

CERTIFICATION OF ENROLLMENT

SECOND ENGROSSED SUBSTITUTE HOUSE BILL 2080

Chapter 14, Laws of 1995

(partial veto)
54th Legislature
1995 2nd Special Session

TRANSPORTATION BUDGET, 1995-1997

EFFECTIVE DATE: 7/1/95 - Except Sections 514 through 524 which become effective 1/1/96; and Sections 539 through 556 (see contingent dates in section 559)

Passed by the House May 25, 1995
Yeas 60 Nays 34

CLYDE BALLARD

**Speaker of the
House of Representatives**

Passed by the Senate May 25, 1995
Yeas 44 Nays 4

JOEL PRITCHARD

President of the Senate

Approved June 16, 1995, with the exception of sections 2(2); 105(2); 106 (lines 3-10); 107 (lines 14-18); 207(1); 207(2); 207(3); 207(4); 208(4); 217 (lines 26-27); 217 (lines 32-33); 217(17); 228(2); 228(4); 305; 504; 529; 531; 532; 537; 539; 540; 542-557; 559 and 560, which are vetoed.

MIKE LOWRY

Governor of the State of Washington

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 2080** as passed by the House of Representatives and the Senate on the dates hereon set forth.

TIMOTHY A. MARTIN

Chief Clerk

FILED

June 15, 1995 - 11:12 a.m.

**Secretary of State
State of Washington**

SECOND ENGROSSED SUBSTITUTE HOUSE BILL 2080

AS AMENDED BY THE SENATE

Passed Legislature - 1995 2nd Special Session

State of Washington 54th Legislature 1995 Regular Session

By House Committee on Transportation (originally sponsored by Representatives K. Schmidt, Hankins, Benton, Elliot, Skinner, Buck, McMahan, Robertson, Johnson, D. Schmidt, Chandler, Mitchell, Koster, Backlund, Cairnes, Horn, Blanton and Stevens)

Read first time 03/21/95.

1 AN ACT Relating to transportation funding and appropriations;
2 amending RCW 43.105.017, 43.105.041, 43.19.1919, 43.21I.005,
3 43.21I.010, 43.21I.030, 43.21I.040, 88.46.922, 88.46.925, 90.56.510,
4 47.78.010, 82.44.150, 70.94.531, 47.78.010, 81.104.140, 82.44.150,
5 81.104.015, 81.104.030, 81.104.040, 81.104.050, 81.104.120, 81.104.140,
6 81.104.150, 81.104.170, 81.104.180, 81.104.190, 35.58.2795, 47.26.121,
7 47.80.060, and 81.112.030; amending 1991 c 200 s 1120 (uncodified);
8 1993 c 281 s 73 (uncodified); 1994 c 303 s 20 (uncodified); reenacting
9 and amending RCW 82.44.180 and 81.104.160; adding a new section to
10 chapter 90.56 RCW; adding new sections to chapter 43.21A RCW; adding a
11 new section to chapter 81.104 RCW; adding a new section to chapter
12 47.60 RCW; creating new sections; recodifying RCW 43.21I.005,
13 43.21I.010, 43.21I.030, and 43.21I.040; repealing RCW 43.21I.020,
14 88.46.920, 88.46.923, 81.112.010, 81.112.020, 81.112.030, 81.112.040,
15 81.112.050, 81.112.060, 81.112.070, 81.112.080, 81.112.090, 81.112.100,
16 81.112.110, 81.112.120, 81.112.130, 81.112.140, 81.112.150, 81.112.160,
17 81.112.170, 81.112.900, 81.112.901, and 81.112.902; making
18 appropriations; providing expiration dates; providing a contingent
19 effective date; providing effective dates; and declaring an emergency.

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

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PART I
GENERAL GOVERNMENT AGENCIES--OPERATING

NEW SECTION. **Sec. 101. FOR THE DEPARTMENT OF AGRICULTURE**

Motor Vehicle Fund--State Appropriation \$ 300,000

The appropriation in this section is subject to the following conditions and limitations and specified amounts are provided solely for that activity: The department of agriculture shall report to the legislative transportation committee by January 1, 1996, and January 1, 1997, on the number of fuel samples tested and the findings of the tests for the motor fuel quality program.

NEW SECTION. **Sec. 102. FOR THE JOINT LEGISLATIVE SYSTEMS COMMITTEE**

Motor Vehicle Fund--State Appropriation \$ 40,000

The appropriation in this section is subject to the following conditions and limitations and specified amounts are provided solely for that activity: The joint legislative systems committee shall enter into a service level agreement with the legislative transportation committee by September 30, 1995.

NEW SECTION. **Sec. 103. FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM**

Motor Vehicle Fund--State Appropriation \$ 205,000

The appropriation in this section is for fiscal year 1996 and is subject to the following conditions and limitations and specified amounts are provided solely for that activity: The legislative evaluation and accountability program committee shall enter into a service level agreement with the legislative transportation committee by September 30, 1995.

NEW SECTION. **Sec. 104. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

1 Motor Vehicle Fund--State Appropriation \$ 110,000

2 *NEW SECTION. Sec. 105. FOR THE OFFICE OF MARINE SAFETY

3 State Toxics Control Account--State
4 Appropriation \$ 70,000
5 Oil Spill Administration Account--State
6 Appropriation \$ 1,008,000
7 TOTAL APPROPRIATION \$ 1,078,000

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

11 (1) The appropriations in this section are for six months only
12 pursuant to sections 514 through 524 of this act, which transfer the
13 responsibilities of the office of marine safety to the department of
14 ecology on January 1, 1996.

15 (2) *The legislative transportation committee shall convene a task*
16 *force comprised of representatives from the office of financial*
17 *management, the department of ecology, the department of revenue, and*
18 *other affected parties to: (a) Identify cost savings and efficiencies*
19 *associated with the transfer of the office of marine safety to the*
20 *department of ecology; (b) examine provisions pertaining to the oil*
21 *spill accounts; (c) develop new strategies for handling oil spill*
22 *administration account funding shortfalls in lieu of allowing transfers*
23 *from the oil spill response account; and (d) evaluate ongoing oil spill*
24 *planning and prevention needs. The findings and recommendations of the*
25 *task force shall be used in the development of the 1996 supplemental*
26 *budget, and accompanying policy legislation.*

27 (3) \$170,000 of the oil spill administration account appropriation
28 is provided solely for a contract with the University of Washington's
29 SeaGrant program in order to develop an educational program that
30 targets small spills from commercial fishing vessels, ferries, cruise
31 ships, ports, and marinas. This funding is available for the
32 implementation of the Puget Sound water quality management plan by the
33 University of Washington.

34 *Sec. 105 was partially vetoed. See message at end of chapter.

35 *NEW SECTION. Sec. 106. FOR THE GOVERNOR--FOR TRANSFER TO THE
36 TORT CLAIMS REVOLVING FUND

| | | | |
|---|--|----|-----------|
| 1 | Motor Vehicle Fund--State Appropriation | \$ | 2,808,000 |
| 2 | Marine Operating Fund--State Appropriation | \$ | 1,157,000 |
| 3 | TOTAL APPROPRIATION | \$ | 3,965,000 |

4 *The appropriations in this section are subject to the following*
5 *conditions and limitations and specified amounts are provided solely*
6 *for that activity: The amount of the transfers from the motor vehicle*
7 *fund and the marine operating fund are to be transferred into the tort*
8 *claims revolving fund only as claims have been settled or adjudicated*
9 *to final conclusion and are ready for payout. The appropriation*
10 *contained in this section is to retire tort obligations that occurred*
11 *before July 1, 1990.*

12 *Sec. 106 was partially vetoed. See message at end of chapter.

13 *NEW SECTION. **Sec. 107. FOR THE STATE PARKS AND RECREATION**
14 **COMMISSION--OPERATING**

| | | | |
|----|---|----|---------|
| 15 | Motor Vehicle Fund--State Appropriation | \$ | 927,000 |
|----|---|----|---------|

16 *The appropriation in this section is subject to the following*
17 *conditions and limitations and specified amounts are provided solely*
18 *for that activity: The commission shall not expend any state funds for*
19 *maintenance, repair, or snow and ice removal on county or private*
20 *roads.*

21 *Sec. 107 was partially vetoed. See message at end of chapter.

22 NEW SECTION. **Sec. 108. FOR THE UTILITIES AND TRANSPORTATION**
23 **COMMISSION**

| | | | |
|----|---------------------------------------|----|---------|
| 24 | Grade Crossing Protective Fund--State | | |
| 25 | Appropriation | \$ | 222,000 |

26 NEW SECTION. **Sec. 109. FOR THE OFFICE OF THE STATE TREASURER**

| | | | |
|----|---------------------------------------|----|--------|
| 27 | State Treasurer's Service Fund--State | | |
| 28 | Appropriation | \$ | 44,000 |

29 NEW SECTION. **Sec. 110. FOR THE DEPARTMENT OF COMMUNITY, TRADE,**
30 **AND ECONOMIC DEVELOPMENT**

| | | | |
|----|---------------------------|----|---------|
| 31 | Motor Vehicle Fund--State | | |
| 32 | Appropriation | \$ | 251,000 |

1 PART II

2 TRANSPORTATION AGENCIES

3 NEW SECTION. Sec. 201. FOR THE WASHINGTON TRAFFIC SAFETY
4 COMMISSION

| | | | |
|---|--|----|-----------|
| 5 | Highway Safety Fund--State Appropriation | \$ | 428,000 |
| 6 | Highway Safety Fund--Federal Appropriation | \$ | 5,160,000 |
| 7 | Transportation Fund--State Appropriation | \$ | 1,100,000 |
| 8 | TOTAL APPROPRIATION | \$ | 6,688,000 |

9 The appropriations in this section are subject to the following
10 conditions and limitations and specified amounts are provided solely
11 for that activity: Up to \$200,000 of the transportation fund--state
12 appropriation shall be used by the commission to identify and implement
13 programs to reduce the incidence of driving under the influence of
14 controlled substances. The commission shall submit a progress report
15 to the legislative transportation committee by December 31, 1995. The
16 remaining transportation fund--state appropriation shall be used solely
17 to fund community DUI task forces. Funding from the transportation
18 fund for any community DUI task force may not exceed fifty percent of
19 total expenditures in support of that task force.

20 NEW SECTION. Sec. 202. FOR THE BOARD OF PILOTAGE COMMISSIONERS

| | | | |
|----|---|----|---------|
| 21 | Pilotage Account--State Appropriation | \$ | 260,000 |
|----|---|----|---------|

22 NEW SECTION. Sec. 203. FOR THE COUNTY ROAD ADMINISTRATION BOARD

| | | | |
|----|---|----|------------|
| 23 | Motor Vehicle Fund--Rural Arterial Trust | | |
| 24 | Account--State Appropriation | \$ | 37,553,000 |
| 25 | Motor Vehicle Fund--State Appropriation | \$ | 1,340,000 |
| 26 | Motor Vehicle Fund--Private/Local Appropriation | \$ | 508,000 |
| 27 | Motor Vehicle Fund--County Arterial Preservation | | |
| 28 | Account --State Appropriation | \$ | 26,023,000 |
| 29 | TOTAL APPROPRIATION | \$ | 65,424,000 |

30 NEW SECTION. Sec. 204. FOR THE TRANSPORTATION IMPROVEMENT BOARD

| | | | |
|---|--|----|-------------|
| 1 | Motor Vehicle Fund--Urban Arterial Trust | | |
| 2 | Account--State Appropriation | \$ | 38,997,000 |
| 3 | Motor Vehicle Fund--Transportation Improvement | | |
| 4 | Account--State Appropriation | \$ | 143,061,000 |
| 5 | Motor Vehicle Fund--City Hardship Assistance | | |
| 6 | Account--State Appropriation | \$ | 1,904,000 |
| 7 | Motor Vehicle Fund--Small City Account-- | | |
| 8 | State Appropriation | \$ | 5,702,000 |
| 9 | TOTAL APPROPRIATION | \$ | 189,664,000 |

10 The appropriations in this section are subject to the following
11 conditions and limitations and specified amounts are provided solely
12 for that activity: The transportation improvement account--state
13 appropriation includes \$50,000,000 in proceeds from the sale of bonds
14 authorized in RCW 47.26.500. However, the transportation improvement
15 board may authorize the use of current revenues available in lieu of
16 bond proceeds.

17 NEW SECTION. **Sec. 205. FOR THE LEGISLATIVE TRANSPORTATION**
18 **COMMITTEE**

| | | | |
|----|---|----|-----------|
| 19 | Motor Vehicle Fund--State Appropriation | \$ | 2,528,000 |
|----|---|----|-----------|

20 The appropriation in this section is subject to the following
21 conditions and limitations and specified amounts are provided solely
22 for that activity:

23 (1) The legislative transportation committee shall convene
24 representatives from the department of transportation, Washington state
25 patrol, department of licensing, and any other agency receiving an
26 appropriation in this act, as necessary, to establish performance
27 measures that are associated with the final legislative appropriation.
28 The performance measures are to be established and will be tracked
29 within the transportation executive information system.

30 (2) The legislative transportation committee shall convene one or
31 more groups to address activities that result in the loss of
32 transportation tax revenue. The groups shall present their findings to
33 the legislative transportation committee and the office of financial
34 management.

35 (3) The legislative transportation committee shall study the
36 governance and operations of the ports.

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

4 (1) The state patrol shall have a staffing level of not less than
5 735 commissioned officers at the end of the 1995-97 biennium. This
6 compares to a level of 700 commissioned officers that was established
7 in the 1993-95 biennium. To achieve these levels: A class of not less
8 than 30 cadets shall begin in July of 1995 and a class of not less than
9 40 cadets shall begin in January of 1996.

10 (2) Management levels, lieutenants and above, are redirected to
11 perform direct traffic law enforcement activities equivalent to five
12 field force FTE staff years. Management personnel engaged in
13 management activity shall not exceed 55 FTE staff years. This level
14 compares to 76 FTE management level staff years in January of 1993.

15 (3) Any user of Washington state patrol aircraft shall reimburse
16 the Washington state patrol for its pro rata share of all operating and
17 maintenance costs including capitalization.

18 *(4) The state patrol may not sell or purchase any aircraft until*
19 *the legislative transportation committee has completed a review of the*
20 *type of air services provided by the various state agencies, and the*
21 *feasibility of consolidating the state's air fleet.*

22 (5) By January 1, 1996, the chief of the state patrol shall submit
23 to the legislative transportation committee a plan to incorporate
24 safety education officer functions into field force activities. In
25 development of the plan, the chief may consult with various constituent
26 groups including the Washington traffic safety commission, schools,
27 businesses, and local traffic entities. Up to \$200,000 of the motor
28 vehicle fund--state patrol highway account--state appropriation
29 provided for in this section may be used for these purposes.

30 (6) The \$747,000 motor vehicle fund--state appropriation in this
31 section is provided for the following traditional general fund
32 purposes: The Governor's air travel, the license fraud program, and
33 the special services unit. This motor vehicle fund--state
34 appropriation shall not be recognized as a permanent funding source for
35 these purposes, but rather as a temporary funding source subject to
36 renewed evaluation during the 1997 legislative session.

37 ***Sec. 208 was partially vetoed. See message at end of chapter.**

1 NEW SECTION. **Sec. 209. FOR THE WASHINGTON STATE PATROL--**
2 **INVESTIGATIVE SERVICES BUREAU**

| | | | |
|---|--|----|-----------|
| 3 | Motor Vehicle Fund--State Appropriation | \$ | 4,509,000 |
| 4 | Transportation Fund--State Appropriation | \$ | 1,642,000 |
| 5 | TOTAL APPROPRIATION | \$ | 6,151,000 |

6 The appropriations provided for in this section are for the
7 following traditional general fund purposes: Crime laboratories, used
8 primarily for local law enforcement purposes; ACCESS, the computer
9 system linking all law enforcement and criminal justice agencies in the
10 state to one another; and, the identification section, which is
11 responsible for performing criminal background checks. The motor
12 vehicle fund--state appropriation and the transportation fund--state
13 appropriation provided in this section shall not be recognized as
14 permanent funding sources for these purposes, but rather as temporary
15 funding sources subject to renewed evaluation during the 1997
16 legislative session.

17 NEW SECTION. **Sec. 210. FOR THE WASHINGTON STATE PATROL--SUPPORT**
18 **SERVICES BUREAU**

| | | | |
|----|--|----|------------|
| 19 | Motor Vehicle Fund--State Patrol Highway | | |
| 20 | Account--State Appropriation | \$ | 53,229,000 |
| 21 | Motor Vehicle Fund--State Appropriation | \$ | 1,491,000 |
| 22 | Transportation Fund--State Appropriation | \$ | 2,636,000 |
| 23 | TOTAL APPROPRIATION | \$ | 57,356,000 |

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

27 (1) The office of the chief of the state patrol shall prepare a
28 strategic plan that represents the future of the Washington state
29 patrol and how management envisions meeting the challenges identified
30 in the plan. The plan shall address the future responsibilities of
31 commissioned and non-commissioned personnel, and the use of technology
32 in law enforcement. It will focus on maximizing joint services and
33 projects with other transportation agencies such as communication
34 systems, computer systems, and facilities. Additionally, the state
35 patrol shall include any other issues it deems necessary and will
36 provide a six-year financial plan to address the future challenges

1 identified in the strategic plan. The plan outline shall be delivered
2 to the legislative transportation committee by August 1, 1995, and the
3 final plan delivered to the legislature by January 1, 1996.

4 (2) \$1,241,000 of the motor vehicle fund--state appropriation and
5 \$2,363,000 of the transportation fund--state appropriation provided for
6 in this section are for the following traditional general fund
7 purposes: The executive protection unit, revolving fund charges,
8 budget and fiscal services, computer services, personnel, human
9 resources, administrative services, and property management. These
10 appropriations shall not be recognized as permanent funding sources for
11 these purposes, but rather as temporary funding sources subject to
12 renewed evaluation during the 1997 legislative session.

13 NEW SECTION. **Sec. 211. FOR THE DEPARTMENT OF LICENSING--**
14 **MANAGEMENT AND SUPPORT SERVICES**

| | | |
|---|----|------------|
| 15 Highway Safety Fund--Motorcycle Safety Education Account-- | | |
| 16 State Appropriation | \$ | 78,000 |
| 17 State Wildlife Account--State Appropriation | \$ | 69,000 |
| 18 Highway Safety Fund--State Appropriation | \$ | 5,090,000 |
| 19 Motor Vehicle Fund--State Appropriation | \$ | 4,338,000 |
| 20 Transportation Fund--State Appropriation | \$ | 791,000 |
| 21 TOTAL APPROPRIATION | \$ | 10,366,000 |

22 NEW SECTION. **Sec. 212. FOR THE DEPARTMENT OF LICENSING--**
23 **INFORMATION SYSTEMS**

| | | |
|---|----|------------|
| 24 General Fund--Wildlife Account--State | | |
| 25 Appropriation | \$ | 118,000 |
| 26 Highway Safety Fund--State Appropriation | \$ | 7,820,000 |
| 27 Motor Vehicle Fund--State Appropriation | \$ | 12,871,000 |
| 28 Transportation Fund--State Appropriation | \$ | 1,302,000 |
| 29 TOTAL APPROPRIATION | \$ | 22,111,000 |

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

33 (1) \$15,223,000 for the licensing application migration project
34 (LAMP), of which \$9,134,000 is motor vehicle account--state, \$6,089,000
35 is highway safety fund--state.

1 Of the \$15,223,000 LAMP appropriation \$761,150 is provided solely
2 as a contingency amount.

3 (2) The licensing application migration project (LAMP) shall comply
4 with section 49, chapter 23, Laws of 1993 ex. sess.

5 (3) The steering committee specified in the licensing application
6 migration project (LAMP) feasibility study, dated July 7, 1992, shall
7 meet monthly. In addition to the existing steering committee
8 membership established in the feasibility study, the LAMP project
9 director, the LAMP contractor's project manager, the LAMP quality
10 assurance consultant, and a representative of the Washington state
11 patrol shall be ex officio members of the LAMP steering committee.

12 (4) The licensing application migration project (LAMP) quality
13 assurance consultant shall provide the LAMP steering committee with
14 bimonthly reports on the status of the LAMP project. The bimonthly
15 reports shall be on alternate months from the bimonthly reports
16 provided by the department of information services. The reports
17 required in this subsection shall also be delivered to the senate and
18 house of representatives transportation committee chairs.

19 (5) No moneys are provided in this act for the inclusion of general
20 fund activities in the LAMP project.

21 NEW SECTION. **Sec. 213. FOR THE DEPARTMENT OF LICENSING--VEHICLE**
22 **SERVICES**

| | | |
|----|---|---------------|
| 23 | General Fund--Marine Fuel Tax Refund Account-- | |
| 24 | State Appropriation | \$ 26,000 |
| 25 | General Fund--Wildlife Account--State | |
| 26 | Appropriation | \$ 534,000 |
| 27 | Motor Vehicle Fund--State Appropriation | \$ 46,554,000 |
| 28 | Department of Licensing Services Account-- | |
| 29 | State Appropriation | \$ 2,944,000 |
| 30 | TOTAL APPROPRIATION | \$ 50,058,000 |

31 NEW SECTION. **Sec. 214. FOR THE DEPARTMENT OF LICENSING--DRIVER**
32 **SERVICES**

| | | |
|----|--|---------------|
| 33 | Highway Safety Fund--Motorcycle Safety Education | |
| 34 | Account--State Appropriation | \$ 1,150,000 |
| 35 | Highway Safety Fund--State Appropriation | \$ 56,759,000 |
| 36 | Transportation Fund--State Appropriation | \$ 4,914,000 |

| | | | |
|----|---|-----------|------------------|
| 1 | TOTAL APPROPRIATION | \$ | 62,823,000 |
| 2 | <u>NEW SECTION. Sec. 215. FOR THE DEPARTMENT OF TRANSPORTATION--</u> | | |
| 3 | HIGHWAY MANAGEMENT AND FACILITIES--PROGRAM D--OPERATING | | |
| 4 | Motor Vehicle Fund--State Appropriation | \$ | 24,194,000 |
| 5 | Motor Vehicle Fund--Federal Appropriation | \$ | 400,000 |
| 6 | Motor Vehicle Fund--Transportation Capital | | |
| 7 | Facilities Account--State Appropriation | \$ | 21,974,000 |
| 8 | TOTAL APPROPRIATION | \$ | 46,568,000 |
| 9 | <u>NEW SECTION. Sec. 216. FOR THE DEPARTMENT OF TRANSPORTATION--</u> | | |
| 10 | AVIATION--PROGRAM F | | |
| 11 | Transportation Fund--Aeronautics Account--State | | |
| 12 | Appropriation | \$ | 3,780,000 |
| 13 | Transportation Fund--Aeronautics Account--Federal | | |
| 14 | Appropriation | \$ | 500,000 |
| 15 | Aircraft Search and Rescue, Safety, and Education | | |
| 16 | Account--State Appropriation | \$ | 132,000 |
| 17 | TOTAL APPROPRIATION | \$ | 4,412,000 |
| 18 | <u>*NEW SECTION. Sec. 217. FOR THE DEPARTMENT OF TRANSPORTATION--</u> | | |
| 19 | IMPROVEMENTS--PROGRAM I | | |
| 20 | Motor Vehicle Fund--Economic Development Account-- | | |
| 21 | State Appropriation | \$ | 2,000,000 |
| 22 | Motor Vehicle Fund--State Appropriation | \$ | 235,055,000 |
| 23 | Motor Vehicle Fund--Federal Appropriation | \$ | 296,774,000 |
| 24 | Motor Vehicle Fund--Private/Local | | |
| 25 | Appropriation | \$ | 47,750,000 |
| 26 | <i>High Capacity Transportation Account--State</i> | | |
| 27 | <i>Appropriation</i> | \$ | 7,812,000 |
| 28 | Special Category C Account--State Appropriation | \$ | 177,600,000 |
| 29 | Special Category C Account--Local | | |
| 30 | Appropriation | \$ | 50,000 |
| 31 | Transportation Fund--State Appropriation | \$ | 60,000,000 |
| 32 | <i>Central Puget Sound Public Transportation Account--</i> | | |
| 33 | <i>State Appropriation</i> | \$ | 2,500,000 |
| 34 | Puyallup Tribal Settlement Account--State | | |
| 35 | Appropriation | \$ | 21,000,000 |

| | | |
|---|---|----------------|
| 1 | Puyallup Tribal Settlement Account--Federal | |
| 2 | Appropriation | \$ 1,000,000 |
| 3 | Puyallup Tribal Settlement Account--Private/Local | |
| 4 | Appropriation | \$ 2,300,000 |
| 5 | TOTAL APPROPRIATION | \$ 853,841,000 |

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

12 (1) Up to \$32,204,000 of the motor vehicle fund--federal
13 appropriation in this section is provided for construction of
14 demonstration projects specified in the federal intermodal surface
15 transportation efficiency act (P.L. 101-240; 105 Stat. 1914). The
16 motor vehicle fund--state appropriation includes \$7,525,000 in proceeds
17 from the sale of bonds authorized in RCW 47.10.819(1) for the federal
18 match requirements. However, the transportation commission may
19 authorize the use of current revenues available to the department of
20 transportation in lieu of bond proceeds for any part of the state
21 appropriation. No bond proceeds shall be used to pay for a federal
22 demonstration study project.

