

CERTIFICATION OF ENROLLMENT

ENGROSSED SUBSTITUTE HOUSE BILL 1231

Chapter 15, Laws of 1991
(partial veto)

52nd Legislature
1991 Special Session

TRANSPORTATION BUDGET FOR PERIOD ENDING JUNE 30, 1993

EFFECTIVE DATE: 6/30/91

Passed by the House June 27, 1991
Yeas 90 Nays 1

JOE KING

**Speaker of the
House of Representatives**

Passed by the Senate June 27, 1991
Yeas 39 Nays 1

JOEL PRITCHARD

President of the Senate

Approved June 30, 1991, with the exception of sections 35, page 16, lines 13 through 22, 36(1), page 17, lines 12 through 15 beginning with the word "Upon" and ending with "implementation," 45, 54, 55, 56, 57(2), 58, 59, and section 67, page 44, line 28 beginning with the word "For" through page 45, line 8 ending with the word "committee", which are vetoed.

BOOTH GARDNER

Governor of the State of Washington

CERTIFICATE

I, Alan Thompson, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 1231** as passed by the House of Representatives and the Senate on the dates hereon set forth.

ALAN THOMPSON

Chief Clerk

FILED

June 30, 1991 - 11:50 p.m.

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE HOUSE BILL 1231

AS AMENDED BY THE SENATE

Passed Legislature - 1991 1st Special Session

State of Washington **52nd Legislature** **1991 Regular Session**

By House Committee on Transportation (originally sponsored by Representatives R. Fisher, R. Meyers, Betrozoff and Paris; by request of Office of Financial Management).

Read first time April 5, 1991.

1 AN ACT Relating to transportation appropriations; amending RCW
2 46.68.110, 46.68.120, 47.76.040, 47.76.050, 47.76.060, 47.76.070,
3 47.76.080, 47.76.090, 46.61.165, and 81.104.100; adding a new section
4 to chapter 46.68 RCW; creating new sections; and declaring an
5 emergency.

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

7 NEW SECTION. **Sec. 1.** The transportation budget of the state is
8 hereby adopted and, subject to the provisions hereinafter set forth,
9 the several amounts hereinafter specified, or as much thereof as may be
10 necessary to accomplish the purposes designated, are hereby
11 appropriated from the several accounts and funds hereinafter named to
12 the designated state agencies and offices for salaries, wages, and
13 other expenses, for capital projects, and for other specified purposes,
14 including the payment of any final judgments arising out of such
15 activities, for the period ending June 30, 1993. No moneys are

1 provided in this act for major relocation of the Washington state
2 patrol or the department of licensing. Any bill enacted during the
3 1991 legislative sessions requiring expenditure from a transportation
4 related fund or account that was not heard by either of the respective
5 transportation committees is not funded in this act.

6 NEW SECTION. **Sec. 2. FOR THE TRAFFIC SAFETY COMMISSION**

7 Highway Safety Fund--State Appropriation	\$	398,000
8 Highway Safety Fund--Federal Appropriation	\$	4,887,000
9 TOTAL APPROPRIATION	\$	5,285,000

10 NEW SECTION. **Sec. 3. FOR THE TRAFFIC SAFETY COMMISSION**

11 The sum of \$900,000, or as much thereof as may be necessary, is
12 appropriated from the public safety and education account to the
13 traffic safety commission solely to continue the DWI task force
14 program. This appropriation represents seventy-five percent of the
15 requested \$1.2 million state funding. It is the intent of the
16 legislature that the state funding will be reduced by \$300,000 per
17 biennium until no state funds are required to support this program. It
18 is also the intent of the legislature that the commission seek funding
19 from sources other than the state.

20 NEW SECTION. **Sec. 4. FOR THE BOARD OF PILOTAGE COMMISSIONERS**

21 General Fund--Pilotage Account--State		
22 Appropriation	\$	185,000

23 No more than \$80,000 may be expended for attorney general fees.

24 NEW SECTION. **Sec. 5. FOR THE COUNTY ROAD ADMINISTRATION BOARD**

1	Motor Vehicle Fund--County Arterial Preservation		
2	Account--State Appropriation	\$	22,427,000
3	Motor Vehicle Fund--Rural Arterial Trust Account--		
4	State Appropriation	\$	37,413,000
5	Motor Vehicle Fund--State Appropriation	\$	1,190,000
6	TOTAL APPROPRIATION	\$	61,030,000

7 \$153,319 of the motor vehicle fund--county arterial preservation
8 account--state appropriation and \$153,319 of the motor vehicle fund--
9 rural arterial trust account--state appropriation, or as much thereof
10 as may be necessary, are provided solely to provide transportation
11 planning assistance to counties.

12 NEW SECTION. **Sec. 6. FOR THE TRANSPORTATION IMPROVEMENT BOARD**

13	Motor Vehicle Fund--Transportation Improvement		
14	Account--State Appropriation	\$	104,000,000
15	Motor Vehicle Fund--Urban Arterial Trust Account--		
16	State Appropriation	\$	51,848,000
17	TOTAL APPROPRIATION	\$	155,848,000

18 The legislative transportation committee shall evaluate methods to
19 improve legislative oversight of transportation improvement account
20 projects.

21 NEW SECTION. **Sec. 7. FOR THE STATE PATROL--FIELD OPERATIONS**

22 **BUREAU**

23	Motor Vehicle Fund--State Patrol Highway Account--		
24	State Appropriation	\$	2,399,000

1 This appropriation is provided solely to fund the Safety Education
2 Officer Program and enhancement in the Commercial Vehicle Weighing and
3 Safety Inspection Program for fiscal year 1992.

4 NEW SECTION. **Sec. 8. FOR THE STATE PATROL--FIELD OPERATIONS**

5 **BUREAU**

6 Motor Vehicle Fund--State Patrol Highway Account--

7 State Appropriation \$ 131,301,000

8 Motor Vehicle Fund--State Patrol Highway Account--

9 Federal Appropriation \$ 3,033,000

10 TOTAL APPROPRIATION \$ 134,334,000

11 The appropriations in this section are subject to the following
12 conditions and limitations: Any user of Washington state patrol
13 aircraft shall pay its pro rata share of all operating and maintenance
14 costs including capitalization.

15 NEW SECTION. **Sec. 9. FOR THE STATE PATROL--SUPPORT SERVICES**

16 **BUREAU**

17 Motor Vehicle Fund--State Patrol Highway Account--

18 State Appropriation \$ 52,914,000

19 NEW SECTION. **Sec. 10. FOR THE DEPARTMENT OF LICENSING--VEHICLE**

20 **SERVICES**

21 Motor Vehicle Fund--State Appropriation \$ 47,105,000

22 General Fund--Marine Fuel Tax Refund Account--

23 State Appropriation \$ 25,000

24 General Fund--Wildlife Account--State Appropriation \$ 502,000

25 TOTAL APPROPRIATION \$ 47,632,000

1 The legislature recognizes the need to address issues remaining
2 unresolved from the 1991 title and registration study required by the
3 legislature and the governor. The intent of the legislature is to
4 better align the fee structure with the costs associated with providing
5 services for the state. Evidence from the 1991 study indicates
6 inequities exist in cost recovery and/or profits realized between large
7 and small county auditors and their subagents. Further, no policy
8 exists regarding how counties treat excess revenues generated from
9 providing this service. The Washington association of counties, the
10 Washington association of county officials, representatives of the
11 subagents, and the department of licensing, under the direction of the
12 legislative transportation committee, shall report to the legislative
13 transportation committee by December 1, 1991, their recommendations
14 for resolving these policy issues and inequities.

15 NEW SECTION. **Sec. 11. FOR THE DEPARTMENT OF LICENSING--DRIVER**
16 **SERVICES**

17	General Fund--Public Safety and Education Account--		
18	State Appropriation	\$	4,388,000
19	Highway Safety Fund--State Appropriation	\$	48,376,000
20	Highway Safety Fund--Motorcycle Safety Education Account--		
21	State Appropriation	\$	884,000
22	TOTAL APPROPRIATION	\$	53,648,000

23 NEW SECTION. **Sec. 12. FOR THE DEPARTMENT OF LICENSING--MANAGEMENT**
24 **OPERATIONS**

25	General Fund--Wildlife Account--State Appropriation	\$	47,000
26	Highway Safety Fund--State Appropriation	\$	4,796,000
27	Highway Safety Fund--Motorcycle		
28	Safety Education Account--State Appropriation .	\$	95,000

1	Motor Vehicle Fund--State Appropriation	\$	4,424,000
2	General Fund--Public Safety and Education Account--		
3	State Appropriation	\$	418,000
4	TOTAL APPROPRIATION	\$	9,780,000

5 NEW SECTION. **Sec. 13. FOR THE DEPARTMENT OF LICENSING--**
6 **INFORMATION SYSTEMS**

7	General Fund--Wildlife Account--State Appropriation	\$	56,000
8	Highway Safety Fund--State Appropriation	\$	3,506,000
9	Highway Safety Fund--Motorcycle Safety Education		
10	Account--State Appropriation	\$	58,000
11	Motor Vehicle Fund--State Appropriation	\$	5,961,000
12	General Fund--Public Safety and Education Account--		
13	State Appropriation	\$	252,000
14	TOTAL APPROPRIATION	\$	9,833,000

15 The appropriation for the licensing application migration project
16 (LAMP) is conditioned upon compliance with the provisions of section 54
17 of this act.

18 NEW SECTION. **Sec. 14. FOR THE LEGISLATIVE TRANSPORTATION**
19 **COMMITTEE**

20	Motor Vehicle Fund--State Appropriation	\$	3,028,000
21	High Capacity Transportation Account--		
22	State Appropriation	\$	950,000
23	TOTAL APPROPRIATION	\$	3,978,000

24 (1) Of the high capacity transportation account appropriation
25 provided for in this section, \$550,000 is a reappropriation for
26 continuation of stage 1 of the public transportation study described in

1 section 12(4), chapter 298, Laws of 1990, and \$400,000 is for a portion
2 of the cost of stage 2.

3 (2) The appropriation provided for in section 41 of this act
4 includes funds to carry out the studies described in section 12 (5) and
5 (6), chapter 298, Laws of 1990: PROVIDED, That the completion dates
6 for both studies shall be June 30, 1993.

