

CERTIFICATION OF ENROLLMENT

HOUSE BILL 2945

Chapter 177, Laws of 1998

55th Legislature
1998 Regular Session

TRANSPORTATION FUNDING AND PLANNING--NOTIFICATIONS

EFFECTIVE DATE: 6/11/98

Passed by the House February 10, 1998
Yeas 92 Nays 3

CLYDE BALLARD
**Speaker of the
House of Representatives**

Passed by the Senate March 12, 1998
Yeas 28 Nays 21

BRAD OWEN
President of the Senate

Approved March 27, 1998

GARY LOCKE
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 **HOUSE BILL 2945** as passed by the House of Representatives and the Senate on the dates hereon set forth.

TIMOTHY A. MARTIN
Chief Clerk

FILED

March 27, 1998 - 3:19 p.m.

**Secretary of State
State of Washington**

HOUSE BILL 2945

Passed Legislature - 1998 Regular Session

State of Washington

55th Legislature

1998 Regular Session

By Representatives McCune and Cairnes

Read first time 01/23/98. Referred to Committee on Transportation Policy & Budget.

1 AN ACT Relating to notifications regarding transportation funding
2 and planning; and amending RCW 43.79.270, 43.79.280, 43.105.160, and
3 43.105.190.

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

5 **Sec. 1.** RCW 43.79.270 and 1996 c 288 s 37 are each amended to read
6 as follows:

7 (1) Whenever any money, from the federal government, or from other
8 sources, which was not anticipated in the budget approved by the
9 legislature has actually been received and is designated to be spent
10 for a specific purpose, the head of any department, agency, board, or
11 commission through which such expenditure shall be made is to submit to
12 the governor a statement which may be in the form of a request for an
13 allotment amendment setting forth the facts constituting the need for
14 such expenditure and the estimated amount to be expended: PROVIDED,
15 That no expenditure shall be made in excess of the actual amount
16 received, and no money shall be expended for any purpose except the
17 specific purpose for which it was received. A copy of any proposal
18 submitted to the governor to expend money from an appropriated fund or
19 account in excess of appropriations provided by law which is based on

1 the receipt of unanticipated revenues shall be submitted to the joint
2 legislative audit and review committee and also to the standing
3 committees on ways and means of the house and senate if the legislature
4 is in session at the same time as it is transmitted to the governor.

5 (2) Notwithstanding subsection (1) of this section, whenever money
6 from any source that was not anticipated in the transportation budget
7 approved by the legislature has actually been received and is
8 designated to be spent for a specific purpose, the head of a
9 department, agency, board, or commission through which the expenditure
10 must be made shall submit to the governor a statement, which may be in
11 the form of a request for an allotment amendment, setting forth the
12 facts constituting the need for the expenditure and the estimated
13 amount to be expended. However, no expenditure may be made in excess
14 of the actual amount received, and no money may be expended for any
15 purpose except the specific purpose for which it was received. A copy
16 of any proposal submitted to the governor to expend money from an
17 appropriated transportation fund or account in excess of appropriations
18 provided by law that is based on the receipt of unanticipated revenues
19 must be submitted, at a minimum, to the standing committees on
20 transportation of the house and senate, if the legislature is in
21 session, at the same time as it is transmitted to the governor. During
22 the legislative interim, any such proposal must be submitted to the
23 legislative transportation committee.

24 **Sec. 2.** RCW 43.79.280 and 1996 c 288 s 38 are each amended to read
25 as follows:

26 (1) If the governor approves such estimate in whole or part, he
27 shall endorse on each copy of the statement his approval, together with
28 a statement of the amount approved in the form of an allotment
29 amendment, and transmit one copy to the head of the department, agency,
30 board, or commission authorizing the expenditure. An identical copy of
31 the governor's statement of approval and a statement of the amount
32 approved for expenditure shall be transmitted simultaneously to the
33 joint legislative audit and review committee and also to the standing
34 committee on ways and means of the house and senate of all executive
35 approvals of proposals to expend money in excess of appropriations
36 provided by law.

37 (2) If the governor approves an estimate with transportation
38 funding implications, in whole or part, he shall endorse on each copy

1 of the statement his approval, together with a statement of the amount
2 approved in the form of an allotment amendment, and transmit one copy
3 to the head of the department, agency, board, or commission authorizing
4 the expenditure. An identical copy of the governor's statement of
5 approval of a proposal to expend transportation money in excess of
6 appropriations provided by law and a statement of the amount approved
7 for expenditure must be transmitted simultaneously to the standing
8 committees on transportation of the house and senate. During the
9 legislative interim, all estimate approvals endorsed by the governor
10 along with a statement of the amount approved in the form of an
11 allotment amendment must be transmitted simultaneously to the
12 legislative transportation committee.

