

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE HOUSE BILL 1094

60th Legislature
2007 Regular Session

Passed by the House April 21, 2007
Yeas 76 Nays 21

Speaker of the House of Representatives

Passed by the Senate April 20, 2007
Yeas 46 Nays 3

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Richard Nafziger, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 1094** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

1 for other specified purposes, including the payment of any final
2 judgments arising out of such activities, for the period ending June
3 30, 2009.

4 (2) Unless the context clearly requires otherwise, the definitions
5 in this subsection apply throughout this act.

6 (a) "Fiscal year 2008" or "FY 2008" means the fiscal year ending
7 June 30, 2008.

8 (b) "Fiscal year 2009" or "FY 2009" means the fiscal year ending
9 June 30, 2009.

10 (c) "FTE" means full-time equivalent.

11 (d) "Lapse" or "revert" means the amount shall return to an
12 unappropriated status.

13 (e) "Provided solely" means the specified amount may be spent only
14 for the specified purpose. Unless otherwise specifically authorized in
15 this act, any portion of an amount provided solely for a specified
16 purpose which is not expended subject to the specified conditions and
17 limitations to fulfill the specified purpose shall lapse.

18 (f) "Reappropriation" means appropriation and, unless the context
19 clearly provides otherwise, is subject to the relevant conditions and
20 limitations applicable to appropriations.

21 (g) "LEAP" means the legislative evaluation and accountability
22 program committee.

23 **GENERAL GOVERNMENT AGENCIES--OPERATING**

24 NEW SECTION. **Sec. 101. FOR THE UTILITIES AND TRANSPORTATION**
25 **COMMISSION**

26 Grade Crossing Protective Account--State Appropriation . . . \$505,000

27 NEW SECTION. **Sec. 102. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

28 Motor Vehicle Account--State Appropriation \$3,054,000

29 Puget Sound Ferry Operations Account--State
30 Appropriation \$100,000

31 TOTAL APPROPRIATION \$3,154,000

32 The appropriations in this section are subject to the following
33 conditions and limitations:

34 (1) \$2,545,000 of the motor vehicle account--state appropriation is

1 provided solely for the office of regulatory assistance integrated
2 permitting project.

3 (2) \$75,000 of the motor vehicle account state appropriation is
4 provided solely to address transportation budget and reporting
5 requirements.

6 NEW SECTION. **Sec. 103. FOR THE MARINE EMPLOYEES COMMISSION**
7 Puget Sound Ferry Operations Account--State
8 Appropriation \$422,000

9 NEW SECTION. **Sec. 104. FOR THE STATE PARKS AND RECREATION**
10 **COMMISSION**
11 Motor Vehicle Account--State Appropriation \$985,000

12 The appropriation in this section is subject to the following
13 conditions and limitations: The entire appropriation in this section
14 is provided solely for road maintenance purposes.

15 NEW SECTION. **Sec. 105. FOR THE DEPARTMENT OF AGRICULTURE**
16 Motor Vehicle Account--State Appropriation \$1,358,000

17 The appropriation in this section is subject to the following
18 conditions and limitations:

19 (1) \$351,000 of the motor vehicle account--state appropriation is
20 provided solely for costs associated with the motor fuel quality
21 program.

22 (2) \$1,007,000 of the motor vehicle account--state appropriation is
23 provided solely to test the quality of biofuel. The department must
24 test fuel quality at the biofuel manufacturer, distributor, and
25 retailer.

26 NEW SECTION. **Sec. 106. FOR THE DEPARTMENT OF ARCHEOLOGY AND**
27 **HISTORIC PRESERVATION**
28 Motor Vehicle Account--State Appropriation \$223,000

29 The appropriation in this section is subject to the following
30 conditions and limitations: The entire appropriation is provided
31 solely for staffing costs to be dedicated to state transportation
32 activities. Staff hired to support transportation activities must have
33 practical experience with complex construction projects.

1 NEW SECTION. **Sec. 107. FOR THE LEGISLATIVE EVALUATION AND**
2 **ACCOUNTABILITY PROGRAM COMMITTEE**

3 Motor Vehicle Account--State Appropriation \$1,595,000

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

6 (1) \$800,000 of the motor vehicle account--state appropriation is
7 provided solely for the continued maintenance and support of the
8 transportation executive information system (TEIS).

9 (2) \$795,000 of the motor vehicle account--state appropriation is
10 provided solely for development of a new transportation capital
11 budgeting system and transition of a copy of the transportation
12 executive information system (TEIS) to LEAP. At a minimum, the new
13 budgeting system development effort must provide comprehensive
14 schematic diagrams of the current and proposed transportation capital
15 budget process, information flows, and data exchanges; common, agreed-
16 upon data definitions and business rules; detailed transportation
17 capital budget data and system requirements; and a strategy for
18 implementation, including associated costs and a timeframe.

19 NEW SECTION. **Sec. 108. FOR THE JOINT LEGISLATIVE AUDIT AND REVIEW**
20 **COMMITTEE** As part of its 2007-09 biennium workplan, the committee

21 shall:

22 (1) Review the Washington state ferries' assignment of preservation
23 costs as required by Engrossed Substitute House Bill No. 2358, for
24 fiscal year 2008, to determine whether costs are capital costs and
25 whether they meet the statutory requirements for preservation
26 activities, and report its findings to the legislature not later than
27 January 2009.

28 (2) Review the Washington state ferries' implementation of the life
29 cycle cost model, as required by Engrossed Substitute House Bill No.
30 2358, and report to the legislature not later than June 30, 2009, on
31 whether the model:

32 (a) Complies with available industry standards or
33 department-adopted standard life cycles derived from the experience of
34 similar public and private entities when industry standards are not
35 available;

36 (b) Is maintained and updated when asset inspections are made;

1 (c) Excludes utilities and other systems that are not replaced on
2 a standard life cycle;

3 (d) Provides that all assets in the life-cycle cost model are
4 inspected and updated for asset condition at least every three years;
5 and

6 (e) Excludes assets not yet built.

7 (3) The committee shall solicit input regarding the study workplan
8 from the joint transportation committee.

9 **TRANSPORTATION AGENCIES--OPERATING**

10 NEW SECTION. **Sec. 201. FOR THE WASHINGTON TRAFFIC SAFETY**
11 **COMMISSION**

| | | |
|----|---|--------------|
| 12 | Highway Safety Account--State Appropriation | \$2,609,000 |
| 13 | Highway Safety Account--Federal Appropriation | \$15,880,000 |
| 14 | School Zone Safety Account--State Appropriation | \$3,300,000 |
| 15 | TOTAL APPROPRIATION | \$21,789,000 |

16 NEW SECTION. **Sec. 202. FOR THE COUNTY ROAD ADMINISTRATION BOARD**

| | | |
|----|---|-------------|
| 17 | Rural Arterial Trust Account--State Appropriation | \$907,000 |
| 18 | Motor Vehicle Account--State Appropriation | \$2,075,000 |
| 19 | County Arterial Preservation Account--State | |
| 20 | Appropriation | \$1,399,000 |
| 21 | TOTAL APPROPRIATION | \$4,381,000 |

22 The appropriations in this section are subject to the following
23 conditions and limitations: \$481,000 of the county arterial
24 preservation account--state appropriation is provided solely for
25 continued development and implementation of a maintenance management
26 system to manage county transportation assets.

27 NEW SECTION. **Sec. 203. FOR THE TRANSPORTATION IMPROVEMENT BOARD**

| | | |
|----|---|-------------|
| 28 | Urban Arterial Trust Account--State Appropriation | \$1,793,000 |
| 29 | Transportation Improvement Account--State | |
| 30 | Appropriation | \$1,795,000 |
| 31 | TOTAL APPROPRIATION | \$3,588,000 |

32 NEW SECTION. **Sec. 204. FOR THE BOARD OF PILOTAGE COMMISSIONERS**

| | | |
|----|---|-------------|
| 33 | Pilotage Account--State Appropriation | \$1,156,000 |
|----|---|-------------|

1 NEW SECTION. **Sec. 205. FOR THE JOINT TRANSPORTATION COMMITTEE**

| | | |
|---|--|-------------|
| 2 | Motor Vehicle Account--State Appropriation | \$2,103,000 |
| 3 | Multimodal Transportation Account--State Appropriation | \$550,000 |
| 4 | TOTAL APPROPRIATION | \$2,653,000 |

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

7 (1) \$500,000 of the motor vehicle account--state appropriation is
8 for establishing a workgroup to implement Engrossed Substitute House
9 Bill No. 2358 (regarding state ferries) and review other matters
10 relating to Washington state ferries. The cochairs of the committee
11 shall establish the workgroup comprising committee members or their
12 designees, an appointee by the governor, and other stakeholders as
13 appointed by the cochairs, to assist in the committee's work. The
14 workgroup shall report the progress of its tasks to the transportation
15 committees of the legislature by December 15, 2007. The workgroup is
16 tasked with the following:

17 (a) Implementing the recommendations of Engrossed Substitute House
18 Bill No. 2358 (regarding state ferries). As directed by Engrossed
19 Substitute House Bill No. 2358, the committee workgroup shall
20 participate in and provide a review of the following:

21 (i) The Washington transportation commission's development and
22 interpretation of a survey of ferry customers;

23 (ii) The department of transportation's analysis and
24 reestablishment of vehicle level of service standards. In
25 reestablishing the standards, consideration must be given to whether
26 boat wait is the appropriate measure;

27 (iii) The department's development of pricing policy proposals. In
28 developing these policies, the policy, in effect on some routes, of
29 collecting fares in only one direction must be evaluated to determine
30 whether one-way fare pricing best serves the ferry system;

31 (iv) The department's development of operational strategies;

32 (v) The department's development of terminal design standards; and

33 (vi) The department's development of a long-range capital plan;

34 (b) Reviewing the following Washington state ferry programs:

35 (i) Ridership demand forecast;

36 (ii) Updated life cycle cost model, as directed by Engrossed
37 Substitute House Bill No. 2358;

1 (iii) Administrative operating costs, nonlabor and nonfuel
2 operating costs, Eagle Harbor maintenance facility program and
3 maintenance costs, administrative and systemwide capital costs, and
4 vessel preservation costs; and

5 (iv) The Washington state ferries' proposed capital cost allocation
6 plan methodology, as described in Engrossed Substitute House Bill No.
7 2358;

8 (c) Making recommendations regarding:

9 (i) The most efficient timing and sizing of future vessel
10 acquisitions beyond those currently authorized by the legislature.
11 Vessel acquisition recommendations must be based on the ridership
12 projections, level of service standards, and operational and pricing
13 strategies reviewed by the committee and must include the impact of
14 those recommendations on the timing and size of terminal capital
15 investments and the state ferries' long range operating and capital
16 finance plans; and

17 (ii) Capital financing strategies for consideration in the 2009
18 legislative session. This work must include confirming the
19 department's estimate of future capital requirements based on a long
20 range capital plan and must include the department's development of a
21 plan for codevelopment and public private partnership opportunities at
22 public ferry terminals; and

23 (d) Evaluate the capital cost allocation plan methodology developed
24 by the department to implement Engrossed Substitute House Bill No.
25 2358.

26 (2) \$250,000 of the motor vehicle account--state appropriation and
27 \$250,000 of the multimodal transportation account--state appropriation
28 are for the implementation of Substitute Senate Bill No. 5207.

29 (3) \$300,000 of the multimodal transportation account--state
30 appropriation is for implementing Substitute House Bill No. 1694
31 (coordinated transportation). If Substitute House Bill No. 1694 is not
32 enacted by June 30, 2007, the amount provided in this subsection shall
33 lapse.

34 **NEW SECTION. Sec. 206. FOR THE TRANSPORTATION COMMISSION**

| | | |
|----|--|-------------|
| 35 | Motor Vehicle Account--State Appropriation | \$2,276,000 |
| 36 | Multimodal Transportation Account--State Appropriation | \$112,000 |
| 37 | TOTAL APPROPRIATION | \$2,388,000 |

1 The appropriations in this section are subject to the following
2 conditions and limitations:

3 (1) \$350,000 of the motor vehicle account--state appropriation is
4 provided solely for the commission to conduct a survey of ferry
5 customers as described in Engrossed Substitute House Bill No. 2358.
6 Development and interpretation of the survey must be done with
7 participation of the joint transportation committee workgroup
8 established in section 205(1) of this act.

9 (2) \$100,000 of the motor vehicle account--state appropriation is
10 provided solely for a study to identify and evaluate long-term
11 financing alternatives for the Washington state ferry system. The
12 study shall incorporate the findings of the initial survey described in
13 subsection (1) of this section, and shall consider the potential for
14 state, regional, or local financing options. The commission shall
15 submit a draft final report of its findings and recommendations to the
16 transportation committees of the legislature no later than December
17 2008.

18 (3) The commission shall conduct a planning grade tolling study
19 that is based on the recommended policies in the commission's
20 comprehensive tolling study submitted September 20, 2006.

21 NEW SECTION. **Sec. 207. FOR THE FREIGHT MOBILITY STRATEGIC**
22 **INVESTMENT BOARD**

23 Motor Vehicle Account--State Appropriation \$695,000

24 The appropriation in this section is subject to the following
25 conditions and limitations:

26 (1) The freight mobility strategic investment board shall, on a
27 quarterly basis, provide status reports to the office of financial
28 management and the transportation committees of the legislature on the
29 delivery of projects funded by this act.

30 (2) The freight mobility strategic investment board and the
31 department of transportation shall collaborate to submit a report to
32 the office of financial management and the transportation committees of
33 the legislature by September 1, 2008, listing proposed freight highway
34 and rail projects. The report must describe the analysis used for
35 selecting such projects, as required by chapter 47.06A RCW for the
36 board and as required by this act for the department. When developing

1 its list of proposed freight highway and rail projects, the freight
2 mobility strategic investment board shall use the priorities identified
3 in section 309(7)(a) of this act to the greatest extent possible.

4 NEW SECTION. **Sec. 208. FOR THE WASHINGTON STATE PATROL--FIELD**
5 **OPERATIONS BUREAU**

| | | |
|----|---|---------------|
| 6 | State Patrol Highway Account--State | |
| 7 | Appropriation | \$225,445,000 |
| 8 | State Patrol Highway Account--Federal | |
| 9 | Appropriation | \$10,602,000 |
| 10 | State Patrol Highway Account--Private/Local | |
| 11 | Appropriation | \$410,000 |
| 12 | TOTAL APPROPRIATION | \$236,457,000 |

13 The appropriations in this section are subject to the following
14 conditions and limitations:

15 (1) Washington state patrol officers engaged in off-duty uniformed
16 employment providing traffic control services to the department of
17 transportation or other state agencies may use state patrol vehicles
18 for the purpose of that employment, subject to guidelines adopted by
19 the chief of the Washington state patrol. The Washington state patrol
20 shall be reimbursed for the use of the vehicle at the prevailing state
21 employee rate for mileage and hours of usage, subject to guidelines
22 developed by the chief of the Washington state patrol.

23 (2) In addition to the user fees, the patrol shall transfer into
24 the state patrol nonappropriated airplane revolving account under RCW
25 43.79.470 no more than the amount of appropriated state patrol highway
26 account and general fund funding necessary to cover the costs for the
27 patrol's use of the aircraft. The state patrol highway account and
28 general fund--state funds shall be transferred proportionately in
29 accordance with a cost allocation that differentiates between highway
30 traffic enforcement services and general policing purposes.

31 (3) The patrol shall not account for or record locally provided DUI
32 cost reimbursement payments as expenditure credits to the state patrol
33 highway account. The patrol shall report the amount of expected
34 locally provided DUI cost reimbursements to the governor and
35 transportation committees of the senate and house of representatives by
36 September 30th of each year.

1 (4) \$1,662,000 of the state patrol highway account--state
2 appropriation is provided solely for the implementation of Substitute
3 House Bill No. 1304 (commercial vehicle enforcement). If Substitute
4 House Bill No. 1304 is not enacted by June 30, 2007, the amount
5 provided in this subsection shall lapse.

6 (5) During the fiscal year 2008, the Washington state patrol shall
7 continue to perform traffic accident investigations on Thurston, Mason,
8 and Lewis county roads, and shall work with the counties to transition
9 the traffic accident investigations on county roads to the counties by
10 July 1, 2008.

11 (6) \$100,000 of the state patrol highway account--state
12 appropriation is provided solely for the implementation of Substitute
13 House Bill No. 1417 (health benefits for surviving dependents). If
14 Substitute House Bill No. 1417 is not enacted by June 30, 2007, the
15 amount provided in this subsection shall lapse.

16 (7) \$3,300,000 of the state patrol highway account--state
17 appropriation is provided solely for the salaries and benefits
18 associated with accretion in the number of troopers employed above
19 1,158 authorized commissioned troopers.

20 NEW SECTION. **Sec. 209. FOR THE WASHINGTON STATE PATROL--**
21 **INVESTIGATIVE SERVICES BUREAU**

22 State Patrol Highway Account--State Appropriation \$1,300,000

23 NEW SECTION. **Sec. 210. FOR THE WASHINGTON STATE PATROL--**
24 **TECHNICAL SERVICES BUREAU**

25 State Patrol Highway Account--State Appropriation \$103,157,000

26 State Patrol Highway Account--Private/Local

27 Appropriation \$2,008,000

28 TOTAL APPROPRIATION \$105,165,000

29 The appropriations in this section are subject to the following
30 conditions and limitations:

31 (1) The Washington state patrol shall work with the risk management
32 division in the office of financial management in compiling the
33 Washington state patrol's data for establishing the agency's risk
34 management insurance premiums to the tort claims account. The office
35 of financial management and the Washington state patrol shall submit a

1 report to the legislative transportation committees by December 31st of
2 each year on the number of claims, estimated claims to be paid, method
3 of calculation, and the adjustment in the premium.

4 (2) \$12,641,000 of the total appropriation is provided solely for
5 automobile fuel in the 2007-2009 biennium.

6 (3) \$8,678,000 of the total appropriation is provided solely for
7 the purchase of pursuit vehicles.

8 (4) \$5,254,000 of the total appropriation is provided solely for
9 vehicle repair and maintenance costs of vehicles used for highway
10 purposes.

11 (5) \$384,000 of the total appropriation is provided solely for the
12 purchase of mission vehicles used for highway purposes in the
13 commercial vehicle and traffic investigation sections of the Washington
14 state patrol.

15 (6) The Washington state patrol may submit information technology
16 related requests for funding only if the patrol has coordinated with
17 the department of information services as required by section 602 of
18 this act.

19 **NEW SECTION. Sec. 211. FOR THE WASHINGTON STATE PATROL--CRIMINAL**
20 **HISTORY AND BACKGROUND CHECKS.** In accordance with RCW 10.97.100 and
21 chapter 43.43 RCW, the Washington state patrol is authorized to perform
22 criminal history and background checks for state and local agencies and
23 nonprofit and other private entities and disseminate the records
24 resulting from these activities. The Washington state patrol is
25 required to charge a fee for these activities, for which it is the
26 policy of the state of Washington that the fees cover the direct and
27 indirect costs of performing the criminal history and background checks
28 and disseminating the information. For each type of criminal history
29 and background check and dissemination of these records, the Washington
30 state patrol shall, as nearly as practicable, set fees at levels
31 sufficient to cover the direct and indirect costs. Pursuant to RCW
32 43.135.055, during the 2007-2009 fiscal biennium, the Washington state
33 patrol may increase fees in excess of the fiscal growth factor if the
34 increases are necessary to fully fund the cost of supervision and
35 regulation.

1 NEW SECTION. **Sec. 212. FOR THE DEPARTMENT OF LICENSING**

| | | |
|----|---|---------------|
| 2 | Marine Fuel Tax Refund Account--State Appropriation | \$32,000 |
| 3 | Motorcycle Safety Education Account--State | |
| 4 | Appropriation | \$3,905,000 |
| 5 | Wildlife Account--State Appropriation | \$843,000 |
| 6 | Highway Safety Account--State Appropriation | \$141,953,000 |
| 7 | Highway Safety Account--Federal Appropriation | \$233,000 |
| 8 | Motor Vehicle Account--State Appropriation | \$79,230,000 |
| 9 | Motor Vehicle Account--Private/Local Appropriation | \$1,372,000 |
| 10 | Motor Vehicle Account--Federal Appropriation | \$117,000 |
| 11 | Department of Licensing Services Account--State | |
| 12 | Appropriation | \$3,540,000 |
| 13 | Washington State Patrol Highway Account--State | |
| 14 | Appropriation | \$1,145,000 |
| 15 | TOTAL APPROPRIATION | \$232,370,000 |

16 The appropriations in this section are subject to the following
17 conditions and limitations:

18 (1) \$2,941,000 of the highway safety account--state appropriation
19 is provided solely for the implementation of Substitute House Bill No.
20 1267 (modifying commercial driver's license requirements). If
21 Substitute House Bill No. 1267 is not enacted by June 30, 2007, the
22 amount provided in this subsection shall lapse. The department shall
23 informally report to the legislature by December 1, 2008, with
24 measurable data indicating the department's progress in meeting its
25 goal of improving public safety by improving the quality of the
26 commercial driver's license testing process.

27 (2) \$716,000 of the motorcycle safety education account--state
28 appropriation is provided solely for the implementation of Senate Bill
29 No. 5273 (modifying motorcycle driver's license endorsement and
30 education provisions). If Senate Bill No. 5273 is not enacted by June
31 30, 2007, the amount provided in this subsection shall lapse.

32 (3) \$8,872,000 of the highway safety account--state appropriation
33 is provided solely for costs associated with the systems development
34 and issuance of enhanced drivers' licenses and identicards to
35 facilitate crossing the Canadian border. If Engrossed Substitute House
36 Bill No. 1289 (relating to the issuance of enhanced drivers' licenses
37 and identicards) is not enacted by June 30, 2007, the amount provided
38 in this subsection shall lapse. The department may expend funds only

1 after acceptance of the enhanced Washington state driver's license for
2 border crossing purposes by the Canadian and United States governments.
3 The department may expend funds only after prior written approval of
4 the director of financial management. Of the amount provided in this
5 subsection, up to \$1,000,000 is for a statewide educational campaign,
6 which must include coordination with existing public and private
7 entities, to inform the Washington public of the benefits of the new
8 enhanced drivers' licenses and identicards.

9 (4) \$91,000 of the motor vehicle account--state appropriation and
10 \$152,000 of the highway safety account--state appropriation are
11 provided solely for contracting with the office of the attorney general
12 to investigate criminal activity uncovered in the course of the
13 agency's licensing and regulatory activities. Funding is provided for
14 the 2008 fiscal year. The department may request funding for the 2009
15 fiscal year if the request is submitted with measurable data indicating
16 the department's progress in meeting its goal of increased prosecution
17 of illegal activity.

18 (5) \$350,000 of the highway safety account--state appropriation is
19 provided solely for the costs associated with the systems development
20 of the interface that will allow insurance carriers and their agents
21 real time, online access to drivers' records. If Substitute Senate
22 Bill No. 5937 is not enacted by June 30, 2007, the amount provided in
23 this subsection shall lapse.

24 (6) \$1,145,000 of the state patrol highway account--state
25 appropriation is provided solely for the implementation of Substitute
26 House Bill No. 1304 (modifying commercial motor vehicle carrier
27 provisions). If Substitute House Bill No. 1304 is not enacted by June
28 30, 2007, the amount provided in this subsection shall lapse.

29 (7) The department may submit information technology related
30 requests for funding only if the department has coordinated with the
31 department of information services as required by section 602 of this
32 act.

33 (8) Within the amounts appropriated in this section, the department
34 shall, working with the legislature, develop a proposal to streamline
35 title and registration statutes to specifically address apparent
36 conflicts, fee distribution, and other recommendations by the
37 department that are revenue neutral and which do not change legislative

1 policy. The department shall report the results of this review to the
2 transportation committees of the legislature by December 1, 2007.

3 NEW SECTION. **Sec. 213. FOR THE DEPARTMENT OF TRANSPORTATION--**
4 **TOLL OPERATIONS AND MAINTENANCE--PROGRAM B**

| | | |
|----|--|--------------|
| 5 | High-Occupancy Toll Lanes Account--State | |
| 6 | Appropriation | \$2,596,000 |
| 7 | Motor Vehicle Account--State Appropriation | \$5,600,000 |
| 8 | Tacoma Narrows Toll Bridge Account--State | |
| 9 | Appropriation | \$28,218,000 |
| 10 | TOTAL APPROPRIATION | \$36,414,000 |

11 The appropriations in this section are subject to the following
12 conditions and limitations:

13 (1) \$5,000,000 of the motor vehicle account--state is provided
14 solely to provide a reserve for the Tacoma Narrows Bridge project.
15 This appropriation shall be held in unallotted status until the office
16 of financial management deems that revenues applicable to the Tacoma
17 Narrows Bridge project are not sufficient to cover the project's
18 expenditures.

19 (2) The department shall solicit private donations to fund
20 activities related to the opening ceremonies of the Tacoma Narrows
21 bridge project.

22 NEW SECTION. **Sec. 214. FOR THE DEPARTMENT OF TRANSPORTATION--**
23 **INFORMATION TECHNOLOGY--PROGRAM C**

| | | |
|----|--|--------------|
| 24 | Transportation Partnership Account--State | |
| 25 | Appropriation | \$4,556,000 |
| 26 | Motor Vehicle Account--State Appropriation | \$67,613,000 |
| 27 | Motor Vehicle Account--Federal Appropriation | \$1,096,000 |
| 28 | Puget Sound Ferry Operations Account--State | |
| 29 | Appropriation | \$9,192,000 |
| 30 | Multimodal Transportation Account--State | |
| 31 | Appropriation | \$363,000 |
| 32 | Transportation 2003 Account (Nickel Account)--State | |
| 33 | Appropriation | \$4,000,000 |
| 34 | TOTAL APPROPRIATION | \$86,820,000 |

35 The appropriations in this section are subject to the following
36 conditions and limitations:

1 (1) The department shall consult with the office of financial
2 management and the department of information services to ensure that
3 (a) the department's current and future system development is
4 consistent with the overall direction of other key state systems; and
5 (b) when possible, use or develop common statewide information systems
6 to encourage coordination and integration of information used by the
7 department and other state agencies and to avoid duplication.

8 (2) The department shall provide updated information on six project
9 milestones for all active projects, funded in part or in whole with
10 2005 transportation partnership account funds or 2003 nickel account
11 funds, on a quarterly basis in the transportation executive information
12 system (TEIS). The department shall also provide updated information
13 on six project milestones for projects, funded with preexisting funds
14 and that are agreed to by the legislature, office of financial
15 management, and the department, on a quarterly basis in TEIS.

16 (3) \$2,300,000 of the motor vehicle account--state appropriation is
17 provided solely for preliminary work needed to transition the
18 department to the state government network. In collaboration with the
19 department of information services the department shall complete an
20 inventory of the current network infrastructure, and develop an
21 implementation plan for transition to the state government network.

22 (4) \$1,000,000 of the motor vehicle account--state appropriation,
23 \$4,556,000 of the transportation partnership account--state
24 appropriation, and \$4,000,000 of the transportation 2003 account
25 (nickel account)--state appropriation are provided solely for the
26 department to develop a project management and reporting system which
27 is a collection of integrated tools for capital construction project
28 managers to use to perform all the necessary tasks associated with
29 project management. The department shall integrate commercial off-the-
30 shelf software with existing department systems and enhanced approaches
31 to data management to provide web-based access for multi-level
32 reporting and improved business workflows and reporting. Beginning
33 September 1, 2007, and on a quarterly basis thereafter, the department
34 shall report to the office of financial management and the
35 transportation committees of the legislature on the status of the
36 development and integration of the system. The first report shall
37 include a detailed work plan for the development and integration of the
38 system including timelines and budget milestones. At a minimum the

1 ensuing reports shall indicate the status of the work as it compares to
2 the work plan, any discrepancies, and proposed adjustments necessary to
3 bring the project back on schedule or budget if necessary.

4 (5) The department may submit information technology related
5 requests for funding only if the department has coordinated with the
6 department of information services as required by section 602 of this
7 act.

8 (6) \$1,600,000 of the motor vehicle account--state appropriation is
9 provided solely for the critical application assessment implementation
10 project. The department shall submit a progress report on the critical
11 application assessment implementation project to the house of
12 representatives and senate transportation committees on or before
13 December 1, 2007, and December 1, 2008, with a final report on or
14 before June 30, 2009.

15 NEW SECTION. **Sec. 215. FOR THE DEPARTMENT OF TRANSPORTATION--**
16 **FACILITY MAINTENANCE, OPERATIONS AND CONSTRUCTION--PROGRAM D--OPERATING**
17 Motor Vehicle Account--State Appropriation \$34,569,000

18 NEW SECTION. **Sec. 216. FOR THE DEPARTMENT OF TRANSPORTATION--**
19 **AVIATION--PROGRAM F**
20 Aeronautics Account--State Appropriation \$6,889,000
21 Aeronautics Account--Federal Appropriation \$2,150,000
22 Multimodal Transportation Account--State Appropriation . . . \$631,000
23 TOTAL APPROPRIATION \$9,670,000

24 The appropriations in this section are subject to the following
25 conditions and limitations: The entire multimodal transportation
26 account--state appropriation is provided solely for the aviation
27 planning council as provided for in RCW 47.68.410.

28 NEW SECTION. **Sec. 217. FOR THE DEPARTMENT OF TRANSPORTATION--**
29 **PROGRAM DELIVERY MANAGEMENT AND SUPPORT--PROGRAM H**
30 Transportation Partnership Account--State
31 Appropriation \$2,422,000
32 Motor Vehicle Account--State Appropriation \$50,446,000
33 Motor Vehicle Account--Federal Appropriation \$500,000
34 Multimodal Transportation Account--State
35 Appropriation \$250,000

1 Transportation 2003 Account (Nickel Account)--State
 2 Appropriation \$2,422,000
 3 TOTAL APPROPRIATION \$56,040,000

4 The appropriation in this section is subject to the following
 5 conditions and limitations: \$2,422,000 of the transportation
 6 partnership account appropriation and \$2,422,000 of the transportation
 7 2003 account (nickel account)--state appropriation are provided solely
 8 for consultant contracts to assist the department in the delivery of
 9 the capital construction program by identifying improvements to program
 10 delivery, program management, project controls, program and project
 11 monitoring, forecasting, and reporting. The consultants shall work
 12 with the department of information services in the development of the
 13 project management and reporting system.

14 The consultants shall provide an updated copy of the capital
 15 construction strategic plan to the legislative transportation
 16 committees and to the office of financial management on June 30, 2008,
 17 and each year thereafter.

18 The department shall coordinate its work with other budget and
 19 performance efforts, including Roadmap, the findings of the critical
 20 applications modernization and integration strategies study, including
 21 proposed next steps, and the priorities of government process.