7 (3) The committee is authorized to conduct performance analysis and
8 other reviews of state transportation agencies and programs to ensure
9 that the agencies and programs: (a) Are being conducted in accordance
10 with legislative intent; (b) are being conducted in an efficient and
11 effective manner; and (c) continue to serve their intended purposes.
12 The findings and recommendations of any such reviews shall be reported
13 to the legislature.

14 NEW SECTION. **Sec. 15. FOR THE LEGISLATIVE EVALUATION AND**
15 **ACCOUNTABILITY COMMITTEE**

16 Motor Vehicle Fund--State Appropriation \$ 389,000

17 NEW SECTION. **Sec. 16. FOR THE MARINE EMPLOYEES COMMISSION**

18 Motor Vehicle Fund--Puget Sound Ferry Operations Account--
19 State Appropriation \$ 334,000

20 NEW SECTION. **Sec. 17. FOR THE TRANSPORTATION COMMISSION**

21 Transportation Fund--State Appropriation \$ 1,500,000

22 NEW SECTION. **Sec. 18. FOR THE AIR TRANSPORTATION COMMISSION**

23 Transportation Fund--State Appropriation \$ 553,000

24 NEW SECTION. **Sec. 19. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

1 Motor Vehicle Fund--State Appropriation \$ 112,000

2 The appropriation in this section is null and void if House Bill
3 No. 2140 is not enacted by September 1, 1991.

4 NEW SECTION. **Sec. 20. FOR THE WASHINGTON STATE ENERGY OFFICE**

5 Motor Vehicle Fund--State Appropriation \$ 203,000

6 Transportation Fund--State Appropriation \$ 750,000

7 TOTAL APPROPRIATION \$ 953,000

8 NEW SECTION. **Sec. 21. FOR THE DEPARTMENT OF AGRICULTURE**

9 \$209,000, or as much thereof as is necessary, is appropriated from
10 the motor vehicle fund--state solely for the motor fuel quality testing
11 program. Annual reports shall be submitted to the legislative
12 transportation committee commencing January 15, 1992.

13 NEW SECTION. **Sec. 22. FOR THE DEPARTMENT OF TRANSPORTATION--**
14 **HIGHWAY CONSTRUCTION--PROGRAM A**

15 Motor Vehicle Fund--State Appropriation \$ 149,838,000

16 Motor Vehicle Fund--Federal Appropriation \$ 98,600,000

17 Motor Vehicle Fund--Local Appropriation \$ 2,000,000

18 TOTAL APPROPRIATION \$ 250,438,000

19 The appropriations in this section are subject to the following
20 conditions and limitations:

21 (1) The appropriations in this section are provided for the
22 location, design, right of way, and construction of state highway
23 projects designated as category "A" under RCW 47.05.030. It is the
24 intent of the legislature that this appropriation does not commit the
25 legislature to the transportation commission's proposed category "A"
26 program update.

1 (2) The department shall study a highway heritage program to
2 preserve Washington's unique scenic character along its highway
3 corridors and provide travelers with a continuing opportunity to
4 appreciate and obtain information regarding unique natural, cultural,
5 and historic features that are near or accessible by highways.

6 The department shall:

7 (a) Work with the parks and recreation commission, the Washington
8 state historical society, the department of trade and economic
9 development, and cities and counties to identify projects, establish
10 priorities for expenditures of funds under this program, and recommend
11 a strategy for implementing an ongoing program and sources of funding;

12 (b) Work with public and private landowners, local governments, and
13 private organizations and associations to propose actions to achieve
14 the purposes of this section without land acquisition, to the greatest
15 extent possible, including coordination with local land use and open
16 space plans, state agency programs relating to open space,
17 conservation, urban forestry, and natural resources management;

18 (c) Study acquisition by purchase, gift, devise, bequest, grant, or
19 exchange, title to or interest or right in real property adjacent to
20 state highways to accomplish any of the following: Preserve natural
21 beauty or viewpoints, preserve natural buffers between highways, or
22 enhance the visual quality of entrances to cities or other land uses;

23 (d) Study provision of directional signs and signs with information
24 regarding historical or cultural sites and significant natural
25 features.

26 The department shall report its findings to the legislative
27 transportation committee by December 1, 1992.

28 The appropriation to carry out the study in this subsection is
29 provided in section 41 of this act and shall lapse unless \$10,000 is

1 received from the department of trade and economic development by
2 October 1, 1991.

3 (3) The department shall complete the six fish barrier removal
4 projects identified as high priority by the department of fisheries.
5 The department shall cooperate with the departments of fisheries and
6 wildlife to identify, estimate costs of, and prioritize additional fish
7 barrier removal projects on state highways.

8 NEW SECTION. **Sec. 23. FOR THE DEPARTMENT OF TRANSPORTATION--**
9 **HIGHWAY CONSTRUCTION--PROGRAM B**

10	Motor Vehicle Fund--State Appropriation	\$	42,000,000
11	Motor Vehicle Fund--Federal Appropriation	\$	407,000,000
12	Motor Vehicle Fund--Local Appropriation	\$	8,000,000
13	TOTAL APPROPRIATION	\$	457,000,000

14 The appropriations in this section are provided for the location,
15 design, right of way, and construction of state highway projects on
16 the interstate system designated as category "B" under RCW 47.05.030.
17 The appropriations in this section are subject to the following
18 conditions and limitations:

19 (1) \$42,000,000 of the motor vehicle fund--state appropriation
20 includes a maximum of \$32,000,000 in proceeds from the sale of bonds
21 authorized by RCW 47.10.790 and 47.10.801: PROVIDED, That the
22 transportation commission may authorize the use of current revenues
23 available to the department of transportation in lieu of bond proceeds
24 for any part of the state appropriation.

25 (2) Should cash flow demands exceed the motor vehicle fund--federal
26 appropriation, the motor vehicle fund--state appropriation is increased
27 proportionally to provide matching state funds from the sale of bonds
28 authorized by RCW 47.10.801 and 47.10.790 not to exceed \$10,000,000 and

1 it is understood that the department shall seek authority to expend
2 unanticipated receipts for the federal portion.

3 (3) It is further recognized that the department may make use of
4 federal cash flow obligations on interstate construction contracts in
5 order to complete the interstate highway system as expeditiously as
6 possible.

7 (4) It is the intent of the legislature that the department shall
8 place special emphasis on delivering the HOV projects contained in the
9 document dated March, 1991, entitled "Puget Sound HOV Core Lane Needs:
10 2000". The department shall report progress on program delivery to the
11 legislative transportation committee by November 1, 1991.

12 NEW SECTION. **Sec. 24.** Contained within the appropriations to the
13 department of transportation, programs B and C, for HOV lanes, park and
14 ride lots, and surveillance control and driver information systems that
15 are components of the Puget Sound HOV core lane system are the
16 following amounts: \$202,000,000 as requested by the department and the
17 governor, and an additional \$15,000,000 provided by the legislature in
18 section 67 of this act to expedite the completion of the system.

19 NEW SECTION. **Sec. 25. FOR THE DEPARTMENT OF TRANSPORTATION--**
20 **HIGHWAY CONSTRUCTION--PROGRAM C**

21	Motor Vehicle Fund--State Appropriation	\$	66,800,000
22	Transportation Fund--State Appropriation	\$	119,000,000
23	Motor Vehicle Fund--Federal Appropriation	\$	16,000,000
24	Motor Vehicle Fund--Local Appropriation	\$	4,000,000
25	TOTAL APPROPRIATION	\$	205,800,000

1 The appropriations in this section are provided for the location,
2 design, right of way acquisition, and construction of state highway
3 projects designated as category "C" under RCW 47.05.030.

4 NEW SECTION. **Sec. 26. FOR THE DEPARTMENT OF TRANSPORTATION--**
5 **HIGHWAY CONSTRUCTION--PROGRAM C**

6 Motor Vehicle Fund--Special Category C Account--

7 State Appropriation \$ 27,000,000

8 The appropriation contained in this section is subject to the
9 following conditions and limitations:

10 (1) By October 1, 1991, the department of transportation shall
11 report to the legislative transportation committee on the various
12 stages and funding assumptions on the first avenue south bridge, state
13 route 18, and the north-south corridor in Spokane.

14 (2) Of the \$27,000,000 appropriation contained in this section: Up
15 to \$12,000,000 is provided for SR 18, up to \$11,000,000 is provided for
16 1st avenue south bridge, and up to \$4,000,000 is provided for the
17 north-south corridor in Spokane: PROVIDED, That the department may
18 transfer moneys between projects after consultation with the
19 legislative transportation committee.

20 NEW SECTION. **Sec. 27. FOR THE DEPARTMENT OF TRANSPORTATION--**
21 **HIGHWAY CONSTRUCTION--PROGRAM C**

22 Motor Vehicle Fund--Puyallup Tribal Settlement

23 Account--State Appropriation \$ 3,450,000

24 Motor Vehicle Fund--Puyallup Tribal Settlement

25 Account--Federal Appropriation \$ 2,550,000

26 TOTAL APPROPRIATION \$ 6,000,000

1 NEW SECTION. **Sec. 28. FOR THE DEPARTMENT OF TRANSPORTATION--**
2 **HIGHWAY MANAGEMENT AND FACILITIES--PROGRAM D**

3	Motor Vehicle Fund--State Appropriation	\$	39,302,000
4	Motor Vehicle Fund--Transportation Capital Facilities		
5	Account--State Appropriation	\$	33,149,000
6	TOTAL APPROPRIATION	\$	72,451,000

7 The appropriations in this section are subject to the following
8 conditions and limitations:

9 (1) \$1,700,000 of the transportation capital facilities account--
10 state appropriation is contingent upon the sale of bonds authorized in
11 RCW 47.02.120.

12 (2) The transportation capital facilities account--state
13 appropriation will be funded by a state treasurer revenue transfer of
14 \$31,449,000 from the motor vehicle fund to the transportation capital
15 facilities account.

16 (3) No later than August, 1991, the department shall present a
17 comprehensive plan to the legislative transportation committee for
18 creation of an urban mobility office including recommendations on HOV
19 programs, growth management, the freeway and arterial management effort
20 (FAME), and other associated programs or activities. The plan shall
21 include recommended methods for quantifying reductions in congestion.

