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HOUSE BILL 2451

State of Washington 57th Legislature 2002 Regular Session

By Representatives Fisher, Chase and Ogden; by request of Governor Locke

Read first time 01/17/2002. Referred to Committee on Transportation.

AN ACT Relating to transportation funding and appropriations; amending RCW 47.60.010; amending 2001 2nd sp.s. c 14 ss 102, 203, 204, 209, 210, 211, 212, 213, 214, 215, 216, 217, 221, 222, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 401, 402, 403, 406, and 407 (uncodified); adding a new section to 2001 2nd sp.s. c 14 (uncodified); making appropriations; providing an expiration date; and declaring an emergency.

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

9 **2001-03 BIENNIUM**

10 GENERAL GOVERNMENT AGENCIES--OPERATING

- 11 **Sec. 101.** 2001 2nd sp.s. c 14 s 102 (uncodified) is amended to
- 12 read as follows:
- 13 FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM
- 14 Motor Vehicle Account--State Appropriation $\$((\frac{1,676,000}{0.000}))$
- <u>488,000</u>
- 16 ((The appropriation in this section is subject to the following
- 17 conditions and limitations and specified amounts are provided solely

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for that activity: $1,188,000 of the motor vehicle account—state
appropriation is provided for the implementation of House Bill No. 2269
in the form enacted by the legislature. If House Bill No. 2269 is not
enacted in the form passed by the legislature by July 31, 2001, this
funding will lapse.))
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6 (End of part)

34

read as follows:

TRANSPORTATION AGENCIES

- 2 2001 2nd sp.s. c 14 s 203 (uncodified) is amended to read as follows: 3 4 FOR THE COUNTY ROAD ADMINISTRATION BOARD 5 Rural Arterial Trust Account -- State ((50, 182, 000))6 Appropriation \$ 7 57,884,000 8 Motor Vehicle Account -- State Appropriation . . . \$ 1,887,000 9 County Arterial Preservation Account --10 ((28,551,000))11 31,403,000 12 ((80,620,000))13 91,174,000 14 The appropriations in this section are subject to the following 15 conditions and limitations and specified amounts are provided solely 16 for that activity: 17 It is the intent of the legislature that the county road 18 administration board receive separate programmatic appropriations for 19 the operating program and the capital program for the 2001-03 biennium, 20 and thereafter. Agency administrative costs may not be charged against 21 projects or funded from the capital program appropriations. 22 (1) ((\$1,540,000)) \$1,887,000 of the motor vehicle account--state 23 \$870,000 of the county arterial preservation appropriation, 24 account -- state appropriation, and \$917,000 of the rural arterial trust 25 account -- state appropriation are provided for the operations program. 26 Of the motor vehicle account--state appropriation, \$368,000 is provided 27 for county ferries as set forth in RCW 47.56.724(4). 28 (2) ((\$347,000 of the motor vehicle account--state appropriation, 29 \$27,681,000)) \$30,533,000 of the county arterial preservation 30 account--state appropriation, and ((\$49,265,000)) \$56,967,000 of the rural arterial trust account -- state appropriation are provided for the 31 32 capital program. 33 2001 2nd sp.s. c 14 s 204 (uncodified) is amended to Sec. 202.
- 35 FOR THE TRANSPORTATION IMPROVEMENT BOARD

1	Urban Arterial Trust AccountState
2	Appropriation
3	113,174,000
4	Transportation Improvement Account
5	State Appropriation
6	133,007,000
7	TOTAL APPROPRIATION \$ ((213,295,000))
8	246,181,000
O	<u>210,101,000</u>
9	The appropriations in this section are subject to the following
10	conditions and limitations and specified amounts are provided solely
11	for that activity:
12	It is the intent of the legislature that the transportation
13	improvement board receive separate programmatic appropriations for the
14	operating program and the capital program for the 2001-03 biennium, and
15	thereafter. Agency administrative costs may not be charged against
16	projects or funded from the capital program appropriations.
17	(1) \$1,551,000 of the transportation improvement accountstate
18	appropriation and \$1,552,000 of the urban arterial trust accountstate
19	appropriation are provided for the operations program.
20	(2) $((\$117,054,000))$ $\$131,456,000$ of the transportation improvement
21	accountstate appropriation and $((\$93,138,000))$ $\$111,622,000$ of the
22	urban arterial trust accountstate appropriation are provided for the
23	capital program.
24	(3) The transportation improvement accountstate appropriation
25	includes $((\$47,325,000))$ $\$34,030,000$ in proceeds from the sale of bonds
26	authorized in RCW 47.26.500. The transportation improvement board may
27	authorize the use of current revenues available to the agency in-lieu
28	of bond proceeds for any part of the state appropriation.
29	Sec. 203. 2001 2nd sp.s. c 14 s 209 (uncodified) is amended to
30	read as follows:
31	FOR THE WASHINGTON STATE PATROLFIELD OPERATIONS BUREAU
32	State Patrol Highway Account
33	State Appropriation
34	166,215,000
35	State Patrol Highway Account
36	Federal Appropriation
37	7,278,000
38	State Patrol Highway Account

