

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE HOUSE BILL 1125

Chapter 1, Laws of 1999
(partial veto)

56th Legislature
1999 1st Special Session

TRANSPORTATION FUNDING

EFFECTIVE DATE: 5/27/99

Passed by the House May 19, 1999
Yeas 96 Nays 0

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

FRANK CHOPP
**Speaker of the House of
Representatives**

Passed by the Senate May 19, 1999
Yeas 46 Nays 2

R. LORRAINE WOJAHN
President of the Senate

Approved May 27, 1999, with the
exception of sections 1(4)(i), (i) and
(ii); 103(2) and (4); 207(2);
210(partial); 215(1), (2), (3) and
(6); 216(3) and (7); 219(10); 228(3);
231(2)(partial); 603; 605; and 613,
which are vetoed.

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

We, Dean R. Foster and Timothy A.
Martin, Co-Chief Clerks of the House
of Representatives of the State of
Washington, do hereby certify that
the attached is **ENGROSSED SUBSTITUTE
HOUSE BILL 1125** as passed by the
House of Representatives and the
Senate on the dates hereon set
forth.

DEAN R. FOSTER
Chief Clerk

TIMOTHY A. MARTIN
Chief Clerk

FILED

May 27, 1999 - 10:51 a.m.

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE HOUSE BILL 1125

Passed Legislature - 1999 1st Special Session

AS AMENDED BY THE SENATE

Passed Legislature - 1999 1st Special Session

State of Washington 56th Legislature 1999 1st Special Session

By House Committee on Transportation (originally sponsored by Representatives Fisher, K. Schmidt, Radcliff, O'Brien, Fortunato, Eickmeyer, Hankins, Cooper, Murray, Wood and Mitchell; by request of Governor Locke)

Read first time 04/02/1999.

1 AN ACT Relating to transportation funding and appropriations;
2 amending RCW 43.19.1906, 88.16.090, 43.43.300, and 44.40.010; amending
3 1997 c 457 ss 110, 204, 215, 223, 303, and 403 (uncodified); amending
4 1998 c 348 ss 203, 205, 207, 208, 209, 211, 212, 213, 214, 215, 216,
5 217, 218, 219, 220, 221, 402, and 404 (uncodified); reenacting and
6 amending RCW 47.26.4254 and 47.26.505; reenacting RCW 47.26.425 and
7 47.26.4252; adding a new section to chapter 44.40 RCW; adding a new
8 section to 1997 c 457 (uncodified); creating new sections; repealing
9 RCW 46.68.095 and 46.68.100; repealing 1997 c 457 s 502 (uncodified);
10 repealing 1997 c 457 s 514 (uncodified); repealing 1997 c 457 s 515
11 (uncodified); making appropriations; and declaring an emergency.

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

13 *NEW SECTION. **Sec. 1.** (1) The transportation budget of the state
14 is hereby adopted and, subject to the provisions hereinafter set forth,
15 the several amounts hereinafter specified, or as much thereof as may be
16 necessary to accomplish the purposes designated, are hereby
17 appropriated from the several accounts and funds hereinafter named to
18 the designated state agencies and offices for employee compensation and
19 other expenses, for capital projects, and for other specified purposes,

1 including the payment of any final judgments arising out of such
2 activities, for the period ending June 30, 2001.

3 (2) Legislation with fiscal impacts enacted in the 1997 or 1998
4 legislative session not assumed in this act are not funded in the 1997-
5 99 transportation budget.

6 (3) Legislation with fiscal impacts enacted in the 1999 legislative
7 session not assumed in this act are not funded in the 1999-01
8 transportation budget.

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

11 (a) "Fiscal year 2000" or "FY 2000" means the fiscal year ending
12 June 30, 2000.

13 (b) "Fiscal year 2001" or "FY 2001" means the fiscal year ending
14 June 30, 2001.

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

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

18 (e) "Provided solely" means the specified amount may be spent only
19 for the specified purpose.

20 (f) "Performance-based budgeting" means a budget that bases
21 resource needs on quantified outcomes and results expected from use of
22 the total appropriation. "Performance-based budgeting" does not mean
23 incremental budgeting that focuses on justifying changes from the
24 historic budget or to line-item input-driven budgets.

25 (g) "Goals" means the statements of purpose that identify a desired
26 result or outcome. The statements shall be realistic, achievable,
27 directive, assignable, evaluative, and logically linked to the agency's
28 mission and statutory mandate.

29 (h) "Strategic plan" means the strategies agencies create for
30 investment choices in the future. All agency strategic plans shall
31 present alternative investment strategies for providing services.

32 (i) *"Enacted in the form passed by the legislature" means the*
33 *referenced bill, as identified by a four-digit number, was:*

34 (i) *Passed by the legislature and enacted either with no provisions*
35 *vetoed by the governor or with only ministerial or de minimus changes*
36 *resulting from a partial veto; or*

37 (ii) *Attached in full onto another bill as an amendment and the*
38 *entire bill, including the amendment, was passed by the legislature and*

1 *enacted either with no provisions vetoed by the governor or with only*
2 *ministerial or de minimus changes resulting from a partial veto.*
3 **Sec. 1 was partially vetoed. See message at end of chapter.*

4 NEW SECTION. **Sec. 2.** The legislature recognizes that the 1999
5 endangered species act listing or proposed listing of salmonid species
6 throughout the state of Washington may require increased operational
7 and capital expenditures for transportation. As the state's fiscal
8 obligations pursuant to the listing or proposed listing become clearer
9 over time, it may be necessary to revisit funding decisions reflected
10 in this act in order to shift resources to meet those obligations. The
11 department of transportation, the transportation improvement board, and
12 the county road administration board shall report to the legislature on
13 December 1, 1999, on capital project delay impacts, including impact on
14 costs and project delivery, due to the endangered species act listing
15 or proposed listing.

16 **PART I**
17 **GENERAL GOVERNMENT AGENCIES--OPERATING**

18 NEW SECTION. **Sec. 101. FOR THE DEPARTMENT OF AGRICULTURE**
19 Motor Vehicle Account--State Appropriation \$ 327,000

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: The entire appropriation is provided solely for
23 costs associated with the motor fuel quality program.

24 NEW SECTION. **Sec. 102. FOR THE LEGISLATIVE EVALUATION AND**
25 **ACCOUNTABILITY PROGRAM**
26 Motor Vehicle Account--State Appropriation \$ 900,000

27 The appropriation in this section is subject to the following
28 conditions and limitations and specified amounts are provided solely
29 for that activity:

30 (1) \$103,000 of the appropriation is provided solely for the local
31 government finance reporting system project. This amount shall lapse
32 unless \$207,000 is appropriated for this project from the state general
33 fund; and

1 (2) \$202,000 of the appropriation is provided solely for the
2 transportation infrastructure needs data base project. This amount
3 shall lapse unless \$405,000 is appropriated for this project in the
4 omnibus operations appropriations act.

5 (3) \$325,000 of the appropriation is provided solely for
6 contracting with the office of the state auditor for the collection of
7 local government fiscal data associated with the local government
8 finance reporting system. In implementing the reporting system, the
9 legislative evaluation and accountability program shall work with the
10 local government finance study technical advisory committee. The
11 committee shall include, but not be limited to, one member from the
12 senate and one member from the house of representatives. An alternate
13 legislator shall also be picked for each designated legislator to serve
14 in the event that the designated legislator is unable to fulfill his or
15 her duties on the committee. This amount shall lapse unless the
16 legislature appropriates \$325,000 for the same purpose by June 30,
17 1999, in the omnibus appropriations act.

18 *NEW SECTION. **Sec. 103. FOR THE UTILITIES AND TRANSPORTATION**
19 **COMMISSION**

20 Grade Crossing Protective Account--

21 State Appropriation \$ 111,000

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

25 (1) The utilities and transportation commission shall develop a
26 competitive rail grade crossing safety grant program which will fully
27 fund selected safety projects to the extent allowable under chapter
28 81.53 RCW.

29 (2) *Beginning on the effective date of this act through May 1,*
30 *2000, the utilities and transportation commission may not grant any new*
31 *certificates under chapter 81.68 RCW in any areas where a public*
32 *transportation system has been formed.*

33 (3) The appropriation in this section is for the fiscal year ending
34 June 30, 2000.

35 (4) *During the 1999 interim the legislative transportation*
36 *committees shall convene a task force to study issues related to the*

1 the house of representatives transportation committee in January 2000
2 and January 2001.

3 (End of part)

PART II
TRANSPORTATION AGENCIES

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

Highway Safety Account--State Appropriation	\$	1,452,000
Highway Safety Account--Federal Appropriation	\$	9,038,000
School Zone Safety Account--State Appropriation	\$	1,004,000
TOTAL APPROPRIATION	\$	11,494,000

The appropriation in this section is subject to the following conditions and limitations and specified amounts are provided solely for that activity: \$25,000 of the highway safety account--state is provided as a one-time appropriation to implement the Cooper Jones act, chapter 165, Laws of 1998.

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

Pilotage Account--State Appropriation	\$	290,000
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NEW SECTION. **Sec. 203. FOR THE COUNTY ROAD ADMINISTRATION BOARD**

Rural Arterial Trust Account--State Appropriation	\$	72,510,000
Motor Vehicle Account--State Appropriation	\$	9,546,000
Motor Vehicle Account--Private/Local Appropriation	\$	376,000
County Arterial Preservation Account-- State Appropriation	\$	28,612,000
TOTAL APPROPRIATION	\$	111,044,000

The appropriations in this section are subject to the following conditions and limitations and specified amounts are provided solely for that activity: \$8,000,000 of the motor vehicle account--state appropriation is provided solely for projects on the freight and goods systems on county roads.

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

Urban Arterial Trust Account--State Appropriation	\$	104,508,000
Transportation Improvement Account--		

1	State Appropriation	\$	99,414,000
2	Public Transportation Systems Account--		
3	State Appropriation	\$	33,496,000
4	TOTAL APPROPRIATION	\$	237,418,000

5 The appropriations in this section are subject to the following
6 conditions and limitations and specified amounts are provided solely
7 for that activity: To the extent practicable, the board shall give
8 preference, for amounts which would otherwise be granted to cities, to
9 those projects which complement projects funded under the county
10 corridor congestion relief program contained in section 231(8) of this
11 act.

12 NEW SECTION. **Sec. 205. FOR THE SENATE**

13	Motor Vehicle Account--State Appropriation	\$	2,586,000
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14 The appropriation in this section is subject to the following
15 conditions and limitations and specified amounts are provided solely
16 for that activity:

17 (1) The appropriation in this section is provided solely to fund
18 the activities of the senate transportation committee.

19 (2) The senate transportation committee shall work during the 1999
20 interim with members of the senate ways and means committee to assess
21 funding options for aviation.

22 (3) The senate transportation committee shall evaluate the
23 transportation functions currently performed by the utilities and
24 transportation commission including but not limited to those regarding
25 the issuance of certificates of public convenience and necessity for
26 auto transportation companies.

27 (4) A legislative task force consisting of one member from each
28 caucus of the senate and one member from each caucus of the house of
29 representatives shall conduct a road jurisdiction study. The
30 legislative task force shall appoint a technical advisory panel
31 consisting of representatives of cities, counties, and the department
32 of transportation. The study shall include but not be limited to an
33 examination of the following issues:

34 (a) Whether changed conditions merit redesignation of certain local
35 roadways as state routes and the return of certain state routes to
36 local jurisdictions;

1 (b) Alternatives to current revenue distribution methodologies for
2 funding roadway and highway needs;

3 (c) Determine roadway responsibilities, authorities, and practices
4 by jurisdictional level; and

5 (d) Evaluate governance issues associated with road jurisdiction.

6 (5) The committee shall oversee program accountability reviews of
7 department of transportation, department of licensing, and Washington
8 state patrol programs selected by the senate transportation committee.

9 NEW SECTION. **Sec. 206. FOR THE LEGISLATIVE TRANSPORTATION**
10 **COMMITTEE**

11 Motor Vehicle Account--State Appropriation \$ 4,283,000

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

15 (1) \$2,467,000 of the motor vehicle account--state appropriation is
16 provided for the operation of the house of representatives
17 transportation committee. The appropriation includes \$500,000 for
18 personal service contracts and other activities as deemed necessary by
19 the house of representatives transportation committee.

20 (2) The transportation committees of the legislature shall evaluate
21 the transportation functions currently performed by the utilities and
22 transportation commission including but not limited to those regarding
23 the issuance of certificates of public convenience and necessity for
24 auto transportation companies.

25 (3) A legislative task force consisting of one member from each
26 caucus of the senate and one member from each caucus of the house of
27 representatives shall conduct a road jurisdiction study. The
28 legislative task force shall appoint a technical advisory panel
29 consisting of representatives of cities, counties, and the department
30 of transportation. The study shall include but not be limited to an
31 examination of the following issues:

32 (a) Whether changed conditions merit redesignation of certain local
33 roadways as state routes and the return of certain state routes to
34 local jurisdictions;

35 (b) Alternatives to current revenue distribution methodologies for
36 funding roadway and highway needs;

1 (c) Determine roadway responsibilities, authorities, and practices
2 by jurisdictional level; and

3 (d) Evaluate governance issues associated with road jurisdiction.

4 (4) The transportation committees of the legislature shall oversee
5 program accountability reviews of department of transportation,
6 department of licensing, and Washington state patrol programs selected
7 by the senate transportation committee.

8 *NEW SECTION. **Sec. 207. FOR THE BLUE RIBBON COMMISSION ON**
9 **TRANSPORTATION**

10 Motor Vehicle Account--State Appropriation \$ 1,800,000

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

14 (1) The \$1,800,000 motor vehicle account--state appropriation is
15 provided solely for the purpose of enabling the blue ribbon commission
16 on transportation to fulfill its mission. The funds are to be
17 administered by the senate transportation committee and the house of
18 representatives transportation committee on behalf of the blue ribbon
19 commission on transportation.

20 (2) *The blue ribbon commission on transportation shall commission*
21 *and supervise the development of a modal trade-off model. The purpose*
22 *of the model is to assist, not replace decision making; it will not*
23 *simply produce numerical solutions. The model shall be developed in*
24 *cooperation with the senate transportation committee, the house of*
25 *representatives transportation committee, the transportation*
26 *commission, and the department of transportation's modal directors of*
27 *research, planning, and programming.*

28 *Sec. 207 was partially vetoed. See message at end of chapter.

29 NEW SECTION. **Sec. 208. FOR THE MARINE EMPLOYEES COMMISSION**

30 Puget Sound Ferry Operations Account--

31 State Appropriation \$ 356,000

32 NEW SECTION. **Sec. 209. FOR THE TRANSPORTATION COMMISSION**

33 Transportation Account--State Appropriation \$ 807,000

1 *NEW SECTION. Sec. 210. FOR THE FREIGHT MOBILITY STRATEGIC
2 **INVESTMENT BOARD**

3 Transportation Account--State Appropriation \$ 600,000

4 *The appropriation in this section is subject to the following*
5 *conditions and limitations and specified amounts are provided solely*
6 *for that activity: When approving projects, the freight mobility*
7 *strategic investment board shall:*

8 (1) *Emphasize funding projects according to their order on the*
9 *prioritization list developed by the board;*

10 (2) *Not allow the program's share of total project cost to exceed*
11 *sixty-five percent unless the board grants a special exception;*

12 (3) *Set a \$50,000,000 cap on the amount it will authorize for any*
13 *one project; and*

14 (4) *Give a project a higher priority designation if project*
15 *partners increase their funding and the board deems the*
16 *reprioritization is appropriate.*

17 *Sec. 210 was partially vetoed. See message at end of chapter.

18 NEW SECTION. Sec. 211. FOR THE WASHINGTON STATE PATROL--FIELD
19 **OPERATIONS BUREAU**

20 State Patrol Highway Account--

21 State Appropriation \$ 154,538,000

22 State Patrol Highway Account--

23 Federal Appropriation \$ 6,153,000

24 State Patrol Highway Account--

25 Private/Local Appropriation \$ 169,000

26 TOTAL APPROPRIATION \$ 160,860,000

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

30 (1) The following amounts are provided solely for administration of
31 the field operations group subprogram: \$120,372,000 of the state
32 patrol highway account--state appropriation; \$2,854,000 of the state
33 patrol highway account--federal appropriation; and \$83,000 of the state
34 patrol highway account--private/local appropriation.

35 (2) The following amounts are provided solely for the
36 administration of the commercial vehicle division subprogram:

1 \$26,367,000 of the state patrol highway account--state appropriation;
2 \$3,299,000 of the state patrol highway account--federal appropriation;
3 and \$86,000 of the state patrol highway account--private/local
4 appropriation.

5 (3) \$7,799,000 of the state patrol highway account--state
6 appropriation is provided solely for the administration of the traffic
7 investigation division subprogram.

8 (4) \$1,137,000 of the state patrol highway account--state
9 appropriation is provided solely for the license fraud task force to
10 begin on July 1, 1999. Positions funded are one sergeant/detective,
11 three Washington state patrol detectives, and one clerical support
12 person, for administrative support for the task force as a whole.
13 \$115,400 of this amount is for reimbursement to the department of
14 revenue and \$228,315 of this amount is for reimbursement to the
15 attorney general's office. If Senate Bill No. 5706 is not enacted in
16 the form passed by the legislature the amount provided in this
17 subsection shall lapse. Any funds provided in this subsection not used
18 to implement Senate Bill No. 5706 as enacted by the legislature shall
19 revert at the end of the 1999-01 biennium.

20 (5) \$1,435,000 of the state patrol highway account--state
21 appropriation is provided solely to the field operations group
22 subprogram as a one-time appropriation to begin funding phase III of
23 the Washington state patrol's upgrade to the state-wide emergency
24 communication system. The Washington state patrol shall provide a full
25 analysis of the costs, benefits, and requirements for completing all
26 phases of the upgrade to the state-wide emergency communication system
27 to the senate transportation committee and the house of representatives
28 transportation committee by December 1, 1999.

29 (6) The Washington state patrol is authorized to use the federal
30 community-oriented policing program (COPS) for 18 COPS troopers to
31 begin in July 2000. The troopers must be used on the state's highways
32 and up to six may be utilized in the Vancouver, Washington area.

33 NEW SECTION. **Sec. 212. FOR THE WASHINGTON STATE PATROL--SUPPORT**
34 **SERVICES BUREAU**

35 State Patrol Highway Account--	
36 State Appropriation	\$ 67,015,000
37 State Patrol Highway Account--	
38 Federal Appropriation	\$ 104,000

1	State Patrol Highway Account--		
2	Private/Local Appropriation	\$	743,000
3	TOTAL APPROPRIATION	\$	67,862,000

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: \$877,000 of the state patrol highway account--state
7 appropriation is provided solely to maintain pursuit vehicles and
8 provide for replacement of the vehicles at 110,000 miles. The agency
9 may purchase a total of 354 pursuit vehicles during the biennium ending
10 June 30, 2001. The appropriation in this section reflects carry
11 forward and new funding due to the consolidation of gasoline,
12 maintenance, parts, and pursuit vehicles into the fleet section of the
13 support services bureau.

14 NEW SECTION. **Sec. 213. FOR THE DEPARTMENT OF LICENSING--**
15 **MANAGEMENT AND SUPPORT SERVICES**

16	Motorcycle Safety Education Account--		
17	State Appropriation	\$	118,000
18	Wildlife Account--State Appropriation	\$	50,000
19	Highway Safety Account--State Appropriation	\$	6,578,000
20	Motor Vehicle Account--State Appropriation	\$	4,571,000
21	TOTAL APPROPRIATION	\$	11,317,000

22 NEW SECTION. **Sec. 214. FOR THE DEPARTMENT OF LICENSING--**
23 **INFORMATION SYSTEMS**

24	Motorcycle Safety Education Account--		
25	State Appropriation	\$	102,000
26	Wildlife Account--State Appropriation	\$	46,000
27	Highway Safety Account--State Appropriation	\$	5,725,000
28	Motor Vehicle Account--State Appropriation	\$	3,651,000
29	TOTAL APPROPRIATION	\$	9,524,000

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: \$745,000 of the highway safety fund--state
33 appropriation is a reappropriation of funds originally appropriated for
34 the document scanner project in the 1997-99 biennium.

1 *NEW SECTION. **Sec. 215. FOR THE DEPARTMENT OF LICENSING--VEHICLE**
2 **SERVICES**

3 Marine Fuel Tax Refund Account--

4 State Appropriation	\$	26,000
5 Wildlife Account--State Appropriation	\$	556,000
6 Motor Vehicle Account--State Appropriation	\$	56,137,000
7 DOL Services Account--State Appropriation	\$	2,907,000
8 TOTAL APPROPRIATION	\$	59,626,000

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:

12 *(1) \$81,000 of the motor vehicle account--state appropriation is*
13 *provided solely to implement Senate Bill No. 5000 enacted in the form*
14 *passed by the legislature. If Senate Bill No. 5000 is not enacted in*
15 *the form passed by the legislature the amount provided in this*
16 *subsection shall lapse.*

17 *(2) \$273,000 of the motor vehicle account--state appropriation is*
18 *provided solely to implement Senate Bill No. 5280 enacted in the form*
19 *passed by the legislature. If Senate Bill No. 5280 is not enacted in*
20 *the form passed by the legislature the amount provided in this*
21 *subsection shall lapse.*

22 *(3) \$82,000 of the motor vehicle account--state appropriation is*
23 *provided solely to implement Senate Bill No. 5641 enacted in the form*
24 *passed by the legislature. If Senate Bill No. 5641 is not enacted in*
25 *the form passed by the legislature the amount provided in this*
26 *subsection shall lapse.*

27 *(4) \$300,000 of the motor vehicle account--state appropriation is*
28 *provided solely to implement Senate Bill No. 6009 enacted in the form*
29 *passed by the legislature. If Senate Bill No. 6009 is not enacted in*
30 *the form passed by the legislature the amount provided in this*
31 *subsection shall lapse.*

32 *(5) \$15,000 of the motor vehicle account--state appropriation is*
33 *provided solely to implement House Bill No. 2201 enacted in the form*
34 *passed by the legislature.*

35 *(6) The department of licensing shall issue license plate emblems*
36 *at the discretion of the adjutant general.*

37 *Sec. 215 was partially vetoed. See message at end of chapter.