22 NEW SECTION. **Sec. 29. FOR THE DEPARTMENT OF TRANSPORTATION--**
23 **AERONAUTICS--PROGRAM F**

24	General Fund--Aeronautics Account--State		
25	Appropriation	\$	3,083,000
26	General Fund--Aeronautics Account--Federal		
27	Appropriation	\$	283,000
28	TOTAL APPROPRIATION	\$	3,366,000

1 The appropriations in this section are provided for management and
2 support of the aeronautics division, state fund grants to local
3 airports, development and maintenance of a state-wide airport system
4 plan, maintenance of state-owned emergency airports, federal
5 inspections, and the search and rescue program.

6 NEW SECTION. **Sec. 30. FOR THE DEPARTMENT OF TRANSPORTATION--**
7 **SEARCH AND RESCUE--PROGRAM F**

8 General Fund--Search and Rescue Account--

9 State Appropriation \$ 126,000

10 The appropriation in this section is provided for directing and
11 conducting searches for missing, downed, overdue, or presumed downed
12 general aviation aircraft; for safety and education activities
13 necessary to insure safety of persons operating or using aircraft; and
14 for the Washington wing civil air patrol in accordance with RCW
15 47.68.370.

16 NEW SECTION. **Sec. 31. FOR THE DEPARTMENT OF TRANSPORTATION--**
17 **COMMUNITY ECONOMIC REVITALIZATION--PROGRAM G**

18 Motor Vehicle Fund--Economic Development Account--

19 State Appropriation \$ 5,000,000

20 The appropriation in this section is funded with the proceeds from
21 the sale of bonds authorized by RCW 47.10.801 and is provided for
22 improvements to the state highway system necessitated by planned
23 economic development.

24 NEW SECTION. **Sec. 32. FOR THE DEPARTMENT OF TRANSPORTATION--**
25 **NONINTERSTATE BRIDGES--PROGRAM H**

1	Motor Vehicle Fund--State Appropriation	\$	53,200,000
2	Motor Vehicle Fund--Federal Appropriation	\$	52,400,000
3	Motor Vehicle Fund--Local Appropriation	\$	1,000,000
4	TOTAL APPROPRIATION	\$	106,600,000

5 The appropriations in this section are provided to preserve the
6 structural and operating integrity of existing bridges. It is the
7 intent of the legislature that this appropriation does not commit the
8 legislature to the transportation commission's proposed twenty-year
9 bridge program.

10 NEW SECTION. **Sec. 33. FOR THE DEPARTMENT OF TRANSPORTATION--**
11 **HIGHWAY MAINTENANCE AND OPERATIONS--PROGRAM M**

12	Motor Vehicle Fund--State Appropriation	\$	215,160,000
13	Motor Vehicle Fund--Local Appropriation	\$	750,000
14	TOTAL APPROPRIATION	\$	215,910,000

15 The department shall place emphasis on the development and
16 construction of rest areas. The department shall establish criteria
17 for prioritizing rest area construction state-wide. The department
18 shall report the criteria and priority array to the legislative
19 transportation committee by August 1, 1991.

20 The department may, as part of its regular maintenance program,
21 begin correcting existing fish passage barriers.

22 NEW SECTION. **Sec. 34. FOR THE DEPARTMENT OF TRANSPORTATION--SALES**
23 **AND SERVICES TO OTHERS--PROGRAM R**

24	Motor Vehicle Fund--State Appropriation	\$	1,370,000
25	Motor Vehicle Fund--Federal Appropriation	\$	58,400,000

1 Motor Vehicle Fund--Local Appropriation \$ 8,483,000
 2 TOTAL APPROPRIATION \$ 68,253,000

4 *NEW SECTION. Sec. 35. FOR THE DEPARTMENT OF TRANSPORTATION--
 5 TRANSPORTATION MANAGEMENT AND SUPPORT--PROGRAM S

6 Transportation Fund--State Appropriation \$ 700,000
 7 Motor Vehicle Fund--Puget Sound Capital Construction
 8 Account--State Appropriation \$ 465,000
 9 Motor Vehicle Fund--Puget Sound Ferry Operations
 10 Account--State Appropriation \$ 885,000
 11 Motor Vehicle Fund--State
 12 Appropriation \$ 33,770,000
 13 TOTAL APPROPRIATION \$ 35,820,000

14 *The appropriations in this section are subject to the following*
 15 *conditions and limitations: The legislature directs that a joint study*
 16 *be conducted by the office of financial management, the department of*
 17 *personnel, and the Washington state department of transportation to*
 18 *determine whether the current services rendered by the department of*
 19 *personnel on issues relating to employee recruitment, retention,*
 20 *education, and training are sufficient. Findings of the study shall be*
 21 *reported to the legislative transportation committee by December 1,*
 22 *1991, and shall include but not be limited to recommendations as to who*
 23 *is responsible for performing these services.*

24 *Sec. 35 was partially vetoed, see message at end of chapter.

26 *NEW SECTION. Sec. 36. FOR THE DEPARTMENT OF TRANSPORTATION--
 27 PLANNING, RESEARCH, AND PUBLIC TRANSPORTATION--PROGRAM T

28 For public transportation and rail programs:
 29 Transportation Fund--State Appropriation \$ 8,295,000

1	Transportation Fund--Federal/Local Appropriation	\$	5,518,000
2	High Capacity Transportation Account--		
3	State Appropriation	\$	15,640,000
4	For planning and research:		
5	Motor Vehicle Fund--State Appropriation	\$	17,830,000
6	Motor Vehicle Fund--Federal Appropriation	\$	9,000,000
7	TOTAL APPROPRIATION	\$	56,283,000

8 The appropriations in this section are subject to the following
9 conditions and limitations:

10 (1) By December 15, 1991, the department of transportation, in
11 cooperation with local units of government and Amtrak, shall submit to
12 the legislative transportation committee a program to improve Amtrak
13 services in Washington. *Upon submittal and approval of the program*
14 *recommendations by the legislative transportation committee, the*
15 *department may expend the amount provided from the transportation*
16 *fund--state for program implementation.* The program may include but is
17 not limited to the following:

18 (a) Improvements to tracks, grade crossings, and signal systems
19 necessary to increase operating speeds. In developing these
20 recommendations, the department shall involve the utilities and
21 transportation commission and other affected state and local agencies;

22 (b) Station improvements;

23 (c) Resumption of service between Seattle, Washington, and
24 Vancouver, British Columbia; and

25 (d) New or additional service on other routes for which there is
26 adequate demand and reasonable opportunity for cost recovery.

27 (2) Funds are provided for acquisition of rail rights of way under
28 RCW 47.76.140: PROVIDED, That funds expended for the Stampede Pass
29 corridor connecting Ravensdale in King County and Cle Elum in Kittitas

1 County may be expended only if the corridor is acquired jointly with
2 the city of Tacoma. The department shall enter into an agreement with
3 the City of Tacoma to develop appropriate restrictions on the use of
4 the right of way designed to protect Tacoma's Green River water supply.
5 Following acquisition, the department may not expend or authorize the
6 expenditure of funds for improvements to tracks, bridges, and
7 associated elements without prior legislative approval. Funds may be
8 expended for necessary maintenance and preservation, such as fire and
9 weed control. This appropriation shall lapse if \$1,100,000 is not
10 reappropriated for the purchase of corridors from the essential rail
11 banking account.

12 (3) Moneys in this appropriation for the Spokane intermodal
13 transportation center may be expended only after the Washington state
14 transportation commission has received funding commitments from all
15 other project participants.

16 (4) Of the amount provided for regional transportation planning
17 organizations, funds not allocated to such organizations may be used
18 for a discretionary grant program for special regional planning
19 projects, to be administered by the department of transportation.

20 (5) The amount provided for implementation of the universal bus
21 pass program at the University of Washington shall be expended solely
22 for one-time infrastructure costs for modification of roads to
23 accommodate buses, modification of parking facilities, bus shelters,
24 security lighting for night shuttle programs, and bike storage
25 facilities. It is the intent of the legislature that comparable
26 comprehensive programs be developed in the near future for all
27 universities and colleges within the greater Seattle area. To that
28 end, Metro, community transit and Pierce transit, and Seattle area
29 colleges and universities shall work together and submit a plan to the
30 legislative transportation committee identifying potential services,

1 costs and implementation schedules. The plan shall be submitted by
2 November 1992.

3 *Sec. 36 was partially vetoed, see message at end of chapter.

4 NEW SECTION. **Sec. 37. FOR THE DEPARTMENT OF TRANSPORTATION--**
5 **CHARGES FROM OTHER AGENCIES--PROGRAM U**

6	Motor Vehicle Fund--State Appropriation	\$	19,438,361
7	Motor Vehicle Fund--Puget Sound Ferry Operations		
8	Account--State Appropriation	\$	2,000,000
9	TOTAL APPROPRIATION	\$	21,438,361

10 The appropriations in this section are to provide for costs billed
11 to the department for the services of other state agencies as follows:

- 12 (1) Archives and records management, \$257,763;
- 13 (2) Attorney general tort claims support, \$5,500,000;
- 14 (3) Office of the state auditor audit services, \$883,366;
- 15 (4) Department of general administration facilities and services
16 charges, \$2,597,769;
- 17 (5) Department of personnel services, \$2,368,949;
- 18 (6) Self-insurance liability premium, \$7,220,514 and
19 administration, \$610,000; and
- 20 (7) Marine division self-insurance liability premium and
21 administration, \$2,000,000.