1	
1 2	Private/Local Appropriation
3	101AL APPROPRIATION
3	173,002,000
4	The appropriations in this section are subject to the following
5	conditions and limitations and specified amounts are provided solely
6	for the activities of the field operations bureau:
7	(1) As a result of the elimination of the vehicle inspection number
8	(VIN) program, no permanent Washington state patrol employee shall be
9	displaced from employment without the opportunity to fill a vacant
10	patrol position for which he or she has a preference and meets the
11	minimum qualifications. For the purpose of the VIN program
12	elimination, the guidelines under chapter 356-26 WAC (Registers-
13	Certifications) shall be suspended for those employees holding the
14	classification of VIN 1 or 2.
15	(2) To the extent possible, the agency shall transfer displaced VIN
16	personnel into the 20 newly created school bus inspection and motor
17	carrier safety assistance program positions. The agency shall fill
18	existing vacant positions within the commercial vehicle division with
19	displaced VIN personnel. The agency shall report by December 31, 2001,
20	to the senate and house of representatives transportation committees on
21	efforts to relocate displaced VIN personnel.
22	NEW SECTION. Sec. 204. A new section is added to 2001 2nd sp.s.
23	c 14 (uncodified) to read as follows:
24	FOR THE WASHINGTON STATE PATROLINVESTIGATIVE SERVICES BUREAU
25	State Patrol Highway Account
26	State Appropriation
27	Sec. 205. 2001 2nd sp.s. c 14 s 210 (uncodified) is amended to
28	read as follows:
29	FOR THE WASHINGTON STATE PATROLSUPPORT SERVICES BUREAU
30	State Patrol Highway Account
31	State Appropriation $((69,960,000))$
32	<u>77,506,000</u>
33	State Patrol Highway Account
34	Private/Local Appropriation \$ 735,000
35	TOTAL APPROPRIATION $(70,695,000)$
36	<u>78,241,000</u>

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The appropriations in this section are subject to the following 1 2 conditions and limitations and specified amounts are provided solely 3 for the activities of the support services bureau. 4 Sec. 206. 2001 2nd sp.s. c 14 s 211 (uncodified) is amended to read as follows: 5 FOR THE DEPARTMENT OF LICENSING--MANAGEMENT AND SUPPORT SERVICES 6 7 Marine Fuel Tax Refund Account -- State 8 Appropriation \$ ((7,000))9 3,000 10 Motorcycle Safety Education Account --11 ((114,000))12 88,000 13 Wildlife Account--State Appropriation \$ ((89,000)) 14 81,000 15 ((7,740,000))Highway Safety Account--State Appropriation . . . \$ 16 7,745,000 Highway Safety Account--Federal Appropriation . . \$ 17 55,000 18 Motor Vehicle Account -- State Appropriation . . . \$ ((4,230,000))19 4,390,000 20 Licensing Services Account -- State ((123,000)) 21 Appropriation \$ 22 165,000 23 TOTAL APPROPRIATION $((\frac{12,303,000}{1000}))$ 24 12,527,000 25 Sec. 207. 2001 2nd sp.s. c 14 s 212 (uncodified) is amended to 26 read as follows: 27 FOR THE DEPARTMENT OF LICENSING--INFORMATION SYSTEMS 28 Marine Fuel Tax Refund Account -- State 29 Appropriation \$ 2,000 Motorcycle Safety Education Account --30 31 ((50,000))32 13,000 33 Wildlife Account--State Appropriation \$ 34,000 ((5,655,000)) 34 Highway Safety Account--State Appropriation . . . \$ 35 5,789,000 <u>Highway Safety Account--Federal Appropriation</u> . . § 36 31,000 ((3,304,000))

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Motor Vehicle Account -- State Appropriation . . . \$

37

1	3,696,000
2	Licensing Services AccountState
3	Appropriation
4	211,000
5	TOTAL APPROPRIATION
6	9,776,000
_	
7	The appropriations in this section are subject to the following
8	conditions and limitations: The department of licensing shall report
9	to the legislative transportation committees on the progress of the
10	expanded internet service no later than December 15, 2002.
11	Sec. 208. 2001 2nd sp.s. c 14 s 213 (uncodified) is amended to
12	read as follows:
13	FOR THE DEPARTMENT OF LICENSINGVEHICLE SERVICES
14	Marine Fuel Tax Refund Account
15	State Appropriation
16	Wildlife AccountState Appropriation \$ 578,000
17	Motor Vehicle AccountState Appropriation \$ ((57,043,000))
18	57,692,000
19	Licensing Services AccountState
20	Appropriation
21	4,128,000
22	TOTAL APPROPRIATION
23	62,424,000
24	Sec. 209. 2001 2nd sp.s. c 14 s 214 (uncodified) is amended to
25	read as follows:
26	FOR THE DEPARTMENT OF LICENSINGDRIVER SERVICES
27	Motorcycle Safety Education Account
28	State Appropriation
29	2,573,000
30	Highway Safety AccountState Appropriation \$ $((81,366,000))$
31	82,537,000
32	Highway Safety AccountFederal Appropriation \$ 788,000
33	TOTAL APPROPRIATION
34	85,898,000
35	The appropriations in this section are subject to the following