1 *NEW SECTION. Sec. 216. FOR THE DEPARTMENT OF LICENSING--DRIVER
2 SERVICES

3 Motorcycle Safety Education Account--

4 State Appropriation \$ 1,960,000

5 Highway Safety Account--State Appropriation \$ 78,075,000

6 TOTAL APPROPRIATION \$ 80,035,000

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

9 (1) \$2,880,000 of the highway safety account--state appropriation
10 is provided solely for the department to enter into a contract for the
11 implementation of an improved state driver's license and identicard.
12 The contract with the vendor providing the improved license and
13 identicard shall state that the license and the identicard shall not
14 contain: (a) The driver's social security number in either visible or
15 machine readable form; or (b) the driver's fingerprint or thumbprint.
16 Consistent with RCW 42.17.260(9) the department shall not sell or
17 otherwise make available any information that it gathers from citizens
18 of the state of Washington in administering the driver's licensing
19 program except as already authorized in Title 46 RCW.

20 (2) In September of 1999 the department of licensing shall report
21 to the senate transportation committee and the house of representatives
22 transportation committee on:

23 (a) The controls implemented by the department to ensure the
24 integrity and credibility of the written driver's license test
25 administered by the department; and

26 (b) The policies and procedures implemented by the department to
27 ensure that the driver's manuals produced and distributed by the
28 department contain correct data based on current federal, state, and
29 local statutes, ordinances, and rules.

30 (3) *\$610,000 of the highway safety fund--state appropriation is*
31 *provided solely to implement House Bill No. 1147 enacted in the form*
32 *passed by the legislature. If House Bill No. 1147 is not enacted in*
33 *the form passed by the legislature by June 30, 1999, the amount*
34 *provided in this subsection shall lapse.*

35 (4) \$17,000 of the highway safety fund--state appropriation is
36 provided solely to implement House Bill No. 1774 enacted in the form
37 passed by the legislature. If House Bill No. 1774 is not enacted in

1 the form passed by the legislature the amount referenced in this
2 subsection shall lapse.

3 (5) \$130,000 of the highway safety fund--state appropriation is
4 provided solely to implement House Bill No. 2259 enacted in the form
5 passed by the legislature. If House Bill No. 2259 is not enacted in
6 the form passed by the legislature the amount provided in this
7 subsection shall lapse.

8 (6) \$34,000 of the highway safety fund--state appropriation is
9 provided solely to implement Senate Bill No. 5374 enacted in the form
10 passed by the legislature. If Senate Bill No. 5374 is not enacted in
11 the form passed by the legislature the amount referenced in this
12 subsection shall lapse.

13 *(7) If Senate Bill No. 6009 is enacted in the form passed by the*
14 *legislature \$335,000 of the highway safety fund--state appropriation*
15 *shall lapse.*

16 (8) \$329,000 of the highway safety account--state appropriation is
17 provided solely to implement Senate Bill No. 5399 enacted as passed by
18 the legislature.

19 *Sec. 216 was partially vetoed. See message at end of chapter.

20 NEW SECTION. **Sec. 217. FOR THE DEPARTMENT OF TRANSPORTATION--**
21 **HIGHWAY MANAGEMENT AND FACILITIES--PROGRAM D--OPERATING**

22	Motor Vehicle Account--State Appropriation	\$	44,508,000
23	Motor Vehicle Account--Federal Appropriation	\$	400,000
24	TOTAL APPROPRIATION	\$	44,908,000

25 NEW SECTION. **Sec. 218. FOR THE DEPARTMENT OF TRANSPORTATION--**
26 **AVIATION--PROGRAM F**

27	Aeronautics Account--State Appropriation	\$	4,010,000
28	Aircraft Search and Rescue Safety and		
29	Education Account--State Appropriation	\$	159,000
30	Transportation Account--State Appropriation	\$	247,000
31	TOTAL APPROPRIATION	\$	4,416,000

32 *NEW SECTION. **Sec. 219. FOR THE DEPARTMENT OF TRANSPORTATION--**
33 **IMPROVEMENTS--PROGRAM I**

34	Motor Vehicle Account--State Appropriation	\$	630,010,000
35	Motor Vehicle Account--Federal Appropriation	\$	234,939,000
36	Motor Vehicle Account--Private/Local		

1	Appropriation	\$	43,344,000
2	High Capacity Transportation Account--State		
3	Appropriation	\$	110,000
4	Special Category C Account--State Appropriation . . .	\$	55,220,000
5	Transportation Account--State Appropriation	\$	197,284,000
6	Transportation Account--Federal Appropriation	\$	56,808,000
7	Puyallup Tribal Settlement Account--		
8	State Appropriation	\$	8,662,000
9	Transportation Infrastructure Account--State		
10	Appropriation	\$	1,750,000
11	Transportation Infrastructure Account--		
12	Private/Local Appropriation	\$	1,750,000
13	TOTAL APPROPRIATION	\$	\$1,229,877,000

14 The appropriations in this section are provided for the location,
15 design, right of way acquisition, or construction of state highway
16 projects designated as improvements under RCW 47.05.030. The
17 appropriations in this section are subject to the following conditions
18 and limitations and specified amounts are provided solely for that
19 activity:

20 (1) The special category C account--state appropriation of
21 \$55,220,000 includes \$40,500,000 in proceeds from the sale of bonds
22 authorized by Senate Bill No. 5060 or House Bill No. 1203 enacted in
23 the form passed by the legislature. The transportation commission may
24 authorize the use of current revenues available to the department of
25 transportation in lieu of bond proceeds for any part of the state
26 appropriation.

27 (2) The motor vehicle account--state appropriation includes
28 \$1,285,000 in proceeds from the sale of bonds authorized by RCW
29 47.10.819(1) for match on federal demonstration projects. The
30 transportation commission may authorize the use of current revenues
31 available to the department of transportation in lieu of bond proceeds
32 for any part of the state appropriation.

33 (3) The department shall report December 1st and June 1st of each
34 year to the senate transportation committee and the house of
35 representatives transportation committee and the office of financial
36 management on the timing and the scope of work being performed for the
37 regional transit authority known as sound transit. This report shall
38 provide a description of all department activities related to the

1 regional transit authority including investments in state-owned
2 infrastructure.

3 (4) The motor vehicle account--federal appropriation in this
4 section is transferrable to the transportation account to ensure
5 efficient funds management and program delivery.

6 (5) The north Sumner interchange project shall be funded entirely
7 from the motor vehicle account appropriation. The project shall no
8 longer receive a portion of its funding from the economic development
9 account.

10 (6) \$34,920,000 of the motor vehicle account--state appropriation
11 is provided solely for the state program share of freight mobility
12 projects as identified by the freight mobility strategic investment
13 board. The amount provided in this subsection can only be expended
14 upon authorization from the freight mobility strategic investment
15 board.

16 (7) The motor vehicle account--state appropriation includes
17 \$469,779,000 in proceeds from the sale of bonds authorized by RCW
18 47.10.843. The transportation commission may authorize the use of
19 current revenues available to the department of transportation in lieu
20 of bond proceeds for any part of the state appropriation.

21 (8) \$500,000 of the motor vehicle account--state appropriation is
22 provided solely for analysis and design of congestion solutions at the
23 intersections of the South Lake Union/Mercer corridor with Interstate
24 5 and SR 99. The amount provided in this subsection shall be expended
25 on the state's portion of the project. The department's authority to
26 expend the amount referenced in this subsection is contingent on the
27 city of Seattle appropriating \$500,000 or more toward design and
28 analysis for the local street portion of the project.

29 (9) \$10,000,000 of the motor vehicle account--state appropriation
30 and \$40,000,000 of the transportation account--state appropriation are
31 provided as a cash contribution for the development of the public
32 private initiatives project at Tacoma Narrows. State funds shall be
33 used initially for the acquisition of right of way and the forensic
34 studies of the existing bridge including purchase of equipment
35 necessary to conduct the studies. The balance of state funds not
36 required for acquisition of right of way and forensic studies shall be
37 placed with the designated bond trustee at the same time the privately
38 secured debt proceeds are deposited.

1 (10)(a) \$3,992,000 of the motor vehicle account--state
2 appropriation is provided for the following two highway projects on SR
3 16 except as set forth under (b) of this subsection: Union to Sixth
4 avenue/Pearl street and Sixth avenue/Pearl street to Jackson avenue.
5 These projects are part of a coordinated approach that, along with
6 construction of the Tacoma Narrows bridge project, will provide
7 congestion relief on the SR 16 corridor. The appropriations in this
8 section include funds for the construction of high occupancy vehicle
9 (HOV) lanes on SR 16 on both the eastern and western sides of the
10 Tacoma narrows bridge. The HOV construction project is part of a
11 coordinated approach that, along with construction of the Tacoma
12 Narrows bridge project, will provide congestion relief on the SR 16
13 corridor.

14 (b) If the Tacoma Narrows bridge project is delayed, the
15 transportation commission may reprioritize projects on SR 16.

16 (11) \$5,800,000 of the motor vehicle account--state appropriation
17 is provided solely for the completion of the weigh stations at Stanwood
18 and Cle Elum along with weigh in motion at those sites an weigh in
19 motion at Fort Lewis Northbound. The Washington state patrol and
20 department of transportation shall work cooperatively to complete these
21 projects.

22 (12) \$485,000 of the motor vehicle account--state appropriation is
23 a reappropriation provided solely to enable the translake committee to
24 finalize and present its recommendations. Upon presentation of the
25 recommendations, or upon the expenditure of the appropriation provided
26 by this subsection, the department of transportation shall disband the
27 committee.

28 (13) \$800,000 of the motor vehicle account--state appropriation is
29 provided solely to the Washington state department of transportation,
30 office of urban mobility, to advance the recommendations of the
31 translake Washington study committee. These funds shall be used to
32 develop a scope of work for an environmental impact statement and
33 related engineering work, including an environmental strategy, a
34 decision process, a statement of purpose and need, and a formal notice
35 of intent. None of the appropriation for the scope of work for the
36 environmental impact statement shall be available to support any
37 activities of the translake Washington study committee.

38 (14) \$500,000 of the motor vehicle fund--state appropriation is
39 provided solely for predesign of the northeast 44th street interchange

1 on I-405. The department of transportation and the city of Renton
2 shall develop a proposal that includes a funding plan for the
3 interchange that specifies the partner's share of the cost. The
4 department and the city shall report to the legislative transportation
5 committees by December 1, 1999.

6 *Sec. 219 was partially vetoed. See message at end of chapter.

7 NEW SECTION. **Sec. 220. FOR THE DEPARTMENT OF TRANSPORTATION--**
8 **TRANSPORTATION ECONOMIC PARTNERSHIPS--PROGRAM K**

9	Transportation Account--State Appropriation	\$	1,212,000
10	Motor Vehicle Account--State Appropriation	\$	10,162,000
11	TOTAL APPROPRIATION	\$	11,374,000

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: The motor vehicle fund--state appropriation
15 includes \$10,162,000 in proceeds from the sale of bonds authorized in
16 RCW 47.10.834 for all forms of cash contributions, or the payment of
17 other costs incident to the location, development, design, right of
18 way, and construction of the Tacoma narrows bridge improvements under
19 the public-private transportation initiative program authorized under
20 chapter 47.46 RCW; and for support costs of the public-private
21 transportation initiatives program.

22 NEW SECTION. **Sec. 221. FOR THE DEPARTMENT OF TRANSPORTATION--**
23 **HIGHWAY MAINTENANCE--PROGRAM M**

24	Motor Vehicle Account--State Appropriation	\$	251,426,000
25	Motor Vehicle Account--Federal Appropriation	\$	887,000
26	Motor Vehicle Account--Private/Local Appropriation	\$	3,417,000
27	TOTAL APPROPRIATION	\$	255,730,000

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

31 (1) If portions of the appropriations in this section are required
32 to fund maintenance work resulting from major disasters not covered by
33 federal emergency funds such as fire, flooding, and major slides,
34 supplemental appropriations will be requested to restore state funding
35 for ongoing maintenance activities.

1 (2) The department shall request an unanticipated receipt for any
2 federal moneys received for emergency snow and ice removal and shall
3 place an equal amount of the motor vehicle fund--state into unallotted
4 status. This exchange shall not affect the amount of funding available
5 for snow and ice removal.

6 NEW SECTION. **Sec. 222. FOR THE DEPARTMENT OF TRANSPORTATION--**
7 **PRESERVATION--PROGRAM P**

8	Motor Vehicle Account--State Appropriation	\$	318,691,000
9	Motor Vehicle Account--Federal Appropriation	\$	284,587,000
10	Motor Vehicle Account--Private/Local Appropriation	\$	3,117,000
11	Transportation Account--State Appropriation	\$	121,000
12	TOTAL APPROPRIATION	\$	606,516,000

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

16 (1) The motor vehicle fund--state appropriation includes \$6,650,000
17 in proceeds from the sale of bonds authorized in RCW 47.10.761 and
18 47.10.762 for emergency purposes. However, the transportation
19 commission may authorize the use of current revenues available to the
20 department of transportation in lieu of bond proceeds for any part of
21 the state appropriation.

22 (2) The motor vehicle account--federal appropriation in this
23 section is transferrable to the transportation account to ensure
24 efficient funds management and program delivery.

25 NEW SECTION. **Sec. 223. FOR THE DEPARTMENT OF TRANSPORTATION--**
26 **TRAFFIC OPERATIONS--PROGRAM Q**

27	State Patrol Highway Account--State Appropriation	\$	221,000
28	Motor Vehicle Account--State Appropriation	\$	37,085,000
29	Motor Vehicle Account--Federal Appropriation	\$	1,662,000
30	Motor Vehicle Account--Private/Local Appropriation	\$	122,000
31	TOTAL APPROPRIATION	\$	39,090,000

32 The appropriations in this section are subject to the following
33 conditions and limitations and the specified amount is provided solely
34 for that activity:

1 (1) The motor vehicle account--state appropriation includes
2 \$4,324,000 for state matching funds for federally selected competitive
3 grant or congressional earmark projects other than commercial vehicle
4 information system and network (CVISN). These moneys shall be placed
5 into reserve status until such time as federal funds are secured and a
6 state match is required. If matching federal funds are not obtained by
7 September 30, 2000, the amount provided in this subsection shall lapse.

8 (2) The motor vehicle account--state appropriation includes
9 \$600,000 for a two-year pilot program for contracted roving service
10 patrols. The department shall provide a progress report on this pilot
11 program to the office of financial management, the senate
12 transportation committee, and the house of representatives
13 transportation committee on December 1, 2000. The pilot program will
14 be evaluated with future direction and funding to be determined by the
15 documented results and benefits of the pilot program.

16 NEW SECTION. **Sec. 224. FOR THE DEPARTMENT OF TRANSPORTATION--**
17 **TRANSPORTATION MANAGEMENT AND SUPPORT--PROGRAM S**

18	Puget Sound Capital Construction Account--	
19	State Appropriation	\$ 4,464,000
20	Motor Vehicle Account--State Appropriation	\$ 98,390,000
21	Motor Vehicle Account--Federal Appropriation	\$ 125,000
22	Puget Sound Ferry Operations Account--	
23	State Appropriation	\$ 6,308,000
24	Transportation Account--State Appropriation	\$ 1,517,000
25	TOTAL APPROPRIATION	\$ 110,804,000

26 The appropriations in this section are subject to the following
27 conditions and limitations and the specified amount is provided solely
28 for that activity: \$586,000 of the motor vehicle account--state
29 appropriation is provided solely to enable the secretary of
30 transportation to implement a leadership training program at the
31 department of transportation. The program shall include a mentoring
32 component. The department shall develop performance measures to
33 evaluate the effectiveness of the program, including but not limited to
34 a performance measure to determine the effect of the program on
35 employee retention. The department shall provide a progress report on
36 the training program to the office of financial management, the senate

1 transportation committee, and the house of representatives
2 transportation committee by December 1, 2000.

3 NEW SECTION. **Sec. 225. FOR THE DEPARTMENT OF TRANSPORTATION--**
4 **TRANSPORTATION PLANNING, DATA, AND RESEARCH--PROGRAM T**

5	Motor Vehicle Account--State Appropriation	\$	12,109,000
6	Motor Vehicle Account--Federal Appropriation	\$	17,000,000
7	Transportation Account--State Appropriation	\$	1,371,000
8	TOTAL APPROPRIATION	\$	30,480,000

9 NEW SECTION. **Sec. 226. FOR THE DEPARTMENT OF TRANSPORTATION--**
10 **CHARGES FROM OTHER AGENCIES--PROGRAM U**

11 (1) FOR PAYMENT OF COSTS OF ATTORNEY GENERAL TORT CLAIMS SUPPORT
12 Transportation Account--State Appropriation \$ 2,595,000
13 Puget Sound Ferry Operations--State Appropriation . . \$ 1,155,000

14 (2) FOR PAYMENT OF COSTS OF THE OFFICE OF THE STATE AUDITOR
15 Motor Vehicle Account--State Appropriation \$ 907,000

16 (3) FOR PAYMENT OF COSTS OF DEPARTMENT OF GENERAL ADMINISTRATION
17 FACILITIES AND SERVICES AND CONSOLIDATED MAIL SERVICES
18 Motor Vehicle Account--State Appropriation \$ 3,743,000

19 (4) FOR PAYMENT OF COSTS OF THE DEPARTMENT OF PERSONNEL
20 Motor Vehicle Account--State Appropriation \$ 2,240,000

21 (5) FOR PAYMENT OF SELF-INSURANCE LIABILITY PREMIUMS AND
22 ADMINISTRATION
23 Transportation Account--State Appropriation \$ 12,039,000

24 (6) FOR PAYMENT OF SELF-INSURANCE LIABILITY PREMIUMS AND
25 ADMINISTRATION
26 Motor Vehicle Fund--Puget Sound Ferry Operations Account--
27 State Appropriation \$ 3,462,000

28 (7) FOR PAYMENT OF COSTS OF OFFICE OF MINORITY AND WOMEN'S BUSINESS
29 ENTERPRISES
30 Motor Vehicle Account--State Appropriation \$ 158,000

31 (8) FOR PAYMENT OF COSTS OF THE DEPARTMENT OF GENERAL
32 ADMINISTRATION STATE PARKING SERVICES
33 Motor Vehicle Account--State Appropriation \$ 90,000

34 (9) FOR PAYMENT OF THE DEPARTMENT OF GENERAL ADMINISTRATION CAPITAL
35 PROJECTS SURCHARGE
36 Motor Vehicle Account--State Appropriation \$ 1,100,000

37 (10) FOR ARCHIVES AND RECORDS MANAGEMENT

1 Motor Vehicle Account--State Appropriation \$ 392,000

2 NEW SECTION. **Sec. 227. FOR THE DEPARTMENT OF TRANSPORTATION--**
3 **PUBLIC TRANSPORTATION--PROGRAM V**

4 High Capacity Transportation Account--
5 State Appropriation \$ 3,701,000

6 Air Pollution Control Account--State
7 Appropriation \$ 6,253,000

8 Transportation Account--State Appropriation \$ 7,187,000

9 Transportation Account--Federal Appropriation \$ 7,345,000

10 Transportation Account--Private/Local
11 Appropriation \$ 105,000

12 Public Transportation Systems Account--
13 State Appropriation \$ 800,000

14 TOTAL APPROPRIATION \$ 24,391,000

15 The appropriations in this section are subject to the following
16 conditions and limitations and specified amounts are provided solely
17 for that activity:

18 (1) Up to \$750,000 of the transportation account--state
19 appropriation is provided solely for grants and activities relating to
20 coordinating special needs transportation among state and local
21 providers. When selecting grant recipients, the agency council on
22 coordinated transportation shall give priority to projects and programs
23 that can be accomplished in the 1999-2001 biennium. The department may
24 expend up to \$250,000 without a matching appropriation. The
25 department's authority to expend more than that amount is conditioned
26 upon the legislature authorizing a matching appropriation equal to the
27 total expenditure of the amount provided in this subsection.

28 (2) \$50,000 of the public transportation systems account--state
29 appropriation is provided solely to continue and enhance an existing
30 pilot project between a public transit provider and a school district
31 expanding public transit service to high school students in order to
32 reduce the use of single occupancy vehicles.