22 NEW SECTION. **Sec. 38. FOR THE DEPARTMENT OF TRANSPORTATION--**
23 **MARINE CONSTRUCTION--PROGRAM W**

24	Motor Vehicle Fund--Puget Sound Capital Construction		
25	Account--State Appropriation	\$	107,324,000
26	Motor Vehicle Fund--Puget Sound Capital Construction		
27	Account--Federal Appropriation	\$	16,937,000

1	Motor Vehicle Fund--Puget Sound Capital Construction		
2	Account--Private/Local Appropriation	\$	1,500,000
3	TOTAL APPROPRIATION	\$	125,761,000

4 The appropriations in this section are provided for improving the
5 Washington state ferry system, including, but not limited to, vessel
6 acquisition, vessel construction, major and minor vessel improvements,
7 and terminal construction and improvements. The appropriations in this
8 section are subject to the following conditions and limitations:

9 The appropriations in this section are provided to carry out only
10 the projects in the department of transportation's 1991-93 biennial
11 budget request dated March 1991, as approved by the transportation
12 commission. The department of transportation shall revise these
13 projects to reconcile them with the 1989-91 actual expenditures within
14 sixty days of the beginning of the biennium. The department shall also
15 reevaluate such projects, based on the findings and recommendations of
16 the April 5, 1991, Final Report by Booz.Allen, Hamilton and M.
17 Rosenblatt and Son, Inc. on the Washington State Ferries' Vessel
18 Refurbishment Programs, and, if appropriate, make the necessary project
19 revisions, after consultation with the legislative transportation
20 committee, prior to September 1, 1991.

21 The Puget Sound capital construction account--state appropriation
22 includes the reappropriation of \$18,965,000 and \$15,000,000 in proceeds
23 from the sale of bonds authorized by RCW 47.60.560: PROVIDED, That
24 the department of transportation may use current revenues available to
25 the Puget Sound capital construction account in lieu of bond proceeds
26 for any part of the state appropriation.

27 The appropriation in this section contains an amount for
28 prerefurbishment inspections as identified in Recommendation 8 of the
29 April 5, 1991, Final Report by Booz.Allen, Hamilton and M. Rosenblatt

1 and Son, Inc. on the Washington State Ferries' Vessel Refurbishment
2 Programs.

3 The Puget Sound capital construction account--state appropriation
4 includes \$1,082,000 to be expended solely for the design of a jumbo
5 class automobile ferry vessel.

6 The department shall consult the legislative transportation
7 committee regarding the expenditure of moneys appropriated in this
8 section and shall provide the committee with a monthly report
9 concerning the status of the capital program authorized in this
10 section.

11 \$300,000 of the Puget Sound capital construction account--state
12 appropriation is provided to implement Recommendation Numbers 7 and 19
13 of the April 5, 1991, Final Report by Booz.Allen, Hamilton and M.
14 Rosenblatt and Son, Inc. on the Washington State Ferries' Vessel
15 Refurbishment Programs. Of that amount \$200,000 is provided for
16 implementing a formal hazardous materials program and \$100,000 is
17 provided for audiogauge steel testing.

18 The department of transportation shall establish a task force to
19 assess and oversee the implementation of the recommendations contained
20 in the April 5, 1991, Final Report by Booz.Allen, Hamilton and M.
21 Rosenblatt and Son, Inc. on the Washington State Ferries' Vessel
22 Refurbishment Programs. The task force shall be comprised of
23 department of transportation management, representatives of Washington
24 state ferry system employee organizations, the shipbuilding industry,
25 the legislative transportation committee, and any other entity or
26 individual as deemed appropriate by the department. The task force
27 shall provide a progress report to the legislative transportation
28 committee by December 1, 1991.

1 NEW SECTION. **Sec. 39. FOR THE DEPARTMENT OF TRANSPORTATION--**

2 **MARINE--PROGRAM X**

3 Marine Operating Fund--State Appropriation \$ 204,767,000

4 The appropriation in this section is subject to the following
5 conditions and limitations:

6 (1) The marine operating fund is hereby created in the state
7 treasury.

8 To fund the appropriations in this act, the department shall
9 transfer operating subsidies from the Puget Sound ferry operations
10 account and ferry user revenues from the ferry system revolving account
11 to the marine operating fund.

12 The department shall transfer moneys from the ferry system
13 revolving account to the marine operating fund so as to minimize the
14 need for revenues from the Puget Sound ferry operations account during
15 June of each respective fiscal year in support of the expenditures
16 necessary for the operation and maintenance of the state ferry system
17 as authorized in this section.

18 (2) The appropriation is based on the budgeted expenditure of
19 \$24,562,547 for vessel operating fuel in the 1991-93 biennium. If the
20 actual cost of fuel is less than this budgeted amount, the excess
21 amount shall not be expended. If the actual cost exceeds this amount,
22 the department shall request a supplemental appropriation.

23 (3) The appropriation contained in this section provides for the
24 compensation of ferry employees, including increases. The expenditures
25 for compensation paid to ferry employees during the 1991-93 biennium
26 shall not exceed \$135,862,000 plus a dollar amount, as prescribed by
27 the office of financial management, that is equal to any insurance
28 benefit increase granted general government employees in excess of
29 \$256.07 a month annualized per eligible marine employee multiplied by

1 the number of eligible marine employees for the respective fiscal year,
2 a dollar amount as prescribed by the office of financial management for
3 salary increases during the 1991-93 biennium, and a dollar amount as
4 prescribed by the office of financial management for costs associated
5 with pension amortization charges and cost of living allowances. For
6 the purposes of this section, the expenditures for compensation paid to
7 ferry employees shall be limited to salaries and wages and employee
8 benefits as defined in the office of financial management's policies,
9 regulations, and procedures named under objects of expenditure "A"
10 and "B" (7.2.6.2). Of the \$135,862,000 provided for compensation, plus
11 the prescribed insurance benefit, pension, and salary increase dollar
12 amount:

13 (a) The maximum dollar amount that shall be allocated from the
14 governor's compensation salary appropriation is in addition to the
15 appropriation contained in this section and may be used to increase
16 compensation costs, effective January 1, 1992;

17 (b) The maximum dollar amount that shall be allocated from the
18 governor's compensation salary appropriation is in addition to the
19 appropriation contained in this section and shall be used to maintain
20 any 1991-92 compensation increase and may be used to increase
21 compensation costs, effective January 1, 1993.

22 In no event may the June 30, 1992, hourly salary rate increase
23 exceed any average hourly salary rate increase granted during the 1991-
24 92 fiscal year.

25 In no event may the June 30, 1993, hourly salary rate increase
26 exceed any salary rate increase granted during the 1992-93 fiscal year.

27 (c) The prescribed insurance benefit increase dollar amount that
28 shall be allocated from the governor's compensation insurance benefits
29 appropriation is in addition to the appropriation contained in this

1 section and may be used to increase compensation costs, effective July
2 1, 1991;

3 (d) The prescribed insurance benefit increase dollar amount that
4 shall be allocated from the governor's compensation insurance benefits
5 appropriation is in addition to the appropriation contained in this
6 section and may be used to increase compensation costs, effective July
7 1, 1992.

8 (4) The intent of the legislature is to eliminate the current
9 passenger-only service between Seattle and Bremerton. The
10 transportation commission is responsible for evaluating other potential
11 passenger-only routes and determining the location of a new passenger-
12 only route. The transfer of the Seattle/Bremerton passenger-only
13 vessel to a new route should be implemented as soon as it is feasible.

14 (5) The appropriation in this section includes \$1,091,290 for an
15 additional eight-hour automobile ferry service between Seattle and
16 Bremerton during the 1992-93 fiscal period commencing with the
17 elimination of the passenger only service.

18 (6) The department of transportation shall provide the legislative
19 transportation committee with a monthly report concerning the status of
20 the operating program authorized in this section.

21 (7) The transportation commission is directed to continue its
22 evaluation of passenger-only vessel designs capable of providing high
23 speed service between Seattle and Bremerton. The commission shall
24 provide the legislative transportation committee with a report
25 concerning the status of the evaluation by September 30, 1991.

26 NEW SECTION. **Sec. 40.** In addition to the appropriation authority
27 contained in section 39 of this act for program X, the marine division
28 may expend up to \$500,000 from the marine operating fund for

1 unprogrammed expenditures after consultation with the legislative
2 transportation committee.

3 NEW SECTION. **Sec. 41. FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL**
4 **PROGRAMS--PROGRAM Z**

5	Motor Vehicle Fund--State Appropriation	\$	11,132,000
6	Motor Vehicle Fund--Federal Appropriation	\$	95,300,000
7	Motor Vehicle Fund--Local Appropriation	\$	10,000,000
8	TOTAL APPROPRIATION	\$	116,432,000

9 (1) The appropriations in this section include \$3,150,000 from the
10 motor vehicle fund--state appropriation for transportation expenditures
11 related to the United States navy home port in Everett.

12 (2) The appropriations contain \$309,000 of state funds from the
13 proceeds of bonds for Columbia Basin county roads authorized in chapter
14 121, Laws of 1951; chapter 311, Laws of 1955; and chapter 121, Laws of
15 1965 for reimbursable expenditures on cooperative projects authorized
16 by state or federal laws. If these moneys are not expended during
17 1991-93, this appropriation shall revert to the motor vehicle fund.

18 NEW SECTION. **Sec. 42. FOR THE DEPARTMENT OF TRANSPORTATION--**
19 **SUPPORTIVE SERVICES--PROGRAM 090**

20	Motor Vehicle Fund--State Appropriation	\$	169,000
21	General Fund--Federal Appropriation	\$	400,000
22	TOTAL APPROPRIATION	\$	569,000

23 The appropriations in this section are provided for support
24 services to on-the-job training programs for minority construction
25 workers and for minority contractors' training programs.

26 NEW SECTION. **Sec. 43. FOR THE DEPARTMENT OF TRANSPORTATION**

1 Motor Vehicle Fund--RV Account--State Appropriation

2 Transfer:

3 For transfer to the Motor Vehicle Fund \$ 800,000

4 The appropriation transfer in this section is provided for the
5 construction and maintenance of recreation vehicle sanitary disposal
6 systems at rest areas on the state highway system.

7 NEW SECTION. **Sec. 44. FOR THE DEPARTMENT OF TRANSPORTATION**

8 Motor Vehicle Fund--State Appropriation

9 Transfer:

10 For transfer to the Advance Right of Way Revolving
11 Fund \$ 10,000,000

12 The appropriation transfer in this section is null and void if
13 House Bill No. 1992 is not enacted by September 1, 1991.

14 **NEW SECTION. Sec. 45. It is the intent of the legislature that*
15 *the amounts assumed in this act for all revolving funds for services*
16 *provided to the Washington state patrol and department of licensing by*
17 *other agencies, including the department of personnel service fund for*
18 *personnel services, the legal services revolving fund for tort claim*
19 *administration costs and other legal costs, the audit services*
20 *revolving fund for audits, and the archives and records management*
21 *account for archiving, storage, and records management services, shall*
22 *not be exceeded without prior approval of the legislative*
23 *transportation committee.*

24 *Sec. 45 was vetoed, see message at end of chapter.