13 **Sec. 3.** RCW 43.105.160 and 1996 c 171 s 9 are each amended to read
14 as follows:

15 (1) The department shall prepare a state strategic information
16 technology plan which shall establish a state-wide mission, goals, and
17 objectives for the use of information technology, including goals for
18 electronic access to government records, information, and services.
19 The plan shall be developed in accordance with the standards and
20 policies established by the board and shall be submitted to the board
21 for review, modification as necessary, and approval. The department
22 shall seek the advice of the board in the development of this plan.

23 The plan approved under this section shall be updated as necessary
24 and submitted to the governor (~~and~~), the chairs and ranking minority
25 members of the appropriations committees of the senate and the house of
26 representatives, and, during the legislative session, to the chairs and
27 ranking minority members of the transportation committees of the senate
28 and the house of representatives. During the legislative interim, the
29 approved plan must be submitted to the legislative transportation
30 committee, instead of the standing transportation committees.

31 (2) The department shall prepare a biennial state performance
32 report on information technology based on agency performance reports
33 required under RCW 43.105.170 and other information deemed appropriate
34 by the department. The report shall include, but not be limited to:

35 (a) An evaluation of performance relating to information
36 technology;

37 (b) An assessment of progress made toward implementing the state
38 strategic information technology plan, including progress toward

1 electronic access to public information and enabling citizens to have
2 two-way access to public records, information, and services;

3 (c) An analysis of the success or failure, feasibility, progress,
4 costs, and timeliness of implementation of major information technology
5 projects under RCW 43.105.190;

6 (d) Identification of benefits, cost avoidance, and cost savings
7 generated by major information technology projects developed under RCW
8 43.105.190; and

9 (e) An inventory of state information services, equipment, and
10 proprietary software.

11 Copies of the report shall be distributed biennially to the
12 governor ~~((and))~~, the chairs and ranking minority members of the
13 appropriations committees of the senate and the house of
14 representatives, and, during the legislative session, the chairs and
15 ranking minority members of the transportation committees of the senate
16 and the house of representatives. During the legislative interim, the
17 report must be submitted to the legislative transportation committee,
18 instead of the standing transportation committees.

19 **Sec. 4.** RCW 43.105.190 and 1996 c 137 s 15 are each amended to
20 read as follows:

21 (1) The department, with the approval of the board, shall establish
22 standards and policies governing the planning, implementation, and
23 evaluation of major information technology projects, including those
24 proposed by the superintendent of public instruction, in conjunction
25 with educational service districts, or state-wide or regional providers
26 of K-12 education information technology services. The standards and
27 policies shall:

28 (a) Establish criteria to identify projects which are subject to
29 this section. Such criteria shall include, but not be limited to,
30 significant anticipated cost, complexity, or state-wide significance of
31 the project; and

32 (b) Establish a model process and procedures which agencies shall
33 follow in developing and implementing project plans. Agencies may
34 propose, for approval by the department, a process and procedures
35 unique to the agency. The department may accept or require
36 modification of such agency proposals or the department may reject such
37 agency proposals and require use of the model process and procedures
38 established under this subsection. Any process and procedures

1 developed under this subsection shall require (i) distinct and
2 identifiable phases upon which funding may be based, (ii) user
3 validation of products through system demonstrations and testing of
4 prototypes and deliverables, and (iii) other elements identified by the
5 board.

6 Project plans and any agreements established under such plans shall
7 be approved and mutually agreed upon by the director, the director of
8 financial management, and the head of the agency proposing the project.

9 The director may terminate a major project if the director
10 determines that the project is not meeting or is not expected to meet
11 anticipated performance standards.

12 (2) The office of financial management shall establish policies and
13 standards governing the funding of projects developed under this
14 section. The policies and standards shall provide for:

15 (a) Funding of a project under terms and conditions mutually agreed
16 to by the director, the director of financial management, and the head
17 of the agency proposing the project. However, the office of financial
18 management may require incremental funding of a project on a phase-by-
19 phase basis whereby funds for a given phase of a project may be
20 released only when the office of financial management determines, with
21 the advice of the department, that the previous phase is satisfactorily
22 completed;

23 (b) Acceptance testing of products to assure that products perform
24 satisfactorily before they are accepted and final payment is made; and

25 (c) Other elements deemed necessary by the office of financial
26 management.

27 (3) The department shall evaluate projects at three stages of
28 development as follows: (a) Initial needs assessment; (b) feasibility
29 study including definition of scope, development of tasks and
30 timelines, and estimated costs and benefits; and (c) final project
31 implementation plan based upon available funding.

32 Copies of project evaluations conducted under this subsection shall
33 be submitted to the office of financial management and the chairs,
34 ranking minority members, and staff coordinators of the appropriations
35 committees of the senate and house of representatives.

36 If there are projects that receive funding from a transportation
37 fund or account, copies of those projects' evaluations conducted under
38 this subsection must be submitted, during the legislative session, to
39 the chairs and ranking minority members of the transportation

1 committees of the senate and the house of representatives. During the
2 legislative interim, the project evaluations must be submitted to the
3 legislative transportation committee.

Passed the House February 10, 1998.

Passed the Senate March 12, 1998.

Approved by the Governor March 27, 1998.

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