33 (3) The department shall assess its commute trip reduction program.
34 The assessment shall include an evaluation of tax credits or other
35 incentives to employers who reduce commute trips to their work sites by
36 encouraging employees to telecommute. Up to \$50,000 of the air
37 pollution control account--state appropriation is provided for a pilot

1 project implementing telecommuting as part of the commute trip
2 reduction program. The pilot project may include use of tax credits or
3 other financial incentives.

4 (4) In evaluating applications for rural mobility grants to public
5 transportation agencies, the department shall give added weight to
6 projects that improve connectivity among transit providers and across
7 jurisdictional boundaries.

8 (5) \$4,900,000 of the transportation account--federal appropriation
9 is provided solely for commute trip reduction programs administered by
10 the department of transportation. These funds come from the TEA-21
11 congestion mitigation air quality program. The office of financial
12 management shall place \$1,000,000 of the air pollution control
13 account--state appropriation in reserve status.

14 *NEW SECTION. **Sec. 228. FOR THE DEPARTMENT OF TRANSPORTATION--**
15 **WASHINGTON STATE FERRIES CONSTRUCTION--PROGRAM W**

16 Puget Sound Capital Construction Account--	
17 State Appropriation	\$ 140,135,000
18 Puget Sound Capital Construction Account--	
19 Federal Appropriation	\$ 29,575,000
20 Passenger Ferry Account--State Appropriation	\$ 789,000
21 Motor Vehicle Account--State Appropriation	\$ 116,221,000
22 TOTAL APPROPRIATION	\$ 286,720,000

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

29 (1) The appropriations in this section, unless otherwise specified,
30 are provided to carry out only the projects in the Washington state
31 ferries capital program plan - version 3. The department shall
32 reconcile the 1997-99 capital expenditures within ninety days of the
33 end of the biennium and submit a final report to the senate
34 transportation committee, the house of representatives transportation
35 committee, and the office of financial management.

36 (2) The Puget Sound capital construction account--state
37 appropriation includes \$27,000,000 in proceeds from the sale of bonds

1 authorized by RCW 47.60.800 for vessel and terminal acquisition, major
2 and minor improvements, and long lead time materials acquisition for
3 the Washington state ferries. The transportation commission may
4 authorize the use of current revenues available to the Puget Sound
5 capital construction account in lieu of bond proceeds for any part of
6 the state appropriation.

7 *(3) \$1,500,000 of the motor vehicle account--state appropriation is*
8 *provided solely for preliminary engineering activities to develop a new*
9 *class of auto/passenger ferries. The design specifications for the*
10 *vessels shall require that the vessels deliver optimal performance in*
11 *terms of vessel speed, safety, reliability, and minimization of*
12 *environmental impacts including damage on the shoreline from the wake*
13 *of the vessels. The vessels are intended to ensure Washington state*
14 *ferries compliance with applicable international and domestic vessel*
15 *safety standards and the Americans with disabilities act on identified*
16 *routes. This class of ferries should have a single adaptable design*
17 *able to operate efficiently and effectively on different ferry routes,*
18 *each of which has specific vessel capacity and handling requirements.*
19 *These vessels are intended to relieve existing and projected vehicular*
20 *traffic demand on congested routes such as, but not limited to,*
21 *Seattle/Bremerton, Fauntleroy/Southworth, and Port Townsend/Keystone.*

22 *(a) Washington state ferries shall prepare:*

23 *(i) A conceptual design outlining the owner's functional*
24 *requirements;*

25 *(ii) A design report that includes a budget estimate and outline of*
26 *specifications and plans;*

27 *(iii) Specific contractual requirements and specifications;*

28 *(iv) An evaluation of using the request for proposals process in*
29 *accordance with RCW 47.56.030;*

30 *(v) A request for interest to provide a propulsion system for this*
31 *vessel class; and*

32 *(vi) An exploration of a public private partnership between*
33 *Washington state ferries, shipbuilders, and their supporting*
34 *engineering firms for design and construction of the vessel or vessels.*

35 *(b) Washington state ferries shall report to the legislature by*
36 *December 1, 1999, on the conceptual design criteria and budget*
37 *estimates for preferred hull design and propulsion system/engine*
38 *alternatives. The report shall include recommended statutory changes*

1 *that the legislature would need to enact in order to proceed with*
2 *acquisition of this class of vessels.*

3 (4) The motor vehicle account--state appropriation includes
4 \$110,729,000 in proceeds from the sale of bonds authorized by RCW
5 47.10.843. The transportation commission may authorize the use of
6 current revenues available to the department of transportation in lieu
7 of bond proceeds for any part of the state appropriation.

8 (5) The department shall structure the request for proposal for the
9 purchase of passenger-only ferries authorized under RCW 47.60.652 to
10 include the purchase of a fifth back-up ferry to support maintenance
11 schedules, emergency service needs, and provide continuity of service
12 on all passenger-only ferry routes. The purchase of a fifth passenger-
13 only ferry is subject to subsequent legislative appropriation.

14 *Sec. 228 was partially vetoed. See message at end of chapter.

15 NEW SECTION. **Sec. 229. FOR THE DEPARTMENT OF TRANSPORTATION--**
16 **MARINE--PROGRAM X**

17 Marine Operating Account--State Appropriation \$ 303,014,000

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

21 (1) The appropriation is based on the budgeted expenditure of
22 \$29,104,000 for vessel operating fuel in the 1999-2001 biennium. If
23 the actual cost of fuel is less than this budgeted amount, the excess
24 amount may not be expended. If the actual cost exceeds this amount,
25 the department shall request a supplemental appropriation.

26 (2) The appropriation provides for the compensation of ferry
27 employees. The expenditures for compensation paid to ferry employees
28 during the 1999-2001 biennium may not exceed \$205,640,000 plus a dollar
29 amount, as prescribed by the office of financial management, that is
30 equal to any insurance benefit increase granted general government
31 employees in excess of \$341.75 a month annualized per eligible marine
32 employee multiplied by the number of eligible marine employees for the
33 respective fiscal year, a dollar amount as prescribed by the office of
34 financial management for costs associated with pension amortization
35 charges, and a dollar amount prescribed by the office of financial
36 management for salary increases during the 1999-2001 biennium. For the
37 purposes of this section, the expenditures for compensation paid to

1 ferry employees shall be limited to salaries and wages and employee
2 benefits as defined in the office of financial management's policies,
3 regulations, and procedures named under objects of expenditure "A" and
4 "B" (7.2.6.2).

5 The prescribed salary and insurance benefit increase or decrease
6 dollar amount that shall be allocated from the governor's compensation
7 appropriations is in addition to the appropriation contained in this
8 section and may be used to increase or decrease compensation costs,
9 effective July 1, 1999, and thereafter, as established in the 1999-2001
10 general fund operating budget.

11 (3) Up to \$2,770,000 of the marine operating account--state
12 appropriation may be used for leasing and operating an appropriate
13 passenger only ferry vessel for the purpose of supporting existing, or
14 testing new, passenger only service while testing alternative vessel
15 technologies.

16 NEW SECTION. **Sec. 230. FOR THE DEPARTMENT OF TRANSPORTATION--**
17 **RAIL--PROGRAM Y**

18	Essential Rail Assistance Account--		
19	State Appropriation	\$	85,000
20	High Capacity Transportation Account--		
21	State Appropriation	\$	15,094,000
22	Transportation Account--State Appropriation	\$	95,915,000
23	Transportation Account--Federal Appropriation	\$	10,000,000
24	Public Transportation Systems Account--		
25	State Appropriation	\$	5,000,000
26	TOTAL APPROPRIATION	\$	126,094,000

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

30 (1) No appropriation in this section may be used to fund rail
31 passenger service south of Portland, Oregon.

32 (2) \$2,000,000 of the transportation account--state appropriation
33 and \$4,000,000 of the high capacity transportation account--state
34 appropriation are provided solely for the freight rail assistance
35 program to provide grants and loans for light density rail lines.

36 (3) \$3,000,000 of the high capacity transportation account--state
37 appropriation is provided solely for acquisition of up to six rail

1 passenger cars to add capacity to existing advanced technology train
2 sets operating in Washington state.

3 (4) \$6,298,000 of the high capacity transportation account--state
4 appropriation is provided to fund the operation of a second train set
5 providing additional roundtrip service from Seattle to Vancouver,
6 British Columbia. The department's authority to expend the
7 appropriation referenced in this subsection for service north of Blaine
8 is conditioned upon Canada, the province of British Columbia, and/or
9 private sources undertaking the capital expenditures necessary to make
10 the rail capital improvements required to facilitate improved round
11 trip rail service between Seattle and Vancouver, B.C.

12 (5) \$10,000,000 of the transportation account--state appropriation
13 and \$5,000,000 of the public transportation systems account--state
14 appropriation are provided solely for the King street maintenance
15 facility to be built in partnership with Amtrak. The amount referenced
16 in this subsection is conditioned on the execution of agreements
17 between the department of transportation, Amtrak, sound transit, and
18 other participating parties which will assure that the maintenance and
19 operation of the maintenance facility will not require state funding,
20 except for billings for maintenance of state owned passenger trains.

21 (6) To the greatest extent practicable, expenditure of funds shall
22 maximize funds from partnerships and coordinate with other agencies
23 investing in track improvements.

24 (7) \$5,000,000 of the transportation account--federal appropriation
25 is provided from TEA-21 surface transportation program enhancement
26 funds is provided solely for restoration of and improvements to the
27 King Street station.

28 ***NEW SECTION. Sec. 231. FOR THE DEPARTMENT OF TRANSPORTATION--**
29 **LOCAL PROGRAMS--PROGRAM Z**

30 Motor Vehicle Account--State Appropriation	\$	129,886,000
31 Motor Vehicle Account--Federal Appropriation	\$	8,040,000
32 Transportation Account--State Appropriation	\$	10,767,000
33 Transportation Infrastructure Account--State		
34 Appropriation	\$	3,250,000
35 Transportation Infrastructure Account--		
36 Private/Local Appropriation	\$	1,750,000
37 High Capacity Transportation Account--State		
38 Appropriation	\$	150,000

1	Highway Infrastructure Account--Federal	
2	Appropriation	\$ 1,500,000
3	Highway Infrastructure Account--State	
4	Appropriation	\$ 234,000
5	TOTAL APPROPRIATION	\$ 155,577,000

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

9 (1) \$300,000 of the transportation account--state appropriation is
10 provided solely to establish alternatives for flood management and
11 flood hazard reduction projects in the Chehalis basin.

12 (a) The department of transportation shall convene a technical
13 committee to develop watershed-based solutions to flooding within the
14 Chehalis basin. The technical committee shall be comprised of
15 representatives of the department of transportation, department of
16 ecology, department of fish and wildlife, the department of community,
17 trade, and economic development, the military department's emergency
18 management division, and affected counties and tribes. The department
19 of transportation shall also seek the participation of the United
20 States army corps of engineers, federal emergency management
21 administration, the United States geological survey, the United States
22 fish and wildlife service, the United States environmental protection
23 agency, and other entities with critical knowledge related to the
24 structural or nonstructural flood hazard reduction projects in the
25 Chehalis basin. Funds shall be distributed by the department of
26 transportation for alternative analysis, mapping, and model testing
27 projects as recommended by the technical committee. The solutions
28 considered by the technical committee shall be consistent with fish and
29 habitat recovery efforts and avoid additional flood hazard to
30 downstream communities. The department of transportation shall present
31 a report to the senate transportation committee and the house of
32 representatives transportation committee by December 1, 1999, regarding
33 findings and progress made by funded projects.

34 (b) If the federal government makes funds available to accomplish
35 the project described in (a) of this subsection, the department of
36 transportation shall place the appropriation identified in this section
37 in reserve.

1 (2) \$85,121,000 of the motor vehicle account--state appropriation
2 is provided solely for the state program share of freight mobility
3 projects as identified by the freight mobility strategic investment
4 board. *Notwithstanding RCW 79.91.100, between July 1, 1999, and June*
5 *30, 2001, the department of natural resources shall execute and deliver*
6 *an instrument granting an easement to cities, towns, and counties who*
7 *request an easement for roadway purposes, including the right to make*
8 *necessary fills, on, over, or across the beds of navigable waters if*
9 *those easements are necessary to facilitate the construction of*
10 *projects funded in whole or part by a portion of the appropriation*
11 *referenced in this subsection. The department of natural resources*
12 *shall not charge the city, town, or county for the easement except as*
13 *necessary to recover reasonable administrative costs.* The amount
14 provided in this subsection can only be expended upon authorization
15 from the freight mobility strategic investment board.

16 (3) \$400,000 of the transportation account--state appropriation is
17 provided solely for a study by the senate transportation committee and
18 the house of representatives transportation committee in cooperation
19 with the port of Benton developing a strategic corridor feasibility and
20 master site plan for the port of Benton. If the port of Benton does
21 not provide at least \$200,000 to fund the plan development, the
22 transportation fund--state appropriation referenced in this subsection
23 shall lapse and this subsection shall be null and void.

24 (4) The motor vehicle account--state appropriation includes
25 \$105,121,000 in proceeds from the sale of bonds authorized by RCW
26 47.10.843. The transportation commission may authorize the use of
27 current revenues available to the department of transportation in lieu
28 of bond proceeds for any part of the state appropriation.

29 (5) \$10,000,000 of the transportation account--state appropriation
30 is provided solely to fund the first phase of a multiphase cooperative
31 project with the state of Oregon to dredge the Columbia river. The
32 department shall not expend the appropriation in this section unless
33 agreement on ocean disposal sites has been reached which protects the
34 state's commercial crab fishery. The amount provided in this
35 subsection shall lapse unless the state of Oregon appropriates a
36 dollar-for-dollar match to fund its share of the project.

37 (6) The motor vehicle account--state appropriation includes
38 \$1,167,000 in proceeds from the sale of bonds authorized by RCW
39 47.10.819(1). The transportation commission may authorize the use of

1 current revenues available to the department of transportation in lieu
2 of bond proceeds for any part of the state appropriation.

3 (7) \$5,000,000 of the motor vehicle account--state appropriation is
4 provided solely for a small city pavement preservation program, to be
5 administered by the department's TransAid division. The department, in
6 consultation with stakeholders, shall establish program guidelines.
7 The guidelines should include but not be limited to a provision
8 limiting program eligibility to cities with a population of 2,500 or
9 less.

10 (8) \$20,000,000 of the motor vehicle account--state appropriation
11 is provided solely for a county corridor congestion relief program, to
12 be administered by the department's TransAid division. The purpose of
13 the program is to provide funding for congested urban corridors, as
14 defined and selected by the department of transportation in
15 consultation with counties, regional transportation planning
16 organizations, and the transportation improvement board. At a minimum,
17 project selection criteria should include: Consistency with regional
18 transportation plans; measurable improvements in mobility; cost
19 effectiveness; systemic corridor mobility improvements rather than
20 isolated "spot" improvements; and optimal timing for construction.

21 (9) \$5,000,000 of the motor vehicle account--state appropriation is
22 provided solely for improving traffic and pedestrian safety near
23 schools. The TransAid division within the department of transportation
24 shall administer this program. Funds should be used for traffic and
25 pedestrian improvements near schools, including roadway channelization
26 and signalization.

27 (10) The TransAid division within the department of transportation
28 shall develop a prequalification procedure for potential bidders on
29 projects administered or approved by the transportation improvement
30 board. The board shall work with other interested parties including
31 but not limited to associations representing general contractors and
32 the office of minority and women's business enterprises. The
33 prequalification procedure's goal is to ascertain that bidders are
34 qualified by experience, financing, equipment, and organization to do
35 the work called for in the contract documents. The prequalification
36 procedure may require a bidder to (1) satisfy threshold requirements
37 established by the board prior to being furnished a proposal form on
38 any contract; or (2) complete a preaward survey of the bidder's
39 qualification prior to award.

1 (11) Up to \$100,000 of the motor vehicle account--state
2 appropriation is provided solely for audits of city and county
3 transportation funding to determine whether any city or county has
4 supplanted its local transportation funding with state funding provided
5 under sections 408 and 409 of this act. The department shall report
6 the results of this audit to the senate transportation committee, the
7 house of representatives transportation committee, and the office of
8 financial management by December 31, 2000.

9 (12) \$5,000,000 of the motor vehicle account--state appropriation
10 is provided solely for city fish passage barrier removal and habitat
11 restoration. Funds should be used for eliminating fish passage
12 barriers, including stormwater facilities, and providing for habitat
13 restoration for salmonid species that are listed as threatened or
14 endangered. The amount provided in this section may only be expended
15 upon authorization from the department of transportation's
16 environmental affairs office.

17 ***Sec. 231 was partially vetoed. See message at end of chapter.**

18 (End of part)

1 PART IV

2 TRANSFERS AND DISTRIBUTIONS

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

7	Highway Bond Retirement Account Appropriation	\$	184,810,000
8	Ferry Bond Retirement Account Appropriation	\$	53,353,000
9	Transportation Improvement Board Bond Retirement		
10	Account--State Appropriation	\$	35,158,000
11	Puget Sound Capital Construction Account--State		
12	Appropriation	\$	270,000
13	Motor Vehicle Account--State Appropriation	\$	6,543,000
14	Special Category C Account--State Appropriation	\$	405,000
15	TOTAL APPROPRIATION	\$	280,539,000

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

19	Motor Vehicle Fund--Puget Sound Capital Construction		
20	Account Appropriation	\$	36,000
21	Motor Vehicle Account--State Appropriation	\$	811,000
22	Special Category C Account Appropriation	\$	53,000
23	TOTAL APPROPRIATION	\$	900,000

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

26	Motor Vehicle Fund Appropriation for		
27	motor vehicle fuel tax and overload		
28	penalties distribution	\$	492,721,000
29	Transportation Fund Appropriation for		
30	motor vehicle excise tax distribution	\$	491,606,000

31 NEW SECTION. Sec. 404. FOR THE DEPARTMENT OF RETIREMENT SYSTEMS--
32 TRANSFERS

33 Motor Vehicle Fund--State Patrol Highway Account:

1 For transfer to the Department of
2 Retirement Systems Expense Fund \$ 171,000

3 NEW SECTION. **Sec. 405. STATUTORY APPROPRIATIONS.** In addition to
4 the amounts appropriated in this act for revenue for distribution,
5 state contributions to the law enforcement officers' and fire fighters'
6 retirement system, and bond retirement and interest including ongoing
7 bond registration and transfer charges, transfers, interest on
8 registered warrants, and certificates of indebtedness, there is also
9 appropriated such further amounts as may be required or available for
10 these purposes under any statutory formula or under any proper bond
11 covenant made under law.

12 NEW SECTION. **Sec. 406.** The department of transportation is
13 authorized to undertake federal advance construction projects under the
14 provisions of 23 U.S.C. Sec. 115 in order to maintain progress in
15 meeting approved highway construction and preservation objectives. The
16 legislature recognizes that the use of state funds may be required to
17 temporarily fund expenditures of the federal appropriations for the
18 highway construction and preservation programs for federal advance
19 construction projects prior to conversion to federal funding.

20 NEW SECTION. **Sec. 407. FOR THE STATE TREASURER--TRANSFERS**

21 (1) RV Account--State Appropriation:
22 For transfer to the Motor Vehicle Fund--State \$ 1,590,000
23 (2) Transportation Account--State Appropriation:
24 For transfer to the Transportation Infrastructure
25 Account--State \$ 5,000,000

26 The department of transportation shall only transfer funds provided
27 under this subsection on an as-needed basis.

28 NEW SECTION. **Sec. 408. FOR THE STATE TREASURER--STATE REVENUES**
29 **FOR DISTRIBUTION**

30 Motor Vehicle Fund--State Appropriation
31 for distribution to the cities \$ 18,250,000
32 Motor Vehicle Fund--State Appropriation
33 for distribution to the counties \$ 10,000,000

1 The distributions 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 for distribution to
5 cities is provided solely to be distributed to cities with a population
6 of over two thousand five hundred in a manner consistent with RCW
7 46.68.110(4) in one distribution on March 1, 2000. The motor vehicle
8 fund--state appropriation for distribution to the counties is provided
9 solely to be distributed in a manner consistent with RCW 46.68.122 in
10 one distribution on March 1, 2000. If the voters of this state pass an
11 initiative that eliminates or reduces the motor vehicle excise tax
12 authorized under RCW 82.44.020, the appropriations in this section
13 shall lapse.

14 (2) The amounts provided in this section may not be used to
15 supplant any existing local government funding for transportation
16 projects or programs. Any local government in violation of this
17 requirement shall immediately forfeit its eligibility for future
18 distributions provided under this section.

19 NEW SECTION. **Sec. 409. FOR THE STATE TREASURER--STATE REVENUES**
20 **FOR DISTRIBUTION**

21	Motor Vehicle Fund--State Appropriation	
22	for distribution to the cities	\$ 19,580,000
23	Motor Vehicle Fund--State Appropriation	
24	for distribution to the counties	\$ 10,000,000

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

28 (1) The motor vehicle fund--state appropriation for distribution to
29 cities is provided solely to be distributed to cities with a population
30 of over two thousand five hundred in a manner consistent with RCW
31 46.68.110(4) in one distribution on March 1, 2001. The motor vehicle
32 fund--state appropriation for distribution to the counties is provided
33 solely to be distributed in a manner consistent with RCW 46.68.122 in
34 one distribution on March 1, 2001. If the voters of this state pass an
35 initiative that eliminates or reduces the motor vehicle excise tax
36 authorized under RCW 82.44.020, the appropriations in this section
37 shall lapse.