26 **Sec. 46.** RCW 46.68.110 and 1989 1st ex.s. c 6 s 41 are each
27 amended to read as follows:

1 Funds credited to the incorporated cities and towns of the state as
2 set forth in subdivision (1) of RCW 46.68.100 shall be subject to
3 deduction and distribution as follows:

4 (1) One and one-half percent of such sums shall be deducted monthly
5 as such sums are credited and set aside for the use of the department
6 of transportation for the supervision of work and expenditures of such
7 incorporated cities and towns on the city and town streets thereof,
8 including the supervision and administration of federal-aid programs
9 for which the department of transportation has responsibility:
10 PROVIDED, That any moneys so retained and not expended shall be
11 credited in the succeeding biennium to the incorporated cities and
12 towns in proportion to deductions herein made;

13 (2) (~~From July 1, 1987, through June 30, 1989,~~) Thirty-three one-
14 hundredths of one percent of such funds shall be deducted monthly, as
15 such funds accrue, and set aside for the use of the department of
16 transportation for the purpose of funding the cities' share of the
17 costs of highway jurisdiction studies and other studies. Any funds so
18 retained and not expended shall be credited in the succeeding biennium
19 to the cities in proportion to the deductions made;

20 (~~From July 1, 1989, through June 30, 1991, thirty three one-~~
21 ~~hundredths of one percent of such funds shall be deducted monthly, as~~
22 ~~such funds accrue, and set aside for the use of the department of~~
23 ~~transportation for the purpose of funding the cities' share of the~~
24 ~~costs of highway jurisdiction studies and other studies. Any funds so~~
25 ~~retained and not expended shall be credited in the succeeding biennium~~
26 ~~to the cities in proportion to the deductions made;~~

27 (4)) The balance remaining to the credit of incorporated cities
28 and towns after such deduction shall be apportioned monthly as such
29 funds accrue among the several cities and towns within the state

1 ratably on the basis of the population last determined by the office of
2 financial management.

3 **Sec. 47.** RCW 46.68.120 and 1989 1st ex.s. c 6 s 42 are each
4 amended to read as follows:

5 Funds to be paid to the counties of the state shall be subject to
6 deduction and distribution as follows:

7 (1) One and one-half percent of such funds shall be deducted
8 monthly as such funds accrue and set aside for the use of the
9 department of transportation and the county road administration board
10 for the supervision of work and expenditures of such counties on the
11 county roads thereof, including the supervision and administration of
12 federal-aid programs for which the department of transportation has
13 responsibility: PROVIDED, That any funds so retained and not expended
14 shall be credited in the succeeding biennium to the counties in
15 proportion to deductions herein made;

16 (2) All sums required to be repaid to counties composed entirely of
17 islands shall be deducted;

18 (3) (~~From July 1, 1987, through June 30, 1989,~~) Thirty-three one-
19 hundredths of one percent of such funds shall be deducted monthly, as
20 such funds accrue, and set aside for the use of the department of
21 transportation for the purpose of funding the counties' share of the
22 costs of highway jurisdiction studies and other studies. Any funds so
23 retained and not expended shall be credited in the succeeding biennium
24 to the counties in proportion to the deductions made;

25 (~~From July 1, 1989, through June 30, 1991, thirty three one-~~
26 ~~hundredths of one percent of such funds shall be deducted monthly, as~~
27 ~~such funds accrue, and set aside for the use of the department of~~
28 ~~transportation for the purpose of funding the counties' share of the~~
29 ~~costs of highway jurisdiction studies and other studies. Any funds so~~

1 ~~retained and not expended shall be credited in the succeeding biennium~~
2 ~~to the counties in proportion to the deductions made;~~

3 (5)) The balance of such funds remaining to the credit of counties
4 after such deductions shall be paid to the several counties monthly, as
5 such funds accrue, in accordance with RCW 46.68.122 and 46.68.124.

6 NEW SECTION. **Sec. 48.** The motor vehicle fund revenues are
7 received at a relatively even flow throughout the year. Expenditures
8 exceed the revenue during the accelerated summer and fall highway
9 construction season, creating a negative cash balance during the heavy
10 construction season. Negative cash balances also may result from the
11 use of state funds to finance federal advance construction projects
12 prior to conversion to federal funding. The legislature recognizes
13 that the department of transportation may require interfund loans or
14 other short-term financing to meet temporary seasonal cash requirements
15 and additional cash requirements to fund federal advance construction
16 projects.

17 NEW SECTION. **Sec. 49.** In addition to such other appropriations as
18 are made by this act, there is appropriated to the department of
19 transportation from legally available bond proceeds in the respective
20 construction or building accounts such amounts as are necessary to pay
21 the expenses incurred by the state finance committee in the issuance
22 and sale of the subject bonds.

23 NEW SECTION. **Sec. 50. FOR THE DEPARTMENT OF TRANSPORTATION--**
24 **TRANSFER**

1 Motor Vehicle Fund--Highway Construction
2 Stabilization Account Transfer: For
3 transfer to the Motor Vehicle Fund \$ 100,000,000

4 The appropriation transfer in this section is provided for
5 expenditures pursuant to RCW 46.68.200.

6 NEW SECTION. **Sec. 51.** The department of transportation is
7 authorized to undertake federal advance construction projects under the
8 provisions of 23 U.S.C. Sec. 115 in order to maintain progress in
9 meeting approved highway construction and preservation objectives. The
10 legislature recognizes that the use of state funds may be required to
11 temporarily fund expenditures of the federal appropriations for the
12 highway construction and preservation programs for federal advance
13 construction projects prior to conversion to federal funding.

14 NEW SECTION. **Sec. 52.** (1) Any public agency including but not
15 limited to transit agencies, cities, counties, and the state department
16 of transportation, awarded contracts from counties or transit agencies
17 for the construction of high occupancy vehicle lanes and related
18 facilities shall use such moneys in addition to, and not as a
19 substitute for, moneys currently used, or planned to be used, for high
20 occupancy vehicle lanes by the public agency receiving the award.

21 (2) Cities, counties, transit agencies, and the state department of
22 transportation having within their boundaries a portion of the existing
23 or planned high occupancy vehicle system contained in the document
24 dated March 1991, entitled "Puget Sound HOV Core Lane Needs: 2000",
25 shall coordinate programming and operational decisions affecting the
26 high occupancy vehicle system.

1 NEW SECTION. **Sec. 53.** To maximize the use of motor vehicle fund
2 revenues, it is the intent of the legislature to encourage sharing of
3 technology, information, and systems where appropriate between
4 transportation agencies.

5 To facilitate this exchange, the Washington state department of
6 transportation assistant secretary for finance and budget management;
7 Washington state department of transportation chief for management
8 information systems; the Washington state patrol deputy chief, chief of
9 staff; Washington state patrol manager of the computer services
10 division; the department of licensing deputy director and department of
11 licensing assistant director for information systems will meet
12 quarterly to share plans, discuss progress of key projects and to
13 coordinate activities for the common good. Minutes of these meetings
14 will be distributed to the respective agency heads and the legislative
15 transportation committee. Washington state department of
16 transportation will provide staff support and meeting coordination.

18 *NEW SECTION. *Sec. 54. Agencies shall comply with the following*
19 *requirements regarding information technology projects if directed to*
20 *do so by specific appropriation proviso within this act. In addition*
21 *to these provisos agencies shall comply with all department of*
22 *information services requirements.*

23 *It is the intent of the legislature that information technology*
24 *projects in state government be managed and completed successfully.*
25 *Information technology projects should be divided into distinct phases.*
26 *Each phase of a project should be successfully completed before*
27 *subsequent phases are commenced, unless an alternative plan is approved*
28 *by the department of information services, office of financial*
29 *management, and legislative transportation committee. In addition to*

1 the post-implementation review, reviews using oversight and quality
2 assurance measures are to be conducted throughout the project.

3 The legislature, with recommendations from department of
4 information services and office of financial management, should
5 evaluate each project's scope, duration, and risk in determining
6 whether appropriations should be for a fiscal year or a biennium, and
7 whether specific phases or the entire project can be accomplished
8 within a specified time period.

9 Work shall not commence on any task in a subsequent phase of a
10 project until the status report for the preceding key decision point
11 has been approved by the department of information services, the office
12 of financial management, and the legislative transportation committee
13 as appropriate.

14 (1) Scoping process phase. Prior to requesting moneys from the
15 legislature, or as a condition of receiving an appropriation for
16 planning or development of information technology projects, an agency
17 shall complete a project scoping process. The scoping process shall
18 detail the key issues to be addressed by the information technology
19 project. The scoping process shall precede the feasibility study.

20 The scoping process must define the project's scope; key issues,
21 including business, management, technical and other issues; major
22 objectives; project justifications; project approach; and answer by a
23 test of reasonableness that the project is feasible. The purpose of
24 the scoping process is to provide the legislature, office of financial
25 management, and the department of information services with the high
26 level information that is needed to grant approval to proceed with the
27 project.

28 (2) The agency shall produce a feasibility study for each
29 information systems project in accordance with published department of
30 information services instructions. In addition to department of

1 information services requirements such studies shall examine and
2 evaluate the costs and benefits of maintaining the status quo, and of
3 the proposed project. The study shall identify if and in what amounts
4 any fiscal savings, costs, and benefits will occur, and what programs
5 or fund sources will be affected. Benefits of information technology
6 projects shall not be limited to fiscal savings, but may include
7 improvements in service delivery by the agency to the citizens of the
8 state. The feasibility study in this section shall be accompanied by
9 the project management plan described in subsection (3) of this
10 section.

11 (3) The project management plan shall document how the agency will
12 manage the project identified in the feasibility study. The plan shall
13 be an evolving document. Each subsequent phase of the project shall
14 have an updated project management plan submitted as a prerequisite for
15 approval to begin the next phase.

16 The project management plan shall cover all factors critical to the
17 entire project and shall specifically address management plans for
18 successfully completing the subsequent phase. The project management
19 plan shall address all factors critical to the overall project,
20 including, but not limited to, the following elements:

21 (a) Project organization: Define agency executive personnel
22 accountable for project success; define oversight and management
23 committee structures; identify key personnel including key positions
24 that are not yet filled; address staffing requirements, including
25 backfilling requirements; and other key resources needed for successful
26 project implementation.