22 The department shall report to the transportation committees of the
 23 house of representatives and senate, and the office of financial
 24 management, by December 31, 2007, on the implementation status of
 25 recommended capital budgeting and reporting options. Options must
 26 include: Reporting against legislatively-established project
 27 identification numbers and may include recommendations for reporting
 28 against other appropriate project groupings; measures for reporting
 29 progress, timeliness, and cost which create an incentive for the
 30 department to manage effectively and report its progress in a
 31 transparent manner; and criteria and process for transfers of funds
 32 among projects.

33 NEW SECTION. **Sec. 218. FOR THE DEPARTMENT OF TRANSPORTATION--**
 34 **ECONOMIC PARTNERSHIPS--PROGRAM K**

35 Motor Vehicle Account--State Appropriation \$1,151,000
 36 Multimodal Transportation Account--State Appropriation \$300,000
 37 TOTAL APPROPRIATION \$1,451,000

1 The appropriation in this section is subject to the following
2 conditions and limitations:

3 (1) \$300,000 of the multimodal account--state appropriation is
4 provided solely for the department to hire a consultant to develop a
5 plan for codevelopment and public-private partnership opportunities at
6 public ferry terminals.

7 (2) The department shall conduct an analysis and, if determined to
8 be feasible, initiate requests for proposals involving the distribution
9 of alternative fuels along state department of transportation
10 rights-of-way.

11 NEW SECTION. **Sec. 219. FOR THE DEPARTMENT OF TRANSPORTATION--**
12 **HIGHWAY MAINTENANCE--PROGRAM M**

| | | |
|----|--|---------------|
| 13 | Motor Vehicle Account--State Appropriation | \$321,888,000 |
| 14 | Motor Vehicle Account--Federal Appropriation | \$2,000,000 |
| 15 | Motor Vehicle Account--Private/Local Appropriation | \$5,797,000 |
| 16 | TOTAL APPROPRIATION | \$329,685,000 |

17 The appropriations in this section are subject to the following
18 conditions and limitations:

19 (1) If portions of the appropriations in this section are required
20 to fund maintenance work resulting from major disasters not covered by
21 federal emergency funds such as fire, flooding, and major slides,
22 supplemental appropriations must be requested to restore state funding
23 for ongoing maintenance activities.

24 (2) The department shall request an unanticipated receipt for any
25 federal moneys received for emergency snow and ice removal and shall
26 place an equal amount of the motor vehicle account--state into
27 unallotted status. This exchange shall not affect the amount of
28 funding available for snow and ice removal.

29 (3) The department shall request an unanticipated receipt for any
30 private or local funds received for reimbursements of third party
31 damages that are in excess of the motor vehicle account--private/local
32 appropriation.

33 (4) \$1,500,000 of the motor vehicle account--federal appropriation
34 is provided for unanticipated federal funds that may be received during
35 the 2007-09 biennium. Upon receipt of the funds, the department shall
36 provide a report on the use of the funds to the transportation
37 committees of the legislature and the office of financial management.

1 (5) Funding is provided for maintenance on the state system to
2 deliver service level targets as listed in LEAP Transportation Document
3 2007-C, as developed April 20, 2007. In delivering the program and
4 aiming for these targets, the department should concentrate on the
5 following areas:

6 (a) Eliminating the number of activities delivered in the "f" level
7 of service at the region level; and

8 (b) Evaluating, analyzing, and potentially redistributing resources
9 within and among regions to provide greater consistency in delivering
10 the program statewide and in achieving overall level of service
11 targets.

12 (6) The department may work with the department of corrections to
13 utilize corrections crews for the purposes of litter pickup on state
14 highways.

15 (7) \$650,000 of the motor vehicle account--state appropriation is
16 provided solely for increased asphalt costs.

17 NEW SECTION. **Sec. 220. FOR THE DEPARTMENT OF TRANSPORTATION--**
18 **TRAFFIC OPERATIONS--PROGRAM Q--OPERATING**

| | | |
|----|--|--------------|
| 19 | Motor Vehicle Account--State Appropriation | \$52,040,000 |
| 20 | Motor Vehicle Account--Federal Appropriation | \$2,050,000 |
| 21 | Motor Vehicle Account--Private/Local Appropriation | \$127,000 |
| 22 | TOTAL APPROPRIATION | \$54,217,000 |

23 The appropriations in this section are subject to the following
24 conditions and limitations:

25 (1) \$654,000 of the motor vehicle account--state appropriation is
26 provided solely for the department to time state-owned and operated
27 traffic signals. This funding may also be used to program incident,
28 emergency, or special event signal timing plans.

29 (2) \$346,000 of the motor vehicle account--state appropriation is
30 provided solely for the department to implement a pilot tow truck
31 incentive program. The department may provide incentive payments to
32 towing companies that meet clearance goals on accidents that involve
33 heavy trucks.

34 (3) \$6,800,000 of the motor vehicle account--state appropriation is
35 provided solely for low-cost enhancements. The department shall give
36 priority to low-cost enhancement projects that improve safety or
37 provide congestion relief. The department shall prioritize low-cost

1 enhancement projects on a statewide rather than regional basis. By
2 January 1, 2008, and January 1, 2009, the department shall provide a
3 report to the legislature listing all low-cost enhancement projects
4 prioritized on a statewide rather than regional basis completed in the
5 prior year.

6 (4) The department, in consultation with the Washington state
7 patrol, may conduct a pilot program for the patrol to issue infractions
8 based on information from automated traffic safety cameras in roadway
9 construction zones on state highways when workers are present.

10 (a) In order to ensure adequate time in the 2007-09 biennium to
11 evaluate the effectiveness of the pilot program, any projects
12 authorized by the department must be authorized by December 31, 2007.

13 (b) The department shall use the following guidelines to administer
14 the program:

15 (i) Automated traffic safety cameras may only take pictures of the
16 vehicle and vehicle license plate and only while an infraction is
17 occurring. The picture must not reveal the face of the driver or of
18 passengers in the vehicle;

19 (ii) The department shall plainly mark the locations where the
20 automated traffic safety cameras are used by placing signs on locations
21 that clearly indicate to a driver that he or she is entering a roadway
22 construction zone where traffic laws are enforced by an automated
23 traffic safety camera;

24 (iii) Notices of infractions must be mailed to the registered owner
25 of a vehicle within fourteen days of the infraction occurring;

26 (iv) The owner of the vehicle is not responsible for the violation
27 if the owner of the vehicle, within fourteen days of receiving
28 notification of the violation, mails to the patrol, a declaration under
29 penalty of perjury, stating that the vehicle involved was, at the time,
30 stolen or in the care, custody, or control of some person other than
31 the registered owner, or any other extenuating circumstances;

32 (v) For purposes of the 2007-09 biennium pilot project, infractions
33 detected through the use of automated traffic safety cameras are not
34 part of the registered owner's driving record under RCW 46.52.101 and
35 46.52.120. Additionally, infractions generated by the use of automated
36 traffic safety cameras must be processed in the same manner as parking
37 infractions for the purposes of RCW 3.46.120, 3.50.100, 35.20.220,
38 46.16.216, and 46.20.270(3). However, the amount of the fine issued

1 for an infraction generated through the use of an automated traffic
2 safety camera is one hundred thirty-seven dollars. The court shall
3 remit thirty-two dollars of the fine to the state treasurer for deposit
4 into the state patrol highway account;

5 (vi) If a notice of infraction is sent to the registered owner and
6 the registered owner is a rental car business, the infraction will be
7 dismissed against the business if it mails to the patrol, within
8 fourteen days of receiving the notice, a declaration under penalty of
9 perjury of the name and known mailing address of the individual driving
10 or renting the vehicle when the infraction occurred. If the business
11 is unable to determine who was driving or renting the vehicle at the
12 time the infraction occurred, the business must sign a declaration
13 under penalty of perjury to this effect. The declaration must be
14 mailed to the patrol within fourteen days of receiving the notice of
15 traffic infraction. Timely mailing of this declaration to the issuing
16 agency relieves a rental car business of any liability under this
17 section for the notice of infraction. A declaration form suitable for
18 this purpose must be included with each automated traffic infraction
19 notice issued, along with instructions for its completion and use; and

20 (vii) By June 30, 2009, the department shall provide a report to
21 the legislature regarding the use, public acceptance, outcomes, and
22 other relevant issues regarding the pilot project.

23 NEW SECTION. **Sec. 221. FOR THE DEPARTMENT OF TRANSPORTATION--**
24 **TRANSPORTATION MANAGEMENT AND SUPPORT--PROGRAM S**

| | | |
|----|--|--------------|
| 25 | Motor Vehicle Account--State Appropriation | \$28,215,000 |
| 26 | Motor Vehicle Account--Federal Appropriation | \$30,000 |
| 27 | Puget Sound Ferry Operations Account--State | |
| 28 | Appropriation | \$1,321,000 |
| 29 | Multimodal Transportation Account--State | |
| 30 | Appropriation | \$1,223,000 |
| 31 | TOTAL APPROPRIATION | \$30,789,000 |

32 The appropriations in this section are subject to the following
33 conditions and limitations:

34 (1) The department shall work with staffs from the legislative
35 evaluation and accountability program committee, the transportation
36 committees of the legislature, and the office of financial management

1 on developing a new capital budgeting system to meet identified
2 information needs.

3 (2) \$250,000 of the multimodal account--state appropriation is
4 provided solely for implementing a wounded combat veteran's internship
5 program, administered by the department. The department shall seek
6 federal funding to support the continuation of this program.

7 NEW SECTION. **Sec. 222. FOR THE DEPARTMENT OF TRANSPORTATION--**
8 **TRANSPORTATION PLANNING, DATA, AND RESEARCH--PROGRAM T**

| | | |
|----|--|--------------|
| 9 | Motor Vehicle Account--State Appropriation | \$30,698,000 |
| 10 | Motor Vehicle Account--Federal Appropriation | \$19,163,000 |
| 11 | Multimodal Transportation Account--State | |
| 12 | Appropriation | \$1,029,000 |
| 13 | Multimodal Transportation Account--Federal | |
| 14 | Appropriation | \$2,809,000 |
| 15 | Multimodal Transportation Account--Private/Local | |
| 16 | Appropriation | \$100,000 |
| 17 | TOTAL APPROPRIATION | \$53,799,000 |

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

20 (1) \$3,900,000 of the motor vehicle account--state appropriation is
21 provided solely for the costs of the regional transportation investment
22 district (RTID) and department of transportation project oversight.
23 The department shall provide support from its urban corridors region to
24 assist in preparing project costs, expenditure plans, and modeling.
25 The department shall not deduct a management reserve, nor charge
26 management or overhead fees. These funds, including those expended
27 since 2003, are provided as a loan to the RTID and shall be repaid to
28 the state within one year following formation of the RTID. \$2,391,000
29 of the amount provided under this subsection shall lapse, effective
30 January 1, 2008, if voters fail to approve formation of the RTID at the
31 2007 general election, as determined by the certification of the
32 election results.

33 (2) \$300,000 of the multimodal transportation account--state
34 appropriation is provided solely for a transportation demand management
35 program, developed by the Whatcom council of governments, to further
36 reduce drive-alone trips and maximize the use of sustainable
37 transportation choices. The community-based program must focus on all

1 trips, not only commute trips, by providing education, assistance, and
2 incentives to four target audiences: (a) Large work sites; (b)
3 employees of businesses in downtown areas; (c) school children; and (d)
4 residents of Bellingham.

5 (3) \$320,000 of the motor vehicle account--state appropriation and
6 \$128,000 of the motor vehicle account--federal appropriation are
7 provided solely for development of a freight database to help guide
8 freight investment decisions and track project effectiveness. The
9 database will be based on truck movement tracked through geographic
10 information system technology. TransNow will contribute an additional
11 \$192,000 in federal funds which are not appropriated in the
12 transportation budget. The department shall work with the freight
13 mobility strategic investment board to implement this project.

14 (4) By December 1, 2008, the department shall require confirmation
15 from jurisdictions that plan under the growth management act, chapter
16 36.70A RCW, and that receive state transportation funding under this
17 act, that the jurisdictions have adopted standards for access
18 permitting on state highways that meet or exceed department standards
19 in accordance with RCW 47.50.030. The objective of this subsection is
20 to encourage local governments, through the receipt of state
21 transportation funding, to adhere to best practices in access control
22 applicable to development activity significantly impacting state
23 transportation facilities. By January 1, 2009, the department shall
24 submit a report to the appropriate committees of the legislature
25 detailing the progress of the local jurisdictions in adopting the
26 highway access permitting standards.

27 (5) \$150,000 of the motor vehicle account--federal appropriation is
28 provided solely for the costs to develop an electronic map-based
29 computer application that will enable law enforcement officers and
30 others to more easily locate collisions and other incidents in the
31 field.

32 (6) The department shall add a position within the freight systems
33 division to provide expertise regarding the trucking aspects of the
34 state's freight system.

35 (7) The department shall evaluate the feasibility of developing a
36 freight corridor bypass from Everett to Gold Bar on US 2, including a
37 connection to SR 522. US 2 is an important freight corridor, and is an
38 alternative route for I-90. Congestion, safety issues, and flooding

1 concerns have all contributed to the need for major improvements to the
2 corridor. The evaluation shall consider the use of toll lanes for the
3 project. The department must report to the transportation committees
4 of the legislature by December 1, 2007, on its analysis and
5 recommendations regarding the benefit of a freight corridor and the
6 potential use of freight toll lanes to improve safety and congestion in
7 the corridor.

8 NEW SECTION. **Sec. 223. FOR THE DEPARTMENT OF TRANSPORTATION--**
9 **CHARGES FROM OTHER AGENCIES--PROGRAM U**

| | | |
|----|--|--------------|
| 10 | Motor Vehicle Account--State Appropriation | \$66,342,000 |
| 11 | Motor Vehicle Account--Federal Appropriation | \$400,000 |
| 12 | Multimodal Transportation Account--State | |
| 13 | Appropriation | \$259,000 |
| 14 | TOTAL APPROPRIATION | \$67,001,000 |

15 The appropriations in this section are subject to the following
16 conditions and limitations:

17 (1) \$36,665,000 of the motor vehicle fund--state appropriation is
18 provided solely for the liabilities attributable to the department of
19 transportation. The office of financial management must provide a
20 detailed accounting of the revenues and expenditures of the self-
21 insurance fund to the transportation committees of the legislature on
22 December 31st and June 30th of each year.

23 (2) Payments in this section represent charges from other state
24 agencies to the department of transportation.

25 (a) FOR PAYMENT OF OFFICE OF FINANCIAL MANAGEMENT
26 DIVISION OF RISK MANAGEMENT FEES \$1,520,000

27 (b) FOR PAYMENT OF COSTS OF THE OFFICE OF THE STATE
28 AUDITOR \$1,150,000

29 (c) FOR PAYMENT OF COSTS OF DEPARTMENT OF GENERAL
30 ADMINISTRATION FACILITIES AND SERVICES AND CONSOLIDATED
31 MAIL SERVICES \$4,157,000

32 (d) FOR PAYMENT OF COSTS OF THE DEPARTMENT OF
33 PERSONNEL \$4,033,000

34 (e) FOR PAYMENT OF SELF-INSURANCE LIABILITY
35 PREMIUMS AND ADMINISTRATION \$36,665,000

36 (f) FOR PAYMENT OF THE DEPARTMENT OF GENERAL
37 ADMINISTRATION CAPITAL PROJECTS SURCHARGE \$1,838,000

1 with special transportation needs. To receive a grant, the transit
2 agency must have a maintenance of effort for special needs
3 transportation that is no less than the previous year's maintenance of
4 effort for special needs transportation. Grants for transit agencies
5 shall be prorated based on the amount expended for demand response
6 service and route deviated service in calendar year 2005 as reported in
7 the "Summary of Public Transportation - 2005" published by the
8 department of transportation. No transit agency may receive more than
9 thirty percent of these distributions.

10 (2) Funds are provided for the rural mobility grant program as
11 follows:

12 (a) \$8,500,000 of the multimodal transportation account--state
13 appropriation is provided solely for grants for those transit systems
14 serving small cities and rural areas as identified in the Summary of
15 Public Transportation - 2005 published by the department of
16 transportation. Noncompetitive grants must be distributed to the
17 transit systems serving small cities and rural areas in a manner
18 similar to past disparity equalization programs.

19 (b) \$8,500,000 of the multimodal transportation account--state
20 appropriation is provided solely to providers of rural mobility service
21 in areas not served or underserved by transit agencies through a
22 competitive grant process.

23 (3) \$8,600,000 of the multimodal transportation account--state
24 appropriation is provided solely for a vanpool grant program for: (a)
25 Public transit agencies to add vanpools; and (b) incentives for
26 employers to increase employee vanpool use. The grant program for
27 public transit agencies will cover capital costs only; no operating
28 costs for public transit agencies are eligible for funding under this
29 grant program. No additional employees may be hired from the funds
30 provided in this section for the vanpool grant program, and supplanting
31 of transit funds currently funding vanpools is not allowed. Additional
32 criteria for selecting grants must include leveraging funds other than
33 state funds.

34 (4) \$40,000,000 of the regional mobility grant program account--
35 state appropriation is provided solely for the regional mobility grant
36 projects identified on the LEAP Transportation Document 2007-B as
37 developed April 20, 2007. The department shall review all projects
38 receiving grant awards under this program at least semiannually to

1 determine whether the projects are making satisfactory progress. Any
2 project that has been awarded funds, but does not report activity on
3 the project within one year of the grant award, shall be reviewed by
4 the department to determine whether the grant should be terminated.
5 The department shall promptly close out grants when projects have been
6 completed, and any remaining funds available to the office of transit
7 mobility shall be used only to fund projects on the LEAP Transportation
8 Document 2007-B as developed April 20, 2007. The department shall
9 provide annual status reports on December 15, 2007, and December 15,
10 2008, to the office of financial management and the transportation
11 committees of the legislature regarding the projects receiving the
12 grants.

13 (5) \$17,168,087 of the multimodal transportation account--state
14 appropriation is reappropriated and provided solely for the regional
15 mobility grant projects identified on the LEAP Transportation Document
16 2006-D, regional mobility grant program projects as developed March 8,
17 2006. The department shall continue to review all projects receiving
18 grant awards under this program at least semiannually to determine
19 whether the projects are making satisfactory progress. The department
20 shall promptly close out grants when projects have been completed, and
21 any remaining funds available to the office of transit mobility shall
22 be used only to fund projects on the LEAP Transportation Document
23 2007-B as developed April 20, 2007, or the LEAP Transportation Document
24 2006-D as developed March 8, 2006.

25 (6) \$200,000 of the multimodal transportation account--state
26 appropriation is provided solely for the department to study and then
27 develop pilot programs aimed at addressing commute trip reduction
28 strategies for K-12 students and for college and university students.
29 The department shall submit to the legislature by January 1, 2009, a
30 summary of the program results and recommendations for future student
31 commute trip reduction strategies. The pilot programs are described as
32 follows:

33 (a) The department shall consider approaches, including mobility
34 education, to reducing and removing traffic congestion in front of
35 schools by changing travel behavior for elementary, middle, and high
36 school students and their parents; and

37 (b) The department shall design a program that includes student

1 employment options as part of the pilot program applicable to college
2 and university students.

3 (7) \$2,400,000 of the multimodal account--state appropriation is
4 provided solely for establishing growth and transportation efficiency
5 centers (GTEC). Funds are appropriated for one time only. The
6 department shall provide in its annual report to the legislature an
7 evaluation of the GTEC concept and recommendations on future funding
8 levels.

9 (8) \$381,000 of the multimodal transportation account--state
10 appropriation is provided solely for the implementation of Substitute
11 House Bill No. 1694 (reauthorizing the agency council on coordinated
12 transportation). If Substitute House Bill No. 1694 is not enacted by
13 June 30, 2007, the amount provided in this subsection shall lapse.

14 (9) \$136,000 of the multimodal transportation account--
15 private/local appropriation is provided solely for the implementation
16 of Senate Bill No. 5084 (updating rail transit safety plans). If
17 Senate Bill No. 5084 is not enacted by June 30, 2007, the amount
18 provided in this subsection shall lapse.

19 (10) \$60,000 of the multimodal transportation account--state
20 appropriation is provided solely for low-income car ownership programs.
21 The department shall collaborate with interested regional
22 transportation planning organizations and metropolitan planning
23 organizations to determine the effectiveness of the programs at
24 providing transportation solutions for low-income persons who depend
25 upon cars to travel to their places of employment.

26 (11) \$1,000,000 of the multimodal transportation account--state
27 appropriation is provided solely for additional funding for the trip
28 reduction performance program, including telework enhancement projects.
29 Funds are appropriated for one time only.

30 (12) \$2,000,000 of the multimodal transportation account--state
31 appropriation is provided solely for the tri-county connection service
32 for Island, Skagit, and Whatcom transit agencies.

33 NEW SECTION. **Sec. 225. FOR THE DEPARTMENT OF TRANSPORTATION--**
34 **MARINE--PROGRAM X**

| | |
|--|---------------|
| 35 Puget Sound Ferry Operations Account--State | |
| 36 Appropriation | \$412,189,000 |
| 37 Multimodal Transportation Account--State | |

1 Appropriation \$1,830,000
2 TOTAL APPROPRIATION \$414,019,000

3 The appropriations in this section are subject to the following
4 conditions and limitations:

5 (1) \$79,191,000 of the Puget Sound ferry operations--state
6 appropriation is provided solely for auto ferry vessel operating fuel
7 in the 2007-2009 biennium.

8 (2) The Washington state ferries must work with the department's
9 information technology division to implement an electronic fare system,
10 including the integration of the regional fare coordination system
11 (smart card). Each December and June, semiannual updates must be
12 provided to the transportation committees of the legislature concerning
13 the status of implementing and completing this project, with updates
14 concluding the first December after full project implementation.

15 (3) The Washington state ferries shall continue to provide service
16 to Sidney, British Columbia.

17 (4) \$1,830,000 of the multimodal transportation account--state
18 appropriation is provided solely to provide passenger-only ferry
19 service. The ferry system shall continue passenger-only ferry service
20 from Vashon Island to Seattle through June 30, 2008. Ferry system
21 management shall continue to implement its agreement with the
22 inlandboatmen's union of the pacific and the international organization
23 of masters, mates and pilots providing for part-time passenger-only
24 work schedules.

25 (5) \$932,000 of the Puget Sound ferries operations account--state
26 appropriation is provided solely for compliance with department of
27 ecology rules regarding the transfer of oil on or near state waters.
28 Funding for compliance with on-board fueling rules is provided for the
29 2008 fiscal year. The department may request funding for the 2009
30 fiscal year if the request is submitted with an alternative compliance
31 plan filed with the department of ecology, as allowed by rule.

32 (6) \$1,116,000 of the Puget Sound ferry operations account--state
33 appropriation is provided solely for ferry security operations
34 necessary to comply with the ferry security plan submitted by the
35 Washington state ferry system to the United States coast guard. The
36 department shall track security costs and expenditures. Ferry security
37 operations costs shall not be included as part of the operational costs
38 that are used to calculate farebox recovery.

1 (7) \$378,000 of the Puget Sound ferry operations account--state
2 appropriation is provided solely to meet the United States coast guard
3 requirements for appropriate rest hours between shifts for vessel crews
4 on the Bainbridge to Seattle and Edmonds to Kingston ferry routes.

5 (8) \$694,000 of the Puget Sound ferries operating account--state
6 appropriation is provided solely for implementing Engrossed Substitute
7 House Bill No. 2358 as follows:

8 (a) The department shall allow the joint transportation committee
9 workgroup established in section 205(1) of this act to participate in
10 the following elements as they are described in Engrossed Substitute
11 House Bill No. 2358:

12 (i) Development and implementation of a survey of ferry customers;

13 (ii) Analysis and reestablishment of vehicle level of service
14 standards. In reestablishing the standards, consideration shall be
15 given to whether boat wait is the appropriate measure. The level of
16 service standard shall be reestablished in conjunction with or after
17 the survey has been implemented;

18 (iii) Development of pricing policy proposals. In developing these
19 policies, the policies, in effect on some routes, of collecting fares
20 in only one direction shall be evaluated to determine whether one-way
21 fare pricing best serves the ferry system. The pricing policy
22 proposals must be developed in conjunction with or after the survey has
23 been implemented;

24 (iv) Development of operational strategies. The operational
25 strategies shall be reestablished in conjunction with the survey or
26 after the survey has been implemented;

27 (v) Development of terminal design standards. The terminal design
28 standards shall be finalized after the provisions of subsections (a)(i)
29 through (iv) and subsection (b) of this section have been developed and
30 reviewed by the joint transportation committee; and

31 (vi) Development of a capital plan. The capital plan shall be
32 finalized after terminal design standards have been developed by the
33 department and reviewed by the joint transportation committee.

34 (b) The department shall develop a ridership demand forecast that
35 shall be used in the development of a long-range capital plan. If more
36 than one forecast is developed they must be reconciled.

37 (c) The department shall update the life cycle cost model to meet

1 the requirements of Engrossed Substitute House Bill No. 2358 no later
2 than August 1, 2007.

3 (d) The department shall develop a cost allocation methodology
4 proposal to meet the requirements described in Engrossed Substitute
5 House Bill No. 2358. The proposal shall be completed and presented to
6 the joint transportation committee no later than August 1, 2007.

7 NEW SECTION. **Sec. 226. FOR THE DEPARTMENT OF TRANSPORTATION--**
8 **RAIL--PROGRAM Y--OPERATING**

9 Multimodal Transportation Account--State Appropriation . . \$37,034,000

10 The appropriation in this section is subject to the following
11 conditions and limitations:

12 (1) The department shall publish a final long-range plan for Amtrak
13 Cascades by September 30, 2007. By December 31, 2008, the department
14 shall submit to the office of financial management and the
15 transportation committees of the legislature a midrange plan for Amtrak
16 Cascades that identifies specific steps the department would propose to
17 achieve additional service beyond current levels.

18 (2)(a) \$29,091,000 of the multimodal transportation account--state
19 appropriation is provided solely for the Amtrak service contract and
20 Talgo maintenance contract associated with providing and maintaining
21 the state-supported passenger rail service. Upon completion of the
22 rail platform project in the city of Stanwood, the department shall
23 provide daily Amtrak Cascades service to the city.

24 (b) The department shall negotiate with Amtrak and Burlington
25 Northern Santa Fe to adjust the Amtrak Cascades schedule to leave
26 Bellingham at a significantly earlier hour.

27 (c) When Amtrak Cascades expands the second roundtrip between
28 Vancouver, B.C. and Seattle, the department shall negotiate for the
29 second roundtrip to leave Bellingham southbound no later than 8:30 a.m.

30 (3) No Amtrak Cascade runs may be eliminated.

31 (4) \$40,000 of the multimodal transportation account--state
32 appropriation is provided solely for the produce railcar program. The
33 department is encouraged to implement the produce railcar program by
34 maximizing private investment.

35 (5) The department shall begin planning for a third roundtrip
36 Cascades train between Seattle and Vancouver, B.C. by 2010.

1 NEW SECTION. **Sec. 227. FOR THE DEPARTMENT OF TRANSPORTATION--**
2 **LOCAL PROGRAMS--PROGRAM Z--OPERATING**

| | | |
|---|--|--------------|
| 3 | Motor Vehicle Account--State Appropriation | \$8,630,000 |
| 4 | Motor Vehicle Account--Federal Appropriation | \$2,567,000 |
| 5 | TOTAL APPROPRIATION | \$11,197,000 |

6 **TRANSPORTATION AGENCIES--CAPITAL**

7 NEW SECTION. **Sec. 301. FOR THE WASHINGTON STATE PATROL**

| | | |
|---|---|-------------|
| 8 | State Patrol Highway Account--State Appropriation | \$2,934,000 |
|---|---|-------------|

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

11 (1) \$2,200,000 is provided solely for the following minor works
12 projects: \$195,000 for HVAC renovation at the Chehalis, Kelso,
13 Okanogan, and Ellensburg detachments; \$50,000 for roof replacements at
14 the Toppenish, SeaTac NB, SeaTac SB, and Plymouth weigh stations;
15 \$35,000 for replacement of the Shelton academy roof drain and
16 downspout; \$100,000 for parking lot repairs at Okanogan, Goldendale,
17 Ritzville, and Moses Lake detachment offices and the Wenatchee 6
18 headquarters; \$290,000 for replacement of the weigh station scales at
19 Brady and Artic; \$152,000 for carpet replacement at the Ritzville,
20 Moses Lake, Morton, Kelso, Chehalis, Walla Walla, Kennewick, South
21 King, and Hoquiam detachment offices; \$185,000 for HVAC replacement at
22 Tacoma and Marysville detachment offices; \$330,000 for repair and
23 upgrade of the Bellevue tower; \$473,000 for replacement of twenty-one
24 communication site underground fuel tanks; \$240,000 for replacement of
25 communication site buildings at Lind, Scoggans Mountain, and Lewiston
26 Ridge; and \$150,000 for unforeseen emergency repairs.

27 (2) \$687,000 is provided solely for design and construction of
28 regional waste water treatment systems for the Shelton academy of the
29 Washington state patrol.

30 (3) \$47,000 is provided solely for predesign of a single,
31 consolidated aviation facility at the Olympia airport to house the
32 fixed wing operations of the Washington state patrol, the department of
33 natural resources (DNR), and the department of fish and wildlife, and
34 the rotary operations of the DNR.

NEW SECTION. Sec. 302. FOR THE COUNTY ROAD ADMINISTRATION BOARD

| | |
|---|--------------|
| Rural Arterial Trust Account--State Appropriation | \$64,000,000 |
| Motor Vehicle Account--State Appropriation | \$2,368,000 |
| County Arterial Preservation Account--State | |
| Appropriation | \$32,861,000 |
| TOTAL APPROPRIATION | \$99,229,000 |

The appropriations in this section are subject to the following conditions and limitations: \$2,069,000 of the motor vehicle account--state appropriation may be used for county ferries. The board shall review the requests for county ferry funding in consideration with other projects funded from the board. If the board determines these projects are a priority over the projects in the rural arterial and county arterial preservation grant programs, then they may provide funding for these requests.

NEW SECTION. Sec. 303. FOR THE TRANSPORTATION IMPROVEMENT BOARD

| | |
|---|---------------|
| Small City Pavement and Sidewalk Account--State | |
| Appropriation | \$4,500,000 |
| Urban Arterial Trust Account--State Appropriation | \$129,600,000 |
| Transportation Improvement Account--State | |
| Appropriation | \$90,643,000 |
| TOTAL APPROPRIATION | \$224,743,000 |

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

(1) The transportation improvement account--state appropriation includes up to \$7,143,000 in proceeds from the sale of bonds authorized in RCW 47.26.500.

(2) The urban arterial trust account--state appropriation includes up to \$15,000,000 in proceeds from the sale of bonds authorized in Substitute House Bill No. 2394. If Substitute House Bill No. 2394 is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.

NEW SECTION. Sec. 304. FOR THE DEPARTMENT OF TRANSPORTATION--PROGRAM D (DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)--CAPITAL

| | |
|--|-------------|
| Motor Vehicle Account--State Appropriation | \$6,202,000 |
|--|-------------|

1 The appropriation in this section is subject to the following
2 conditions and limitations:

3 (1) \$584,000 of the motor vehicle account--state appropriation is
4 for statewide administration.

