

FINAL BILL REPORT

ESB 5513

PARTIAL VETO

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Synopsis as Enacted

Brief Description: Restructuring certain transportation agencies.

Sponsors: Senators Haugen, Shin, Kohl-Welles, Rasmussen, Fairley and Prentice.

Senate Committee on Transportation

House Committee on Transportation

Background: Under current law, the Washington Transportation Commission oversees the Washington State Department of Transportation (WSDOT) and appoints the Secretary of Transportation. The Secretary may only be removed for cause. The Commission is composed of seven voting members, appointed by the Governor with the consent of the Senate, and the Secretary who sits as a nonvoting member. The seven appointed members serve for six year terms, may not include more than four members from the same political party, and must include four members from Western Washington and three members from Eastern Washington. In addition to overseeing the WSDOT, the Commission has numerous other statutory duties, including statewide transportation planning, bonds issuance, serving as the state's tolling authority and setting ferry fares, and sharing responsibility for project selection and funding.

The Legislative Transportation Committee (LTC) is a statutory legislative agency established to, among other things, conduct studies of designated transportation issues and to make recommendations to the full Legislature regarding statewide transportation policy. The LTC is composed of twelve senators and twelve representatives, with not more than six members from each house representing the same political party.

The Transportation Performance Audit Board (TPAB) was established in 2003 to primarily provide oversight and accountability of transportation-related agencies through the use of directed agency reviews, and functional and performance audits. The TPAB is composed of four legislators, five citizen members with specified transportation-related expertise appointed by the Governor, an at large member appointed by the Governor, and the legislative auditor as an ex officio member. The TPAB may conduct agency performance and outcome measurement reviews, and must recommend to the LTC's executive committee whether a full performance or functional agency audit is appropriate. If a performance audit is requested by the LTC, the Joint Legislative Audit and Review Committee (JLARC) must add the audit to its biennial audit work plan. The legislative auditor must, to the greatest extent possible, hire private consultants to conduct the performance audits.

Summary: The Secretary of Transportation is appointed by the Governor, with the advice and consent of the Senate, and serves at the pleasure of the Governor. The Secretary assumes authority previously directed to the Washington Transportation Commission to propose the WSDOT agency budget and to authorize departmental request legislation.

The Washington Transportation Commission retains certain authority, including statewide transportation planning, bonds issuance, serving as the state's tolling authority and setting ferry fares, and sharing responsibility for project selection and funding. Additionally, the Commission receives an expanded role as a public forum for transportation policy development.

The Joint Transportation Committee (JTC) is established to review and research transportation programs and issues. The chairs and ranking minority members of the House and Senate transportation committees serve as the JTC executive committee, and the chairs of those committees serve as co-chairs of the JTC. The other members of the transportation committees are eligible to be appointed by the JTC executive committee on a study-by-study basis.

The LTC is dissolved. The LTC staff support of TPAB is removed and replaced with staff support provided by the Washington Transportation Commission; however, the Commission must designate, subject to TPAB approval, a staff person to serve as the TPAB administrator. The TPAB has separate authority to direct performance audits. The TPAB administrator must, to the greatest extent possible and subject to available funds, hire private consultants to conduct the performance audits. However, the TPAB may contract with the legislative auditor to serve as the contract manager of the reviews and performance audits. The TPAB's authority regarding directed agency reviews, and functional and performance audits, is expanded to include certain local transportation entities.

The TPAB membership is adjusted by reducing from five to three the number of citizen members with transportation-related expertise, adding two citizen members with performance measurement expertise, and adding one member of the Transportation Commission.

Votes on Final Passage:

Senate	45	3	
House	92	5	(House amended)
Senate			(Senate refused to concur)
House	95	3	(House amended)
Senate	40	5	(Senate concurred)

Effective: July 1, 2005

July 1, 2006 (Section 103)

Partial Veto Summary: The requirement that the JTC conduct a review of state level transportation governance is removed.