27 (b) A description of scope change and cost control procedures.

28 (c) A risk assessment and risk mitigation plan.

29 (d) A description of project oversight monitoring and quality
30 assurance procedures.

1 (e) A project workplan: Explaining the appropriately defined
2 phases, key management decision points, scheduling of other activities,
3 and estimated costs for the next phase or phases to be conducted in a
4 specified time period.

5 (4) Prior to reaching key decision points identified in the
6 relevant project management plan a project status report shall be
7 submitted to the department of information services, the office of
8 financial management, and the legislative transportation committee for
9 each project. Project status reports shall examine and evaluate
10 project management, accomplishments, budget, action to address
11 variances, risk management, cost and benefits analysis, and other
12 aspects critical to completion of a project.

13 (5) In instances where a project review is requested in accordance
14 with department of information services policies, the reviews shall
15 examine and evaluate: System requirements specifications; scope;
16 system architecture; change controls; documentation; user involvement;
17 training; availability and capability of resources; programming
18 languages and techniques; system inputs and outputs; plans for
19 testing, conversion, implementation, and post-implementation; and other
20 aspects critical to successful construction, integration, and
21 implementation of information technology projects. Copies of written
22 project review reports shall be forwarded to the office of financial
23 management and the legislative transportation committee by the agency.

24 (6) The agency and the department of information services shall
25 provide the legislative transportation committee and the office of
26 financial management with a written bi-monthly project oversight and
27 risk assessment report for each project that has a specific proviso
28 under this section. The report shall include, but not be limited to,
29 the following: Project name, agency undertaking the project, a
30 description of the project, key project activities during the next

1 sixty to ninety days, base-line cost data, costs to date, schedule to
2 date, risk assessments, risk management, and recommendations.

3 (7) A written post-implementation review report shall be prepared
4 by the agency for each information systems project in accordance with
5 published department of information services instructions. In addition
6 to the information requested pursuant to the department of information
7 services instructions, post-implementation reports shall evaluate the
8 degree to which a project accomplished its major objectives including,
9 but not limited to, a comparison of original cost and benefit estimates
10 to actual costs and benefits achieved. Copies of post-implementation
11 review reports shall be provided to the department of information
12 services, the office of financial management, and the legislative
13 transportation committee.

14 (8) Where major variances in project scope, cost, or risk occur,
15 the sponsoring agency shall inform the department of information
16 services of the change. The director of the sponsoring agency and the
17 director of the department of information services shall jointly report
18 such findings in writing to the legislative transportation committee
19 and office of financial management. A major variance is defined as a
20 budget change in excess of \$1,000,000 or ten percent, whichever is
21 lower; an increase in risk category to high; or a change in scope that
22 could result in major change in budget or risk.

23 *Sec. 54 was vetoed, see message at end of chapter.

24 *NEW SECTION. Sec. 55. The department of transportation shall
25 identify and coordinate all growth management functions. Such
26 functions shall cease to exist on June 30, 1995.

27 *Sec. 55 was vetoed, see message at end of chapter.

1 *

2 NEW SECTION. Sec. 56. The attorney general shall prepare by
3 December 31 of each year, a report to the legislative transportation
4 committee comprising a comprehensive summary of all cases involving
5 tort claims against the department of transportation involving highways
6 that were concluded and closed in the previous calendar year. The
7 report shall include for each case closed:

8 (1) A summary of the factual background of the case;

9 (2) Identification of the attorneys representing the state and the
10 opposing parties;

11 (3) A synopsis of the legal theories asserted and the defenses
12 presented;

13 (4) Whether the case was tried, settled, or dismissed, and in whose
14 favor;

15 (5) The amount of any settlement or verdict reached, and the terms
16 for payment;

17 (6) A summary of all settlement offers made by the parties where a
18 verdict was returned against the state;

19 (7) The approximate number of attorney hours expended by the state
20 on the case, together with the corresponding dollar amount billed
21 therefore; and

22 (8) Such other matters relating to the case as the attorney general
23 deems relevant or appropriate, especially including any comments or
24 recommendations for changes in statute law or agency practice that
25 might effectively reduce the exposure of the state to such tort claims.

26 *Sec. 56 was vetoed, see message at end of chapter.

28 *NEW SECTION. Sec. 57. FOR THE WASHINGTON STATE PATROL--CAPITAL

1 As used in this section, "St Patrol Hiwy Acct" means the State
2 Patrol Highway Account.

3 (1) Design and construct WSP/DOL district offices-Tacoma (90-2-013)

	Reappropriation	Appropriation
5 St Patrol Hiwy Acct		5,413,000
6 Motor Vehicle Acct--State		924,000
7 Highway Safety Fund--State		924,000
8 Total Appropriation		7,261,000
9 Project	Estimated	Estimated
10 Costs	Costs	Total
11 Through	7/1/91 and	Costs
12 6/30/91	Thereafter	
13 750,000		8,011,000

14 (2) Design new agency headquarters-Olympia (90-2-040)

	Reappropriation	Appropriation
16 St Patrol Hiwy Acct		3,481,000
17 Project	Estimated	Estimated
18 Costs	Costs	Total
19 Through	7/1/91 and	Costs
20 6/30/91	Thereafter	
21 250,000		40,250,000

22 The appropriation in this subsection is provided solely for the
23 design of the Washington state patrol headquarters facility. The
24 agency shall submit written status reports to the legislative
25 transportation committee by September 30, 1991, and January 1, 1992.

26 (3) Complete Construction District Headquarters-Everett
27 (90-2-018)

	Reappropriation	Appropriation
29 St Patrol Hiwy Acct	3,200,000	
30 Project	Estimated	Estimated
31 Costs	Costs	Total
32 Through	7/1/91 and	Costs
33 6/30/91	Thereafter	
34 300,000	3,200,000	3,500,000

35 (4) Replace underground storage tanks-Ten locations (92-1-002)

1		Reappropriation	Appropriation
2	St Patrol Hiwy Acct		1,656,000
3	Project	Estimated	Estimated
4	Costs	Costs	Total
5	Through	7/1/91 and	Costs
6	6/30/91	Thereafter	
7	376,000		2,032,000
8	(5) Minor works (92-2-004)		

9		Reappropriation	Appropriation
10	St Patrol Hiwy Acct		435,000
11	Project	Estimated	Estimated
12	Costs	Costs	Total
13	Through	7/1/91 and	Costs
14	6/30/91	Thereafter	
15	1,654,000	759,200	2,848,200
16	(6) Property acquisition for communications site-Maple Falls		
17	(92-2-0064)		

18		Reappropriation	Appropriation
19	St Patrol Hiwy Acct		17,000
20	Project	Estimated	Estimated
21	Costs	Costs	Total
22	Through	7/1/91 and	Costs
23	6/30/91	Thereafter	
24			17,000
25	(7) BAW FAW replacement communication tower (92-2-010)		

26		Reappropriation	Appropriation
27	St Patrol Hiwy Acct		234,000
28	Project	Estimated	Estimated
29	Costs	Costs	Total
30	Through	7/1/91 and	Costs
31	6/30/91	Thereafter	
32			234,000

33 The state patrol and the department of licensing shall coordinate
34 their activities when siting facilities. This coordination shall
35 result in the colocation of driver and vehicle licensing and vehicle
36 inspection service facilities whenever possible.

1 The department and state patrol shall explore alternative state
2 services, such as vehicle emission testing, that would be feasible to
3 colocate in these joint facilities. The department and state patrol
4 shall reach agreement with the department of transportation for the
5 purposes of offering department of transportation permits at these one-
6 stop transportation centers. All services provided by the department
7 or the state patrol at these transportation service facilities shall be
8 provided at cost to the participating agencies.

9 In those instances where the community need or the agencies needs
10 do not warrant colocation this proviso shall not apply.

11 *Sec. 57 was partially vetoed, see message at end of chapter.

12 **NEW SECTION. Sec. 58. It is the intent of the legislature that a*
13 *four range, or approximately ten percent, salary increase be effective*
14 *July 1, 1991, for the transportation technician 2, transportation*
15 *engineer 2, transportation engineer 5, and right-of-way agent 2 job*
16 *classes, and all job classes directly indexed to one of those four*
17 *benchmark job classes.*

18
19 *Sec. 58 was vetoed, see message at end of chapter.

20 **NEW SECTION. Sec. 59. A new section is added to chapter 46.68 RCW*
21 *to read as follows:*

22
23 *The state patrol equipment account is created in the state*
24 *treasury. The account shall be used solely to finance the acquisition*
25 *and replacement of equipment to be used for state patrol highway-*
26 *related activities.*

27 *(1) All equipment capitalized by the account shall be subject to*
28 *annual use and depreciation costs in an amount that will recover a*
29 *replacement value by the time the life cycle has expired for a*

1 particular piece of equipment. The account shall be an internal
2 service fund subject to legislative appropriation.

3 (2) Use and depreciation costs shall be charged to all users of
4 Washington State Patrol equipment, except in those circumstances where
5 the chief of the state patrol deems it necessary to waive those
6 charges.

7 (3) The state patrol shall propose a replacement schedule and the
8 rate for use, for all equipment to be included in the account.

9 (4) The state patrol shall report to the legislative transportation
10 committee and the office of financial management by December 1, 1991,
11 on the alternatives for the inclusion of different types of equipment
12 to be included in the state patrol equipment account and on financing
13 alternatives.

14 *Sec. 59 was vetoed, see message at end of chapter.

15 NEW SECTION. **Sec. 60.** The speaker of the house of representatives
16 and the president of the senate shall appoint a joint select committee
17 composed of sixteen members of the legislature, to make recommendations
18 to the legislature regarding the public safety and education account.
19 Membership shall include four legislators from senate ways and means,
20 two from house appropriations, two from house revenue, and four each
21 from the senate and house transportation committees. Efforts shall be
22 made to insure that appointments to the committee shall include members
23 who also serve on the house judiciary committee and the senate law and
24 justice committee. The joint select committee shall be chaired by the
25 chair of the legislative transportation committee.