5 (2) \$750,000 of the motor vehicle account--state appropriation is
6 for regional minor projects.

7 (3) \$568,000 of the motor vehicle account--state appropriation is
8 for the Olympic region headquarters property payments.

9 (4) By September 1, 2007, the department shall submit to the
10 transportation committees of the legislature predesign plans, developed
11 using the office of financial management's predesign process, for all
12 facility replacement projects to be proposed in the facilities 2008
13 budget proposal.

14 (5) \$1,600,000 of the motor vehicle account--state appropriation is
15 for site acquisition for the Tri-cities area maintenance facility.

16 (6) \$2,700,000 of the motor vehicle account--state appropriation is
17 for site acquisition for the Vancouver light industrial facility.

18 (7) The department shall work with the office of financial
19 management and staff of the transportation committees of the
20 legislature to develop a statewide inventory of all department-owned
21 surplus property that is suitable for development for department
22 facilities or that should be sold. By December 1, 2008, the department
23 shall report to the joint transportation committee on the findings of
24 this study.

25 NEW SECTION. **Sec. 305. FOR THE DEPARTMENT OF TRANSPORTATION--**
26 **IMPROVEMENTS--PROGRAM I**

| | | |
|----|---|-----------------|
| 27 | Transportation Partnership Account--State | |
| 28 | Appropriation | \$1,226,516,000 |
| 29 | Motor Vehicle Account--State Appropriation | \$82,045,000 |
| 30 | Motor Vehicle Account--Federal Appropriation | \$404,090,000 |
| 31 | Motor Vehicle Account--Private/Local | |
| 32 | Appropriation | \$49,157,000 |
| 33 | Special Category C Account--State Appropriation | \$29,968,000 |
| 34 | Tacoma Narrows Toll Bridge Account--State | |
| 35 | Appropriation | \$142,484,000 |
| 36 | Transportation 2003 Account (Nickel Account)--State | |
| 37 | Appropriation | \$1,100,746,000 |

1 Freight Congestion Relief Account--State
 2 Appropriation \$40,000,000
 3 TOTAL APPROPRIATION \$3,075,006,000

4 The appropriations in this section are subject to the following
 5 conditions and limitations:

6 (1) The entire transportation 2003 account (nickel account)
 7 appropriation and the entire transportation partnership account
 8 appropriation are provided solely for the projects and activities as
 9 listed by fund, project, and amount in LEAP Transportation Document
 10 2007-1, Highway Improvement Program (I) as developed April 20, 2007.
 11 However, limited transfers of specific line-item project appropriations
 12 may occur between projects for those amounts listed subject to the
 13 conditions and limitations in section 603 of this act.

14 (2) The department shall not commence construction on any part of
 15 the state route number 520 bridge replacement and HOV project until a
 16 record of decision has been reached providing reasonable assurance that
 17 project impacts will be avoided, minimized, or mitigated as much as
 18 practicable to protect against further adverse impacts on neighborhood
 19 environmental quality as a result of repairs and improvements made to
 20 the state route 520 bridge and its connecting roadways, and that any
 21 such impacts will be addressed through engineering design choices,
 22 mitigation measures, or a combination of both. The requirements of
 23 this section shall not apply to off-site pontoon construction
 24 supporting the state route number 520 bridge replacement and HOV
 25 project.

26 (3) Within the amounts provided in this section, \$1,991,000 of the
 27 transportation partnership account--state appropriation, \$1,656,000 of
 28 the motor vehicle account--federal appropriation, and \$8,343,000 of the
 29 transportation 2003 account (nickel account)--state appropriation are
 30 for project 109040T as identified in the LEAP transportation document
 31 in subsection (1) of this section: I-90/Two Way Transit-Transit and
 32 HOV Improvements - Stage 1. Expenditure of the funds on construction
 33 is contingent upon revising the access plan for Mercer Island traffic
 34 such that Mercer Island traffic will have access to the outer roadway
 35 high occupancy vehicle (HOV) lanes during the period of operation of
 36 such lanes following the removal of Mercer Island traffic from the
 37 center roadway and prior to conversion of the outer roadway HOV lanes

1 to high occupancy toll (HOT) lanes. Sound transit may only have access
2 to the center lanes when alternative R8A is complete.

3 (4) The Tacoma Narrows toll bridge account--state appropriation
4 includes up to \$131,016,000 in proceeds from the sale of bonds
5 authorized by RCW 47.10.843.

6 (5) The funding described in this section includes \$8,095,541 of
7 the transportation 2003 account (nickel account)--state appropriation
8 and \$237,241 of the motor vehicle account--private/local appropriation,
9 which are for the SR 519 project. The total project is expected to
10 cost no more than \$74,400,000 including \$11,950,000 in contributions
11 from project partners.

12 (6) To promote and support community-specific noise reduction
13 solutions, the department shall:

14 (a) Prepare a draft directive that establishes how each community's
15 priorities and concerns may be identified and addressed in order to
16 allow consideration of a community's preferred methods of advanced
17 visual shielding and aesthetic screening, for the purpose of improving
18 the noise environment of major state roadway projects in locations that
19 do not meet the criteria for standard noise barriers. The intent is
20 for these provisions to be supportable by existing project budgets.
21 The directive shall also include direction on the coordination and
22 selection of visual and aesthetic options with local communities. The
23 draft directive shall be provided to the standing transportation
24 committees of the legislature by January 2008; and

25 (b) Pilot the draft directive established in (a) of this subsection
26 in two locations along major state roadways. If practicable, the
27 department should begin work on the pilot projects while the directive
28 is being developed. One pilot project shall be located in Clark county
29 on a significant capacity improvement project. The second pilot
30 project shall be located in urban King county, which shall be on a
31 corridor highway project through mixed land use areas that is nearing
32 or under construction. The department shall provide a written report
33 to the standing transportation committees of the legislature on the
34 findings of the Clark county pilot project by January 2009, and the
35 King county pilot project by January 2010. Based on results of the
36 pilot projects, the department shall update its design manual,
37 environmental procedures, or other appropriate documents to incorporate
38 the directive.

1 (7) Funding allocated for mitigation costs is provided solely for
2 the purpose of project impact mitigation, and shall not be used to
3 develop or otherwise participate in the environmental assessment
4 process.

5 (8) If the "Green Highway" provisions of Engrossed Second
6 Substitute House Bill No. 1303 (cleaner energy) are enacted, the
7 department shall erect signs on the interstate highways included in
8 those provisions noting that these interstates have been designated
9 "Washington Green Highways."

10 (9) If on the I-405/I-90 to SE 8th Street Widening project the
11 department finds that there is an alternative investment to preserve
12 reliable rail accessibility to major manufacturing sites within the
13 I-405 corridor that are less expensive than replacing the Wilburton
14 Tunnel, the department may enter into the necessary agreements to
15 implement that alternative provided that costs remain within the
16 approved project budget.

17 (10) The department should consider using mitigation banking on
18 appropriate projects whenever possible, without increasing the cost to
19 projects. The department should consider using the advanced
20 environmental mitigation revolving account (AEMRA) for corridor and
21 watershed based mitigation opportunities, in addition to project
22 specific mitigation. However, the department shall not use
23 agricultural lands of long-term commercial significance, as that term
24 is used under chapter 36.70A RCW, for mitigation banking.

25 (11) The department shall apply for surface transportation program
26 (STP) enhancement funds to be expended in lieu of or in addition to
27 state funds for eligible costs of projects in Programs I and P,
28 including, but not limited to, the SR 518, SR 519, SR 520, and Alaskan
29 Way Viaduct projects.

30 (12) \$250,000 of the motor vehicle account--state appropriation is
31 provided solely for an inland pacific hub study to develop an inland
32 corridor for the movement of freight and goods to and through eastern
33 Washington; and \$500,000 of the motor vehicle account--state
34 appropriation is provided solely for the SR3/SR16 corridor study to
35 plan and prioritize state and local improvements needed over the next
36 10-20 years to support safety, capacity development, and economic
37 development within the corridor.

1 (13) The department shall, on a quarterly basis beginning July 1,
2 2007, provide to the office of financial management and the legislature
3 reports providing the status on each active project funded in part or
4 whole by the transportation 2003 account (nickel account) or the
5 transportation partnership account. Funding provided at a programmatic
6 level for transportation partnership account and transportation 2003
7 account (nickel account) projects relating to bridge rail, guard rail,
8 fish passage barrier removal, and roadside safety projects should be
9 reported on a programmatic basis. Projects within this programmatic
10 level funding should be completed on a priority basis and scoped to be
11 completed within the current programmatic budget. Other projects may
12 be reported on a programmatic basis. The department shall work with
13 the office of financial management and the transportation committees of
14 the legislature to agree on report formatting and elements. Elements
15 shall include, but not be limited to, project scope, schedule, and
16 costs. The department shall also provide the information required
17 under this subsection on a quarterly basis via the transportation
18 executive information systems (TEIS).

19 (14) The department shall apply for the competitive portion of
20 federal transit administration funds for eligible transit-related costs
21 of the SR 520 bridge replacement and HOV project. The federal funds
22 described in this subsection shall not include those federal transit
23 administration funds distributed by formula.

24 (15) Funding provided by this act for the Alaskan Way Viaduct
25 project shall not be spent for preliminary engineering, design, right-
26 of-way acquisition, or construction on the project if completion of the
27 project would more likely than not reduce the capacity of the facility.
28 Capacity shall be measured by including the consideration of the
29 efficient movement of people and goods on the facility.

30 (16) The governor shall convene a collaborative process involving
31 key leaders to determine the final project design for the Alaskan Way
32 Viaduct.

33 (a) The process shall be guided by the following common principles:
34 Public safety must be maintained; the final project shall meet both
35 capacity and mobility needs; and taxpayer dollars must be spent
36 responsibly.

37 (b) The state's project expenditures shall not exceed
38 \$2,800,000,000.

1 (c) A final design decision shall be made by December 31, 2008.

2 (17) During the 2007-09 biennium, the department shall proceed with
3 a series of projects on the Alaskan Way Viaduct that are common to any
4 design alternative. Those projects include relocation of two
5 electrical transmission lines, Battery Street tunnel upgrades, seismic
6 upgrades from Lenora to the Battery Street tunnel, viaduct removal from
7 Holgate to King Street, and development of transit enhancements and
8 other improvements to mitigate congestion during construction.

9 (18) The entire freight congestion relief account--state
10 appropriation is contingent upon the enactment during the 2007-2009
11 fiscal biennium of a bill, resulting from the study established in
12 Substitute Senate Bill No. 5207, that makes available funding to
13 support project expenditures funded from the freight congestion relief
14 account created in Substitute Senate Bill No. 5207. If such a funding
15 bill is not enacted by June 30, 2009, the entire freight congestion
16 relief account--state appropriation shall lapse.

17 (19) The transportation 2003 account (nickel account)--state
18 appropriation includes up to \$874,610,000 in proceeds from the sale of
19 bonds authorized by RCW 47.10.861.

20 (20) The transportation partnership account--state appropriation
21 includes up to \$900,000,000 in proceeds from the sale of bonds
22 authorized in RCW 47.10.873.

23 (21) The special category C account--state appropriation includes
24 up to \$22,080,000 in proceeds from the sale of bonds authorized in
25 Substitute House Bill No. 2394. If Substitute House Bill No. 2394 is
26 not enacted by June 30, 2007, the amount provided in this subsection
27 shall lapse.

28 (22) \$4,500,000 of the motor vehicle account--federal appropriation
29 is provided solely for cost increases on the SR 304/Bremerton tunnel
30 project.

31 (23) \$3,000,000 of the motor vehicle account--state appropriation
32 is provided solely for initial design and right of way work on a new
33 southbound SR 509 to eastbound SR 518 freeway-to-freeway elevated ramp.

34 (24) \$500,000 of the motor vehicle account--federal appropriation
35 to the SR 543/I-5 to Canadian border project is provided solely for
36 retaining wall facia improvements.

37 (25) \$1,400,000 of the motor vehicle account--federal appropriation
38 is provided solely for the Westview school noise wall.

1 (26) \$1,600,000 of the motor vehicle account--federal appropriation
2 is provided solely for two noise walls on SR 161 in King county.

3 (27) \$900,000 of the motor vehicle account--state appropriation and
4 \$100,000 of the motor vehicle account--federal appropriation are
5 provided solely for interchange design and planning work on US 12 at A
6 street and tank farm road.

7 NEW SECTION. **Sec. 306. FOR THE DEPARTMENT OF TRANSPORTATION--**
8 **PRESERVATION--PROGRAM P**

| | | |
|----|--|---------------|
| 9 | Transportation Partnership Account--State | |
| 10 | Appropriation | \$220,164,000 |
| 11 | Motor Vehicle Account--State Appropriation | \$71,392,000 |
| 12 | Motor Vehicle Account--Federal Appropriation | \$425,161,000 |
| 13 | Motor Vehicle Account--Private/Local Appropriation | \$15,285,000 |
| 14 | Transportation 2003 Account (Nickel Account)--State | |
| 15 | Appropriation | \$5,122,000 |
| 16 | Puyallup Tribal Settlement Account--State | |
| 17 | Appropriation | \$11,000,000 |
| 18 | TOTAL APPROPRIATION | \$748,124,000 |

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

21 (1) The entire transportation 2003 account (nickel account)
22 appropriation and the entire transportation partnership account
23 appropriation are provided solely for the projects and activities as
24 listed by fund, project, and amount in LEAP Transportation Document
25 2007-1, Highway Preservation Program (P) as developed April 20, 2007.
26 However, limited transfers of specific line-item project appropriations
27 may occur between projects for those amounts listed subject to the
28 conditions and limitations in section 603 of this act.

29 (2) \$295,000 of the motor vehicle account--federal appropriation
30 and \$5,000 of the motor vehicle account--state appropriation are
31 provided solely for the department to determine the most cost efficient
32 way to replace the current Keller ferry. Options reviewed shall not
33 include an expansion of the current capacity of the Keller ferry.

34 (3) \$5,513,000 of the transportation partnership account--state
35 appropriation is provided solely for the purposes of settling all
36 identified and potential claims from the Lower Elwha Klallam Tribe
37 related to the construction of a graving dock facility on the graving

1 dock property. In the matter of *Lower Elwha Klallam Tribe et al v.*
2 *State et al*, Thurston county superior court, cause no. 05-2-01595-8,
3 the Lower Elwha Klallam Tribe and the state of Washington entered into
4 a settlement agreement that settles all claims related to graving dock
5 property and associated construction and releases the state from all
6 claims related to the construction of the graving dock facilities. The
7 expenditure of this appropriation is contingent on the conditions and
8 limitations set forth in subsections (a) and (b) of this subsection.

9 (a) \$2,000,000 of the transportation partnership account--state
10 appropriation is provided solely for the benefit of the Lower Elwha
11 Klallam Tribe to be disbursed by the department in accordance with
12 terms and conditions of the settlement agreement.

13 (b) \$3,513,000 of the transportation partnership account--state
14 appropriation is provided solely for the department's remediation work
15 on the graving dock property in accordance with the terms and
16 conditions of the settlement agreement.

17 (4) The department shall apply for surface transportation program
18 (STP) enhancement funds to be expended in lieu of or in addition to
19 state funds for eligible costs of projects in Programs I and P,
20 including, but not limited to, the SR 518, SR 519, SR 520, and Alaskan
21 Way Viaduct projects.

22 (5) The department shall, on a quarterly basis beginning July 1,
23 2007, provide to the office of financial management and the legislature
24 reports providing the status on each active project funded in part or
25 whole by the transportation 2003 account (nickel account) or the
26 transportation partnership account. Funding provided at a programmatic
27 level for transportation partnership account projects relating to
28 seismic bridges should be reported on a programmatic basis. Projects
29 within this programmatic level funding should be completed on a
30 priority basis and scoped to be completed within the current
31 programmatic budget. Other projects may be reported on a programmatic
32 basis. The department shall work with the office of financial
33 management and the transportation committees of the legislature to
34 agree on report formatting and elements. Elements shall include, but
35 not be limited to, project scope, schedule, and costs. The department
36 shall also provide the information required under this subsection on a
37 quarterly basis via the transportation executive information systems
38 (TEIS).

1 (6) The department of transportation shall continue to implement
2 the lowest life cycle cost planning approach to pavement management
3 throughout the state to encourage the most effective and efficient use
4 of pavement preservation funds. Emphasis should be placed on
5 increasing the number of roads addressed on time and reducing the
6 number of roads past due.

7 (7) \$2,604,501 of the motor vehicle account--federal appropriation
8 and \$3,000,000 of the motor vehicle account--state appropriation are
9 for expenditures on damaged state roads due to flooding, mudslides,
10 rock fall, or other unforeseen events.

11 (8) \$9,665 of the motor vehicle account--state appropriation,
12 \$12,652,812 of the motor vehicle account--federal appropriation, and
13 \$138,174,581 of the transportation partnership account--state
14 appropriation are provided solely for the Hood Canal bridge project.

15 NEW SECTION. **Sec. 307. FOR THE DEPARTMENT OF TRANSPORTATION--**
16 **TRAFFIC OPERATIONS--PROGRAM Q--CAPITAL**

| | | |
|----|--|--------------|
| 17 | Motor Vehicle Account--State Appropriation | \$9,212,000 |
| 18 | Motor Vehicle Account--Federal Appropriation | \$15,951,000 |
| 19 | Motor Vehicle Account--Private/Local Appropriation | \$74,000 |
| 20 | TOTAL APPROPRIATION | \$25,237,000 |

21 The appropriations in this section are subject to the following
22 conditions and limitations: The motor vehicle account--state
23 appropriation includes \$8,833,000 provided solely for state matching
24 funds for federally selected competitive grant or congressional earmark
25 projects. These moneys shall be placed into reserve status until such
26 time as federal funds are secured that require a state match.

27 NEW SECTION. **Sec. 308. FOR THE DEPARTMENT OF TRANSPORTATION--**
28 **WASHINGTON STATE FERRIES CONSTRUCTION--PROGRAM W**

| | | |
|----|---|---------------|
| 29 | Puget Sound Capital Construction Account--State | |
| 30 | Appropriation | \$139,139,000 |
| 31 | Puget Sound Capital Construction Account--Federal | |
| 32 | Appropriation | \$66,145,000 |
| 33 | Multimodal Transportation Account--State | |
| 34 | Appropriation | \$4,100,000 |
| 35 | Transportation 2003 Account (Nickel Account)--State | |
| 36 | Appropriation | \$76,525,000 |

1 TOTAL APPROPRIATION \$285,909,000

2 The appropriations in this section are subject to the following
3 conditions and limitations:

4 (1) \$6,432,000 of the Puget Sound capital construction account--
5 state appropriation is provided solely for emergency capital costs.

6 (2) \$16,567,000 of the Puget Sound capital construction account--
7 state appropriation and \$4,100,000 of the multimodal transportation
8 account--state appropriation are provided solely for the terminal
9 projects listed:

10 (a) Anacortes ferry terminal - utilities work; right-of-way
11 purchase for a holding area during construction; and completion of
12 design and permitting on the terminal building, pick-up and drop-off
13 sites, and pedestrian and bicycle facilities;

14 (b) Bainbridge Island ferry terminal - environmental planning;

15 (c) Bremerton ferry terminal - overhead loading control system and
16 moving the terminal agent's office;

17 (d) Clinton ferry terminal - septic system replacement;

18 (e) Edmonds ferry terminal - right-of-way acquisition costs and
19 federal match requirements;

20 (f) Friday Harbor ferry terminal - parking resurfacing;

21 (g) Keystone and Port Townsend ferry terminals - route
22 environmental planning;

23 (h) Kingston ferry terminal - transfer span retrofit and overhead
24 vehicle holding control system modifications;

25 (i) Mukilteo ferry terminal - right-of-way acquisition,
26 archeological studies, and environmental planning;

27 (j) Port Townsend ferry terminal - wingwall replacement;

28 (k) Seattle ferry terminal - environmental planning, coordination
29 with local jurisdictions, and coordination with highway projects; and

30 (l) Vashon Island and Seattle ferry terminals - modify the
31 passenger-only facilities.

32 (3) \$15,500,000 of the Puget Sound ferries operating account--state
33 appropriation is provided solely for dolphin replacement projects at
34 the Orcas Island and Vashon Island ferry terminals. The department
35 shall submit a predesign study to the legislature and must receive
36 legislative approval before beginning design or construction of these
37 projects.

1 (4) \$76,525,000 of the transportation 2003 account (nickel
2 account)--state appropriation and \$50,985,000 of the Puget Sound
3 capital construction account--state appropriation are provided solely
4 for the procurement of four 144-vehicle auto-passenger ferry vessels.

5 (5) \$18,716,000 of the Puget Sound capital construction account--
6 state appropriation is provided solely for the Eagle Harbor maintenance
7 facility preservation project. These funds may not be used for
8 relocating any warehouses not currently on the Eagle Harbor site.

9 (6) The department shall research an asset management system to
10 improve Washington state ferries' management of capital assets and the
11 department's ability to estimate future preservation needs. The
12 department shall report its findings regarding a new asset management
13 system to the governor and the transportation committees of the
14 legislature no later than January 15, 2008.

15 (7) The department shall sell the M.V. Chinook and M.V. Snohomish
16 passenger-only fast ferries as soon as practicable and deposit the
17 proceeds of the sales into the passenger ferry account created in RCW
18 47.60.645. Once the department ceases to provide passenger-only ferry
19 service, the department shall sell the M.V. Kalama and M.V. Skagit
20 passenger-only ferries and deposit the proceeds of the sales into the
21 passenger ferry account created in RCW 47.60.645.

22 (8) The department shall, on a quarterly basis beginning July 1,
23 2007, provide to the office of financial management and the legislature
24 reports providing the status on each project listed in this section and
25 in the project lists submitted pursuant to this act and on any
26 additional projects for which the department has expended funds during
27 the 2007-09 fiscal biennium. Elements shall include, but not be
28 limited to, project scope, schedule, and costs. The department shall
29 also provide the information required under this subsection via the
30 transportation executive information systems (TEIS).

31 NEW SECTION. **Sec. 309. FOR THE DEPARTMENT OF TRANSPORTATION--**
32 **RAIL--PROGRAM Y--CAPITAL**

| | | |
|----|--|--------------|
| 33 | Essential Rail Assistance Account--State Appropriation . . . | \$500,000 |
| 34 | Freight Congestion Relief Account--State | |
| 35 | Appropriation | \$25,000,000 |
| 36 | Transportation Infrastructure Account--State | |
| 37 | Appropriation | \$2,500,000 |

| | | |
|---|--|---------------|
| 1 | Multimodal Transportation Account--State | |
| 2 | Appropriation | \$154,637,000 |
| 3 | Multimodal Transportation Account--Federal | |
| 4 | Appropriation | \$30,450,000 |
| 5 | Multimodal Transportation Account--Private/Local | |
| 6 | Appropriation | \$7,894,000 |
| 7 | TOTAL APPROPRIATION | \$220,981,000 |

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

10 (1)(a) Except as provided in subsection (8) of this section, the
11 entire appropriations in this section are provided solely for the
12 projects and activities as listed by fund, project, and amount in LEAP
13 Transportation Document 2007-1, Rail Capital Program (Y) as developed
14 April 20, 2007. However, limited transfers of specific line-item
15 project appropriations may occur between projects for those amounts
16 listed subject to the conditions and limitations in section 603 of this
17 act.

18 (b) Within the amounts provided in this section, \$2,500,000 of the
19 transportation infrastructure account--state appropriation is for low-
20 interest loans for rail capital projects through the freight rail
21 investment bank program. The department shall issue a call for
22 projects based upon the legislative priorities specified in subsection
23 (7)(a) of this section. Application must be received by the department
24 by November 1, 2007. By December 1, 2007, the department shall submit
25 a prioritized list of recommended projects to the office of financial
26 management and the transportation committees of the legislature.

27 (c) Within the amounts provided in this section, \$3,335,000 of the
28 multimodal transportation account--state appropriation is for statewide
29 - emergent freight rail assistance projects. However, the department
30 shall perform a cost/benefit analysis of the projects according to the
31 legislative priorities specified in subsection (7)(a) of this section,
32 and shall give priority to the following projects: Rail - Tacoma rail
33 yard switching upgrades (\$500,000); Rail - Port of Ephrata spur
34 rehabilitation (\$127,000); Rail - Lewis and Clark rail improvements
35 (\$1,100,000); Rail - Port of Grays Harbor rail access improvements
36 (\$543,000); Rail - Port of Longview rail loop construction (\$291,000);
37 and Rail - Port of Chehalis (\$774,000). If the relative cost of any of
38 the six projects identified in this subsection (1)(c) is not

1 substantially less than the public benefits to be derived from the
2 project, then the department shall not assign the funds to the project,
3 and instead shall use those funds toward those projects identified by
4 the department in the attachments to the "Washington State Department
5 of Transportation FREIGHT RAIL ASSISTANCE FUNDING PROGRAM: 2007-2009
6 Prioritized Project List and Program Update" dated December 2006 for
7 which the proportion of public benefits to be gained compared to the
8 cost of the project is greatest.

9 (d) Within the amounts provided in this section, \$25,000,000 of the
10 freight congestion relief account--state appropriation is for
11 modifications to the Stampede Pass rail tunnel to facilitate the
12 movement of double stacked rail cars. The department shall quantify
13 and report to the legislature by December 1, 2007, the volume of
14 freight traffic that would likely be shipped by rail rather than trucks
15 if the Stampede Pass rail tunnel were modified to accommodate double
16 stacked rail cars.

17 (e) Within the amounts provided in this section, \$200,000 of the
18 multimodal transportation account--state appropriation is for rescoping
19 the Kelso to Martin's Bluff - 3rd Mainline and Storage Tracks project.
20 The rescoped project may include funds that are committed to the
21 project by local or private funding partners. However, the rescoped
22 project must be capable of being completed with not more than
23 \$49,470,000 in future state funding. Subject to this funding
24 constraint, the rescoped project must maximize capacity improvements
25 along the rail mainline.

26 (f) Within the amounts provided in this section, \$3,600,000 of the
27 multimodal transportation account--state appropriation is for work
28 items on the Palouse River and Coulee City Railroad lines.

29 (2) The multimodal transportation account--state appropriation
30 includes up to \$137,620,000 in proceeds from the sale of bonds
31 authorized by RCW 47.10.867.

32 (3) The department is directed to seek the use of unprogrammed
33 federal rail crossing funds to be expended in lieu of or in addition to
34 state funds for eligible costs of projects in Program Y, including, but
35 not limited to the "Tacoma -- bypass of Pt. Defiance" project.

36 (4) If new federal funding for freight or passenger rail is
37 received, the department shall consult with the transportation

1 committees of the legislature and the office of financial management
2 prior to spending the funds on existing or additional projects.

3 (5) The department shall sell any ancillary property, acquired when
4 the state purchased the right-of-ways to the PCC rail line system, to
5 a lessee of the ancillary property who is willing to pay fair market
6 value for the property. The department shall deposit the proceeds from
7 the sale of ancillary property into the transportation infrastructure
8 account.

9 (6) The entire freight congestion relief account--state
10 appropriation is contingent upon the enactment during the 2007-2009
11 fiscal biennium of a bill, resulting from the study established in
12 Substitute Senate Bill No. 5207, that makes available funding to
13 support project expenditures funded from the freight congestion relief
14 account created in Substitute Senate Bill No. 5207. If such a funding
15 bill is not enacted by June 30, 2009, the entire freight congestion
16 relief account--state appropriation shall lapse.

17 (7)(a) The department shall develop and implement the
18 benefit/impact evaluation methodology recommended in the statewide rail
19 capacity and needs study finalized in December 2006. The
20 benefit/impact evaluation methodology shall be developed using the
21 following priorities, in order of relative importance:

22 (i) Economic, safety, or environmental advantages of freight
23 movement by rail compared to alternative modes;

24 (ii) Self-sustaining economic development that creates family-wage
25 jobs;

26 (iii) Preservation of transportation corridors that would otherwise
27 be lost;

28 (iv) Increased access to efficient and cost-effective transport to
29 market for Washington's agricultural and industrial products;

30 (v) Better integration and cooperation within the regional,
31 national, and international systems of freight distribution; and

32 (vi) Mitigation of impacts of increased rail traffic on
33 communities.

34 (b) The department shall convene a work group to collaborate on the
35 development of the benefit/impact analysis method to be used in the
36 evaluation. The work group must include, at a minimum, the freight
37 mobility strategic investment board, the department of agriculture, and

1 representatives from the various users and modes of the state's rail
2 system.

3 (c) The department shall use the benefit/impact analysis and
4 priorities in (a) of this subsection when submitting requests for state
5 funding for rail projects. The department shall develop a standardized
6 format for submitting requests for state funding for rail projects that
7 includes an explanation of the analysis undertaken, and the conclusions
8 derived from the analysis.

9 (d) The department and the freight mobility strategic investment
10 board shall collaborate to submit a report to the office of financial
11 management and the transportation committees of the legislature by
12 September 1, 2008, listing proposed freight highway and rail projects.
13 The report must describe the analysis used for selecting such projects,
14 as required by this act for the department and as required by chapter
15 47.06A RCW for the board. When developing its list of proposed freight
16 highway and rail projects, the freight mobility strategic investment
17 board shall use the priorities identified in (a) of this subsection to
18 the greatest extent possible.

19 (8) \$5,000,000 of the multimodal transportation account--state
20 appropriation is reappropriated and provided solely for the costs of
21 acquisition of the PCC railroad associated with the memorandum of
22 understanding (MOU), which was executed between Washington state and
23 Watco. Total costs associated with the MOU shall not exceed
24 \$10,937,000.

25 NEW SECTION. **Sec. 310. FOR THE DEPARTMENT OF TRANSPORTATION--**
26 **LOCAL PROGRAMS--PROGRAM Z--CAPITAL**

| | | |
|----|---|--------------|
| 27 | Highway Infrastructure Account--State Appropriation | \$207,000 |
| 28 | Highway Infrastructure Account--Federal | |
| 29 | Appropriation | \$1,602,000 |
| 30 | Freight Mobility Investment Account--State | |
| 31 | Appropriation | \$12,500,000 |
| 32 | Freight Congestion Relief Account--State | |
| 33 | Appropriation | \$46,720,000 |
| 34 | Transportation Partnership Account--State | |
| 35 | Appropriation | \$2,906,000 |
| 36 | Motor Vehicle Account--State Appropriation | \$9,854,000 |
| 37 | Motor Vehicle Account--Federal Appropriation | \$60,150,000 |

| | | |
|----|--|---------------|
| 1 | Freight Mobility Multimodal Account--State | |
| 2 | Appropriation | \$12,100,000 |
| 3 | Multimodal Transportation Account--Federal | |
| 4 | Appropriation | \$3,500,000 |
| 5 | Multimodal Transportation Account--State | |
| 6 | Appropriation | \$33,158,000 |
| 7 | Transportation 2003 Account (Nickel Account)--State | |
| 8 | Appropriation | \$2,706,000 |
| 9 | Passenger Ferry Account--State Appropriation | \$8,500,000 |
| 10 | TOTAL APPROPRIATION | \$193,903,000 |

11 The appropriations in this section are subject to the following
12 conditions and limitations:

13 (1) The department shall, on a quarterly basis, provide status
14 reports to the legislature on the delivery of projects as outlined in
15 the project lists incorporated in this section. For projects funded by
16 new revenue in the 2003 and 2005 transportation packages, reporting
17 elements shall include, but not be limited to, project scope, schedule,
18 and costs. Other projects may be reported on a programmatic basis.
19 The department shall also provide the information required under this
20 subsection on a quarterly basis via the transportation executive
21 information system (TEIS).

