

**SENATE BILL REPORT**

**SB 5945**

**AS OF MARCH 20, 1991**

**Brief Description:** Creating a department of marine transportation.

**SPONSORS:** Senators Patterson, McMullen, Conner and Metcalf.

**SENATE COMMITTEE ON TRANSPORTATION**

**Staff:** Vicki Fabre (786-7313)

**Hearing Dates:** March 21, 1991

**BACKGROUND:**

Under current law, the Department of Transportation (DOT) is empowered to acquire or establish, operate, design, construct and maintain state ferries and toll bridges and to collect tolls and charges for use of these facilities. A seven-member Transportation Commission, appointed by the Governor, is responsible for developing state marine transportation policy, proposing to the Governor and the Legislature a marine transportation budget, approving the issuance and sale of bonds authorized by the Legislature for marine capital construction, and determining the fares, tolls and other charges for use of marine transportation facilities.

The Secretary of the DOT, who is appointed by the commission, is authorized to establish divisions to attain maximum efficiency in the operation of the department. The day-to-day administration and operation of the Washington State Ferries (WSF) is the responsibility of the Division of Marine Transportation within DOT.

The division is headed by an assistant secretary who is appointed by the Secretary of DOT. The secretary may also appoint a deputy secretary and other ferry management positions to carry out the management responsibilities of WSF. These employees are exempt from the provisions of the state civil service law.

**SUMMARY:**

A separate Department of Marine Transportation is created under the control of the Governor. The Secretary of the department is appointed by the Governor with the consent of the Senate. A temporary Secretary may serve for one year.

All powers, duties, functions, property, and appropriations vested by law in the DOT, the commission and the Secretary of Transportation related to the WSF are transferred to the jurisdiction of the new department. Various changes are made

to existing statutes to transfer ferry system functions to the Department of Marine Transportation. All classified employees employed in connection with the powers, duties, and functions are transferred to the new department.

The Board of Pilotage Commissioners is transferred to the jurisdiction of the department for its staff support and administration.

The Governor is required to approve and revise ferry fare schedules and must appoint the department's collective bargaining representative.

The secretary is authorized to adopt rules and appoint advisory committees or councils as required by federal legislation as a condition to the receipt of federal funds. The Director of the Office of Financial Management is directed to certify any apportionments of budgeted funds resulting from the transfer of powers, duties and functions, to the agencies affected, the State Auditor, and the State Treasurer.

All legislation relating to marine transportation or to marine environmental protection issues, whether of a policy or fiscal nature, is required to be referred to the standing Committees on Transportation of both the House and Senate.

The Department of Marine Transportation is required to study all facets of marine transportation, including but not limited to: ferry system; oil and hazardous spill prevention and cleanup; private marine transportation systems; vessel dealer, taxation, and registration programs; pilotage and ports.

The department is to involve representatives from the public and private marine transportation community and the environmental community. Recommendations are to be made to the Legislature to consolidate all state governmental services relating to marine transportation and marine environmental protection into the department. The recommendations are due January 15, 1992.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** requested