

1 1992 AAS 4/11/91

2 **HB 1992** - S COMM AMD

3 By Committee on Transportation

4 Adopted 4/11/91 - Voice Vote

5 Strike everything after the enacting clause and insert the  
6 following:

7 "Sec. 1. RCW 47.12.242 and 1969 ex.s. c 197 s 6 are each amended  
8 to read as follows:

9 The term "advance right of way acquisition" means the acquisition  
10 of property and property rights, generally not ((less than two nor))  
11 more than ((seven)) ten years in advance of programmed highway  
12 construction projects, together with the engineering costs necessary  
13 for such advance right of way acquisition. Any property or property  
14 rights purchased must be in designated highway transportation corridors  
15 and be for projects approved by the commission as part of the state's  
16 six-year plan or included in the state's route development planning  
17 effort."

18 "Sec. 2. RCW 47.12.244 and 1984 c 7 s 125 are each amended to read  
19 as follows:

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

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

26 (2) All moneys received by the department as rental income from  
27 real properties that are not subject to federal aid reimbursement,

1 except moneys received from rental of capital facilities properties as  
2 defined in chapter 47.13 RCW; and

3 (3) Any federal moneys available for acquisition of right of way  
4 for future construction under the provisions of section 108 of Title  
5 23, United States Code."

6 "Sec. 3. RCW 47.12.125 and 1961 c 13 s 47.12.125 are each amended  
7 to read as follows:

8 All moneys paid to the state of Washington under any of the  
9 provisions of RCW 47.12.120 shall be deposited in the department's  
10 advance right of way revolving fund, except moneys that are subject to  
11 federal aid reimbursement, which shall be deposited in the motor  
12 vehicle fund, and except that moneys received from rental of capital  
13 facilities properties shall be deposited in the transportation capital  
14 facilities account as defined in chapter 47.13 RCW."

15 "Sec. 4. RCW 47.12.246 and 1984 c 7 s 126 are each amended to read  
16 as follows:

17 ~~((Whenever,))~~ (1) After any properties or property rights are  
18 acquired from funds in the advance right of way revolving fund, the  
19 department shall manage the properties in accordance with sound  
20 business practices. Funds received from interim management of the  
21 properties shall be deposited in the advance right of way revolving  
22 fund.

23 (2) When the department proceeds with the construction of a highway  
24 which will require the use of any of the property so acquired, the  
25 department shall reimburse the advance right of way revolving fund,  
26 from other funds available to it, the ~~((amount of the prior~~  
27 expenditures for advance right of way acquisition for)) current  
28 appraised value of the property or property rights required for the

1 project together with damages caused to the remainder by the  
2 acquisition after offsetting against all such compensation and damages  
3 the special benefits, if any, accruing to the remainder by reason of  
4 the state highway being constructed. ((Such))

5 (3) When the department determines that any properties or property  
6 rights acquired from funds in the advance right of way revolving fund  
7 will not be required for a highway construction project the department  
8 may sell the property at fair market value in accordance with  
9 requirements of RCW 47.12.063. All proceeds of such sales shall be  
10 deposited in the advance right of way revolving fund.

11 (4) Deposits in the fund may be reexpended as provided in RCW  
12 47.12.180, 47.12.200 through 47.12.230, and 47.12.242 through 47.12.248  
13 without further or additional appropriations."

14 "NEW SECTION. Sec. 5. A new section is added to chapter 47.12 RCW  
15 to read as follows:

16 At the end of each biennium the department shall report to the  
17 legislature and the office of financial management:

- 18 (1) Which properties were purchased and why;  
19 (2) Expenditures for the acquired parcels; and  
20 (3) Estimated savings to the state."

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24 In line 1 of the title, after "acquisition;" strike the remainder  
25 of the title and insert "amending RCW 47.12.242, 47.12.244, 47.12.125,  
26 and 47.12.246; and adding a new section to chapter 47.12 RCW."