22 (2) \$8,500,000 of the passenger ferry account--state appropriation
23 is provided solely for near and long-term costs of capital improvements
24 in a business plan approved by the governor for passenger ferry
25 service.

26 (3) The department shall seek the use of unprogrammed federal rail
27 crossing funds to be expended in lieu of or in addition to state funds
28 for eligible costs of projects in local programs, program Z capital.

29 (4) The department shall apply for surface transportation program
30 (STP) enhancement funds to be expended in lieu of or in addition to
31 state funds for eligible costs of projects in local programs, program
32 Z capital.

33 (5) Federal funds may be transferred from program Z to programs I
34 and P and state funds shall be transferred from programs I and P to
35 program Z to replace those federal funds in a dollar-for-dollar match.
36 Fund transfers authorized under this subsection shall not affect
37 project prioritization status. Appropriations shall initially be
38 allotted as appropriated in this act. The department may not transfer

1 funds as authorized under this subsection without approval of the
2 office of financial management. The department shall submit a report
3 on those projects receiving fund transfers to the office of financial
4 management and the transportation committees of the legislature by
5 December 1, 2007, and December 1, 2008.

6 (6) The city of Winthrop may utilize a design-build process for the
7 Winthrop bike path project. Of the amount appropriated in this section
8 for this project, \$500,000 of the multimodal transportation account--
9 state appropriation is contingent upon the state receiving from the
10 city of Winthrop \$500,000 in federal funds awarded to the city of
11 Winthrop by its local planning organization.

12 (7) \$7,000,000 of the multimodal transportation account--state
13 appropriation, \$7,000,000 of the motor vehicle account--federal
14 appropriation, and \$4,000,000 of the motor vehicle account--federal
15 appropriation are provided solely for the pedestrian and bicycle safety
16 program projects and safe routes to schools program projects identified
17 in the LEAP Transportation Document 2007-A, pedestrian and bicycle
18 safety program projects and safe routes to schools program projects as
19 developed April 20, 2007. Projects must be allocated funding based on
20 order of priority. The department shall review all projects receiving
21 grant awards under this program at least semiannually to determine
22 whether the projects are making satisfactory progress. Any project
23 that has been awarded funds, but does not report activity on the
24 project within one year of the grant award, shall be reviewed by the
25 department to determine whether the grant should be terminated. The
26 department shall promptly close out grants when projects have been
27 completed, and identify where unused grant funds remain because actual
28 project costs were lower than estimated in the grant award.

29 (8) Up to a maximum of \$5,000,000 of the multimodal transportation
30 account--state appropriation and up to a maximum of \$2,000,000 of the
31 motor vehicle account--federal appropriation are reappropriated for the
32 pedestrian and bicycle safety program projects and safe routes to
33 schools program projects identified in the LEAP transportation document
34 2006-B, pedestrian and bicycle safety program projects and safe routes
35 to schools program projects as developed March 8, 2006. Projects must
36 be allocated funding based on order of priority. The department shall
37 review all projects receiving grant awards under this program at least
38 semiannually to determine whether the projects are making satisfactory

1 progress. Any project that has been awarded funds, but does not report
2 activity on the project within one year of the grant award, shall be
3 reviewed by the department to determine whether the grant should be
4 terminated. The department shall promptly close out grants when
5 projects have been completed, and identify where unused grant funds
6 remain because actual project costs were lower than estimated in the
7 grant award.

8 (9) The entire freight congestion relief account--state
9 appropriation is contingent upon the enactment during the 2007-2009
10 fiscal biennium of a bill, resulting from the study established in
11 Substitute Senate Bill No. 5207, that makes available funding to
12 support project expenditures funded from the freight congestion relief
13 account created in Substitute Senate Bill No. 5207. If such a funding
14 bill is not enacted by June 30, 2009, the entire freight congestion
15 relief account--state appropriation shall lapse.

16 (10) \$3,500,000 of the multimodal transportation account--federal
17 appropriation is provided solely for the Museum of Flight pedestrian
18 bridge safety project.

19 (11) \$250,000 of the multimodal transportation account--state
20 appropriation is provided solely for the icicle rail station in
21 Leavenworth.

22 (12) \$1,500,000 of the motor vehicle account--state appropriation
23 is provided solely for the Union Gap city road project.

24 (13) \$350,000 of the motor vehicle account--state appropriation is
25 provided solely for the Saltwater state park bridge project.

26 (14) \$1,000,000 of the motor vehicle account--state appropriation
27 is provided solely for the coal creek parkway project.

28 (15) \$250,000 of the multimodal transportation account--state
29 appropriation is provided solely for a streetcar feasibility study in
30 downtown Spokane.

31 (16) \$500,000 of the motor vehicle account--state appropriation is
32 provided solely for the marine view drive bridge project in Des Moines.

33 **TRANSFERS AND DISTRIBUTIONS**

34 **NEW SECTION. Sec. 401. FOR THE STATE TREASURER--BOND RETIREMENT**
35 **AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR**

1 **BOND SALES DISCOUNTS AND DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND**
2 **TRANSPORTATION FUND REVENUE**

| | | |
|----|---|---------------|
| 3 | Highway Bond Retirement Account Appropriation | \$570,030,000 |
| 4 | Ferry Bond Retirement Account Appropriation | \$38,059,000 |
| 5 | Transportation Improvement Board Bond Retirement | |
| 6 | Account--State Appropriation | \$27,749,000 |
| 7 | Nondebt-Limit Reimbursable Account Appropriation | \$19,359,000 |
| 8 | Transportation Partnership Account--State | |
| 9 | Appropriation | \$6,694,000 |
| 10 | Motor Vehicle Account--State Appropriation | \$986,000 |
| 11 | Transportation Improvement Account--State Appropriation | \$68,000 |
| 12 | Multimodal Transportation Account--State | |
| 13 | Appropriation | \$1,032,000 |
| 14 | Transportation 2003 Account (Nickel Account)--State | |
| 15 | Appropriation | \$6,560,000 |
| 16 | Urban Arterial Trust Account--State Appropriation | \$473,000 |
| 17 | Special Category C Account Appropriation | \$160,000 |
| 18 | TOTAL APPROPRIATION | \$671,170,000 |

19 NEW SECTION. **Sec. 402. FOR THE STATE TREASURER--BOND RETIREMENT**
20 **AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR**
21 **BOND SALE EXPENSES AND FISCAL AGENT CHARGES**

| | | |
|----|---|-------------|
| 22 | Transportation Partnership Account--State Appropriation | \$2,254,000 |
| 23 | Motor Vehicle Account--State Appropriation | \$329,000 |
| 24 | Transportation Improvement Account--State Appropriation | \$5,000 |
| 25 | Multimodal Transportation Account--State Appropriation | \$130,000 |
| 26 | Transportation 2003 Account (Nickel Account)--State | |
| 27 | Appropriation | \$2,187,000 |
| 28 | Urban Arterial Trust Account--State Appropriation | \$38,000 |
| 29 | Special Category C Account--State Appropriation | \$53,000 |
| 30 | TOTAL APPROPRIATION | \$4,996,000 |

31 NEW SECTION. **Sec. 403. FOR THE STATE TREASURER--BOND RETIREMENT**
32 **AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR**
33 **MVFT BONDS AND TRANSFERS**

| | | |
|----|---|---------------|
| 34 | (1) Motor Vehicle Account--State Reappropriation: | |
| 35 | For transfer to the Tacoma Narrows Toll Bridge | |
| 36 | Account | \$131,016,000 |

1 The department of transportation is authorized to sell up to
2 \$131,016,000 in bonds authorized by RCW 47.10.843 for the Tacoma
3 Narrows bridge project. Proceeds from the sale of the bonds shall be
4 deposited into the motor vehicle account. The department of
5 transportation shall inform the treasurer of the amount to be
6 deposited.

7 (2) Motor Vehicle Account--State Appropriation:
8 For transfer to the Puget Sound Capital Construction
9 Account \$131,500,000

10 The department of transportation is authorized to sell up to
11 \$131,500,000 in bonds authorized by RCW 47.10.843 for vessel and
12 terminal acquisition, major and minor improvements, and long lead-time
13 materials acquisition for the Washington state ferries.

14 NEW SECTION. **Sec. 404. FOR THE STATE TREASURER--STATE REVENUES**
15 **FOR DISTRIBUTION**

16 Motor Vehicle Account Appropriation for
17 motor vehicle fuel tax distributions to cities
18 and counties \$526,320,000

19 NEW SECTION. **Sec. 405. FOR THE STATE TREASURER--TRANSFERS**

20 Motor Vehicle Account--State
21 Appropriation: For motor vehicle fuel tax
22 refunds and statutory transfers \$937,181,000

23 NEW SECTION. **Sec. 406. FOR THE DEPARTMENT OF LICENSING--**
24 **TRANSFERS**

25 Motor Vehicle Account--State
26 Appropriation: For motor vehicle fuel tax
27 refunds and transfers \$346,657,000

28 NEW SECTION. **Sec. 407. FOR THE STATE TREASURER--ADMINISTRATIVE**
29 **TRANSFERS**

30 (1) Recreational Vehicle Account--State
31 Appropriation: For transfer to the Motor Vehicle
32 Account--State \$3,005,000

33 (2) License Plate Technology Account--State

1 Appropriation: For the Multimodal Transportation
2 Account--State \$4,500,000
3 (3) Motor Vehicle Account--State Appropriation:
4 For transfer to the High-Occupancy Toll Lanes Operations--
5 State Account \$3,000,000
6 (4) Motor Vehicle Account--State Appropriation:
7 For transfer to the Puget Sound Capital Construction
8 Account--State \$20,000,000
9 (5) Multimodal Transportation Account--State
10 Appropriation: For transfer to the Puget Sound
11 Ferry Operations Account--State \$39,000,000
12 (6) Advanced Right-of-Way Revolving Account--State
13 Appropriation: For transfer to the Motor Vehicle
14 Account--State \$30,000,000
15 (7) Waste Tire Removal Account--State Appropriation:
16 For transfer to the Motor Vehicle Account--State \$5,600,000
17 (8) Motor Vehicle Account--State Appropriation:
18 For transfer to the Transportation Partnership
19 Account--State \$25,000,000
20 (9) Multimodal Transportation Account--State
21 Appropriation: For transfer to the General
22 Fund--State \$3,500,000
23 (10) Multimodal Transportation Account--State
24 Appropriation: For transfer to the Transportation
25 Infrastructure Account--State \$7,000,000
26 (11) Highway Safety Account--State Appropriation:
27 For transfer to the Multimodal Transportation
28 Account--State \$9,500,000

29 The transfers identified in this section are subject to the
30 following conditions and limitations:

31 (a) The amount transferred in subsection (3) of this section may be
32 spent only on "highway purposes" as that term is construed in Article
33 II, section 40 of the Washington state Constitution.

34 (b) The amount transferred in subsection (9) of this section is
35 contingent on the enactment of Engrossed Substitute Senate Bill No.
36 5799. If Engrossed Substitute Senate Bill No. 5799 is not enacted by
37 June 30, 2007, the amount transferred shall lapse.

1 other moneys recovered as a result of prior uniform medical plan claims
2 payments, into the public employees' and retirees' insurance account to
3 be used for insurance benefits. Such receipts shall not be used for
4 administrative expenditures.

5 (2) The health care authority, subject to the approval of the
6 public employees' benefits board, shall provide subsidies for health
7 benefit premiums to eligible retired or disabled public employees and
8 school district employees who are eligible for medicare, pursuant to
9 RCW 41.05.085. From January 1, 2008, through December 31, 2008, the
10 subsidy shall be \$165.31. Starting January 1, 2009, the subsidy shall
11 be \$184.26 per month.

12 NEW SECTION. **Sec. 502. COMPENSATION--REPRESENTED EMPLOYEES**
13 **OUTSIDE SUPER COALITION--INSURANCE BENEFITS.** The appropriations for
14 state agencies, are subject to the following conditions and
15 limitations:

16 (1)(a) The monthly employer funding rate for insurance benefit
17 premiums, public employees' benefits board administration, and the
18 uniform medical plan, for represented employees outside the super
19 coalition under chapter 41.80 RCW, shall not exceed \$707 per eligible
20 employee for fiscal year 2008. For fiscal year 2009 the monthly
21 employer funding rate shall not exceed \$732 per eligible employee.

22 (b) In order to achieve the level of funding provided for health
23 benefits, the public employees' benefits board shall require any or all
24 of the following: Employee premium copayments, increases in
25 point-of-service cost sharing, the implementation of managed
26 competition, or make other changes to benefits consistent with RCW
27 41.05.065.

28 (c) The health care authority shall deposit any moneys received on
29 behalf of the uniform medical plan as a result of rebates on
30 prescription drugs, audits of hospitals, subrogation payments, or any
31 other moneys recovered as a result of prior uniform medical plan claims
32 payments, into the public employees' and retirees' insurance account to
33 be used for insurance benefits. Such receipts shall not be used for
34 administrative expenditures.

35 (2) The health care authority, subject to the approval of the
36 public employees' benefits board, shall provide subsidies for health
37 benefit premiums to eligible retired or disabled public employees and

1 school district employees who are eligible for medicare, pursuant to
2 RCW 41.05.085. From January 1, 2008, through December 31, 2008, the
3 subsidy shall be \$165.31. Starting January 1, 2009, the subsidy shall
4 be \$184.26 per month.

5 NEW SECTION. **Sec. 503. COMPENSATION--REPRESENTED EMPLOYEES--**
6 **SUPER COALITION.** Collective bargaining agreements negotiated as part
7 of the super coalition under chapter 41.80 RCW include employer
8 contributions to health insurance premiums at 88% of the cost. Funding
9 rates at this level are currently \$707 per month for fiscal year 2008
10 and \$732 per month for fiscal year 2009. The agreements also include
11 a one-time payment of \$756 for each employee who is eligible for
12 insurance for the month of June, 2007, and is covered by a 2007-2009
13 collective bargaining agreement pursuant to chapter 41.80 RCW, as well
14 as continuation of the salary increases that were negotiated for the
15 twelve-month period beginning July 1, 2006, and scheduled to terminate
16 June 30, 2007.

17 NEW SECTION. **Sec. 504. COMPENSATION--PENSION CONTRIBUTIONS.** The
18 appropriations for state agencies, including institutions of higher
19 education are subject to the following conditions and limitations:
20 Appropriations are provided to fund employer contributions to state
21 pension funds at the rates adopted by the pension funding council.

22 NEW SECTION. **Sec. 505. COMPENSATION--REVISE PENSION GAIN**
23 **SHARING.** The appropriations for (schools) state agencies, including
24 institutions of higher education are subject to the following
25 conditions and limitations: Appropriations are adjusted to reflect
26 changes to pension gain sharing as provided in House Bill No. 2391.

27 NEW SECTION. **Sec. 506. NONREPRESENTED EMPLOYEE COMPENSATION.**
28 The appropriations for nonrepresented employee compensation adjustments
29 are provided solely for:

- 30 (1) Across the Board Adjustments.
- 31 (a) Appropriations are provided for a 3.2% salary increase
32 effective September 1, 2007, for all classified employees, except those
33 represented by a collective bargaining unit under chapter 41.80 RCW,
34 and except the certificated employees of the state schools for the deaf

1 and blind and employees of community and technical colleges covered by
2 the provisions of Initiative Measure No. 732. Also included are
3 employees in the Washington management service, and exempt employees
4 under the jurisdiction of the director of personnel.

5 The appropriations are also sufficient to fund a 3.2% salary
6 increase effective September 1, 2007, and for executive, legislative,
7 and judicial branch employees exempt from merit system rules whose
8 maximum salaries are not set by the commission on salaries for elected
9 officials.

10 (b) Appropriations are provided for a 2.0% salary increase
11 effective September 1, 2008, for all classified employees, except those
12 represented by a collective bargaining unit under chapter 41.80 RCW,
13 and except for the certificated employees of the state schools of the
14 deaf and blind and employees of community and technical colleges
15 covered by the provisions of Initiative Measure No. 732. Also included
16 are employees in the Washington management service, and exempt
17 employees under the jurisdiction of the director of personnel. The
18 appropriations are also sufficient to fund a 2.0% salary increase
19 effective September 1, 2008, for executive, legislative, and judicial
20 branch employees exempt from merit system rules whose maximum salaries
21 are not set by the commission on salaries for elected officials.

22 (2) Salary Survey.

23 For state employees, except those represented by a bargaining unit
24 under chapters 41.80, 41.56, and 47.64 RCW, funding is provided for
25 implementation of the department of personnel's 2006 salary survey, for
26 job classes more than 25% below market rates and affected classes.

27 (3) Classification Consolidation.

28 For state employees, except those represented by a bargaining unit
29 under chapters 41.80, 41.56, and 47.64 RCW, funding is provided for
30 implementation of the department of personnel's phase 4 job class
31 consolidation and revisions under the personnel system reform act of
32 2002.

33 (4) Agency Request Consolidation.

34 For state employees, except those represented by a bargaining unit
35 under chapters 41.80, 41.56, and 47.64 RCW, funding is provided for
36 implementation of the department of personnel's agency request job
37 class consolidation and reclassification plan.

38 (5) Additional Pay Step.

1 For state employees, except those represented by a bargaining unit
2 under chapters 41.80, 41.56, and 47.64 RCW, funding is provided for a
3 new pay step L for those who have been in step K for at least one year.

4 (6) Retain Fiscal Year 2007 Pay Increase.

5 For all classified state employees, except those represented by a
6 bargaining unit under chapters 41.80, 41.56, and 47.64 RCW, and except
7 for the certificated employees of the state schools of the deaf and
8 blind and employees of community and technical colleges covered by the
9 provisions of Initiative Measure No. 732, funding is provided for
10 continuation of the 1.6% salary increase that was provided during
11 fiscal year 2007. Also included are employees in the Washington
12 management service, and exempt employees under the jurisdiction of the
13 director of personnel. The appropriations are also sufficient to
14 continue a 1.6% salary increase for executive, legislative, and
15 judicial branch employees exempt from merit system rules whose maximum
16 salaries are not set by the commission on salaries for elected
17 officials.

18 NEW SECTION. **Sec. 507. COLLECTIVE BARGAINING AGREEMENTS.**

19 Provisions of the collective bargaining agreements contained in
20 sections 508 through 519 of this act are described in general terms.
21 Only major economic terms are included in the descriptions. These
22 descriptions do not contain the complete contents of the agreements.
23 The collective bargaining agreements contained in sections 508 through
24 519 may also be funded by expenditures from nonappropriated accounts.
25 If positions are funded with lidded grants or dedicated fund sources
26 with insufficient revenue, additional funding from other sources is not
27 provided.

28 NEW SECTION. **Sec. 508. COLLECTIVE BARGAINING AGREEMENT--IBU.**

29 Appropriations in this act contain funding for the collective
30 bargaining agreement reached between the governor and the
31 inlandboatmen's union of the pacific under chapter 47.64 RCW. For
32 employees covered under this agreement, provisions include a 1.6%
33 salary increase effective July 1, 2007, which continues the increase
34 that went into effect July 1, 2006, and is set to terminate June 30,
35 2007. Also included is a 3.2% salary increase effective July 1, 2007,
36 a 2% salary increase effective July 1, 2008, and increases ranging from

1 1.5% to 4% to address specific classifications which are below market
2 rates as established by the marine employees commission 2006 salary
3 survey.

4 NEW SECTION. **Sec. 509. COLLECTIVE BARGAINING AGREEMENT--MEBA-**
5 **LICENSED.** Appropriations in this act reflect the collective bargaining
6 agreement reached between the governor and the marine engineers'
7 beneficial association under chapter 47.64 RCW. For employees covered
8 under this agreement, provisions include a 1.6% salary increase
9 effective July 1, 2007, which continues the increase that went into
10 effect July 1, 2006, and is set to terminate June 30, 2007. Also
11 included is a 3.2% salary increase effective July 1, 2007, a 2% salary
12 increase effective July 1, 2008, and increases ranging from 1% to 6% to
13 address specific classifications which are below market rates as
14 established by the marine employees commission 2006 salary survey.

15 NEW SECTION. **Sec. 510. COLLECTIVE BARGAINING AGREEMENT--**
16 **MEBA-UNLICENSED.** Appropriations in this act reflect the collective
17 bargaining agreement reached between the governor and the marine
18 engineers' beneficial association under chapter 47.64 RCW. For
19 employees covered under this agreement, provisions include a 1.6%
20 salary increase effective July 1, 2007, which continues the increase
21 that went into effect July 1, 2006, and is set to terminate June 30,
22 2007. Also included is a 3.2% salary increase effective July 1, 2007,
23 and a 2% salary increase effective July 1, 2008.

24 NEW SECTION. **Sec. 511. COLLECTIVE BARGAINING AGREEMENT--MM&P.**
25 Appropriations in this act reflect the collective bargaining agreement
26 reached between the governor and the international organization of
27 master, mates & pilots, local 6, under chapter 47.64 RCW. For
28 employees covered under this agreement, provisions include a 1.6%
29 salary increase effective July 1, 2007, which continues the increase
30 that went into effect July 1, 2006, and is set to terminate June 30,
31 2007. Also included is a 3.2% salary increase effective July 1, 2007,
32 a 2% salary increase effective July 1, 2008, and increases ranging from
33 2.5% to 7.5% to address specific classifications which are below market
34 rates as established by the marine employees commission 2006 salary
35 survey.

1 NEW SECTION. **Sec. 512. COLLECTIVE BARGAINING AGREEMENT--**
2 **MM&P-WATCH SUPERVISORS.** Appropriations in this act reflect the
3 collective bargaining agreement reached between the governor and the
4 international organization of master, mates & pilots, watch
5 supervisors, local 6, under chapter 47.64 RCW. For employees covered
6 under this agreement, provisions include a 1.6% salary increase
7 effective July 1, 2007, which continues the increase that went into
8 effect July 1, 2006, and is set to terminate June 30, 2007. Also
9 included is a 3.2% salary increase effective July 1, 2007, a 2% salary
10 increase effective July 1, 2008, and a 3% increase to address this
11 specific classification which is below market rates as established by
12 the marine employees commission 2006 salary survey.

13 NEW SECTION. **Sec. 513. COLLECTIVE BARGAINING AGREEMENT--METAL**
14 **TRADES COUNCIL.** Appropriations in this act reflect the collective
15 bargaining agreement reached between the governor and the Puget Sound
16 metal trades council under chapter 47.64 RCW. For employees covered
17 under this agreement, provisions include a 1.6% salary increase
18 effective July 1, 2007, which continues the increase that went into
19 effect July 1, 2006, and is set to terminate June 30, 2007. Also
20 included is a 3.2% salary increase effective July 1, 2007, a 2% salary
21 increase effective July 1, 2008, and a \$0.95/hour salary adjustment to
22 all classifications which are below market rates as established by the
23 marine employees commission 2006 salary survey.

24 NEW SECTION. **Sec. 514. COLLECTIVE BARGAINING AGREEMENT--FASPAA.**
25 Appropriations in this act reflect the collective bargaining agreement
26 reached between the governor and the ferry agents, supervisors, &
27 project administrators association under chapter 47.64 RCW. For
28 employees covered under this agreement, provisions include a 1.6%
29 salary increase effective July 1, 2007, which continues the increase
30 that went into effect July 1, 2006, and is set to terminate June 30,
31 2007. Also included is a 3.2% salary increase effective July 1, 2007,
32 a 2% salary increase effective July 1, 2008, and a 10% increase to
33 address specific classifications which are below market rates as
34 established by the marine employees commission 2006 salary survey.

1 NEW SECTION. **Sec. 515. COLLECTIVE BARGAINING AGREEMENT--OPEIU.**

2 Appropriations in this act reflect the collective bargaining agreement
3 reached between the governor and the office & professional employees
4 international union, local 8, under chapter 47.64 RCW. For employees
5 covered under this agreement, provisions include a 1.6% salary increase
6 effective July 1, 2007, which continues the increase that went into
7 effect July 1, 2006, and is set to terminate June 30, 2007. Also
8 included is a 3.2% salary increase effective July 1, 2007, a 2% salary
9 increase effective July 1, 2008, and a one salary range (5%) increase
10 to address specific classifications which are below market rates as
11 established by the marine employees commission 2006 salary survey.

12 NEW SECTION. **Sec. 516. COLLECTIVE BARGAINING AGREEMENT--SEIU.**

13 Appropriations in this act reflect the collective bargaining agreement
14 reached between the governor and the service employees international
15 union, local 6, under chapter 47.64 RCW. For employees covered under
16 this agreement, provisions include a 1.6% salary increase effective
17 July 1, 2007, which continues the increase that went into effect July
18 1, 2006, and is set to terminate June 30, 2007. Also included is a
19 3.2% salary increase effective July 1, 2007, a 2% salary increase
20 effective July 1, 2008, and a 5% increase to address specific
21 classifications which are below market rates as established by the
22 marine employees commission 2006 salary survey.

23 NEW SECTION. **Sec. 517. COLLECTIVE BARGAINING AGREEMENT--WSP**
24 **TROOPERS ASSOCIATION.** Appropriations in this act reflect funding for
25 the collective bargaining agreement reached between the governor and
26 the Washington state patrol trooper's association under the provisions
27 of chapter 41.56 RCW. For employees covered under this agreement,
28 provisions include a 4.0% salary increase effective July 1, 2007, and
29 a 4.0% salary increase effective July 1, 2008. Also effective July 1,
30 2007, positions located in King (10%), Snohomish (5%), or Pierce (3%)
31 counties will receive geographic pay.

32 NEW SECTION. **Sec. 518. COLLECTIVE BARGAINING AGREEMENT--WSP**
33 **LIEUTENANTS ASSOCIATION.** Appropriations in this act reflect funding
34 for the collective bargaining agreement reached between the governor
35 and the Washington state patrol lieutenant's association under the

1 provisions of chapter 41.56 RCW. For employees covered under this
2 agreement, provisions include a 4.0% salary increase effective July 1,
3 2007, and a 4.0% salary increase effective July 1, 2008. Also
4 effective July 1, 2007, positions located in King (10%), Snohomish
5 (5%), or Pierce (3%) counties will receive geographic pay.

6 NEW SECTION. **Sec. 519. COLLECTIVE BARGAINING AGREEMENT--IFPTE.**

7 Appropriations in this act reflect the collective bargaining agreement
8 reached between the governor and the international federation of
9 professional and technical engineers under the provisions of chapter
10 41.80 RCW. For employees covered under this agreement, provisions
11 include a 1.6% salary increase effective July 1, 2007, which continues
12 the increase that went into effect July 1, 2006, and is set to
13 terminate June 30, 2007. Also included is a 3.2% salary increase
14 effective July 1, 2007, and a 2% salary increase effective July 1,
15 2008. Select classifications will receive wage increases due to the
16 implementation of the department of personnel's 2006 salary survey for
17 classes more than 25% below market rates. These increases will be
18 effective July 1, 2007. All employees covered under the agreement that
19 have been at the top step of their range for a year or longer will
20 progress to a new step L effective July 1, 2007.

21 **IMPLEMENTING PROVISIONS**

22 NEW SECTION. **Sec. 601.** Executive Order number 05-05,

23 archaeological and cultural resources, was issued effective November
24 10, 2005. Agencies and higher education institutions that issue grants
25 or loans for capital projects shall comply with the requirements set
26 forth in this executive order.

27 NEW SECTION. **Sec. 602. INFORMATION SYSTEMS PROJECTS.** Agencies

28 shall comply with the following requirements regarding information
29 systems projects when specifically directed to do so by this act.

- 30 (1) Agency planning and decisions concerning information technology
31 shall be made in the context of its information technology portfolio.
32 "Information technology portfolio" means a strategic management
33 approach in which the relationships between agency missions and
34 information technology investments can be seen and understood, such

1 that: Technology efforts are linked to agency objectives and business
2 plans; the impact of new investments on existing infrastructure and
3 business functions are assessed and understood before implementation;
4 and agency activities are consistent with the development of an
5 integrated, nonduplicative statewide infrastructure.

6 (2) Agencies shall use their information technology portfolios in
7 making decisions on matters related to the following:

8 (a) System refurbishment, acquisitions, and development efforts;

9 (b) Setting goals and objectives for using information technology
10 in meeting legislatively-mandated missions and business needs;

11 (c) Assessment of overall information processing performance,
12 resources, and capabilities;

13 (d) Ensuring appropriate transfer of technological expertise for
14 the operation of any new systems developed using external resources;
15 and

16 (e) Progress toward enabling electronic access to public
17 information.

18 (3) Each project will be planned and designed to take optimal
19 advantage of Internet technologies and protocols. Agencies shall
20 ensure that the project is in compliance with the architecture,
21 infrastructure, principles, policies, and standards of digital
22 government as maintained by the information services board.

23 (4) The agency shall produce a feasibility study for information
24 technology projects at the direction of the information services board
25 and in accordance with published department of information services
26 policies and guidelines. At a minimum, such studies shall include a
27 statement of: (a) The purpose or impetus for change; (b) the business
28 value to the agency, including an examination and evaluation of
29 benefits, advantages, and cost; (c) a comprehensive risk assessment
30 based on the proposed project's impact on both citizens and state
31 operations, its visibility, and the consequences of doing nothing; (d)
32 the impact on agency and statewide information infrastructure; and (e)
33 the impact of the proposed enhancements to an agency's information
34 technology capabilities on meeting service delivery demands.

35 (5) The agency shall produce a comprehensive management plan for
36 each project. The plan or plans shall address all factors critical to
37 successful completion of each project. The plan(s) shall include, but
38 is not limited to, the following elements: A description of the

1 problem or opportunity that the information technology project is
2 intended to address; a statement of project objectives and assumptions;
3 a definition and schedule of phases, tasks, and activities to be
4 accomplished; and the estimated cost of each phase. The planning for
5 the phased approach shall be such that the business case justification
6 for a project needs to demonstrate how the project recovers cost or
7 adds measurable value or positive cost benefit to the agency's business
8 functions within each development cycle.

