficient to provide for the payment of principal, interest and other charges incidental to the issuance, sale and retirement of the bonds issued by the state of Oregon in connection with this project, or on any subsequent refunding bond issues, there is hereby imposed, to the extent provided in first subsection 2 of section 3 of this act, a first and prior charge against all revenues hereafter derived from the proceeds of state excise taxes on motor vehicle fuels now directed by law to be deposited in the motor vehicle fund available for state highway commission purposes.

To the extent that revenues of the project are insufficient to meet required payments of principal, interest and other charges incidental to the issuance, sale and retirement of bonds, the Washington state highway commission shall use moneys in the motor vehicle fund to pay its share of such deficits.

Procedure for paying state share.

SEC. 5. The payments provided for in section 4 of this act, as they come due, shall be authorized by the Washington state highway commission and paid by warrants signed by the state treasurer, upon the duly verified itemized statements of the Oregon state highway commission showing the amount due from the state of Washington required to meet its share of any deficit computed as provided in subsection 2 of section 3 of this act.

Maintenance costs, bridge approaches, payment for by state.

SEC. 6. The Washington state highway commission shall pay one-half of all costs of maintenance and repair of said bridge from funds appropriated for the use of the Washington state highway commission for construction and maintenance of the primary state highways. The Washington state highway commission shall pay for the costs of design, right of way and construction of approaches to said bridge within the boundaries of the state of Washington from funds appropriated for the use of the Washington state highway commission for construc-

tion and maintenance of the primary state highways or from any other funds available for said purpose.

SEC. 7. The Washington state highway commission shall not enter into agreements with the Oregon state highway commission for the construction of the toll bridge over the lower Columbia river as authorized by section 3 unless and until:

Prerequisites for state to enter into contracts with Oregon commission.

(1) Pacific county has, at the request of the state highway commission, contributed or properly authorized the contribution of money or bonds in the sum of one hundred eighty-five thousand dollars or so much thereof as may be necessary to reimburse the Washington state highway commission for costs of design and construction of the approaches to said bridge within the boundaries of the state of Washington, such contribution to be made by any of the methods authorized in RCW 47.56.250; and

(2) Pacific county has, at the request of the state highway commission and by resolution of its board of county commissioners, assigned and pledged for a period of thirty years the sum of forty thousand dollars per year of Pacific county's allocation of motor vehicle fuel taxes for the purpose of reimbursing the motor vehicle fund for a portion of the payments made by the Washington state highway commission to the state of Oregon pursuant to section 4 of this act: *Provided*, That such pledge and assignment shall not exceed in any one year, one-third of the total payment made by the state highway commission to the state of Oregon pursuant to section 4 of this act.

SEC. 8. In the event Pacific county makes the contribution authorized in subsection 1 of section 7 of this act, such contribution shall be placed in the motor vehicle fund and shall be available for state highway purposes.

Disposition of county contribution.

SEC. 9. In the event Pacific county pledges and assigns a portion of its allocation of motor vehicle

Pacific county
pledge and
assignment,
procedure to
carry out.

fuel taxes as authorized in subsection 2 of section 7 of this act, payments pursuant to such pledge and assignment shall be made as follows: The state highway commission, at least six months prior to the beginning of such fiscal year commencing with the fiscal year in which the first payment is to be made by the state of Washington to the state of Oregon as provided in section 4 of this act, shall notify the treasurer of the amount of Pacific county's gas tax, pledged and assigned for the ensuing fiscal year, and the treasurer shall thereafter, when distributions are made from the motor vehicle fund to Pacific county during such fiscal year, retain such percentage of the monthly sums credited to Pacific county as aforesaid in the motor vehicle fund as will equal the total pledge of Pacific county for such year. The sums so retained shall be available for state highway purposes.

Toll-free
bridge, when.

SEC. 10. The bridge herein provided for shall be operated as a toll-free bridge whenever the bonds to be issued by the state of Oregon together with interest thereon have been fully paid, unless the state of Washington and the state of Oregon hereafter agree through their highway commissions that tolls shall be retained on the bridge to repay in whole or in part the respective states for moneys advanced to pay principal or interest on the bonds issued by the state of Oregon.

Repeal.

SEC. 11. Sections 47.56.510 through 47.56.560, chapter 13, Laws of 1961 and RCW 47.56.510 through 47.56.560 are each repealed.

Passed the Senate March 3, 1961.

Passed the House March 8, 1961.

Approved by the Governor March 20, 1961.