26 The committee shall, at a minimum, make recommendations as to the
27 following issues: The percentages by which public safety and education
28 account revenues shall be split between the general fund and
29 transportation budgets; the programs that shall be eligible for public

1 safety and education account appropriations; the budget from which each
2 eligible program shall receive its public safety and education account
3 funding, in particular, the superintendent of public instruction driver
4 training program; and any new accounts into which revenue shall be
5 deposited to accommodate the agreed upon revenue split. The committee
6 may consider any other issues it deems appropriate. The committee's
7 recommendations shall be drafted into legislation for approval in the
8 1992 legislative session and shall be submitted to the legislature by
9 December 15, 1991. The recommendations contained in the legislation
10 shall take effect on July 1, 1993.

11 **Sec. 61.** RCW 47.76.040 and 1991 c 363 s 126 are each amended to
12 read as follows:

13 The department shall sell property acquired under RCW ((47.76.030))
14 47.76.140 to a county rail district established under chapter 36.60
15 RCW, a county, a port district, or any other public or private entity
16 authorized to operate rail service. Any public or private entity which
17 originally donated funds to the department pursuant to RCW
18 ((47.76.030)) 47.76.140 shall receive credit against the purchase price
19 for the amount donated to the department, less management costs, in the
20 event such public or private entity purchases the property from the
21 department.

22 If no county rail district, county, port district, or other public
23 or private entity authorized to operate rail service offers to purchase
24 such property within six years after its acquisition by the department,
25 the department may sell such property in the manner provided in RCW
26 47.76.050. Failing this, the department may sell or convey all such
27 property in the manner provided in RCW 47.76.060 or 47.76.080.

1 **Sec. 62.** RCW 47.76.050 and 1985 c 432 s 4 are each amended to read
2 as follows:

3 (1) If real property acquired by the department under RCW
4 ((47.76.030)) 47.76.140 is not sold to a public or private entity
5 authorized to operate rail service within six years of its acquisition
6 by the department, the department may sell the property at fair market
7 value to any of the following governmental entities or persons:

8 (a) Any other state agency;

9 (b) The city or county in which the property is situated;

10 (c) Any other municipal corporation;

11 (d) The former owner, heir, or successor of the property from whom
12 the property was acquired;

13 (e) Any abutting private owner or owners.

14 (2) Notice of intention to sell under this section shall be given
15 by publication in one or more newspapers of general circulation in the
16 area in which the property is situated not less than thirty days prior
17 to the intended date of sale.

18 (3) Sales to purchasers may at the department's option be for cash
19 or by real estate contract.

20 (4) Conveyances made under this section shall be by deed executed
21 by the secretary of transportation and shall be duly acknowledged.

22 (5) All moneys received under this section shall be deposited in
23 the essential rail assistance account of the general fund.

24 **Sec. 63.** RCW 47.76.060 and 1985 c 432 s 5 are each amended to read
25 as follows:

26 If real property acquired by the department under RCW ((47.76.030))
27 47.76.140 is not sold to a public or private entity authorized to
28 operate rail service within six years of its acquisition by the
29 department, the department may transfer and convey the property to the

1 United States, its agencies or instrumentalities, to any other state
2 agency, to any county or city or port district of this state when, in
3 the judgment of the secretary, the transfer and conveyance is
4 consistent with the public interest. Whenever the secretary makes an
5 agreement for any such transfer or conveyance, the secretary shall
6 execute and deliver to the grantee a deed of conveyance, easement, or
7 other instrument, duly acknowledged, as necessary to fulfill the terms
8 of the agreement. All moneys paid to the state of Washington under
9 this section shall be deposited in the essential rail assistance
10 account of the general fund.

11 **Sec. 64.** RCW 47.76.070 and 1985 c 432 s 6 are each amended to read
12 as follows:

13 The department is authorized subject to the provisions and
14 requirements of zoning ordinances of political subdivisions of
15 government, to rent or lease any lands acquired under RCW ((47.76.030))
16 47.76.140, upon such terms and conditions as the department determines.

17 **Sec. 65.** RCW 47.76.080 and 1985 c 432 s 7 are each amended to read
18 as follows:

19 (1) If real property acquired by the department under RCW
20 ((47.76.030)) 47.76.140 is not sold to a public or private entity
21 authorized to operate rail service within six years of its acquisition
22 by the department, the department may, in its discretion, sell the
23 property at public auction in accordance with subsections (2) through
24 (5) of this section.

25 (2) The department shall first give notice of the sale by
26 publication on the same day of the week for two consecutive weeks, with
27 the first publication at least two weeks before the date of the
28 auction, in a legal newspaper of general circulation in the area where

1 the property to be sold is located. The notice shall be placed in both
2 the legal notices section and the real estate classified section of the
3 newspaper. The notice shall contain a description of the property, the
4 time and place of the auction, and the terms of the sale. The sale may
5 be for cash or by real estate contract.

6 (3) In accordance with the terms set forth in the notice, the
7 department shall sell the property at the public auction to the highest
8 and best bidder if the bid is equal to or higher than the appraised
9 fair market value of the property.

10 (4) If no bids are received at the auction or if all bids are
11 rejected, the department may, in its discretion, enter into
12 negotiations for the sale of the property or may list the property with
13 a licensed real estate broker. No property may be sold by negotiations
14 or through a broker for less than the property's appraised fair market
15 value. Any offer to purchase real property under this subsection shall
16 be in writing and may be rejected at any time before written acceptance
17 by the department.

18 (5) Conveyances made under this section shall be by deed executed
19 by the secretary of transportation and shall be duly acknowledged.

20 (6) All moneys received under this section shall be deposited in
21 the essential rail assistance account of the general fund.

22 **Sec. 66.** RCW 47.76.090 and 1985 c 432 s 8 are each amended to read
23 as follows:

24 Transfers of ownership of property acquired under RCW (~~47.76.030~~)
25 47.76.140 are exempt from chapters 8.25 and 8.26 RCW.

26 ***Sec. 67.** RCW 46.61.165 and 1984 c 7 s 65 are each amended to read
28 as follows:

1 The state department of transportation and the local authorities
2 are authorized to reserve all or any portion of any highway under their
3 respective jurisdictions, including any designated lane or ramp, for
4 the exclusive or preferential use of public transportation vehicles or
5 private motor vehicles carrying no fewer than a specified number of
6 passengers when such limitation will increase the efficient utilization
7 of the highway or will aid in the conservation of energy resources.
8 For lanes so designated on the main line of limited access freeways,
9 the required number of occupants in private motor vehicles, other than
10 motorcycles, will be two. If the operating condition of a restricted
11 lane falls below level of service "C" during peak hours for a period of
12 twelve continuous months, as verified by the department, the number of
13 occupants required during peak hours shall be increased to maintain an
14 operating condition of level of service "C". The department shall
15 report any changes in vehicle occupancy requirements to the legislative
16 transportation committee. There is hereby appropriated from the
17 transportation fund--state to the department of transportation, program
18 C for the period ending June 30, 1993, an additional \$15 million for
19 the sole purpose of expediting completion of the HOV core lane system.
20 Regulations authorizing such exclusive or preferential use of a highway
21 facility may be declared to be effective at all times or at specified
22 times of day or on specified days. The department shall evaluate the
23 efficacy of the vehicle occupancy requirements and shall report to the
24 legislative transportation committee by January 1, 1992.

25 *Sec. 67 was partially vetoed, see message at end of chapter.

26 **Sec. 68.** RCW 81.104.100 and 1991 c 318 s 9 are each amended to
27 read as follows:

28 To assure development of an effective high capacity transportation
29 system, local authorities shall follow the following planning process:

1 (1) Regional, multimodal transportation planning is the ongoing
2 urban transportation planning process conducted in each urbanized area
3 by its regional transportation planning organization. During this
4 process, regional transportation goals are identified, travel patterns
5 are analyzed, and future land use and travel are projected. The
6 process provides a comprehensive view of the region's transportation
7 needs but does not select specified modes to serve those needs. The
8 process shall identify a priority corridor or corridors for further
9 study of high capacity transportation facilities if it is deemed
10 feasible by local officials.

11 (2) High capacity transportation system planning is the detailed
12 evaluation of a range of high capacity transportation system options,
13 including: Do nothing, low capital, and ranges of higher capital
14 facilities. To the extent possible this evaluation shall take into
15 account the urban mass transportation administration's requirements
16 identified in subsection (3) of this section.

17 High capacity transportation system planning shall proceed as
18 follows:

19 (a) Organization and management. The responsible local transit
20 agency or agencies shall define roles for various local agencies,
21 review background information, provide for public involvement, and
22 develop a detailed work plan for the system planning process.

23 (b) Development of options. Options to be studied shall be
24 developed to ensure an appropriate range of technologies and service
25 policies can be evaluated. A do-nothing option and a low capital
26 option that maximizes the current system shall be developed. Several
27 higher capital options that consider a range of capital expenditures
28 for several candidate technologies shall be developed.

29 (c) Analysis methods. The local transit agency shall develop
30 reports describing the analysis and assumptions for the estimation of

1 capital costs, operating and maintenance costs, methods for travel
2 forecasting, a financial plan and an evaluation methodology.

3 (d) The system plan submitted to the voters pursuant to RCW
4 (~~81.04.140~~) 81.104.140 shall address, but is not limited to the
5 following issues:

6 (i) Identification of level and types of high capacity
7 transportation services to be provided;

8 (ii) A plan of high occupancy vehicle lanes to be constructed;

9 (iii) Identification of route alignments and station locations with
10 sufficient specificity to permit calculation of costs, ridership, and
11 system impacts;

12 (iv) Performance characteristics of technologies in the system
13 plan;

14 (v) Patronage forecasts;

15 (vi) A financing plan describing: Phasing of investments; capital
16 and operating costs and expected revenues; cost-effectiveness
17 represented by a total cost per system rider and new rider estimate;
18 estimated ridership and the cost of service for each individual high
19 capacity line; and identification of the operating revenue to operating
20 expense ratio.

