

# HOUSE BILL REPORT

## ESHB 1175

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### As Passed Legislature

**Title:** An act relating to transportation funding and appropriations.

**Brief Description:** Making transportation appropriations for the 2009-2011 and 2011-2013 fiscal biennia.

**Sponsors:** House Committee on Transportation (originally sponsored by Representatives Clibborn, Armstrong, Liias and Billig; by request of Governor Gregoire).

**Brief History:**

**Committee Activity:**

Transportation: 3/21/11, 3/23/11 [DPS].

**Floor Activity:**

Passed House: 3/25/11, 89-6.

Senate Amended.

Passed Senate: 4/20/11, 39-9.

House Concurred.

Passed House: 4/22/11, 87-9.

Passed Legislature.

<p style="text-align: center;"><b>Brief Summary of Engrossed Substitute Bill</b></p> <ul style="list-style-type: none"><li>• Provides appropriations to agencies with transportation-related activities for the 2011-2013 fiscal biennium.</li></ul>
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### HOUSE COMMITTEE ON TRANSPORTATION

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 24 members: Representatives Clibborn, Chair; Billig, Vice Chair; Liias, Vice Chair; Armstrong, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Eddy, Finn, Jinkins, Johnson, Klippert, Kristiansen, Ladenburg, McCune, Moeller, Morris, Moscoso, Reykdal, Rivers, Rodne, Rolfes, Ryu, Takko, Upthegrove and Zeiger.

**Minority Report:** Do not pass. Signed by 2 members: Representatives Overstreet and Shea.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Staff:** Mark Matteson (786-7145)

**Background:**

The operating and capital expenses of state transportation agencies and programs are funded on a biennial basis by an Omnibus Transportation Appropriations Act (Transportation Budget) adopted by the Legislature in odd-numbered years. The Transportation Budget provides appropriations to the major transportation agencies including: the Washington State Department of Transportation (WSDOT); the Washington State Patrol (WSP); the Department of Licensing; the Washington Traffic Safety Commission; the Transportation Improvement Board; the County Road Administration Board; and the Freight Mobility Strategic Investment Board (FMSIB). The Transportation Budget also provides appropriations out of transportation funds to many smaller agencies with transportation functions.

**Summary of Engrossed Substitute Bill:**

Appropriations are made for state transportation agencies and programs for the 2011-13 fiscal biennium. (See House Transportation Committee supporting documents for more detail.)

**Appropriation:** Various.

**Fiscal Note:** Requested on April 21, 2011.

**Effective Date:** The bill contains an emergency clause and takes effect immediately, except for section 704, relating to the License Plate Technology Account, section 707, relating to the moratorium on the issuance of special license plates, section 710, relating to the Department of Licensing Services Account, and section 717, relating to limitations on the use of automated traffic safety cameras for the issuance of notices of infraction, which contain an emergency clause and take effect on July 1, 2011; and section 709, relating to the Rural Mobility Grant Account, which takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) Transportation is about connecting all parts of Washington and about creating jobs. The House Transportation Committee had a bipartisan cabinet group in the decision-making process. This budget is more about maintaining and preserving than new projects. It helps out both Amtrak and freight rail. On ferries, management and labor came together to help save the ferry system for the next biennium. There is money for half of a boat and members are working towards getting the rest. The budget proposal gives the WSP the communication technology they need. There will be a look at public-private partnerships through a study at the Joint Transportation Committee. It is a forward-looking budget.

This is a bare bones budget, not one that expands things by any means and not one that charges people more money for the most part. There is no money. What is nice about the

budget is the emphasis on efficiencies. There a lot of things the minority agrees on and only a few where they do not.

The WSDOT appreciates the work that has gone into trying to maintain the work done on the Nickel and Transportation Partnership (TPA) packages. One of our most important priorities is maintaining and preserving the system. Thanks for continuing the work on developing a multimodal system. The importance of rail, ferries, the bicycle and pedestrian program, and others should not be understated. Thanks for the ferry solutions. The WSDOT wants the operating costs to be as low as possible. Regarding our highway construction program, as the construction under the Nickel and TPA packages diminishes, the WSDOT is working very hard to right-size the agency to the right level.

The WSDOT does have a few areas we would like to work with you on. One is the Interstate 5 Columbia River Crossing (CRC). The WSDOT needs the potentiality of tolling and right-of-way opportunities. In addition, tolling studies are important to laying the groundwork for future expansion opportunities.

Only 15 months ago, the Association of General Contractors (AGC) received data from the University of Washington that there were 215,000 people employed in construction. The total in revenue generated was 18.8 percent of all payments to the General Fund. The AGC has been a major contributor. The construction industry has dropped between 30,000 to 45,000 in numbers since then. The unemployment rate is twice as high as in other industries. It is time to move forward. The budget proposal provides for a study of innovative financing procedures, and the AGC is very strongly supportive.

Thanks for raising the bar on preservation. The Asphalt Pavers Association looks forward to the future to create current and higher funding levels. Recognition of pavement preservation is important.

