

SENATE BILL 6083

State of Washington 58th Legislature 2003 1st Special Session

By Senator Parlette

Read first time 05/30/2003. Referred to Committee on Highways & Transportation.

1 AN ACT Relating to funding a highway construction project on state
2 route no. 28 in Douglas county and deleting a highway construction
3 project at the state route no. 2/97 interchange by changing the date of
4 the Legislative 2003 Transportation Project List -- New Law report;
5 amending 2003 c . . . (ESHB 1163) ss 305, 306, 308, 309, and 310
6 (uncodified); and declaring an emergency.

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

8 **Sec. 1.** 2003 c . . . (ESHB 1163) s 305 (uncodified) is amended to
9 read as follows:

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

11	Transportation 2003 Account (Nickel Account)--State	
12	Appropriation	\$565,300,000
13	Transportation 2003 Account (Nickel Account)--Federal	
14	Appropriation	\$950,000
15	Transportation 2003 Account (Nickel Account)--Local	
16	Appropriation	\$3,434,000
17	Motor Vehicle Account--State Appropriation	\$157,374,000
18	Motor Vehicle Account--Federal Appropriation	\$192,940,000
19	Motor Vehicle Account--Local Appropriation	\$13,258,000

1 Special Category C Account--State Appropriation \$50,279,000
2 Tacoma Narrows Toll Bridge Account Appropriation \$613,300,000
3 TOTAL APPROPRIATION \$1,596,835,000

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

6 (1) \$157,374,000 of the motor vehicle account--state appropriation,
7 \$192,940,000 of the motor vehicle account--federal appropriation,
8 \$13,258,000 of the motor vehicle account--local appropriation, and
9 \$50,279,000 of the special category C account--state appropriation are
10 provided solely to implement the activities and projects included in
11 the Legislative 2003 Transportation Project List - Current Law report
12 as transmitted to LEAP on April 27, 2003.

13 (2) The motor vehicle account--state appropriation includes
14 \$78,000,000 in proceeds from the sale of bonds authorized by RCW
15 47.10.843. The transportation commission may authorize the use of
16 current revenues available to the department of transportation in lieu
17 of bond proceeds for any part of the state appropriation. The motor
18 vehicle account--state appropriation includes \$18,038,000 in unexpended
19 proceeds from bond sales authorized in RCW 47.10.843 for mobility and
20 economic initiative improvement projects.

21 (3) The Tacoma Narrows toll bridge account--state appropriation
22 includes \$567,000,000 in proceeds from the sale of bonds authorized by
23 RCW 47.10.843. The Tacoma Narrows toll bridge account--state
24 appropriation includes \$46,300,000 in unexpended proceeds from the
25 January 2003 bond sale authorized in RCW 47.10.843 for the Tacoma
26 Narrows bridge project.

27 (4) The special category C account--state appropriation includes
28 \$44,000,000 in proceeds from the sale of bonds authorized by RCW
29 47.10.812. The transportation commission may authorize the use of
30 current revenues available in the special category C account in lieu of
31 bond proceeds for any part of the state appropriation.

32 (5) The entire transportation 2003 account (nickel account)
33 appropriation is provided solely for the projects and activities as
34 indicated in the Legislative 2003 Transportation Project List - New Law
35 report transmitted to LEAP on (~~April 27~~) May 21, 2003.

36 (6) The motor vehicle account--state appropriation includes
37 \$280,000,000 in proceeds from the sale of bonds authorized by Senate

1 Bill No. 6062. The transportation commission may authorize the use of
2 current revenues available to the department of transportation in lieu
3 of bond proceeds for any part of the state appropriation.

4 (7) \$11,000,000 of the motor vehicle account--state appropriation
5 is provided solely for the environmental impact statement on the SR 520
6 Evergreen floating bridge.

7 (8) \$250,000 of the transportation 2003 account (Nickel Account)--
8 state appropriation and an equal amount from the city of Seattle are
9 provided solely for an analysis of the impacts that an expansion of the
10 SR 520 Evergreen floating bridge will have on the streets of North
11 Capitol Hill, Roanoke Park, and Montlake. An advisory committee with
12 two members each from Portage Bay/Roanoke Park Community Council,
13 Montlake Community Council, and the North Capitol Hill community
14 organization along with the secretary of transportation is established.
15 The seven-member committee shall hire and oversee the contract with a
16 transportation consulting organization to: (a) Perform an analysis of
17 such impacts; and (b) design a traffic and circulation plan that
18 mitigates the adverse consequences of such impacts. If the city of
19 Seattle does not agree to provide \$250,000 by January 1, 2004, the
20 amount provided in this subsection shall lapse.