conditions and limitations: The department of licensing shall prepare

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a capital project plan adopting a process for using certificates of
1
2
   participation to purchase licensing services offices if the combined
   principle and interest payments are the same or less than existing or
3
   future leases on comparable facilities.
                 2001 2nd sp.s. c 14 s 215 (uncodified) is amended to
5
       Sec. 210.
6
   read as follows:
7
   FOR
        THE
             DEPARTMENT
                         OF
                             TRANSPORTATION--HIGHWAY
                                                     MANAGEMENT
                                                                AND
   FACILITIES--PROGRAM D--OPERATING
8
9
   Motor Vehicle Account--State Appropriation . . . $
                                                      ((50,649,000))
10
                                                          50,685,000
   Motor Vehicle Account--Federal Appropriation . . $
                                                             400,000
11
12
             ((51,049,000))
                                                          51,085,000
13
       The appropriations in this section are subject to the following
14
15
   conditions and limitations and specified amounts are provided solely
16
   for that activity: $3,296,000 of the motor vehicle account--state
   appropriation is provided solely for the implementation of Engrossed
17
   Senate Bill No. 6188.
18
19
       Sec. 211.
                 2001 2nd sp.s. c 14 s 216 (uncodified) is amended to
20
   read as follows:
21
   FOR THE DEPARTMENT OF TRANSPORTATION--AVIATION--PROGRAM F
22
   Aeronautics Account--State Appropriation . . . . $
                                                      ((4,852,000))
23
                                                           4,899,000
24
   Aircraft Search and Rescue Safety and
25
       Education Account -- State Appropriation . . . $
                                                             160,000
26
             ((5,012,000))
27
                                                           5,059,000
28
       Sec. 212. 2001 2nd sp.s. c 14 s 217 (uncodified) is amended to
29
   read as follows:
30
   FOR THE DEPARTMENT OF TRANSPORTATION--IMPROVEMENTS--PROGRAM I
   Motor Vehicle Account--State Appropriation . . . $ ((508,936,000))
31
32
                                                         424,900,000
33
   Motor Vehicle Account--Federal Appropriation . . $
                                                        219,538,000
   Motor Vehicle Account -- Private/Local
34
                                                         40,904,000
35
       36
   Special Category C Account -- State
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1	Appropriation \$	((72,608,000))
2		64,818,000
3	((Multimodal Transportation Account State	
4	Appropriation \$	4,880,000))
5	TOTAL APPROPRIATION \$	((846,866,000))
6		750,160,000

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The appropriations in this section are provided for the location, design, right of way acquisition, or construction of state highway projects designated as improvements under RCW 47.05.030. The appropriations in this section are subject to the following conditions and limitations and specified amounts are provided solely for that activity:

- (1) The special category C account--state appropriation of ((\$72,608,000)) \$64,818,000 includes \$63,500,000 in proceeds from the sale of bonds authorized in RCW 47.10.812. The transportation commission may authorize the use of current revenues available to the department of transportation in lieu of bond proceeds for any part of the state appropriation.
 - (2) The department shall report December 1st and June 1st of each year to the senate and the house of representatives transportation committees and the office of financial management on the timing and the scope of work being performed for the regional transit authority known as sound transit. This report shall provide a description of all department activities related to the regional transit authority including investments in state-owned infrastructure.
- (3) The motor vehicle account--state appropriation includes ((\$\frac{\pmansum}{391,637,000}\$)) \$\frac{\pmansum}{381,637,000}\$ in proceeds from the sale of bonds authorized by RCW 47.10.843. The transportation commission may authorize the use of current revenues available to the department of transportation in lieu of bond proceeds for any part of the state appropriation.
- (4) ((At least \$554,714,000 of the total appropriation is provided)
 for the construction phase of the improvement program.
- 34 (5) \$4,880,000 of the multimodal transportation account--state
 35 appropriation is provided solely for the state program share of freight
 36 mobility projects as identified by the freight mobility strategic
 37 investment board.
- (6)) The motor vehicle account--state appropriation includes 39 \$3,898,000 in unexpended proceeds from the January 2001 bond sale

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- 1 authorized in RCW 47.10.834 for the Tacoma Narrows bridge project. The
- 2 transportation commission may authorize the use of current revenues
- 3 available to the department of transportation in-lieu of bond proceeds
- 4 for any part of the state appropriation.
- 5 **Sec. 213.** 2001 2nd sp.s. c 14 s 221 (uncodified) is amended to 6 read as follows:

7 FOR THE DEPARTMENT OF TRANSPORTATION--PRESERVATION--PROGRAM P

- 8 Motor Vehicle Account--State Appropriation . . . \$ ((90,760,000))9 142,493,000
- 10 Motor Vehicle Account--Federal Appropriation . . \$ ((318,795,000))
- 11 394,881,000
- 12 Motor Vehicle Account -- Private/Local
- 14 ((Multimodal Transportation Account -- State
- 16 Multimodal Transportation Account -- Federal
- 18 TOTAL APPROPRIATION \$ ((578, 172, 000))
- 19 <u>546,091,000</u>
- The appropriations in this section are subject to the following
- 21 conditions and limitations and specified amounts are provided solely
- 22 for that activity:
- 23 (1) If portions of the appropriations in this section are required
- 24 to fund preservation work resulting from major disasters not covered by
- 25 federal emergency funds such as fire, flooding, and major slides,
- 26 supplemental appropriations will be requested to restore state funding
- 27 for ongoing maintenance activities.
- 28 (2) The motor vehicle account--state appropriation includes
- 29 ((\$6,524,000 for earthquake repairs and to match federal emergency
- 30 relief funds. This amount includes)) \$3,750,000 in proceeds from the
- 31 sale of bonds authorized in RCW 47.10.761 and 47.10.762 for emergency
- 32 purposes. The transportation commission may authorize the use of
- 33 current revenues available to the department of transportation in lieu
- 34 of bond proceeds for any part of the state appropriation.
- 35 (3) The motor vehicle account--state appropriation includes
- 36 \$10,000,000 in proceeds from the sale of bonds authorized by RCW
- 37 <u>47.10.843</u>. The transportation commission may authorize the use of

