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HOUSE BILL 1084

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State of Washington

61st Legislature

2009 Regular Session

By Representatives Appleton and Rolfes

Prefiled 01/08/09. Read first time 01/12/09. Referred to Committee on Transportation.

1 AN ACT Relating to creating a Washington state ferries commission;  
2 amending RCW 47.60.005; adding new sections to chapter 47.60 RCW; and  
3 providing an effective date.

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

5 **Sec. 1.** RCW 47.60.005 and 2008 c 124 s 1 are each amended to read  
6 as follows:

7 The definitions in this section apply throughout this chapter  
8 unless the context clearly requires otherwise.

9 (1) "Adaptive management" means a systematic process for  
10 continually improving management policies and practices by learning  
11 from the outcomes of operational programs.

12 (2) "Capital plan" means the state ferry system plan developed by  
13 the department as described in RCW 47.06.050(2), reviewed by the  
14 commission, and reported to the transportation committees of the  
15 legislature by the commission.

16 (3) "Capital project" has the same meaning as used in budget  
17 instructions developed by the office of financial management.

18 (4) "Commission" means the (~~transportation~~) Washington state  
19 ferries commission created in (~~RCW 47.01.051~~) section 2 of this act.

1 (5) "Improvement project" has the same meaning as in the budget  
2 instructions developed by the office of financial management. If the  
3 budget instructions do not define improvement project, then it has the  
4 same meaning as "program project" in the budget instructions. If a  
5 project meets both the improvement project and preservation project  
6 definitions in this section it must be defined as an improvement  
7 project. New vessel acquisitions must be defined as improvement  
8 projects.

9 (6) "Life-cycle cost model" means that portion of a capital asset  
10 inventory system which, among other things, is used to estimate future  
11 preservation needs.

12 (7) "Maintenance cost" has the same meaning as used in budget  
13 instructions developed by the office of financial management.

14 (8) "Preservation project" has the same meaning as used in budget  
15 instructions developed by the office of financial management.

16 (9) "Route" means all ferry sailings from one location to another,  
17 such as the Seattle to Bainbridge route or the Port Townsend to  
18 Keystone route.

19 (10) "Sailing" means an individual ferry sailing for a specific  
20 route, such as the 5:00 p.m. sailing from Seattle to Bremerton.

21 (11) "Travel shed" means one or more ferry routes with distinct  
22 characteristics as determined by the department.

23 NEW SECTION. **Sec. 2.** A new section is added to chapter 47.60 RCW  
24 to read as follows:

25 (1) The Washington state ferries commission is created and shall  
26 consist of eleven voting members, one appointed by the ferry advisory  
27 committee or committees of each of the eight counties with a ferry  
28 advisory committee or committees, and three appointed by the governor,  
29 with the consent of the senate.

30 (2) The president of the senate shall appoint two members of the  
31 senate from counties containing a ferry advisory committee or  
32 committees to serve as nonvoting members of the commission.

33 (3) The speaker of the house of representatives shall appoint two  
34 members of the house of representatives from counties containing a  
35 ferry advisory committee or committees to serve as nonvoting members of  
36 the commission.

1 (4) All terms shall be for four years, with the exception of five  
2 initial terms of voting members. The voting members of the commission  
3 shall determine the five members that will serve initial terms of two  
4 years.

5 (5) No elective state official, state officer, or state employee  
6 shall be a voting member of the commission.

7 (6) No more than two voting members of the commission shall reside  
8 in the same county.

9 (7) Members may be removed from office by the governor before the  
10 expiration of their terms for cause. No member shall be appointed for  
11 more than two consecutive terms.

12 NEW SECTION. **Sec. 3.** A new section is added to chapter 47.60 RCW  
13 to read as follows:

14 (1) The commission shall meet at times it deems advisable but at  
15 least on a quarterly basis with meetings to be held in different  
16 counties containing a ferry advisory committee or committees. The  
17 commission may adopt its own rules and establish its own procedures.  
18 The commission shall act collectively in harmony with recorded  
19 resolutions or motions adopted by a majority vote of at least six  
20 members. The commission may appoint an executive director, and shall  
21 elect one of its members chair for a term of one year. The chair may  
22 vote on all matters before the commission. The commission may retain  
23 planners, consultants, and other technical personnel to advise it in  
24 the performance of its duties.

25 (2) The commission shall submit to each regular session of the  
26 legislature held in an odd-numbered year its own budget proposal  
27 necessary for the commission's operations separate from that proposed  
28 for the department.

29 (3) Each member of the commission shall be compensated in  
30 accordance with RCW 43.03.250 and shall be reimbursed for actual  
31 necessary traveling and other expenses in going to, attending, and  
32 returning from meetings of the commission, and actual and necessary  
33 traveling and other expenses incurred in the discharge of such duties  
34 as may be requested by a majority vote of the commission or by the  
35 secretary of transportation, but the entire commission membership shall  
36 not be compensated for more than one thousand two hundred thirty days

1 combined. Service on the commission shall not be considered as service  
2 credit for the purposes of any public retirement system.

3 (4) Each member of the commission shall disclose any actual or  
4 potential conflict of interest, if applicable under the circumstance,  
5 regarding any commission business.

6 NEW SECTION. **Sec. 4.** This act takes effect August 1, 2009.

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