The Port of Vancouver and Columbia River Crossing coalition appreciate the funding and bipartisan efforts. The West Vancouver access project will create 800 jobs in the private sector. Analysis of risk should be included in the wording in the evaluation of innovative financing processes. The money for cities should be used to evaluate not just the impact of stormwater on cities, but a broader look, such as fishway passages. The CRC will not be built any time soon and needs a little more initial effort support.

This proposal does not retreat from the multimodal commitments: vanpools, rural mobility, and regional mobility grants.

The Port of Tacoma supports this effort. Completion of State Route (SR) 167 is the highest priority for the Port. The project holds prospect for creating thousands of jobs, and not just project-related: 80,000 permanent jobs. For both the Port and the City of Puyallup, funding for phase two of the SR 167 tolling feasibility study is a priority, as is accelerating money for the Puyallup River bridge in Puyallup. The Port appreciates the efforts for the high-speed rail and the FMSIB.

The non-motorized programs were protected and the multimodal Regional Mobility Grant (RMG) program was restored. Multimodal funds go a long way: \$26 million funds 55

projects across the state. Non-motorized projects create more jobs than other types of investments.

The Washington State Association of Counties (WSAC) supports the proposal with language suggestions. In section 301(2), concerning the County Road Administration Board, the WSAC would like to have the local government study money to instead go to a project that invests in an accountability program. Regarding stormwater, counties also have an issue, and would like to work with the committee on how to address this together. Finally, the WSAC looks forward to working with members on a solution to meet long-term needs.

For the ferries' citizens advisory committees, it is a relief to hear that this proposal, for the most part, is on the same side of the ferry service reduction argument. The advisory committees do not like silence, however, and would like clarity that a surcharge may not be applied. The advisory committees are interested in what the next steps are with respect to ferry governance. The study from the Passenger Ferry Vessel Association said that Washington had too many chefs. On the other hand, the Governor's approach was not well received. Governance and funding were comingled to the detriment of the proposal. No consensus was established. The advisory committees would like a way forward on this and encourage the committee to take the next step to put in a proposal that members and stakeholders can all agree on.

Between Vashon and Maury islands, more than 10,000 people are dependent on ferries. King County appreciates that you softened the Governor's fare increase proposal and maintained service, by and large. On transit, thanks for restoring the RMG program. This RMG program provides some grant money for regional transit. Some Metro projects have been dropped from the WSDOT-recommended group to be funded; this is a concern. Consideration of the congestion reduction fee was appreciated. Non-motorized programs are a priority. Thanks for the resources for commute trip reduction, and for the FMSIB investment in the South Park Bridge.

For folks in Snohomish County that have not been able to ride buses on Sundays, the restoration of the RMG program helps.

The Sierra Club and Futurewise believe that the future should be more multimodal. It is important to utilize all facets of the transportation system. The Sierra Club and Futurewise appreciate the RMG program restoration, the vanpools, the greater investment in commute trip reduction, the bike/ped dollars, and the extra federal stimulus dollars for high speed rail. Using vanpools for Joint Base Lewis-McChord is a good way to lower demand. The Sierra Club and Futurewise are slightly disappointed that the stormwater funds are less than what the Governor requested.

(In support with concerns) About 75 percent of the WSP budget comes from this committee. The mobile office platform will create efficiencies. The effort to assist the WSP in implementing the narrow-banding radio requirements is appreciated.

(With concerns) The Professional and Technical Engineers Local 17 (PTE) support the Governor's proposal on the cost savings (across the board wage cuts) which this proposal includes. At the same time, this budget calls for an unprecedented reduction in work force at

the WSDOT. The PTE looks forward to working with you to find new sources of revenue. The PTE has concerns as to how staffing reductions are met. The PTE believes the WSDOT should be allowed to manage the reduction as projects are completed, rather than by creating chaos by reducing staff without regard to project schedule. The PTE also has a concern about the voluntary separation retirement section. There are some elements that are causing this to be underutilized, such as the provision barring outside employment for five years.

(Opposed) None.

**Persons Testifying:** (In support) Representative Clibborn, prime sponsor; Representative Armstrong; Paula Hammond, Washington State Department of Transportation; Duke Schaub, Associated General Contractors; Tom Gaetz, Washington Asphalt Pavers Association; Rick Wickman, Port of Vancouver and Columbia River Crossing; Michael Shaw, Washington State Transit Association; Sean Eagan, Port of Tacoma; David Hiller, Cascade Bicycle Club; Scott Merriman, Washington State Association of Counties; Genesee Adkins, King County; Davor Gjurasic, Community Transit; Doug Levy, City of Puyallup; Gary Rowe, Washington State Association of County Engineers; Peter Thein, Sierra Club Cascade Chapter; and April Putney, Futurewise.

(In support with concerns) Jason Berry, Washington State Patrol.

(With concerns) Vince Oliveri, Professional and Technical Engineers Local 17; and Walt Elliott, Ferry Advisors Committee Executive Council.

**Persons Signed In To Testify But Not Testifying:** None.