9 (6) The agency shall produce quality assurance plans for
10 information technology projects. Consistent with the direction of the
11 information services board and the published policies and guidelines of
12 the department of information services, the quality assurance plan
13 shall address all factors critical to successful completion of the
14 project and successful integration with the agency and state
15 information technology infrastructure. At a minimum, quality assurance
16 plans shall provide time and budget benchmarks against which project
17 progress can be measured, a specification of quality assurance
18 responsibilities, and a statement of reporting requirements. The
19 quality assurance plans shall set out the functionality requirements
20 for each phase of a project.

21 (7) A copy of each feasibility study, project management plan, and
22 quality assurance plan shall be provided to the department of
23 information services, the office of financial management, and
24 legislative fiscal committees. The plans and studies shall demonstrate
25 a sound business case that justifies the investment of taxpayer funds
26 on any new project, an assessment of the impact of the proposed system
27 on the existing information technology infrastructure, the disciplined
28 use of preventative measures to mitigate risk, and the leveraging of
29 private-sector expertise as needed. Authority to expend any funds for
30 individual information systems projects is conditioned on the approval
31 of the relevant feasibility study, project management plan, and quality
32 assurance plan by the department of information services and the office
33 of financial management.

34 (8) Quality assurance status reports shall be submitted to the
35 department of information services, the office of financial management,
36 and legislative fiscal committees at intervals specified in the
37 project's quality assurance plan.

1 NEW SECTION. **Sec. 603. FUND TRANSFERS.** (1) The transportation
2 2003 projects or improvements and the 2005 transportation partnership
3 projects or improvements are listed in LEAP Transportation Document
4 2007-1, which consists of a list of specific projects by fund source
5 and amount over a sixteen year period. Current biennium funding for
6 each project is a line item appropriation, while the outer year funding
7 allocations represent a sixteen year balanced plan. The department is
8 expected to use the flexibility provided in this section to assist in
9 the delivery and completion of all transportation partnership account
10 and transportation 2003 (nickel) account projects on the LEAP lists
11 referenced in this act. For the 2007-09 project appropriations, unless
12 otherwise provided in this act, the director of financial management
13 may authorize a transfer of appropriation authority between projects
14 funded with transportation 2003 account (nickel account)
15 appropriations, transportation partnership account appropriations, or
16 multimodal transportation account appropriations, in order to manage
17 project spending and efficiently deliver all projects in the respective
18 program under the following conditions and limitations:

19 (a) Transfers may only be made within each specific fund source
20 referenced on the respective project list;

21 (b) Transfers from a project may not be made as a result of the
22 reduction of the scope of a project, nor shall a transfer be made to
23 support increases in the scope of a project;

24 (c) Each transfer between projects may only occur if the director
25 of financial management finds that any resulting change will not hinder
26 the completion of the projects as approved by the legislature;

27 (d) Transfers from a project may be made if the funds appropriated
28 to the project are in excess of the amount needed to complete the
29 project;

30 (e) Transfers may not occur to projects not identified on the
31 applicable project list; and

32 (f) Transfers may not be made while the legislature is in session.

33 (2) At the time the department submits a request to transfer funds
34 under this section a copy of the request shall be submitted to the
35 transportation committees of the legislature.

36 (3) The office of financial management shall work with legislative
37 staff of the house of representatives and senate transportation
38 committees to review the requested transfers.

1 (4) The office of financial management shall document approved
2 transfers and/or schedule changes in the transportation executive
3 information system (TEIS), compare changes to the legislative baseline
4 funding and schedules identified by project identification number
5 identified in the LEAP lists adopted in this act, and transmit revised
6 project lists to chairs of the transportation committees of the
7 legislature on a quarterly basis.

8 NEW SECTION. **Sec. 604. MEGA-PROJECT REPORTING.** Mega-projects are
9 defined as individual or groups of related projects that cost
10 \$1,000,000,000 or more. These projects include, but are not limited
11 to: Alaskan Way Viaduct, SR 520, SR 167, I-405, North Spokane
12 corridor, I-5 Tacoma HOV, and the Columbia River Crossing. The office
13 of financial management shall track mega-projects and report the
14 financial status and schedule of these projects at least once a year to
15 the transportation committees of the legislature. The design of mega-
16 projects must be evaluated considering cost, capacity, safety, mobility
17 needs, and how well the design of the facility fits within its urban
18 environment.

19 NEW SECTION. **Sec. 605.** Based on the anticipated outcomes of the
20 tolling study, to be conducted under section 206 of this act, the
21 legislature intends that tolls be charged to offset or partially offset
22 the costs for the following projects, and that a managed lane concept
23 be applied in their design and implementation: State Route 520 Bridge
24 replacement and HOV project, and widening of Interstate 405.

25 **MISCELLANEOUS 2007-09 BIENNIUM**

26 **Sec. 701.** RCW 46.68.170 and 1996 c 237 s 2 are each amended to
27 read as follows:

28 There is hereby created in the motor vehicle fund the RV account.
29 All moneys hereafter deposited in said account shall be used by the
30 department of transportation for the construction, maintenance, and
31 operation of recreational vehicle sanitary disposal systems at safety
32 rest areas in accordance with the department's highway system plan as
33 prescribed in chapter 47.06 RCW. During the 2005-2007 and 2007-2009

1 fiscal biennia, the legislature may transfer from the RV account to the
2 motor vehicle fund such amounts as reflect the excess fund balance of
3 the RV account.

4 **Sec. 702.** RCW 47.29.170 and 2006 c 370 s 604 are each amended to
5 read as follows:

6 Before accepting any unsolicited project proposals, the commission
7 must adopt rules to facilitate the acceptance, review, evaluation, and
8 selection of unsolicited project proposals. These rules must include
9 the following:

10 (1) Provisions that specify unsolicited proposals must meet
11 predetermined criteria;

12 (2) Provisions governing procedures for the cessation of
13 negotiations and consideration;

14 (3) Provisions outlining that unsolicited proposals are subject to
15 a two-step process that begins with concept proposals and would only
16 advance to the second step, which are fully detailed proposals, if the
17 commission so directed;

18 (4) Provisions that require concept proposals to include at least
19 the following information: Proposers' qualifications and experience;
20 description of the proposed project and impact; proposed project
21 financing; and known public benefits and opposition; and

22 (5) Provisions that specify the process to be followed if the
23 commission is interested in the concept proposal, which must include
24 provisions:

25 (a) Requiring that information regarding the potential project
26 would be published for a period of not less than thirty days, during
27 which time entities could express interest in submitting a proposal;

28 (b) Specifying that if letters of interest were received during the
29 thirty days, then an additional sixty days for submission of the fully
30 detailed proposal would be allowed; and

31 (c) Procedures for what will happen if there are insufficient
32 proposals submitted or if there are no letters of interest submitted in
33 the appropriate time frame.

34 The commission may adopt other rules as necessary to avoid
35 conflicts with existing laws, statutes, or contractual obligations of
36 the state.

1 The commission may not accept or consider any unsolicited proposals
2 before (~~June 30, 2007~~) July 1, 2009.

3 NEW SECTION. **Sec. 703.** To the extent that any appropriation
4 authorizes expenditures of state funds from the motor vehicle account,
5 special category C account, Tacoma Narrows toll bridge account,
6 transportation 2003 account (nickel account), transportation
7 partnership account, transportation improvement account, Puget Sound
8 capital construction account, multimodal transportation account, or
9 other transportation capital project account in the state treasury for
10 a state transportation program that is specified to be funded with
11 proceeds from the sale of bonds authorized in chapter 47.10 RCW, the
12 legislature declares that any such expenditures made prior to the issue
13 date of the applicable transportation bonds for that state
14 transportation program are intended to be reimbursed from proceeds of
15 those transportation bonds in a maximum amount equal to the amount of
16 such appropriation.

17 **Sec. 704.** RCW 46.16.685 and 2003 c 370 s 4 are each amended to
18 read as follows:

19 The license plate technology account is created in the state
20 treasury. All receipts collected under RCW 46.01.140(4)(e)(ii) must be
21 deposited into this account. Expenditures from this account must
22 support current and future license plate technology and systems
23 integration upgrades for both the department and correctional
24 industries. Moneys in the account may be spent only after
25 appropriation. Additionally, the moneys in this account may be used to
26 reimburse the motor vehicle account for any appropriation made to
27 implement the digital license plate system. During the 2007-2009
28 fiscal biennium, the legislature may transfer from the license plate
29 technology account to the multimodal transportation account such
30 amounts as reflect the excess fund balance of the license plate
31 technology account.

32 **Sec. 705.** RCW 47.01.390 and 2006 c 311 s 27 are each amended to
33 read as follows:

34 (1) Prior to commencing construction on either project, the
35 department of transportation must complete all of the following

1 requirements for both the Alaskan Way viaduct and Seattle Seawall
2 replacement project, and the state route number 520 bridge replacement
3 and HOV project: (a) In accordance with the national environmental
4 policy act, the department must designate the preferred alternative,
5 prepare a substantial project mitigation plan, and complete a
6 comprehensive cost estimate review using the department's cost estimate
7 validation process, for each project; (b) in accordance with all
8 applicable federal highway administration planning and project
9 management requirements, the department must prepare a project finance
10 plan for each project that clearly identifies secured and anticipated
11 fund sources, cash flow timing requirements, and project staging and
12 phasing plans if applicable; and (c) the department must report these
13 results for each project to the joint transportation committee.

14 (2) The requirements of this section shall not apply to (a) utility
15 relocation work, and related activities, on the Alaskan Way viaduct and
16 Seattle Seawall replacement project and (b) off-site pontoon
17 construction supporting the state route number 520 bridge replacement
18 and HOV project.

19 (3) The requirements of subsection (1) of this section shall not
20 apply during the 2007-2009 fiscal biennium.

21 **Sec. 706.** RCW 88.16.090 and 2005 c 26 s 2 are each amended to read
22 as follows:

23 (1) A person may pilot any vessel subject to this chapter on waters
24 covered by this chapter only if licensed to pilot such vessels on such
25 waters under this chapter.

26 (2)(a) A person is eligible to be licensed as a pilot if the
27 person:

28 (i) Is a citizen of the United States;

29 (ii) Is over the age of twenty-five years and under the age of
30 seventy years;

31 (iii) Is a resident of the state of Washington at the time of
32 licensure as a pilot;

33 (iv)(A) Holds at the time of application, as a minimum, a United
34 States government license as master of steam or motor vessels of not
35 more than one thousand six hundred gross register tons (three thousand
36 international tonnage convention tons) upon oceans, near coastal

1 waters, or inland waters; or the then most equivalent federal license
2 as determined by the board; any such license to have been held by the
3 applicant for a period of at least two years before application;

4 (B) Holds at the time of licensure as a pilot, after successful
5 completion of the board-required training program, a first class United
6 States endorsement without restrictions on the United States government
7 license for the pilotage district in which the pilot applicant desires
8 to be licensed; however, all applicants for a pilot examination
9 scheduled to be given before July 1, 2008, must have the United States
10 pilotage endorsement at the time of application; and

11 (C) The board may establish such other federal license requirements
12 for applicants and pilots as it deems appropriate; and

13 (v) Successfully completes a board-specified training program.

14 (b) In addition to the requirements of (a) of this subsection, a
15 pilot applicant must meet such other qualifications as may be required
16 by the board.

17 (c) A person applying for a license under this section shall not
18 have been convicted of an offense involving drugs or the personal
19 consumption of alcohol in the twelve months prior to the date of
20 application. This restriction does not apply to license renewals under
21 this section.

22 (3) The board may establish such other training license and pilot
23 license requirements as it deems appropriate.

24 (4) Pilot applicants shall be evaluated and ranked in a manner
25 specified by the board based on their experience, other qualifications
26 as may be set by the board, performance on a written examination or
27 examinations established by the board, and performance in such other
28 evaluation exercises as may be required by the board, for entry into a
29 board-specified training program.

30 When the board determines that the demand for pilots requires entry
31 of an applicant into the training program it shall issue a training
32 license to that applicant, but under no circumstances may an applicant
33 be issued a training license more than four years after taking the
34 written entry examination. The training license authorizes the trainee
35 to do such actions as are specified in the training program.

36 After the completion of the training program the board shall
37 evaluate the trainee's performance and knowledge. The board, as it

1 deems appropriate, may then issue a pilot license, delay the issuance
2 of the pilot license, deny the issuance of the pilot license, or
3 require further training and evaluation.

4 (5) The board may appoint a special independent committee or may
5 contract with a firm knowledgeable and experienced in the development
6 of professional tests and evaluations for development and grading of
7 the examinations and other evaluation methods. Active licensed state
8 pilots may be consulted for the general development of any examinations
9 and evaluation exercises but shall have no knowledge of the specific
10 questions. The pilot members of the board may participate in the
11 grading of examinations. If the board does appoint a special
12 examination or evaluation development committee it is authorized to pay
13 the members of the committee the same compensation and travel expenses
14 as received by members of the board. Any person who willfully gives
15 advance knowledge of information contained on a pilot examination or
16 other evaluation exercise is guilty of a gross misdemeanor.

17 (6) Pilots are licensed under this section for a term of five years
18 from and after the date of the issuance of their respective state
19 licenses. Licenses must thereafter be renewed as a matter of course,
20 unless the board withholds the license for good cause. Each pilot
21 shall pay to the state treasurer an annual license fee (~~of three~~
22 ~~thousand dollars~~) in an amount set by the board by rule. The fees
23 established under this subsection may be increased in excess of the
24 fiscal growth factor as provided in RCW 43.135.055 through the fiscal
25 year ending June 30, 2009. The fees must be deposited in the state
26 treasury to the credit of the pilotage account. The board may assess
27 partially active or inactive pilots a reduced fee.

28 (7) All pilots and applicants are subject to an annual physical
29 examination by a physician chosen by the board. The physician shall
30 examine the applicant's heart, blood pressure, circulatory system,
31 lungs and respiratory system, eyesight, hearing, and such other items
32 as may be prescribed by the board. After consultation with a physician
33 and the United States coast guard, the board shall establish minimum
34 health standards to ensure that pilots licensed by the state are able
35 to perform their duties. Within ninety days of the date of each annual
36 physical examination, and after review of the physician's report, the
37 board shall make a determination of whether the pilot or applicant is
38 fully able to carry out the duties of a pilot under this chapter. The

1 board may in its discretion check with the appropriate authority for
2 any convictions of offenses involving drugs or the personal consumption
3 of alcohol in the prior twelve months.

4 (8) The board may require vessel simulator training for a pilot
5 applicant and shall require vessel simulator training for a licensed
6 pilot subject to RCW 88.16.105. The board shall also require vessel
7 simulator training in the first year of active duty for a new pilot and
8 at least once every five years for all active pilots.

9 (9) The board shall prescribe, pursuant to chapter 34.05 RCW, such
10 reporting requirements and review procedures as may be necessary to
11 assure the accuracy and validity of license and service claims.
12 Willful misrepresentation of such required information by a pilot
13 applicant shall result in disqualification of the pilot applicant.

14 **Sec. 707.** RCW 47.12.244 and 1991 c 291 s 2 are each amended to
15 read as follows:

16 There is created the "advance right of way revolving fund" in the
17 custody of the treasurer, into which the department is authorized to
18 deposit directly and expend without appropriation:

19 (1) An initial deposit of ten million dollars from the motor
20 vehicle fund included in the department of transportation's 1991-93
21 budget;

22 (2) All moneys received by the department as rental income from
23 real properties that are not subject to federal aid reimbursement,
24 except moneys received from rental of capital facilities properties as
25 defined in chapter 47.13 RCW; and

26 (3) Any federal moneys available for acquisition of right of way
27 for future construction under the provisions of section 108 of Title
28 23, United States Code.

29 (4) During the 2007-09 fiscal biennium, the legislature may
30 transfer from the advance right of way revolving fund to the motor
31 vehicle account amounts as reflect the excess fund balance of the
32 advance right of way revolving fund.

33 **Sec. 708.** RCW 70.95.521 and 2005 c 354 s 3 are each amended to
34 read as follows:

35 The waste tire removal account is created in the state treasury.
36 All receipts from tire fees imposed under RCW 70.95.510 must be

1 deposited in the account. Moneys in the account may be spent only
2 after appropriation. Expenditures from the account may be used for the
3 cleanup of unauthorized waste tire piles and measures that prevent
4 future accumulation of unauthorized waste tire piles. During the 2007-
5 2009 fiscal biennium, the legislature may transfer from the waste tire
6 removal account to the motor vehicle fund such amounts as reflect the
7 excess fund balance of the waste tire removal account.

8 NEW SECTION. **Sec. 709.** The department of transportation, in
9 conjunction with the office of financial management, must implement the
10 governmental accounting standards board's (GASB) statement number 34
11 including a complete inventory and valuation of the state's highway
12 system. The financial reporting value of the state's highway system
13 must be adjusted for any new additions to the system. The biennial
14 reporting of the condition of the system must be related to the funding
15 levels of maintaining the system. The department must maintain a
16 current inventory of the state's highway system and estimate the actual
17 cost to maintain and preserve the assets. In addition to the GASB
18 statement 34, the department of transportation with the office of
19 financial management's assistance must establish an asset replacement
20 value for the entire state's highway system. During 2007, the cochairs
21 of the joint transportation committee shall select legislators to work
22 with the office of financial management and the department of
23 transportation. The purpose of this effort is to enhance decision
24 making that will result in strategic long-term investment decisions in
25 transportation capital project management and asset preservation. The
26 office of financial management will coordinate and manage the inventory
27 and the valuation. The office of financial management must submit a
28 final report to the legislative transportation committees on or before
29 December 1, 2008.

30 **Sec. 710.** RCW 47.06A.030 and 1999 c 216 s 2 are each amended to
31 read as follows:

32 (1) The freight mobility strategic investment board is created.
33 The board shall convene by July 1, 1998.

34 (2) The board is composed of twelve members. The following members
35 are appointed by the governor for terms of four years, except that five
36 members initially are appointed for terms of two years: (a) Two

1 members, one of whom is from a city located within or along a strategic
2 freight corridor, appointed from a list of at least four persons
3 nominated by the association of Washington cities or its successor; (b)
4 two members, one of whom is from a county having a strategic freight
5 corridor within its boundaries, appointed from a list of at least four
6 persons nominated by the Washington state association of counties or
7 its successor; (c) two members, one of whom is from a port district
8 located within or along a strategic freight corridor, appointed from a
9 list of at least four persons nominated by the Washington public ports
10 association or its successor; (d) one member representing the office of
11 financial management; (e) one member appointed as a representative of
12 the trucking industry; (f) one member appointed as a representative of
13 the railroads; (g) the secretary of the department of transportation;
14 (h) one member representing the steamship industry; and (i) one member
15 of the general public. For the 2007-09 biennium, the board shall also
16 include a representative of organized labor. In appointing the general
17 public member, the governor shall endeavor to appoint a member with
18 special expertise in relevant fields such as public finance, freight
19 transportation, or public works construction. The governor shall
20 appoint the general public member as chair of the board. In making
21 appointments to the board, the governor shall ensure that each
22 geographic region of the state is represented.

23 (3) Members of the board shall be reimbursed for reasonable and
24 customary travel expenses as provided in RCW 43.03.050 and 43.03.060.

25 (4) If a vacancy on the board occurs by death, resignation, or
26 otherwise, the governor shall fill the vacant position for the
27 unexpired term. Each vacancy in a position appointed from lists
28 provided by the associations and departments under subsection (2) of
29 this section must be filled from a list of at least four persons
30 nominated by the relevant association or associations.

31 (5) The appointments made in subsection (2) of this section are not
32 subject to confirmation.

33 **Sec. 711.** RCW 46.16.725 and 2005 c 319 s 119 and 2005 c 210 s 7
34 are each reenacted and amended to read as follows:

35 (1) The creation of the board does not in any way preclude the
36 authority of the legislature to independently propose and enact special
37 license plate legislation.

1 (2) The board must review and either approve or reject special
2 license plate applications submitted by sponsoring organizations.

3 (3) Duties of the board include but are not limited to the
4 following:

5 (a) Review and approve the annual financial reports submitted by
6 sponsoring organizations with active special license plate series and
7 present those annual financial reports to the senate and house
8 transportation committees;

9 (b) Report annually to the senate and house transportation
10 committees on the special license plate applications that were
11 considered by the board;

12 (c) Issue approval and rejection notification letters to sponsoring
13 organizations, the department, the chairs of the senate and house of
14 representatives transportation committees, and the legislative sponsors
15 identified in each application. The letters must be issued within
16 seven days of making a determination on the status of an application;

17 (d) Review annually the number of plates sold for each special
18 license plate series created after January 1, 2003. The board may
19 submit a recommendation to discontinue a special plate series to the
20 chairs of the senate and house of representatives transportation
21 committees;

22 (e) Provide policy guidance and directions to the department
23 concerning the adoption of rules necessary to limit the number of
24 special license plates that an organization or a governmental entity
25 may apply for.

26 (4) In order to assess the effects and impact of the proliferation
27 of special license plates, the legislature declares a temporary
28 moratorium on the issuance of any additional plates until (~~June 1,~~
29 ~~2007~~) July 1, 2009. During this period of time, the special license
30 plate review board created in RCW 46.16.705 and the department of
31 licensing are prohibited from accepting, reviewing, processing, or
32 approving any applications. Additionally, no special license plate may
33 be enacted by the legislature during the moratorium, unless the
34 proposed license plate has been approved by the board before February
35 15, 2005.

36 NEW SECTION. **Sec. 712.** It is the intent of the legislature to
37 establish policy goals for the planning, operation, performance of, and

1 investment in, the state's transportation system. The policy goals
2 established under this section are deemed consistent with the benchmark
3 categories adopted by the state's blue ribbon commission on
4 transportation on November 30, 2000. Public investments in
5 transportation should support achievement of these policy goals:

6 (a) Preservation: To maintain, preserve, and extend the life and
7 utility of prior investments in transportation systems and services;

8 (b) Safety: To provide for and improve the safety and security of
9 transportation customers and the transportation system;

10 (c) Mobility: To improve the predictable movement of goods and
11 people throughout Washington state;

12 (d) Environment: To enhance Washington's quality of life through
13 transportation investments that promote energy conservation, enhance
14 healthy communities, and protect the environment; and

15 (e) Stewardship: To continuously improve the quality,
16 effectiveness, and efficiency of the transportation system.

17 **NEW SECTION. Sec. 713. FOR THE DEPARTMENT OF TRANSPORTATION**

18 Transportation Infrastructure Account--State
19 Appropriation \$7,000,000

20 The appropriation in this section is subject to the following
21 conditions and limitations: The Palouse River and Coulee City (PCC)
22 rail line system is made up of the CW, P&L and PV Hooper rail lines.
23 The amount provided in this section is provided solely for grants to
24 any intergovernmental entity or local rail district to which operating
25 rights for the PCC rail line system are assigned, provided that the
26 funds are used only to refurbish the rail lines. It is the intent of
27 the legislature to make the funds appropriated in this section
28 available as grants to an intergovernmental entity or local rail
29 district for the purposes stated in this section at least until June
30 30, 2012, and to reappropriate as necessary any portion of the
31 appropriation in this section that is not used by June 30, 2009.

32 **Sec. 714.** RCW 46.68.060 and 1969 c 99 s 11 are each amended to
33 read as follows:

34 There is hereby created in the state treasury a fund to be known as
35 the highway safety fund to the credit of which shall be deposited all
36 moneys directed by law to be deposited therein. This fund shall be

1 used for carrying out the provisions of law relating to driver
2 licensing, driver improvement, financial responsibility, cost of
3 furnishing abstracts of driving records and maintaining such case
4 records, and to carry out the purposes set forth in RCW 43.59.010.
5 During the 2005-2007 and 2007-2009 fiscal biennia, the legislature may
6 transfer from the highway safety fund to the motor vehicle fund and the
7 multimodal transportation account such amounts as reflect the excess
8 fund balance of the highway safety fund.

9 **2005-07 BIENNIUM**

10 **TRANSPORTATION AGENCIES--OPERATING**

11 **Sec. 801.** 2006 c 53 s 2 (uncodified) is amended to read as
12 follows:

13 **FOR THE BOARD OF PILOTAGE COMMISSIONERS**

14 Pilotage Account--State Appropriation ((\$1,017,000))
15 \$1,317,000

16 ~~((The appropriation in this section is subject to the following~~
17 ~~conditions and limitations: \$500,000 of the appropriation is provided~~
18 ~~solely for stipends to trainees in the training program as set forth in~~
19 ~~rules adopted by the board.))~~

20 NEW SECTION. **Sec. 802.** A new section is added to 2005 c 313
21 (uncodified) to read as follows:

22 **FOR THE DEPARTMENT OF LICENSING.** The appropriations to the
23 department of licensing in chapter 370, Laws of 2006 shall be expended
24 for the programs and in the amounts specified herein. However, after
25 May 1, 2007, unless specifically prohibited, the department may
26 transfer motor vehicle account--state appropriations for the 2005-2007
27 fiscal biennium, highway safety account--state appropriations for the
28 2005-2007 fiscal biennium, and department of licensing services
29 account--state appropriations for the 2005-2007 fiscal biennium between
30 programs after approval by the director of financial management.
31 However, the department shall not transfer state moneys that are
32 provided solely for a specified purpose. The director of financial
33 management shall notify the appropriate fiscal committees of the senate

1 and house of representatives in writing prior to approving any
2 allotment modifications or transfers under this section.

3 NEW SECTION. **Sec. 803.** A new section is added to 2005 c 313
4 (uncodified) to read as follows:

5 **FOR THE DEPARTMENT OF TRANSPORTATION.** (1) The appropriations to the
6 department of transportation in this act shall be expended for the
7 programs and in the amounts specified in this act. However, in order
8 to meet extraordinary ferry operating labor expenses, after May 1,
9 2007, unless specifically prohibited by this act, the department may
10 transfer state appropriations among operating programs after approval
11 by the director of financial management. However, the department shall
12 not transfer state moneys that are provided solely for a specified
13 purpose.

14 (2) The department shall not transfer funds, and the director of
15 financial management shall not approve the transfer, unless the
16 transfer is consistent with the objective of conserving, to the maximum
17 extent possible, the expenditure of state funds and not federal funds.
18 The director of financial management shall notify the appropriate
19 transportation committees of the legislature in writing seven days
20 prior to approving any allotment modifications or transfers under this
21 subsection. The written notification shall include a narrative
22 explanation and justification of the changes, along with expenditures
23 and allotments by program and appropriation, both before and after any
24 allotment modifications or transfers.

25 **Sec. 804.** 2006 c 370 s 205 (uncodified) is amended to read as
26 follows:

27 **FOR THE JOINT TRANSPORTATION COMMITTEE**
28 Motor Vehicle Account--State Appropriation \$1,679,000

29 The appropriation in this section is subject to the following
30 conditions and limitations:

31 (1)(a) \$200,000 of the total appropriation is provided solely for
32 the joint transportation committee to conduct a finance study of the
33 Washington state ferry system. The purpose of the study is to
34 facilitate policy discussions and decisions by members of the
35 legislature regarding the Washington state ferry system. The
36 legislature recognizes there is a need within the Washington state

1 ferry system for predictable cash flows, transparency, assessment of
2 organizational structure, verification that the Washington state ferry
3 system is operating at maximum efficiency, and better labor relations.
4 The committee shall report the study to the house of representatives
5 and senate transportation committees by January 1, 2007.

6 (b) The study must include, at a minimum, a review and evaluation
7 of the ferry system's financial plan, including current assumptions and
8 past studies, in the following areas:

9 (i) Operating program, including ridership, revenue, and cost
10 forecasts and the accuracy of those forecasts; and

11 (ii) Capital program, including project scoping, prioritization and
12 cost estimating, project changes including legislative input regarding
13 significant project changes, and performance measures.

14 (c) In addition to committee members, or their designees, the
15 governor shall appoint a representative for this study. The committee
16 may retain consulting services to assist the committee in conducting
17 the study, including the evaluation of financial, operating, and
18 capital plans. The committee may also appoint other persons to assist
19 with the study.

20 (2) The joint transportation committee shall conduct a study
21 regarding the feasibility of a statewide uniform motor vehicle excise
22 tax (MVET) depreciation schedule. In addition to committee members,
23 the participants in the study must include at a minimum the following
24 individuals: (a) A representative of a regional transit authority
25 (Sound Transit); (b) a representative of a regional transportation
26 planning organization; (c) the secretary of transportation, or his or
27 her designee; (d) a representative of the attorney general's office;
28 (e) a representative of the department of licensing; and (f) a
29 representative of the financial community. The purpose of the study is
30 to develop an MVET depreciation schedule that more accurately reflects
31 vehicle value but does not hinder outstanding contractual obligations.

32 (3) Funds provided in this section are sufficient for the committee
33 to administer a study of the most reliable and cost-effective means of
34 providing passenger-only ferry service.

35 (a) The study shall be guided by a 18 member task force consisting
36 of the chairs and ranking members of the house of representatives and
37 senate transportation committees, a designee of the director of the
38 office of financial management, a member of the transportation

1 commission, a designee of the secretary of transportation, a
2 representative of organized labor, and ten stakeholders to be appointed
3 by the governor as follows: Six representatives of ferry user
4 communities, two representatives of public transportation agencies, and
5 two representatives of commercial ferry operators.

6 (b) The study shall examine issues including but not limited to the
7 long-term viability of different service providers, cost to ferry
8 passengers, the state subsidies required by each provider, and the
9 availability of federal funding for the different service providers.

10 (c) By November 30, 2005, the task force shall make its
11 recommendations to the house of representatives and senate
12 transportation committees.

13 ~~(4) ((\$450,000 of the motor vehicle account--state appropriation is
14 provided solely to administer a consultant study of the long term
15 viability of the state's transportation financing methods and sources.~~

16 ~~(a) At a minimum, the study must examine the following: (i) The
17 short and long term viability of the motor fuel tax (both state and
18 federal) as a major source of funding for transportation projects and
19 programs; (ii) the desirability and effectiveness of state distributed
20 transportation funds for the benefit of local units of government;
21 (iii) the potential for alternative and/or emerging sources of
22 transportation revenues, with particular emphasis on user based fees
23 and charges; and (iv) trends and implications of debt financing for
24 transportation projects. The scope of work for the study may be
25 expanded to include analysis of other financing issues relevant to the
26 long term viability of the state's transportation system.~~

27 ~~(b) The findings and recommendations must be submitted to the
28 fiscal committees of the legislature by November 1, 2006.~~

29 ~~(5))~~ \$75,000 of the motor vehicle account--state appropriation is
30 provided solely for the joint transportation committee to contract for
31 a review of existing research on programs and policies which decrease
32 accidents by teenage drivers, including but not limited to publicly
33 operated driver education and intermediate drivers licensing programs.
34 The institute shall also evaluate the costs and benefits of programs
35 and policies showing the greatest positive impact on teenage driving
36 safety.