21 (9)(a) \$500,000 of the motor vehicle account--state appropriation
22 is provided solely for a study to provide the legislature with
23 information regarding the feasibility of pursuing a Washington commerce
24 corridor. The department shall retain outside experts to conduct the
25 study. The study must include the following conditions:

26 (i) The Washington commerce corridor must be a north-south corridor
27 starting in the vicinity of Lewis county and extending northerly to the
28 vicinity of the Canadian border. The corridor must be situated east of
29 state route number 405 and west of the Cascades. The corridor may
30 include any of the following features:

31 (A) Ability to carry long-haul freight;

32 (B) Ability to provide for passenger auto travel;

33 (C) Freight rail;

34 (D) Passenger rail;

35 (E) Public utilities; and

36 (F) Other ancillary facilities as may be desired to maximize use of
37 the corridor;

1 (ii) The Washington commerce corridor must be developed, financed,
2 designed, constructed, and operated by private sector consortiums; and

3 (iii) The Washington commerce corridor must be subject to a joint
4 permitting process involving federal, state, and local agencies with
5 jurisdiction.

6 (b) The legislative transportation committee shall form a working
7 group to work with the department and the outside consultant on the
8 study.

9 (10) \$8,000,000 of the motor vehicle account--state appropriation
10 is provided for the SR 522, University of Washington-Bothell campus
11 access project. This amount will cover approximately one-half of the
12 construction costs.

13 (11) The transportation permit efficiency and accountability
14 committee (TPEAC) shall select from the project list under this
15 subsection ten projects that have not yet secured state permits. TPEAC
16 shall select projects from both urban and rural areas representing a
17 wide variety of locations within the state. These projects shall be
18 designated "Department of Transportation Permit Drafting Pilot
19 Projects" and shall become a part of the work plan of TPEAC required
20 under section 2(1)(b), chapter 8 (ESB 5279), Laws of 2003.

21 (12) Of the amounts appropriated in this section and section 306 of
22 this act, no more than \$124,000 is provided for increased project costs
23 due to the enactment of Substitute Senate Bill No. 5457.

24 (~~(14)~~) (13) To manage some projects more efficiently, federal
25 funds may be transferred from program Z to program I to replace those
26 federal funds in a dollar-for-dollar match. However, funds may not be
27 transferred between federal programs. Fund transfers authorized under
28 this subsection shall not affect project prioritization status.
29 Appropriations shall initially be allotted as appropriated in this act.
30 The department shall not transfer funds as authorized under this
31 subsection without approval of the transportation commission and the
32 director of financial management. The department shall submit a report
33 on those projects receiving fund transfers to the transportation
34 committees of the senate and house of representatives by December 1,
35 2004.

36 **Sec. 2.** 2003 c . . . (ESHB 1163) s 306 (uncodified) is amended to
37 read as follows:

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

2	Transportation 2003 Account (Nickel Account)	\$2,000,000
3	Motor Vehicle Account--State Appropriation	\$178,909,000
4	Motor Vehicle Account--Federal Appropriation	\$457,467,000
5	Motor Vehicle Account--Local Appropriation	\$12,666,000
6	Multimodal Account--State Appropriation	\$6,000,000
7	Multimodal Account--Federal Appropriation	\$4,247,000
8	TOTAL APPROPRIATION	\$661,289,000

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

11 (1) \$178,909,000 of the motor vehicle account--state appropriation,
12 \$457,467,000 of the motor vehicle account--federal appropriation,
13 \$12,666,000 of the motor vehicle account--local appropriation,
14 \$6,000,000 of the multimodal transportation account--state
15 appropriation, and \$4,247,000 of the multimodal transportation
16 account--federal appropriation are provided solely to implement the
17 activities and projects included in the Legislative 2003 Transportation
18 Project List - Current Law report transmitted to LEAP on April 27,
19 2003.

20 (2) The motor vehicle account--state appropriation includes
21 \$2,850,000 in proceeds from the sale of bonds authorized in RCW
22 47.10.761 and 47.10.762 for emergency purposes.

23 (3) The motor vehicle account--state appropriation includes
24 \$77,700,000 in proceeds from the sale of bonds authorized by RCW
25 47.10.843. The transportation commission may authorize the use of
26 current revenues available to the department of transportation in lieu
27 of bond proceeds for any part of the state appropriation.

28 (4) The entire transportation 2003 account (nickel account)
29 appropriation is provided solely for the projects and activities as
30 indicated in the Legislative 2003 Transportation Project List - New Law
31 report transmitted to LEAP on (~~April 27~~) May 21, 2003.

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

1 (6) Of the amounts appropriated in this section and section 305 of
2 this act, no more than \$124,000 is provided for increased project costs
3 due to the enactment of Substitute Senate Bill No. 5457.