23 (2) The special category C account--state appropriation of
24 \$177,600,000 includes \$160,000,000 in proceeds from the sale of bonds
25 authorized by RCW 47.10.812 through 47.10.817. The appropriation
26 includes \$75,746,000 for the 1st avenue south bridge in Seattle,
27 \$15,254,000 for North-South Corridor/Division street improvements in
28 Spokane, and \$86,600,000 for selected sections of state route 18.
29 However, the transportation commission may revise the allocation of the
30 appropriation for these projects with the concurrence of the
31 legislative transportation committee. The transportation commission
32 may authorize the use of current revenues available to the department
33 of transportation in lieu of bond proceeds for any part of the state
34 appropriation.

35 (3) The motor vehicle fund--state appropriation includes \$8,710,000
36 in proceeds from the sale of bonds authorized by RCW 47.10.761 and
37 47.10.762. These funds shall be expended for the following projects:

38 (a) Sea Tac International Blvd;

- 1 (b) SR 99 to SR 5 - HOV Lanes;
- 2 (c) SR 3 to Bremerton Ferry Terminal;
- 3 (d) Leavenworth Intermodal Improvement;
- 4 (e) Olympic Interchange;
- 5 (f) Sunset Dr. I/C - I/C Modifications;
- 6 (g) 94th Ave. E. Interchange;
- 7 (h) 164th Ave. Interchange; and
- 8 (i) NE 160th I/C Modifications (CN only).

9 These projects are not necessarily in prioritized order and are not
10 subject to the provisions of chapter 490, Laws of 1993.

11 (4) \$44,685,000 appropriated in this section, which includes:
12 \$3,212,000 of the motor vehicle fund--state appropriation; \$39,886,000
13 of the transportation fund--state appropriation; \$1,328,000 of the
14 motor vehicle fund--local appropriation; and \$259,000 of the economic
15 development account--state appropriation, is to be expended on the
16 following projects:

- 17 (a) Spring St. to Johnson Rd;
- 18 (b) W. Lk. Samm. Pkwy. to SR 202;
- 19 (c) Diamond Lake Channelization;
- 20 (d) 15th SW to SR 161 U-Xing;
- 21 (e) Andresen Road to SR 503;
- 22 (f) NE 144th St. to Battleground;
- 23 (g) Steamboat Island Rd I/C;
- 24 (h) Graham Hill Vicinity;
- 25 (i) North of Winslow - Stage 1;
- 26 (j) SR 5 to Blandford Drive;
- 27 (k) North Sumner Interchange; and
- 28 (l) Sunnyslope I/C - Stage 2.

29 These projects are not necessarily in prioritized order and are not
30 subject to the provisions of chapter 490, Laws of 1993.

31 (5) \$69,111,000 appropriated in this section, which includes:
32 \$35,060,000 of the motor vehicle fund--state appropriation; \$18,948,000
33 of the transportation fund--state appropriation; and \$15,103,000 of the
34 motor vehicle fund--federal appropriation, is to be expended on the
35 following projects:

- 36 (a) SO 360th St/Milton Rd SO to SR 18 - Stage 1;
- 37 (b) SR 522 to 228th St. SE - Stage 1;
- 38 (c) 104th Ave NE to 124th Ave NE I/C;
- 39 (d) 124th NE I/C to W. Lake Samm. Pkwy.;

- 1 (e) Lewis Street Interchange;
- 2 (f) SR 202 Interchange;
- 3 (g) SR 82 to Selah;
- 4 (h) O'Brien to Lewis Rd;
- 5 (i) NE 147th to 80th NE - HOV Lanes;
- 6 (j) Old Cascade Hwy - to Deception CR - Stage 1;
- 7 (k) Prophets point to Old Cascade Hwy - Stage 2; and
- 8 (l) Sequim Bypass.

9 These projects are not necessarily in prioritized order and are not
10 subject to the provisions of chapter 490, Laws of 1993.

11 (6) The motor vehicle fund--state appropriation in this section
12 includes \$47,072,000 for the following high occupancy vehicle lane
13 projects:

- 14 (a) 15th St SW to 84th Ave. SO - Stage 2; and
- 15 (b) Pierce C.L. to Tukwila I/C - Stage 1.

16 Construction of the projects under this subsection is subject to
17 the availability of revenue from the repeal of the gasohol exemption
18 and credit.

19 (7) When the projects identified in subsections (4) through (6) of
20 this section are complete, the legislature will have fulfilled the
21 commitments made in 1990 associated with the passage of the 1990
22 transportation revenue package.

23 (8) The motor vehicle fund appropriation in this section includes
24 \$17,800,000 for new preconstruction activities. Up to \$2,100,000 of
25 the appropriation in this subsection is to be expended for
26 preconstruction activities on the following project: 196th Street
27 SW/SR 524 I/C.

28 (9) The department shall report annually to the legislative
29 transportation committee on the status of the projects funded by the
30 special category C appropriations contained in this section. The
31 report shall be submitted by January 1 of each year.

32 (10) If chapter . . . (Substitute House Bill No. 1597), Laws of
33 1995 is enacted by the 1995 legislature, the department of
34 transportation shall assess the impacts of the bill upon the department
35 of transportation and provide a report on such impacts to the
36 legislative transportation committee by January 1, 1997.

37 (11) The legislature needs to determine all possible causes for
38 changes in a project's cost from the time the cost is identified in the
39 transportation commission's budget recommendation provided to the

1 governor and legislature in support of the proposed highway
2 construction budget, through completion of project construction.

3 The department shall provide a historical data report showing
4 changes throughout the life of selected projects. The historical data
5 report shall quantify the reasons for project increases or decreases
6 and include department of transportation actions taken to minimize such
7 changes. The department is directed to assess whether construction
8 cost efficiencies can be achieved by ensuring continuity between design
9 efforts and construction administrative activities.

10 The department shall explicitly identify in its agency budget
11 submittal any project for which funding is being requested as part of
12 two or more budget items or programs. For each such project, the
13 department shall identify the relevant budget items, the programs in
14 which the budget items are contained, the amount being requested for
15 the project in each budget item, and the total amount being requested
16 for the project.

17 (12) The motor vehicle fund--state appropriation in this section
18 includes \$2,700,000 solely for state match for the Blaine border
19 crossing project to be used only if federal demonstration project
20 funding is authorized for this project.

21 (13) The motor vehicle fund--state appropriation in this section
22 includes \$600,000 solely for a rest area and information facility in
23 the Nisqually gateway area to Mt. Rainier, provided that at least forty
24 percent of the total project costs are provided from federal, local, or
25 private sources. The contributions from the nonstate sources may be in
26 the form of in-kind contributions including, but not limited to,
27 donations of property and services.

28 (14) The economic development account--state appropriation in this
29 section includes \$1,000,000 for state highway projects associated with
30 the development of a horse racetrack in western Washington. With the
31 funding of these projects, funding from the economic development
32 account for state highway projects is fully obligated. The community
33 economic revitalization board and the transportation commission shall
34 not select any new projects pursuant to RCW 43.160.074 and 47.01.280,
35 notwithstanding projects selected to fulfill the provisions of this
36 subsection.

37 (15) The motor vehicle fund--state appropriation in this section
38 includes \$2,500,000 solely for the department of transportation match

1 for transportation improvement board projects ready for construction in
2 fiscal year 1996.

3 (16) The motor vehicle fund--state appropriation in this section
4 includes \$6,533,000 solely for additional all-weather highway projects.

5 (17) *\$15,312,000 appropriated in this section, which includes: The*
6 *entire high capacity transportation account appropriation; the entire*
7 *central Puget Sound public transportation account appropriation; and*
8 *\$4,700,000 of the motor vehicle fund--state appropriation, is for*
9 *additional high occupancy vehicle projects.*

10 (18) The motor vehicle fund--state appropriation in this section
11 includes \$4,870,000 to be expended on the following project: SR 82, SR
12 823 UC to SR 12 UC. This project will complete the Selah project
13 identified in subsection (5) of this section.

14 (19) \$93,000 of the appropriation in this section, including
15 \$74,000 of the motor vehicle fund--federal appropriation and \$19,000 of
16 the motor vehicle fund--state appropriation, is provided solely for the
17 Aurora avenue bicycle/pedestrian overpass at Galer Street. The motor
18 vehicle fund--federal appropriation in this subsection is to be
19 provided from transportation enhancement moneys.

20 (20) The motor vehicle fund--state appropriation in this section
21 includes \$3,300,000 for safety work associated with additional pavement
22 preservation projects.

23 (21) The motor vehicle fund--state appropriation in this section
24 includes \$400,000 for additional fish barrier removal projects on state
25 highways.

26 (22) The motor vehicle fund--state appropriation in this section
27 includes up to \$2,160,000 from the sale of bonds authorized in RCW
28 47.10.834.

29 *Sec. 217 was partially vetoed. See message at end of chapter.

30 NEW SECTION. **Sec. 218. FOR THE DEPARTMENT OF TRANSPORTATION--**
31 **HIGHWAY MAINTENANCE--PROGRAM M**

| | | | |
|----|---|----|-------------|
| 32 | Motor Vehicle Fund--State Appropriation | \$ | 221,368,000 |
| 33 | Motor Vehicle Fund--Federal Appropriation | \$ | 461,000 |
| 34 | Motor Vehicle Fund--Private/Local Appropriation | \$ | 3,305,000 |
| 35 | TOTAL APPROPRIATION | \$ | 225,134,000 |

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

4 (1) If portions of the appropriations in this section are required
5 to fund maintenance work resulting from major disasters such as fire,
6 flooding, and major slides, supplemental appropriations will be
7 requested to restore funding for ongoing maintenance activities.

8 (2) If projected snow and ice expenditures exceed the plan of
9 \$40,000,000, the department will continue service delivery as planned
10 within the other major maintenance groups, and will request a
11 supplemental appropriation in the following legislative session to fund
12 the additional snow and ice expenditures.

13 (3) The department shall provide recommendations to the legislative
14 transportation committee by December 15, 1995, on: (a) The feasibility
15 of developing a maintenance management system; (b) methods for
16 providing a consistent maintenance level of service throughout the
17 state; (c) options for centralized versus decentralized management of
18 the program; (d) improving accountability and oversight of the
19 maintenance program; and (e) improving accountability and oversight of
20 the transportation equipment fund program.

21 (4) The motor vehicle fund--state appropriation in this section
22 includes \$250,000 solely for augmentation of the adopt-a-highway
23 program, under Engrossed Substitute House Bill No. 1512.

24 (5) The motor vehicle fund--state appropriation in this section
25 includes \$906,000 for payment of local stormwater assessment fees for
26 fiscal year 1996. Funding for the remainder of the biennium is
27 withheld pending the results of a legislative transportation committee
28 review of local stormwater assessment fees charged to the department of
29 transportation.

30 NEW SECTION. **Sec. 219. FOR THE DEPARTMENT OF TRANSPORTATION--**
31 **PRESERVATION--PROGRAM P**

| | | | |
|----|--|----|-------------|
| 32 | Motor Vehicle Fund--State Appropriation | \$ | 95,544,000 |
| 33 | Motor Vehicle Fund--Federal Appropriation | \$ | 74,600,000 |
| 34 | Motor Vehicle Fund--Private/Local Appropriation | \$ | 8,100,000 |
| 35 | Transportation Fund--State Appropriation | \$ | 119,600,000 |
| 36 | Transportation Fund--Federal Appropriation | \$ | 143,400,000 |
| 37 | Transportation Fund--Private/Local Appropriation | \$ | 3,000,000 |
| 38 | TOTAL APPROPRIATION | \$ | 444,244,000 |

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

4 (1) The motor vehicle fund--state appropriation includes \$8,300,000
5 in proceeds from the sale of bonds authorized in RCW 47.10.761 and
6 47.10.762 for emergency purposes. However, the transportation
7 commission may authorize the use of current revenues available to the
8 department of transportation in lieu of bond proceeds for any part of
9 the state appropriation.

10 (2) The appropriations in this section include \$10,034,000 for
11 seismic retrofit activities.

12 (3) The department shall not reduce its commitment to sexual
13 harassment training and diversity training, notwithstanding the
14 reduction in this section for training.

15 (4) \$36,000,000 of the appropriation in this section, including
16 \$21,000,000 of the transportation fund--state appropriation and
17 \$15,000,000 of the motor vehicle fund--state appropriation, is provided
18 for additional pavement preservation projects.

19 (5) The appropriations in this section include \$6,879,000 for
20 Washington state's share to replace the deck on the Lewis and Clark
21 bridge. If the Oregon state legislature enacts a public/private
22 partnership program and the Washington state transportation commission,
23 in consultation with the legislative transportation committee,
24 negotiates and enters into an agreement between Washington and Oregon
25 to place the bridge into Oregon's public/private partnership program,
26 up to \$1,000,000 of this amount shall be used for Washington's share of
27 emergency deck repairs to extend the service life of the bridge. The
28 remaining funds may be used as Washington's contribution toward the
29 design of the project pursuant to the agreement between Washington and
30 Oregon. Any additional contributions shall be subject to Washington
31 state legislative appropriations and approvals. The department shall
32 provide a status report on this project to the legislative
33 transportation committee by January 15, 1996.

34 NEW SECTION. **Sec. 220. FOR THE DEPARTMENT OF TRANSPORTATION--**
35 **TRANSPORTATION SYSTEMS MANAGEMENT--PROGRAM Q**

36 Motor Vehicle Fund--State Appropriation \$ 10,241,000

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

4 (1) The appropriation contained in this section provides funding
5 for fiscal year 1996 only.

6 (2) By December 31, 1995, the department shall increase the
7 motorist information sign annual permit fee from ten dollars to fifty
8 dollars, increase the motorist information sign initial application fee
9 from seventy-five dollars to one hundred dollars, and provide
10 recommendations to the legislative transportation committee for making
11 the motorist information sign program and the billboard program fully
12 self-supporting within three years. For the purposes of achieving a
13 self-supporting program, the erection, maintenance, and replacement of
14 backpanels shall not be considered part of the department's program
15 costs.

16 NEW SECTION. **Sec. 221. FOR THE DEPARTMENT OF TRANSPORTATION--**
17 **SALES AND SERVICES TO OTHERS--PROGRAM R**

| | | | |
|----|---|----|-----------|
| 18 | Motor Vehicle Fund--State Appropriation | \$ | 368,000 |
| 19 | Motor Vehicle Fund--Federal Appropriation | \$ | 400,000 |
| 20 | Motor Vehicle Fund--Private/Local Appropriation | \$ | 2,232,000 |
| 21 | TOTAL APPROPRIATION | \$ | 3,000,000 |

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

25 (1) By December 1, 1995, the department of transportation is to
26 provide the legislative transportation committee an analysis and
27 recommended policy modifications, where appropriate, regarding the
28 following regional practices:

- 29 (a) Recovery of full costs for reimbursable services; and
- 30 (b) Consistency of charging for reimbursable services across the
31 department's regions.

32 (2) It is the intent of the legislature to continue the state's
33 partnership with the federal government, local government, and the
34 private sector in transportation construction and operations in the
35 most cost-effective manner. The program is established to allow the
36 department the ability to provide services on nonappropriated, outside

1 requests through the unanticipated receipt process including both
2 dollar and full-time equivalent staff increases.

3 NEW SECTION. **Sec. 222. FOR THE DEPARTMENT OF TRANSPORTATION--**
4 **TRANSPORTATION MANAGEMENT AND SUPPORT--PROGRAM S**

| | | |
|----|--|---------------|
| 5 | Motor Vehicle Fund--Puget Sound Capital Construction | |
| 6 | Account--State Appropriation | \$ 1,109,000 |
| 7 | Motor Vehicle Fund--State Appropriation | \$ 60,781,000 |
| 8 | Motor Vehicle Fund--Puget Sound Ferry Operations | |
| 9 | Account--State Appropriation | \$ 1,105,000 |
| 10 | Transportation Fund--State Appropriation | \$ 2,002,000 |
| 11 | TOTAL APPROPRIATION | \$ 64,997,000 |

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

15 (1) The motor vehicle fund--state appropriation includes \$8,370,000
16 in proceeds from the sale of bonds authorized in RCW 47.10.834 for all
17 forms of cash contributions, or the payment of other costs incident to
18 the location, development, design, right of way, and construction of
19 projects selected under the public-private transportation initiative
20 program. \$2,160,000 of the bond proceeds are to be deposited in the
21 motor vehicle fund--state to pay back the loan recommended by the
22 transportation commission and the legislative transportation committee.

23 (2) Any additional FTEs required to support the public-private
24 initiatives in the transportation program established under chapter
25 47.46 RCW shall be funded from program management and administration
26 fees paid by private entities participating in the program.

27 (3) The department of transportation shall provide quarterly
28 reports to the legislative transportation committee and the office of
29 financial management on the status of the public-private initiatives in
30 the transportation program. The department shall conduct a program and
31 fiscal review of the public-private initiatives in the transportation
32 program, authorized under chapter 47.46 RCW, for the biennium ending
33 June 30, 1997. Such review shall include, at a minimum, the extent to
34 which the program has operated in the public interest and fulfilled its
35 statutory obligation; the extent to which the program is operating in
36 an efficient, effective, and economical manner; and the extent to which
37 continuation of the program maintains, improves, or adversely impacts

1 the transportation system of the state of Washington. The department
2 shall provide a progress report on its program and fiscal review of the
3 public-private initiatives in transportation program by June 30, 1996.

4 (4) It is the intent of the legislature that the department reduce
5 the amount of money spent on nonessential training programs for its
6 employees.

7 (5) One of the two full-time employees funded in this section for
8 enhanced public involvement shall be responsible for improving
9 communications between the department and the public. His or her
10 responsibilities shall include: (a) Developing a more efficient and
11 effective system for replying to inquiries from the public and (b)
12 supporting new and existing programs related to public involvement.

13 (6) By December 1, 1995, the department of transportation shall
14 implement: (a) Modifications to the construction administration system
15 that promote prudent project management and standards that ensure
16 state-wide consistency of approach among all departmental regions; and
17 (b) modifications to the preconstruction system that streamline
18 processes, reduce the number of internal reviews, and eliminate
19 duplicative documentation.

20 (7) To assure that maximum resources are available for the
21 construction programs, the finance and administration division shall
22 assess the financial condition of the transportation equipment fund
23 programs and report to the legislative transportation committee and the
24 office of financial management by December 1, 1995. The evaluation
25 should address lower operating cash balances and reductions in the
26 purchase of highway and computer equipment, and where possible, should
27 identify any surplus equipment to match the downsizing of the
28 department's work force.

29 NEW SECTION. **Sec. 223. FOR THE DEPARTMENT OF TRANSPORTATION--**
30 **TRANSIT RESEARCH AND INTERMODAL PLANNING--PROGRAM T**

| | | | |
|----|---|----|------------|
| 31 | Essential Rail Assistance Account--State | | |
| 32 | Appropriation | \$ | 1,036,000 |
| 33 | Motor Vehicle Fund--State Appropriation | \$ | 13,653,000 |
| 34 | Motor Vehicle Fund--Federal Appropriation | \$ | 16,198,000 |
| 35 | High Capacity Transportation Account-- | | |
| 36 | State Appropriation | \$ | 2,475,000 |
| 37 | Essential Rail Banking Account--State | | |
| 38 | Appropriation | \$ | 52,000 |

| | | | |
|---|--|----|------------|
| 1 | Transportation Fund--State Appropriation | \$ | 37,770,000 |
| 2 | Transportation Fund--Federal Appropriation . . . | \$ | 11,643,000 |
| 3 | Transportation Fund--Private/Local | | |
| 4 | Appropriation | \$ | 105,000 |
| 5 | Central Puget Sound Public Transportation | | |
| 6 | Account--State Appropriation | \$ | 11,009,000 |
| 7 | Public Transportation Systems Account--State | | |
| 8 | Appropriation | \$ | 3,082,000 |
| 9 | TOTAL APPROPRIATION | \$ | 97,023,000 |

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

13 (1) Up to \$33,845,000 of the transportation fund--state
14 appropriation and \$700,000 of the transportation fund--federal
15 appropriation is provided for intercity rail passenger service
16 including up to \$12,000,000 for lease purchase of two advanced
17 technology train sets with total purchase costs not to exceed
18 \$20,000,000, subsidies for operating costs not to exceed \$10,000,000,
19 to maintain service of one state contracted round trip between Seattle
20 and Portland and Seattle and Vancouver, British Columbia, and capital
21 projects necessary to provide Seattle-Vancouver, British Columbia,
22 train operating times of under 4 hours. The lease purchase of the
23 train sets is predicated on the condition that the manufacturer of the
24 trains has the obligation of establishing a corporate office in
25 Washington state. The manufacturer is also obligated to spend a
26 minimum of twenty-five percent of the total purchase price of the train
27 sets on the assembly and manufacture of parts of the train sets in
28 Washington state.

29 (2) Up to \$2,400,000 of the motor vehicle fund--state appropriation
30 is provided for regional transportation planning organizations, with
31 allocations for participating counties maintained at the 1993-1995
32 biennium levels for those counties not having metropolitan planning
33 organizations within their boundaries.