1	current revenues available to the department in lieu of bond proceeds
2	for any part of the state appropriation.
3	$\underline{(4)}$ The department of transportation is authorized to maximize the
4	use of federal and state funds to implement the provisions of this
5	section.
6	((4) \$471,763,000 of the total appropriation is provided for the
7	construction phase of the preservation program.))
8	(5) The motor vehicle accountfederal appropriation and the
9	multimodal transportation accountfederal appropriation are
10	transferable between each other to ensure efficient funds management
11	and program delivery.
12	Sec. 214. 2001 2nd sp.s. c 14 s 222 (uncodified) is amended to
13	read as follows:
14	FOR THE DEPARTMENT OF TRANSPORTATIONTRAFFIC OPERATIONSPROGRAM
15	QOPERATING
16	Motor Vehicle AccountState Appropriation \$ $((32,402,000))$
17	35,529,000
18	Motor Vehicle AccountPrivate/Local
19	Appropriation
20	TOTAL APPROPRIATION
21	35,654,000
22	Sec. 215. 2001 2nd sp.s. c 14 s 224 (uncodified) is amended to
23	read as follows:
24	FOR THE DEPARTMENT OF TRANSPORTATION-TRANSPORTATION MANAGEMENT AND
25	SUPPORTPROGRAM S
26	State Patrol Highway AccountState
27	Appropriation
28	Motor Vehicle AccountState Appropriation \$ $((94,632,000))$
29	95,878,000
30	Motor Vehicle AccountFederal Appropriation \$ 2,654,000
31	Puget Sound Ferry Operations Account
32	State Appropriation $((6,642,000))$
33	<u>6,653,000</u>
34	Multimodal Transportation AccountState
35	Appropriation
36	1,296,000
37	TOTAL APPROPRIATION

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1 107,407,000

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2001 2nd sp.s. c 14 s 225 (uncodified) is amended to
 2
       Sec. 216.
 3
   read as follows:
 4
   FOR THE DEPARTMENT OF TRANSPORTATION-TRANSPORTATION PLANNING, DATA,
   AND RESEARCH--PROGRAM T
 5
   Motor Vehicle Account--State Appropriation . . . $ ((18,250,000))
6
7
                                                              11,396,000
   Motor Vehicle Account -- Federal Appropriation . . $
                                                              18,800,000
8
9
   Multimodal Transportation Account -- State
       10
                                                             ((987,000))
11
                                                               1,087,000
12
   Multimodal Transportation Account -- Federal
                                                               2,000,000
13
       Appropriation . . . . . . . . . . . . . . . . . $
14
              ((40,037,000))
15
                                                              33,283,000
16
       The appropriations in this section are subject to the following
17
    conditions and limitations and the specified amount is provided solely
18
    for that activity:
19
        ((\frac{1}{1})) The motor vehicle account--state appropriation includes
    $1,000,000 distributed under RCW 46.68.110(2):
20
21
        ((\frac{1}{2})) (1) $500,000 of the distribution under RCW 46.68.110(2) is
22
    to be used solely by the department of transportation to collect and
   enter collision reports into the statewide collision reporting system
23
24
   for local roadway planning and safety analysis.
25
        ((\frac{b}{b})) (2) $500,000 of the distribution under RCW 46.68.110(2) is
26
   provided solely to the department of transportation for the Washington
   strategic freight transportation analysis. The department shall work
27
28
   with the transportation research center to conduct an origin and
   destination study to determine the impacts of trade-related truck
29
   traffic and other truck impacts on the highway system. The department
30
31
   may also conduct other research elements, including, but not limited
32
   to, freight corridor identification, strategic resource access, and
   road network review.
33
        (((2) $6,754,000 of the motor vehicle account--state appropriation
34
35
   is provided for the implementation of Senate Bill No. 5749 in the form
   enacted by the legislature. If Senate Bill No. 5749 is not enacted in
36
37
   the form passed by the legislature by July 31, 2001, this funding shall
38
   <del>lapse.</del>))
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1	Sec. 217. 2001 2nd sp.s. c 14 s 226 (uncodified) is amended to
2	read as follows:
3	FOR THE DEPARTMENT OF TRANSPORTATIONCHARGES FROM OTHER AGENCIES
4	PROGRAM U
5	Payments in this section represent charges from other state
6	agencies to the department of transportation.
7	(1) FOR PAYMENT OF DEPARTMENT OF GENERAL ADMINISTRATION OFFICE OF
8	RISK MANAGEMENT FEES
9	Motor Vehicle AccountState Appropriation \$ 464,000
10	Puget Sound Ferry OperationsState
11	Appropriation \$ 154,000
12	(2) FOR PAYMENT OF COSTS OF THE OFFICE OF THE STATE AUDITOR
13	Motor Vehicle AccountState Appropriation \$ 731,000
14	(3) FOR PAYMENT OF COSTS OF DEPARTMENT OF GENERAL ADMINISTRATION
15	FACILITIES AND SERVICES AND CONSOLIDATED MAIL SERVICES
16	Motor Vehicle AccountState Appropriation \$ 4,128,000
17	(4) FOR PAYMENT OF COSTS OF THE DEPARTMENT OF PERSONNEL
18	Motor Vehicle AccountState Appropriation \$ 2,240,000
19	(5) FOR PAYMENT OF SELF-INSURANCE LIABILITY PREMIUMS AND
20	ADMINISTRATION
21	Motor Vehicle AccountState Appropriation \$ $((13,892,000))$
22	28,755,000
23	Motor Vehicle FundPuget Sound Ferry Operations Account
24	State Appropriation
25	The office of risk management shall evaluate the risk pool premium
26	assessments to ensure that proper tracking, measuring, and reporting
27	methods have been utilized to ensure funding equity has been
28	maintained. "Funding equity" includes but is not limited to
29	demonstrating that premiums assessed to the department of
30	transportation will, over time, not exceed claims paid in order to
31	ensure that premiums paid by the department of transportation are not
32	unconstitutionally expended for nonhighway purposes. The office of
33	risk management shall make a full report of its findings to the
34	legislature no later than January 15, 2002.
35	(6) FOR PAYMENT OF COSTS OF OFFICE OF MINORITY AND WOMEN'S BUSINESS
36	ENTERPRISES
37	Motor Vehicle AccountState Appropriation \$ 251,000