1 (2) The amounts provided in this section may not be used to
2 supplant any existing local government funding for transportation
3 projects or programs. Any local government in violation of this
4 requirement shall immediately forfeit its eligibility for future
5 distributions provided under this section.

6 NEW SECTION. **Sec. 410.** The office of the state treasurer is
7 authorized to transfer any transportation improvement account and urban
8 arterial trust account balances available in the highway bond
9 retirement account into the transportation improvement board bond
10 retirement account following a cooperative agreement by the department
11 of transportation and the transportation improvement board on the exact
12 amount of the transfer.

13 NEW SECTION. **Sec. 411.** The motor vehicle account revenues are
14 received at a relatively even flow throughout the year. Expenditures
15 may exceed the revenue during the accelerated summer and fall highway
16 construction season, creating a negative cash balance during the heavy
17 construction season. Negative cash balances also may result from the
18 use of state funds to finance federal advance construction projects
19 prior to conversion to federal funding. The governor and the
20 legislature recognize that the department of transportation may require
21 interfund loans or other short-term financing to meet temporary
22 seasonal cash requirements and additional cash requirements to fund
23 federal advance construction projects.

24 NEW SECTION. **Sec. 412.** In addition to such other appropriations
25 as are made by this act, there is appropriated to the department of
26 transportation from legally available bond proceeds in the respective
27 transportation funds and accounts such amounts as are necessary to pay
28 the expenses incurred by the state finance committee in the issuance
29 and sale of the subject bonds.

30 NEW SECTION. **Sec. 413. FOR THE DEPARTMENT OF TRANSPORTATION--**
31 **TRANSFERS.** The department of transportation shall make the following
32 transfers contingent on passage of the bills referenced in each proviso
33 as identified by bill number in the form passed by the legislature:

1 (1) If Senate Bill No. 5615 or House Bill No. 1588 is enacted in
2 the form passed by the legislature the department of transportation
3 shall transfer:

4 (a) The balances remaining at the close of the 1997-99 biennium in
5 the economic development account and the transportation capital
6 facilities account to the motor vehicle account--state; and

7 (b) The balance remaining at the close of fiscal year 2000 in the
8 marine operating account to the Puget Sound ferry operations account.

9 (2) If neither Senate Bill No. 5615 nor House Bill No. 1588 is
10 enacted in the form passed by the legislature the department of
11 transportation is authorized to transfer any balances available in the
12 highway construction stabilization account to the motor vehicle account
13 to fund the appropriations contained in this act.

14 NEW SECTION. **Sec. 414. FOR THE TRANSPORTATION IMPROVEMENT BOARD--**
15 **TRANSFERS.** The transportation improvement board shall make the
16 following transfers contingent on passage of the bills referenced in
17 each proviso as enacted in the form passed by the legislature:

18 (1) If Senate Bill No. 5360 or House Bill No. 1053 is enacted in
19 the form passed by the legislature the transportation improvement board
20 shall transfer the balances remaining at the close of the 1997-99
21 biennium in the small city account and the city hardship assistance
22 account to the urban arterial trust account.

23 (2) If Senate Bill No. 5615 or House Bill No. 1588 is enacted in
24 the form passed by the legislature the transportation improvement board
25 shall transfer:

26 (a) The balances remaining at the close of the 1997-99 biennium in
27 the small city account and the city hardship assistance account to the
28 urban arterial trust account; and

29 (b) The balance remaining at the close of the 1997-99 biennium in
30 the central Puget Sound public transportation systems account to the
31 public transportation systems account.

32 (End of part)

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PART V
1997-99 SUPPLEMENTAL APPROPRIATIONS

Transportation Agencies

Sec. 501. 1997 c 457 s 204 (uncodified) is amended to read as follows:

FOR THE TRANSPORTATION IMPROVEMENT BOARD

Motor Vehicle Fund--Urban Arterial Trust		
Account--State Appropriation	\$	57,159,000
Motor Vehicle Fund--Transportation Improvement		
Account--State Appropriation	\$	122,014,000
Motor Vehicle Fund--City Hardship Assistance		
Account--State Appropriation	\$	2,649,000
Motor Vehicle Fund--Small City Account--		
State Appropriation	\$	((7,921,000))
		<u>9,921,000</u>
Central Puget Sound Public Transportation		
Account--State Appropriation	\$	27,360,000
Public Transportation Systems Account--		
State Appropriation	\$	3,928,000
TOTAL APPROPRIATION	\$	((221,031,000))
		<u>223,031,000</u>

The appropriations in this section are subject to the following conditions and limitations and specified amounts are provided solely for that activity: The transportation improvement account--state appropriation includes \$40,000,000 in proceeds from the sale of bonds authorized in RCW 47.26.500. However, the transportation improvement board may authorize the use of current revenues available in lieu of bond proceeds.

Sec. 502. 1998 c 348 s 203 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE PATROL--FIELD OPERATIONS BUREAU

Motor Vehicle Fund--State Patrol Highway

1	Account--State Appropriation	\$	((163,789,000))
2			<u>166,035,000</u>
3	Motor Vehicle Fund--State Patrol Highway		
4	Account--Federal Appropriation	\$	((4,374,000))
5			<u>4,688,000</u>
6	Motor Vehicle Fund--State Patrol Highway		
7	Account--Local Appropriation	\$	170,000
8	Transportation Fund--State Appropriation	\$	4,522,000
9	TOTAL APPROPRIATION	\$	((172,855,000))
10			<u>175,415,000</u>

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

14 (1) The Washington state patrol is authorized to use the federal
15 community oriented policing program (COPS) for 54 troopers with 18 COPS
16 troopers to begin in July 1998 and 36 COPS troopers to begin in January
17 1999.

18 (2) \$4,463,000 of the transportation fund--state appropriation and
19 \$3,737,000 of the motor vehicle fund--state patrol highway account--
20 state appropriation are provided for an equalization salary adjustment
21 of three percent on July 1, 1997, and six percent on July 1, 1998, for
22 commissioned officers (entry level trooper through captain), commercial
23 vehicle enforcement officers, and communication officers of the
24 Washington state patrol. The salary adjustments are intended to bring
25 the existing salary levels into the fiftieth percentile of other
26 Washington state law enforcement compensation plans. This is in
27 addition to the salary increase contained in the omnibus appropriation
28 bill or bills. The total of the two increases, in the transportation
29 budget and omnibus appropriation bill or bills, may not exceed twelve
30 percent.

31 (3) The Washington state patrol will develop a vehicle replacement
32 plan for the next six years. The plan will include an analysis of the
33 current 100,000 miles replacement policy and agency assignment policy.
34 Projected future budget requirements will include forecasts of vehicle
35 replacement costs, vehicle equipment costs, and estimated surplus
36 vehicle values when sold at auction.

1 (4) The Washington state patrol vessel and terminal security (VATS)
2 program will be funded by the state patrol highway fund beginning July
3 1, 1997, and into future biennia.

4 (5) A personnel data base will be maintained of the 801
5 commissioned traffic law enforcement officers, with a reconciliation at
6 all times to the patrol allocation model and a vehicle assignment and
7 replacement plan.

8 (6) \$150,000 of the state patrol highway account appropriation is
9 to fund the Washington state patrol's portion of the drug recognition
10 expert training program previously funded by the traffic safety
11 commission.

12 (7) The Washington state patrol with legislative transportation
13 committee staff will perform an interim study of the Washington state
14 patrol's commercial vehicle enforcement program with a report to be
15 presented to the legislature and office of financial management in
16 January 1998 with a developed business plan and program recommendations
17 which includes, but is not limited to, weigh in motion technologies.

18 (8)(a) The Washington state patrol, in consultation with the
19 Washington traffic safety commission, shall conduct an analysis of the
20 most effective safety devices for preventing accidents while delivery
21 trucks are operating in reverse gear. The analysis shall focus on
22 trucks equipped with cube-style, walk-in cargo boxes, up to eighteen
23 feet long, that are most commonly used in the commercial delivery of
24 goods and services.

25 (b) The state patrol shall incorporate research and analysis
26 currently being conducted by the national highway traffic safety
27 administration.

28 (c) Upon completion of the analysis, the state patrol shall forward
29 its recommendations to the legislative transportation committee and
30 office of financial management.

31 (9) \$381,000 of the transportation fund--state appropriation is
32 provided for the following traditional general fund purposes: The
33 governor's air travel, the license fraud program, and the special
34 services unit. This transportation fund--state appropriation is not a
35 permanent funding source for these purposes.

36 (10) \$461,000 of the state patrol highway account appropriation is
37 provided solely for monitoring and stopping fuel tax evasion. The
38 Washington state patrol will report on December 1, 1998, to the

1 legislative transportation committee on the activities and revenue
2 collected associated with fuel tax evasion.

3 (11) \$289,000 of the state patrol highway account appropriation is
4 provided solely for vehicle license fraud investigation. A report will
5 be presented each session to the legislature on the activities and
6 revenue collected by the vehicle license fraud unit.

7 (12) \$268,000 of the motor vehicle fund--state patrol highway
8 account is provided solely to cover the employer's share of medicare
9 premiums for commissioned officers hired prior to 1986. If a
10 referendum of these officers does not receive majority support this
11 appropriation shall not be expended by the state patrol.

12 (13) \$105,000 of the motor vehicle fund--state patrol highway
13 account--state appropriation and \$314,000 of the motor vehicle fund--
14 state patrol highway account--federal appropriation are provided solely
15 for laptop personal computers, peripheral equipment, and necessary
16 software for existing community oriented policing program (COPS)
17 troopers.

18 (14) \$2,300,000 of the motor vehicle fund--state patrol highway
19 account--state appropriation is provided solely to purchase 100
20 equipped pursuit vehicles. If the transportation fund--state
21 appropriation reduction described in section 503(9) of this act does
22 not take place, the amount provided in this subsection shall lapse. If
23 the state patrol does not purchase the vehicles prior to June 30, 1999,
24 the amount provided in this subsection shall lapse.

25 **Sec. 503.** 1998 c 348 s 205 (uncodified) is amended to read as
26 follows:

27 **FOR THE WASHINGTON STATE PATROL--SUPPORT SERVICES BUREAU**

28 Motor Vehicle Fund--State Patrol Highway	
29 Account--State Appropriation	\$ 52,926,000
30 Motor Vehicle Fund--State Patrol Highway	
31 Account--Federal Appropriation	\$ 104,000
32 Transportation Fund--State Appropriation	\$ ((2,513,000))
33	<u>214,000</u>
34 TOTAL APPROPRIATION	\$ ((55,543,000))
35	<u>53,244,000</u>

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) \$1,017,000 for the state patrol highway account--state
5 appropriation is provided solely for year 2000 conversions of
6 transportation automated systems. For purposes of this subsection,
7 transportation automated systems does not include WASIS and WACIS.

8 (2) \$50,000 of the state patrol highway account--state
9 appropriation is provided solely for a feasibility study to assess the
10 effect of mobile computers on trooper productivity by type of service
11 and measurement of the productivity gains achieved through reduction in
12 administrative time and paperwork processing. The agency shall submit
13 a copy of the proposed study workplan to the office of financial
14 management, the department of information services, and the legislative
15 transportation committee no later than October 1, 1997. A final report
16 shall be submitted to the legislative transportation committee, the
17 office of financial management, and the department of information
18 services no later than January 31, 1998. This project is subject to
19 the provisions of section 502 of this act.

20 (3) \$50,000 of the state patrol highway account--state
21 appropriation is provided solely for a review of the feasibility of
22 improving the patrol's computer-aided dispatch system to permit
23 tracking of trooper availability and response time to calls for
24 service. The agency shall submit a copy of the proposed study workplan
25 to the office of financial management, the department of information
26 services, and the legislative transportation committee no later than
27 October 1, 1997. A final report shall be submitted to the legislative
28 transportation committee, the office of financial management, and the
29 department of information services no later than January 31, 1998.
30 This project is subject to the provisions of section 502 of this act.

31 (4) These appropriations maintain current level funding for the
32 Washington state patrol service center and have no budget savings
33 included for a consolidation of service centers based on the study
34 conducted by the technology management group. During the 1997 interim,
35 the costs for current level will be reviewed by the office of financial
36 management and department of information services with a formal data
37 center recommendation, that has been approved by the information
38 services board, to the legislature in January 1998. Current level
39 funding will be split between fiscal year 1998 and fiscal year 1999

1 with consideration of funding adjustments based on the review and the
2 formal policy and budget recommendations.

3 (5) \$2,513,000 of the transportation fund--state appropriation is
4 for the following traditional general fund purposes: The executive
5 protection unit, revolving fund charges, budget and fiscal services,
6 computer services, personnel, human resources, administrative services,
7 and property management. This appropriation is not a permanent funding
8 source for these purposes.

9 (6) \$22,000 of the motor vehicle fund--state patrol highway account
10 appropriation is provided solely to cover the employer's share of
11 medicare premiums for commissioned officers hired prior to 1986. If a
12 referendum of these officers does not receive majority support this
13 appropriation shall not be expended by the state patrol.

14 (7) The 1998 Washington state patrol interim working group shall
15 review the data center, electronic services division, communications
16 division, and strategic planning and shall provide recommendations on
17 increasing the effectiveness and efficiencies of the programs under
18 review and audit.

19 (8) \$1,580,000 of the state patrol highway account--state
20 appropriation is provided solely for the transition of the Washington
21 state patrol mainframe data processing functions to the Washington
22 state department of information services data center in Olympia,
23 Washington. The Washington state patrol and the department of
24 information services shall work cooperatively to ensure the transition
25 to the department of information services is completed successfully.

26 (9) The transportation fund--state appropriation is reduced by
27 \$2,299,000 to correct a double appropriation.

28 **Sec. 504.** 1998 c 348 s 207 (uncodified) is amended to read as
29 follows:

30 **FOR THE DEPARTMENT OF LICENSING--INFORMATION SYSTEMS**

31 Highway Safety Fund--Motorcycle Safety Education

32 Account--State Appropriation \$ 94,000

33 General Fund--Wildlife Account--State

34 Appropriation \$ 42,000

35 Highway Safety Fund--State Appropriation \$ ((10,732,000))

36 8,218,000

37 Motor Vehicle Fund--State Appropriation \$ ((5,610,000))

38 4,735,000

1	Transportation Fund--State Appropriation	\$	441,000
2	TOTAL APPROPRIATION	\$	((16,919,000))
3			<u>13,530,000</u>

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: ((+1)) \$2,498,000 of the highway safety fund--
7 state appropriation and \$793,000 of the motor vehicle fund--state
8 appropriation are provided for the following activities: (1) Identify
9 business objectives and needs relating to technology improvements and
10 integration of the drivers' licensing and vehicle title and
11 registrations systems; (2) converting the drivers' licensing software
12 applications to achieve Year 2000 compliance; (3) convert the drivers'
13 field network from a uniscope to a frame-relay network; (4) develop an
14 interface between the unisys system and the CRASH system; and (5)
15 operate and maintain the highways-licensing building network and the
16 drivers' field network.

17 **Sec. 505.** 1998 c 348 s 208 (uncodified) is amended to read as
18 follows:

19 **FOR THE DEPARTMENT OF LICENSING--VEHICLE SERVICES**

20	General Fund--Marine Fuel Tax Refund Account--		
21	State Appropriation	\$	26,000
22	General Fund--Wildlife Account--State		
23	Appropriation	\$	549,000
24	Motor Vehicle Fund--State Appropriation	\$	((49,630,000))
25			<u>49,615,000</u>
26	Department of Licensing Services Account--		
27	State Appropriation	\$	2,944,000
28	TOTAL APPROPRIATION	\$	((53,149,000))
29			<u>53,134,000</u>

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) \$600,000 of the licensing service account--state appropriation
34 is provided for replacement of printers for county auditors and
35 subagents.

1 (2) The department of licensing, in cooperation with the fuel tax
2 advisory committee, shall prepare and submit a report to the
3 legislative transportation committee containing recommendations for
4 special fuel and motor vehicle fuel recordkeeping and reporting
5 requirements, including but not limited to recommendations regarding
6 the form and manner in which records and tax reports must be maintained
7 and made available to the department; which persons engaged in the
8 business of selling, purchasing, distributing, storing, transporting,
9 or delivering fuel should be required to submit periodic reports
10 regarding the disposition of such fuel; and the feasibility of
11 implementing an automated fuel tracking system. The report is due no
12 later than October 31, 1997.

13 (3) The department of licensing, in cooperation with
14 representatives of local governments and the department of revenue
15 shall analyze the collection of the local option fuel tax under RCW
16 82.80.010. Based on that analysis the department of licensing shall
17 offer recommendations regarding the appropriate government entity to
18 collect the local option fuel tax and the best method to accomplish
19 that collection. The department of licensing shall report its findings
20 and recommendations to the legislative transportation committee and the
21 office of financial management by December 1, 1998.

22 (4) The department of licensing, in conjunction with the
23 interagency commission on outdoor recreation, the department of
24 transportation, and other affected entities, shall conduct a study and
25 make recommendations regarding:

26 (a) Whether the study required by RCW 43.99.030 to determine what
27 portion of the motor vehicle fuel tax collected is tax on marine fuel
28 is an effective and efficient mechanism for determining what portion of
29 fuel tax revenues should be refunded to the marine fuel tax refund
30 account;

31 (b) Other possible methodologies for determining the appropriate
32 amount of tax revenue to refund from the motor vehicle fund to the
33 marine tax refund account; and

34 (c) Whether the tax on fuel used by illegally nonregistered boats
35 should be refunded to the marine tax refund account.

36 The department of licensing shall make a report of its findings and
37 recommendations to the legislative transportation committee and the
38 office of financial management by December 1, 1998.

1 (5) \$382,000 of the motor vehicle fund--state appropriation is
2 provided solely to implement Substitute House Bill No. 2659. If
3 Substitute House Bill No. 2659 is not enacted by June 30, 1998, this
4 amount shall lapse.

5 **Sec. 506.** 1998 c 348 s 209 (uncodified) is amended to read as
6 follows:

7 **FOR THE DEPARTMENT OF LICENSING--DRIVER SERVICES**

8 Highway Safety Fund--Motorcycle Safety Education

9 Account--State Appropriation	\$	1,411,000
10 Highway Safety Fund--State Appropriation	\$	((61,087,000))
11		<u>59,869,000</u>
12 Transportation Fund--State Appropriation	\$	4,985,000
13 TOTAL APPROPRIATION	\$	((64,112,000))
14		<u>66,265,000</u>

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

17 (1) \$225,000 of the highway safety account--state appropriation is
18 provided solely to implement Substitute House Bill No. 2442 or Senate
19 Bill No. 6190. If neither bill is enacted by June 30, 1998, this
20 amount shall lapse.

21 (2) \$480,000 of the highway safety account--state appropriation is
22 provided solely to implement Senate Bill No. 6165. If Senate Bill No.
23 6165 is not enacted by June 30, 1998, this amount shall lapse.

24 ((+6)) (3) \$1,000,000 of the highway safety account--state
25 appropriation is provided solely to implement 1998 legislation that
26 changes statutes relating to driving under the influence. If
27 legislation changing the DUI statutes is not enacted by June 30, 1998,
28 this amount shall lapse.

29 **Sec. 507.** 1997 c 457 s 215 (uncodified) is amended to read as
30 follows:

31 **FOR THE DEPARTMENT OF TRANSPORTATION--HIGHWAY MANAGEMENT AND**
32 **FACILITIES--PROGRAM D--OPERATING**

33 Motor Vehicle Fund--State Appropriation	\$	((24,703,000))
34		<u>24,436,000</u>
35 Motor Vehicle Fund--Federal Appropriation	\$	400,000

1 Motor Vehicle Fund--Transportation Capital
2 Facilities Account--State Appropriation . . . \$ ((24,338,000))
3 24,330,000
4 TOTAL APPROPRIATION \$ ((49,441,000))
5 49,166,000

6 **Sec. 508.** 1998 c 348 s 211 (uncodified) is amended to read as
7 follows:

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

9 Motor Vehicle Fund--Economic Development Account--
10 State Appropriation \$ 2,434,000
11 Motor Vehicle Fund--State Appropriation \$ ((163,275,000))
12 123,575,000
13 Motor Vehicle Fund--Federal Appropriation \$ 155,485,000
14 Motor Vehicle Fund--Private/Local
15 Appropriation \$ 40,000,000
16 Special Category C Account--State Appropriation . \$ ((73,271,000))
17 65,471,000
18 Transportation Fund--State Appropriation \$ ((230,546,000))
19 225,546,000
20 Puyallup Tribal Settlement Account--State
21 Appropriation \$ 5,000,000
22 Puyallup Tribal Settlement Account--Private/Local
23 Appropriation \$ 200,000
24 High Capacity Transportation Account--State
25 Appropriation \$ 1,401,000
26 TOTAL APPROPRIATION \$ ((671,612,000))
27 619,112,000

28 The appropriations in this section are provided for the location,
29 design, right of way acquisition, or construction of state highway
30 projects designated as improvements under RCW 47.05.030. The
31 appropriations in this section are subject to the following conditions
32 and limitations and specified amounts are provided solely for that
33 activity:

34 (1) The special category C account--state appropriation of
35 ((73,271,000)) \$65,471,000 includes \$26,000,000 in proceeds from the
36 sale of bonds authorized by RCW 47.10.812 through 47.10.817 ((and
37 includes \$12,000,000 in proceeds from the sale of bonds authorized by

1 ~~House Bill No. 1012~~). The transportation commission may authorize the
2 use of current revenues available to the department of transportation
3 in lieu of bond proceeds for any part of the state appropriation. (~~If~~
4 ~~House Bill No. 1012 is not enacted by June 30, 1998, \$7,800,000 of the~~
5 ~~special category C account state appropriation shall lapse.~~)

6 (2) The motor vehicle fund--state appropriation includes \$2,685,000
7 in proceeds from the sale of bonds authorized by RCW 47.10.819(1) for
8 match on federal demonstration projects. The transportation commission
9 may authorize the use of current revenues available to the department
10 of transportation in lieu of bond proceeds for any part of the state
11 appropriation.