34 (3) The appropriations from the central Puget Sound public
35 transportation account and the public transportation systems account
36 are transferred to the transportation improvement board should either
37 chapter . . . (Engrossed Substitute House Bill No. 1107), Laws of 1995
38 or chapter . . . (Substitute Senate Bill No. 5199), Laws of 1995 be

1 enacted, and contain provisions transferring responsibility for
2 administration of these accounts from the department of transportation
3 to the transportation improvement board, except \$1,000,000 of the
4 appropriation from the public transportation systems account shall be
5 utilized for the rural mobility program and be administered by the
6 department of transportation. Priority for grants provided from these
7 accounts shall be given to projects and programs that can be
8 accomplished in the 1995-1997 biennium and that are not primarily
9 intended for the planning of facilities. Prior to July 1, 1996, no
10 applications for grants from the central Puget Sound public
11 transportation account may be accepted from, nor may funds from that
12 account be granted to, the regional transit authority. The public
13 transportation systems account funds provided to the rural mobility
14 program are for the 1995-97 biennium and are not intended for grants
15 which will have ongoing costs to this program.

16 (4) Up to \$700,000 of the high capacity transportation account--
17 state appropriation is reappropriated for regional transit authority
18 grants. However, this amount shall not exceed the amount of unexpended
19 regional transit authority grants in the 1993-95 biennium.

20 (5) None of the high capacity transportation account--state
21 appropriation or reappropriation may be used to disseminate information
22 in a manner that attempts to persuade, rather than inform or educate,
23 area residents regarding the adopted system plan. The appropriation
24 and reappropriation also may not be used to lobby or advertise, or
25 distribute free promotional materials.

26 (6) The department of transportation may not transfer high capacity
27 transportation account--state funds to a regional transportation
28 authority during the 1995-1997 biennium, unless the authority has
29 provided a detailed report to the department of transportation and the
30 house of representatives and senate transportation committees regarding
31 its use of those funds during preceding biennia and how it proposes to
32 spend additional state funds.

33 (7) The motor vehicle fund--state appropriation includes \$558,000
34 for the office of urban mobility. This appropriation is for fiscal
35 year 1996 only, pending a legislative transportation committee review
36 of the office of urban mobility's activities in relation to the
37 planning functions of the department's regional offices.

1 NEW SECTION. **Sec. 224.** An appropriation of \$1,800,000 from the
2 high capacity transportation account--state is made to the department
3 of transportation--transit research and intermodal planning--program T
4 for the regional transit authority.

5 NEW SECTION. **Sec. 225. FOR THE DEPARTMENT OF TRANSPORTATION--**
6 **CHARGES FROM OTHER AGENCIES--PROGRAM U**

7 (1) FOR PAYMENT OF COSTS OF ATTORNEY GENERAL TORT CLAIMS SUPPORT
8 Motor Vehicle Fund--State Appropriation \$ 4,646,000

9 (2) FOR PAYMENT OF COSTS OF THE OFFICE OF THE STATE AUDITOR
10 Motor Vehicle Fund--State Appropriation \$ 832,000

11 (3) FOR PAYMENT OF COSTS OF DEPARTMENT OF GENERAL ADMINISTRATION
12 FACILITIES AND SERVICES AND CONSOLIDATED MAIL SERVICES
13 Motor Vehicle Fund--State Appropriation \$ 3,374,000

14 (4) FOR PAYMENT OF COSTS OF THE DEPARTMENT OF PERSONNEL
15 Motor Vehicle Fund--State Appropriation \$ 2,240,000

16 (5) FOR PAYMENT OF SELF-INSURANCE LIABILITY PREMIUMS AND
17 ADMINISTRATION
18 Motor Vehicle Fund--State Appropriation \$ 5,049,000

19 The motor vehicle fund--state appropriation of \$5,049,000 in this
20 subsection is provided for the self-insurance premium and for risk
21 management administrative costs. The department of general
22 administration, the office of financial management, and the department
23 of transportation shall develop funding proposals for: (a)
24 Participation by the department of transportation in the state-wide
25 liability self-insurance program in fiscal year 1997, and (b)
26 alternative methods for funding the department of transportation's tort
27 claim payments, if appropriate. A report shall be made to the
28 legislative transportation committee and the governor no later than
29 October 31, 1995.

30 (6) FOR PAYMENT OF SELF-INSURANCE LIABILITY PREMIUMS AND
31 ADMINISTRATION
32 Motor Vehicle Fund--Puget Sound Ferry Operations
33 Account--State Appropriation \$ 2,000,000

34 (7) FOR PAYMENT OF COSTS OF THE OFFICE OF MINORITY AND WOMEN'S
35 BUSINESS ENTERPRISES
36 Motor Vehicle Fund--State Appropriation \$ 508,000

| | | |
|---|---|------------|
| 1 | (8) FOR PAYMENT OF COSTS OF THE DEPARTMENT OF GENERAL | |
| 2 | ADMINISTRATION STATE PARKING SERVICES | |
| 3 | Motor Vehicle Fund--State Appropriation | \$ 95,000 |
| 4 | (9) FOR PAYMENT OF THE DEPARTMENT OF GENERAL ADMINISTRATION CAPITAL | |
| 5 | PROJECTS SURCHARGE | |
| 6 | Motor Vehicle Fund--State Appropriation | \$ 361,000 |
| 7 | (10) FOR ARCHIVES AND RECORDS MANAGEMENT | |
| 8 | Motor Vehicle Fund--State Appropriation | \$ 230,000 |

9 NEW SECTION. **Sec. 226. FOR THE DEPARTMENT OF TRANSPORTATION--**
10 **MARINE CONSTRUCTION--PROGRAM W**

| | | |
|----|--|----------------|
| 11 | Motor Vehicle Fund--Puget Sound Capital Construction | |
| 12 | Account--State Appropriation | \$ 244,659,000 |
| 13 | Motor Vehicle Fund--Puget Sound Capital Construction | |
| 14 | Account--Federal Appropriation | \$ 22,172,000 |
| 15 | Transportation Fund--Passenger Ferry Account--State | |
| 16 | Appropriation | \$ 1,250,000 |
| 17 | Motor Vehicle Fund--Puget Sound Capital Construction | |
| 18 | Account--Private/Local Appropriation | \$ 765,000 |
| 19 | TOTAL APPROPRIATION | \$ 268,846,000 |

20 The appropriations in this section are provided for improving the
21 Washington state ferry system, including, but not limited to, vessel
22 acquisition, vessel construction, major and minor vessel improvements,
23 and terminal construction and improvements. The appropriations in this
24 section are subject to the following conditions and limitations and
25 specified amounts are provided solely for that activity:

26 (1) The appropriations in this section are provided to carry out
27 only the projects presented to the legislature (version 3) for the
28 1995-97 budget. The department shall reconcile the 1993-95 capital
29 expenditures within ninety days of the end of the biennium and submit
30 a final report to the legislative transportation committee and office
31 of financial management.

32 (2) The Puget Sound capital construction account--state
33 appropriation includes \$15,000,000 in proceeds from the sale of bonds
34 authorized by RCW 47.60.560 and \$155,000,000 in proceeds from the sale
35 of bonds authorized by RCW 47.60.800 for construction of new jumbo
36 ferry vessels in accordance with the requirements of RCW 47.60.770
37 through 47.60.778. However, the department of transportation may use

1 current revenues available to the Puget Sound capital construction
2 account in lieu of bond proceeds for any part of the state
3 appropriation.

4 (3) The appropriations contained in this section shall not be
5 expended for the development of park facilities at the Seattle colman
6 dock ferry terminal.

7 (4) The Washington state ferries shall acquire an appropriate
8 passenger-only vessel. If permissible under regulations governing the
9 procurement of necessary federal funds, construction and assembly of
10 any passenger-only vessels shall take place within Washington state.
11 If the vessel is procured through the use of state funds, the
12 construction and assembly of any passenger-only vessels shall take
13 place within Washington state.

14 (5) The department of transportation shall provide to the
15 legislative transportation committee and office of financial management
16 a quarterly financial report concerning the status of the capital
17 program authorized in this section.

18 NEW SECTION. **Sec. 227. FOR THE DEPARTMENT OF TRANSPORTATION--**
19 **MARINE--PROGRAM X**

20 Marine Operating Fund--State Appropriation \$ 244,187,000

21 The appropriation in this section is subject to the following
22 conditions and limitations and specified amounts are provided solely
23 for that activity:

24 (1) The appropriation is based on the budgeted expenditure of
25 \$30,297,190 for vessel operating fuel in the 1995-97 biennium. If the
26 actual cost of fuel is less than this budgeted amount, the excess
27 amount may not be expended. If the actual cost exceeds this amount,
28 the department shall request a supplemental appropriation.

29 (2) The appropriation contained in this section provides for the
30 compensation of ferry employees. The expenditures for compensation
31 paid to ferry employees during the 1995-97 biennium may not exceed
32 \$159,990,000 plus a dollar amount, as prescribed by the office of
33 financial management, that is equal to any insurance benefit increase
34 granted general government employees in excess of \$305.32 a month
35 annualized per eligible marine employee multiplied by the number of
36 eligible marine employees for the respective fiscal year, a dollar
37 amount as prescribed by the office of financial management for costs

1 associated with pension amortization charges, and a dollar amount
2 prescribed by the office of financial management for salary increases
3 during the 1995-97 biennium. For the purposes of this section, the
4 expenditures for compensation paid to ferry employees shall be limited
5 to salaries and wages and employee benefits as defined in the office of
6 financial management's policies, regulations, and procedures named
7 under objects of expenditure "A" and "B" (7.2.6.2).

8 The prescribed salary and insurance benefit increase or decrease
9 dollar amount that shall be allocated from the governor's compensation
10 appropriations is in addition to the appropriation contained in this
11 section and may be used to increase or decrease compensation costs,
12 effective July 1, 1995, and thereafter, as established in the 1995-97
13 general fund operating budget.

14 (3) The appropriation in this section includes \$614,000 for the
15 automated ticket vending program. These funds shall be expended only
16 in accordance with the implementation of the automated ticket vending
17 program.

18 (4) The department of transportation shall provide to the
19 legislative transportation committee and office of financial management
20 a quarterly financial report concerning the status of the operating
21 program authorized in this section.

22 ***NEW SECTION. Sec. 228. FOR THE DEPARTMENT OF TRANSPORTATION--**
23 **LOCAL PROGRAMS--PROGRAM Z**

| | | | |
|----|---|----|-------------|
| 24 | Motor Vehicle Fund--State Appropriation | \$ | 14,567,000 |
| 25 | Motor Vehicle Fund--Federal Appropriation | \$ | 168,179,000 |
| 26 | Motor Vehicle Fund--Private/Local Appropriation | \$ | 5,087,000 |
| 27 | Transfer Relief Account--State Appropriation | \$ | 307,000 |
| 28 | TOTAL APPROPRIATION | \$ | 188,140,000 |

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

32 (1) Up to \$13,100,000 of the motor vehicle fund--federal
33 appropriation in this section is provided for construction of
34 demonstration projects specified in the federal intermodal surface
35 transportation efficiency act (P.L. 101-240; 105 Stat. 1914). The
36 motor vehicle fund--state appropriation includes \$3,275,000 in proceeds
37 from the sale of bonds authorized in RCW 47.10.819(1) for the federal

1 match requirements. However, the transportation commission may
2 authorize the use of current revenues available to the department of
3 transportation in lieu of bond proceeds for any part of the state
4 appropriation.

5 *(2) \$5,000,000 of the motor vehicle fund--federal appropriation,*
6 *transportation enhancement moneys, in this section shall be used in the*
7 *following manner: Up to \$3,700,000 shall be used for the preservation*
8 *of abandoned freight rail corridors; and \$1,300,000 shall be used for*
9 *rehabilitation of the King Street Station in the City of Seattle. That*
10 *portion of the \$3,700,000 for preservation of abandoned freight rail*
11 *corridors that is not used for that purpose by April 1, 1996, shall be*
12 *used for the rehabilitation of the King Street Station.*

13 (3) The motor vehicle fund--state appropriation in this section
14 includes \$1,750,000 solely to fund the state's share of the east marine
15 view drive project. This amount represents a reappropriation of the
16 funding first provided for Everett homeport transportation projects in
17 1987. With this reappropriation, the legislature has fulfilled its
18 commitment for funding of special transportation projects associated
19 with the Everett homeport.

20 *(4) Up to \$1,430,000 of the motor vehicle fund--state appropriation*
21 *contained in this section shall be used for evaluations that mutually*
22 *benefit cities, counties, and the state department of transportation.*
23 *The evaluations may include fuel tax evasion, license fraud, access*
24 *management, regional mobility, and miscellaneous cost/benefit measures,*
25 *as determined by the legislative transportation committee. Of this*
26 *amount, up to \$750,000 may be used to develop a regional mobility plan*
27 *that includes, but is not limited to, highways, paratransit,*
28 *ridesharing, targeted telecommuting, no-fare transit, and vanpool*
29 *subsidies on a least cost basis; a high occupancy vehicle lane*
30 *completion analysis; and recommended statutory changes that would allow*
31 *the plan to be submitted to a public vote by the regional transit*
32 *authority.*

33 (5) \$4,000,000 of the motor vehicle fund--state appropriation in
34 this section is provided solely for infrastructure associated with
35 development of a horse racetrack in western Washington. With this
36 appropriation, the state has fulfilled its commitment to provide

1 funding for infrastructure associated with development of a horse
2 racetrack in western Washington.
3 ***Sec. 228 was partially vetoed. See message at end of chapter.**

4 (End of part)

1 **PART III**
2 **CAPITAL**

3 NEW SECTION. **Sec. 301.** The appropriation in this section is
4 subject to the following conditions and limitations and specified
5 amounts are provided solely for that activity:

6 (1) **JOINT PROJECTS**

7 (a) **FOR THE WASHINGTON STATE PATROL, DEPARTMENT OF LICENSING, AND**
8 **DEPARTMENT OF TRANSPORTATION--TRANSPORTATION SERVICE CENTER--PARKLAND**

9 Motor Vehicle Fund--State Patrol Highway Account--

| | | |
|---|----|---------|
| 10 State Appropriation | \$ | 486,000 |
| 11 Motor Vehicle Fund--State Appropriation | \$ | 71,000 |
| 12 Highway Safety Fund--State Appropriation | \$ | 71,000 |
| 13 TOTAL APPROPRIATION | \$ | 628,000 |

14 (b) **FOR THE WASHINGTON STATE PATROL AND DEPARTMENT OF LICENSING--**
15 **UNION GAP**

16 Motor Vehicle Fund--State Patrol Highway Account--

| | | |
|----------------------------------|----|---------|
| 17 State Appropriation | \$ | 789,000 |
|----------------------------------|----|---------|

18 (c) **FOR THE WASHINGTON STATE PATROL AND DEPARTMENT OF**
19 **TRANSPORTATION--NORTH SPOKANE**

20 Motor Vehicle Fund--State Patrol Highway Account--

| | | |
|----------------------------------|----|---------|
| 21 State Appropriation | \$ | 215,000 |
|----------------------------------|----|---------|

22 (d) **FOR THE DEPARTMENT OF TRANSPORTATION AND WASHINGTON STATE**
23 **PATROL--BELLINGHAM**

24 Motor Vehicle Fund--Transportation Capital

| | | |
|---|----|-----------|
| 25 Facilities Account--State Appropriation | \$ | 6,480,000 |
| 26 Motor Vehicle Fund--State Patrol Highway Account-- | | |
| 27 State Appropriation | \$ | 1,800,000 |
| 28 TOTAL APPROPRIATION | \$ | 8,280,000 |

1 (2) The agency listed first in the appropriation in subsection (1)
2 of this section is designated as the lead agency responsible for
3 management of the projects and shall receive the entire appropriation.

4 (3) The state patrol, the department of licensing, and the
5 department of transportation shall coordinate their activities when
6 siting facilities. This coordination shall result in the collocation
7 of driver and vehicle licensing, vehicle inspection service facilities,
8 and other transportation services whenever possible.

9 The department of licensing, the department of transportation, and
10 the state patrol shall explore alternative state services, such as
11 vehicle emission testing, that would be feasible to collocate in these
12 joint facilities. All services provided at these transportation
13 service facilities shall be provided at cost to the participating
14 agencies.

15 (4) The department of licensing may lease develop with option to
16 purchase or lease purchase new customer service centers to be paid for
17 from operating revenues. The Washington state patrol shall provide
18 project management for the department of licensing. Alternatively, a
19 financing contract may be entered into on behalf of the department of
20 licensing in the amounts indicated plus financing expenses and reserves
21 pursuant to chapter 39.94 RCW. The locations and amounts for projects
22 covered under this section are as follows:

- 23 (a) A new customer service center in Vancouver for \$2,629,700;
- 24 (b) A new customer service center in West Spokane for \$3,083,600;
- 25 (c) A new customer service center in Lacey for \$3,152,500;
- 26 (d) A new customer service center in Union Gap for \$3,026,500; and
- 27 (e) A new customer service center in Wenatchee for \$2,078,800.

28 (5) The Washington state patrol, department of licensing, and
29 department of transportation shall provide bimonthly progress reports
30 on the capital facilities receiving an appropriation in this act.

31 NEW SECTION. **Sec. 302. FOR THE WASHINGTON STATE PATROL--CAPITAL**
32 **PROJECTS**

33 The appropriations in this section are provided for the following
34 projects:

35 (1) **ACADEMY DRIVE COURSE--SHELTON**

36 Motor Vehicle Fund--State Patrol Highway Account--

1 State Appropriation \$ 500,000

2 (2) **MINOR WORKS: PRESERVATION**

3 Motor Vehicle Fund--State Patrol Highway Account--

4 State Appropriation \$ 890,000

5 (3) **MINOR WORKS: PROGRAM**

6 Motor Vehicle Fund--State Patrol Highway Account--

7 State Appropriation \$ 506,000

8 (4) **SOUTH SEATTLE DETACHMENT**

9 Motor Vehicle Fund--State Patrol Highway Account--

10 State Appropriation \$ 151,000

11 (5) **WASHINGTON STATE PATROL OFFICE--SILVER LAKE REST AREA**

12 Motor Vehicle Fund--State Patrol Highway Account--

13 State Appropriation \$ 197,000

14 (6) **BELLEVUE COMMUNICATIONS CENTER IMPROVEMENT**

15 Motor Vehicle Fund--State Patrol Highway Account--

16 State Appropriation \$ 358,000

17 NEW SECTION. **Sec. 303. FOR THE DEPARTMENT OF TRANSPORTATION--**
18 **PROGRAM D (DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)--CAPITAL**

19 All projects in this section are funded from the motor vehicle
20 fund--transportation capital facilities account--state.

21 (1) **OKANOGAN AREA MAINTENANCE FACILITY**

22 Motor Vehicle Fund--Transportation Capital

23 Facilities Account--State Appropriation . . . \$ 2,801,000

24 (2) **CHEHALIS AREA MAINTENANCE FACILITY**

1 Motor Vehicle Fund--Transportation Capital
2 Facilities Account--State Appropriation . . . \$ 4,865,000

3 (3) **WOODLAND SECTION MAINTENANCE FACILITY**

4 Motor Vehicle Fund--Transportation Capital
5 Facilities Account--State Appropriation . . . \$ 1,163,000

6 (4) **CONNELL SECTION MAINTENANCE FACILITY**

7 Motor Vehicle Fund--Transportation Capital
8 Facilities Account--State Appropriation . . . \$ 150,000

9 (5) **WILBUR SECTION MAINTENANCE FACILITY**

10 Motor Vehicle Fund--Transportation Capital
11 Facilities Account--State Appropriation . . . \$ 1,036,000

12 (6) **MINOR REGIONAL PROJECTS**

13 Motor Vehicle Fund--Transportation Capital
14 Facilities Account--State Appropriation . . . \$ 1,525,000

15 (7) **STATE-WIDE ADMINISTRATION AND SUPPORT**

16 Motor Vehicle Fund--Transportation Capital
17 Facilities Account--State Appropriation . . . \$ 1,525,000

18 (8) The department of transportation shall provide to the
19 legislative transportation committee: (a) Prior notice and the latest
20 project information at least two weeks in advance of the bid process
21 for transportation capital facilities projects going to bid in the
22 1995-97 biennium, and (b) bimonthly progress reports on all
23 transportation capital facilities projects receiving appropriations in
24 this act.

25 **GENERAL GOVERNMENT AGENCIES--CAPITAL**

26 NEW SECTION. **Sec. 304. FOR THE STATE PARKS AND RECREATION**
27 **COMMISSION--CAPITAL**

1 Motor Vehicle Fund--State Appropriation \$ 400,000

2 **NEW SECTION. Sec. 305. An appropriation of \$2,500,000 from the*
3 *motor vehicle fund--state will not be provided to the department of*
4 *general administration for improvements to the plaza garage renovation*
5 *project unless the omnibus 1995-97 capital budget (2ESHB 1070) contains*
6 *a \$1,700,000 appropriation for the repair and/or installation of*
7 *escalators and elevators during the 1995-97 biennium for the department*
8 *of transportation service center in Olympia, Washington. The above*
9 *referenced motor vehicle fund--state appropriation is made upon*
10 *satisfaction of this condition.*

11 **Sec. 305 was vetoed. See message at end of chapter.*

12 (End of part)

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**PART IV
TRANSFERS AND DISTRIBUTIONS**

**NEW SECTION. Sec. 401. FOR THE STATE TREASURER--BOND RETIREMENT
AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR
BOND SALES DISCOUNTS AND DEBT TO BE PAID BY MOTOR VEHICLE FUND AND
TRANSPORTATION FUND REVENUE**

| | | |
|--|----|-------------|
| Motor Vehicle Fund--Puget Sound Capital Construction Account | | |
| Appropriation | \$ | 4,250,000 |
| Motor Vehicle Fund Appropriation | \$ | 695,000 |
| Transportation Improvement Account | | |
| Appropriation | \$ | 1,250,000 |
| Transportation Fund Appropriation | \$ | 208,000 |
| Special Category C Account Appropriation | \$ | 4,000,000 |
| Highway Bond Retirement Account Appropriation | \$ | 195,814,000 |
| Ferry Bond Retirement Account Appropriation | \$ | 36,788,000 |
| TOTAL APPROPRIATION | \$ | 243,005,000 |

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

| | | |
|--|----|-----------|
| Motor Vehicle Fund--Puget Sound Capital Construction | | |
| Account Appropriation | \$ | 850,000 |
| Motor Vehicle Fund Appropriation | \$ | 139,000 |
| Motor Vehicle Fund--Urban Arterial Trust Account | | |
| Appropriation | \$ | 5,000 |
| Motor Vehicle Fund--Transportation Improvement | | |
| Account Appropriation | \$ | 250,000 |
| Special Category C Account Appropriation | \$ | 800,000 |
| Transportation Fund Appropriation | \$ | 42,000 |
| Transportation Capital Facilities Account | | |
| Appropriation | \$ | 1,000 |
| TOTAL APPROPRIATION | \$ | 2,087,000 |

**NEW SECTION. Sec. 403. FOR THE STATE TREASURER--STATE REVENUES
FOR DISTRIBUTION**

| | | | |
|---|---|----|-------------|
| 1 | Motor Vehicle Fund Appropriation for motor | | |
| 2 | vehicle fuel tax and overload penalties | | |
| 3 | distribution | \$ | 452,180,000 |
| 4 | Transportation Fund Appropriation | \$ | 2,352,000 |
| 5 | TOTAL APPROPRIATION | \$ | 454,532,000 |

6 NEW SECTION. **Sec. 404. FOR THE GOVERNOR--COMPENSATION--SALARY AND**
7 **INSURANCE INCREASE REVOLVING ACCOUNT**

| | | | |
|---|--|----|-----------|
| 8 | Motor Vehicle Fund--State Patrol Highway Account | | |
| 9 | Appropriation | \$ | 8,947,000 |

10 The appropriation in this section is subject to the following
11 conditions and limitations and specified amounts are provided solely
12 for that activity:

13 (1)(a) Commissioned officers, commercial vehicle enforcement
14 officers, and communication officers of the state patrol shall receive
15 a five percent salary increase on July 1, 1995.