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1 2	(7) FOR PAYMENT OF THE DEPARTMENT OF GENERAL ADMINISTRATION CAPITAL PROJECTS SURCHARGE
3	Motor Vehicle AccountState Appropriation \$ 1,547,000
4	(8) FOR ARCHIVES AND RECORDS MANAGEMENT
5	Motor Vehicle AccountState Appropriation \$ 469,000
6	TOTAL APPROPRIATION
7	42,943,000
8	Sec. 218. 2001 2nd sp.s. c 14 s 227 (uncodified) is amended to
9	read as follows:
10	FOR THE DEPARTMENT OF TRANSPORTATIONPUBLIC TRANSPORTATIONPROGRAM V
11	Multimodal Transportation AccountState
12	Appropriation
13	10,160,000
14	Multimodal Transportation AccountFederal
15	Appropriation
16	Multimodal Transportation Account
17	Private/Local Appropriation \$ 205,000
18	TOTAL APPROPRIATION
19	13,439,000
20	Sec. 219. 2001 2nd sp.s. c 14 s 228 (uncodified) is amended to
20 21	Sec. 219. 2001 2nd sp.s. c 14 s 228 (uncodified) is amended to read as follows:
21	read as follows:
21 22	read as follows: FOR THE DEPARTMENT OF TRANSPORTATIONWASHINGTON STATE FERRIES
21 22 23	read as follows: FOR THE DEPARTMENT OF TRANSPORTATIONWASHINGTON STATE FERRIES CONSTRUCTIONPROGRAM W
21 22 23 24	read as follows: FOR THE DEPARTMENT OF TRANSPORTATIONWASHINGTON STATE FERRIES CONSTRUCTIONPROGRAM W Motor Vehicle AccountState
2122232425	read as follows: FOR THE DEPARTMENT OF TRANSPORTATIONWASHINGTON STATE FERRIES CONSTRUCTIONPROGRAM W Motor Vehicle AccountState Appropriation
212223242526	read as follows: FOR THE DEPARTMENT OF TRANSPORTATIONWASHINGTON STATE FERRIES CONSTRUCTIONPROGRAM W Motor Vehicle AccountState Appropriation
21 22 23 24 25 26 27	read as follows: FOR THE DEPARTMENT OF TRANSPORTATIONWASHINGTON STATE FERRIES CONSTRUCTIONPROGRAM W Motor Vehicle AccountState Appropriation
21 22 23 24 25 26 27 28	read as follows: FOR THE DEPARTMENT OF TRANSPORTATIONWASHINGTON STATE FERRIES CONSTRUCTIONPROGRAM W Motor Vehicle AccountState Appropriation
21 22 23 24 25 26 27 28 29	read as forms: FOR THE DEPARTMENT OF TRANSPORTATIONWASHINGTON STATE FERRIES CONSTRUCTIONPROGRAM W Motor Vehicle AccountState Appropriation
21 22 23 24 25 26 27 28 29 30	THE
21 22 23 24 25 26 27 28 29 30 31	FOR
21 22 23 24 25 26 27 28 29 30 31 32	FOR
21 22 23 24 25 26 27 28 29 30 31 32 33	read as follows: FOR THE DEPARTMENT OF TRANSPORTATIONWASHINGTON STATE FERRIES CONSTRUCTIONPROGRAM W Motor Vehicle AccountState Appropriation
21 22 23 24 25 26 27 28 29 30 31 32 33	FOR THE DEPARTMENT OF TRANSPORTATIONWASHINGTON STATE FERRIES CONSTRUCTIONPROGRAM W Motor Vehicle AccountState Appropriation

1 section are subject to the following conditions and limitations and 2 specified amounts are provided solely for that activity:

- 3 (1) The motor vehicle account--state appropriation includes \$50,000,000 in proceeds from the sale of bonds authorized by RCW 47.10.843 for vessel and terminal acquisition, major and minor improvements, and long lead time materials acquisition for the Washington state ferries. The transportation commission may authorize the use of current revenues available to the motor vehicle account in lieu of bond proceeds for any part of the state appropriation.
- (2) Appropriations in this section include funding for the purchase or lease-purchase of one passenger ferry and assume the proceeds of the sale of the MV Kalama and MV Skagit passenger ferries shall be deposited in the passenger ferry account.
- 14 (3) The department shall provide staff support to a legislative 15 oversight committee that will manage a study of the Eagle Harbor maintenance facility. The legislative oversight committee shall 16 consist of two members from each caucus in each house of the 17 legislature, appointed by the leadership of the members' respective 18 19 caucus. The department shall issue a request for proposals on behalf of the legislative oversight committee for an outside consulting firm 20 to conduct a study on the preservation, replacement, or supplementation 21 of the Eagle Harbor maintenance facility. The study must analyze: (a) 22 The costs and benefits to preserve and maintain or relocate the 23 24 facility; (b) the impact of Eagle Harbor employment on the local 25 community and Kitsap county; and (c) a recommendation on future 26 investment in the Eagle Harbor maintenance facility or possible alternatives. The contractor and the legislative oversight committee 27 28 must report back to the legislature's transportation committees no 29 later than December 10, 2002.
- 30 **Sec. 220.** 2001 2nd sp.s. c 14 s 229 (uncodified) is amended to 31 read as follows:
- 32 FOR THE DEPARTMENT OF TRANSPORTATION--MARINE--PROGRAM X
- 33 Puget Sound Ferry Operations Account -- State
- 35 314,570,000
- The appropriation in this section is subject to the following conditions and limitations and specified amounts are provided solely

38 for that activity:

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- (1) The appropriation is based on the budgeted expenditure of 1 ((\$46, 881, 000)) \\$38,399,000 for vessel operating fuel in the 2001-2003 2 3 If the actual cost of fuel is less than this budgeted 4 amount, the excess amount may not be expended. If the actual cost exceeds this amount, the department shall request a supplemental 5 appropriation. 6
- 7 (2) The appropriation provides for the compensation of ferry 8 employees. The expenditures for compensation paid to ferry employees 9 during the 2001-2003 biennium may not exceed ((\$206,696,000))\$207,065,000 plus a dollar amount, as prescribed by the office of 10 financial management, that is equal to any insurance benefit increase 11 granted general government employees in excess of \$432.82 a month 12 13 annualized per eligible marine employee multiplied by the number of eligible marine employees for the respective fiscal year, a dollar 14 15 amount as prescribed by the office of financial management for costs 16 associated with pension amortization charges, and a dollar amount prescribed by the office of financial management for salary increases 17 during the 2001-2003 biennium. For the purposes of this section, the 18 19 expenditures for compensation paid to ferry employees shall be limited 20 to salaries and wages and employee benefits as defined in the office of financial management's policies, regulations, and procedures named 21 under objects of expenditure "A" and "B" (7.2.6.2). 22

The prescribed salary and insurance benefit increase or decrease dollar amount that shall be allocated from the governor's compensation appropriations is in addition to the appropriation contained in this section and may be used to increase or decrease compensation costs, effective July 1, 2001, and thereafter, as established in the 2001-2003 general fund operating budget.

- 29 (3) The department shall issue a request for information from entities interested in purchasing advertising on board Washington state ferry vessels. The department shall evaluate the proposals and report back to the legislature's transportation committees in January 2002 33 regarding the potential for revenue from different 34 advertising.
- 35 (4) The department may enter into contracts with private vendors to sell ferry tickets and medium at locations other than Washington state 36 37 ferry terminals or facilities.
- 38 (a) The department may enter into the contracts only (i) with 39 private vendors that are already established businesses offering goods

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for sale to the general public; and (ii) if it determines that the 1 2 vendor's established location has the potential to serve a significant percentage of the customers using a particular ferry route. 3 4 (b) The department may adopt necessary rules and procedures to 5 allow the use of credit and debit cards to purchase ferry tickets or medium from a private vendor who has contracted with the department to 6 7 sell ferry tickets or medium. The department may establish a 8 convenience fee to be paid by all persons purchasing ferry tickets and 9 medium at locations other than Washington state ferry terminals or 10 The convenience fee must be sufficient to offset the charges imposed on the department by the credit and debit card 11 companies. In no event may the use of credit or debit cards authorized 12 by this section create a loss of revenue to the state. The use of a 13 personal credit card does not rely upon the credit of the state as 14 15 prohibited by Article VIII, section 5 of the state Constitution. 16 (((5) The legislature recognizes that projected revenues to the 17 Puget Sound ferry operating account for the 2001-2003 biennium may be up to \$30,000,000 less than what is required to fund the appropriation 18 19 provided in this section. The legislature intends to fully evaluate 20 the extent of the shortfall and make a supplemental appropriation during the 2002 legislative session.)) 21 22 Sec. 221. 2001 2nd sp.s. c 14 s 230 (uncodified) is amended to 23 read as follows: 24 FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--OPERATING 25 Multimodal Transportation Account -- State 26 27 32,104,000 28 Sec. 222. 2001 2nd sp.s. c 14 s 231 (uncodified) is amended to 29 read as follows: FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--CAPITAL 30 31 Essential Rail Assistance Account -- State 32 Appropriation \$ 200,000 33 Multimodal Transportation Account -- State 34 Appropriation \$ ((11,610,000))35 11,110,000 36 Multimodal Transportation Account -- Federal