4 ((+8+)) (7) To manage some projects more efficiently, federal funds
5 may be transferred from program Z to program P to replace those federal
6 funds in a dollar-for-dollar match. However, funds may not be
7 transferred between federal programs. Fund transfers authorized under
8 this subsection shall not affect project prioritization status.
9 Appropriations shall initially be allotted as appropriated in this act.
10 The department shall not transfer funds as authorized under this
11 subsection without approval of the transportation commission and the
12 director of financial management. The department shall submit a report
13 on those projects receiving fund transfers to the transportation
14 committees of the senate and house of representatives by December 1,
15 2004.

16 **Sec. 3.** 2003 c . . . (ESHB 1163) s 308 (uncodified) is amended to
17 read as follows:

18 **FOR THE DEPARTMENT OF TRANSPORTATION--WASHINGTON STATE FERRIES**
19 **CONSTRUCTION--PROGRAM W**

20 Puget Sound Capital Construction Account--	
21 State Appropriation	\$129,066,000
22 Puget Sound Capital Construction Account--	
23 Federal Appropriation	\$34,400,000
24 Multimodal Transportation Account--State Appropriation . .	\$13,381,000
25 Transportation 2003 Account (nickel account)	
26 Appropriation	\$5,749,000
27 TOTAL APPROPRIATION	\$182,596,000

28 The appropriations in this section are provided for improving the
29 Washington state ferry system, including, but not limited to, vessel
30 construction, major and minor vessel improvements, and terminal
31 construction and improvements. The appropriations in this section are
32 subject to the following conditions and limitations:

33 (1) The multimodal transportation account--state appropriation
34 includes \$11,772,000 in proceeds from the sale of bonds authorized by
35 Senate Bill No. 6062. The transportation commission may authorize the
36 use of current revenues available to the department of transportation
37 in lieu of bond proceeds for any part of the state appropriation.

1 (2) \$129,066,000 of the Puget Sound capital construction account--
2 state appropriation and \$34,400,000 of the Puget Sound capital
3 construction account--federal appropriation are provided solely for
4 capital projects as listed in the Legislative 2003 Transportation
5 Project List - Current Law as transmitted to the LEAP on April 27,
6 2003.

7 (3) \$17,521,000 of the transportation 2003 account (nickel
8 account)--state appropriation is provided solely for capital projects
9 as listed in the Legislative 2003 Transportation Project List - New Law
10 as transmitted to the LEAP on (~~April 27~~) May 21, 2003.

11 (4) The Puget Sound capital construction account--state
12 appropriation includes \$45,000,000 in proceeds from the sale of bonds
13 authorized by RCW 47.10.843 for vessel and terminal acquisition, major
14 and minor improvements, and long lead time materials acquisition for
15 the Washington state ferries. The transportation commission may
16 authorize the use of current revenues available to the motor vehicle
17 account in lieu of bond proceeds for any part of the state
18 appropriation.

19 (5) The Washington state ferries shall consult with the United
20 States Coast Guard regarding operational and design standards required
21 to meet Safety of Life at Sea requirements, in an effort to determine
22 the most efficient and cost-effective vessel design that meets these
23 requirements.

24 **Sec. 4.** 2003 c . . . (ESHB 1163) s 309 (uncodified) is amended to
25 read as follows:

26 **FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--CAPITAL**

27 Essential Rail Assistance Account--State Appropriation . . .	\$770,000
28 Multimodal Transportation Account--State Appropriation . .	\$35,530,000
29 Multimodal Transportation Account--Federal Appropriation .	\$9,499,000
30 Washington Fruit Express Account--State Appropriation	\$500,000
31 TOTAL APPROPRIATION	\$46,299,000

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

34 (1) The multimodal transportation account--state appropriation
35 includes \$30,000,000 in proceeds from the sale of bonds authorized by
36 Senate Bill No. 6062. The transportation commission may authorize the

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

3 (2) \$5,530,000 of the multimodal transportation account--state
4 appropriation, \$9,499,000 of the multimodal transportation account--
5 federal appropriation, \$500,000 of the Washington fruit express
6 account--state appropriation, and \$770,000 of the essential rail
7 assistance account--state appropriation are provided solely for capital
8 projects as listed in the Legislative 2003 Transportation Project List
9 - Current Law as transmitted to the LEAP on April 27, 2003.

10 (3) \$2,000,000 of the multimodal transportation account--state
11 appropriation is to be placed in reserve status by the office of
12 financial management to be held until the department identifies the
13 location for a new transload facility at either Wenatchee or Quincy.
14 The funds are to be released upon determination of a location and
15 approval by the office of financial management.

16 (4) \$30,000,000 of the multimodal transportation account--state
17 appropriation is provided solely for capital projects as listed in the
18 Legislative 2003 Transportation Project List - New Law as transmitted
19 to the LEAP on (~~April 27~~) May 21, 2003.