16 (b) Commissioned officers, commercial vehicle enforcement officers,
17 and communication officers of the state patrol shall receive an
18 additional four percent salary increase on July 1, 1996, if the state
19 patrol vehicle inspection program is decommissioned by September 1,
20 1995.

21 (2) The salary increases provided for in subsection (1) of this
22 section supersede any salary increases provided for in Engrossed
23 Substitute House Bill No. 1410, the omnibus budget, for commissioned
24 officers, commercial vehicle enforcement officers, and communication
25 officers of the state patrol. The appropriation in this section is not
26 in addition to the salary increases provided for in Engrossed
27 Substitute House Bill No. 1410; therefore, the appropriation in this
28 section shall be reduced by any amount provided for commissioned
29 officers, commercial vehicle enforcement officers, and communication
30 officers of the state patrol in Engrossed Substitute House Bill No.
31 1410.

32 NEW SECTION. **Sec. 405. FOR THE DEPARTMENT OF RETIREMENT SYSTEMS--**
33 **TRANSFERS**

| | | | |
|----|---|----|---------|
| 34 | Motor Vehicle Fund--State Patrol Highway Account: | | |
| 35 | For transfer to the department of retirement | | |
| 36 | systems expense fund | \$ | 130,000 |

1 NEW SECTION. **Sec. 406. STATUTORY APPROPRIATIONS.** In addition to
2 the amounts appropriated in this act for revenue for distribution,
3 state contributions to the law enforcement officers' and fire fighters'
4 retirement system, and bond retirement and interest including ongoing
5 bond registration and transfer charges, transfers, interest on
6 registered warrants, and certificates of indebtedness, there is also
7 appropriated such further amounts as may be required or available for
8 these purposes under any statutory formula or under any proper bond
9 covenant made under law.

10 NEW SECTION. **Sec. 407.** The department of transportation is
11 authorized to undertake federal advance construction projects under the
12 provisions of 23 U.S.C. Sec. 115 in order to maintain progress in
13 meeting approved highway construction and preservation objectives. The
14 legislature recognizes that the use of state funds may be required to
15 temporarily fund expenditures of the federal appropriations for the
16 highway construction and preservation programs for federal advance
17 construction projects prior to conversion to federal funding.

18 NEW SECTION. **Sec. 408. FOR THE STATE TREASURER--TRANSFERS**

19 (1) R V Account--State Appropriation:
20 For transfer to the Motor Vehicle Fund--
21 State \$ 454,000
22 (2) Transfer Relief Account--State Appropriation:
23 For transfer to the Motor Vehicle Fund--
24 State \$ 1,329,000
25 (3) Motor Vehicle Fund--State Appropriation:
26 For transfer to the Transportation Capital
27 Facilities Account--State \$ 41,762,000
28 (4) Small City Account--State Appropriation:
29 For transfer to the Urban Arterial Trust
30 Account--State \$ 2,544,000
31 (5) Small City Account--State Appropriation:
32 For transfer to the Transportation Improvement
33 Account--State \$ 7,500,000
34 (6) High Capacity Transportation Account--
35 State Appropriation:
36 For transfer to the Passenger Ferry Account . . . \$ 760,000
37 (7) Public Transportation Systems Account--

1 State Appropriation:
 2 For transfer to the Transportation Fund--State . \$ 178,000
 3 (8) Transportation Fund--State Appropriation:
 4 For transfer to the Marine Operating Fund--
 5 State \$ 2,500,000

6 The appropriation in this subsection is subject to the following
 7 conditions and limitations: \$1,000,000 of the appropriation in this
 8 subsection shall be transferred in fiscal year 1996. \$1,500,000 of the
 9 appropriation in this subsection shall be transferred in fiscal year
 10 1997, provided, however, that the transfer for fiscal year 1997 is null
 11 and void if Engrossed Substitute House Bill No. 1016 is enacted by July
 12 1, 1996.

13 NEW SECTION. **Sec. 409.** The department of transportation is
 14 authorized to transfer any balances available in the highway
 15 construction stabilization account to the motor vehicle account to fund
 16 the appropriations contained in this act.

17 NEW SECTION. **Sec. 410.** The motor vehicle account revenues are
 18 received at a relatively even flow throughout the year. Expenditures
 19 may exceed the revenue during the accelerated summer and fall highway
 20 construction season, creating a negative cash balance during the heavy
 21 construction season. Negative cash balances also may result from the
 22 use of state funds to finance federal advance construction projects
 23 prior to conversion to federal funding. The governor and the
 24 legislature recognize that the department of transportation may require
 25 interfund loans or other short-term financing to meet temporary
 26 seasonal cash requirements and additional cash requirements to fund
 27 federal advance construction projects.

28 NEW SECTION. **Sec. 411.** In addition to such other appropriations
 29 as are made by this act, there is appropriated to the department of
 30 transportation from legally available bond proceeds in the respective
 31 transportation funds and accounts such amounts as are necessary to pay
 32 the expenses incurred by the state finance committee in the issuance
 33 and sale of the subject bonds.

34 NEW SECTION. **Sec. 412.** An appropriation of \$2,498,000 from the
 35 oil spill administration account--state and an appropriation of

1 \$206,000 from the state toxics control account--state are made to the
2 department of ecology pursuant to sections 514 through 524 of this act.

3 NEW SECTION. **Sec. 413.** The additional distribution of transit
4 equalization moneys provided for in chapter 298, Laws of 1995 is
5 authorized. As provided in Section 408(7) of this act, moneys are
6 transferred from the public transportation systems account--state to
7 the transportation fund--state to compensate for distributions of
8 transit equalization of moneys pursuant to chapter 298, Laws of 1995
9 for the 1995-97 biennium.

10 NEW SECTION. **Sec. 414. EXPENDITURE AUTHORIZATIONS.** The
11 appropriations contained in this act are maximum expenditure
12 authorizations. Pursuant to RCW 43.88.037, moneys disbursed from the
13 treasury on the basis of a formal loan agreement shall be recorded as
14 loans receivable and not as expenditures for accounting purposes. To
15 the extent that moneys are disbursed on a loan basis, the corresponding
16 appropriation shall be reduced by the amount of loan moneys disbursed
17 from the treasury during the 1995-97 biennium.

18 **PART V**

19 **MISCELLANEOUS**

20 NEW SECTION. **Sec. 501. COORDINATION OF TRANSPORTATION INFORMATION**
21 **TECHNOLOGY.** To maximize the use of transportation revenues, it is the
22 intent of the legislature to encourage sharing of technology,
23 information, and systems where appropriate between transportation
24 agencies.

25 To facilitate this exchange, the Washington state department of
26 transportation assistant secretary for finance and budget management;
27 Washington state department of transportation chief for management
28 information systems; the Washington state patrol deputy chief, inter-
29 governmental services bureau; Washington state patrol manager of the
30 computer services division; the department of licensing deputy director
31 and department of licensing assistant director for information systems
32 will meet quarterly to share plans, discuss progress of key projects,
33 and to coordinate activities for the common good. Minutes of these
34 meetings will be distributed to the respective agency heads, the office
35 of financial management and the legislative transportation committee.

1 Washington state department of transportation will provide staff
2 support and meeting coordination.

3 NEW SECTION. **Sec. 502. INFORMATION SYSTEMS PROJECTS.** Agencies
4 shall comply with the following requirements regarding information
5 systems projects when specifically directed to do so by this act.

6 (1) The agency shall produce a feasibility study for each
7 information systems project in accordance with published department of
8 information services instructions. In addition to department of
9 information services requirements, the study shall examine and evaluate
10 the costs and benefits of maintaining the status quo and the costs and
11 benefits of the proposed project. The study shall identify when and in
12 what amount any fiscal savings will accrue, and what programs or fund
13 sources will be affected.

14 (2) The agency shall produce a project management plan for each
15 project. The plan or plans shall address all factors critical to
16 successful completion of each project. The plan shall include, but is
17 not limited to, the following elements: A description of the business
18 problem or opportunity that the information systems project is intended
19 to address; a statement of project objectives and assumptions;
20 definition of phases, tasks, and activities to be accomplished and the
21 estimated cost of each phase; a description of how the agency will
22 facilitate responsibilities of oversight agencies; a description of key
23 decision points in the project life cycle; a description of variance
24 control measures; a definitive schedule that shows the elapsed time
25 estimated to complete the project and when each task is to be started
26 and completed; and a description of resource requirements to accomplish
27 the activities within specified time, cost, and functionality
28 constraints.

29 (3) A copy of each feasibility study and project management plan
30 shall be provided to the department of information services, the office
31 of financial management, and legislative transportation committee.
32 Authority to expend any funds for individual information systems
33 projects is conditioned on approval of the relevant feasibility study
34 and project management plan by the department of information services
35 and the office of financial management.

36 (4) A bimonthly project status report shall be submitted to the
37 department of information services, the office of financial management,
38 and legislative transportation committee for each project prior to

1 reaching key decision points identified in the project management plan.
2 Project status reports include: Project name, agency undertaking the
3 project, a description of the project, key project activities or
4 accomplishments during the next sixty to ninety days, baseline cost
5 data, costs to date, baseline schedule, schedule to date, risk
6 assessments, risk management, any deviations from the project
7 feasibility study, and recommendations.

8 Work shall not commence on any task in a subsequent phase of a
9 project until the status report for the preceding key decision point
10 has been approved by the department of information services and the
11 office of financial management.

12 (5) If a project review is requested in accordance with department
13 of information services policies, the reviews shall examine and
14 evaluate: System requirements specifications; scope; system
15 architecture; change controls; documentation; user involvement;
16 training; availability and capability of resources; programming
17 languages and techniques; system inputs and outputs; plans for testing,
18 conversion, implementation, and post-implementation; and other aspects
19 critical to successful construction, integration, and implementation of
20 automated systems. Copies of project review written reports shall be
21 forwarded to the office of financial management and appropriate
22 legislative committees by the agency.

23 (6) A written post-implementation review report shall be prepared
24 by the agency for each information systems project in accordance with
25 published department of information services instructions. In addition
26 to the information requested pursuant to the department of information
27 services instructions, the post-implementation report shall evaluate
28 the degree to which a project accomplished its major objectives
29 including, but not limited to, a comparison of original cost and
30 benefit estimates to actual costs and benefits achieved. Copies of the
31 post-implementation review report shall be provided to the department
32 of information services, the office of financial management, and
33 legislative transportation committee.

34 NEW SECTION. **Sec. 503.** By December 1, 1995, the department of
35 transportation, in consultation with the department of personnel, shall
36 provide recommendations to the legislative transportation committee
37 regarding the feasibility of consolidating the department of
38 transportation's personnel office with the department of personnel.

1 ***NEW SECTION.** *Sec. 504. By December 1, 1995, the department of*
2 *transportation, in consultation with the transportation improvement*
3 *board and the county road administration board, shall provide*
4 *recommendations to the legislative transportation committee and the*
5 *office of financial management regarding the feasibility of*
6 *consolidating the financial functions of the three agencies.*

7 **Sec. 504 was vetoed. See message at end of chapter.*

8 **NEW SECTION.** **Sec. 505.** The department of licensing, Washington
9 state patrol, and department of transportation shall place into reserve
10 any savings to transportation funds or accounts associated with
11 reductions in the attorney general's appropriation in the omnibus
12 budget.

13 **NEW SECTION.** **Sec. 506.** Many educational programs, especially
14 early childhood education programs, lack sufficient funding to obtain
15 necessary telecommunications equipment. State agencies have surplus
16 equipment that no longer meets the business needs of the agencies.
17 Sections 506 through 513 of this act are intended to facilitate the
18 transfer of obsolete telecommunications equipment expeditiously and
19 without extra cost from state agencies to local programs under RCW
20 28A.215.120.

21 **NEW SECTION.** **Sec. 507.** Beginning July 1, 1995, and ending January
22 1, 1996, a state agency, office, department, or educational institution
23 may donate, on a pilot basis, obsolete telecommunications equipment and
24 related surplus supplies to local programs provided under RCW
25 28A.215.120.

26 **NEW SECTION.** **Sec. 508.** Any state agency, office, department, or
27 educational institution participating in the pilot program prescribed
28 in section 507 of this act must use the following criteria in
29 specifying which telecommunications equipment is considered obsolete.
30 Items considered obsolete must meet one or more of the following
31 criteria: (1) The equipment is no longer available for purchase in
32 retail stores; (2) manufacture of the equipment or similar equipment
33 has been discontinued for at least one year; or (3) the equipment is
34 not consistent with the agency's current approved hardware standards

1 due to upgrades. In addition, the agency must deem the equipment as no
2 longer needed in accomplishing its mission.

3 NEW SECTION. **Sec. 509.** Those state agencies, offices,
4 departments, or educational institutions participating in the pilot
5 program described in section 507 of this act shall submit, by January
6 1, 1996, a report to the legislative transportation committee, office
7 of financial management, and the department of general administration
8 concerning implementation of section 507 of this act. The report shall
9 list items of equipment donated, the recipients of the equipment, and
10 recommendations regarding whether the program should be expanded to
11 include other recipient groups or discontinued.

12 NEW SECTION. **Sec. 510.** Any state agency, office, department, or
13 educational institution donating equipment under section 507 of this
14 act shall maintain the following records for each item of equipment
15 donated: State tag number, equipment description, serial number,
16 recipient, appropriate state surplus transfer documents, and an
17 explanation as to why the equipment was deemed obsolete.

18 **Sec. 511.** RCW 43.105.017 and 1992 c 20 s 6 are each amended to
19 read as follows:

20 It is the intent of the legislature that:

21 (1) State government use voice, data, and video telecommunications
22 technologies to:

23 (a) Transmit and increase access to live, interactive classroom
24 instruction and training;

25 (b) Provide for interactive public affairs presentations, including
26 a public forum for state and local issues;

27 (c) Facilitate communications and exchange of information among
28 state and local elected officials and the general public;

29 (d) Enhance state-wide communications within state agencies; and

30 (e) Through the use of telecommunications, reduce time lost due to
31 travel to in-state meetings;

32 (2) Information be shared and administered in a coordinated manner,
33 except when prevented by agency responsibilities for security, privacy,
34 or confidentiality;

1 (3) The primary responsibility for the management and use of
2 information, information systems, telecommunications, equipment,
3 software, and services rests with each agency head;

4 (4) Resources be used in the most efficient manner and services be
5 shared when cost-effective;

6 (5) A state agency, office, department, or educational institution
7 may donate obsolete telecommunications equipment and related surplus
8 supplies to local programs provided under RCW 28A.215.120 pursuant to
9 section 507 of this act;

10 (6) A structure be created to:

11 (a) Plan and manage telecommunications and computing networks;

12 (b) Increase agencies' awareness of information sharing
13 opportunities; and

14 (c) Assist agencies in implementing such possibilities;

15 ~~((+6))~~ (7) An acquisition process for equipment, proprietary
16 software, and related services be established that meets the needs of
17 the users, considers the exchange of information, and promotes fair and
18 open competition;

19 ~~((+7))~~ (8) To the greatest extent possible, major information
20 technology projects be implemented on an incremental basis;

21 ~~((+8))~~ (9) The state maximize opportunities to exchange and share
22 data and information by moving toward implementation of open system
23 architecture based upon interface standards providing for application
24 and data portability and interoperability;

25 ~~((+9))~~ (10) To the greatest extent possible, the state recognize
26 any price performance advantages which may be available in midrange and
27 personal computing architecture;

28 ~~((+10))~~ (11) The state improve recruitment, retention, and
29 training of professional staff;

30 ~~((+11))~~ (12) Plans, proposals, and acquisitions for information
31 services be reviewed from a financial and management perspective as
32 part of the budget process; and

33 ~~((+12))~~ (13) State government adopt policies and procedures that
34 maximize the use of existing video telecommunications resources,
35 coordinate and develop video telecommunications in a manner that is
36 cost-effective and encourages shared use, and ensure the appropriate
37 use of video telecommunications to fulfill identified needs.

1 **Sec. 512.** RCW 43.105.041 and 1990 c 208 s 6 are each amended to
2 read as follows:

3 The board shall have the following powers and duties related to
4 information services:

5 (1) To develop standards governing the acquisition and disposition
6 of equipment, proprietary software and purchased services, and
7 confidentiality of computerized data;

8 (2) To purchase, lease, rent, or otherwise acquire, dispose of, and
9 maintain equipment, proprietary software, and purchased services, or to
10 delegate to other agencies and institutions of state government, under
11 appropriate standards, the authority to purchase, lease, rent, or
12 otherwise acquire, dispose of, and maintain equipment, proprietary
13 software, and purchased services: PROVIDED, That, agencies and
14 institutions of state government, except as provided in RCW
15 43.105.017(5) and section 507 of this act, are expressly prohibited
16 from acquiring or disposing of equipment, proprietary software, and
17 purchased services without such delegation of authority. The
18 acquisition and disposition of equipment, proprietary software, and
19 purchased services is exempt from RCW 43.19.1919 and, as provided in
20 RCW 43.19.1901, from the provisions of RCW 43.19.190 through 43.19.200.
21 This subsection does not apply to the legislative branch;

22 (3) To develop state-wide or interagency technical policies,
23 standards, and procedures;

24 (4) To assure the cost-effective development and incremental
25 implementation of a state-wide video telecommunications system to
26 serve: Public schools; educational service districts; vocational-
27 technical institutes; community colleges; colleges and universities;
28 state and local government; and the general public through public
29 affairs programming;

30 (5) To provide direction concerning strategic planning goals and
31 objectives for the state. The board shall seek input from the
32 legislature and the judiciary;

33 (6) To develop and implement a process for the resolution of
34 appeals by:

35 (a) Vendors concerning the conduct of an acquisition process by an
36 agency or the department; or

37 (b) A customer agency concerning the provision of services by the
38 department or by other state agency providers;

1 (7) To establish policies for the periodic review by the department
2 of agency performance which may include but are not limited to analysis
3 of:

4 (a) Planning, management, control, and use of information services;

5 (b) Training and education; and

6 (c) Project management;

7 (8) To set its meeting schedules and convene at scheduled times, or
8 meet at the request of a majority of its members, the chair, or the
9 director; and

10 (9) To review and approve that portion of the department's budget
11 requests that provides for support to the board.

12 **Sec. 513.** RCW 43.19.1919 and 1991 c 216 s 2 are each amended to
13 read as follows:

14 Except as provided in RCW 43.19.1920, RCW 43.105.017, and section
15 507 of this act, the division of purchasing shall sell or exchange
16 personal property belonging to the state for which the agency, office,
17 department, or educational institution having custody thereof has no
18 further use, at public or private sale, and cause the moneys realized
19 from the sale of any such property to be paid into the fund from which
20 such property was purchased or, if such fund no longer exists, into the
21 state general fund: PROVIDED, Sales of capital assets may be made by
22 the division of purchasing and a credit established in central stores
23 for future purchases of capital items as provided for in RCW 43.19.190
24 through 43.19.1939, as now or hereafter amended: PROVIDED FURTHER,
25 That personal property, excess to a state agency, including educational
26 institutions, shall not be sold or disposed of prior to reasonable
27 efforts by the division of purchasing to determine if other state
28 agencies have a requirement for such personal property. Such
29 determination shall follow sufficient notice to all state agencies to
30 allow adequate time for them to make their needs known. Surplus items
31 may be disposed of without prior notification to state agencies if it
32 is determined by the director of general administration to be in the
33 best interest of the state. The division of purchasing shall maintain
34 a record of disposed surplus property, including date and method of
35 disposal, identity of any recipient, and approximate value of the
36 property: PROVIDED, FURTHER, That this section shall not apply to
37 personal property acquired by a state organization under federal grants

1 and contracts if in conflict with special title provisions contained in
2 such grants or contracts.

3 This section does not apply to property under RCW 27.53.045.

4 **Sec. 514.** RCW 43.21I.005 and 1991 c 200 s 401 are each amended to
5 read as follows:

6 (1) The legislature declares that Washington's waters have
7 irreplaceable value for the citizens of the state. These waters are
8 vital habitat for numerous and diverse marine life and wildlife and the
9 source of recreation, aesthetic pleasure, and pride for Washington's
10 citizens. These waters are also vital for much of Washington's
11 economic vitality.

12 The legislature finds that the transportation of oil on these
13 waters creates a great potential hazard to these important natural
14 resources. ~~((The legislature also finds that there is no state agency
15 responsible for maritime safety to ensure this state's interest in
16 preserving these resources.~~

17 ~~The legislature therefore finds that in order to protect these
18 waters it is necessary to establish an office of marine safety which
19 will have the responsibility to promote the safety of marine
20 transportation in Washington.))~~

21 (2) The legislature finds that the long-term environmental health
22 of the state's waters depends upon the strength and vitality of its oil
23 spill prevention and response program. It is the intent of this
24 section and sections 515 through 524 of this act to create an
25 integrated oil spill prevention and response program that fosters
26 planning, coordination, and incidence command. To that end, the merger
27 of the office of marine safety with the department of ecology will:
28 Ensure coordination via streamlining the marine safety functions of two
29 agencies into one; provide a focused prevention and response program
30 under a single administration; generate efficient incidence command to
31 meet challenges threatening marine safety and the environment; and
32 increase accountability owed to the public, the executive branch, and
33 the legislature.

34 (3) It is the intent of the legislature that the merger of the
35 office of marine safety with the department of ecology be accomplished
36 in an organizational manner that maintains a priority focus and
37 position for the oil spill prevention and response program. The merger
38 shall allow for ready identification of the program by the public and

1 ensure no diminution in the state's commitment to marine safety and
2 environmental protection.

3 **Sec. 515.** RCW 43.21I.010 and 1992 c 73 s 4 are each amended to
4 read as follows:

5 (1) There is hereby created (~~(an agency of state government to be~~
6 ~~known as the office of marine safety. The office shall be vested with~~
7 ~~all powers and duties transferred to it and such other powers and~~
8 ~~duties as may be authorized by law. The main administrative office of~~
9 ~~the office shall be located in the city of Olympia. The administrator~~
10 ~~may establish administrative facilities in other locations,~~) within
11 the department of ecology an integrated oil spill prevention and
12 response program. The department shall establish a division for the
13 purpose of housing the integrated oil spill prevention and response
14 program. The division shall establish its focus and independence from
15 the department's other authorized divisions and services. The director
16 may establish administrative facilities in various locations within the
17 state of Washington, if deemed necessary for the efficient operation of
18 the office, and if consistent with the principles set forth in
19 subsection (2) of this section.