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9,630,000

1 2 3 4	Washington Fruit Express AccountState Appropriation \$ 500,000 TOTAL APPROPRIATION \$ ((21,940,000)) 21,440,000
5 6 7 8 9	The appropriations in this section are subject to the following conditions and limitations and specified amounts are provided solely for that activity: \$2,000,000 of the multimodal transportation accountstate appropriation is provided solely for the Grays Harbor loop project.
10	Sec. 223. 2001 2nd sp.s. c 14 s 232 (uncodified) is amended to
11	read as follows:
12	FOR THE DEPARTMENT OF TRANSPORTATIONLOCAL PROGRAMSPROGRAM
13	ZOPERATING
14	Motor Vehicle AccountState Appropriation \$ $((6,231,000))$
15	6,494,000
16	Motor Vehicle AccountFederal Appropriation \$ 2,569,000
17	Multimodal Transportation AccountState
18	Appropriation \$ 150,000
19	TOTAL APPROPRIATION
20	9,213,000
21 22 23	The appropriations in this section are subject to the following conditions and limitations and specified amounts are provided solely for that activity:
24	(1) The motor vehicle accountstate appropriation includes
25	\$150,000 distributed under RCW 46.68.110(2) that is provided to the
26	Whatcom county council of governments for the sole purpose of
27	developing and implementing a model of regional transportation
28	governance. This model shall be developed in accordance with
29	Recommendation 6 of the Blue Ribbon Commission on Transportation's
30	final report.
31	The council shall develop a model that can be used in other parts
32	of the state and shall report to the transportation committees in the
33	senate and house of representatives on the positive and negative
34	aspects of the model as well as costs associated with it no later than
35	June 30, 2002.

(2) \$250,000 of the motor vehicle account--state appropriation is

provided solely for a study of concurrency issues in urban areas marked

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- by multiple contiguous jurisdictions. The study, lead by the city of 1 Bellevue, will focus on the jurisdictions of Bellevue, Kirkland, 2 3 Issaquah, and Redmond and will look at existing and unused 4 methodologies for including development in neighboring jurisdictions in concurrency calculations. The study will also investigate what changes 5 in state and local laws are needed in order to provide a more effective 6 7 way of dealing with concurrency issues. By November 1, 2003, a report 8 of the findings will be made to the transportation committees of the 9 legislature. The appropriation in this subsection shall lapse unless 10 the participating cities provide \$100,000 for the study.
- 11 (3) Up to \$500,000 of the motor vehicle account--state 12 appropriation is provided solely for the study of alternatives for 13 repairing or replacing the Seattle sea wall. The department's 14 expenditure of funds provided in this subsection may not exceed the 15 matching contribution provided by the city of Seattle for the study.
- 16 **Sec. 224.** 2001 2nd sp.s. c 14 s 233 (uncodified) is amended to 17 read as follows:

18 FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM 19 Z--CAPITAL Motor Vehicle Account -- State Appropriation . . . \$ 20 ((77,371,000))21 77,271,000 22 Highway Infrastructure Account--State 23 234,000 24 Highway Infrastructure Account--Federal 25 1,500,000 Urban Arterial Trust Account--State 26 27 Appropriation \$ ((4,674,000))4,332,000 28

The appropriations in this section are subject to the following conditions and limitations and specified amounts are provided solely for that activity:

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 $((\frac{(2)}{2}))$ (1) \$10,000,000 of the multimodal transportation accountstate appropriation is provided solely to fund the first phase of a multiphase cooperative project with the state of Oregon to dredge the

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- Columbia river. The department shall not expend the appropriation in this section unless agreement on ocean disposal sites has been reached which protects the state's commercial crab fishery. The amount provided in this subsection shall lapse unless the state of Oregon appropriates a dollar-for-dollar match to fund its share of the project.
- 7 (((3))) <u>(2)</u> The motor vehicle account--state appropriation includes 8 \$12,000,000 in proceeds from the sale of bonds authorized by RCW 9 47.10.843 in addition to \$16,420,000 in unexpended proceeds from the 10 January 2001 sale. The transportation commission may authorize the use 11 of current revenues available to the department of transportation in 12 lieu of bond proceeds for any part of the state appropriation.
- $((\frac{4}{}))$ (3) \$4,159,000 of the motor vehicle account--state appropriation is provided solely for additional small city pavement preservation program grants, to be administered by the department's highways and local programs division.
- (((+5))) (4) \$2,000,000 of the motor vehicle account--state appropriation is provided solely for additional traffic and pedestrian safety improvements near schools. The highways and local programs division within the department of transportation shall administer this program.

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22 (End of part)

TRANSFERS AND DISTRIBUTIONS

2	Sec. 401. 2001 2nd sp.s. c 14 s 401 (uncodified) is amended to
3	read as follows:
4	FOR THE STATE TREASURERBOND RETIREMENT AND INTEREST, AND ONGOING BOND
5	REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND DEBT
6	TO BE PAID BY MOTOR VEHICLE FUND AND TRANSPORTATION FUND REVENUE
7	Highway Bond Retirement Account Appropriation \$ $((207,900,000))$
8	<u>208,206,000</u>
9	Ferry Bond Retirement Account Appropriation $$((48,675,000))$
10	52,473,000
11	Transportation Improvement Board Bond Retirement
12	AccountState Appropriation \$ 40,856,000
13	Motor Vehicle AccountState Appropriation \$ $((4,537,000))$
14	<u>4,588,000</u>
15	Special Category C AccountState Appropriation . \$ 635,000
16	Transportation Improvement AccountState
17	Appropriation
18	340,000
19	TOTAL APPROPRIATION \$ ((303,076,000))
20	307,098,000
21	Sec. 402. 2001 2nd sp.s. c 14 s 402 (uncodified) is amended to
22	read as follows:
23	FOR THE STATE TREASURERBOND RETIREMENT AND INTEREST, AND ONGOING BOND
24	REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND FISCAL
25	AGENT CHARGES
26	Motor Vehicle AccountState Appropriation \$ 450,000
27	Special Category C Account Appropriation $$$ (($63,000$))
28	110,000
29	Transportation Improvement Account State
30	Appropriation
31	<u>135,000</u>
32	TOTAL APPROPRIATION
33	<u>695,000</u>