21 The financing plan shall specifically differentiate the proposed
22 use of funds between high capacity transportation facilities, high
23 occupancy vehicle facilities, and expanded local/feeder service;

24 (vii) Description of the relationship between the high capacity
25 transportation system plan and adopted land use plans;

26 (viii) An assessment of social, economic, and environmental
27 impacts; and

28 (ix) Mobility characteristics of the system presented, including
29 but not limited to: Qualitative description of system/service
30 philosophy and impacts; qualitative system reliability; travel time and

1 number of transfers between selected residential, employment, and
2 activity centers; and system and activity center mode splits.

3 (3) High capacity transportation project planning is the detailed
4 identification of alignments, station locations, equipment and systems,
5 construction schedules, environmental effects, and costs. High
6 capacity transportation project planning shall proceed as follows: The
7 local transit agency shall analyze and produce information needed for
8 the preparation of environmental impact statements. The impact
9 statements shall address the impact that development of such a system
10 will have on abutting or nearby property owners. The process of
11 identification of alignments and station locations shall include
12 notification of affected property owners by normal legal publication.
13 At minimum, such notification shall include notice on the same day for
14 at least three weeks in at least two newspapers of general circulation
15 in the county where such project is proposed. Special notice of
16 hearings by the conspicuous posting of notice, in a manner designed to
17 attract public attention, in the vicinity of areas identified for
18 station locations or transfer sites shall also be provided.

19 In order to increase the likelihood of future federal funding, the
20 project planning processes shall follow the urban mass transportation
21 administration's requirements as described in "Procedures and Technical
22 Methods for Transit Project Planning", published by the United States
23 department of transportation, urban mass transportation administration,
24 September 1986, or the most recent edition. Nothing in this subsection
25 shall be construed to preclude detailed evaluation of more than one
26 corridor in the planning process.

27 The department of transportation shall provide system and project
28 planning review and monitoring in cooperation with the expert review
29 panel identified in RCW 81.104.110. In addition, the local transit

1 agency shall maintain a continuous public involvement program and seek
2 involvement of other government agencies.

3 NEW SECTION. **Sec. 69.** The appropriations of moneys and the
4 designation of funds and accounts by this and other acts of the 1991
5 legislature shall be construed in a manner consistent with legislation
6 enacted by the 1985, 1987, and 1989 legislatures to conform state funds
7 and accounts with generally accepted accounting principles. If any
8 provision of this act or its application to any person or circumstance
9 is held invalid, the remainder of the act or the application of the
10 provision to other persons or circumstances is not affected.

11 NEW SECTION. **Sec. 70.** This act is necessary for the immediate
12 preservation of the public peace, health, or safety, or support of the
13 state government and its existing public institutions, and shall take
14 effect immediately.

Passed the House June 27, 1991.

Passed the Senate June 27, 1991.

Approved by the Governor June 30, 1991, with the exception of
certain items which were vetoed.

Filed in Office of Secretary of State June 30, 1991.

1 Note: Governor's explanation of partial veto is as follows:

2 "I am returning herewith, without my approval as to sections 35,
3 page 16, lines 13 through 22, 36(1), page 17, lines 12 through 15
4 beginning with the word "Upon" and ending with "implementation," 45,
5 54, 55, 56, 57(2), 58, 59, and section 67, page 44, line 28 beginning
6 with the word "For" through page 45, line 8 ending with the word
7 "committee" Engrossed Substitute House Bill No. 1231 entitled:

8 "AN ACT Relating to transportation appropriations."

9 My reasons for vetoing these sections are as follows:

10 Section 35, page 16, lines 13 through 22, Department of Personnel Study

11 Section 35, page 16 lines 13 through 22 directs a joint study
12 conducted by the Office of Financial Management, the Department of
13 Personnel, and the Department of Transportation. This study would
14 determine if personnel training, education, recruitment, and retention
15 services rendered to the Department of Transportation by the Department
16 of Personnel are sufficient. A comprehensive evaluation of the

1 Department of Personnel has already been initiated with the findings
2 incorporated in the Work Force 2000 report. This legislation
3 duplicates that ongoing evaluation of personnel services by the Office
4 of Financial Management and the Department of Personnel. For several
5 years, my executive request legislation proposing solutions to
6 improving the personnel system has been ignored by the Legislature.

7 No funding for this study has been provided in either the
8 transportation or operating budgets. I continue my commitment to an
9 overall statewide solution and will direct the Office of Financial
10 Management and Department of Personnel to attempt, to the extent
11 possible within existing resources, to resolve the problems which have
12 been identified.

13 Section 36(1), page 17, lines 12 through 15, the sentence beginning
14 with the word "Upon" and ending with "implementation." Amtrak Service
15 Improvements

16 When the transportation revenue bill was developed, there was an
17 agreement that the transit residual was to be left in reserve until a
18 review of priorities and efficiencies were completed. Specifically,
19 the review included the following studies: (1) Programming a
20 Prioritization Study; (2) Cost Responsibility Study; and (3) Public
21 Transportation Study. Further, it was envisioned that the results of
22 the Growth Strategy Commission recommendations would be integrated into
23 a multi-modal approach to transportation. The appropriations of the
24 Transportation Fund contained in this section violate this agreement.

25 Section 36(1) gives the Legislative Transportation Committee the
26 authority to require the Department of Transportation to submit to the
27 committee a program to improve Amtrak service in Washington and to
28 withhold expenditure of funds for program implementation until approval
29 by the Legislative Transportation Committee.

30 In addition to violating the agreement regarding use of the
31 Transportation Fund, I am vetoing this item because it is an
32 inappropriate application of executive power by the Legislative
33 Transportation Committee. It is inappropriate for the Legislature to
34 delegate to a single committee the authority to adopt or reject a new
35 program and allow it to exercise a legislative veto of these
36 expenditures. Further, this would occur without opportunity for
37 executive review or veto. Clearly, the Legislature and specific
38 committees may require consultation in which clarification of
39 legislative intent can be achieved, but it may not provide the
40 discretion that combines both legislative and executive powers. To do
41 so violates the concept of separation of powers.

42 Section 45, page 26, Revolving Funds

43 Section 45 requires that the Legislative Transportation Committee
44 give prior approval for expenditures above what is "assumed" to be
45 included in the transportation budget for services provided through
46 revolving funds to the Washington State Patrol and the Department of
47 Licensing. These services include those provided by the Department of
48 Personnel, tort claim administrative costs and other legal costs, and
49 audit services. This provision oversteps the boundary of legislative
50 authority and would effectively create a legislative veto.

51 Section 54, pages 31 through 35, Information Technology Projects

1 Section 54 establishes significant additional requirements for
2 agency information technology projects and increases agency workload
3 without reducing existing reporting and planning requirements. The
4 requirements for planning and reporting that would be established by
5 the proviso overrule the existing process. These additional
6 requirements do not improve the likelihood of project success. The
7 proviso also has the result of establishing different standards for
8 information projects in agencies receiving transportation funding from
9 the standards applied to other agencies, which would increase the
10 difficulty of establishing statewide information sharing. The proviso
11 impinges upon the statutory responsibilities of the Office of Financial
12 Management to conduct the budget process by interposing the Legislative
13 Transportation Committee between an agency budget request and the
14 Office of Financial Management. The establishment of a process by
15 which a legislative committee encroaches upon the budgetary
16 responsibilities of the executive branch is unacceptable.

17 Section 55, page 35, Growth Management Coordination

18 Section 55 requires the Department of Transportation to
19 "...identify and coordinate all growth management functions." It
20 further states that "Such functions shall cease to exist on June 30,
21 1995." This language is vague and the intent unclear.

22 Section 56, pages 35 and 36, Attorney General Tort Claims

23 Section 56 subsection (6) contains language that requires the
24 Attorney General to submit in a yearly report to the Legislative
25 Transportation Committee a summary of all settlement offers made by the
26 parties where a verdict is rendered against the state. This provision
27 makes the settlement offers public information. This provides a road
28 map to the state's negotiating strategy which puts the state at a
29 disadvantage against claimant's attorneys. While those who have
30 legitimate tort claims against the state are entitled to reasonable
31 compensation, the state also has an obligation to settle claims without
32 unnecessary and unjustified costs to the taxpayers of the state.

33 The Attorney General's office has requested a veto of this section
34 based on the concern noted above. The Attorney General's office has
35 also stated its willingness to provide the Committee with a yearly
36 report covering the elements in subsections (1) through (5) and, if
37 additional resources are provided, cost data as specified in subsection
38 (7).

39 Section 57(2), page 37, State Patrol Headquarters Design

40 This subsection is unnecessary because funding for this project is
41 included in Engrossed Substitute House Bill No. 1427.

42 Section 58, page 39, Transportation Salary Increases

43 This section duplicates the language contained in Section 712(4) of
44 Engrossed Substitute House Bill No. 1330. Unlike the provision in the
45 operating budget, this section contains no funding.

46 Section 59, page 39 and 40, State Patrol Equipment Account

47 Section 59 would establish a State Patrol Equipment Account to
48 finance and acquire equipment used for State Patrol highway-related

1 purposes. In this account, users would be charged for depreciation and
2 use of the equipment. The bill would also require the patrol to report
3 to the Legislative Transportation Committee and the Office of Financial
4 Management the kinds of equipment and the replacement schedules to be
5 included in the account and financing alternatives.

6 Because the critical definitions are not established, this
7 mechanism could result in increased user-fees in advance of a full
8 understanding of the implications to users. These issues need to be
9 worked out before changing state statutes.

10 Section 67, page 44, line 28 beginning with the word "For" through page
11 45, line 8 ending with the word "committee." High Occupancy Vehicle
12 Requirement

13 Section 67 requires two persons as the minimum number of occupants
14 per vehicle for HOV lane use on limited access freeways unless
15 operating conditions in the lane fall below level of service "C" during
16 peak hours over 12 continuous months. The current definition of
17 carpools allowed to use HOV lanes is determined by evaluation of
18 operating conditions. The definition and evaluation are appropriately
19 performed by the Department of Transportation. The public is better
20 served by allowing the Department of Transportation to retain
21 flexibility in this area.

22 With the exception of sections 35, page 16, lines 13 through 22,
23 36(1), page 17, lines 12 through 15 beginning with the word "Upon" and
24 ending with "implementation," 45, 54, 55, 56, 57(2), 58, 59, and
25 section 67, page 44, line 28 beginning with the word "For" through page
26 45, line 8 ending with the word "committee" Engrossed Substitute House
27 Bill No. 1231 is approved."