20 (2) The (~~office of marine safety~~) department shall (~~be~~
21 ~~organized~~) organize the oil spill prevention and response division
22 consistent with the goals of providing the state (government) with a
23 focus in marine transportation and serving the people of this state.
24 (~~The legislature recognizes that the administrator needs sufficient~~
25 ~~organizational flexibility to carry out the office's various duties.~~)
26 To the extent practical, the (~~administrator~~) director shall consider
27 the following organizational principles:

28 (a) Clear lines of authority which avoid functional duplication
29 within and between subelements of the (~~office~~) department;

30 (b) A clear and simplified organizational design promoting
31 accessibility, responsiveness, and accountability to the legislature,
32 the consumer, and the general public; and

33 (c) Maximum span of control without jeopardizing adequate
34 supervision.

35 (3) The (~~office~~) department shall provide leadership and
36 coordination in identifying and resolving threats to the safety of
37 marine transportation and the impact of marine transportation on the
38 environment:

1 (a) Working with other state agencies and local governments to
2 strengthen the state and local governmental partnership in providing
3 public protection;

4 (b) Providing expert advice to the executive and legislative
5 branches of state government;

6 (c) Providing active and fair enforcement of rules;

7 (d) Working with other federal, state, and local agencies and
8 facilitating their involvement in planning and implementing marine
9 safety measures;

10 (e) Providing information to the public; and

11 (f) Carrying out such other related actions as may be appropriate
12 to this purpose.

13 (4) In accordance with the administrative procedure act, chapter
14 34.05 RCW, the ~~((office))~~ department shall ensure an opportunity for
15 consultation, review, and comment before the adoption of standards,
16 guidelines, and rules.

17 (5) Consistent with the principles set forth in subsection (2) of
18 this section, the ~~((administrator))~~ director may create ~~((such
19 administrative divisions, offices, bureaus, and programs within the
20 office as the administrator))~~ whatever organizational framework the
21 director deems necessary to achieve the goals and objectives of this
22 section so long as it is consistent with RCW 43.21I.005 through
23 43.21I.040 (as recodified by this act) and chapter 88.46 RCW. The
24 ~~((administrator))~~ director shall have complete charge of and
25 supervisory powers over the ~~((office))~~ division, except where the
26 ~~((administrator's))~~ director's authority is specifically limited by
27 law.

28 (6) The ~~((administrator))~~ director shall appoint ~~((such personnel
29 as are necessary to carry out the duties of the office))~~ an assistant
30 director to carry out the duties of providing an oil spill prevention
31 and response program consistent with RCW 43.21I.005 through 43.21I.040
32 (as recodified by this act) and chapter 88.46 RCW. In addition to
33 exemptions set forth in RCW 41.06.070~~((+28))~~ (3), the ~~((administrator,
34 the administrator's confidential secretary, and up to four professional
35 staff members))~~ director shall be exempt from the provisions of chapter
36 41.06 RCW. All other employees of the ~~((office))~~ division shall be
37 subject to the provisions of chapter 41.06 RCW.

1 **Sec. 516.** RCW 43.21I.030 and 1992 c 73 s 11 are each amended to
2 read as follows:

3 In addition to any other powers granted the ~~((administrator))~~
4 director, the ~~((administrator))~~ director, in the administration of the
5 oil spill prevention and response division, may:

6 (1) Adopt, in accordance with chapter 34.05 RCW, rules necessary to
7 carry out the provisions of this chapter and chapter 88.46 RCW;

8 (2) Appoint such advisory committees as may be necessary to carry
9 out the provisions of this chapter and chapter 88.46 RCW. Members of
10 such advisory committees are authorized to receive travel expenses in
11 accordance with RCW 43.03.050 and 43.03.060. The ~~((administrator))~~
12 director shall review each advisory committee within the jurisdiction
13 of the ~~((office))~~ department's oil spill prevention and response
14 division and each statutory advisory committee on a biennial basis to
15 determine if such advisory committee is needed. The criteria specified
16 in RCW 43.131.070 shall be used to determine whether or not each
17 advisory committee shall be continued;

18 (3) Undertake studies, research, and analysis necessary to carry
19 out the provisions of this chapter and chapter 88.46 RCW;

20 (4) Delegate powers, duties, and functions of the ~~((office))~~
21 department's oil spill prevention and response division to employees of
22 the ~~((office))~~ department as the ~~((administrator))~~ director deems
23 necessary to carry out the provisions of ~~((this chapter))~~ RCW
24 43.21I.005 through 43.21I.040 (as recodified by this act) and chapter
25 88.46 RCW;

26 (5) Enter into contracts on behalf of the ~~((office))~~ department's
27 oil spill prevention and response division to carry out the purposes of
28 ~~((this chapter))~~ RCW 43.21I.005 through 43.21I.040 (as recodified by
29 this act) and chapter 88.46 RCW;

30 (6) Act for the state in the initiation of, or the participation
31 in, any intergovernmental program for the purposes of ~~((this chapter))~~
32 RCW 43.21I.005 through 43.21I.040 (as recodified by this act) and
33 chapter 88.46 RCW; or

34 (7) Accept gifts, grants, or other funds.

35 **Sec. 517.** RCW 43.21I.040 and 1991 c 200 s 407 are each amended to
36 read as follows:

37 (1) The ~~((administrator))~~ director shall have full authority to
38 administer oaths and take testimony thereunder, to issue subpoenas

1 requiring the attendance of witnesses before the ((administrator))
2 director together with all books, memoranda, papers, and other
3 documents, articles or instruments, and to compel the disclosure by
4 such witnesses of all facts known to them relative to the matters under
5 investigation.

6 (2) Subpoenas issued in adjudicative proceedings shall be governed
7 by chapter 34.05 RCW.

8 (3) Subpoenas issued in the conduct of investigations required or
9 authorized by other statutory provisions or necessary in the
10 enforcement of other statutory provisions shall be governed by chapter
11 34.05 RCW.

12 **Sec. 518.** RCW 88.46.922 and 1991 c 200 s 431 are each amended to
13 read as follows:

14 All reports, documents, surveys, books, records, files, papers, or
15 written material in the possession of the office of marine safety shall
16 be delivered to the custody of the department of ecology. All
17 cabinets, furniture, office equipment, motor vehicles, and other
18 tangible property employed by the office of marine safety shall be made
19 available to the department of ecology. All funds, credits, or other
20 assets held by the office of marine safety shall be assigned to the
21 department of ecology.

22 Any appropriations made to the office of marine safety shall, on
23 ((July 1, 1997)) January 1, 1996, be transferred and credited to the
24 department of ecology.

25 Whenever any question arises as to the transfer of any personnel,
26 funds, books, documents, records, papers, files, equipment, or other
27 tangible property used or held in the exercise of the powers and the
28 performance of the duties and functions transferred, the director of
29 financial management shall make a determination as to the proper
30 allocation and certify the same to the state agencies concerned.

31 **Sec. 519.** RCW 88.46.925 and 1991 c 200 s 434 are each amended to
32 read as follows:

33 The transfer of the powers, duties, and functions((,~~—and~~
34 ~~personnel~~)) of the office of marine safety shall not affect the
35 validity of any act performed prior to ((July 1, 1997)) January 1,
36 1996.

1 NEW SECTION. **Sec. 520.** A new section is added to chapter 90.56
2 RCW to read as follows:

3 No moneys may be spent by the department from the oil spill
4 administration account, as established in RCW 90.56.510, nor the oil
5 spill response account, as established in RCW 90.56.500, for any
6 purpose other than carrying out the purposes, programs, and services of
7 oil spill prevention and response consistent with RCW 43.21I.005
8 through 43.21I.040 (as recodified by this act) and chapter 88.46 RCW.

9 **Sec. 521.** 1991 c 200 s 1120 (uncodified) is amended to read as
10 follows:

11 Sections 430 through 436 (~~(of this act)~~), chapter 200, Laws of 1991
12 shall take effect (~~(July 1, 1997)~~) January 1, 1996.

13 **Sec. 522.** 1993 c 281 s 73 (uncodified) is amended to read as
14 follows:

15 Section 67 (~~(of this act)~~), chapter 281, Laws of 1993 shall take
16 effect (~~(July 1, 1997)~~) January 1, 1996.

17 NEW SECTION. **Sec. 523.** RCW 43.21I.005, 43.21I.010, 43.21I.030,
18 and 43.21I.040, as amended in this act, are each recodified as new
19 sections in chapter 43.21A RCW.

20 NEW SECTION. **Sec. 524.** The following acts or parts of acts are
21 each repealed:

- 22 (1) RCW 43.21I.020 and 1992 c 73 s 5 & 1991 c 200 s 403;
23 (2) RCW 88.46.920 and 1991 c 200 s 429; and
24 (3) RCW 88.46.923 and 1991 c 200 s 432.

25 **Sec. 525.** RCW 90.56.510 and 1994 1st sp.s. c 6 s 903 are each
26 amended to read as follows:

27 (1) The oil spill administration account is created in the state
28 treasury. All receipts from RCW 82.23B.020(2) shall be deposited in
29 the account. Moneys from the account may be spent only after
30 appropriation. The account is subject to allotment procedures under
31 chapter 43.88 RCW. On July 1 of each odd-numbered year, if receipts
32 deposited in the account from the tax imposed by RCW 82.23B.020(2) for
33 the previous fiscal biennium exceed the amount appropriated from the
34 account for the previous fiscal biennium, the state treasurer shall

1 transfer the amount of receipts exceeding the appropriation to the oil
2 spill response account. If, on the first day of any calendar month,
3 the balance of the oil spill response account is greater than twenty-
4 five million dollars and the balance of the oil spill administration
5 account exceeds the unexpended appropriation for the current biennium,
6 then the tax under RCW 82.23B.020(2) shall be suspended on the first
7 day of the next calendar month until the beginning of the following
8 biennium, provided that the tax shall not be suspended during the last
9 six months of the biennium. If the tax imposed under RCW 82.23B.020(2)
10 is suspended during two consecutive biennia, the department shall by
11 November 1st after the end of the second biennium, recommend to the
12 appropriate standing committees an adjustment in the tax rate. For the
13 biennium ending June 30, (~~(1995)~~) 1997, the state treasurer may
14 transfer (~~(funds)~~) up to \$1,718,000 from the oil spill response account
15 to the oil spill administration account (~~(in amounts necessary)~~) to
16 support appropriations made from the oil spill administration account
17 in the omnibus and transportation appropriations acts adopted not later
18 than June 30, (~~(1994)~~) 1997.

19 (2) Expenditures from the oil spill administration account shall be
20 used exclusively for the administrative costs related to the purposes
21 of this chapter, and chapters 90.48, 88.40, and 88.46 RCW. Starting
22 with the 1995-1997 biennium, the legislature shall give activities of
23 state agencies related to prevention of oil spills priority in funding
24 from the oil spill administration account. Costs of administration
25 include the costs of:

- 26 (a) Routine responses not covered under RCW 90.56.500;
27 (b) Management and staff development activities;
28 (c) Development of rules and policies and the state-wide plan
29 provided for in RCW 90.56.060;
30 (d) Facility and vessel plan review and approval, drills,
31 inspections, investigations, enforcement, and litigation;
32 (e) Interagency coordination and public outreach and education;
33 (f) Collection and administration of the tax provided for in
34 chapter 82.23B RCW; and
35 (g) Appropriate travel, goods and services, contracts, and
36 equipment.

37 NEW SECTION. **Sec. 526.** In order to provide enhanced program
38 visibility and improved legislative oversight, the legislature concurs

1 with the recommendation of the transportation commission that two new
2 program designations be established within the department of
3 transportation: (1) The transportation economic partnerships program,
4 and (2) the transit and rail program.

5 NEW SECTION. **Sec. 527.** The attorney general shall prepare
6 annually a report to the legislative transportation committee
7 comprising a comprehensive summary of all cases involving tort claims
8 against the department of transportation involving highways which were
9 concluded and closed in the previous calendar year. The report shall
10 include for each case closed:

11 (1) A summary of the factual background of the case;

12 (2) Identification of the attorneys representing the state and the
13 opposing parties;

14 (3) A synopsis of the legal theories asserted and the defenses
15 presented;

16 (4) Whether the case was tried, settled, or dismissed, and in whose
17 favor;

18 (5) The approximate number of attorney hours expended by the state
19 on the case, together with the corresponding dollar amount billed
20 therefore; and

21 (6) Such other matters relating to the case as the attorney general
22 deems relevant or appropriate, especially including any comments or
23 recommendations for changes in statute law or agency practice that
24 might effectively reduce the exposure of the state to such tort claims.

25 **Sec. 528.** RCW 47.78.010 and 1991 sp.s. c 13 ss 66, 121 are each
26 amended to read as follows:

27 (1) There is hereby established in the state treasury the high
28 capacity transportation account. Money in the account shall be used,
29 after appropriation, for local high capacity transportation purposes
30 including rail freight.

31 (2) For the biennium ending June 30, 1997, money in the account may
32 be transferred to the passenger ferry account as provided for in
33 section 408, chapter . . . , Laws of 1995 (this act).

34 ***Sec. 529.** *RCW 82.44.150 and 1994 c 241 s 1 are each amended to*
35 *read as follows:*

1 (1) The director of licensing shall, on the twenty-fifth day of
2 February, May, August, and November of each year, advise the state
3 treasurer of the total amount of motor vehicle excise taxes imposed by
4 RCW 82.44.020 (1) and (2) remitted to the department during the
5 preceding calendar quarter ending on the last day of March, June,
6 September, and December, respectively, except for those payable under
7 RCW 82.44.030, from motor vehicle owners residing within each
8 municipality which has levied a tax under RCW 35.58.273, which amount
9 of excise taxes shall be determined by the director as follows:

10 The total amount of motor vehicle excise taxes remitted to the
11 department, except those payable under RCW 82.44.020(3) and 82.44.030,
12 from each county shall be multiplied by a fraction, the numerator of
13 which is the population of the municipality residing in such county,
14 and the denominator of which is the total population of the county in
15 which such municipality or portion thereof is located. The product of
16 this computation shall be the amount of excise taxes from motor vehicle
17 owners residing within such municipality or portion thereof. Where the
18 municipality levying a tax under RCW 35.58.273 is located in more than
19 one county, the above computation shall be made by county, and the
20 combined products shall provide the total amount of motor vehicle
21 excise taxes from motor vehicle owners residing in the municipality as
22 a whole. Population figures required for these computations shall be
23 supplied to the director by the office of financial management, who
24 shall adjust the fraction annually.

25 (2) On the first day of the months of January, April, July, and
26 October of each year, the state treasurer based upon information
27 provided by the department shall, from motor vehicle excise taxes
28 deposited in the general fund, under RCW 82.44.110(1)(g), make the
29 following deposits:

30 (a) To the high capacity transportation account created in RCW
31 47.78.010, a sum equal to four and five-tenths percent of the special
32 excise tax levied under RCW 35.58.273 by those municipalities
33 authorized to levy a special excise tax within ~~((i))~~ each county
34 ~~((with a population of two hundred ten thousand or more and (ii) each~~
35 ~~county with a population of from one hundred twenty-five thousand to~~
36 ~~less than two hundred ten thousand except for those counties that do~~
37 ~~not border a county with a population as described in subsection (i) of~~
38 ~~this subsection)) that has a population of one hundred seventy-five~~
39 ~~thousand or more and has an interstate highway within its borders;~~

1 except that in a case of a municipality located in a county that has a
2 population of one hundred seventy-five thousand or more that does not
3 have an interstate highway located within its borders, that sum shall
4 be deposited in the passenger ferry account;

5 (b) To the central Puget Sound public transportation account
6 created in RCW 82.44.180, for revenues distributed after December 31,
7 1992, within a county with a population of one million or more and a
8 county with a population of from two hundred thousand to less than one
9 million bordering a county with a population of one million or more, a
10 sum equal to the difference between (i) the special excise tax levied
11 and collected under RCW 35.58.273 by those municipalities authorized to
12 levy and collect a special excise tax subject to the requirements of
13 subsections (3) and (4) of this section and (ii) the special excise tax
14 that the municipality would otherwise have been eligible to levy and
15 collect at a tax rate of .815 percent and been able to match with
16 locally generated tax revenues, other than the excise tax imposed under
17 RCW 35.58.273, budgeted for any public transportation purpose. Before
18 this deposit, the sum shall be reduced by an amount equal to the amount
19 distributed under (a) of this subsection for each of the municipalities
20 within the counties to which this subsection (2)(b) applies; however,
21 any transfer under this subsection (2)(b) must be greater than zero;

22 (c) To the public transportation systems account created in RCW
23 82.44.180, for revenues distributed after December 31, 1992, within
24 counties not described in (b) of this subsection, a sum equal to the
25 difference between (i) the special excise tax levied and collected
26 under RCW 35.58.273 by those municipalities authorized to levy and
27 collect a special excise tax subject to the requirements of subsections
28 (3) and (4) of this section and (ii) the special excise tax that the
29 municipality would otherwise have been eligible to levy and collect at
30 a tax rate of .815 percent and been able to match with locally
31 generated tax revenues, other than the excise tax imposed under RCW
32 35.58.273, budgeted for any public transportation purpose. Before this
33 deposit, the sum shall be reduced by an amount equal to the amount
34 distributed under (a) of this subsection for each of the municipalities
35 within the counties to which this subsection (2)(c) applies; however,
36 any transfer under this subsection (2)(c) must be greater than zero;
37 and

38 (d) To the general fund, for revenues distributed after June 30,
39 1993, and to the transportation fund, for revenues distributed after

1 June 30, 1995, a sum equal to the difference between (i) the special
2 excise tax levied and collected under RCW 35.58.273 by those
3 municipalities authorized to levy and collect a special excise tax
4 subject to the requirements of subsections (3) and (4) of this section
5 and (ii) the special excise tax that the municipality would otherwise
6 have been eligible to levy and collect at a tax rate of .815 percent
7 notwithstanding the requirements set forth in subsections (3) through
8 (6) of this section, reduced by an amount equal to distributions made
9 under (a), (b), and (c) of this subsection and RCW 82.14.046.

10 (3) On the first day of the months of January, April, July, and
11 October of each year, the state treasurer, based upon information
12 provided by the department, shall remit motor vehicle excise tax
13 revenues imposed and collected under RCW 35.58.273 as follows:

14 (a) The amount required to be remitted by the state treasurer to
15 the treasurer of any municipality levying the tax shall not exceed in
16 any calendar year the amount of locally-generated tax revenues,
17 excluding (i) the excise tax imposed under RCW 35.58.273 for the
18 purposes of this section, which shall have been budgeted by the
19 municipality to be collected in such calendar year for any public
20 transportation purposes including but not limited to operating costs,
21 capital costs, and debt service on general obligation or revenue bonds
22 issued for these purposes; and (ii) the sales and use tax equalization
23 distributions provided under RCW 82.14.046; and

24 (b) In no event may the amount remitted in a single calendar
25 quarter exceed the amount collected on behalf of the municipality under
26 RCW 35.58.273 during the calendar quarter next preceding the
27 immediately preceding quarter, excluding the sales and use tax
28 equalization distributions provided under RCW 82.14.046.

29 (4) At the close of each calendar year accounting period, but not
30 later than April 1, each municipality that has received motor vehicle
31 excise taxes under subsection (3) of this section shall transmit to the
32 director of licensing and the state auditor a written report showing by
33 source the previous year's budgeted tax revenues for public
34 transportation purposes as compared to actual collections. Any
35 municipality that has not submitted the report by April 1 shall cease
36 to be eligible to receive motor vehicle excise taxes under subsection
37 (3) of this section until the report is received by the director of
38 licensing. If a municipality has received more or less money under
39 subsection (3) of this section for the period covered by the report

1 *than it is entitled to receive by reason of its locally-generated*
2 *collected tax revenues, the director of licensing shall, during the*
3 *next ensuing quarter that the municipality is eligible to receive motor*
4 *vehicle excise tax funds, increase or decrease the amount to be*
5 *remitted in an amount equal to the difference between the locally-*
6 *generated budgeted tax revenues and the locally-generated collected tax*
7 *revenues. In no event may the amount remitted for a calendar year*
8 *exceed the amount collected on behalf of the municipality under RCW*
9 *35.58.273 during that same calendar year excluding the sales and use*
10 *tax equalization distributions provided under RCW 82.14.046. At the*
11 *time of the next fiscal audit of each municipality, the state auditor*
12 *shall verify the accuracy of the report submitted and notify the*
13 *director of licensing of any discrepancies.*

14 *(5) The motor vehicle excise taxes imposed under RCW 35.58.273 and*
15 *required to be remitted under this section and RCW 82.14.046 shall be*
16 *remitted without legislative appropriation.*

17 *(6) Any municipality levying and collecting a tax under RCW*
18 *35.58.273 which does not have an operating, public transit system or a*
19 *contract for public transportation services in effect within one year*
20 *from the initial effective date of the tax shall return to the state*
21 *treasurer all motor vehicle excise taxes received under subsection (3)*
22 *of this section.*

23 **Sec. 529 was vetoed. See message at end of chapter.*

24 **Sec. 530.** RCW 70.94.531 and 1991 c 202 s 13 are each amended to
25 read as follows:

26 (1) Not more than six months after the adoption of the commute trip
27 reduction plan by a jurisdiction, each major employer in that
28 jurisdiction shall develop a commute trip reduction program and shall
29 submit a description of that program to the jurisdiction for review.
30 The program shall be implemented not more than six months after
31 submission to the jurisdiction.

32 (2) A commute trip reduction program shall consist of, at a minimum
33 (a) designation of a transportation coordinator and the display of the
34 name, location, and telephone number of the coordinator in a prominent
35 manner at each affected worksite; (b) regular distribution of
36 information to employees regarding alternatives to single-occupant
37 vehicle commuting; (c) an annual review of employee commuting and
38 reporting of progress toward meeting the single-occupant vehicle

1 reduction goals to the county, city, or town consistent with the method
2 established in the commute trip reduction plan; and (d) implementation
3 of a set of measures designed to achieve the applicable commute trip
4 reduction goals adopted by the jurisdiction. Such measures may include
5 but are not limited to:

6 (i) Provision of preferential parking or reduced parking charges,
7 or both, for high occupancy vehicles;

8 (ii) Instituting or increasing parking charges for single-occupant
9 vehicles;

10 (iii) Provision of commuter ride matching services to facilitate
11 employee ridesharing for commute trips;

12 (iv) Provision of subsidies for transit fares;

13 (v) Provision of vans for van pools;

14 (vi) Provision of subsidies for car pooling or van pooling;

15 (vii) Permitting the use of the employer's vehicles for car pooling
16 or van pooling;

17 (viii) Permitting flexible work schedules to facilitate employees'
18 use of transit, car pools, or van pools;

19 (ix) Cooperation with transportation providers to provide
20 additional regular or express service to the worksite;

21 (x) Construction of special loading and unloading facilities for
22 transit, car pool, and van pool users;

23 (xi) Provision of bicycle parking facilities, lockers, changing
24 areas, and showers for employees who bicycle or walk to work;

25 (xii) Provision of a program of parking incentives such as a rebate
26 for employees who do not use the parking facility;

27 (xiii) Establishment of a program to permit employees to work part
28 or full time at home or at an alternative worksite closer to their
29 homes;

30 (xiv) Establishment of a program of alternative work schedules such
31 as compressed work week schedules which reduce commuting; ((and))

32 (xv) Establishment of proximate commuting programs by employers
33 with multiple worksites; and

34 (xvi) Implementation of other measures designed to facilitate the
35 use of high-occupancy vehicles such as on-site day care facilities and
36 emergency taxi services.