12 (3) The department shall report annually to the legislative
13 transportation committee on the status of the projects funded by the
14 special category C appropriations contained in this section. The
15 report shall be submitted by January 1 of each year.

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

23 (5) The appropriations in this section contain \$118,247,000
24 reappropriation from the 1995-97 biennium.

25 (6) The motor vehicle fund--state appropriation in this section
26 includes \$250,000 to establish a wetland mitigation pilot project.
27 This appropriation may only be expended if the department of
28 transportation establishes a technical committee to better implement
29 the department's strategic plan. The technical committee shall
30 include, but is not limited to, cities, counties, environmental groups,
31 business groups, tribes, the Puget Sound action team, and the state
32 departments of ecology, fish and wildlife, and community, trade, and
33 economic development, and appropriate federal agencies. The committee
34 shall assist the department in implementing its wetland strategic plan,
35 including working to eliminate barriers to improved wetland and
36 watershed management. To this end, the technical committee shall: (a)
37 Work to facilitate sharing of agency environmental data, including
38 evaluation of off-site and out-of-kind mitigation options; (b) develop
39 agreed-upon guidance that will enable the preservation of wetlands that

1 are under imminent threat from development for use as an acceptable
2 mitigation option; (c) develop strategies that will facilitate the
3 implementation of mitigation banking, including developing mechanisms
4 for valuing and transferring credits; (d) provide input in the
5 development of wetland functions assessment protocols related to
6 transportation projects; (e) develop incentives for interagency
7 participation in joint mitigation projects within watersheds; and (f)
8 explore options for funding environmental mitigation strategies. The
9 department shall prepare an annual report to the legislative
10 transportation committee and legislative natural resources committees
11 on recommendations developed by the technical committee.

12 (7) The department shall report January 1st and July 1st of each
13 year, to the legislative transportation committee and the office of
14 financial management of the timing and the scope of work being
15 performed for the regional transit authority. This report shall
16 provide a description of all department activities related to the
17 regional transit authority including investments in state-owned
18 infrastructure.

19 (8) The translake study funded in this section shall include
20 recommendations to address methods for mitigating traffic noise in the
21 study area.

22 (9) Funding for the SR 509 project extending south and east from
23 south 188th street in King county is contingent on the development of
24 a proposal linking the project to other freight corridors and a funding
25 plan with participation from partners of the state that are agreed to
26 by the legislative transportation committee and the governor.

27 (10) The motor vehicle account--federal appropriation in this
28 section is transferrable to the transportation account to ensure
29 efficient funds management and program delivery.

30 (11) \$2,000,000 of the motor vehicle fund--state appropriation is
31 provided solely for transfer to the advanced environmental mitigation
32 revolving account--state.

33 ~~((14))~~ (12) \$13,000,000 of the motor vehicle fund--state
34 appropriation and \$12,000,000 of the transportation fund--state
35 appropriation are provided solely for preliminary engineering and
36 purchase of right of way for highway construction.

37 ~~((15) \$35,000,000 of the motor vehicle fund--state appropriation
38 is conditioned upon voter approval of a referendum on a state wide
39 ballot that provides funding for transportation purposes. If the~~

1 voters approve such a referendum, \$35,000,000 of the motor vehicle
2 fund-state appropriation is put in reserve solely to be used for the
3 purposes of preliminary engineering and purchase of right of way for
4 highway construction. These moneys may only be expended upon approval
5 of both the legislative transportation committee and the office of
6 financial management.))

7 (13) The department may advertise and award certain specified
8 projects prior to June 30, 1999. This authority extends to the 10
9 projects listed in the transportation executive information system
10 document titled "1999 Supplemental Budget « Spring Start Projects
11 (Rev.)" dated March 13, 1999.

12 **Sec. 509.** 1998 c 348 s 212 (uncodified) is amended to read as
13 follows:

14 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION ECONOMIC**
15 **PARTNERSHIPS--PROGRAM K**

16	Transportation Fund--State Appropriation \$	((1,280,000))
17		<u>1,255,000</u>
18	Motor Vehicle Fund--State Appropriation \$	16,235,000
19	TOTAL APPROPRIATION \$	((17,515,000))
20		<u>17,490,000</u>

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

24 (1) The motor vehicle fund-state appropriation includes
25 \$16,235,000 in proceeds from the sale of bonds authorized in RCW
26 47.10.834 for all forms of cash contributions, or the payment of other
27 costs incident to the location, development, design, right of way, and
28 construction of only the SR 16 corridor improvements and park and ride
29 projects selected under the public-private transportation initiative
30 program authorized under chapter 47.46 RCW; and support costs of the
31 public-private transportation initiatives program.

32 (2) The appropriations in this section contain \$16,235,000
33 reappropriated from the 1995-97 biennium.

34 **Sec. 510.** 1998 c 348 s 213 (uncodified) is amended to read as
35 follows:

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

1	Motor Vehicle Fund--State Appropriation	\$	((239,200,000))
2			<u>237,013,000</u>
3	Motor Vehicle Fund--Federal Appropriation	\$	465,000
4	Motor Vehicle Fund--Private/Local Appropriation	\$	3,335,000
5	TOTAL APPROPRIATION	\$	((243,000,000))
6			<u>240,813,000</u>

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

10 (1) If portions of the appropriations in this section are required
11 to fund maintenance work resulting from major disasters not covered by
12 federal emergency funds such as fire, flooding, and major slides,
13 supplemental appropriations will be requested to restore state funding
14 for ongoing maintenance activities.

15 (2) The department shall deliver the highway maintenance program
16 according to the plans for each major maintenance group to the extent
17 practical. However, snow and ice expenditures are highly variable
18 depending on actual weather conditions encountered. If extraordinary
19 winter needs result in increased winter maintenance expenditures, the
20 department shall, after prior consultation with the transportation
21 commission, the office of financial management, and the legislative
22 transportation committee adopt one or both of the following courses of
23 action: (a) Reduce planned maintenance activities in other groups to
24 offset the necessary increases for snow and ice control; or (b)
25 continue delivery as planned within other major maintenance groups and
26 request a supplemental appropriation in the following legislative
27 session to fund the additional snow and ice control expenditures.

28 (3) The department shall request an unanticipated receipt for any
29 federal moneys received for emergency snow and ice removal and shall
30 place an equal amount of the motor vehicle fund--state into unallotted
31 status. This exchange shall not affect the amount of funding available
32 for snow and ice removal.

33 (4) Funding appropriated for local storm water charges assessed
34 under RCW 90.03.525, which is allocated for, but not paid to, a local
35 storm water utility because the utility did not meet the conditions
36 provided under RCW 90.03.525, may be transferred by the department to
37 program Z of the department to be distributed as grants under the storm
38 water grant program.

1 **Sec. 511.** 1998 c 348 s 214 (uncodified) is amended to read as
2 follows:

3 **FOR THE DEPARTMENT OF TRANSPORTATION--PRESERVATION--PROGRAM P**

4 Motor Vehicle Fund--State Appropriation	\$	((288,720,000))
		<u>285,220,000</u>
6 Motor Vehicle Fund--Federal Appropriation	\$	274,259,000
7 Motor Vehicle Fund--Private/Local Appropriation	\$	2,400,000
8 TOTAL APPROPRIATION	\$	((568,379,000))
		<u>561,879,000</u>

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) The motor vehicle fund--state appropriation includes \$6,800,000
14 in proceeds from the sale of bonds authorized in RCW 47.10.761 and
15 47.10.762 for emergency purposes. However, the transportation
16 commission may authorize the use of current revenues available to the
17 department of transportation in lieu of bond proceeds for any part of
18 the state appropriation.

19 (2) The appropriations in this section contain \$27,552,000
20 reappropriated from the 1995-97 biennium.

21 (3) 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 Lewis and Clark bridge into Oregon's public/private
26 partnership program, up to \$3,000,000 of the motor vehicle fund--state
27 appropriation may be used as Washington's contribution toward the
28 design of the project pursuant to the agreement between Washington and
29 Oregon. Any additional contributions shall be subject to Washington
30 state legislative appropriations and approvals. The department shall
31 provide a status report on this project to the legislative
32 transportation committee by June 30, 1998.

33 ~~((+6+))~~ (4) \$630,000 of the motor vehicle fund--state appropriation
34 is provided for slope stabilization along state route 166 in the Ross
35 Point vicinity. This amount is intended to fund preliminary
36 engineering, right of way acquisition, and to begin construction.

1	Account--State Appropriation	\$	1,093,000
2	Transportation Fund--State Appropriation	\$	1,158,000
3	TOTAL APPROPRIATION	\$	((73,060,000))
4			<u>72,713,000</u>

5 The appropriations in this section are subject to the following
6 conditions and limitations and specified amounts are provided solely
7 for that activity:

8 (1)(a) The motor vehicle fund--state appropriation includes
9 \$14,300,000 provided solely for programming activities and other
10 efforts needed to bring the department's information systems, and
11 devices with computers built into them, into compliance with the year
12 2000 requirements of the department of information services. The
13 department is directed to expend the moneys internally reallocated for
14 this purpose before spending from this appropriation. The department
15 is directed to provide quarterly reports on this effort to the
16 legislative transportation committee and the office of financial
17 management beginning October 1, 1997.

18 (b) Up to \$2,900,000 of the amount provided in (a) of this
19 subsection may be expended for testing and required modifications to
20 electronic devices and other equipment and specialized software that
21 are essential for department operations to ensure they are year 2000
22 compliant. Before expending any of this amount for these purposes, the
23 department shall consult with the legislative transportation committee
24 and the office of financial management.

25 (2) The legislative transportation committee shall review and
26 analyze freight mobility issues affecting eastern and southeastern
27 Washington as recommended by the freight mobility advisory committee
28 and report back to the legislature by November 1, 1997. \$500,000 of
29 the motor vehicle fund--state appropriation is provided for this review
30 and analysis. The funding conditioned in this subsection shall be from
31 revenues provided for interjurisdictional studies.

32 (3) In order to increase visibility for decision making, the
33 department shall review its budgeting and accounting methods for
34 management information systems. The review shall include, but not be
35 limited to, the cost-benefit analysis of existing processes and
36 evaluation of less complex alternatives such as direct appropriations.
37 The results of the review shall be reported to the legislative

1 transportation committee and the office of financial management by July
2 1, 1998.

3 **Sec. 514.** 1997 c 457 s 223 (uncodified) is amended to read as
4 follows:

5 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION PLANNING, DATA,**
6 **AND RESEARCH--PROGRAM T**

7 Motor Vehicle Fund--State Appropriation \$	((16,098,000))
8	<u>15,884,000</u>
9 Motor Vehicle Fund--Federal Appropriation \$	10,466,000
10 Transportation Fund--State Appropriation \$	((1,384,000))
11	<u>1,379,000</u>
12 TOTAL APPROPRIATION \$	((27,948,000))
13	<u>27,729,000</u>

14 The appropriations in this section are subject to the following
15 conditions and limitations and specified amounts are provided solely
16 for that activity: Up to \$2,400,000 of the motor vehicle fund--state
17 appropriation is provided for regional transportation planning
18 organizations, with allocations for participating counties maintained
19 at the 1995-1997 biennium levels for those counties not having
20 metropolitan planning organizations within their boundaries.

21 **Sec. 515.** 1998 c 348 s 217 (uncodified) is amended to read as
22 follows:

23 **FOR THE DEPARTMENT OF TRANSPORTATION--CHARGES FROM OTHER AGENCIES--**
24 **PROGRAM U**

25 (1) FOR PAYMENT OF COSTS OF ATTORNEY GENERAL TORT CLAIMS SUPPORT
26 ((Motor Vehicle Fund--State Appropriation \$ ~~2,515,000~~))
27 Transportation Fund--State Appropriation \$ 3,715,000

28 (2) FOR PAYMENT OF COSTS OF THE OFFICE OF THE STATE AUDITOR
29 Motor Vehicle Fund--State Appropriation \$ 840,000

30 (3) FOR PAYMENT OF COSTS OF DEPARTMENT OF GENERAL ADMINISTRATION
31 FACILITIES AND SERVICES AND CONSOLIDATED MAIL SERVICES
32 Motor Vehicle Fund--State Appropriation \$ 3,391,000

33 (4) FOR PAYMENT OF COSTS OF THE DEPARTMENT OF PERSONNEL
34 Motor Vehicle Fund--State Appropriation \$ ((2,240,000))
35 2,140,000

1	(5) FOR PAYMENT OF SELF-INSURANCE LIABILITY PREMIUMS AND	
2	ADMINISTRATION	
3	Motor Vehicle Fund--State Appropriation	\$ 12,535,000
4	(6) FOR PAYMENT OF SELF-INSURANCE LIABILITY PREMIUMS AND	
5	ADMINISTRATION	
6	Motor Vehicle Fund--Puget Sound Ferry Operations	
7	Account--State Appropriation	\$ 2,928,000
8	(7) FOR PAYMENT OF COSTS OF THE OFFICE OF MINORITY AND WOMEN'S	
9	BUSINESS ENTERPRISES	
10	Motor Vehicle Fund--State Appropriation	\$ 536,000
11	(8) FOR PAYMENT OF COSTS OF THE DEPARTMENT OF GENERAL	
12	ADMINISTRATION STATE PARKING SERVICES	
13	Motor Vehicle Fund--State Appropriation	\$ 90,000
14	(9) FOR PAYMENT OF THE DEPARTMENT OF GENERAL ADMINISTRATION CAPITAL	
15	PROJECTS SURCHARGE	
16	Motor Vehicle Fund--State Appropriation	\$ 735,000
17	(10) FOR ARCHIVES AND RECORDS MANAGEMENT	
18	Motor Vehicle Fund--State Appropriation	\$ 355,000

19 **Sec. 516.** 1998 c 348 s 218 (uncodified) is amended to read as
20 follows:

21 **FOR THE DEPARTMENT OF TRANSPORTATION--WASHINGTON STATE FERRIES**
22 **CONSTRUCTION--PROGRAM W**

23	Motor Vehicle Fund--Puget Sound Capital	
24	Construction Account--State Appropriation	\$ ((209,886,000))
25		<u>192,886,000</u>
26	Motor Vehicle Fund--Puget Sound Capital	
27	Construction Account--Federal	
28	Appropriation	\$ 30,165,000
29	Motor Vehicle Fund--Puget Sound Capital	
30	Construction Account--Private/Local	
31	Appropriation	\$ 765,000
32	Transportation Fund--Passenger Ferry Account--	
33	State Appropriation	\$ 640,000
34	TOTAL APPROPRIATION	\$ ((241,456,000))
35		<u>224,456,000</u>

36 The appropriations in this section are provided for improving the
37 Washington state ferry system, including, but not limited to, vessel

1 acquisition, vessel construction, major and minor vessel improvements,
2 and terminal construction and improvements. The appropriations in this
3 section are subject to the following conditions and limitations and
4 specified amounts are provided solely for that activity:

5 (1) The appropriations in this section are provided to carry out
6 only the projects (version ((3)) 2) adjusted by the legislature for the
7 1997-99 budget. The department shall reconcile the 1995-97 capital
8 expenditures within ninety days of the end of the biennium and submit
9 a final report to the legislative transportation committee and office
10 of financial management.

11 (2) The Puget Sound capital construction account--state
12 appropriation includes \$100,000,000 in proceeds from the sale of bonds
13 authorized by RCW 47.60.800 for vessel and terminal acquisition, major
14 and minor improvements, and long lead time materials acquisition for
15 the Washington state ferries, including construction of new jumbo ferry
16 vessels in accordance with the requirements of RCW 47.60.770 through
17 47.60.778. However, the department of transportation may use current
18 revenues available to the Puget Sound capital construction account in
19 lieu of bond proceeds for any part of the state appropriation.

20 (3) The department of transportation shall provide to the
21 legislative transportation committee and office of financial management
22 a quarterly financial report concerning the status of the capital
23 program authorized in this section.

24 (4) Washington state ferries is authorized to reimburse up to
25 \$3,000,000 from the Puget Sound capital construction account--state
26 appropriation or Puget Sound capital construction account--federal
27 appropriation to the city of Bremerton and the port of Bremerton for
28 Washington state ferries' financial participation in the development of
29 a Bremerton multimodal transportation terminal, port of Bremerton
30 passenger-only terminal expansion, and ferry vehicular connections to
31 downtown traffic circulation improvements. The reimbursement shall
32 specifically support the construction of the following components:
33 Appropriate passenger-only ferry terminal linkages to accommodate bow-
34 loading catamaran type vessels and the needed transit connections; and
35 the Washington state ferries' component of the Bremerton multimodal
36 transportation terminal as part of the downtown Bremerton redevelopment
37 project, including appropriate access to the new downtown traffic
38 circulation road network.

1 (5) The Puget Sound capital construction account--state
2 appropriation includes funding for capital improvements on vessels to
3 meet United States Coast Guard Subchapter W regulation revisions
4 impacting SOLAS (safety of life at sea) requirements for ferry
5 operations on the Anacortes to Sidney, B.C. ferry route.

6 (6) The Puget Sound capital construction account--state
7 appropriation, the Puget Sound capital construction account--federal
8 appropriation, and the passenger ferry account--state appropriation
9 include funding for the construction of one new passenger-only vessel
10 and the department's exercise of the option to build a second
11 passenger-only vessel. In accordance with chapter 166, Laws of 1998,
12 Washington state ferries shall accelerate activities to ensure the
13 acquisition of five additional passenger-only vessels and the
14 construction of related terminal facilities, including maintenance
15 facilities for the Southworth and Kingston to Seattle passenger-only
16 ferry routes.

17 (7) The Puget Sound capital construction account--state
18 appropriation includes funding for the exploration and acquisition of
19 a design for constructing a millennium class ferry vessel.

20 (8) The Puget Sound capital construction account--state
21 appropriation includes \$90,000 for the purchase of defibrillators. At
22 least one defibrillator shall be placed on each vessel in the ferry
23 fleet.

24 (9) The appropriations in this section contain \$46,962,000
25 reappropriated from the 1995-97 biennium.

26 **Sec. 517.** 1998 c 348 s 219 (uncodified) is amended to read as
27 follows:

28 **FOR THE DEPARTMENT OF TRANSPORTATION--MARINE--PROGRAM X**
29 Marine Operating Fund--State Appropriation . . . \$ ((~~270,522,000~~))
30 270,473,000

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

34 (1) The appropriation is based on the budgeted expenditure of
35 ((~~\$28,696,000~~)) \$27,076,000 for vessel operating fuel in the 1997-99
36 biennium. If the actual cost of fuel is less than this budgeted
37 amount, the excess amount may not be expended. If the actual cost

1 exceeds this amount, the department shall request a supplemental
2 appropriation.

3 (2) The appropriation provides for the compensation of ferry
4 employees. The expenditures for compensation paid to ferry employees
5 during the 1997-99 biennium may not exceed ((~~\$179,095,000~~))
6 \$180,715,000 plus a dollar amount, as prescribed by the office of
7 financial management, that is equal to any insurance benefit increase
8 granted general government employees in excess of \$313.95 a month
9 annualized per eligible marine employee multiplied by the number of
10 eligible marine employees for the respective fiscal year, a dollar
11 amount as prescribed by the office of financial management for costs
12 associated with pension amortization charges, and a dollar amount
13 prescribed by the office of financial management for salary increases
14 during the 1997-99 biennium. For the purposes of this section, the
15 expenditures for compensation paid to ferry employees shall be limited
16 to salaries and wages and employee benefits as defined in the office of
17 financial management's policies, regulations, and procedures named
18 under objects of expenditure "A" and "B" (7.2.6.2).

19 The prescribed salary and insurance benefit increase or decrease
20 dollar amount that shall be allocated from the governor's compensation
21 appropriations is in addition to the appropriation contained in this
22 section and may be used to increase or decrease compensation costs,
23 effective July 1, 1997, and thereafter, as established in the 1997-99
24 general fund operating budget.

25 (3) The department of transportation shall provide to the
26 legislative transportation committee and office of financial management
27 a quarterly financial report concerning the status of the operating
28 program authorized in this section.

29 (4) The appropriation in this section includes up to \$1,566,000 for
30 additional operating expenses required to comply with United States
31 Coast Guard Subchapter W regulation revisions for vessels operating on
32 the Anacortes to Sidney, B.C. ferry route. The department shall
33 explore methods to minimize the cost of meeting United States Coast
34 Guard requirements and shall report the results to the legislative
35 transportation committee and office of financial management by
36 September 1, 1997.