37 ~~((+6))~~ (5) The committee shall conduct an evaluation of the
38 department of transportation surface transportation program enhancement

1 grant program. The evaluation will include (a) information about the
2 categories of projects submitted for consideration; (b) a review of the
3 allocation of funds awarded across the categories of STP enhancement
4 eligible activities; (c) a review of the criteria used to score
5 projects; and (d) a finding by the committee whether certain categories
6 of projects are disproportionately funded or unfunded.

7 **Sec. 805.** 2006 c 370 s 208 (uncodified) is amended to read as
8 follows:

9 **FOR THE WASHINGTON STATE PATROL--FIELD OPERATIONS BUREAU**

| | |
|--|----------------------|
| 10 State Patrol Highway Account--State Appropriation | (\$201,063,000) |
| 11 | <u>\$198,984,000</u> |
| 12 State Patrol Highway Account--Federal Appropriation | \$10,544,000 |
| 13 State Patrol Highway Account--Private/Local Appropriation | \$169,000 |
| 14 TOTAL APPROPRIATION | (\$211,776,000) |
| 15 | <u>\$209,697,000</u> |

16 The appropriations in this section are subject to the following
17 conditions and limitations:

18 (1) Washington state patrol officers engaged in off-duty uniformed
19 employment providing traffic control services to the department of
20 transportation or other state agencies may use state patrol vehicles
21 for the purpose of that employment, subject to guidelines adopted by
22 the chief of the Washington state patrol. The Washington state patrol
23 shall be reimbursed for the use of the vehicle at the prevailing state
24 employee rate for mileage and hours of usage, subject to guidelines
25 developed by the chief of the Washington state patrol. The patrol
26 shall report to the house of representatives and senate transportation
27 committees by December 31, 2005, on the use of agency vehicles by
28 officers engaging in the off-duty employment specified in this
29 subsection. The report shall include an analysis that compares cost
30 reimbursement and cost-impacts, including increased vehicle mileage,
31 maintenance costs, and indirect impacts, associated with the private
32 use of patrol vehicles.

33 (2) In addition to the user fees, the patrol shall transfer into
34 the state patrol nonappropriated airplane revolving account under RCW
35 43.79.470 no more than the amount of appropriated state patrol highway
36 account and general fund funding necessary to cover the costs for the
37 patrol's use of the aircraft. The state patrol highway account and

1 general fund--state funds shall be transferred proportionately in
2 accordance with a cost allocation that differentiates between highway
3 traffic enforcement services and general policing purposes.

4 (3) The patrol shall not account for or record locally provided DUI
5 cost reimbursement payments as expenditure credits to the state patrol
6 highway account. The patrol shall report the amount of expected
7 locally provided DUI cost reimbursements to the transportation
8 committees of the senate and house of representatives by December 31st
9 of each year.

10 (4) The state patrol highway account--state appropriation for DUI
11 reimbursements shall only be spent for pursuit vehicle video cameras,
12 datamaster DUI testing equipment, tire deflator equipment, and taser
13 guns. The Washington state patrol prior to the issuance of any taser
14 guns will train the troopers on using the equipment. The agency will
15 provide a report to the transportation committees of the senate and
16 house of representatives by December 31st of each year on the
17 occurrences where the taser guns were utilized along with any issues
18 that have been identified.

19 (5) \$29,000 of the state patrol highway account--state
20 appropriation is provided solely for the implementation of House Bill
21 No. 1469. If House Bill No. 1469 is not enacted by June 30, 2005, the
22 amount provided in this subsection shall lapse.

23 (6) \$5,580,000 of the total appropriation is provided solely for a
24 3.8% salary increase for commissioned officers effective July 1, 2005,
25 in addition to any other salary increases provided for in this act.

26 (7) The Washington state patrol is authorized to use certificates
27 of participation to fund the King Air aircraft replacement over a term
28 of not more than ten years and an amount not to exceed \$1,900,000.

29 (8)(a) \$834,000 of the state patrol highway account--state
30 appropriation is provided solely for the collective bargaining
31 agreement reached between the governor and the Washington state patrol
32 troopers association under chapter 438, Laws of 2005. For commissioned
33 troopers and sergeants covered under this section, funding is provided
34 for a 2.6% salary increase effective July 1, 2006. This increase
35 supersedes the fiscal year 2007 increase granted under section 501,
36 chapter 313, Laws of 2005. Provisions of the collective bargaining
37 agreement contained in this subsection are described in general terms.
38 Only major economic terms are included in this description. This

1 description does not contain the complete contents of the agreement.
2 Due to the timing challenges in negotiating the initial collective
3 bargaining agreement under chapter 438, Laws of 2005, this agreement
4 was not concluded by the October 1st statutory deadline. However, the
5 legislature does not intend to fund bargaining agreements concluded
6 after the October 1st deadline, or other salary increases not included
7 in the governor's budget proposal, in future biennia.

8 (b) \$62,000 of the state patrol highway account--state
9 appropriation is provided solely for salary increases for commissioned
10 captains and lieutenants covered under this section, if a new
11 collective bargaining agreement is reached between the governor and the
12 Washington state patrol lieutenants association by July 1, 2006. The
13 amount provided in this subsection is contingent on an agreement being
14 reached by July 1, 2006, and shall be held in reserve status until the
15 agreement is reached. If an agreement is not reached by July 1, 2006,
16 the amount provided in this subsection shall lapse. If an agreement is
17 reached by July 1, 2006, the increase supersedes the fiscal year 2007
18 increase granted under section 501, chapter 313, Laws of 2005. Due to
19 the timing challenges in negotiating a collective bargaining agreement
20 funded under this subsection, the agreement will not have been
21 concluded by the October 1st statutory deadline. However, the
22 legislature does not intend to fund bargaining agreements concluded
23 after the October 1st deadline, or other salary increases not included
24 in the governor's budget proposal, in future biennia.

25 (9) The Washington state patrol, in consultation with the
26 department of licensing, local law enforcement agencies, and other
27 appropriate organizations, shall study the options for implementing an
28 inspection program for tow truck operators that are not licensed as
29 registered tow truck operators. This study shall also evaluate
30 prospective sources of funding and the amount of funding necessary for
31 the program. The Washington state patrol shall report to the
32 transportation committees of the legislature by December 1, 2006, on
33 the options, strategies, and recommendations for implementing an
34 inspection program for tow truck operators that are not licensed as
35 registered tow truck operators.

36 (10) \$2,040,000 of the state patrol highway account--state
37 appropriation is provided solely for eighteen additional commissioned
38 officers in the vessel and terminal security division.

1 (11) The office of financial management shall conduct a review of
2 the state patrol highway account and report its findings to the
3 legislature by January 1, 2007.

4 **Sec. 806.** 2006 c 370 s 209 (uncodified) is amended to read as
5 follows:

6 **FOR THE WASHINGTON STATE PATROL--INVESTIGATIVE SERVICES BUREAU**
7 State Patrol Highway Account--State Appropriation . . . ((~~\$1,358,000~~))
8 \$1,025,000

9 **Sec. 807.** 2006 c 370 s 210 (uncodified) is amended to read as
10 follows:

11 **FOR THE WASHINGTON STATE PATROL--TECHNICAL SERVICES BUREAU**
12 State Patrol Highway Account--State Appropriation . . . ((~~\$91,359,000~~))
13 \$93,280,000
14 State Patrol Highway Account--Private/Local
15 Appropriation \$2,008,000
16 TOTAL APPROPRIATION ((~~\$93,367,000~~))
17 \$95,288,000

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

20 (1) \$247,000 of the state patrol highway account--state
21 appropriation is provided solely for the implementation of Second
22 Substitute House Bill No. 1188. If Second Substitute House Bill No.
23 1188 is not enacted by June 30, 2005, the amount provided in this
24 subsection shall lapse.

25 (2) The Washington state patrol is instructed to work with the risk
26 management division in the office of financial management in compiling
27 the state patrol data for establishing the agency's risk management
28 insurance premiums to the tort claims account. The office of financial
29 management and the Washington state patrol shall submit a report to the
30 transportation committees of the senate and house of representatives by
31 December 31st of each year on the number of claims, estimated claims to
32 be paid, method of calculation, and the adjustment in the premium.

33 (3) \$8,678,000 of the total appropriation is provided solely for
34 the purchase of pursuit vehicles.

35 (4) \$5,254,000 of the total appropriation is provided solely for

1 vehicle repair and maintenance costs of vehicles used for highway
2 purposes.

3 (5) \$384,000 of the total appropriation is provided solely for the
4 purchase of mission vehicles used for highway purposes in the
5 commercial vehicle and traffic investigation sections of the patrol.

6 (6)(a) \$28,000 of the state patrol highway account--state
7 appropriation is provided solely for the collective bargaining
8 agreement reached between the governor and the Washington state patrol
9 troopers association under chapter 438, Laws of 2005. For commissioned
10 troopers and sergeants covered under this section, funding is provided
11 for a 2.6% salary increase effective July 1, 2006. This increase
12 supersedes the fiscal year 2007 increase granted under section 501,
13 chapter 313, Laws of 2005. Provisions of the collective bargaining
14 agreement contained in this subsection are described in general terms.
15 Only major economic terms are included in this description. This
16 description does not contain the complete contents of the agreement.
17 Due to the timing challenges in negotiating the initial collective
18 bargaining agreement under chapter 438, Laws of 2005, this agreement
19 was not concluded by the October 1st statutory deadline. However, the
20 legislature does not intend to fund bargaining agreements concluded
21 after the October 1st deadline, or other salary increases not included
22 in the governor's budget proposal, in future biennia.

23 (b) \$2,000 of the state patrol highway account--state appropriation
24 is provided solely for salary increases for commissioned captains and
25 lieutenants covered under this section, if a new collective bargaining
26 agreement is reached between the governor and the Washington state
27 patrol lieutenants association by July 1, 2006. The amount provided in
28 this subsection is contingent on an agreement being reached by July 1,
29 2006, and shall be held in reserve status until the agreement is
30 reached. If an agreement is not reached by July 1, 2006, the amount
31 provided in this subsection shall lapse. If an agreement is reached by
32 July 1, 2006, the increase supersedes the fiscal year 2007 increase
33 granted under section 501, chapter 313, Laws of 2005. Due to the
34 timing challenges in negotiating a collective bargaining agreement
35 funded under this subsection, the agreement will not have been
36 concluded by the October 1st statutory deadline. However, the
37 legislature does not intend to fund bargaining agreements concluded

1 after the October 1st deadline, or other salary increases not included
2 in the governor's budget proposal, in future biennia.

3 **Sec. 808.** 2006 c 370 s 215 (uncodified) is amended to read as
4 follows:

5 **FOR THE DEPARTMENT OF TRANSPORTATION--TOLL OPERATIONS AND**
6 **MAINTENANCE--PROGRAM B**

7 Tacoma Narrows Toll Bridge Account--State Appropriation ((~~\$8,294,000~~)
8 \$5,288,000)

9 **Sec. 809.** 2006 c 370 s 218 (uncodified) is amended to read as
10 follows:

11 **FOR THE DEPARTMENT OF TRANSPORTATION--AVIATION--PROGRAM F**

12 Aeronautics Account--State Appropriation ((~~\$7,137,000~~)
13 \$6,925,000)

14 Aeronautics Account--Federal Appropriation \$2,150,000

15 Multimodal Transportation Account--State Appropriation . . . \$100,000

16 Multimodal Transportation Account--Federal Appropriation . . \$900,000

17 TOTAL APPROPRIATION ((~~\$10,287,000~~)
18 \$10,075,000)

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

21 (1)(a) \$433,000 of the aeronautics account--state appropriation is
22 provided solely for airport pavement projects. The department's
23 aviation division shall complete a priority airport pavement project
24 list by January 1, 2006, to be considered by the legislature in the
25 2006 supplemental budget. If Substitute Senate Bill No. 5414 is not
26 enacted by June 30, 2005, the amount provided in this subsection shall
27 lapse.

28 (b) If Substitute Senate Bill No. 5414 is enacted by July 1, 2005,
29 then the remaining unexpended fund balance in the aircraft search and
30 rescue, safety, and education account shall be deposited into the state
31 aeronautics account.

32 (2) The entire multimodal transportation account--state and federal
33 appropriations are provided solely for implementing Engrossed
34 Substitute Senate Bill No. 5121. If Engrossed Substitute Senate Bill
35 No. 5121 is not enacted by June 30, 2005, or if federal funds are not

1 received by March 1, 2006, for the purpose of implementing Engrossed
2 Substitute Senate Bill No. 5121, the amount provided in this subsection
3 shall lapse.

4 **Sec. 810.** 2006 c 370 s 221 (uncodified) is amended to read as
5 follows:

6 **FOR THE DEPARTMENT OF TRANSPORTATION--HIGHWAY MAINTENANCE--PROGRAM M**

| | |
|--|--------------------------------|
| 7 Motor Vehicle Account--State Appropriation | ((\$299,720,000)) |
| | <u>\$300,920,000</u> |
| 8 Motor Vehicle Account--Federal Appropriation | ((\$1,426,000)) |
| | <u>\$3,926,000</u> |
| 9 Motor Vehicle Account--Private/Local Appropriation | \$4,315,000 |
| 10 TOTAL APPROPRIATION | ((\$305,461,000)) |
| | <u>\$309,161,000</u> |

14 The appropriations in this section are subject to the following
15 conditions and limitations:

16 (1) If portions of the appropriations in this section are required
17 to fund maintenance work resulting from major disasters not covered by
18 federal emergency funds such as fire, flooding, and major slides,
19 supplemental appropriations must be requested to restore state funding
20 for ongoing maintenance activities.

21 (2) The department shall request an unanticipated receipt for any
22 federal moneys received for emergency snow and ice removal and shall
23 place an equal amount of the motor vehicle account--state into
24 unallotted status. This exchange shall not affect the amount of
25 funding available for snow and ice removal.

26 (3) The department shall request an unanticipated receipt for any
27 private or local funds received for reimbursements of third party
28 damages that are in excess of the motor vehicle account--private/local
29 appropriation.

30 (4) Funding is provided for maintenance on the state system to
31 allow for a continuation of the level of service targets included in
32 the 2003-05 biennium. In delivering the program, the department should
33 concentrate on the following areas:

34 (a) Meeting or exceeding the target for structural bridge repair on
35 a statewide basis;

36 (b) Eliminating the number of activities delivered in the "f" level
37 of service at the region level;

1 (c) Reducing the number of activities delivered in the "d" level of
2 service by increasing the resources directed to those activities on a
3 statewide and region basis; and

4 (d) Evaluating, analyzing, and potentially redistributing resources
5 within and among regions to provide greater consistency in delivering
6 the program statewide and in achieving overall level of service
7 targets.

8 (5) The department shall develop and implement a plan to improve
9 work zone safety on a statewide basis. As part of the strategy
10 included in the plan, the department shall fund equipment purchases
11 using a portion of the money from the annual OTEF equipment purchasing
12 and replacement process. The department shall also identify and
13 evaluate statewide equipment needs (such as work zone safety equipment)
14 and prioritize any such needs on a statewide basis. Substitute
15 purchasing at the statewide level, when appropriate, shall be utilized
16 to meet those identified needs. The department must report to the
17 transportation committees of the legislature by December 1, 2005, on
18 the plan, and by December 1, 2006, on the status of implementing the
19 plan.

20 **Sec. 811.** 2006 c 370 s 224 (uncodified) is amended to read as
21 follows:

22 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION PLANNING, DATA,**
23 **AND RESEARCH--PROGRAM T**

| | | |
|----|--|-------------------------------|
| 24 | Motor Vehicle Account--State Appropriation | ((\$24,052,000)) |
| 25 | | <u>\$23,053,000</u> |
| 26 | Motor Vehicle Account--Federal Appropriation | \$16,756,000 |
| 27 | Multimodal Transportation Account--State Appropriation . . | \$2,279,000 |
| 28 | Multimodal Transportation Account--Federal | |
| 29 | Appropriation | \$2,829,000 |
| 30 | Multimodal Transportation Account--Private/Local | |
| 31 | Appropriation | \$100,000 |
| 32 | Transportation Partnership Account--State | |
| 33 | Appropriation | \$2,300,000 |
| 34 | TOTAL APPROPRIATION | ((\$48,316,000)) |
| 35 | | <u>\$47,317,000</u> |

36 The appropriations in this section are subject to the following
37 conditions and limitations:

1 (1) In order to qualify for state planning funds available to
2 regional transportation planning organizations under this section, a
3 regional transportation planning organization containing any county
4 with a population in excess of one million shall provide voting
5 membership on its executive board to any incorporated principal city of
6 a metropolitan statistical area within the region, as designated by the
7 United States census bureau, and to any incorporated city within the
8 region with a population in excess of eighty thousand as of July 1,
9 2005. Additionally, a regional transportation planning organization
10 described under this subsection shall conduct a review of its executive
11 board membership criteria to ensure that the criteria appropriately
12 reflects a true and comprehensive representation of the organization's
13 jurisdictions of significance within the region.

14 (2) \$175,000 of the motor vehicle account--state appropriation is
15 provided to the department in accordance with RCW 46.68.110(2) and
16 46.68.120(3) and shall be used by the department to support the
17 processing and analysis of the backlog of city and county collision
18 reports by January 2006. The amount provided in this subsection shall
19 lapse if federal funds become available for this purpose.

20 (3) \$150,000 of the multimodal transportation account--state
21 appropriation is provided solely for the implementation of Engrossed
22 Second Substitute House Bill No. 1565. If Engrossed Second Substitute
23 House Bill No. 1565 is not enacted by June 30, 2005, the amount
24 provided in this subsection shall lapse.

25 (4) The department of transportation shall evaluate the number of
26 spaces available for long-haul truck parking relative to current and
27 projected future needs. The department of transportation shall also
28 explore options for augmenting the number of spaces available,
29 including, but not limited to, expanding state-owned rest areas or
30 modifying regulations governing the use of these facilities, utilizing
31 weigh stations and park and ride lots, and encouraging the expansion of
32 the private sector's role. Finally, the department shall explore the
33 utility of coordinating with neighboring states on long-haul truck
34 parking and evaluate methodologies for alleviating any air quality
35 issues relative to the issue. The department must report to the
36 transportation committees of the legislature by December 1, 2005, on
37 the options, strategies, and recommendations for long-haul truck
38 parking.

1 (5) \$50,000 of the multimodal transportation account--state
2 appropriation is provided solely for evaluating high-speed passenger
3 transportation facilities and services, including rail or magnetic
4 levitation transportation systems, to connect airports as a means to
5 more efficiently utilize airport capacity, as well as connect major
6 population and activity centers. This evaluation shall be coordinated
7 with the airport capacity and facilities market analysis conducted
8 pursuant to Engrossed Substitute Senate Bill No. 5121 and results of
9 the evaluation shall be submitted by July 1, 2007. If Engrossed
10 Substitute Senate Bill No. 5121 is not enacted by June 30, 2005, or if
11 federal funds are not received by March 1, 2006, for the purpose of
12 implementing Engrossed Substitute Senate Bill No. 5121, the amount
13 provided in this subsection shall lapse.

14 (6) \$440,000 of the motor vehicle account--state appropriation is
15 provided solely for completing funding for a route development plan of
16 U.S. route 2.

17 (7) The department shall conduct a study of the resources allocated
18 to each of the seven department regions and the corresponding
19 workloads. Given the magnitude of the investments in the Puget Sound
20 region, particular emphasis shall be given to reviewing the resources
21 allocated and corresponding workloads with respect to the urban
22 corridors region and the northwest region. Based on the results of
23 this study, the department shall submit recommendations by December 1,
24 2006, to the legislature and the office of financial management
25 regarding reallocating resources and revising regional boundaries
26 within the department, as appropriate, in order to better coincide
27 allocated resources with designated regional boundaries.

28 (8) \$750,000 of the multimodal transportation account--state
29 appropriation is provided solely for implementing Engrossed Substitute
30 House Bill No. 2871. If Engrossed Substitute House Bill No. 2871 is
31 not enacted by June 30, 2006, the amount provided in this subsection
32 shall lapse. The regional transportation commission's duties to
33 develop, complete, and submit a governance proposal to the 2007
34 legislature are highly time sensitive. As a result, the legislature
35 finds that competitive bidding is not cost-effective or appropriate for
36 personal service contracts entered into by the commission, and that the
37 director of the office of financial management should, by the

1 director's authority under RCW 39.29.011(5), exempt any such personal
2 service contract from the competitive bidding requirements of chapter
3 39.29 RCW.

4 (9) \$2,300,000 of the transportation partnership account--state
5 appropriation is provided solely for the costs of the regional
6 transportation investment district (RTID) and department of
7 transportation project oversight. The department shall provide support
8 from its urban corridors region to assist in preparing project costs,
9 expenditure plans, and modeling. The department shall not deduct a
10 management reserve, nor charge management or overhead fees. These
11 funds are provided as a loan to the RTID and shall be repaid to the
12 state motor vehicle account within one year following the certification
13 of the election results related to the RTID.

14 (10) \$100,000 of the motor vehicle account--state appropriation is
15 provided solely to the department in accordance with RCW 46.68.110(2)
16 and 46.68.120(3) and shall be used by the department solely to conduct
17 an analysis of expanding the transportation concurrency requirements
18 prescribed under the growth management act, chapter 36.70A RCW, to
19 include development impacts on level of service standards applicable to
20 state-owned transportation facilities, including state highways and
21 state ferry routes. The objective of the analysis is to determine how
22 to ensure that jurisdictional divisions do not defeat growth management
23 act concurrency goals. The department shall convene a committee to
24 oversee the analysis, with the committee comprised of, at a minimum,
25 four members of the transportation committees of the legislature, four
26 members of the appropriate land use committees of the legislature, and
27 one member each from the association of Washington cities and the
28 Washington state association of counties, or a designee thereof. The
29 completed study, including recommendations, must be submitted to the
30 appropriate standing committees of the legislature, and to the office
31 of financial management, by December 1, 2006.

32 (11) The department of transportation, the Washington state
33 economic revenue forecast council, and the office of financial
34 management shall review and adopt a method of forecasting motor vehicle
35 and special fuel prices, revenue, and the amount of consumption that
36 has an increased rate of accuracy as compared to the existing method.
37 The three agencies shall submit a report to the transportation

1 committees of the legislature by December 1, 2006, outlining the
2 methods researched and the criteria utilized to select and adopt the
3 new fuel forecasting method.

4 (12) \$150,000 of the multimodal transportation account--state
5 appropriation is provided solely for a transportation demand management
6 program, developed by the Whatcom council of governments, to further
7 reduce drive-alone trips and maximize the use of sustainable
8 transportation choices. The community based program must focus on all
9 trips, not only commute trips, by providing education, assistance, and
10 incentives to four target audiences: (a) Large work sites; (b)
11 employees of businesses in downtown areas; (c) school children; and (d)
12 residents of Bellingham.

13 **Sec. 812.** 2006 c 370 s 225 (uncodified) is amended to read as
14 follows:

15 **FOR THE DEPARTMENT OF TRANSPORTATION--CHARGES FROM OTHER AGENCIES--**
16 **PROGRAM U**

| | | |
|----|--|-------------------------------|
| 17 | Motor Vehicle Account--State Appropriation | ((\$46,874,000)) |
| 18 | | <u>\$47,374,000</u> |
| 19 | Motor Vehicle Account--Federal Appropriation | \$400,000 |
| 20 | TOTAL APPROPRIATION | ((\$47,274,000)) |
| 21 | | <u>\$47,774,000</u> |

22 The appropriations in this section are subject to the following
23 conditions and limitations:

24 (1) ((~~\$31,749,000~~)) \$32,209,000 of the motor vehicle fund--state
25 appropriation is provided solely for the liabilities attributable to
26 the department of transportation. The office of financial management
27 must provide a detailed accounting of the revenues and expenditures of
28 the self-insurance fund to the transportation committees of the
29 legislature on December 31st and June 30th of each year.

30 (2) Payments in this section represent charges from other state
31 agencies to the department of transportation.

32 (a) FOR PAYMENT OF OFFICE OF FINANCIAL MANAGEMENT
33 DIVISION OF RISK MANAGEMENT FEES \$1,667,000

34 (b) FOR PAYMENT OF COSTS OF THE OFFICE OF THE STATE
35 AUDITOR \$1,026,000

36 (c) FOR PAYMENT OF COSTS OF DEPARTMENT OF GENERAL
37 ADMINISTRATION FACILITIES AND SERVICES AND CONSOLIDATED

| | | |
|----|---|-------------------------------|
| 1 | MAIL SERVICES | \$4,049,000 |
| 2 | (d) FOR PAYMENT OF COSTS OF THE DEPARTMENT OF | |
| 3 | PERSONNEL | \$4,548,000 |
| 4 | (e) FOR PAYMENT OF SELF-INSURANCE LIABILITY | |
| 5 | PREMIUMS AND ADMINISTRATION | ((\$31,749,000)) |
| 6 | | <u>\$32,249,000</u> |
| 7 | (f) FOR PAYMENT OF THE DEPARTMENT OF GENERAL | |
| 8 | ADMINISTRATION CAPITAL PROJECTS SURCHARGE | \$1,717,000 |
| 9 | (g) FOR ARCHIVES AND RECORDS MANAGEMENT | \$545,000 |
| 10 | (h) FOR OFFICE OF MINORITIES AND WOMEN BUSINESS | |
| 11 | ENTERPRISES | \$1,124,000 |
| 12 | (i) FOR PAYMENT OF THE DEPARTMENT OF PERSONNEL | |
| 13 | HRMS PAYROLL SYSTEM | \$817,000 |
| 14 | (j) FOR PAYMENT OF THE OFFICE OF FINANCIAL | |
| 15 | MANAGEMENT ROADMAP CHARGES | \$12,000 |
| 16 | (k) FOR PAYMENT OF OFFICE OF FINANCIAL MANAGEMENT | |
| 17 | CAPITAL BUDGET SYSTEM CHARGES | \$15,000 |
| 18 | (l) FOR PAYMENT OF DEPARTMENT OF INFORMATION SERVICES | |
| 19 | RATE INCREASES | \$5,000 |

20 **Sec. 813.** 2006 c 370 s 226 (uncodified) is amended to read as
 21 follows:

22 **FOR THE DEPARTMENT OF TRANSPORTATION--PUBLIC TRANSPORTATION--PROGRAM**
 23 **V**

| | | |
|----|--|-------------------------------|
| 24 | Multimodal Transportation Account--State | |
| 25 | Appropriation | ((\$87,233,000)) |
| 26 | | <u>\$70,005,000</u> |
| 27 | Multimodal Transportation Account--Federal | |
| 28 | Appropriation | \$2,603,000 |
| 29 | Multimodal Transportation Account--Private/Local | |
| 30 | Appropriation | \$155,000 |
| 31 | TOTAL APPROPRIATION | ((\$89,991,000)) |
| 32 | | <u>\$72,763,000</u> |

33 The appropriations in this section are subject to the following
 34 conditions and limitations:

35 (1) \$25,000,000 of the multimodal transportation account--state
 36 appropriation is provided solely for a grant program for special needs

1 transportation provided by transit agencies and nonprofit providers of
2 transportation.

3 (a) \$5,500,000 of the amount provided in this subsection is
4 provided solely for grants to nonprofit providers of special needs
5 transportation. Grants for nonprofit providers shall be based on need,
6 including the availability of other providers of service in the area,
7 efforts to coordinate trips among providers and riders, and the cost
8 effectiveness of trips provided.

9 (b) \$19,500,000 of the amount provided in this subsection is
10 provided solely for grants to transit agencies to transport persons
11 with special transportation needs. To receive a grant, the transit
12 agency must have a maintenance of effort for special needs
13 transportation that is no less than the previous year's maintenance of
14 effort for special needs transportation. Grants for transit agencies
15 shall be prorated based on the amount expended for demand response
16 service and route deviated service in calendar year 2003 as reported in
17 the "Summary of Public Transportation - 2003" published by the
18 department of transportation. No transit agency may receive more than
19 thirty percent of these distributions. The first \$450,000 provided to
20 King county shall be used as follows:

21 (i) \$320,000 shall be used to provide electric buses, instead of
22 diesel buses, for service on Capital Hill in Seattle, Washington
23 through June 30, 2007;

24 (ii) \$130,000 shall be used to provide training for blind
25 individuals traveling through Rainier Valley and the greater Seattle
26 area. The training is to include destination training and retraining
27 due to the expected closure of the downtown bus tunnel and training on
28 how to use the Sound Transit light rail system.

29 (2) Funds are provided for the rural mobility grant program as
30 follows:

31 (a) \$7,000,000 of the multimodal transportation account--state
32 appropriation is provided solely for grants for those transit systems
33 serving small cities and rural areas as identified in the Summary of
34 Public Transportation - 2003 published by the department of
35 transportation. Noncompetitive grants must be distributed to the
36 transit systems serving small cities and rural areas in a manner
37 similar to past disparity equalization programs.

1 (b) \$7,000,000 of the multimodal transportation account--state
2 appropriation is provided solely to providers of rural mobility service
3 in areas not served or underserved by transit agencies through a
4 competitive grant process.

5 (3) \$8,900,000 of the multimodal transportation account--state
6 appropriation is provided solely for a vanpool grant program for: (a)
7 Public transit agencies to add vanpools; and (b) incentives for
8 employers to increase employee vanpool use. The grant program for
9 public transit agencies will cover capital costs only; no operating
10 costs for public transit agencies are eligible for funding under this
11 grant program. No additional employees may be hired from the funds
12 provided in this section for the vanpool grant program, and supplanting
13 of transit funds currently funding vanpools is not allowed. Additional
14 criteria for selecting grants must include leveraging funds other than
15 state funds.

16 (4) \$3,000,000 of the multimodal transportation account--state
17 appropriation is provided solely for the city of Seattle for the
18 Seattle streetcar project on South Lake Union.

19 (5) \$1,200,000 of the multimodal transportation account--state
20 appropriation is provided solely for the implementation of Engrossed
21 Substitute House Bill No. 2124. If Engrossed Substitute House Bill No.
22 2124 is not enacted by June 30, 2005, the amount provided in this
23 subsection shall lapse.

24 (6)(a) (~~(\$20,000,000)~~) \$2,832,000 of the multimodal transportation
25 account--state appropriation is provided solely for the regional
26 mobility grant projects identified on the LEAP Transportation Document
27 2006-D, Regional Mobility Grant Program Projects as developed March 8,
28 2006. The department shall review all projects receiving grant awards
29 under this program at least semiannually to determine whether the
30 projects are making satisfactory progress. Any project that has been
31 awarded funds, but does not report activity on the project within one
32 year of the grant award, shall be reviewed by the department to
33 determine whether the grant should be terminated. The department shall
34 promptly close out grants when projects have been completed, and
35 identify where unused grant funds remain because actual project costs
36 were lower than estimated in the grant award. When funds become
37 available either because grant awards have been rescinded for lack of
38 sufficient project activity or because completed projects returned

1 excess grant funds upon project closeout, the department shall
2 expeditiously extend new grant awards to qualified alternative projects
3 identified on the list.