37 (3) Employers or owners of worksites may form or utilize existing
38 transportation management associations to assist members in developing
39 and implementing commute trip reduction programs.

1 *Sec. 531. RCW 82.44.180 and 1993 sp.s. c 23 s 64 and 1993 c 393
2 s 1 are each reenacted and amended to read as follows:

3 (1) The transportation fund is created in the state treasury.
4 Revenues under RCW 82.44.020 (1) and (2), 82.44.110, 82.44.150, and the
5 surcharge under RCW 82.50.510 shall be deposited into the fund as
6 provided in those sections.

7 Moneys in the fund may be spent only after appropriation.
8 Expenditures from the fund may be used only for transportation purposes
9 and activities and operations of the Washington state patrol not
10 directly related to the policing of public highways and that are not
11 authorized under Article II, section 40 of the state Constitution.

12 (2) There is hereby created the central Puget Sound public
13 transportation account within the transportation fund. Moneys
14 deposited into the account under RCW 82.44.150(2)(b) shall be
15 appropriated to the department of transportation for public
16 transportation related purposes specified in the transportation
17 appropriations act or to the department of transportation and allocated
18 by the multimodal transportation programs and projects selection
19 committee created in RCW 47.66.020 to public transportation projects
20 within the region from which the funds are derived, solely for:

21 (a) Planning;

22 (b) Development of capital projects;

23 (c) Development of high capacity transportation systems as defined
24 in RCW 81.104.015;

25 (d) Development of high occupancy vehicle lanes and related
26 facilities as defined in RCW 81.100.020; and

27 (e) Public transportation system contributions required to fund
28 projects under federal programs and those approved by the
29 transportation improvement board.

30 (3) There is hereby created the public transportation systems
31 account within the transportation fund. Moneys deposited into the
32 account under RCW 82.44.150(2)(c) shall be appropriated to the
33 department of transportation for public transportation related purposes
34 specified in the transportation appropriations act or to the department
35 of transportation and allocated by the multimodal transportation
36 programs and projects selection committee to public transportation
37 projects submitted by the public transportation systems from which the
38 funds are derived, solely for:

39 (a) Planning;

1 (b) Development of capital projects;

2 (c) Development of high capacity transportation systems as defined
3 in RCW 81.104.015;

4 (d) Development of high occupancy vehicle lanes and related
5 facilities as defined in RCW 81.100.020;

6 (e) Other public transportation system-related roadway projects on
7 state highways, county roads, or city streets; and

8 (f) Public transportation system contributions required to fund
9 projects under federal programs and those approved by the
10 transportation improvement board.

11 *Sec. 531 was vetoed. See message at end of chapter.

12 *Sec. 532. RCW 47.78.010 and 1991 sp.s. c 13 ss 66, 121 are each
13 amended to read as follows:

14 There is hereby established in the state treasury the high capacity
15 transportation account. Money in the account shall be used, after
16 appropriation, for high occupancy vehicle lane construction or for
17 local high capacity transportation purposes including rail freight.

18 *Sec. 532 was vetoed. See message at end of chapter.

19 **Sec. 533.** 1994 c 303 s 20 (uncodified) is amended to read as
20 follows:

21 (1) There is hereby appropriated cumulatively from the motor
22 vehicle fund--state, the transportation fund--state, and the general
23 fund--state, up to \$35,500,000 for preliminary engineering, right of
24 way acquisition, and construction of the following regular category C
25 projects:

26 ((+1)) (a) SPRING ST TO JOHNSON RD (627000D);

27 ((+2)) (b) W. LK SAMM. PKWY. TO SR 202 (152038A, 152039D);

28 ((+3)) (c) DIAMOND LAKE CHANNELIZATION (600232E);

29 ((+4)) (d) 15TH SW TO SR 161 U-XING (351214A);

30 ((+5)) (e) ANDRESEN ROAD TO SR 503 (450093B);

31 ((+6)) (f) NE 144TH ST TO BATTLEGROUND (450387B);

32 ((+7)) (g) STEAMBOAT ISLAND RD I/C (310199A);

33 ((+8)) (h) GRAHAM HILL VICINITY (316111A);

34 ((+9)) (i) NORTH OF WINSLOW - STAGE 1 (330505A);

35 ((+10)) (j) SR 5 TO BLANDFORD DRIVE (401487A);

36 ((+11)) (k) 32ND STREET INTERCHANGE (316711A); and

37 ((+12)) (l) SUNNYSLOPE I/C - STAGE 2 (228531A).

1 These projects are not necessarily in prioritized order and are not
2 subject to the provisions of chapter 490, Laws of 1993.

3 The total expenditures under this section from all fund sources,
4 including funds transferred under section 18(5) of this act, shall not
5 exceed \$35,500,000. The general fund--state expenditure under this
6 section and sections 18, 21, and 22 of this act, cumulatively, shall
7 not exceed \$93,925,000.

8 (2) The purpose of this amendment is to clarify the intent of the
9 legislature that the appropriation for project No. (b) included moneys
10 for construction of Stage 1, including a diamond interchange at SR
11 520/SR 202. Such moneys are reappropriated for the project, W. Lake
12 Sammamish Parkway to SR 202, including the construction of the diamond
13 interchange at SR 520/SR 202. Such reappropriation shall be considered
14 to be effective as of the date of section 20, chapter 303, Laws of
15 1994. All expenditures made by the department from that date are
16 hereby ratified.

17 (3) If House Bill No. 2074 is enacted by June 30, 1995, this
18 section is null and void.

19 NEW SECTION. Sec. 534. It is the intent of the legislature that
20 the department of transportation may implement a voluntary retirement
21 incentive program that is cost neutral provided that such program is
22 approved by the director of financial management.

23 NEW SECTION. Sec. 535. GENERALLY ACCEPTED ACCOUNTING PRINCIPLES.
24 The appropriations of moneys and the designation of funds and accounts
25 by this and other acts of the 1995 legislature shall be construed in a
26 manner consistent with legislation enacted by the 1985, 1987, 1989,
27 1991, and 1993 legislatures to conform state funds and accounts with
28 generally accepted accounting principles.

29 NEW SECTION. Sec. 536. Sections 511 through 523 and 528 through
30 533 of this act expire June 30, 1997.

31 **Sec. 537. RCW 81.104.140 and 1992 c 101 s 25 are each amended to*
32 *read as follows:*

33 *(1) Agencies authorized to provide high capacity transportation*
34 *service, including transit agencies and regional transit authorities,*
35 *are hereby granted dedicated funding sources for such systems. These*

1 dedicated funding sources, as set forth in RCW 81.104.150, 81.104.160,
2 and 81.104.170, are authorized only for agencies located in (~~(a) each~~
3 ~~county with a population of two hundred ten thousand or more and (b)~~
4 ~~each county with a population of from one hundred twenty-five thousand~~
5 ~~to less than two hundred ten thousand except for those counties that do~~
6 ~~not border a county with a population as described under (a) of this~~
7 ~~subsection. In any county with a population of one million or more or~~
8 ~~in any county having a population of four hundred thousand or more~~
9 ~~bordering a county with a population of one million or more, these~~
10 ~~funding sources may be imposed only by a regional transit authority))~~
11 any county that has a population of one hundred seventy-five thousand
12 or more and has an interstate highway within its borders. A vote
13 within the boundaries of a regional transit authority to authorize
14 imposition of these dedicated funding sources may not occur prior to
15 February 1, 1996.

16 (2) Agencies planning to construct and operate a high capacity
17 transportation system should also seek other funds, including federal,
18 state, local, and private sector assistance.

19 (3) Funding sources should satisfy each of the following criteria
20 to the greatest extent possible:

- 21 (a) Acceptability;
- 22 (b) Ease of administration;
- 23 (c) Equity;
- 24 (d) Implementation feasibility;
- 25 (e) Revenue reliability; and
- 26 (f) Revenue yield.

27 (4) Agencies participating in regional high capacity transportation
28 system development are authorized to levy and collect the following
29 voter-approved local option funding sources:

- 30 (a) Employer tax as provided in RCW 81.104.150;
- 31 (b) Special motor vehicle excise tax as provided in RCW 81.104.160;
- 32 and
- 33 (c) Sales and use tax as provided in RCW 81.104.170.

34 Revenues from these taxes may be used only to support those
35 purposes prescribed in subsection (10) of this section. Before the
36 date of an election authorizing an agency to impose any of the taxes
37 enumerated in this section and authorized in RCW 81.104.150,
38 81.104.160, and 81.104.170, the agency must comply with the process
39 prescribed in RCW 81.104.100 (1) and (2) and 81.104.110. No

1 construction on exclusive right of way may occur before the
2 requirements of RCW 81.104.100(3) are met.

3 (5) Authorization in subsection (4) of this section shall not
4 adversely affect the funding authority of transit agencies not provided
5 for in this chapter. Local option funds may be used to support
6 implementation of interlocal agreements with respect to the
7 establishment of regional high capacity transportation service. Except
8 when a regional transit authority exists, local jurisdictions shall
9 retain control over moneys generated within their boundaries, although
10 funds may be commingled with those generated in other areas for
11 planning, construction, and operation of high capacity transportation
12 systems as set forth in the agreements.

13 (6) Agencies planning to construct and operate high capacity
14 transportation systems may contract with the state for collection and
15 transference of voter-approved local option revenue.

16 (7) Dedicated high capacity transportation funding sources
17 authorized in RCW 81.104.150, 81.104.160, and 81.104.170 shall be
18 subject to voter approval by a simple majority. A single ballot
19 proposition may seek approval for one or more of the authorized taxing
20 sources. (~~The ballot title shall reference the document identified in~~
21 ~~subsection (8) of this section.~~)

22 (8) (~~Agencies shall provide to the registered voters in the area~~
23 ~~a document describing the systems plan and the financing plan set forth~~
24 ~~in RCW 81.104.100. It shall also describe the relationship of the~~
25 ~~system to regional issues such as development density at station~~
26 ~~locations and activity centers, and the interrelationship of the system~~
27 ~~to adopted land use and transportation demand management goals within~~
28 ~~the region. This document shall be provided to the voters at least~~
29 ~~twenty days prior to the date of the election)) When making public
30 representations about revenues available to support a proposed project,
31 regional transit authorities shall not assume, nor imply the
32 availability of state funds unless those funds have been specifically
33 authorized. Any assumptions of federal funds shall be based on
34 authorizations in the current six-year transportation authorization
35 law.~~

36 (9) For any election in which voter approval is sought for a high
37 capacity transportation system plan and financing plan pursuant to RCW
38 81.104.040, a local voter's pamphlet shall be produced as provided in
39 chapter 29.81A RCW.

1 (10) *Agencies providing high capacity transportation service shall*
2 *retain responsibility for revenue encumbrance, disbursement, and*
3 *bonding. Funds may be used for any purpose relating to planning,*
4 *construction, and operation of high capacity transportation systems and*
5 *commuter rail systems, personal rapid transit, busways, bus sets, and*
6 *entrained and linked buses.*

7 *Sec. 537 was vetoed. See message at end of chapter.

8 **Sec. 538.** RCW 82.44.150 and 1994 c 241 s 1 are each amended to
9 read as follows:

10 (1) The director of licensing shall, on the twenty-fifth day of
11 February, May, August, and November of each year, advise the state
12 treasurer of the total amount of motor vehicle excise taxes imposed by
13 RCW 82.44.020 (1) and (2) remitted to the department during the
14 preceding calendar quarter ending on the last day of March, June,
15 September, and December, respectively, except for those payable under
16 RCW 82.44.030, from motor vehicle owners residing within each
17 municipality which has levied a tax under RCW 35.58.273, which amount
18 of excise taxes shall be determined by the director as follows:

19 The total amount of motor vehicle excise taxes remitted to the
20 department, except those payable under RCW 82.44.020(3) and 82.44.030,
21 from each county shall be multiplied by a fraction, the numerator of
22 which is the population of the municipality residing in such county,
23 and the denominator of which is the total population of the county in
24 which such municipality or portion thereof is located. The product of
25 this computation shall be the amount of excise taxes from motor vehicle
26 owners residing within such municipality or portion thereof. Where the
27 municipality levying a tax under RCW 35.58.273 is located in more than
28 one county, the above computation shall be made by county, and the
29 combined products shall provide the total amount of motor vehicle
30 excise taxes from motor vehicle owners residing in the municipality as
31 a whole. Population figures required for these computations shall be
32 supplied to the director by the office of financial management, who
33 shall adjust the fraction annually.

34 (2) On the first day of the months of January, April, July, and
35 October of each year, the state treasurer based upon information
36 provided by the department shall, from motor vehicle excise taxes
37 deposited in the general fund, under RCW 82.44.110(1)(g), make the
38 following deposits:

1 (a) To the high capacity transportation account created in RCW
2 47.78.010, a sum equal to four and five-tenths percent of the special
3 excise tax levied under RCW 35.58.273 by those municipalities
4 authorized to levy a special excise tax within ~~((i))~~ each county
5 ~~((with a population of two hundred ten thousand or more and (ii) each~~
6 ~~county with a population of from one hundred twenty five thousand to~~
7 ~~less than two hundred ten thousand except for those counties that do~~
8 ~~not border a county with a population as described in subsection (i) of~~
9 ~~this subsection))~~ that has a population of one hundred seventy-five
10 thousand or more and has an interstate highway within its borders;
11 except that in a case of a municipality located in a county that has a
12 population of one hundred seventy-five thousand or more that does not
13 have an interstate highway located within its borders, that sum shall
14 be deposited in the passenger ferry account;

15 (b) To the central Puget Sound public transportation account
16 created in RCW 82.44.180, for revenues distributed after December 31,
17 1992, within a county with a population of one million or more and a
18 county with a population of from two hundred thousand to less than one
19 million bordering a county with a population of one million or more, a
20 sum equal to the difference between (i) the special excise tax levied
21 and collected under RCW 35.58.273 by those municipalities authorized to
22 levy and collect a special excise tax subject to the requirements of
23 subsections (3) and (4) of this section and (ii) the special excise tax
24 that the municipality would otherwise have been eligible to levy and
25 collect at a tax rate of .815 percent and been able to match with
26 locally generated tax revenues, other than the excise tax imposed under
27 RCW 35.58.273, budgeted for any public transportation purpose. Before
28 this deposit, the sum shall be reduced by an amount equal to the amount
29 distributed under (a) of this subsection for each of the municipalities
30 within the counties to which this subsection (2)(b) applies; however,
31 any transfer under this subsection (2)(b) must be greater than zero;

32 (c) To the public transportation systems account created in RCW
33 82.44.180, for revenues distributed after December 31, 1992, within
34 counties not described in (b) of this subsection, a sum equal to the
35 difference between (i) the special excise tax levied and collected
36 under RCW 35.58.273 by those municipalities authorized to levy and
37 collect a special excise tax subject to the requirements of subsections
38 (3) and (4) of this section and (ii) the special excise tax that the
39 municipality would otherwise have been eligible to levy and collect at

1 a tax rate of .815 percent and been able to match with locally
2 generated tax revenues, other than the excise tax imposed under RCW
3 35.58.273, budgeted for any public transportation purpose. Before this
4 deposit, the sum shall be reduced by an amount equal to the amount
5 distributed under (a) of this subsection for each of the municipalities
6 within the counties to which this subsection (2)(c) applies; however,
7 any transfer under this subsection (2)(c) must be greater than zero;
8 and

9 (d) To the general fund, for revenues distributed after June 30,
10 1993, and to the transportation fund, for revenues distributed after
11 June 30, 1995, a sum equal to the difference between (i) the special
12 excise tax levied and collected under RCW 35.58.273 by those
13 municipalities authorized to levy and collect a special excise tax
14 subject to the requirements of subsections (3) and (4) of this section
15 and (ii) the special excise tax that the municipality would otherwise
16 have been eligible to levy and collect at a tax rate of .815 percent
17 notwithstanding the requirements set forth in subsections (3) through
18 (6) of this section, reduced by an amount equal to distributions made
19 under (a), (b), and (c) of this subsection and RCW 82.14.046.

20 (3) On the first day of the months of January, April, July, and
21 October of each year, the state treasurer, based upon information
22 provided by the department, shall remit motor vehicle excise tax
23 revenues imposed and collected under RCW 35.58.273 as follows:

24 (a) The amount required to be remitted by the state treasurer to
25 the treasurer of any municipality levying the tax shall not exceed in
26 any calendar year the amount of locally-generated tax revenues,
27 excluding (i) the excise tax imposed under RCW 35.58.273 for the
28 purposes of this section, which shall have been budgeted by the
29 municipality to be collected in such calendar year for any public
30 transportation purposes including but not limited to operating costs,
31 capital costs, and debt service on general obligation or revenue bonds
32 issued for these purposes; and (ii) the sales and use tax equalization
33 distributions provided under RCW 82.14.046; and

34 (b) In no event may the amount remitted in a single calendar
35 quarter exceed the amount collected on behalf of the municipality under
36 RCW 35.58.273 during the calendar quarter next preceding the
37 immediately preceding quarter, excluding the sales and use tax
38 equalization distributions provided under RCW 82.14.046.

1 (4) At the close of each calendar year accounting period, but not
2 later than April 1, each municipality that has received motor vehicle
3 excise taxes under subsection (3) of this section shall transmit to the
4 director of licensing and the state auditor a written report showing by
5 source the previous year's budgeted tax revenues for public
6 transportation purposes as compared to actual collections. Any
7 municipality that has not submitted the report by April 1 shall cease
8 to be eligible to receive motor vehicle excise taxes under subsection
9 (3) of this section until the report is received by the director of
10 licensing. If a municipality has received more or less money under
11 subsection (3) of this section for the period covered by the report
12 than it is entitled to receive by reason of its locally-generated
13 collected tax revenues, the director of licensing shall, during the
14 next ensuing quarter that the municipality is eligible to receive motor
15 vehicle excise tax funds, increase or decrease the amount to be
16 remitted in an amount equal to the difference between the locally-
17 generated budgeted tax revenues and the locally-generated collected tax
18 revenues. In no event may the amount remitted for a calendar year
19 exceed the amount collected on behalf of the municipality under RCW
20 35.58.273 during that same calendar year excluding the sales and use
21 tax equalization distributions provided under RCW 82.14.046. At the
22 time of the next fiscal audit of each municipality, the state auditor
23 shall verify the accuracy of the report submitted and notify the
24 director of licensing of any discrepancies.

25 (5) The motor vehicle excise taxes imposed under RCW 35.58.273 and
26 required to be remitted under this section and RCW 82.14.046 shall be
27 remitted without legislative appropriation.

28 (6) Any municipality levying and collecting a tax under RCW
29 35.58.273 which does not have an operating, public transit system or a
30 contract for public transportation services in effect within one year
31 from the initial effective date of the tax shall return to the state
32 treasurer all motor vehicle excise taxes received under subsection (3)
33 of this section.

34 ****NEW SECTION. Sec. 539. The following acts or parts of acts are***
35 ***each repealed:***

36 (1) *RCW 81.112.010 and 1992 c 101 s 1;*

37 (2) *RCW 81.112.020 and 1992 c 101 s 2;*

1 (3) RCW 81.112.030 and 1994 c 44 s 1, 1993 sp.s. c 23 s 62, & 1992
2 c 101 s 3;

3 (4) RCW 81.112.040 and 1994 c 109 s 1 & 1992 c 101 s 4;

4 (5) RCW 81.112.050 and 1992 c 101 s 5;

5 (6) RCW 81.112.060 and 1992 c 101 s 6;

6 (7) RCW 81.112.070 and 1992 c 101 s 7;

7 (8) RCW 81.112.080 and 1992 c 101 s 8;

8 (9) RCW 81.112.090 and 1992 c 101 s 9;

9 (10) RCW 81.112.100 and 1992 c 101 s 10;

10 (11) RCW 81.112.110 and 1992 c 101 s 11;

11 (12) RCW 81.112.120 and 1992 c 101 s 12;

12 (13) RCW 81.112.130 and 1992 c 101 s 13;

13 (14) RCW 81.112.140 and 1992 c 101 s 14;

14 (15) RCW 81.112.150 and 1992 c 101 s 15;

15 (16) RCW 81.112.160 and 1992 c 101 s 16;

16 (17) RCW 81.112.170 and 1992 c 101 s 17;

17 (18) RCW 81.112.900 and 1992 c 101 s 33;

18 (19) RCW 81.112.901 and 1992 c 101 s 34; and

19 (20) RCW 81.112.902 and 1992 c 101 s 35.

20 *Sec. 539 was vetoed. See message at end of chapter.

21 *Sec. 540. RCW 81.104.015 and 1992 c 101 s 19 are each amended to
22 read as follows:

23 Unless the context clearly requires otherwise, the definitions in
24 this section apply throughout this chapter.

25 (1) "High capacity transportation system" means a system of public
26 transportation services within an urbanized region operating
27 principally on exclusive rights of way, and the supporting services and
28 facilities necessary to implement such a system, including interim
29 express services and high occupancy vehicle lanes, which taken as a
30 whole, provides a substantially higher level of passenger capacity,
31 speed, and service frequency than traditional public transportation
32 systems operating principally in general purpose roadways.

33 (2) "Regional transit system" means a high capacity transportation
34 system under the jurisdiction of one or more transit agencies (~~except~~
35 ~~where a regional transit authority created under chapter 81.112 RCW~~
36 ~~exists, in which case "regional transit system" means the high capacity~~
37 ~~transportation system under the jurisdiction of a regional transit~~
38 ~~authority)).~~

1 (3) *"Transit agency" means city-owned transit systems, county*
2 *transportation authorities, metropolitan municipal corporations, and*
3 *public transportation benefit areas.*

4 **Sec. 540 was vetoed. See message at end of chapter.*

5 **Sec. 541.** RCW 81.104.030 and 1993 c 428 s 1 are each amended to
6 read as follows:

7 (1) In any county (~~with a population of from two hundred ten~~
8 ~~thousand to less than one million that is not bordered by a county with~~
9 ~~a population of one million or more, and in each county with a~~
10 ~~population of less than two hundred ten thousand)) that has a
11 population of one hundred seventy-five thousand or more and has an
12 interstate highway within its borders, except for any county having a
13 population of more than one million or a county that has a population
14 more than four hundred thousand and is adjacent to a county with a
15 population of more than one million, transit agencies may elect to
16 establish high capacity transportation service. Such agencies shall
17 form a regional policy committee with proportional representation based
18 upon population distribution within the designated service area and a
19 representative of the department of transportation, or such agencies
20 may use the designated metropolitan planning organization as the
21 regional policy committee.~~

22 Transit agencies participating in joint regional policy committees
23 shall seek voter approval within their own service boundaries of a high
24 capacity transportation system plan and financing plan. For transit
25 agencies in counties adjoining state or international boundaries where
26 the high capacity transportation system plan and financing plan propose
27 a bi-state or international high capacity transportation system, such
28 voter approval shall be required from only those voters residing within
29 the service area in the state of Washington.