37 (5) The department shall request a reduction of the costs
38 associated with the use of the terminal leased from the Port of

1 Anacortes and costs associated with use of the Sidney, British Columbia
2 terminal.

3 (6) Agreements between Washington state ferries and concessionaires
4 for automatic teller machines on ferry terminals or vessels shall
5 provide for and include banks and credit unions that primarily serve
6 the west side of Puget Sound.

7 (7) In the event federal funding is provided for one or more
8 passenger-only ferry vessels for the purpose of transporting United
9 States naval personnel, the department of transportation is authorized
10 to acquire and construct such vessels in accordance with the authority
11 provided in RCW 47.56.030, and the department shall establish a
12 temporary advisory committee comprised of representatives of the
13 Washington state ferries, transportation commission, legislative
14 transportation committee, office of financial management, and the
15 United States Navy to analyze and make recommendations on, at a
16 minimum, vessel performance criteria, docking, vessel deployment, and
17 operating issues.

18 (8) The appropriation provides funding for House Bill No. 2165
19 (paying interest on retroactive raises for ferry workers).

20 (9) The commission is authorized to increase Washington state ferry
21 tariffs in excess of the fiscal growth factor, established under
22 chapter 43.135 RCW, in fiscal year 1998 and fiscal year 1999.

23 (10) Funding for Anacortes to Sidney advertising is contingent upon
24 partners meeting their commitment. In no event may the state share
25 exceed fifty percent of the cash contribution toward the project.

26 (11) \$1,370,000 of this appropriation is provided solely for the
27 Hiyu operation for Southworth/Vashon 5 days per week for 16 hours per
28 day. Prior to placing the Hiyu in permanent service on a route between
29 Vashon and Southworth, the Washington state ferries shall conduct a
30 study of the impact of additional service on Vashon and Southworth and
31 report back to the legislative transportation committee by May 15,
32 1998.

33 (12) \$446,000 of this appropriation is provided solely to provide
34 an additional crew member on Jumbo Mark 2 ferries as required by
35 emergency evacuation regulations adopted by the United States Coast
36 Guard. If the Coast Guard requirement can be met without the hiring of
37 additional staff, the portion of this appropriation provided to meet
38 that requirement shall not be expended.

1 **Sec. 518.** 1998 c 348 s 220 (uncodified) is amended to read as
2 follows:

3 **FOR THE DEPARTMENT OF TRANSPORTATION--PUBLIC TRANSPORTATION AND RAIL--**
4 **PROGRAM Y**

5	Essential Rail Assistance Account--State		
6	Appropriation	\$	256,000
7	High Capacity Transportation Account--State		
8	Appropriation	\$	((13,225,000))
9			<u>13,185,000</u>
10	Air Pollution Control Account--State		
11	Appropriation	\$	6,290,000
12	Transportation Fund--State Appropriation	\$	((55,029,000))
13			<u>46,858,000</u>
14	Transportation Fund--Federal Appropriation	\$	3,947,000
15	Transportation Fund--Private/Local		
16	Appropriation	\$	105,000
17	Central Puget Sound Public Transportation		
18	Account--State Appropriation	\$	((4,250,000))
19			<u>250,000</u>
20	TOTAL APPROPRIATION	\$	((83,102,000))
21			<u>70,891,000</u>

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) Up to \$46,180,000 of the transportation fund--state
26 appropriation is provided for intercity rail passenger service
27 including up to \$8,000,000 for lease purchase of two advanced
28 technology train sets with total purchase costs not to exceed
29 \$20,000,000; up to \$1,000,000 for one spare advanced technology train
30 power-car and other spare parts, subsidies for operating costs not to
31 exceed \$12,000,000, to maintain service of two state contracted round
32 trips between Seattle and Portland and one state contracted round trip
33 between Seattle and Vancouver, British Columbia, and capital projects
34 necessary to provide Seattle-Vancouver, British Columbia, train
35 operating times of under 4 hours.

36 (2) Up to \$3,000,000 of the transportation fund--state
37 appropriation is provided for the rural mobility program administered
38 by the department of transportation. Priority for grants provided from

1 this account shall be given to projects and programs that can be
2 accomplished in the 1997-99 biennium.

3 (3) Up to \$600,000 of the high capacity transportation account--
4 state appropriation is provided for rail freight coordination,
5 technical assistance, and planning.

6 (4) The department shall provide biannual reports to the
7 legislative transportation committee and office of financial management
8 regarding the department's rail freight program. The department shall
9 also notify the committee for project expenditures from all fund
10 sources prior to making those expenditures. The department shall
11 examine the ownership of grain cars and the potential for divestiture
12 of those cars and other similar assets and report those findings to the
13 committee prior to the 1998 legislative session.

14 (5) Up to \$750,000 of the transportation fund--state appropriation
15 and up to \$250,000 of the central Puget Sound public transportation
16 account--state appropriation are provided to fund activities relating
17 to coordinating special needs transportation among state and local
18 providers. These activities may include demonstration projects,
19 assessments of resources available versus needs, and identification of
20 barriers to coordinating special needs transportation. The department
21 will consult with the superintendent of public instruction, the
22 secretary of the department of social and health services, the office
23 of financial management, the fiscal committees of the house of
24 representatives and senate, special needs consumers, and specialized
25 transportation providers in meeting the goals of this subsection.

26 (6) The appropriations in this section contain \$4,599,000
27 reappropriated from the 1995-97 biennium.

28 (7) The high capacity transportation account--state appropriation
29 includes \$75,000 for the department to develop a strategy and to
30 identify how the agency would expend additional moneys to enhance the
31 commute trip reduction program. The report would include
32 recommendations for grant programs for employers and jurisdictions to
33 reduce SOV usage and to provide transit incentives to meet future
34 commute trip reduction requirements. The report is due to the
35 legislative transportation committee by January 1, 1998.

36 (8) In addition to the appropriations contained in this section,
37 the office of financial management shall release the \$2,000,000
38 transportation fund--state funds appropriated for the intercity rail

1 passenger program in the 1995-97 biennium but held in reserve pursuant
2 to section 502, chapter 165, Laws of 1996.

3 (9) Up to \$150,000 of the transportation fund--state appropriation
4 is provided for the management and control of the transportation
5 corridor known as the Milwaukee Road corridor owned by the state
6 between Ellensburg and Lind, and to take actions necessary to allow the
7 department to be in a position, with further legislative authorization,
8 to begin to negotiate a franchise with a rail carrier to establish and
9 maintain a rail line over portions of the corridor by July 1, 1999.

10 (~~((11))~~) (10) \$4,000,000 of the high capacity transportation
11 account--state appropriation for passenger rail infrastructure
12 improvement is provided solely for rail improvements to add rail
13 passenger service north of Seattle. These funds are conditioned on
14 match of at least equal amounts from both Burlington Northern Sante Fe
15 and Amtrak for rail line improvements and upon Amtrak purchasing an
16 additional train set for operation in the corridor. These funds shall
17 not be expended until authorized by the legislative transportation
18 committee and the office of financial management; and the participation
19 of international partners in service provided in the corridor shall be
20 considered in such a decision.

21 **Sec. 519.** 1998 c 348 s 221 (uncodified) is amended to read as
22 follows:

23 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z**

24 Motor Vehicle Fund--State Appropriation	\$	((9,802,000))
		<u>9,862,000</u>
26 Motor Vehicle Fund--Federal Appropriation	\$	33,726,000
27 High Capacity Transportation Account--		
28 State Appropriation	\$	((650,000))
		<u>450,000</u>
30 Transportation Account--State Appropriation	\$	1,175,000
31 TOTAL APPROPRIATION	\$	((45,353,000))
32		<u>45,213,000</u>

33 The appropriations in this section are subject to the following
34 conditions and limitations and specified amounts are provided solely
35 for that activity:

36 (1) The motor vehicle fund--state appropriation includes \$1,785,000
37 in proceeds from the sale of bonds authorized by RCW 47.10.819(1). The

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

4 (2) As a condition of receiving the full state subsidy in support
5 of the Puget Island ferry, Wahkiakum county must, by December 31, 1997,
6 increase ferry fares for passengers and vehicles by at least ten
7 percent. If the fares are not increased to meet this requirement, the
8 department, in determining the state subsidy after December 31, 1997,
9 shall reduce the operating deficit by the amount that would have been
10 generated if the ten percent fare increase had been implemented.

11 (3) The appropriations in this section contain \$1,750,000
12 reappropriated from the 1995-97 biennium.

13 (4) Up to \$500,000 of the high capacity transportation account--
14 state appropriation is provided for implementation of the
15 recommendations of the freight mobility advisory committee, and any
16 legislation enacted resulting from those recommendations.

17 (5) \$175,000 of the transportation fund--state appropriation is
18 provided solely to fund the freight mobility strategic investment
19 board. If Second Substitute House Bill No. 2180 is not enacted by June
20 30, 1998, this amount shall lapse.

21 (6) The transportation account--state appropriation includes
22 \$600,000 to establish alternatives for flood management and flood
23 hazard reduction projects in the Chehalis Basin. A technical committee
24 comprised of the department of transportation, department of ecology,
25 the United States army corps of engineers, federal emergency management
26 administration, United States geological survey, affected counties and
27 tribes, and other entities with critical knowledge related to flood
28 hazard reduction projects in the Chehalis Basin shall be formed. Funds
29 shall be distributed to counties within the Chehalis Basin by the
30 department of transportation for projects that further understanding of
31 the causes of flooding and options for flood hazard reduction.
32 Alternatives shall be consistent with fish and habitat recovery
33 efforts. Projects funded shall be coordinated with the technical
34 committee. The department of transportation shall present a report to
35 the legislative transportation committee and other appropriate
36 legislative committees regarding findings and/or progress made by
37 funded projects by December 1, 1998.

38 ((+8+)) (7) \$750,000 of the motor vehicle fund--state appropriation
39 is provided solely for a median barrier upon the Spokane street

1 viaduct. Use of this funding is contingent upon a commitment of
2 funding from other partners for the remainder of the project cost.

3 ~~((+9))~~ (8) Up to \$150,000 of the high capacity transportation
4 account--state appropriation is provided for the installation of active
5 railroad crossing warning devices at the Sunnyside beach park entrance
6 in Steilacoom.

7 ~~((+10))~~ (9) \$400,000 of the transportation fund--state
8 appropriation is provided solely for a study by the legislative
9 transportation committee, in cooperation with the port of Benton,
10 developing a strategic corridor feasibility and master site plan for
11 the port of Benton. If the port of Benton does not provide at least
12 \$200,000 to fund the plan development, the transportation fund--state
13 appropriation referenced in this subsection shall lapse and this
14 subsection shall be null and void.

15 **Transportation Agencies Capital Facilities**

16 **Sec. 520.** 1997 c 457 s 303 (uncodified) is amended to read as
17 follows:

18 **FOR THE DEPARTMENT OF TRANSPORTATION--PROGRAM D (DEPARTMENT OF**
19 **TRANSPORTATION-ONLY PROJECTS)--CAPITAL**

20 Motor Vehicle Fund--Transportation Capital

21 Facilities Account--State Appropriation . . . \$ ~~((21,696,000))~~
22 21,261,000

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

26 (1) The department of transportation shall provide to the
27 legislative transportation committee prior notice and the latest
28 project information at least two weeks in advance of the bid process
29 for transportation capital facilities projects going to bid in the
30 1997-99 biennium.

31 (2) Construction of the Mount Rainier storage facility shall not
32 commence until the department has secured an operational lease that
33 would allow the placement of the facility on United States forest
34 service lands near the entrance to the Mather memorial parkway.

1 (3) The appropriation in this section contains \$7,719,000
2 reappropriated from the 1995-97 biennium.

3 **Transfers and Distributions**

4 **Sec. 521.** 1998 c 348 s 402 (uncodified) is amended to read as
5 follows:

6 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND**
7 **REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND FISCAL**
8 **AGENT CHARGES**

9 Motor Vehicle Fund--Puget Sound Capital

10 Construction Account Appropriation	\$	500,000
11 Motor Vehicle Fund Appropriation	\$	130,000
12 Transportation Improvement Account		
13 Appropriation	\$	200,000
14 Special Category C Account Appropriation	\$	190,000
15 Transportation Capital Facilities Account		
16 Appropriation	\$	1,000
17 Urban Arterial Account Appropriation	\$	5,000
18 TOTAL APPROPRIATION	\$	((1,995,000))
19		<u>1,026,000</u>

20 **Sec. 522.** 1998 c 348 s 404 (uncodified) is amended to read as
21 follows:

22 **FOR THE STATE TREASURER--TRANSFERS**

23 (1) R V Account--State Appropriation:

24 For transfer to the Motor Vehicle Fund--State	\$	1,176,000
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25 (2) Motor Vehicle Fund--State Appropriation:

26 For transfer to the Transportation Capital		
27 Facilities Account--State	\$	42,569,000

28 ~~(3) ((Small City Account--State Appropriation:~~

29 For transfer to the Transportation Improvement		
30 Account--State	\$	7,500,000))

31 Motor Vehicle Fund--State Appropriation:

32 <u>For transfer to the Highway Infrastructure</u>		
33 <u>Account--State</u>	<u>\$</u>	<u>234,000</u>

34 **Sec. 523.** 1997 c 457 s 403 (uncodified) is amended to read as
35 follows:

1 **FOR THE STATE TREASURER--STATE REVENUES FOR DISTRIBUTION**

2	City Hardship Account Appropriation	\$	200,000
3	Motor Vehicle Fund Appropriation for motor		
4	vehicle fuel tax and overload penalties		
5	distribution	\$	471,937,000
6	Transportation Fund Appropriation <u>for motor vehicle</u>		
7	<u>excise tax distribution</u>	\$	((3,744,000))
8			<u>118,747,000</u>
9	TOTAL APPROPRIATION	\$	((475,881,000))
10			<u>590,884,000</u>

11 **Miscellaneous**

12 NEW SECTION. **Sec. 524.** A new section is added to 1997 c 457
13 (uncodified) to read as follows:

14 **INFORMATION SYSTEMS PROJECTS.** Agencies shall comply with the
15 following requirements regarding information systems projects when
16 specifically directed to do so by this act.

17 (1) Agency planning and decisions concerning information technology
18 shall be made in the context of its information technology portfolio.
19 "Information technology portfolio" means a strategic management
20 approach in which the relationships between agency missions and
21 information technology investments can be seen and understood, such
22 that: Technology efforts are linked to agency objectives and business
23 plans; the impact of new investments on existing infrastructure and
24 business functions are assessed and understood before implementation;
25 and agency activities are consistent with the development of an
26 integrated, nonduplicative state-wide infrastructure.

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

- 29 (a) System refurbishment, acquisitions, and development efforts;
- 30 (b) Setting goals and objectives for using information technology
31 in meeting legislatively-mandated missions and business needs;
- 32 (c) Assessment of overall information processing performance,
33 resources, and capabilities;
- 34 (d) Ensuring appropriate transfer of technological expertise for
35 the operation of any new systems developed using external resources;
36 and

1 (e) Progress toward enabling electronic access to public
2 information.

3 (3) The agency shall produce a feasibility study for information
4 technology projects at the direction of the information services board
5 and in accordance with published department of information services
6 policies and guidelines. At a minimum, such studies shall include a
7 statement of: (a) The purpose or impetus for change; (b) the business
8 value to the agency, including an examination and evaluation of
9 benefits, advantages, and cost; (c) a comprehensive risk assessment
10 based on the proposed project's impact on both citizens and state
11 operations, its visibility, and the consequences of doing nothing; (d)
12 the impact on agency and state-wide information infrastructure; and (e)
13 the impact of the proposed enhancements to an agency's information
14 technology capabilities on meeting service delivery demands.

15 (4) The agency shall produce a comprehensive management plan for
16 each project. The plan or plans shall address all factors critical to
17 successful completion of each project. The plan(s) shall include, but
18 is not limited to, the following elements: A description of the
19 problem or opportunity that the information technology project is
20 intended to address; a statement of project objectives and assumptions;
21 a definition and schedule of phases, tasks, and activities to be
22 accomplished; and the estimated cost of each phase. The planning for
23 the phased approach shall be such that the business case justification
24 for a project needs to demonstrate how the project recovers cost or
25 adds measurable value or positive cost benefit to the agency's business
26 functions within each development cycle.

27 (5) The agency shall produce quality assurance plans for
28 information technology projects. Consistent with the direction of the
29 information services board and the published policies and guidelines of
30 the department of information services, the quality assurance plan
31 shall address all factors critical to successful completion of the
32 project and successful integration with the agency and state
33 information technology infrastructure. At a minimum, quality assurance
34 plans shall provide time and budget benchmarks against which project
35 progress can be measured, a specification of quality assurance
36 responsibilities, and a statement of reporting requirements. The
37 quality assurance plans shall set out the functionality requirements
38 for each phase of a project.

1 (6) A copy of each feasibility study, project management plan, and
2 quality assurance plan shall be provided to the department of
3 information services, the office of financial management, and
4 legislative fiscal committees. The plans and studies shall demonstrate
5 a sound business case that justifies the investment of taxpayer funds
6 on any new project, an assessment of the impact of the proposed system
7 on the existing information technology infrastructure, the disciplined
8 use of preventative measures to mitigate risk, and the leveraging of
9 private-sector expertise as needed. Authority to expend any funds for
10 individual information systems projects is conditioned on the approval
11 of the relevant feasibility study, project management plan, and quality
12 assurance plan by the department of information services and the office
13 of financial management.

14 (7) Quality assurance status reports shall be submitted to the
15 department of information services, the office of financial management,
16 and legislative fiscal committees at intervals specified in the
17 project's quality assurance plan.

18 NEW SECTION. **Sec. 525.** The following acts or parts of acts are
19 each repealed:

20 (1) 1997 c 457 s 502;

21 (2) 1997 c 457 s 514; and

22 (3) 1997 c 457 s 515.

23 (End of part)

1 in cooperation with the office of financial management, the senate
2 transportation committee, and the house of representatives
3 transportation committee will continue the implementation of
4 performance based budgeting. The performance based budgeting process
5 will provide a measurable link between agency objectives, service
6 levels, and budget. The agencies shall:

7 (a) Continue to develop, enhance, validate, and test indicators of
8 performance, stated in achieving the agencies' goals; and

9 (b) Refine performance based budgeting and investment levels in the
10 following programs:

11 (i) Department of transportation: Maintenance program M,
12 preservation program P, traffic operations program Q, and marine
13 program X;

14 (ii) Department of licensing: Driver's services and vehicle
15 services;

16 (iii) Washington state patrol: Field operations bureau; and

17 (iv) Washington traffic safety commission; and

18 (c) Submit and implement a plan to provide program managers with
19 the training and technical assistance necessary to extend the practices
20 of performance measurement and performance based budgeting throughout
21 agency programs.

22 (2) The transportation agencies shall submit a strategic plan and
23 activity summary with their agency request budgets and tie the plan's
24 strategies together with the 2001-2003 budget requests. The strategic
25 plan must include a six-year outlook and define and clarify the agency
26 mission and vision, provide the basis for budget development, and
27 outline and prioritize the agency's goals and strategies. The agencies
28 will continue to improve agency infrastructures to capture and report
29 performance data for use by agency management, the office of financial
30 management, the senate transportation committee, and the house of
31 representatives transportation committee in the decision making
32 process.

33 (3)(a) The agencies shall input monthly their financial information
34 and quarterly program performance measurements into the transportation
35 executive information system and will utilize the transportation
36 executive information system investment system in the development of
37 their agency policy request budgets.

38 (b) The department of licensing and the Washington state patrol
39 shall submit budgets to the legislature at the subprogram level.

1 *Sec. 603 was vetoed. See message at end of chapter.

2 NEW SECTION. **Sec. 604. PROGRAM ACCOUNTABILITY REVIEWS.** The
3 senate transportation committee, the house of representatives
4 transportation committee, the office of financial management, and the
5 transportation agencies shall establish the means of conducting program
6 accountability reviews of all transportation programs. The reviews
7 shall include:

8 (1) Review and analysis of existing programs to determine any
9 program changes required to meet established criteria along with the
10 list of programs to be reviewed as determined by the program
11 accountability review steering committee made up of the senate
12 transportation committee, the house of representatives transportation
13 committee, the office of financial management, and agency personnel.
14 Each review will have a plan with timelines, deliverables, and
15 milestones to ensure it is completed on time with anticipated
16 deliverables. Each review will have a review accountability report
17 presented to the senate transportation committee and the house of
18 representatives transportation committee with recommendations and
19 implementation schedule agreed to by the reviewers and the agency
20 program being reviewed.

21 (2) A concentration on:

22 (a) Appropriateness of service objectives used to determine service
23 levels;

24 (b) Effectiveness of current management systems;

25 (c) Development or improvement of existing outcome, output,
26 efficiency, and effectiveness performance measures;

27 (d) The effectiveness of communication and decision making within
28 the program;

29 (e) Staffing levels and organizational structure, including changes
30 to roles and responsibilities;

31 (f) The existence and effectiveness of oversight and control
32 measures within the program;

33 (g) The process of distributing funds and staff among activities;

34 (h) Methods for making trade off decisions within and between
35 programs and activities;

36 (i) Development of tools that assist policymakers and managers in
37 using performance measures and investment tradeoff methods;

38 (j) Development of long-term investment strategies; and

1 (k) Other program items that would be beneficial to include in the
2 program accountability review.