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1	Sec. 403. 2001 2nd sp.s. c 14 s 403 (uncodified) is amended to
2	read as follows:
3	FOR THE STATE TREASURERSTATE REVENUES FOR DISTRIBUTION
4	((Motor Vehicle Account Appropriation for
5	motor vehicle fuel tax refunds and
6	<u>distributions</u>
7	Motor Vehicle Account Appropriation for
8	motor vehicle fuel tax distributions to
9	cities and counties
10	430,487,000
11	((Motor Vehicle Account Appropriation for
12	license, permit, and fee distribution to
13	other accounts
14	Sec. 404. 2001 2nd sp.s. c 14 s 406 (uncodified) is amended to
15	read as follows:
16	FOR THE STATE TREASURERTRANSFERS
17	(1) RV AccountState Appropriation:
18	For transfer to the Motor Vehicle FundState \$ $((\frac{1,135,000}{}))$
19	1,344,000
20	The department of transportation shall only transfer funds provided
21	under subsection (1) of this section on an as-needed basis.
22	(2) Public Transportation Systems Account
23	State Appropriation: For transfer to the
24	Multimodal Transportation AccountState \$ 1,911,000
25	(3) State Patrol Highway AccountState
26	Appropriation: For transfer to the Motor
27	Vehicle Account
28	24,143,000
29	(4) Motor Vehicle AccountState
30	Appropriation: For motor vehicle fuel tax
31	<u>refunds and transfers</u>
32	(5) Motor Vehicle AccountState
33	Appropriation: For license, permit, and
34	fee transfers to other accounts
35	(6) Urban Arterial Trust AccountState
36	Appropriation: For transfer of excess City
37	<u>Hardship Assistance Program revenues to</u>

1	<u>cities</u>
2	If House Bill No. 2216 or Senate Bill No. 5078 is enacted in the
3	form passed by the legislature, the ((\$38,737,000)) \$24,143,000
4	transfer from the state patrol highway account state to the motor
5	vehicle account is null and void. If neither House Bill No. 2216 nor
6	Senate Bill No. 5078 is enacted in the form passed by the legislature,
7	the state treasurer shall transfer funds from the state patrol highway
8	account to the motor vehicle account on a quarterly basis.
9	Sec. 405. 2001 2nd sp.s. c 14 s 407 (uncodified) is amended to
10	read as follows:
11	FOR THE DEPARTMENT OF TRANSPORTATIONTRANSFERS
12	(1) Motor Vehicle FundState Appropriation:
13	For transfer to Puget Sound Ferry Operations
14	Account
15	35,718,000
16	(2) Advanced Right of Way Revolving Account
17	Appropriation: For transfer to the Motor
18	Vehicle Fund
19	(End of part)

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PROVISIONS NECESSARY TO IMPLEMENT APPROPRIATIONS

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2 **Sec. 601.** RCW 47.60.010 and 1984 c 18 s 1 are each amended to read 3 as follows:

4 The department is authorized to acquire by lease, charter, 5 contract, purchase, condemnation, or construction, and partly by any or all of such means, and to thereafter operate, improve, and extend, a 6 7 system of ferries on and crossing Puget Sound and any of its tributary 8 waters and connections thereof, and connecting with the public streets 9 and highways in the state. The system of ferries shall include such boats, vessels, wharves, docks, approaches, landings, franchises, 10 licenses, and appurtenances as shall be determined by the department to 11 12 be necessary or desirable for efficient operation of the ferry system and best serve the public. The department may in like manner acquire 13 by purchase, condemnation, or construction and include in the ferry 14 15 system such toll bridges, approaches, and connecting roadways as may be 16 deemed by the department advantageous in channeling traffic to points 17 served by the ferry system. In addition to the powers of acquisition 18 granted by this section, the department is empowered to enter into any 19 contracts, agreements, or leases with any person, firm, or corporation 20 and to thereby provide, on such terms and conditions as it shall determine, for the operation of any ferry or ferries or system thereof, 21 22 whether acquired by the department or not.

The authority of the department to <u>lease or</u> sell and <u>to</u> lease back any state ferry, for federal tax purposes only, as authorized by 26 U.S.C., Sec. 168(f)(8), or by any other sections of the <u>United States</u> Internal Revenue Code, is confirmed. Legal title and all incidents of legal title to any ferry <u>leased</u>, sold, and leased back (except for the federal tax benefits attributable to the ownership thereof) shall remain in the state of Washington.

- NEW SECTION. Sec. 602. Section 601 of this act expires June 30, 2003.
- NEW SECTION. Sec. 603. If any provision of this act or its application to any person or circumstance is held invalid, the

- 1 remainder of the act or the application of the provision to other
- 2 persons or circumstances is not affected.
- 3 <u>NEW SECTION.</u> **Sec. 604.** This act is necessary for the immediate
- 4 preservation of the public peace, health, or safety, or support of the
- 5 state government and its existing public institutions, and takes effect
- 6 immediately.

7 (End of part)

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