4 (b) Pursuant to the grant program established in RCW 47.66.030, the
5 department shall issue a call for projects and/or service proposals.
6 Applications must be received by the department by November 1, 2005,
7 and November 1, 2006. The department must submit a prioritized list
8 for funding to the transportation committees of the legislature that
9 reflects the department's recommendation, as well as, a list of all
10 project or service proposals received.

11 (7) \$2,000,000 of the multimodal transportation account--state
12 appropriation is provided solely for new tri-county connection service
13 for Island, Skagit, and Whatcom transit agencies.

14 (8) \$2,000,000 of the multimodal transportation account--state
15 appropriation is provided solely to King county as a state match to
16 obtain federal funding for a car sharing program for persons meeting
17 certain income or employment criteria.

18 (9) \$750,000 of the multimodal transportation account--state
19 appropriation is provided solely for the implementation of the local
20 government and regional transportation planning requirements in
21 Engrossed Substitute Senate Bill No. 6566 (commute trip reduction).
22 The department may use contract or temporary employees to implement the
23 bill and shall allocate the remaining funds to regional transportation
24 planning organizations, counties, and cities on an as needed basis. If
25 Engrossed Substitute Senate Bill No. 6566 is not enacted by June 30,
26 2006, the amount provided in this subsection shall lapse.

27 (10) (~~(\$200,000)~~) \$140,000 of the multimodal account appropriation
28 is provided solely for up to three low-income car ownership programs.
29 The department shall seek to leverage available federal funds from the
30 job access and reverse commute program to augment the funding provided
31 in this subsection. Additionally, the department shall report back to
32 the appropriate committees of the legislature with a review of the
33 obstacles presented by state laws on surplus property disposal to
34 community organizations reconditioning cars and selling those cars at
35 below market rates to low-income families.

36 **Sec. 814.** 2006 c 370 s 227 (uncodified) is amended to read as
37 follows:

1 **FOR THE DEPARTMENT OF TRANSPORTATION--MARINE--PROGRAM X**

2 Puget Sound Ferry Operations Account--State

3 Appropriation ((~~\$372,254,000~~))
4 \$389,249,000

5 Multimodal Transportation Account--State

6 Appropriation \$3,660,000

7 TOTAL APPROPRIATION ((~~\$375,914,000~~))
8 \$392,909,000

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

11 (1) ((~~\$75,280,000~~)) \$81,664,000 of the total appropriation is
12 provided solely for auto ferry vessel operating fuel in the 2005-2007
13 biennium.

14 (2) The maximum amount of expenditures for compensation paid to
15 ferry employees during the 2005-2007 biennium shall not exceed
16 ((~~\$226,455,000~~)) \$236,085,000. This amount reflects the sole source of
17 state funding available to support the implementation of any collective
18 bargaining agreements or arbitration awards with respect to state ferry
19 employee compensation, including salaries, wages, and employee
20 benefits, during the 2005-2007 biennium, which amount includes
21 \$6,223,000 in full satisfaction of the arbitration awards for the
22 2001-2003 biennium and \$1,339,000 for labor productivity gains
23 agreements and \$8,870,000 in full satisfaction of the arbitration
24 awards and the negotiated collective bargaining agreements for the
25 2003-2005 and 2005-2007 biennia. The department's use of this
26 expenditure authority constitutes a good faith attempt to implement
27 such agreements and awards, including those applicable to prior
28 biennia. It is the intent of the legislature that the expenditure
29 authority provided in this subsection fully satisfy any agreements or
30 awards required to be implemented during the 2005-2007 biennium, and
31 that the provisions of Substitute House Bill No. 3178 (marine employees
32 collective bargaining) will govern the implementation of agreements or
33 awards effective beginning with the 2007-2009 biennium. For the
34 purposes of this section, the expenditures for compensation paid to
35 ferry employees shall be limited to salaries and wages and employee
36 benefits as defined in the office of financial management's state
37 administrative and accounting manual, chapter 75.70, named under
38 objects of expenditure "A" and "B".

1 (3) \$1,116,000 of the Puget Sound ferry operations account--state
2 appropriation is provided solely for ferry security operations
3 necessary to comply with the ferry security plan submitted by the
4 Washington state ferry system to the United States coast guard. The
5 department shall track security costs and expenditures. Ferry security
6 operations costs shall not be included as part of the operational costs
7 that are used to calculate farebox recovery.

8 (4) The Washington state ferries must work with the department's
9 information technology division to implement an electronic fare system,
10 including the integration of the regional fare coordination system
11 (smart card). Each December and June, semi-annual updates must be
12 provided to the transportation committees of the legislature concerning
13 the status of implementing and completing this project, with updates
14 concluding the first December after full project implementation.

15 (5) The Washington state ferries shall continue to provide service
16 to Sidney, British Columbia.

17 (6) \$3,660,000 of the multimodal transportation account--state
18 appropriation is provided solely to provide passenger-only ferry
19 service. The ferry system shall continue passenger-only ferry service
20 from Vashon Island to Seattle until such time as a county ferry
21 district's assumption of the route, as authorized by Substitute Senate
22 Bill No. 6787. Beginning September 1, 2005, ferry system management
23 shall implement its agreement with the Inlandboatmen's Union of the
24 Pacific and the International Organization of Masters, Mates and Pilots
25 providing for part-time passenger-only work schedules.

26 (7) \$350,000 of the Puget Sound ferry operations account--state
27 appropriation is provided solely for the implementation of Substitute
28 House Bill No. 3178 (marine employees collective bargaining). If
29 Substitute House Bill No. 3178 is not enacted by June 30, 2006, the
30 amount provided in this subsection shall lapse.

31 (8) \$613,000 of the Puget Sound ferries operations account--state
32 appropriation is provided solely for compliance with department of
33 ecology rules regarding the transfer of oil on or near state waters.

34 **Sec. 815.** 2006 c 370 s 228 (uncodified) is amended to read as
35 follows:

36 **FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--OPERATING**

37 Multimodal Transportation Account--State

1 Appropriation ((~~\$36,876,000~~))
2 \$35,376,000

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

5 (1)(a) \$29,091,000 of the multimodal transportation account--state
6 appropriation is provided solely for the Amtrak service contract and
7 Talgo maintenance contract associated with providing and maintaining
8 the state-supported passenger rail service. Upon completion of the
9 rail platform project in the city of Stanwood, the department shall
10 provide daily Amtrak Cascades service to the city.

11 (b) The department shall negotiate with Amtrak and Burlington
12 Northern Santa Fe to adjust the Amtrak Cascades schedule to leave
13 Bellingham at a significantly earlier hour.

14 (2) (~~(\$2,750,000)~~) \$1,500,000 of the multimodal transportation
15 account--state appropriation is provided solely for a new round trip
16 rail service between Seattle and Portland beginning July 1, 2006.

17 (3) No AMTRAK Cascade runs may be eliminated.

18 (4) \$40,000 of the multimodal transportation account--state
19 appropriation is provided solely for the produce railcar program. The
20 department is encouraged to implement the produce railcar program by
21 maximizing private investment.

22 (5) \$500,000 of the multimodal transportation account--state
23 appropriation is provided solely for a study of the realignment of
24 highway and rail in the Longview industrial area (SR 432) corridor,
25 specifically regarding whether the construction of a limited access
26 bypass highway to reduce congestion resulting from anticipated growth
27 in future rail and truck traffic, is a feasible alternative. In
28 conducting the study, the department shall consult port districts,
29 local government planning staff, and rail road companies, and other
30 appropriate stakeholders.

31 (6) \$60,000 of the multimodal transportation account--state
32 appropriation is provided solely for a study of the need for
33 transloading capabilities in the West Plains area that could be served
34 by the Geiger Spur, including evaluation of prospective transloader
35 sites, potential operators and users, and the type, size, and special
36 needs of shippers/customers. The study must also evaluate the costs
37 associated with building and operating a transloader site and the

1 impact to local roadways and surrounding land uses. In conducting the
2 study, the department shall consult with Spokane County.

3 **Sec. 816.** 2006 c 370 s 229 (uncodified) is amended to read as
4 follows:

5 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**
6 **OPERATING**

| | | |
|----|--|-------------------------------|
| 7 | Motor Vehicle Account--State Appropriation | ((\$8,500,000)) |
| 8 | | <u>\$8,836,000</u> |
| 9 | Motor Vehicle Account--Federal Appropriation | \$2,597,000 |
| 10 | Multimodal Transportation Account--State | |
| 11 | Appropriation | ((\$411,000)) |
| 12 | | <u>\$200,000</u> |
| 13 | TOTAL APPROPRIATION | ((\$11,508,000)) |
| 14 | | <u>\$11,633,000</u> |

15 The appropriations in this section are subject to the following
16 conditions and limitations:

17 (1) \$211,000 of the motor vehicle account--state appropriation and
18 ((~~\$411,000~~)) \$200,000 of the multimodal transportation account--state
19 appropriation are provided solely for the state's contribution to
20 county and city studies of flood hazards in association with interstate
21 highways. First priority shall be given to threats along the I-5
22 corridor.

23 (2) ((~~\$525,000~~)) \$861,000 of the motor vehicle account--state
24 appropriation is provided solely to the department in accordance with
25 RCW 46.68.110(2) and 46.68.120(3) and shall be used by the department
26 solely for contract services with the association of Washington cities
27 and the Washington state association of counties for improving
28 transportation permitting and mitigation processes.

29 **TRANSPORTATION AGENCIES--CAPITAL**

30 **Sec. 901.** 2006 c 370 s 301 (uncodified) is amended to read as
31 follows:

32 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

| | | |
|----|---|-------------------------------|
| 33 | Rural Arterial Trust Account--State Appropriation | ((\$64,933,000)) |
| 34 | | <u>\$38,046,000</u> |
| 35 | Motor Vehicle Account--State Appropriation | \$355,000 |

| | | |
|---|---|-------------------------------|
| 1 | County Arterial Preservation Account--State | |
| 2 | Appropriation | ((\$32,697,000)) |
| 3 | | <u>\$31,882,000</u> |
| 4 | TOTAL APPROPRIATION | ((\$97,985,000)) |
| 5 | | <u>\$70,283,000</u> |

6 The appropriations in this section are subject to the following
7 conditions and limitations: \$355,000 of the motor vehicle account--
8 state appropriation is provided for county ferries as set forth in RCW
9 47.56.725(4).

10 **Sec. 902.** 2006 c 370 s 302 (uncodified) is amended to read as
11 follows:

12 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

| | | |
|----|---|--------------------------------|
| 13 | Urban Arterial Trust Account--State Appropriation | ((\$101,425,000)) |
| 14 | | <u>\$93,425,000</u> |
| 15 | Small City Preservation and Sidewalk | |
| 16 | Account--State Appropriation | ((\$2,000,000)) |
| 17 | | <u>\$1,696,000</u> |
| 18 | Transportation Improvement Account--State | |
| 19 | Appropriation | ((\$94,401,000)) |
| 20 | | <u>\$82,258,000</u> |
| 21 | TOTAL APPROPRIATION | ((\$197,826,000)) |
| 22 | | <u>\$177,379,000</u> |

23 The appropriations in this section are subject to the following
24 conditions and limitations:

25 (1) The transportation improvement account--state appropriation
26 includes up to ((~~\$14,143,000~~)) \$7,000,000 in proceeds from the sale of
27 bonds authorized in RCW 47.26.500.

28 (2) ((~~\$2,000,000~~)) \$1,696,000 of the small city preservation and
29 sidewalk account--state appropriation is provided to fund the
30 provisions of chapter 83, Laws of 2005 (Substitute Senate Bill No.
31 5775).

32 **Sec. 903.** 2006 c 370 s 303 (uncodified) is amended to read as
33 follows:

34 **FOR THE DEPARTMENT OF TRANSPORTATION--PROGRAM D (DEPARTMENT OF**
35 **TRANSPORTATION-ONLY PROJECTS)--CAPITAL**

| | | |
|----|--|------------------------------|
| 36 | Motor Vehicle Account--State Appropriation | ((\$2,328,000)) |
|----|--|------------------------------|

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

(1) \$584,000 of the motor vehicle account--state appropriation is provided solely for statewide administration.

(2) (~~(\$632,000)~~) \$561,000 of the motor vehicle account--state appropriation is provided solely for regional minor projects.

(3) (~~(\$305,000)~~) \$40,000 of the motor vehicle account--state appropriation is provided solely for designing the replacement of the existing outdated maintenance facility in Ephrata.

(4) (~~(\$239,000)~~) \$158,000 of the motor vehicle account--state appropriation is provided solely for the designing of the northwest regional maintenance complex in Seattle.

(5) \$568,000 of the motor vehicle account--state appropriation is provided solely for the Olympic region headquarters project.

~~((a) The department of transportation is authorized to use certificates of participation for the financing of the Olympic region project in the amount of \$34,874,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW.~~

~~(b) The Washington state department of transportation may utilize the design build process in accordance with chapter 39.10 RCW for the Olympic region project. If the design build process is used, it may be developed in partnership with the department of general administration.))~~

Sec. 904. 2006 c 370 s 306 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM Q--CAPITAL

| | |
|--|---------------------|
| Motor Vehicle Account--State Appropriation | ((\$17,555,000)) |
| | <u>\$11,162,000</u> |
| Motor Vehicle Account--Federal Appropriation | ((\$15,068,000)) |
| | <u>\$10,308,000</u> |
| Motor Vehicle Account--Local Appropriation | ((\$108,000)) |
| | <u>\$50,000</u> |
| TOTAL APPROPRIATION | ((\$32,731,000)) |
| | <u>\$21,520,000</u> |

1 The appropriations in this section are subject to the following
2 conditions and limitations: The motor vehicle account--state
3 appropriation includes (~~(\$11,255,000)~~) \$11,162,000 for state matching
4 funds for federally selected competitive grant or congressional earmark
5 projects other than the commercial vehicle information systems and
6 network. These moneys shall be placed into reserve status until such
7 time as federal funds are secured that require a state match.

8 **Sec. 905.** 2006 c 370 s 304 (uncodified) is amended to read as
9 follows:

10 **FOR THE DEPARTMENT OF TRANSPORTATION--IMPROVEMENTS--PROGRAM I**

| | |
|---|----------------------------------|
| 11 Transportation 2003 Account (Nickel Account)--State | |
| 12 Appropriation | ((\$1,190,511,000)) |
| 13 | <u>\$1,079,697,000</u> |
| 14 Motor Vehicle Account--State Appropriation | ((\$85,165,000)) |
| 15 | <u>\$84,385,000</u> |
| 16 Motor Vehicle Account--Federal Appropriation | ((\$395,043,000)) |
| 17 | <u>\$352,856,000</u> |
| 18 Motor Vehicle Account--Private/Local Appropriation | ((\$58,522,000)) |
| 19 | <u>\$47,655,000</u> |
| 20 Special Category C Account--State Appropriation | ((\$3,479,000)) |
| 21 | <u>\$3,152,000</u> |
| 22 Tacoma Narrows Toll Bridge Account Appropriation | \$274,038,000 |
| 23 Transportation Partnership Account--State | |
| 24 Appropriation | ((\$384,186,000)) |
| 25 | <u>\$289,436,000</u> |
| 26 Multimodal Transportation Account--State | |
| 27 Appropriation | ((\$1,002,000)) |
| 28 | <u>\$750,000</u> |
| 29 TOTAL APPROPRIATION | ((\$2,391,946,000)) |
| 30 | <u>\$2,131,969,000</u> |

31 The appropriations in this section are subject to the following
32 conditions and limitations:

33 (1)(a) The entire transportation 2003 account (nickel account)
34 appropriation and the entire transportation partnership account
35 appropriation are provided solely for the projects and activities as
36 listed by (~~fund,~~) project (~~and amount~~) in LEAP Transportation
37 Document 2006-1, Highway Improvement Program (I) as developed March 8,

1 2006. (~~However, limited transfers of allocations between projects may~~
2 ~~occur for those amounts listed subject to the conditions and~~
3 ~~limitations in section 603 of this act.~~)

4 (b) Within the amounts provided in this subsection, \$6,835,000 of
5 the transportation partnership account--state appropriation, \$5,002,000
6 of the transportation 2003 account (nickel account)--state
7 appropriation, and \$2,645,000 of the motor vehicle account--federal
8 appropriation are for project 109040T: I-90/Seattle to Mercer Island
9 - Two way transit/HOV. Expenditure of these funds on construction is
10 contingent upon the development of an access plan that provides
11 equitable and dependable access for I-90 Mercer Island exit and entry.

12 (c) Within the amounts provided in this subsection, \$500,000 of the
13 transportation partnership account--state appropriation is for a west
14 Olympia access study, to complete an access study for state route
15 101/west Olympia.

16 (d) Within the amounts provided in this subsection, \$800,000 of the
17 transportation partnership account--state appropriation is for an SR
18 534 access point decision report.

19 (f) Within the amounts provided within this subsection, \$6,000,000
20 of the transportation partnership account--state appropriation is for
21 project 509009B: I-90 Snoqualmie Pass East - Hyak to Keechelus dam.
22 However, if the preferred alternative selected for this project results
23 in a lower total project cost, the remaining funds may be used for
24 concrete rehabilitation on I-90 in the vicinity of this project.

25 (g) Within the amounts provided in this subsection, \$12,841,000 of
26 the transportation 2003 account (nickel account)--state appropriation
27 and \$4,939,000 of the transportation partnership account--state
28 appropriation are for construction of a new interchange on SR 522 to
29 provide direct access to the University of Washington Bothell/Cascadia
30 community college joint campus. This appropriation assumes an
31 additional \$8,061,000 will be provided in the 2007-09 biennium from the
32 transportation partnership account.

33 (h) Within the amounts provided in this subsection, \$19,262,149 of
34 the motor vehicle account--federal appropriation and \$1,873,478 of the
35 transportation 2003 account (nickel account) appropriation are for
36 project 154302E: SR 543 (I-5 to the international boundary).

37 (2) The motor vehicle account--state appropriation includes up to

1 \$50,000,000 in proceeds from the sale of bonds authorized by RCW
2 47.10.843.

3 (3) The department shall not commence construction on any part of
4 the state route number 520 bridge replacement and HOV project until a
5 record of decision has been reached providing reasonable assurance that
6 project impacts will be avoided, minimized, or mitigated as much as
7 practicable to protect against further adverse impacts on neighborhood
8 environmental quality as a result of repairs and improvements made to
9 the state route 520 bridge and its connecting roadways, and that any
10 such impacts will be addressed through engineering design choices,
11 mitigation measures, or a combination of both. The requirements of
12 this section shall not apply to off-site pontoon construction
13 supporting the state route number 520 bridge replacement and HOV
14 project.

15 (4) The transportation partnership account--state appropriation
16 includes up to \$150,000,000 in proceeds from the sale of bonds
17 authorized in RCW 47.10.873.

18 (5) The Tacoma Narrows toll bridge account--state appropriation
19 includes up to \$257,016,000 in proceeds from the sale of bonds
20 authorized by RCW 47.10.843. The Tacoma Narrows toll bridge account--
21 state appropriation includes up to \$17,022,000 in unexpended proceeds
22 from the March 2005 bond sale authorized in RCW 47.10.843 for the
23 Tacoma Narrows bridge project.

24 (6) The transportation 2003 account (nickel account)--state
25 appropriation includes up to \$880,000,000 in proceeds from the sale of
26 bonds authorized by chapter 147, Laws of 2003.

27 (7) The department shall, on a quarterly basis beginning July 1,
28 2005, provide to the office of financial management and the legislature
29 reports providing the status on each project in the project lists
30 submitted pursuant to this act. Other projects may be reported on a
31 programmatic basis. The department shall work with the office of
32 financial management and the transportation committees of the
33 legislature to agree on report formatting and elements. Elements shall
34 include, but not be limited to, project scope, schedule, and costs.
35 The department shall also provide the information required under this
36 subsection on a quarterly basis via the transportation executive
37 information systems (TEIS).

1 (8) The department of transportation shall conduct an analysis of
2 the causes of traffic congestion on I-5 in the vicinity of Fort Lewis
3 and develop recommendations for alleviating the congestion. The
4 department must report to the transportation committees of the
5 legislature by December 1, 2005, on its analysis and recommendations
6 regarding traffic congestion on I-5 in the vicinity of Fort Lewis.

7 (9) The department of transportation is authorized to proceed with
8 the SR 519 Intermodal Access project if the city of Seattle has not
9 agreed to a project configuration or design by July 1, 2006.

10 (10) The motor vehicle account--state appropriation includes up to
11 \$14,214,000 in unexpended proceeds from the sale of bonds authorized in
12 RCW 47.10.843.

13 (11) The special category C account--state appropriation includes
14 up to \$1,710,000 in unexpended proceeds from the sale of bonds
15 authorized in RCW 47.10.812.

16 (12) The department should consider using mitigation banking on
17 appropriate projects whenever possible, without increasing the cost to
18 projects. The department should consider using the advanced
19 environmental mitigation revolving account (AEMRA) for corridor and
20 watershed based mitigation opportunities, in addition to project
21 specific mitigation.

22 (13) \$500,000 of the motor vehicle account--state appropriation is
23 provided solely for a planning study regarding congestion mitigation
24 improvements on state route 101 in the vicinity of the city of
25 Aberdeen.

26 (14) \$6,200,000 of the motor vehicle account--federal appropriation
27 is provided solely for eastern Washington international border crossing
28 and freight mobility projects, including pavement preservation,
29 pavement structural strengthening, and other safety enhancements.
30 Projects shall include funding for U.S. route 97 international border
31 vicinity paving and improvement projects.

32 (15) \$3,509,738 of the motor vehicle account--federal appropriation
33 and \$30,793 of the motor vehicle account--state appropriation are
34 provided solely for project 100598C: I-5 Blaine Exit interchange
35 improvements.

36 ((+17)) (16) The legislature recognizes that the finance and
37 project implementation planning processes required for the Alaskan Way
38 viaduct and Seattle Seawall replacement project and the SR 520 bridge

1 replacement and HOV project cannot guarantee appropriate decisions
2 unless key study assumptions are reasonable with respect to each
3 project.

4 To assure appropriate finance plan and project implementation plan
5 assumptions, an expert review panel shall be appointed to provide
6 independent financial and technical review for development of a finance
7 plan and project implementation plan for the projects described in this
8 subsection.

9 (a) The expert review panel shall consist of five to ten members
10 who are recognized experts in relevant fields, such as planning,
11 engineering, finance, law, the environment, emerging transportation
12 technologies, geography, and economics.

13 (b) The expert review panel shall be selected cooperatively by the
14 chairs of the senate and house transportation committees, the secretary
15 of the department of transportation, and the governor to assure a
16 balance of disciplines.

17 (c) The chair of the expert review panel shall be designated by the
18 governor.

19 (d) The expert panel shall, with respect to completion of the
20 project alternatives as described in the draft environmental impact
21 statement of each project:

22 (i) Review the finance plan for the project to ensure that it
23 clearly identifies secured and anticipated funding sources and is
24 feasible and sufficient;

25 (ii) Review the project implementation plan covering all state and
26 local permitting and mitigation approvals that ensure the most
27 expeditious and cost-effective delivery of the project; and

28 (iii) Report its findings and recommendations on the items
29 described in (d)(i) and (ii) of this subsection to the joint
30 transportation committee, the office of financial management, and the
31 governor no later than September 1, 2006.

32 (e) Upon receipt of the expert review panel's findings and
33 recommendations under (d)(iii) of this subsection, the governor must
34 make a finding of whether each finance plan is feasible and sufficient
35 to complete the project as described in the draft environmental impact
36 statement.

37 (f) Nothing in this section shall be interpreted to delay
38 construction of any of the projects referenced in this subsection.

1 ~~((18)(a) Prior to commencing construction on either project, the~~
 2 ~~department of transportation must complete all of the following~~
 3 ~~requirements for both the Alaskan Way viaduct and Seattle Seawall~~
 4 ~~replacement project, and the state route number 520 bridge replacement~~
 5 ~~and HOV project: (i) In accordance with the national environmental~~
 6 ~~policy act, the department must designate the preferred alternative,~~
 7 ~~prepare a substantial project mitigation plan, and complete a~~
 8 ~~comprehensive cost estimate review using the department's cost estimate~~
 9 ~~validation process, for each project; (ii) in accordance with all~~
 10 ~~applicable federal highway administration planning and project~~
 11 ~~management requirements, the department must prepare a project finance~~
 12 ~~plan for each project that clearly identifies secured and anticipated~~
 13 ~~fund sources, cash flow timing requirements, and project staging and~~
 14 ~~phasing plans if applicable; and (iii) the department must report these~~
 15 ~~results for each project to the joint transportation committee.~~

16 ~~(b) The requirements of this subsection shall not apply to (i)~~
 17 ~~utility relocation work, and related activities, on the Alaskan Way~~
 18 ~~viaduct and Seattle Seawall replacement project and (ii) off site~~
 19 ~~pontoon construction supporting the state route number 520 bridge~~
 20 ~~replacement and HOV project.)~~

21 **Sec. 906.** 2006 c 370 s 305 (uncodified) is amended to read as
 22 follows:

23 **FOR THE DEPARTMENT OF TRANSPORTATION--PRESERVATION--PROGRAM P**

| | | |
|----|--|----------------------------|
| 24 | Transportation 2003 Account (Nickel Account)--State | |
| 25 | Appropriation | ((<u>\$1,687,000</u>)) |
| 26 | | <u>\$1,690,000</u> |
| 27 | Motor Vehicle Account--State Appropriation | ((<u>\$94,799,000</u>)) |
| 28 | | <u>\$88,954,000</u> |
| 29 | Motor Vehicle Account--Federal Appropriation | ((<u>\$435,310,000</u>)) |
| 30 | | <u>\$426,297,000</u> |
| 31 | Motor Vehicle Account--Private/Local Appropriation | ((<u>\$8,485,000</u>)) |
| 32 | | <u>\$6,194,000</u> |
| 33 | ((Puyallup Tribal Settlement Account--State | |
| 34 | Appropriation | \$11,000,000)) |
| 35 | Transportation Partnership Account--State | |
| 36 | Appropriation | ((<u>\$24,540,000</u>)) |
| 37 | | <u>\$20,180,000</u> |

1 TOTAL APPROPRIATION ((\$575,821,000))
2 \$543,315,000

3 The appropriations in this section are subject to the following
4 conditions and limitations:

5 (1) The entire transportation 2003 account (nickel account)
6 appropriation and the entire transportation partnership account
7 appropriation are provided solely for the projects and activities as
8 listed by ~~((fund,)) project ((and amount))~~ in LEAP Transportation
9 Document 2006-1, Highway Preservation Program (P) as developed March 8,
10 2006. ~~((However, limited transfers of allocations between projects may
11 occur for those amounts listed subject to the conditions and
12 limitations in section 603 of this act.))~~

13 (2) \$11,000,000 of the Puyallup tribal settlement account--state
14 appropriation is provided solely for mitigation costs associated with
15 the Murray Morgan/11th Street Bridge demolition. The department may
16 negotiate with the city of Tacoma for the purpose of transferring
17 ownership of the Murray Morgan/11th Street Bridge to the city. The
18 department may use the Puyallup tribal settlement account
19 appropriation, as well as any funds appropriated in the current
20 biennium and planned in future biennia for the demolition and
21 mitigation for the demolition of the bridge to rehabilitate or replace
22 the bridge, if agreed to by the city. In no event shall the
23 department's participation exceed \$26,500,000 and no funds may be
24 expended unless the city of Tacoma agrees to take ownership of the
25 bridge in its entirety and provide that the payment of these funds
26 extinguishes any real or implied agreements regarding future
27 expenditures on the bridge.

28 (3) \$740,000 of the motor vehicle account--state appropriation,
29 \$106,149,000 of the motor vehicle account--federal appropriation, and
30 \$10,305,000 of the transportation partnership account--state
31 appropriation are provided solely for the Hood Canal bridge project.

32 (4) The motor vehicle account--state appropriation includes up to
33 \$735,000 in unexpended proceeds from the sale of bonds authorized in
34 RCW 47.10.761 and 47.10.762 for emergency purposes.

35 (5) The department of transportation shall continue to implement
36 the lowest life cycle cost planning approach to pavement management
37 throughout the state to encourage the most effective and efficient use

1 of pavement preservation funds. Emphasis should be placed on
2 increasing the number of roads addressed on time and reducing the
3 number of roads past due.

4 (6) The department shall, on a quarterly basis beginning July 1,
5 2005, provide to the office of financial management and the legislature
6 reports providing the status on each project in the project lists
7 submitted pursuant to this act. Other projects may be reported on a
8 programmatic basis. The department shall work with the office of
9 financial management and the transportation committees of the
10 legislature to agree on report formatting and elements. Elements shall
11 include, but not be limited to, project scope, schedule, and costs.
12 The department shall also provide the information required under this
13 subsection on a quarterly basis via the transportation executive
14 information systems (TEIS).

15 (7) The motor vehicle account--state appropriation includes up to
16 \$912,000 in unexpended proceeds from the sale of bonds authorized in
17 RCW 47.10.843.

18 (8) The motor vehicle account--state appropriation includes up to
19 \$6,000,000 in proceeds from the sale of bonds authorized by RCW
20 47.10.843.

21 (9) (~~(\$4,000,000)~~) \$3,200,000 of the motor vehicle account--federal
22 appropriation and \$6,000,000 of the motor vehicle account--state
23 appropriation, as specified in subsection (8) of this section, are for
24 expenditures on damaged state roads due to flooding, mudslides, rock
25 fall, or other unforeseen events. Slide repair on state routes 101, 4,
26 107, and 105 must be funded from this amount if federal emergency funds
27 are not available.

28 **Sec. 907.** 2006 c 370 s 307 (uncodified) is amended to read as
29 follows:

30 **FOR THE DEPARTMENT OF TRANSPORTATION--WASHINGTON STATE FERRIES**
31 **CONSTRUCTION--PROGRAM W**

| | | |
|----|---|--------------------------------|
| 32 | Puget Sound Capital Construction Account--State | |
| 33 | Appropriation | ((\$122,324,000)) |
| 34 | | <u>\$113,296,000</u> |
| 35 | Puget Sound Capital Construction Account--Federal | |
| 36 | Appropriation | ((\$73,590,000)) |
| 37 | | <u>\$47,873,000</u> |

| | | |
|----|---|--------------------------------|
| 1 | Puget Sound Capital Construction Account--Private/Local | |
| 2 | Appropriation | \$26,000 |
| 3 | Multimodal Transportation Account--State | |
| 4 | Appropriation | ((\$13,249,000)) |
| 5 | | <u>\$10,749,000</u> |
| 6 | Transportation 2003 Account (Nickel Account)--State | |
| 7 | Appropriation | ((\$34,991,000)) |
| 8 | | <u>\$17,391,000</u> |
| 9 | TOTAL APPROPRIATION | ((\$244,180,000)) |
| 10 | | <u>\$189,335,000</u> |

11 The appropriations in this section are provided for improving the
12 Washington state ferry system, including, but not limited to, vessel
13 construction, major and minor vessel preservation, and terminal
14 preservation, construction, and improvements. The appropriations in
15 this section are subject to the following conditions and limitations:

16 (1) The Puget Sound capital construction account--state
17 appropriation includes up to ((~~\$40,950,000~~)) \$40,288,000 in proceeds
18 from the sale of bonds authorized by RCW 47.10.843 for vessel and
19 terminal acquisition, major and minor improvements, and long lead time
20 materials acquisition for the Washington state ferries.