30 (2) Transit agencies in counties adjoining state or international
31 boundaries are authorized to participate in the regional high capacity
32 transportation programs of an adjoining state or Canadian province.

33 ***Sec. 542.** RCW 81.104.040 and 1992 c 101 s 21 are each amended to
34 read as follows:

35 *Transit agencies in each county with a population of one million or*
36 *more, and in each county with a population of from ((two)) four hundred*
37 *((ten)) thousand to less than one million bordering a county with a*

1 population of one million or more (~~((that are authorized on January 1,~~
2 ~~1991, to provide high capacity transportation planning and operating~~
3 ~~services must))~~ may establish through interlocal agreements a (~~((joint~~
4 ~~regional policy committee with proportional representation based upon~~
5 ~~the population distribution within each agency's designated service~~
6 ~~area, as determined by the parties to the agreement.~~

7 ~~(1) The membership of the joint regional policy committee shall~~
8 ~~consist of locally elected officials who serve on the legislative~~
9 ~~authority of the existing transit systems and a representative from the~~
10 ~~department of transportation. Nonvoting membership for elected~~
11 ~~officials from adjoining counties may be allowed at the committee's~~
12 ~~discretion.~~

13 ~~(2) The joint regional policy committee shall be responsible for~~
14 ~~the preparation and adoption of))~~ process to jointly prepare a regional
15 high capacity transportation implementation program, which shall
16 include the system plan, project plans, and a financing plan. This
17 program shall be in conformance with the regional transportation
18 planning organization's regional transportation plan and consistent
19 with RCW 81.104.080.

20 ~~((3) The joint regional policy committee shall present an adopted~~
21 ~~high capacity transportation system plan and financing plan to the~~
22 ~~boards of directors of the transit agencies within the service area or~~
23 ~~to the regional transit authority, if such authority has been formed.~~
24 ~~The authority shall proceed as prescribed in RCW 81.112.030)).~~

25 Transit agencies are encouraged to utilize this process and the
26 process in RCW 81.104.170 in order to better coordinate high-capacity
27 transit services and to provide for more effective utilization of
28 transportation resources.

29 *Sec. 542 was vetoed. See message at end of chapter.

30 *Sec. 543. RCW 81.104.050 and 1992 c 101 s 22 are each amended to
31 read as follows:

32 Regional high capacity transportation service may be expanded
33 beyond the established district boundaries through interlocal
34 agreements among the transit agencies ((and any regional transit
35 authorities in existence)).

36 *Sec. 543 was vetoed. See message at end of chapter.

37 *Sec. 544. RCW 81.104.120 and 1993 c 428 s 2 are each amended to
38 read as follows:

1 (1) Transit agencies (~~and regional transit authorities~~) may
2 operate or contract for commuter rail service where it is deemed to be
3 a reasonable alternative transit mode. A reasonable alternative is one
4 whose (~~passenger~~) costs per passenger mile, including costs of
5 trackage, equipment, maintenance, operations, and administration are
6 equal to or less than comparable bus, entrained bus, trolley, or
7 personal rapid transit systems.

8 (2) A county may use funds collected under RCW 81.100.030 or
9 81.100.060 to contract with one or more transit agencies (~~or regional~~
10 ~~transit authorities~~) for planning, operation, and maintenance of
11 commuter rail projects which: (a) Are consistent with the regional
12 transportation plan; (b) have met the project planning and oversight
13 requirements of RCW 81.104.100 and 81.104.110; and (c) have been
14 approved by the voters within the service area of each transit agency
15 (~~or regional transit authority~~) participating in the project. For
16 transit agencies in counties adjoining state or international
17 boundaries where the high capacity transportation system plan and
18 financing plan propose a bi-state or international high capacity
19 transportation system, such voter approval shall be required from only
20 those voters residing within the service area in the state of
21 Washington. The phrase "approved by the voters" includes specific
22 funding authorization for the commuter rail project.

23 (3) The utilities and transportation commission shall maintain
24 safety responsibility for passenger rail service operating on freight
25 rail lines. Agencies providing passenger rail service on lines other
26 than freight rail lines shall maintain safety responsibility for that
27 service.

28 *Sec. 544 was vetoed. See message at end of chapter.

29 *Sec. 545. RCW 81.104.140 and 1992 c 101 s 25 are each amended to
30 read as follows:

31 (1) Transit agencies authorized to provide high capacity
32 transportation service(~~, including transit agencies and regional~~
33 ~~transit authorities,~~) are hereby granted dedicated funding sources for
34 such systems. These dedicated funding sources, as set forth in RCW
35 81.104.150, 81.104.160, and 81.104.170, are authorized only for
36 agencies located in (~~(a) each county with a population of two hundred~~
37 ~~ten thousand or more and (b) each county with a population of from one~~
38 ~~hundred twenty-five thousand to less than two hundred ten thousand~~

1 ~~except for those counties that do not border a county with a population~~
2 ~~as described under (a) of this subsection. In any county with a~~
3 ~~population of one million or more or in any county having a population~~
4 ~~of four hundred thousand or more bordering a county with a population~~
5 ~~of one million or more, these funding sources may be imposed only by a~~
6 ~~regional transit authority)) any county that has a population of one~~
7 ~~hundred seventy-five thousand or more and has an interstate highway~~
8 ~~within its borders.~~

9 (2) Agencies planning to construct and operate a high capacity
10 transportation system should also seek other funds, including federal,
11 state, local, and private sector assistance.

12 (3) Funding sources should satisfy each of the following criteria
13 to the greatest extent possible:

- 14 (a) Acceptability;
- 15 (b) Ease of administration;
- 16 (c) Equity;
- 17 (d) Implementation feasibility;
- 18 (e) Revenue reliability; and
- 19 (f) Revenue yield.

20 (4) Agencies participating in regional high capacity transportation
21 system development are authorized to levy and collect the following
22 voter-approved local option funding sources:

- 23 (a) Employer tax as provided in RCW 81.104.150;
- 24 (b) Special motor vehicle excise tax as provided in RCW 81.104.160;
- 25 and
- 26 (c) Sales and use tax as provided in RCW 81.104.170.

27 Revenues from these taxes may be used only to support those
28 purposes prescribed in subsection (10) of this section. Before the
29 date of an election authorizing an agency to impose any of the taxes
30 enumerated in this section and authorized in RCW 81.104.150,
31 81.104.160, and 81.104.170, the agency must comply with the process
32 prescribed in RCW 81.104.100 (1) and (2) and 81.104.110. No
33 construction on exclusive right of way may occur before the
34 requirements of RCW 81.104.100(3) are met.

35 (5) Authorization in subsection (4) of this section shall not
36 adversely affect the funding authority of transit agencies not provided
37 for in this chapter. Local option funds may be used to support
38 implementation of interlocal agreements with respect to the
39 establishment of regional high capacity transportation service.

1 ~~((Except when a regional transit authority exists,))~~ Local
2 jurisdictions shall retain control over moneys generated within their
3 boundaries, although funds may be commingled with those generated in
4 other areas for planning, construction, and operation of high capacity
5 transportation systems as set forth in the agreements.

6 (6) Agencies planning to construct and operate high capacity
7 transportation systems may contract with the state for collection and
8 transference of voter-approved local option revenue.

9 (7) Dedicated high capacity transportation funding sources
10 authorized in RCW 81.104.150, 81.104.160, and 81.104.170 shall be
11 subject to voter approval by a simple majority. A single ballot
12 proposition may seek approval for one or more of the authorized taxing
13 sources. ~~((The ballot title shall reference the document identified in
14 subsection (8) of this section.))~~

15 (8) ~~((Agencies shall provide to the registered voters in the area
16 a document describing the systems plan and the financing plan set forth
17 in RCW 81.104.100. It shall also describe the relationship of the
18 system to regional issues such as development density at station
19 locations and activity centers, and the interrelationship of the system
20 to adopted land use and transportation demand management goals within
21 the region. This document shall be provided to the voters at least
22 twenty days prior to the date of the election))~~ When making public
23 representations about revenues available to support a proposed project
24 transit agencies, shall not assume, nor imply the availability of state
25 funds unless those funds have been specifically authorized. Any
26 assumptions of federal funds shall be based on authorizations in the
27 current six-year transportation authorization law.

28 (9) For any election in which voter approval is sought for a high
29 capacity transportation system plan and financing plan pursuant to RCW
30 81.104.040, a local voter's pamphlet shall be produced as provided in
31 chapter 29.81A RCW.

32 (10) Agencies providing high capacity transportation service shall
33 retain responsibility for revenue encumbrance, disbursement, and
34 bonding. Funds may be used for any purpose relating to planning,
35 construction, and operation of high capacity transportation systems and
36 commuter rail systems, personal rapid transit, busways, bus sets, and
37 entrained and linked buses.

38 *Sec. 545 was vetoed. See message at end of chapter.

1 *Sec. 546. RCW 81.104.150 and 1992 c 101 s 26 are each amended to
2 read as follows:

3 Cities that operate transit systems, county transportation
4 authorities, metropolitan municipal corporations, and public
5 transportation benefit areas(~~(, and regional transit authorities)~~) may
6 submit an authorizing proposition to the voters and if approved may
7 impose an excise tax of up to two dollars per month per employee on all
8 employers located within the agency's jurisdiction, measured by the
9 number of full-time equivalent employees, solely for the purpose of
10 providing high capacity transportation service. The rate of tax shall
11 be approved by the voters. This tax may not be imposed by(~~(:—(1))~~) a
12 transit agency when the county within which it is located is imposing
13 an excise tax pursuant to RCW 81.100.030(~~(: or (2) a regional transit~~
14 ~~authority when any county within the authority's boundaries is imposing~~
15 ~~an excise tax pursuant to RCW 81.100.030)~~). The agency imposing the
16 tax authorized in this section may provide for exemptions from the tax
17 to such educational, cultural, health, charitable, or religious
18 organizations as it deems appropriate.

19 *Sec. 546 was vetoed. See message at end of chapter.

20 *Sec. 547. RCW 81.104.160 and 1992 c 194 s 13 and 1992 c 101 s 27
21 are each reenacted and amended to read as follows:

22 (1) Cities that operate transit systems, county transportation
23 authorities, metropolitan municipal corporations, and public
24 transportation benefit areas(~~(, and regional transit authorities)~~) may
25 submit an authorizing proposition to the voters, and if approved, may
26 levy and collect an excise tax, at a rate approved by the voters, but
27 not exceeding eighty one-hundredths of one percent on the value, under
28 chapter 82.44 RCW, of every motor vehicle owned by a resident of the
29 taxing district, solely for the purpose of providing high capacity
30 transportation service. In any county imposing a motor vehicle excise
31 tax surcharge pursuant to RCW 81.100.060, the maximum tax rate under
32 this section shall be reduced to a rate equal to eighty one-hundredths
33 of one percent on the value less the equivalent motor vehicle excise
34 tax rate of the surcharge imposed pursuant to RCW 81.100.060. This
35 rate shall not apply to vehicles licensed under RCW 46.16.070 except
36 vehicles with an unladen weight of six thousand pounds or less, RCW
37 46.16.079, (~~(46.16.080,)~~) 46.16.085, or 46.16.090.

1 (2) An agency imposing a tax under subsection (1) of this section
2 may also impose a sales and use tax solely for the purpose of providing
3 high capacity transportation service, in addition to the tax authorized
4 by RCW 82.14.030, upon retail car rentals within the agency's
5 jurisdiction that are taxable by the state under chapters 82.08 and
6 82.12 RCW. The rate of tax shall bear the same ratio to the rate
7 imposed under RCW 82.08.020(2) as the excise tax rate imposed under
8 subsection (1) of this section bears to the excise tax rate imposed
9 under RCW 82.44.020 (1) and (2). The base of the tax shall be the
10 selling price in the case of a sales tax or the rental value of the
11 vehicle used in the case of a use tax. The revenue collected under
12 this subsection shall be used in the same manner as excise taxes under
13 subsection (1) of this section.

14 *Sec. 547 was vetoed. See message at end of chapter.

15 *Sec. 548. RCW 81.104.170 and 1992 c 101 s 28 are each amended to
16 read as follows:

17 Cities that operate transit systems, county transportation
18 authorities, metropolitan municipal corporations, and public
19 transportation benefit areas(~~(, and regional transit authorities)~~) may
20 submit an authorizing proposition to the voters and if approved by a
21 majority of persons voting, fix and impose a sales and use tax in
22 accordance with the terms of this chapter, solely for the purpose of
23 providing high capacity transportation service.

24 The tax authorized pursuant to this section shall be in addition to
25 the tax authorized by RCW 82.14.030 and shall be collected from those
26 persons who are taxable by the state pursuant to chapters 82.08 and
27 82.12 RCW upon the occurrence of any taxable event within the taxing
28 district. The maximum rate of such tax shall be approved by the voters
29 and shall not exceed one percent of the selling price (in the case of
30 a sales tax) or value of the article used (in the case of a use tax).
31 The maximum rate of such tax that may be imposed shall not exceed
32 nine-tenths of one percent in any county that imposes a tax under RCW
33 82.14.340(~~(, or within a regional transit authority if any county
34 within the authority imposes a tax under RCW 82.14.340)~~)).

35 *Sec. 548 was vetoed. See message at end of chapter.

36 *Sec. 549. RCW 81.104.180 and 1992 c 101 s 29 are each amended to
37 read as follows:

1 Cities that operate transit systems, county transportation
2 authorities, metropolitan municipal corporations, and public
3 transportation benefit areas(~~(, and regional transit authorities)~~) are
4 authorized to pledge revenues from the employer tax authorized by RCW
5 81.104.150, the special motor vehicle excise tax authorized by RCW
6 81.104.160, and the sales and use tax authorized by RCW 81.104.170, to
7 retire bonds issued solely for the purpose of providing high capacity
8 transportation service.

9 *Sec. 549 was vetoed. See message at end of chapter.

10 *Sec. 550. RCW 81.104.190 and 1992 c 101 s 30 are each amended to
11 read as follows:

12 Cities that operate transit systems, county transportation
13 authorities, metropolitan municipal corporations, and public
14 transportation benefit areas(~~(, and regional transit systems)~~) may
15 contract with the state department of revenue or other appropriate
16 entities for administration and collection of any tax authorized by RCW
17 81.104.150, 81.104.160, and 81.104.170.

18 *Sec. 550 was vetoed. See message at end of chapter.

19 *Sec. 551. RCW 35.58.2795 and 1994 c 158 s 6 are each amended to
20 read as follows:

21 By April 1st of each year, the legislative authority of each
22 municipality, as defined in RCW 35.58.272, (~~(and each regional transit~~
23 ~~authority)~~) shall prepare a six-year transit development plan for that
24 calendar year and the ensuing five years. The program shall be
25 consistent with the comprehensive plans adopted by counties, cities,
26 and towns, pursuant to chapter 35.63, 35A.63, or 36.70 RCW, the
27 inherent authority of a first class city or charter county derived from
28 its charter, or chapter 36.70A RCW. The program shall contain
29 information as to how the municipality intends to meet state and local
30 long-range priorities for public transportation, capital improvements,
31 significant operating changes planned for the system, and how the
32 municipality intends to fund program needs. The six-year plan for each
33 municipality (~~(and regional transit authority)~~) shall specifically set
34 forth those projects of regional significance for inclusion in the
35 transportation improvement program within that region. Each
36 municipality (~~(and regional transit authority)~~) shall file the six-year
37 program with the state department of transportation, the transportation

1 *improvement board, and cities, counties, and regional planning councils*
2 *within which the municipality is located.*

3 *In developing its program, the municipality (~~and the regional~~*
4 *~~transit authority~~)) shall consider those policy recommendations*
5 *affecting public transportation contained in the state transportation*
6 *policy plan approved by the state transportation commission and, where*
7 *appropriate, adopted by the legislature. The municipality shall*
8 *conduct one or more public hearings while developing its program and*
9 *for each annual update.*

10 **Sec. 551 was vetoed. See message at end of chapter.*

11 **Sec. 552. RCW 47.26.121 and 1995 c 269 s 2603 are each amended to*
12 *read as follows:*

13 *(1) There is hereby created a transportation improvement board of*
14 *twenty-one members, six of whom shall be county members and six of whom*
15 *shall be city members. The remaining members shall be: (a) One*
16 *representative appointed by the governor who shall be a state employee*
17 *with responsibility for transportation policy, planning, or funding;*
18 *(b) two representatives from the department of transportation; (c) two*
19 *representatives of public transit systems; (d) a private sector*
20 *representative; (e) a member representing the ports; (f) a member*
21 *representing nonmotorized transportation; and (g) a member representing*
22 *special needs transportation.*

23 *(2) Of the county members of the board, one shall be a county*
24 *engineer or public works director; one shall be the executive director*
25 *of the county road administration board; one shall be a county planning*
26 *director or planning manager; one shall be a county executive,*
27 *councilmember, or commissioner from a county with a population of one*
28 *hundred twenty-five thousand or more; one shall be a county executive,*
29 *councilmember, or commissioner of a county who serves on the board of*
30 *a public transit system; and one shall be a county executive,*
31 *councilmember, or commissioner from a county with a population of less*
32 *than one hundred twenty-five thousand. All county members of the*
33 *board, except the executive director of the county road administration*
34 *board, shall be appointed. Not more than one county member of the*
35 *board shall be from any one county. No more than two of the three*
36 *county-elected officials may represent counties located in either the*
37 *eastern or western part of the state as divided north and south by the*
38 *summit of the Cascade mountains.*

1 (3) Of the city members of the board one shall be a chief city
2 engineer, public works director, or other city employee with
3 responsibility for public works activities, of a city with a population
4 of twenty thousand or more; one shall be a chief city engineer, public
5 works director, or other city employee with responsibility for public
6 works activities, of a city of less than twenty thousand population;
7 one shall be a city planning director or planning manager; one shall be
8 a mayor, commissioner, or city councilmember of a city with a
9 population of twenty thousand or more; one shall be a mayor,
10 commissioner, or city councilmember of a city who serves on the board
11 of a public transit system; and one shall be a mayor, commissioner, or
12 councilmember of a city of less than twenty thousand population. All
13 of the city members shall be appointed. Not more than one city member
14 of the board shall be from any one city. No more than two of the three
15 city-elected officials may represent cities located in either the
16 eastern or western part of the state as divided north and south by the
17 summit of the Cascade mountains.

18 (4) Of the transit members, at least one shall be a general
19 manager, executive director, or transit director of a public transit
20 system in an urban area with a population over two hundred thousand and
21 at least one representative from a rural or small urban transit system
22 in an area with a population less than two hundred thousand.

23 (5) The private sector member shall be a citizen with business,
24 management, and transportation related experience and shall be active
25 in a business community-based transportation organization.

26 (6) The public member shall have professional experience in
27 transportation or land use planning, a demonstrated interest in
28 transportation issues, and involvement with community groups or grass
29 roots organizations.

30 (7) The port member shall be a commissioner or senior staff person
31 of a public port.

32 (8) The nonmotorized transportation member shall be a citizen with
33 a demonstrated interest and involvement with a nonmotorized
34 transportation group.

35 (9) The specialized transportation member shall be a citizen with
36 a demonstrated interest and involvement with a state-wide specialized
37 needs transportation group.

38 (10) Appointments of county, city, Washington department of
39 transportation, transit, port, nonmotorized transportation, special

1 needs transportation, private sector, and public representatives shall
2 be made by the secretary of the department of transportation.
3 Appointees shall be chosen from a list of two persons for each position
4 nominated by the Washington state association of counties for county
5 members, the association of Washington cities for city members, the
6 Washington state transit association for the transit members, and the
7 Washington public ports association for the port member. The private
8 sector, public, nonmotorized transportation, and special needs members
9 shall be sought through classified advertisements in selected
10 newspapers collectively serving all urban areas of the state, and other
11 appropriate means. Persons applying for the private sector,
12 nonmotorized transportation, special needs transportation, or the
13 public member position must provide a letter of interest and a resume
14 to the secretary of the department of transportation. In the case of
15 a vacancy, the appointment shall be only for the remainder of the
16 unexpired term in which the vacancy has occurred. A vacancy shall be
17 deemed to have occurred on the board when any member elected to public
18 office completes that term of office or is removed therefrom for any
19 reason or when any member employed by a political subdivision
20 terminates such employment for whatsoever reason or when a private
21 sector, nonmotorized transportation, special needs transportation, or
22 public member resigns or is unable or unwilling to serve.

23 (11) Appointments shall be for terms of four years. Terms of all
24 appointed members shall expire on June 30th of even-numbered years.
25 The initial term of appointed members may be for less than four years.
26 No appointed member may serve more than two consecutive four-year
27 terms.

28 (12) The board shall elect a chair from among its members for a
29 two-year term.

30 (13) Expenses of the board shall be paid in accordance with RCW
31 47.26.140.

32 (14) For purposes of this section, "public transit system" means a
33 city-owned transit system, county transportation authority,
34 metropolitan municipal corporation, or public transportation benefit
35 area(~~(, or regional transit authority)~~).

36 *Sec. 552 was vetoed. See message at end of chapter.

37 *Sec. 553. RCW 47.80.060 and 1992 c 101 s 31 are each amended to
38 read as follows:

1 In order to qualify for state planning funds available to regional
2 transportation planning organizations, the regional transportation
3 planning organizations containing any county with a population in
4 excess of one million shall provide voting membership on its executive
5 board to the state transportation commission, the state department of
6 transportation, and the three largest public port districts within the
7 region as determined by gross operating revenues. It shall further
8 assure that at least fifty percent of the county and city local elected
9 officials who serve on the executive board also serve on transit agency
10 boards (~~(or on a regional transit authority)~~).

11 *Sec. 553 was vetoed. See message at end of chapter.

12 *NEW SECTION. Sec. 554. (1) Every regional transit authority
13 created under chapter 81.112 RCW is hereby abolished.

14 (2)(a) All reports, documents, surveys, books, records, files,
15 papers, or written material in the possession of any regional transit
16 authority created under chapter 81.112 RCW shall be delivered to the
17 custody of the transit agencies within the boundaries of the regional
18 transit authority. All cabinets, furniture, office equipment, motor
19 vehicles, and other tangible property employed by any regional transit
20 authority created under chapter 81.112 RCW shall be made available to
21 the transit agencies within the boundaries of the regional transit
22 authority. All funds, credits, or other assets held by any regional
23 transit authority created under chapter 81.112 RCW shall be assigned to
24 the transit agencies within the boundaries of the regional transit
25 authority.

26 (b) Any appropriations or grants made to any regional transit
27 authority created under chapter 81.112 RCW and any funds in the custody
28 of any regional transit authority created under chapter 81.112 RCW
29 shall, on the effective date of this section, be transferred and
30 credited to the transit agencies within the boundaries of the regional
31 transit authority.

32 (c) If any question or dispute arises as to the transfer of any
33 personnel, funds, books, documents, records, papers, files, equipment,
34 or other tangible property used or held in the exercise of the powers
35 and the performance of the duties and functions transferred, the
36 director of financial management shall make a determination as to the
37 proper allocation and certify the same to the state agencies concerned.