3 (3) The recommendations will be considered in future biennium
4 transportation budgets in determining whether to enhance, streamline,
5 retain, reduce, or eliminate programs based on value and benefits
6 provided to the state.

7 ****NEW SECTION.** Sec. 605. (1) Forty percent of the funds available*
8 *for surface transportation flexible funds available under Sections*
9 *105(c)(2) and 133(d)(3)(A)(ii) of Title 23, United States Code are made*
10 *available for the Washington state department of transportation.*
11 *Twenty-two percent of the funds available for surface transportation*
12 *flexible funds available under Sections 105(c)(2) and 133(d)(3)(A)(ii)*
13 *of Title 23, United States Code are made available for rural economic*
14 *development projects in rural counties with population densities of*
15 *less than one hundred persons per square mile pro rata based on*
16 *population and community empowerment zones as defined in RCW*
17 *43.63A.700. These funds shall be used for the transportation component*
18 *of identified, emerging, nonspeculative economic development projects*
19 *that create new employment or revitalize existing business. As*
20 *required under federal law, these funds shall be administered by the*
21 *Washington state department of transportation. The community economic*
22 *revitalization board within the department of community, trade, and*
23 *economic development shall work with local project proponents and the*
24 *Washington state department of transportation to identify economic*
25 *development projects with essential transportation components. The*
26 *board shall make recommendations regarding funding for a project's*
27 *transportation component to the Washington state transportation*
28 *commission. Beginning in the fiscal year 2000, any economic*
29 *development funds that are not obligated from the prior federal fiscal*
30 *year by June first of each year shall be available for economic*
31 *development projects state-wide in accordance with the same*
32 *administration and selection process established in this subsection for*
33 *rural economic development projects.*

34 (2) Thirty-eight percent of the funds available for surface
35 transportation flexible funds available under Sections 105(c)(2) and
36 133(d)(3)(A)(ii) of Title 23, United States Code are made available for
37 the state-wide competitive program for regionally significant projects.
38 The transportation improvement board shall be responsible for selecting

1 *projects under this program. For federal fiscal years 2000 and 2001,*
2 *to be eligible, projects shall: (a) Meet the criteria established by*
3 *the transportation improvement board for selecting regionally*
4 *significant projects; (b) be included in a metropolitan planning*
5 *organization's transportation improvement plan; (c) meet the goal of*
6 *targeting funds for coordinated projects within corridors that are*
7 *regionally significant; and (d) support the functioning of corridors*
8 *for their full length rather than in individual spot improvements.*

9 *Sec. 605 was vetoed. See message at end of chapter.

10 **Sec. 606.** RCW 43.19.1906 and 1995 c 269 s 1404 are each amended to
11 read as follows:

12 Insofar as practicable, all purchases and sales shall be based on
13 competitive bids, and a formal sealed bid procedure shall be used as
14 standard procedure for all purchases and contracts for purchases and
15 sales executed by the state purchasing and material control director
16 and under the powers granted by RCW 43.19.190 through 43.19.1939. This
17 requirement also applies to purchases and contracts for purchases and
18 sales executed by agencies, including educational institutions, under
19 delegated authority granted in accordance with provisions of RCW
20 43.19.190 or under RCW 28B.10.029. However, formal sealed bidding is
21 not necessary for:

22 (1) Emergency purchases made pursuant to RCW 43.19.200 if the
23 sealed bidding procedure would prevent or hinder the emergency from
24 being met appropriately;

25 (2) Purchases not exceeding thirty-five thousand dollars, or
26 subsequent limits as calculated by the office of financial management:
27 PROVIDED, That the state director of general administration shall
28 establish procedures to assure that purchases made by or on behalf of
29 the various state agencies shall not be made so as to avoid the thirty-
30 five thousand dollar bid limitation, or subsequent bid limitations as
31 calculated by the office of financial management: PROVIDED FURTHER,
32 That the state purchasing and material control director is authorized
33 to reduce the formal sealed bid limits of thirty-five thousand dollars,
34 or subsequent limits as calculated by the office of financial
35 management, to a lower dollar amount for purchases by individual state
36 agencies if considered necessary to maintain full disclosure of
37 competitive procurement or otherwise to achieve overall state
38 efficiency and economy in purchasing and material control. Quotations

1 from four hundred dollars to thirty-five thousand dollars, or
2 subsequent limits as calculated by the office of financial management,
3 shall be secured from at least three vendors to assure establishment of
4 a competitive price and may be obtained by telephone or written
5 quotations, or both. The agency shall invite at least one quotation
6 each from a certified minority and a certified women-owned vendor who
7 shall otherwise qualify to perform such work. Immediately after the
8 award is made, the bid quotations obtained shall be recorded and open
9 to public inspection and shall be available by telephone inquiry. A
10 record of competition for all such purchases from four hundred dollars
11 to thirty-five thousand dollars, or subsequent limits as calculated by
12 the office of financial management, shall be documented for audit
13 purposes. Purchases up to four hundred dollars may be made without
14 competitive bids based on buyer experience and knowledge of the market
15 in achieving maximum quality at minimum cost: PROVIDED, That this four
16 hundred dollar direct buy limit without competitive bids may be
17 increased incrementally as required to a maximum of eight hundred
18 dollars, if warranted by increases in purchasing costs due to
19 inflationary trends;

20 (3) Purchases which are clearly and legitimately limited to a
21 single source of supply and purchases involving special facilities,
22 services, or market conditions, in which instances the purchase price
23 may be best established by direct negotiation;

24 (4) Purchases of insurance and bonds by the risk management office
25 under RCW 43.19.1935;

26 (5) Purchases and contracts for vocational rehabilitation clients
27 of the department of social and health services: PROVIDED, That this
28 exemption is effective only when the state purchasing and material
29 control director, after consultation with the director of the division
30 of vocational rehabilitation and appropriate department of social and
31 health services procurement personnel, declares that such purchases may
32 be best executed through direct negotiation with one or more suppliers
33 in order to expeditiously meet the special needs of the state's
34 vocational rehabilitation clients;

35 (6) Purchases by universities for hospital operation or biomedical
36 teaching or research purposes and by the state purchasing and material
37 control director, as the agent for state hospitals as defined in RCW
38 72.23.010, and for health care programs provided in state correctional
39 institutions as defined in RCW 72.65.010(3) and veterans' institutions

1 as defined in RCW 72.36.010 and 72.36.070, made by participating in
2 contracts for materials, supplies, and equipment entered into by
3 nonprofit cooperative hospital group purchasing organizations;

4 (7) Purchases by institutions of higher education not exceeding
5 thirty-five thousand dollars: PROVIDED, That for purchases between two
6 thousand five hundred dollars and thirty-five thousand dollars
7 quotations shall be secured from at least three vendors to assure
8 establishment of a competitive price and may be obtained by telephone
9 or written quotations, or both. For purchases between two thousand
10 five hundred dollars and thirty-five thousand dollars, each institution
11 of higher education shall invite at least one quotation each from a
12 certified minority and a certified women-owned vendor who shall
13 otherwise qualify to perform such work. A record of competition for
14 all such purchases made from two thousand five hundred to thirty-five
15 thousand dollars shall be documented for audit purposes; and

16 (8) Negotiation of a contract by the department of transportation,
17 valid until June 30, 2001, with registered tow truck operators to
18 provide roving service patrols in one or more Washington state patrol
19 tow zones whereby those registered tow truck operators wishing to
20 participate would cooperatively, with the department of transportation,
21 develop a demonstration project upon terms and conditions negotiated by
22 the parties.

23 Beginning on July 1, 1995, and on July 1 of each succeeding odd-
24 numbered year, the dollar limits specified in this section shall be
25 adjusted as follows: The office of financial management shall
26 calculate such limits by adjusting the previous biennium's limits by
27 the appropriate federal inflationary index reflecting the rate of
28 inflation for the previous biennium. Such amounts shall be rounded to
29 the nearest one hundred dollars.

30 **Sec. 607.** RCW 88.16.090 and 1995 c 175 s 1 are each amended to
31 read as follows:

32 (1) A person may pilot any vessel subject to the provisions of this
33 chapter on waters covered by this chapter only if appointed and
34 licensed to pilot such vessels on said waters under and pursuant to the
35 provisions of this chapter.

36 (2) A person is eligible to be appointed a pilot if the person is
37 a citizen of the United States, over the age of twenty-five years and
38 under the age of seventy years, a resident of the state of Washington

1 at the time of appointment and only if the pilot applicant holds as a
2 minimum, a United States government license as a master of ocean or
3 near coastal steam or motor vessels of not more than one thousand six
4 hundred gross tons or as a master of inland steam or motor vessels of
5 not more than one thousand six hundred gross tons, such license to have
6 been held by the applicant for a period of at least two years prior to
7 taking the Washington state pilotage examination and a first class
8 United States endorsement without restrictions on that license to pilot
9 in the pilotage districts for which the pilot applicant desires to be
10 licensed, and if the pilot applicant meets such other qualifications as
11 may be required by the board. A person applying for a license under
12 this section shall not have been convicted of an offense involving
13 drugs or the personal consumption of alcohol in the twelve months prior
14 to the date of application. This restriction does not apply to license
15 renewals under this section.

16 (3) Pilots shall be licensed hereunder for a term of five years
17 from and after the date of the issuance of their respective state
18 licenses. Such licenses shall thereafter be renewed as of course,
19 unless the board shall withhold same for good cause. Each pilot shall
20 pay to the state treasurer an annual license fee as follows: For the
21 period beginning July 1, 1995, through June 30, (~~(1999)~~) 2001, the fee
22 shall be two thousand five hundred dollars; and for the period
23 beginning July 1, (~~(1999)~~) 2001, the fee shall be three thousand
24 dollars. The fees shall be deposited in the state treasury to the
25 credit of the pilotage account. The board may assess partially active
26 or inactive pilots a reduced fee.

27 (4) Pilot applicants shall be required to pass a written and oral
28 examination administered and graded by the board which shall test such
29 applicants on this chapter, the rules of the board, local harbor
30 ordinances, and such other matters as may be required to compliment the
31 United States examinations and qualifications. The board shall hold
32 examinations at such times as will, in the judgment of the board,
33 ensure the maintenance of an efficient and competent pilotage service.
34 An examination shall be scheduled for the Puget Sound pilotage district
35 if there are three or fewer successful candidates from the previous
36 examination who are waiting to become pilots in that district.

37 (5) The board shall develop an examination and grading sheet for
38 each pilotage district, for the testing and grading of pilot
39 applicants. The examinations shall be administered to pilot applicants

1 and shall be updated as required to reflect changes in law, rules,
2 policies, or procedures. The board may appoint a special independent
3 examination committee or may contract with a firm knowledgeable and
4 experienced in the development of professional tests for development of
5 said examinations. Active licensed state pilots may be consulted for
6 the general development of examinations but shall have no knowledge of
7 the specific questions. The pilot members of the board may participate
8 in the grading of examinations. If the board does appoint a special
9 examination development committee it is authorized to pay the members
10 of said committee the same compensation and travel expenses as received
11 by members of the board. When grading examinations the board shall
12 carefully follow the grading sheet prepared for that examination. The
13 board shall develop a "sample examination" which would tend to indicate
14 to an applicant the general types of questions on pilot examinations,
15 but such sample questions shall not appear on any actual examinations.
16 Any person who willfully gives advance knowledge of information
17 contained on a pilot examination is guilty of a gross misdemeanor.

18 (6) All pilots and applicants are subject to an annual physical
19 examination by a physician chosen by the board. The physician shall
20 examine the applicant's heart, blood pressure, circulatory system,
21 lungs and respiratory system, eyesight, hearing, and such other items
22 as may be prescribed by the board. After consultation with a physician
23 and the United States coast guard, the board shall establish minimum
24 health standards to ensure that pilots licensed by the state are able
25 to perform their duties. Within ninety days of the date of each annual
26 physical examination, and after review of the physician's report, the
27 board shall make a determination of whether the pilot or candidate is
28 fully able to carry out the duties of a pilot under this chapter. The
29 board may in its discretion check with the appropriate authority for
30 any convictions of offenses involving drugs or the personal consumption
31 of alcohol in the prior twelve months.

32 (7) The board shall prescribe, pursuant to chapter 34.05 RCW, a
33 number of familiarization trips, between a minimum number of twenty-
34 five and a maximum of one hundred, which pilot applicants must make in
35 the pilotage district for which they desire to be licensed.
36 Familiarization trips any particular applicant must make are to be
37 based upon the applicant's vessel handling experience.

38 (8) The board may require vessel simulator training for a pilot
39 applicant and shall require vessel simulator training for a pilot

1 subject to RCW 88.16.105. The board shall also require vessel
2 simulator training in the first year of active duty for a new pilot and
3 at least once every five years for all active pilots.

4 (9) The board shall prescribe, pursuant to chapter 34.05 RCW, such
5 reporting requirements and review procedures as may be necessary to
6 assure the accuracy and validity of license and service claims, and
7 records of familiarization trips of pilot candidates. Willful
8 misrepresentation of such required information by a pilot candidate
9 shall result in disqualification of the candidate.

10 (10) The board shall adopt rules to establish time periods and
11 procedures for additional training trips and retesting as necessary for
12 pilots who at the time of their licensing are unable to become active
13 pilots.

14 NEW SECTION. **Sec. 608.** The following bills, as enacted in the
15 form passed by the legislature, are necessary to implement portions of
16 this act: House Bill Nos. 1053, 1147, 1304, 1466, 1588, 2201, 2245,
17 and 2259 and Senate Bill Nos. 5060, 5283, 5360, 5605, 5615, 5955, 6030,
18 and 6068.

19 **Sec. 609.** RCW 47.26.425 and 1999 c 94 s 21 and 1999 c . . . (SHB
20 1053) s 6 are each reenacted to read as follows:

21 Any funds required to repay the first authorization of two hundred
22 million dollars of bonds authorized by RCW 47.26.420, as amended by
23 section 18, chapter 317, Laws of 1977 ex. sess. or the interest thereon
24 when due, shall be taken from that portion of the motor vehicle fund
25 which results from the imposition of excise taxes on motor vehicle and
26 special fuels and which is distributed to the urban arterial trust
27 account in the motor vehicle fund pursuant to RCW 46.68.090(1)(g), and
28 shall never constitute a charge against any allocations of any other
29 such funds in the motor vehicle fund to the state, counties, cities,
30 and towns unless and until the amount of the motor vehicle fund arising
31 from the excise tax on motor vehicle and special fuels and distributed
32 to the urban arterial trust account proves insufficient to meet the
33 requirements for bond retirement or interest on any such bonds.

34 **Sec. 610.** RCW 47.26.4252 and 1999 c 94 s 22 and 1999 c . . . (SHB
35 1053) s 7 are each reenacted to read as follows:

1 Any funds required to repay the authorization of series II bonds
2 authorized by RCW 47.26.420, as reenacted by section 3, chapter 5, Laws
3 of 1979, or the interest thereon when due, shall first be taken from
4 that portion of the motor vehicle fund which results from the
5 imposition of excise taxes on motor vehicle and special fuels imposed
6 by chapters 82.36 and 82.38 RCW and which is distributed to the urban
7 arterial trust account in the motor vehicle fund pursuant to RCW
8 46.68.090(1)(g), subject, however, to the prior lien of the first
9 authorization of bonds authorized by RCW 47.26.420, as reenacted by
10 section 3, chapter 5, Laws of 1979. If the moneys distributed to the
11 urban arterial trust account shall ever be insufficient to repay the
12 first authorization bonds together with interest thereon, and the
13 series II bonds or the interest thereon when due, the amount required
14 to make such payments on such bonds or interest thereon shall next be
15 taken from that portion of the motor vehicle fund which results from
16 the imposition of excise taxes on motor vehicle and special fuels and
17 which is distributed to the state, counties, cities, and towns pursuant
18 to RCW 46.68.090. Any payments on such bonds or interest thereon taken
19 from motor vehicle or special fuel tax revenues which are distributable
20 to the state, counties, cities, and towns, shall be repaid from the
21 first moneys distributed to the urban arterial trust account not
22 required for redemption of the first authorization bonds or series II
23 and series III bonds or interest on those bond issues.

24 **Sec. 611.** RCW 47.26.4254 and 1999 c 94 s 23 and 1999 c . . . (SHB
25 1053) s 8 are each reenacted and amended to read as follows:

26 (1) Any funds required to repay series III bonds authorized by RCW
27 47.26.420, or the interest thereon, when due shall first be taken from
28 that portion of the motor vehicle fund that results from the imposition
29 of excise taxes on motor vehicle and special fuels imposed by chapters
30 82.36 and 82.38 RCW and that is distributed to the urban arterial trust
31 account in the motor vehicle fund pursuant to RCW 46.68.090(1)((+j))
32 (g), subject, however, to the prior lien of the first authorization of
33 bonds authorized by RCW 47.26.420. If the moneys so distributed to the
34 urban arterial trust account, after first being applied to
35 administrative expenses of the transportation improvement board and to
36 the requirements of bond retirement and payment of interest on first
37 authorization bonds and series II bonds as provided in RCW 47.26.425
38 and 47.26.4252, are insufficient to meet the requirements for bond

1 retirement or interest on any series III bonds, the amount required to
2 make such payments on series III bonds or interest thereon shall next
3 be taken from that portion of the motor vehicle fund that results from
4 the imposition of excise taxes on motor vehicle and special fuels and
5 that is distributed to the state, counties, cities, and towns pursuant
6 to RCW 46.68.090, subject, however, to subsection (2) of this section.

7 (2) To the extent that moneys so distributed to the urban arterial
8 trust account are insufficient to meet the requirements for bond
9 retirement or interest on any series III bonds, sixty percent of the
10 amount required to make such payments when due shall first be taken
11 from that portion of the motor vehicle fund that results from the
12 imposition of excise taxes on motor vehicle and special fuels and that
13 is distributed to the state. The remaining forty percent shall first
14 be taken from that portion of the motor vehicle fund that results from
15 the imposition of excise taxes on motor vehicle and special fuels and
16 that is distributed to the cities and towns pursuant to RCW
17 46.68.090(1)(i) and to the counties pursuant to RCW 46.68.090(1)(j).
18 Of the counties', cities', and towns' share of any additional amounts
19 required in each fiscal year, the percentage thereof to be taken from
20 the counties' distributive share and from the cities' and towns'
21 distributive share shall correspond to the percentage of funds
22 authorized for specific county projects and for specific city and town
23 projects, respectively, from the proceeds of series III bonds, for the
24 period through the first eleven months of the prior fiscal year as
25 determined by the chairman of the transportation improvement board and
26 reported to the state finance committee and the state treasurer not
27 later than the first working day of June.

28 (3) Any payments on such bonds or interest thereon taken from motor
29 vehicle or special fuel tax revenues that are distributable to the
30 state, counties, cities, and towns shall be repaid from the first
31 moneys distributed to the urban arterial trust account not required for
32 redemption of the first authorization bonds, series II bonds, or series
33 III bonds or interest on these bonds.

34 **Sec. 612.** RCW 47.26.505 and 1999 c 94 s 24 and 1999 c . . . (SHB
35 1053) s 9 are each reenacted and amended to read as follows:

36 Any funds required to repay such bonds, or the interest thereon
37 when due, shall be taken from that portion of the motor vehicle fund
38 which results from the imposition of excise taxes on motor vehicle and

1 special fuels and which is distributed to the transportation
2 improvement account in the motor vehicle fund under RCW
3 46.68.090(1)(h), and shall never constitute a charge against any
4 allocations of any other such funds in the motor vehicle fund to the
5 state, counties, cities, and towns unless and until the amount of the
6 motor vehicle fund arising from the excise tax on motor vehicle and
7 special fuels and distributed to the transportation improvement account
8 proves insufficient to meet the requirements for bond retirement or
9 interest on any such bonds.

10 **Sec. 613. RCW 43.43.300 and 1965 c 8 s 43.43.300 are each amended*
11 *to read as follows:*

12 *Beginning on July 1, 1963, every Washington state patrol employee*
13 *who is a member of the retirement fund shall contribute seven percent*
14 *of his or her monthly salary(~~(, which)~~). For the biennium beginning*
15 *July 1, 1999, and ending June 30, 2001, the employee contribution rate*
16 *for every member of a retirement system created under this chapter and:*
17 *(1) Covering employees whose activities constitute a highway purpose*
18 *under the eighteenth amendment (Article II, section 40) of the state*
19 *Constitution; where (2) the majority of both the employer and employee*
20 *contributions are funded from moneys appropriated from the state patrol*
21 *highway account of the motor vehicle fund; shall be set so that the*
22 *contribution rates required to fund the costs of the retirement system*
23 *shall be equal for members and employers; except that in no event shall*
24 *the member contribution rate exceed seven percent. If the pension*
25 *funding council determines that contribution rates must exceed seven*
26 *percent in order to fund the costs of the retirement system, any cost*
27 *over seven percent shall be borne by the employer. The member*
28 *contribution rate determined under this section shall be deducted from*
29 *the compensation of each member on each and every payroll.*

30 *In the event a member severs his or her connection with the*
31 *Washington state patrol or is dismissed, the amount paid by the state*
32 *of Washington shall remain in the retirement fund.*

33 **Sec. 613 was vetoed. See message at end of chapter.*

34 NEW SECTION. **Sec. 614.** The joint committee on pension policy
35 shall study the method for setting employer and employee contribution
36 rates for the Washington state patrol retirement system. The study
37 shall include options for implementing a method or methods that allow

1 both the employer and members to share the benefits from investment
2 gains that exceed the long-term investment return assumptions adopted
3 by the pension funding council.