20 (5) If federal block grant funding for freight or passenger rail is
21 received, the department shall consult with the legislative
22 transportation committee prior to spending the funds on additional
23 projects.

24 (6) If the department issues a call for projects, applications must
25 be received by the department by November 1, 2003, and November 1,
26 2004.

27 **Sec. 5.** 2003 c . . . (ESHB 1163) s 310 (uncodified) is amended to
28 read as follows:

29 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**
30 **CAPITAL**

31 Highway Infrastructure Account--State Appropriation	\$207,000
32 Highway Infrastructure Account--Federal Appropriation	\$1,602,000
33 Motor Vehicle Account--State Appropriation	\$28,425,000
34 Multimodal Transportation Account--State Appropriation	\$13,726,000
35 TOTAL APPROPRIATION	\$43,960,000

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

1 (1) \$6,000,000 of the multimodal transportation account--state
2 appropriation is provided solely for the projects and activities as
3 indicated in the Legislative 2003 Transportation Project List - New Law
4 Local Projects report transmitted to LEAP on (~~April 27~~) May 21, 2003.

5 (2) To manage some projects more efficiently, federal funds may be
6 transferred from program Z to programs I and P and state funds shall be
7 transferred from programs I and P to program Z to replace those federal
8 funds in a dollar-for-dollar match. However, funds may not be
9 transferred between federal programs. Fund transfers authorized under
10 this subsection shall not affect project prioritization status.
11 Appropriations shall initially be allotted as appropriated in this act.
12 The department may not transfer funds as authorized under this
13 subsection without approval of the transportation commission. The
14 department shall submit a report on those projects receiving fund
15 transfers to the transportation committees of the senate and house of
16 representatives by December 1, 2004.

17 (3) \$7,576,000 of the multimodal transportation account--state
18 appropriation is reappropriated and provided solely to fund the first
19 phase of a multiphase cooperative project with the state of Oregon to
20 dredge the Columbia River. If dredge material is disposed of in the
21 ocean, the department shall not expend the appropriation in this
22 subsection unless agreement on ocean disposal sites has been reached
23 that protects the state's commercial crab fishery. The amount provided
24 in this subsection shall lapse unless the state of Oregon appropriates
25 a dollar-for-dollar match to fund its share of the project.

26 (4) \$1,156,000 of the motor vehicle account--state appropriation is
27 reappropriated and provided solely for additional small city pavement
28 preservation program grants, to be administered by the department's
29 highways and local programs division. The department shall review all
30 projects receiving grant awards under this program at least
31 semiannually to determine whether the projects are making satisfactory
32 progress. Any project that has been awarded small city pavement
33 preservation program grant funds, but does not report activity on the
34 project within one year of grant award, should be reviewed by the
35 department to determine whether the grant should be terminated. The
36 department must promptly close out grants when projects have been
37 completed, and identify where unused grant funds remain because actual
38 project costs were lower than estimated in the grant award. The

1 department shall expeditiously extend new grant awards to qualified
2 projects when funds become available either because grant awards have
3 been rescinded for lack of sufficient project activity or because
4 completed projects returned excess grant funds upon project closeout.

5 (5) \$4,010,000 of the motor vehicle account--state appropriation is
6 reappropriated and provided solely for additional traffic and
7 pedestrian safety improvements near schools. The highways and local
8 programs division within the department of transportation shall
9 administer this program. The department shall review all projects
10 receiving grant awards under this program at least semiannually to
11 determine whether the projects are making satisfactory progress. Any
12 project that has been awarded traffic and pedestrian safety improvement
13 grant funds, but does not report activity on the project within one
14 year of grant award should be reviewed by the department to determine
15 whether the grant should be terminated. The department must promptly
16 close out grants when projects have been completed, and identify where
17 unused grant funds remain because actual project costs were lower than
18 estimated in the grant award. The department shall expeditiously
19 extend new grant awards to qualified projects when funds become
20 available either because grant awards have been rescinded for lack of
21 sufficient project activity or because completed projects returned
22 excess grant funds upon project closeout.

23 (6) The motor vehicle account--state appropriation includes
24 \$20,452,000 in unexpended proceeds from the sale of bonds authorized by
25 RCW 47.10.843.

26 (7) The multimodal transportation account--state appropriation
27 includes \$6,000,000 in proceeds from the sale of bonds authorized by
28 Senate Bill No. 6062. The transportation commission may authorize the
29 use of current revenues available to the department of transportation
30 in lieu of bond proceeds for any part of the state appropriation.

31 NEW SECTION. **Sec. 6.** This act is necessary for the immediate
32 preservation of the public peace, health, or safety, or support of the
33 state government and its existing public institutions, and takes effect
34 immediately.

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