1 (3) All rules and all pending business before any regional transit
2 authority created under chapter 81.112 RCW shall be continued and acted
3 upon by the transit agencies within the boundaries of the regional
4 transit authority. All existing contracts and obligations shall remain
5 in full force and shall be performed by the transit agencies within the
6 boundaries of the regional transit authority.

7 (4) The transfer of the duties, functions, and personnel of any
8 regional transit authority created under chapter 81.112 RCW shall not
9 affect the validity of any act performed before the effective date of
10 this section.

11 (5) If apportionments of budgeted funds are required because of the
12 transfers directed by this section, the director of financial
13 management shall certify the apportionments to the agencies affected,
14 the state auditor, and the state treasurer. Each of these shall make
15 the appropriate transfer and adjustments in funds and appropriation
16 accounts and equipment records in accordance with the certification.

17 (6) Nothing contained in this section may be construed to alter any
18 existing collective bargaining unit or the provisions of any existing
19 collective bargaining agreement until the agreement has expired or
20 until the bargaining unit has been modified by action of the personnel
21 board as provided by law.

22 (7) The transit agencies within the boundaries of the regional
23 transit authority shall apportion equitably among themselves any assets
24 or liabilities remaining after the regional transit authority is
25 abolished.

26 *Sec. 554 was vetoed. See message at end of chapter.

27 *NEW SECTION. Sec. 555. A new section is added to chapter 81.104
28 RCW to read as follows:

29 Transit agencies entering into local agreements under RCW
30 81.104.040 shall include, as part of their process to prepare a high
31 capacity transportation program, a comprehensive treatment of mobility
32 in the entire region which their program addresses. It shall consider
33 existing and future technological alternatives under development
34 demonstrating the capacity for addressing regional transportation
35 problems into the twenty-first century.

36 The evaluation shall address trips throughout the region including
37 city-to-city, city-to-suburb, and suburb-to-suburb, considering steps
38 necessary to reduce congestion, especially addressing peak period

1 traffic. The program shall be destination oriented, addressing not
2 only the service needs of urban areas but those of less populated areas
3 throughout the region. It shall include necessary freeway expansion,
4 including the use of special purpose lanes to expedite commerce and for
5 other purposes. It shall also consider programs developed for certain
6 areas such as fare-free programs, and tax incentives for business and
7 individuals designed to reduce trips, in order to reduce traffic
8 congestion and to ensure mobility.

9 The process shall include input from cities and counties, public
10 ports, large employers in the area, the department of transportation,
11 and the legislature.

12 *Sec. 555 was vetoed. See message at end of chapter.

13 *NEW SECTION. Sec. 556. Section 537, chapter . . . , Laws of 1995
14 1st sp. sess. (this act) shall expire on May 31, 1996.

15 *Sec. 556 was vetoed. See message at end of chapter.

16 *Sec. 557. RCW 81.112.030 and 1994 c 44 s 1 are each amended to
17 read as follows:

18 Two or more contiguous counties each having a population of four
19 hundred thousand persons or more may establish a regional transit
20 authority to develop and operate a high capacity transportation system
21 as defined in chapter 81.104 RCW.

22 The authority shall be formed in the following manner:

23 (1) The joint regional policy committee created pursuant to RCW
24 81.104.040 shall adopt a system and financing plan, including the
25 definition of the service area. This action shall be completed by
26 September 1, 1992, contingent upon satisfactory completion of the
27 planning process defined in RCW 81.104.100. The final system plan
28 shall be adopted no later than June 30, 1993. In addition to the
29 requirements of RCW 81.104.100, the plan for the proposed system shall
30 provide explicitly for a minimum portion of new tax revenues to be
31 allocated to local transit agencies for interim express services. Upon
32 adoption the joint regional policy committee shall immediately transmit
33 the plan to the county legislative authorities within the adopted
34 service area.

35 (2) The legislative authorities of the counties within the service
36 area shall decide by resolution whether to participate in the
37 authority. This action shall be completed within forty-five days

1 following receipt of the adopted plan or by August 13, 1993, whichever
2 comes first.

3 (3) Each county that chooses to participate in the authority shall
4 appoint its board members as set forth in RCW 81.112.040 and shall
5 submit its list of members to the secretary of the Washington state
6 department of transportation. These actions must be completed within
7 thirty days following each county's decision to participate in the
8 authority.

9 (4) The secretary shall call the first meeting of the authority, to
10 be held within thirty days following receipt of the appointments. At
11 its first meeting, the authority shall elect officers and provide for
12 the adoption of rules and other operating procedures.

13 (5) The authority is formally constituted at its first meeting and
14 the board shall begin taking steps toward implementation of the system
15 and financing plan adopted by the joint regional policy committee. If
16 the joint regional policy committee fails to adopt a plan by June 30,
17 1993, the authority shall proceed to do so based on the work completed
18 by that date by the joint regional policy committee. Upon formation of
19 the authority, the joint regional policy committee shall cease to
20 exist. The authority may make minor modifications to the plan as
21 deemed necessary and shall at a minimum review local transit agencies'
22 plans to ensure feeder service/high capacity transit service
23 integration, ensure fare integration, and ensure avoidance of parallel
24 competitive services. The authority shall also conduct a minimum
25 thirty-day public comment period.

26 (6) If the authority determines that major modifications to the
27 plan are necessary before the initial ballot proposition is submitted
28 to the voters, the authority may make those modifications with a
29 favorable vote of two-thirds of the entire membership. Any such
30 modification shall be subject to the review process set forth in RCW
31 81.104.110. The modified plan shall be transmitted to the legislative
32 authorities of the participating counties. The legislative authorities
33 shall have forty-five days following receipt to act by motion or
34 ordinance to confirm or rescind their continued participation in the
35 authority.

36 (7) If any county opts to not participate in the authority, but two
37 or more contiguous counties do choose to continue to participate, the
38 authority's board shall be revised accordingly. The authority shall,
39 within forty-five days, redefine the system and financing plan to

1 reflect elimination of one or more counties, and submit the redefined
2 plan to the legislative authorities of the remaining counties for their
3 decision as to whether to continue to participate. This action shall
4 be completed within forty-five days following receipt of the redefined
5 plan.

6 (8) The authority shall place on the ballot within two years of the
7 authority's formation, a single ballot proposition to authorize the
8 imposition of taxes to support the implementation of an appropriate
9 phase of the plan within its service area. In addition to the system
10 plan requirements contained in RCW 81.104.100(2)(d), the system plan
11 approved by the authority's board before the submittal of a proposition
12 to the voters shall identify the system, and an estimate of the cost of
13 that system, of which the phase is a component and also contain an
14 equity element which:

15 (a) Identifies revenues anticipated to be generated by corridor and
16 by county within the authority's boundaries;

17 (b) Identifies the phasing of construction and operation of high
18 capacity system facilities, services, and benefits in each corridor.
19 Phasing decisions should give priority to jurisdictions which have
20 adopted transit-supportive land use plans; and

21 (c) Identifies the degree to which revenues generated within each
22 county will benefit the residents of that county, and identifies when
23 such benefits will accrue.

24 A simple majority of those voting within the boundaries of the
25 authority is required for approval. If the vote is affirmative, the
26 authority shall begin implementation of the projects identified in the
27 proposition. However, the authority may not submit any authorizing
28 proposition for voter-approved taxes prior to July 1, 1993, nor a
29 second proposition prior to February 1, 1996; nor may the authority
30 issue bonds or form any local improvement district prior to (~~July 1,~~
31 ~~1993)) February 1, 1996.~~

32 (9) If the vote on a proposition fails, the board may redefine the
33 proposition, make changes to the authority boundaries, and make
34 corresponding changes to the composition of the board. If the
35 composition of the board is changed, the participating counties shall
36 revise the membership of the board accordingly. The board may then
37 submit the revised proposition or a different proposition to the
38 voters. No single proposition may be submitted to the voters more than

1 *twice. The authority may place additional propositions on the ballot*
2 *to impose taxes to support additional phases of plan implementation.*

3 *If the authority is unable to achieve a positive vote on a*
4 *proposition within two years from the date of the first election on a*
5 *proposition, the board may, by resolution, reconstitute the authority*
6 *as a single-county body. With a two-thirds vote of the entire*
7 *membership of the voting members, the board may also dissolve the*
8 *authority.*

9 **Sec. 557 was vetoed. See message at end of chapter.*

10 NEW SECTION. **Sec. 558.** A new section is added to chapter 47.60
11 RCW to read as follows:

12 There is hereby established in the transportation fund the
13 passenger ferry account. Money in the account shall be used for
14 capital improvements for passenger ferry projects including, but not
15 limited to, pedestrian and transit facilities at ferry terminals and
16 passenger-only ferry vessels. Moneys in the account shall be expended
17 with legislative appropriation.

18 *NEW SECTION. **Sec. 559.** *Sections 539 through 556 of this act*
19 *shall take effect the earlier of: (1) May 31, 1996, unless a high*
20 *capacity transportation system plan, with funding, as authorized under*
21 *RCW 81.104.140 is approved by a majority of the voters within the*
22 *boundaries of a regional transit authority, authorized under chapter*
23 *81.112 RCW, by May 31, 1996, then sections 539 through 556 of this act*
24 *shall not take effect; or (2) the last day of the month following the*
25 *month in which a high capacity transportation system plan, with*
26 *funding, as authorized under RCW 81.104.140 is rejected by a majority*
27 *of the voters within the boundaries of a regional transit authority,*
28 *authorized under chapter 81.112 RCW, after January 31, 1996.*

29 **Sec. 559 was vetoed. See message at end of chapter.*

30 *NEW SECTION. **Sec. 560.** *Sections 537 through 558 of this act*
31 *expire June 30, 1997.*

32 **Sec. 560 was vetoed. See message at end of chapter.*

33 NEW SECTION. **Sec. 561.** If any provision of this act or its
34 application to any person or circumstance is held invalid, the
35 remainder of the act or the application of the provision to other
36 persons or circumstances is not affected.

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Passed the House May 25, 1995.

Passed the Senate May 25, 1995.

Approved by the Governor June 16, 1995, with the exception of certain items which were vetoed.

Filed in Office of Secretary of State June 15, 1995.

1 Note: Governor's explanation of partial veto is as follows:

2 "I am returning herewith, without my approval as to sections 2(2);
3 105(2); 106 (lines 3-10); 107 (lines 14-18); 207(1); 207(2); 207(3);
4 207(4); 208(4); 217 (lines 26-27); 217 (lines 32-33); 217(17); 228(2);
5 228(4); 305; 504; 529; 531; 532; 537; 539; 540; 542-557; 559 and 560,
6 Second Engrossed Substitute House Bill No. 2080 entitled:

7 "AN ACT Relating to transportation funding and appropriations;"

8 The provisions of Second Engrossed Substitute House Bill No. 2080
9 not meeting my approval are addressed as follows:

10 **Section 2(2), page 2, Transportation Appropriations**

11 This proviso states that legislation with a fiscal impact enacted
12 in the 1995 session that is not assumed in this bill is not funded in
13 the transportation budget. The language is ambiguous and I am
14 concerned that this administrative restriction sets a bad precedent.
15 Several bills could meet this criterion, including Substitute Senate
16 Bill 5119, Cost-Of-Living Allowances For Retirement Purposes. Failure
17 to veto this proviso could disrupt pension systems that are funded by
18 the transportation agencies included in this budget bill.

19 **Section 105(2), page 4, Task Force on Office of Marine Safety**

1 This language requires the Legislative Transportation Committee to
2 convene a task force to study the cost savings associated with the
3 transfer of the Office of Marine Safety into the Department of Ecology,
4 examine any funding shortfalls in the Oil Spill Administration Account,
5 and evaluate ongoing oil spill planning and prevention needs. Because
6 the legislature may conduct studies at any time without such specific
7 direction, I am vetoing this subsection. However, I recognize that
8 there is a significant problem with the revenues for the Oil Spill
9 Administration Account.

10 Therefore, I am directing the Office of Financial Management, the
11 Department of Revenue and the Department of Ecology to coordinate a
12 study on oil spill funding, including the issue of the tax credits and
13 whether current distribution of the nickel-per-barrel tax that funds
14 the two oil spill accounts is adequate.

15 **Section 106, lines 3-10, page 5, Transfer to the Tort Claims Revolving**
16 **Fund**

17 This proviso limits the transfer of transportation funds to the
18 tort claim revolving fund only as claims are settled or adjudicated to
19 final conclusion. Current law requires that the tort claim revolving
20 fund be used only to pay claims resulting from incidents on or before
21 June 30, 1990. This change would return us to the administrative
22 inefficiencies and costs associated with the "pay as you go" system for
23 tort claims that was in place prior to 1990, adding a new layer of
24 complication to an already complicated system. The reconciliation and
25 reporting requirement would likely delay both settlement and judgment
26 payments, and also could increase the cost of claims by requiring
27 penalty interest payments. In addition, the state could lose an
28 otherwise advantageous settlement opportunity if we are unable to meet
29 time requirements on settlement demands. In order to limit
30 administrative burdens, I will direct the Department of General
31 Administration to transfer the amount specified in this proviso for
32 motor vehicle and marine operating accounts into the tort claims
33 revolving fund based on actuarial projections of claims settlements.
34 The transfers shall be made quarterly into the tort claim revolving
35 fund, or as necessary to meet cash flow needs.

36 **Section 107, lines 14-18, page 5, State Parks and Recreation Commission**
37 **- Operating Maintenance**

38 This proviso limits expenditure of state funds by the State Parks
39 and Recreation Commission for maintenance, repair, or snow and ice
40 removal on county or private roads. I believe the intent was to limit
41 the \$927,000 motor vehicle fund appropriation in this section.
42 However, the way the section is written allows for much broader
43 interpretation. I am concerned that this proviso could restrict
44 expenditure of any funds appropriated to the Parks Commission to
45 maintain county or private roads. The Commission often signs mutually
46 beneficial agreements with cities and counties for snow removal or road
47 maintenance, which allows the Commission to remove snow or maintain a
48 limited portion of city or county roads. Such agreements may save
49 taxpayer dollars in such instances as providing access to Snow Parks
50 for snowmobile riders and cross country skiers. The Commission needs
51 to maintain the flexibility to make such beneficial decisions.

1 **Section 207(1) and 207(2), page 9, Transportation Commission Work Days**

2 This proviso limits Washington State Transportation Commission
3 members to seven working days per month and limits the Commission
4 Chairperson to 9.5 working days per month. In addition, the total
5 appropriation for Commission member work days is limited to \$45,000 in
6 fiscal year 1997, which further reduces member working days to only
7 five days per month. This type of limitation on state boards is
8 unprecedented and will hinder statewide coordination of transportation
9 issues.

10 The Transportation Commission is a class four board as defined by
11 RCW 43.03.250. The Commission has rule-making authority, performs
12 quasi-judicial functions, and is responsible for the administration,
13 budget, and policy direction of a major state department. These duties
14 are sensitive and vital to the operation of the state and place a
15 significant demand on each member's time - usually in excess of 100
16 hours per year. Commission members should not be limited to a
17 specified number of work days to carry out their duties as long as
18 their overall operating budget expenditures are within the
19 appropriation level provided.

20 **Section 207(3), page 9, Transportation Commission Studies**

21 This proviso prohibits the Washington State Transportation
22 Commission from conducting studies or hiring consultants without prior
23 approval from the Legislative Transportation Committee. This
24 represents an unprecedented attempt by the legislature to exercise
25 ongoing management control over an executive branch function. The
26 legislature has already reduced the agency's budget 42 percent from
27 1993-95 levels. As long as the Commission stays within its available
28 appropriation, Legislative approval on individual expenditures is
29 unnecessary.

30 **Section 207(4), page 9, Transportation Commission Meetings Outside the**
31 **State**

32 This proviso will prohibit the Washington State Transportation
33 Commission from holding meetings outside of the state. It is overly
34 restrictive and unnecessary. Although I have ordered state employees
35 to limit their out-of-state travel, I support the Transportation
36 Commission's leadership role in statewide and regional transportation
37 issues. Our transportation needs do not end at the state's borders.
38 Transportation Commission members must have the flexibility to meet
39 with policy makers from such places as Oregon, Idaho and British
40 Columbia, as long as travel costs remain within the agency's total
41 budget.

42 **Section 208(4), page 10, Selling and Purchase of State Patrol Aircraft**

43 This proviso to the Washington State Patrol appropriation forbids
44 the sale and purchase of aircraft pending a Legislative Transportation
45 Commission study of the statewide air fleet and the feasibility of
46 consolidation. This proviso unnecessarily delays and reduces savings
47 to the state that would occur from the sale of the State Patrol jet.
48 Further, the proviso does not set forth a date for completion of the
49 study. This lack of certainty could indefinitely prohibit the Patrol

1 from buying and selling aircraft, which impinges on appropriate
2 executive administrative responsibilities.

3 The legislature had sufficient time during the regular session and
4 two special sessions to study the merits of selling the State Patrol
5 jet. Taxpayers should not have to pay extra for equipment that exceeds
6 the requirements of the agency. I take this action today because the
7 longer we delay, the less we stand to save.

8 **Section 217, lines 26-27 and lines 32-33, page 14, Highway Improvements**

9 **Section 217(17), page 19, Highway Improvements - HOV Lanes**

10 **Section 531, pages 62-64, and Section 532, page 64, Funding Sources for**
11 **HOV Lanes**

12 These provisions dedicate an appropriation of High Capacity
13 Transportation Account and Central Puget Sound Public Transportation
14 Account revenues for high occupancy vehicle (HOV) lane construction
15 projects. The two accounts were created for high capacity
16 transportation programs provided by local transit agencies and should
17 not be transferred for any other use.

18 **Section 228(2), page 31, Federal Enhancement Grants**

19 This subsection designates federal enhancement grants for abandoned
20 freight rail corridors and improvements to the King Street Station in
21 Seattle. Identifying specific projects in the appropriation bill
22 circumvents an established public review and citizen-involved project
23 selection process based on regional priorities. When the Intermodal
24 Surface Transportation Efficiency Act (ISTEA) passed in 1991, local and
25 state jurisdictions in Washington mutually agreed upon a procedure for
26 project prioritization and selection for this federal funding source.
27 This process has been successfully in place since that time. With this
28 proviso, the enhancement project selection process is sidestepped -
29 contrary to the spirit of ISTEA. A veto of this language gives the
30 project selection authority back to the committee that has already
31 approved and prioritized a list of eligible projects for the 1995-97
32 biennium.

33 The funding provided in section 228(2) remains appropriated to the
34 Department of Transportation, the pass-through agency for grants
35 awarded by the Enhancement Selection Committee, as they deem
36 appropriate.

37 **Section 228(4), page 31, Transportation Related Studies**

38 This proviso lists several studies selected by the Legislature
39 costing \$1,430,000. The funding source used in this section is
40 dedicated by statute for statewide studies that mutually benefit
41 cities, counties and the Department of Transportation. This year, for
42 the first time, the three jurisdictions had no say in how this money
43 would be spent.

44 In addition, the proviso specifies \$750,000 for a regional mobility
45 alternative plan related to the Regional Transportation Authority
46 (RTA). This is not an appropriate expenditure of these funds and is
47 not necessary since the Puget Sound Regional Council approved its 1995
48 Update to VISION 2020 and the 1995 Metropolitan Transportation Plan as

1 required by the federal Intermodal Surface Transportation Efficiency
2 Act.

3 I have directed the Department of Transportation to place the
4 \$1,430,000 in unallotted reserve. At the end of the biennium, the
5 funds shall be refunded to the individual jurisdictions as provided by
6 RCW 46.68.110(2) and RCW 46.68.120(3).

7 **Section 305, page 37, General Administration -- Capital**

8 This section appropriates \$2.5 million motor vehicle account
9 appropriation to cover the Department of Transportation's share of the
10 cost of repairing the plaza garage. However, this amount can only be
11 spent if the capital budget provides \$1.7 million to the Department of
12 General Administration for elevator and escalator repairs in the
13 transportation building. The 1995-97 capital budget does not include
14 such an appropriation; therefore this condition cannot be met, leaving
15 the \$2.5 million for repairing the plaza garage unavailable.
16 Completing structural and other improvements to the plaza garage,
17 including the area commonly known as the DOT garage, is an important
18 project and design work must begin immediately. Therefore, I have
19 asked the Office of Financial Management and the Department of General
20 Administration to work with the Department of Transportation, the
21 Legislative Transportation Committee, the House Capital Budget
22 Committee and the Senate Ways and Means Committee to identify an
23 affordable approach to resolving the safety concerns in all garage
24 areas, and to address accessibility concerns in the transportation
25 building.

26 **Section 504, page 45, Consolidation of Financial Functions**

27 This proviso calls for a study of the feasibility of combining the
28 financial accounting systems for the Department of Transportation, the
29 Transportation Improvement Board and the County Road Administration
30 Board. I see no advantage in performing this study unless the work is
31 done by an independent consultant or another non-transportation agency.
32 Since funding was not provided for an independent study, and the
33 financial systems in place for all three agencies appear to function
34 adequately, this study is not necessary.

35 **Section 529, page 57-61, Passenger Ferry Account**

36 This proviso removes Kitsap County from the high capacity transit
37 tax authority of the Regional Transportation Authority. It is
38 identical to Section 538 of this legislation and is therefore
39 unnecessary.

40 **Sections 537, 539, 540, 542-557, 559 and 560 Regional Transportation**
41 **Authority**

42 These sections repeal the Regional Transportation Authority (RTA)
43 and amend substantive portions of the High Capacity Transportation Act
44 of 1990 (RCW 81.104) and the RTA enabling legislation (RCW 81.112).
45 Such a significant shift in state policy in resolving the mobility
46 problems in the central Puget Sound region must be done prudently in a
47 bill directly dealing with this issue, and after thorough consideration
48 of the long-range implications.

1 I also believe it is premature at this point to change the
2 structure of the regional authority. I am concerned that the RTA be
3 given sufficient time and funds to continue its mandated tasks and that
4 voters be given an opportunity to review a revised regional
5 transportation plan. Rather than a repeal of the RTA, I urge the RTA
6 to work with the Department of Transportation, the Legislative
7 Transportation Committee, counties, cities and transit districts in the
8 area to develop a viable proposal. Should future revision of RTA
9 responsibilities, structure and authority of these agencies be
10 necessary, specific legislation should be introduced to accomplish the
11 agreed-upon changes.

12 For these reasons, I have vetoed sections 2(2); 105(2); 106 (lines
13 3-10); 107 (lines 14-18); 207(1); 207(2); 207(3); 207(4); 208(4); 217
14 (lines 26-27); 217 (lines 32-33); 217(17); 228(2); 228(4); 305; 504;
15 529; 531; 532; 537; 539; 540; 542-557; 559 and 560 of Second Engrossed
16 Substitute House Bill No. 2080.

17 With the exception of sections 2(2); 105(2); 106 (lines 3-10); 107
18 (lines 14-18); 207(1); 207(2); 207(3); 207(4); 208(4); 217 (lines 26-
19 27); 217 (lines 32-33); 217(17); 228(2); 228(4); 305; 504; 529; 531;
20 532; 537; 539; 540; 542-557; 559 and 560, Second Engrossed Substitute
21 House Bill No. 2080 is approved."