4 NEW SECTION. **Sec. 615.** The legislature finds and declares that it
5 is essential for the economic, social, and environmental well-being of
6 the state and the maintenance of a high quality of life that the people
7 of the state have an efficient and effective transportation system.
8 The legislature, public officials, and citizens need to know the extent
9 to which state agencies, programs, and activities that impact the
10 state's transportation system are achieving the purposes for which they
11 were created.

12 The legislature recognizes that if it is to adequately fulfill its
13 responsibility to provide for a balanced, efficient state-wide
14 transportation system, it is essential to establish a joint legislative
15 transportation committee that will provide an opportunity for members
16 of the house of representatives and the senate to examine, develop, and
17 oversee critical transportation policy and fiscal issues and make
18 recommendations on such issues to the house of representatives and
19 senate standing committees on transportation.

20 **Sec. 616.** RCW 44.40.010 and 1980 c 87 s 39 are each amended to
21 read as follows:

22 The joint fact-finding committee on highways, streets, and bridges
23 originally created by chapter 111, Laws of 1947, recreated and renamed
24 the joint committee on highways by chapter 3, Laws of 1963
25 extraordinary session, is hereby recreated and renamed the legislative
26 transportation committee. The renaming of said committee shall not
27 affect any powers invested in it or its duties imposed upon it by any
28 other statute. All appropriations made to the committee under its
29 former name shall continue to be available to said committee as
30 renamed, the legislative transportation committee. The committee shall
31 consist of (~~eleven~~) twelve senators to be appointed by the president
32 of the senate and twelve members of the house of representatives to be
33 appointed by the speaker thereof. Not more than six members from each
34 house may be from the same political party. A list of appointees shall
35 be submitted before the close of each regular legislative session
36 during an odd-numbered year or any successive special session convened
37 by the governor or the legislature prior to the close of such regular

1 session or successive special session(s) for confirmation of senate
2 members, by the senate, and house members, by the house. Vacancies
3 occurring shall be filled by the appointing authority. All vacancies
4 must be filled from the same political party and from the same house as
5 the member whose seat was vacated.

6 On the effective date of this act, the president of the senate
7 shall appoint an additional senate member as provided by the 1999
8 amendment of this section. With the appointment of the additional
9 member, the terms of officers elected before the effective date of this
10 act are terminated, and the committee shall hold a new election of
11 officers.

12 The committee shall adopt rules and procedures for its orderly
13 operation.

14 NEW SECTION. Sec. 617. A new section is added to chapter 44.40
15 RCW to read as follows:

16 The members of the legislative transportation committee shall form
17 an executive committee consisting of two members from each of the four
18 major political caucuses, which will include the chair and vice-chair
19 of the legislative transportation committee. There will be four
20 alternates to the executive committee, one from each of the four major
21 political caucuses. Each alternate may represent a member from the
22 same political caucus from which they were chosen when that member is
23 absent, and have voting privileges during that absence.

24 The executive committee is responsible for performing all general
25 administrative and personnel duties assigned to it in the rules and
26 procedures adopted by the committee, determining the number of
27 legislative transportation committee staff, and other duties delegated
28 to it by the committee. Except when those responsibilities are assumed
29 by the legislative transportation committee, the executive committee is
30 responsible for adopting interim work plans and meeting schedules,
31 approving all contracts signed on behalf of the committee, and setting
32 policies for legislative transportation committee staff utilization.

33 NEW SECTION. Sec. 618. The following acts or parts of acts are
34 each repealed:

35 (1) RCW 46.68.095 (Distribution of additional state-wide taxes) and
36 1999 c 94 s 7, 1994 c 179 s 4, & 1990 c 42 s 103; and

1 (2) RCW 46.68.100 (Allocation of net tax amount in motor vehicle
2 fund) and 1999 c 94 s 8, 1994 c 179 s 5, 1991 c 310 s 2, 1986 c 66 s 1,
3 1984 c 7 s 73, 1977 ex.s. c 317 s 9, 1977 c 51 s 1, 1975-'76 2nd ex.s.
4 c 57 s 1, 1973 1st ex.s. c 124 s 1, 1972 ex.s. c 24 s 2, 1970 ex.s. c
5 85 s 4, 1967 ex.s. c 145 s 79, 1967 ex.s. c 83 s 8, 1961 ex.s. c 7 s 6,
6 & 1961 c 12 s 46.68.100.

7 NEW SECTION. **Sec. 619.** If any provision of this act or its
8 application to any person or circumstance is held invalid, the
9 remainder of the act or the application of the provision to other
10 persons or circumstances is not affected.

11 NEW SECTION. **Sec. 620.** This act is necessary for the immediate
12 preservation of the public peace, health, or safety, or support of the
13 state government and its existing public institutions, and takes effect
14 immediately.

15 (End of part)

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Passed the House May 19, 1999.
Passed the Senate May 19, 1999.
Approved by the Governor May 27, 1999, with the exception of
certain items that were vetoed.
Filed in Office of Secretary of State May 27, 1999.

1 Note: Governor's explanation of partial veto is as follows:
2 "I am returning herewith, without my approval as to sections
3 1(4)(i), (i) and (ii); 103(2); 103(4); 207(2); 210(partial); 215(1);
4 215(2); 215(3); 215(6); 216(3); 216(7); 219(10); 228(3);

1 231(2)(partial); 603; 605; and 613, Engrossed Substitute House Bill No.
2 1125 entitled:

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

4 Engrossed Substitute House Bill No. 1125 is the state
5 transportation budget for the upcoming biennium. I disagree with some
6 sections and have vetoed them for the following reasons:

7 **Section 1(4)(i), (i) and (ii), pages 2-3, lines 32 through 2**
8 **(Definitions)**

9 The Constitution of the State of Washington, Article III, Section 12,
10 makes clear that every act passed the Legislature shall be presented
11 for consideration by the Governor. That section further provides that
12 the Governor may veto less than an entire bill. The definition of
13 "enacted in a form passed by the legislature" contained in this item
14 effectively makes such presentment conditional upon the Governor's
15 approval of the entire referenced bill and incorporates substantive
16 legislation into an appropriations bill. This violates several
17 constitutional principles, including the doctrine of separation of
18 powers, and improperly restricts the Governor's constitutional veto
19 power.

20 **Section 103(2), page 4, lines 27 through 30 (Utilities and**
21 **Transportation Commission)**

22 Section 103(2) purports to impose a moratorium on the authority of the
23 Utilities and Transportation Commission (UTC) to grant new certificates
24 allowing auto transportation (bus) companies to operate. This
25 subsection attempts to amend parts of 81.68 RCW without setting the
26 amended parts forth in full. The Constitution of the State of
27 Washington, Article II, Section 37 provides that no act shall ever be
28 amended by mere reference to its title, but the act revised or the
29 section amended shall be set forth at full length. Consequently,
30 section 103(2) would not successfully amend the law. Instead it would
31 create a conflict with 81.68 RCW. This veto removes a legal cloud that
32 would affect pending and future applications for certificates by auto
33 transportation companies. Despite this veto, I expect the UTC will
34 carefully exercise its discretion in a manner that recognizes
35 anticipated public transit service in the same areas as certificate
36 applicants.

37 If the statutes are to be amended, it must be done properly through an
38 ordinary bill, not in an appropriations act.

39 **Section 103(4), page 4, lines 33 through 36 (Utilities and**
40 **Transportation Commission)**

41 Section 103(4) provides that the legislative transportation committees
42 shall convene a task force to study issues related to utility siting
43 and fee assessments on railroad rights of way. To avoid duplication,
44 I have vetoed this subsection because the operating budget already
45 requires the Utilities and Transportation Commission (UTC) to conduct
46 such a study. However, in addition to consultations with the chairs
47 and ranking minority members of the Legislature's Energy, Technology
48 and Telecommunications Committees, I request that the UTC also consult
49 with the chairs and ranking minority members of the Transportation
50 Committees in both houses of the Legislature.

51 **Section 207(2), page 9, lines 17 through 24 (Blue Ribbon Commission on**
52 **Transportation)**

1 Section 207(2) directs the Blue Ribbon Commission on Transportation to
2 develop a modal trade-off model. While such a model may be a useful
3 tool for transportation decision making, I have vetoed this subsection
4 in order to provide maximum flexibility to the Commission to determine
5 its priorities within the available dollars. The agenda for the
6 Commission should not be dictated from Olympia. If the Commission opts
7 to develop such a model, I expect that it will coordinate with other
8 transportation providers who are engaged in similar analyses.

9 **Section 210(line 33 on page 9 through line 11 on page 10) (Freight**
10 **Mobility Strategic Investment Board)**

11 The provisos in this section specify the manner in which the Freight
12 Mobility Strategic Investment Board shall approve projects. I have
13 vetoed these provisos because the enabling statute that created the
14 Board established certain threshold eligibility criteria and delegated
15 specific refinement to the Board. While the enumerated criteria match
16 those that the Board has adopted, the Legislature has delegated this
17 authority to the Board. This delegation is appropriate since the Board
18 needs flexibility to adjust these criteria as it embarks on the
19 administration of this new program.

20 **Section 215(1), page 13, lines 4 through 8 (Department of Licensing--**
21 **Vehicle Services)**

22 Section 215(1) stipulates that the \$81,000 appropriation from the motor
23 vehicle account-state shall lapse if Senate Bill 5000 is not enacted in
24 the form passed by the Legislature. Senate Bill 5000 was not passed by
25 the Legislature; therefore, I have vetoed this subsection to eliminate
26 any possible confusion.

27 **Section 215(2), page 13, lines 9 through 13 (Department of Licensing--**
28 **Vehicle Services)**

29 Section 215(2) stipulates that the \$273,000 appropriation from the
30 motor vehicle account-state shall lapse if Senate Bill 5280 is not
31 enacted in the form passed by the Legislature. Senate Bill 5280 was
32 not passed by the Legislature; therefore, I have vetoed this subsection
33 to eliminate any possible confusion.

34 **Section 215(3), page 13, lines 14 through 18 (Department of Licensing--**
35 **Vehicle Services)**

36 Section 215(3) stipulates that the \$82,000 appropriation from the motor
37 vehicle account-state shall lapse if Senate Bill 5641 is not enacted in
38 the form passed by the Legislature. Senate Bill 5641 was not passed by
39 the Legislature; therefore, I have vetoed this subsection to eliminate
40 any possible confusion.

41 **Section 215(6), page 13, lines 27 through 28 (Department of Licensing--**
42 **Vehicle Services)**

43 Section 215(6) provides that the Department of Licensing shall issue
44 license plate emblems at the discretion of the adjutant general. Such
45 issues are more appropriately handled in policy bills that are the
46 subject of specific legislative debate and input by stakeholders, and
47 give further direction to the Department of Licensing about
48 implementation. Furthermore, neither an appropriation nor fee setting
49 authority was provided for this purpose.

50 **Section 216(3), page 14, lines 20 through 24 (Department of Licensing--**
51 **Driver Services)**

52 Section 216(3) stipulates that the \$610,000 highway safety fund-state
53 appropriation shall lapse if House Bill 1147 is not enacted in the form

1 passed by the Legislature. House Bill 1147 was not passed by the
2 Legislature; therefore, I have vetoed this subsection to eliminate any
3 possible confusion.

4 **Section 216(7), page 15, lines 1 through 3 (Department of Licensing--**
5 **Driver Services)**

6 Section 216(7) stipulates that the \$335,000 highway safety fund-state
7 appropriation shall lapse if Senate Bill 6009 is enacted in the form
8 passed by the Legislature. Senate Bill 6009 was passed by the
9 Legislature and I signed it into law on April 28, 1999. However, a
10 reduction was already made to the appropriations in this section to
11 reflect the enactment of Senate Bill 6009. It was not the intent of
12 the Legislature to reduce the appropriation a second time; therefore,
13 I have vetoed this subsection to nullify the second reduction.

14 **Section 219(10), pages 17-18, lines 26 through 2 (Department of**
15 **Transportation--Improvements--Program I)**

16 Section 219(10) provides \$3,992,000 motor vehicle account-state
17 appropriation for construction of high occupancy vehicle (HOV) lanes on
18 State Route 16, on the eastern and western sides of the Tacoma Narrows
19 Bridge. I have vetoed Section 219 (10) because I believe we need to
20 finish our commitments to extend the core HOV lanes on Interstate 5
21 prior to embarking on these unconnected segments. Completing the HOV
22 lanes on I-5 is critical for the success of Sound Transit's Regional
23 Express bus component, which will take advantage of 100 continuous
24 miles of HOV lanes on the state system.

25 **Section 228(3), pages 24-25, lines 29 through 23 (Department of**
26 **Transportation--Washington State Ferries--Program W)**

27 Section 228(3) provides a \$1,500,000 motor vehicle account-state
28 appropriation to develop a new class of auto/passenger ferries. I have
29 vetoed this subsection because the need for this class of vessel has
30 not been identified by the Washington State Ferry (WSF) system in its
31 current revenue 10-year capital plan. It does not make sense to
32 develop a new class of vessel now, when it is likely that the design
33 and technology will become obsolete before construction. Additionally,
34 WSF did not spend \$500,000 provided in the 1997 - 1999 transportation
35 budget for the exploration and acquisition of a design for constructing
36 a millennium class ferry vessel. In light of this, I think it is
37 premature to commission the study. In the short-term we must focus on
38 passenger-only ferry construction and service, and on maintaining WSF
39 terminals, many of which were built long ago and were not designed to
40 accommodate the types and amounts of service provided today. It is
41 time to reverse the trend of under-investing in these terminals.

42 **Section 231(2)(line 21 (part) through line 30 (part)), page 29**
43 **(Department of Natural Resources - Roadway Easement Authority)**

44 This provision attempted to amend 79.91 RCW to temporarily remove part
45 of the authority of the Department of Natural Resources (DNR). Such an
46 amendment is more appropriately done through an ordinary policy bill
47 that is subject to specific legislative debate and input by
48 stakeholders, not in an appropriations act.

49 The Constitution of the State of Washington, Article II, Section 37
50 provides that no act shall ever be amended by mere reference to its
51 title, but the act revised or the section amended shall be set forth at
52 full length. The Legislature may not provide sweeping amendments to
53 RCW 79.91.100 without setting forth the section in full for amendment.
54 Consequently, this provision would not successfully amend the law.

1 Instead it would create a conflict with 79.91 RCW. This veto removes
2 a legal cloud that would affect decisions by DNR regarding roadway
3 easements. In earlier versions of this act the vetoed provision was
4 contained in a separate section, as it normally would be. It was
5 rolled into subsection 231(2) in an obvious attempt to preclude veto.
6 In *Legislature v. Lowry*, the State Supreme Court cautioned against such
7 manipulation of the designation of sections to avoid the veto power.

8 **Section 603, pages 71-72, lines 32 through 39 (Performance Based**
9 **Budgeting)**

10 Section 603 outlines performance based budgeting requirements for the
11 transportation agencies. While I support performance based budgeting
12 and commend the Transportation Committees' interest, some elements of
13 the criteria established in this section are inconsistent with current
14 statewide budget and accounting standards. The Office of Financial
15 Management is designated in the Budget and Accounting Act as the agency
16 responsible for establishing budget instructions and developing and
17 maintaining statewide financial systems. The criteria in this section
18 would establish additional and duplicative reporting requirements for
19 transportation agencies. The creation of two separate tracks for the
20 analysis of financial data would make it impossible to provide
21 consistent and connected statewide financial information. It is my
22 expectation that agencies will continue to work with the Office of
23 Financial Management and the Legislative fiscal committees to develop
24 and implement uniform performance based budgeting reporting standards
25 that will be applicable to all state agencies.

26 **Section 605, pages 74-75, lines 5 through 6 (Surface Transportation**
27 **Program Statewide Flexible fund distribution)**

28 Section 605 enumerates a distribution scheme for expenditure of Surface
29 Transportation Program (STP) Statewide Flexible funds. Specifically,
30 it provides 40% to the Department of Transportation (DOT), 38% for a
31 statewide competitive grant program and 22% for rural economic
32 development.

33 I have vetoed this section in order to allow implementation of the
34 majority recommendation of the TEA 21 (Transportation Equity Act for
35 the 21st Century) Steering Committee. The Steering Committee
36 recommendation divides the STP Statewide Flexible funds into four
37 categories: (1) rural economic development (22%); (2) statewide
38 competitive grant program (22%); (3) regions/areas (22%); and (4) DOT
39 (34%).

40 With this veto the Secretary of Transportation can immediately
41 implement the Steering Committee recommendation, to which DOT was a
42 party, as most of these are funds now available in DOT's non-
43 appropriated, miscellaneous transportation programs account. The
44 Legislature has granted sufficient appropriation authority to DOT to
45 achieve the DOT distribution, which is subject to appropriation, in
46 other sections of this budget.

47 In accordance with the Steering Committee recommendation, the
48 aforementioned distributions are for the following activities:

49 Rural Economic Development. This category will make funds available
50 for transportation improvements necessary for rural economic
51 development in counties with a population density of less than 100
52 people per square mile, and in urban community empowerment zones. The
53 goal is to facilitate a rapid response to emerging economic

1 opportunities. The Community Economic Revitalization Board (CERB) will
2 select eligible projects, with staff support as appropriate, from DOT
3 to facilitate distribution of the funds.

4 In the event that eligible economic development projects do not
5 materialize by the time the funds must be obligated each year, the
6 remaining funds will revert to eligible rural counties for other
7 regional transportation needs. Project selection for reverted funds
8 will be by the appropriate body in each county for selecting projects
9 funded with regional surface transportation funds, typically the
10 metropolitan planning organization (MPO) or regional transportation
11 planning organization (RTPO).

12 Statewide Competitive Grant Program. This category was originally
13 established by the State's transportation partners at the beginning of
14 ISTEA (Intermodal Surface Transportation Efficiency Act of 1991)
15 implementation. The Transportation Improvement Board will continue as
16 the selection body, and will emphasize the regional significance of
17 projects in making its decisions.

18 Regions/Areas. Under this category STP flexible dollars would be
19 distributed to the appropriate body in each county that is responsible
20 for selecting projects funded with regional surface transportation
21 funds, typically the MPO or RTPO.

22 Department of Transportation. This category provides for a direct
23 distribution to DOT.

24 It is important to note that DOT would be eligible to lead projects in
25 any and all of the categories above. Historically, DOT has competed
26 well in the statewide competitive grant program and regions/areas
27 categories. Often an MPO's top regional priority is a project on the
28 state's transportation system.

29 **Section 613, page 83, lines 6 through 28, (Washington State Patrol**
30 **Retirement System Contribution)**

31 This section amends the statute prescribing the contribution rate
32 members must pay to fund the Washington State Patrol Retirement System
33 (WSPRS). The amendment provides that for the 1999-2001 biennium, the
34 rate paid by employees to support their pensions should be equal to
35 that paid by their employer. The employer rate for the biennium,
36 already established by the state's Pension Funding Council, is zero
37 percent. This zero rate results from the plan gradually attaining a
38 measure of financial stability; historically over the fifty-two year
39 life of the plan, the rate paid by the employer has averaged 19.6
40 percent of total payroll.

41 This amendment effectively postpones most payments into the WSPRS for
42 a full two-year period, which is contrary to accepted practices for the
43 financial management of a pension plan. Most importantly, this
44 language would result in only those WSPRS members whose positions are
45 funded by the state patrol highway account of the motor vehicle fund
46 receiving the benefit of the reduced contribution rate. All other
47 officer members (about 10 percent of the members) whose positions are
48 funded by other sources would continue to pay the statutorily required
49 7 percent contribution. It is unclear what rate would be paid by
50 members whose salaries are paid partially from the state patrol highway
51 account and partially from other accounts.

1 Meanwhile, section 614 of this legislation requires the Joint Committee
2 on Pension Policy (JCPP) to study and recommend a new method for
3 setting employee and employer contribution rates for the WSPRS. I have
4 vetoed section 613 in anticipation of the JCPP formulating a permanent
5 solution to this problem, rather than supporting a temporary fix that
6 could potentially raise questions in bond markets and other financial
7 communities regarding the appropriateness of the state's financial
8 management practices.

9 For these reasons, I have vetoed sections 1(4)(i), (i) and (ii);
10 103(2); 103(4); 207(2); 210(partial); 215(1); 215(2); 215(3); 215(6);
11 216(3); 216(7); 219(10); 228(3); 231(2)(partial); 603; 605; and 613 of
12 Engrossed Substitute House Bill No. 1125.

13 With the exception of sections 1(4)(i), (i) and (ii); 103(2); 103(4);
14 207(2); 210(partial); 215(1); 215(2); 215(3); 215(6); 216(3); 216(7);
15 219(10); 228(3); 231(2)(partial); 603; 605; and 613, Engrossed
16 Substitute House Bill No. 1125 is approved."