21 (2) The multimodal transportation account--state appropriation
22 includes up to ((~~\$10,249,000~~)) \$9,079,000 in proceeds from the sale of
23 bonds authorized by RCW 47.10.867.

24 (3) \$15,617,000 of the Puget Sound capital construction account--
25 state appropriation is provided solely for the Eagle Harbor Terminal
26 Preservation project.

27 (4) The entire transportation 2003 account (nickel account)
28 appropriation and \$10,249,000 of the multimodal transportation
29 account--state appropriation are provided solely for the projects and
30 activities as listed by fund, project and amount in LEAP Transportation
31 Document 2006-1, Ferries Construction Program (W) as developed March 8,
32 2006. However, limited transfers of allocations between projects may
33 occur for those amounts listed subject to the conditions and
34 limitations in section 603 of this act.

35 (5) The department shall, on a quarterly basis beginning July 1,
36 2005, provide to the office of financial management and the legislature
37 reports providing the status on each project in the project lists
38 submitted pursuant to this act and on any additional projects for which

1 the department has expended funds during the 2005-07 fiscal biennium.
2 Elements shall include, but not be limited to, project scope, schedule,
3 and costs. The department shall also provide the information required
4 under this subsection via the transportation executive information
5 systems (TEIS).

6 (6) \$3,000,000 of the multimodal transportation account--state
7 appropriation is provided solely for passenger-only projects. Projects
8 may include vessel or terminal projects or costs associated with
9 selling vessels.

10 (7) The multimodal transportation account--state appropriation
11 includes up to \$1,170,000 in unexpended proceeds from the sale of bonds
12 authorized in RCW 47.10.867.

13 **Sec. 908.** 2006 c 370 s 308 (uncodified) is amended to read as
14 follows:

| | |
|--|-------------------------------|
| 15 FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--CAPITAL | |
| 16 (Essential Rail Assistance Account--State Appropriation | \$250,000) |
| 17 <u>Motor Vehicle Account--Federal Appropriation</u> | <u>\$1,485,000</u> |
| 18 Multimodal Transportation Account--State | |
| 19 Appropriation | ((\$68,176,000)) |
| 20 | <u>\$57,814,000</u> |
| 21 Multimodal Transportation Account--Private/Local | |
| 22 Appropriation | ((\$8,287,000)) |
| 23 | <u>\$551,000</u> |
| 24 Multimodal Transportation Account--Federal | |
| 25 Appropriation | ((\$17,268,000)) |
| 26 | <u>\$10,198,000</u> |
| 27 TOTAL APPROPRIATION | ((\$93,981,000)) |
| 28 | <u>\$70,048,000</u> |

29 The appropriations in this section are subject to the following
30 conditions and limitations:

31 (1) The multimodal transportation account--state appropriation
32 includes up to ((~~\$33,435,000~~)) \$1,422,000 in proceeds from the sale of
33 bonds ((~~and up to \$830,000 in unexpended bond proceeds authorized by~~
34 ~~RCW 47.10.867~~)).

35 (2) If federal block grant funding for freight or passenger rail is
36 received, the department shall consult with the transportation

1 committees of the legislature prior to spending the funds on additional
2 projects.

3 (3)(a) (~~(\$68,176,000)~~) \$56,399,000 of the multimodal transportation
4 account--state appropriation, (~~(\$17,268,000)~~) \$10,198,000 of the
5 multimodal transportation account--federal appropriation,
6 (~~(\$8,287,000)~~) \$551,000 of the multimodal transportation account--local
7 appropriation, and (~~(\$250,000 of the essential rail assistance~~
8 ~~account)~~) \$1,485,000 of the motor vehicle account--federal
9 appropriation are provided solely for the projects and activities as
10 listed by (~~fund,~~) project (~~and amount~~) in LEAP Transportation
11 Document 2006-C, Rail Capital Program (Y) as developed March 8, 2006.
12 (~~However, limited transfers of allocations between projects may occur~~
13 ~~for those amounts listed subject to the conditions and limitations in~~
14 ~~section 603 of this act.~~)

15 (b) Within the amounts provided in this subsection, (~~(\$6,500,000)~~)
16 \$5,000,000 of the multimodal transportation account--state
17 appropriation is for the (~~two~~) commuter rail project(~~s~~) listed in
18 the LEAP Transportation Document 2006-C, Rail Capital Program (Y) as
19 developed March 8, 2006.

20 (c) Within the amounts provided in this subsection, \$10,937,000 of
21 the multimodal transportation account--state appropriation is for the
22 cost of the memorandum of understanding for the acquisition of the
23 Palouse River Coulee City (PCC) rail lines.

24 (i) The office of financial management shall negotiate the purchase
25 of the CW line. The purchase agreement must include both the operating
26 and capital rights of the CW line. If the office of financial
27 management is unable to negotiate the purchase of the CW line, the
28 office may stop all negotiations and acquire the line and operational
29 rights through any other alternative means available. The office of
30 financial management shall also negotiate a new operational agreement
31 for the line, in consultation with local governments and other
32 stakeholders. The operational agreement shall be assignable, at the
33 state's option, to any intergovernmental entity or local rail district
34 that expresses interest in the operating rights to the line.

35 (~~d~~) (ii) The office of financial management shall negotiate the
36 purchase of the operating rights of the P&L and PV Hooper lines. If
37 the office of financial management is unable to negotiate the purchase
38 of the operating rights of the P&L and PV Hooper lines, the office may

1 stop all negotiations and acquire the operating rights through any
2 other alternative means available. Watco will continue to operate the
3 PV Hooper line, as required by contract. The office of financial
4 management shall also negotiate a new operational agreement ~~((+s))~~ for
5 the P&L ~~((and PV Hooper lines))~~ line in consultation with local
6 governments and other stakeholders. The operational agreement
7 negotiated shall be assignable, at the state's option, to any
8 intergovernmental entity or local rail district that expresses interest
9 in the operating rights to the line. If, upon expiration of the
10 operational agreement for the PV Hooper line, any intergovernmental
11 entity or local rail district expresses interest in the operating
12 rights to the PV Hooper rail line, then the department shall assign the
13 operating rights to the line to the intergovernmental entity or local
14 rail district.

15 ~~((+e))~~ (iii) In order to maintain the operation of the Palouse
16 River & Coulee City rail lines, the office of financial management is
17 authorized to negotiate an agreement wherein they may forgive all or
18 part of the existing freight rail assistance loan to the current
19 operator of the Palouse River & Coulee City rail lines in exchange for
20 good and valuable consideration.

21 (iv) Following acquisition of the PCC rail lines, the department
22 shall not expend funds provided in (a) of this subsection to refurbish
23 the lines or provide an operating subsidy for the lines.

24 (4) If the department issues a call for projects, applications must
25 be received by the department by November 1, 2005, and November 1,
26 2006.

27 (5) \$50,000 of the multimodal transportation account--state
28 appropriation is provided solely for a study of eastern Skagit county
29 freight rail. The study shall examine the feasibility of restoring
30 portions of freight rail line to the towns of Lyman, Hamilton, and
31 Concrete. The study must also identify existing and potential
32 industrial sites available for development and redevelopment, and the
33 freight rail service needs of the identified industrial sites.

34 (6) The department shall finalize and issue the Amtrak Cascades
35 long range plan update as of the effective date of this act.

36 (7) Funds provided for the Tacoma rail improvement project may be
37 expended for preconstruction engineering.

1 (8) \$2,500,000 of the multimodal transportation account--state
2 appropriation is provided solely for a rail loop at the Port of Walla
3 Walla.

4 **Sec. 909.** 2006 c 370 s 309 (uncodified) is amended to read as
5 follows:

6 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**
7 **CAPITAL**

| | | |
|----|--|--------------------------------|
| 8 | ((Highway Infrastructure Account--State Appropriation | \$207,000 |
| 9 | Highway Infrastructure Account--Federal Appropriation | \$1,602,000)) |
| 10 | Motor Vehicle Account--Federal Appropriation | ((\$48,998,000)) |
| 11 | | <u>\$16,734,000</u> |
| 12 | Motor Vehicle Account--State Appropriation | ((\$8,340,000)) |
| 13 | | <u>\$1,836,000</u> |
| 14 | Transportation Partnership Account--State | |
| 15 | Appropriation | ((\$2,008,000)) |
| 16 | | <u>\$694,000</u> |
| 17 | ((Freight Mobility Investment Account--State | |
| 18 | Appropriation | \$6,000,000 |
| 19 | Passenger Ferry Account--State Appropriation | \$9,000,000)) |
| 20 | Multimodal Transportation Account--State | |
| 21 | Appropriation | ((\$39,403,000)) |
| 22 | | <u>\$21,860,000</u> |
| 23 | Transportation 2003 Account (nickel account)--State | |
| 24 | Appropriation | ((\$557,000)) |
| 25 | | <u>\$145,000</u> |
| 26 | Freight Mobility Multimodal Account--State | |
| 27 | Appropriation | ((\$9,700,000)) |
| 28 | | <u>\$1,150,000</u> |
| 29 | <u>Freight Mobility Multimodal Account--</u> | |
| 30 | <u>Private/Local Appropriation</u> | <u>\$3,050,000</u> |
| 31 | TOTAL APPROPRIATION | ((\$125,815,000)) |
| 32 | | <u>\$45,469,000</u> |

33 The appropriations in this section are subject to the following
34 conditions and limitations:

35 (1) To manage some projects more efficiently, federal funds may be
36 transferred from program Z to programs I and P and state funds shall be
37 transferred from programs I and P to program Z to replace those federal

1 funds in a dollar-for-dollar match. Fund transfers authorized under
2 this subsection shall not affect project prioritization status.
3 Appropriations shall initially be allotted as appropriated in this act.
4 The department may not transfer funds as authorized under this
5 subsection without approval of the office of financial management. The
6 department shall submit a report on those projects receiving fund
7 transfers to the transportation committees of the senate and house of
8 representatives by December 1, 2006.

9 (2) The department shall, on a quarterly basis, provide status
10 reports to the legislature on the delivery of projects as outlined in
11 the project lists distributed with this act, and on any additional
12 projects for which the department has expended funds during the 2005-07
13 fiscal biennium, except for projects managed by the freight mobility
14 strategic investment board. The department shall work with the
15 transportation committees of the legislature to agree on report
16 formatting and elements. For projects funded by new revenue in the
17 2003 and 2005 transportation packages, reporting elements shall
18 include, but not be limited to, project scope, schedule, and costs.
19 Other projects may be reported on a programmatic basis. The department
20 shall also provide the information required under this subsection on a
21 quarterly basis via the transportation executive information system
22 (TEIS).

23 (3) The multimodal transportation account--state appropriation
24 includes up to \$6,000,000 in proceeds from the sale of bonds authorized
25 by RCW 47.10.867.

26 (4) \$1,545,000 of the multimodal transportation account--state
27 appropriation is reappropriated and provided solely to fund the
28 multiphase cooperative project with the state of Oregon to dredge the
29 Columbia River. The amount provided in this subsection shall lapse
30 unless the state of Oregon appropriates a dollar-for-dollar match to
31 fund its share of the project.

32 (5) Up to \$206,000 of the motor vehicle account--state
33 appropriation is reappropriated and provided (~~solely~~) for additional
34 traffic and pedestrian safety improvements near schools. The highways
35 and local programs division within the department of transportation
36 shall administer this program. The department shall review all
37 projects receiving grant awards under this program at least
38 semiannually to determine whether the projects are making satisfactory

1 progress. Any project that has been awarded traffic and pedestrian
2 safety improvement grant funds, but does not report activity on the
3 project within one year of grant award should be reviewed by the
4 department to determine whether the grant should be terminated. The
5 department must promptly close out grants when projects have been
6 completed, and identify where unused grant funds remain because actual
7 project costs were lower than estimated in the grant award. The
8 department shall expeditiously extend new grant awards to qualified
9 projects when funds become available either because grant awards have
10 been rescinded for lack of sufficient project activity or because
11 completed projects returned excess grant funds upon project closeout.

12 (6) The motor vehicle account--state appropriation includes up to
13 \$905,000 in unexpended proceeds from the sale of bonds authorized by
14 RCW 47.10.843.

15 (7) Up to \$607,000 of the multimodal transportation account--state
16 appropriation is reappropriated and provided (~~solely~~) to support the
17 safe routes to school program.

18 (8) (~~(\$16,110,000)~~) Up to \$7,488,000 of the motor vehicle account--
19 federal appropriation is provided (~~solely~~) for the local freight
20 capital projects in progress identified in this subsection. The
21 specific funding listed is provided (~~solely~~) for the respective
22 projects: SR 397 Ainsworth Ave. Grade Crossing, \$4,992,000; Colville
23 Alternate Truck Route, \$1,746,000; (~~S. 228th Street Extension and~~
24 ~~Grade Separation, \$6,500,000; Bigelow Gulch Road Urban Boundary to~~
25 ~~Argonne Rd., \$2,000,000; Granite Falls Alternate Route, \$122,000;~~) and
26 Pacific Hwy. E./Port of Tacoma Road to Alexander, \$750,000.

27 (9) (~~(\$2,898,000)~~) Up to \$1,011,000 of the motor vehicle account--
28 state appropriation is provided (~~solely~~) for the local freight
29 capital projects in progress identified in this subsection. The
30 specific funding listed is provided (~~solely~~) for the respective
31 projects: Duwamish Intelligent Transportation Systems (ITS),
32 (~~(\$2,382,000)~~) \$495,000; Port of Kennewick/Piert Road, \$516,000.

33 (10) Up to \$6,000,000 of the multimodal account--state
34 appropriation is provided (~~solely~~) for the local freight 'D' street
35 grade separation project.

36 (11) The department shall issue a call for pedestrian safety
37 projects, such as safe routes to schools and transit, and bicycle and
38 pedestrian paths. Applications must be received by the department by

1 November 1, 2005, and November 1, 2006. The department shall identify
2 cost-effective projects, and submit a prioritized list to the
3 legislature for funding by December 15th of each year. Recommendations
4 made to the legislature for safe routes to schools and bicycle and
5 pedestrian path projects must, to the extent practicable based on
6 available funding, allocate sixty percent of available funds to bicycle
7 and pedestrian path projects and forty percent to safe routes to
8 schools. Preference shall be given to projects that provide a local
9 match.

10 (12) (~~(\$18,370,000)~~) Up to \$12,000,000 of the multimodal
11 transportation account--state appropriation, (~~(\$6,000,000)~~) up to
12 \$2,440,000 of the freight mobility multimodal account--state
13 appropriation, and up to \$2,008,000 of the transportation partnership
14 account--state appropriation(~~(, and \$6,000,000 of the freight mobility~~
15 ~~investment account--state appropriation))~~) are provided (~~(solely)~~) for
16 the projects and activities as listed by fund, project and amount in
17 LEAP Transportation Document 2006-1, Local Programs (Z) as developed
18 March 8, 2006. However, limited transfers of allocations between
19 projects may occur for those amounts listed subject to the conditions
20 and limitations in section 603 of this act.

21 (13) \$870,000 of the multimodal transportation account--state
22 appropriation is provided solely for the Yakima Avenue, 9th Street to
23 Front Street, pedestrian safety improvement project.

24 (14) Up to \$5,000,000 of the multimodal transportation account--
25 state appropriation and up to \$2,000,000 of the motor vehicle account--
26 federal appropriation are provided (~~(solely)~~) for the pedestrian and
27 bicycle safety program projects and safe routes to schools program
28 projects identified on the LEAP Transportation Document 2006-B,
29 Pedestrian and Bicycle Safety Program Projects and Safe Routes to
30 Schools Program Projects as developed March 8, 2006. Projects must be
31 allocated funding based on order of priority. The department shall
32 review all projects receiving grant awards under this program at least
33 semiannually to determine whether the projects are making satisfactory
34 progress. Any project that has been awarded funds, but does not report
35 activity on the project within one year of the grant award, shall be
36 reviewed by the department to determine whether the grant should be
37 terminated. The department shall promptly close out grants when
38 projects have been completed, and identify where unused grant funds

1 remain because actual project costs were lower than estimated in the
2 grant award. When funds become available either because grant awards
3 have been rescinded for lack of sufficient project activity or because
4 completed projects returned excess grant funds upon project closeout,
5 the department shall expeditiously extend new grant awards to qualified
6 alternative projects identified on the list.

7 (15) Up to \$9,700,000 of the motor vehicle account--federal
8 appropriation is provided (~~solely~~) for the intersection and corridor
9 safety program projects as identified on the LEAP Transportation
10 Document 2006-A, Intersection and Corridor Safety Program Projects as
11 developed March 8, 2006.

12 (16) Up to \$19,500,000 of the motor vehicle account--federal
13 appropriation is provided (~~solely~~) for rural county two-lane roadway
14 pilot projects including \$7,500,000 already under contract. Any
15 further allocations shall be prioritized by the department based on
16 high-accident-corridor criteria. For purposes of this subsection,
17 "high-accident-corridor" means a highway corridor of one mile or more
18 where analysis of collision history indicates that the section has
19 higher than average collision and severity factors.

20 (17) Up to \$2,500,000 of the motor vehicle account--state
21 appropriation is provided (~~solely~~) for the Yakima downtown futures
22 initiative.

23 (18) Up to \$810,000 of the multimodal transportation account--state
24 appropriation is provided (~~solely~~) for the projects identified in
25 this subsection: Des Moines creek trail, \$250,000; SR 282 to Port of
26 Ephrata connector, \$385,000; Mount Baker Ridge viewpoint, \$175,000.

27 (~~(+20)~~) (19) Up to \$688,000 of the motor vehicle account--federal
28 appropriation is provided (~~solely~~) for completion of the Coal Creek
29 Parkway project.

30 (~~(+21) \$9,000,000 of the passenger ferry account state~~
31 ~~appropriation is provided solely for the implementation of the~~
32 ~~passenger only ferry grant program created in Substitute Senate Bill~~
33 ~~No. 6787. If Substitute Senate Bill No. 6787 is not enacted by June~~
34 ~~30, 2006, the amount provided in this subsection shall lapse.))~~

35 (20) \$827,000 of the motor vehicle account--federal appropriation
36 is provided solely for the projects identified in this subsection: The
37 Franklin county slide project, \$800,000; and the Loomis-Oroville Road
38 guardrail replacement project, \$27,000.

1 (21) \$252,000 of the multimodal transportation account--state
 2 appropriation is provided solely for the Winthrop pedestrian and bike
 3 path project.

4 **TRANSFERS AND DISTRIBUTIONS**

5 **Sec. 1001.** 2006 c 370 s 401 (uncodified) is amended to read as
 6 follows:

7 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**
 8 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND**
 9 **DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND**
 10 **REVENUE**

| | |
|--|--------------------------------|
| Highway Bond Retirement Account Appropriation | ((\$334,313,000)) |
| | <u>\$329,713,000</u> |
| Nondebt-Limit Reimbursable Account Appropriation | ((\$6,091,000)) |
| | <u>\$5,791,000</u> |
| Ferry Bond Retirement Account Appropriation | \$38,241,000 |
| Transportation Improvement Board Bond Retirement | |
| Account--State Appropriation | \$30,923,000 |
| Motor Vehicle Account--State Appropriation | ((\$682,000)) |
| | <u>\$782,000</u> |
| Transportation Improvement Account--State | |
| Appropriation | \$120,000 |
| Multimodal Transportation Account--State | |
| Appropriation | ((\$370,000)) |
| | <u>\$390,000</u> |
| Transportation 2003 Account (Nickel Account) | |
| Appropriation | \$6,600,000 |
| Transportation Partnership Account--State | |
| Appropriation | ((\$1,125,000)) |
| | <u>\$975,000</u> |
| TOTAL APPROPRIATION | ((\$418,465,000)) |
| | <u>\$413,535,000</u> |

32 **Sec. 1002.** 2006 c 370 s 402 (uncodified) is amended to read as
 33 follows:

34 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**

1 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND**
2 **FISCAL AGENT CHARGES**

| | | |
|----|---|--------------------------|
| 3 | Motor Vehicle Account--State Appropriation | \$248,000 |
| 4 | Transportation Improvement Account--State Appropriation | (\$13,000) |
| 5 | | <u>\$18,000</u> |
| 6 | Multimodal Transportation Account--State Appropriation | \$35,000 |
| 7 | Transportation 2003 Account (Nickel Account)--State | |
| 8 | Appropriation | \$2,200,000 |
| 9 | Transportation Partnership Account--State | |
| 10 | Appropriation | \$375,000 |
| 11 | TOTAL APPROPRIATION | (\$2,871,000) |
| 12 | | <u>\$2,876,000</u> |

13 **Sec. 1003.** 2006 c 370 s 404 (uncodified) is amended to read as
14 follows:

15 **FOR THE STATE TREASURER--STATE REVENUES FOR DISTRIBUTION**

| | | |
|----|--|----------------------------|
| 16 | Motor Vehicle Account Appropriation for | |
| 17 | motor vehicle fuel tax distributions to cities | |
| 18 | and counties | (\$487,612,000) |
| 19 | | <u>\$468,391,000</u> |

20 **Sec. 1004.** 2006 c 370 s 405 (uncodified) is amended to read as
21 follows:

22 **FOR THE STATE TREASURER--TRANSFERS**

| | | |
|----|---|------------------------------|
| 23 | Motor Vehicle Account--State | |
| 24 | Appropriation: For motor vehicle fuel tax | |
| 25 | refunds and transfers | (\$1,037,342,000) |
| 26 | | <u>\$1,031,321,000</u> |

27 **Sec. 1005.** 2006 c 370 s 406 (uncodified) is amended to read as
28 follows:

29 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSFERS**

| | | |
|----|--|---------------------------|
| 30 | (1) RV Account--State Appropriation: | |
| 31 | For transfer to the Motor Vehicle Account--State | (\$2,000,000) |
| 32 | | <u>\$1,915,000</u> |
| 33 | (2) Motor Vehicle Account--State Appropriation: | |
| 34 | For transfer to Puget Sound Capital Construction | |
| 35 | Account--State | (\$73,000,000) |

1 \$70,223,000
2 (3) Highway Safety Account--State Appropriation:
3 For transfer to the Motor Vehicle Account--State \$5,000,000
4 (4) Motor Vehicle Account--State Appropriation:
5 For transfer to the Puget Sound Ferry Operations
6 Account--State (~~(\$31,000,000)~~)
7 \$50,680,000
8 (5) Motor Vehicle Account--State Appropriation:
9 For transfer to the Transportation Partnership
10 Account--State \$33,127,000
11 (6) Highway Safety Account--State Appropriation:
12 For transfer to the Multimodal Transportation
13 Account--State \$25,980,000
14 (7) Transportation Partnership Account--State Appropriation:
15 For transfer to the Small City Pavement and Sidewalk
16 Account--State \$1,000,000
17 (8) Transportation Partnership Account--State Appropriation:
18 For transfer to the Transportation Improvement
19 Account--State \$2,500,000
20 (9) Transportation Partnership Account--State Appropriation:
21 For transfer to the County Arterial Preservation
22 Account--State \$1,500,000
23 (10) License Plate Technology Account--State Appropriation:
24 For transfer to the Motor Vehicle Account--State \$2,500,000
25 (11) Multimodal Transportation Account--State Appropriation:
26 For transfer to the Transportation Partnership
27 Account--State \$29,417,000
28 (12) Motor Vehicle Account--State Appropriation:
29 For transfer to the Freight Mobility Multimodal
30 Account--State, up to a maximum of (~~(\$3,700,000)~~)
31 \$3,537,000
32 (13) Multimodal Transportation Account--State Appropriation:
33 For transfer to the Tacoma Narrows Toll Bridge
34 Account--State \$1,300,000
35 (14) Multimodal Transportation Account--State Appropriation:
36 For transfer to the Freight Mobility Multimodal
37 Account--State \$4,610,000
38 (15) Motor Vehicle Account--State Appropriation:

1 For transfer to the Tacoma Narrows Toll Bridge
2 Account--State \$5,288,000

3 The transfers identified in this section are subject to the
4 following conditions and limitations:

5 (a) The department of transportation shall only transfer funds in
6 subsection (2) of this section up to the level provided, on an as-
7 needed basis.

8 (b) The amount transferred in subsection (12) of this section shall
9 be the same as the Union Pacific Railroad's original contribution,
10 adjusted for earned interest and expenditures, and shall be made on
11 June 30, 2006.

12 (c) The amount transferred in subsection (14) of this section is
13 the equivalent of the Burlington Northern Santa Fe funds advanced to
14 the SR 519 project and shall be invested in a freight mobility project
15 agreed to by the freight mobility strategic investment board and the
16 BNSF railway if the final design of the SR 519 project does not include
17 the original rail benefit.

18 (d) The amount transferred in subsection (13) of this section is
19 appropriated as a nonreimbursable state financial contribution to the
20 project and does not require repayment.

21 **MISCELLANEOUS**

22 NEW SECTION. **Sec. 1101.** If any provision of this act or its
23 application to any person or circumstance is held invalid, the
24 remainder of the act or the application of the provision to other
25 persons or circumstances is not affected.

26 NEW SECTION. **Sec. 1102.** This act is necessary for the immediate
27 preservation of the public peace, health, or safety, or support of the
28 state government and its existing public institutions, and takes effect
29 immediately.

(End of bill)

| INDEX | PAGE # |
|---|------------|
| BOARD OF PILOTAGE COMMISSIONERS | 5 |
| COLLECTIVE BARGAINING AGREEMENT | |
| FASPAA | 61 |
| IBU | 59 |
| MEBA-LICENSED | 60 |
| MEBA-UNLICENSED | 60 |
| METAL TRADES COUNCIL | 61 |
| MM&P | 60 |
| MM&P-WATCH SUPERVISORS | 61 |
| OPEIU | 62 |
| SEIU | 62 |
| WSP LIEUTENANTS ASSOCIATION | 62 |
| WSP TROOPERS ASSOCIATION | 62 |
| COLLECTIVE BARGAINING AGREEMENT--IFPTE | 63 |
| COLLECTIVE BARGAINING AGREEMENTS | 59 |
| COMPENSATION | |
| NONREPRESENTED EMPLOYEES--INSURANCE BENEFITS | 55 |
| PENSION CONTRIBUTIONS | 57 |
| REPRESENTED EMPLOYEES OUTSIDE--SUPER COALITION INSURANCE BENEFITS | 56 |
| REPRESENTED EMPLOYEES--SUPER COALITION | 57 |
| REVISE PENSION GAIN SHARING | 57 |
| COUNTY ROAD ADMINISTRATION BOARD | 5, 33, 101 |
| DEPARTMENT OF AGRICULTURE | 3 |
| DEPARTMENT OF ARCHEOLOGY AND HISTORIC PRESERVATION | 3 |
| DEPARTMENT OF LICENSING | 78 |
| DEPARTMENT OF LICENSING | 12 |
| TRANSFERS | 53 |
| DEPARTMENT OF TRANSPORTATION | 77, 79 |
| AVIATION--PROGRAM F | 16, 87 |
| CHARGES FROM OTHER AGENCIES--PROGRAM U | 24, 93 |
| FACILITIES--PROGRAM D--OPERATING | 16 |
| HIGHWAY MAINTENANCE--PROGRAM M | 18, 88 |
| IMPROVEMENTS--PROGRAM I | 34, 104 |
| INFORMATION TECHNOLOGY--PROGRAM C | 14 |
| LOCAL PROGRAMS--PROGRAM Z--CAPITAL | 48, 116 |
| LOCAL PROGRAMS--PROGRAM Z--OPERATING | 32, 101 |
| MARINE--PROGRAM X | 28, 98 |

| | |
|--|-------------|
| PRESERVATION--PROGRAM P | 40 |
| PRESERVATION--PROGRAM P | 109 |
| PROGRAM D (DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS) | 102 |
| PROGRAM D (DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)--CAPITAL | 33 |
| PROGRAM DELIVERY MANAGEMENT AND SUPPORT--PROGRAM H | 16 |
| PUBLIC TRANSPORTATION--PROGRAM V | 25, 94 |
| RAIL--PROGRAM Y--OPERATING | 31 |
| RAIL--PROGRAM Y--CAPITAL | 44, 113 |
| RAIL--PROGRAM Y--OPERATING | 99 |
| TOLL OPERATIONS AND MAINTENANCE--PROGRAM B | 14, 87 |
| TRAFFIC OPERATIONS--PROGRAM Q--CAPITAL | 42, 103 |
| TRAFFIC OPERATIONS--PROGRAM Q--OPERATING | 19 |
| TRANSFERS | 122 |
| TRANSPORTATION MANAGEMENT AND SUPPORT--PROGRAM S | 21 |
| TRANSPORTATION PLANNING, DATA, AND RESEARCH--PROGRAM T | 22, 89 |
| WASHINGTON STATE FERRIES CONSTRUCTION--PROGRAM W | 42, 111 |
| FOR THE DEPARTMENT OF TRANSPORTATION--ECONOMIC PARTNERSHIPS--PROGRAM K | 17 |
| FOR THE WASHINGTON STATE PATROL--INVESTIGATIVE SERVICES BUREAU | 10 |
| FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD | 8 |
| INFORMATION SYSTEMS PROJECTS | 63 |
| JOINT LEGISLATIVE AUDIT AND REVIEW COMMITTEE | 4 |
| JOINT TRANSPORTATION COMMITTEE | 6, 79 |
| LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE | 4 |
| MARINE EMPLOYEES COMMISSION | 3 |
| NONREPRESENTED EMPLOYEE COMPENSATION | 57 |
| OFFICE OF FINANCIAL MANAGEMENT | 2 |
| STATE PARKS AND RECREATION COMMISSION | 3 |
| STATE TREASURER | |
| ADMINISTRATIVE TRANSFERS | 53 |
| BOND RETIREMENT AND INTEREST | 51, 52, 121 |
| STATE REVENUES FOR DISTRIBUTION | 53, 122 |
| TRANSFERS | 53, 122 |
| STATUTORY APPROPRIATIONS | 55 |
| TRANSPORTATION COMMISSION | 7 |
| TRANSPORTATION IMPROVEMENT BOARD | 5, 33, 102 |
| UTILITIES AND TRANSPORTATION COMMISSION | 2 |
| WASHINGTON STATE PATROL | 32 |
| CRIMINAL HISTORY AND BACKGROUND CHECKS | 11 |
| FIELD OPERATIONS BUREAU | 9, 82 |
| INVESTIGATIVE SERVICES BUREAU | 85 |

| | |
|--|--------|
| TECHNICAL SERVICES BUREAU | 10, 85 |
| WASHINGTON TRAFFIC SAFETY COMMISSION | 5 |

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