

CERTIFICATION OF ENROLLMENT
SECOND ENGROSSED SUBSTITUTE HOUSE BILL 2080

54th Legislature
1995 2nd Special Session

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

Speaker of the
House of Representatives

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

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

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

Chief Clerk

FILED

Secretary of State
State of Washington

SECOND ENGROSSED SUBSTITUTE HOUSE BILL 2080

AS AMENDED BY THE SENATE

Passed Legislature - 1995 2nd Special Session

State of Washington 54th Legislature 1995 Regular Session

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

Read first time 03/21/95.

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

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

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

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

3 State Toxics Control Account--State

4 Appropriation \$ 70,000

5 Oil Spill Administration Account--State

6 Appropriation \$ 1,008,000

7 TOTAL APPROPRIATION \$ 1,078,000

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

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

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

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

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

36 Motor Vehicle Fund--State Appropriation \$ 2,808,000

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

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

11 NEW SECTION. **Sec. 107. FOR THE STATE PARKS AND RECREATION**
12 **COMMISSION--OPERATING**

| | | | |
|----|---|----|---------|
| 13 | Motor Vehicle Fund--State Appropriation | \$ | 927,000 |
|----|---|----|---------|

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: The commission shall not expend any state funds for
17 maintenance, repair, or snow and ice removal on county or private
18 roads.

19 NEW SECTION. **Sec. 108. FOR THE UTILITIES AND TRANSPORTATION**
20 **COMMISSION**

| | | | |
|----|---------------------------------------|----|---------|
| 21 | Grade Crossing Protective Fund--State | | |
| 22 | Appropriation | \$ | 222,000 |

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

| | | | |
|----|---------------------------------------|----|--------|
| 24 | State Treasurer's Service Fund--State | | |
| 25 | Appropriation | \$ | 44,000 |

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

| | | | |
|----|---------------------------|----|---------|
| 28 | Motor Vehicle Fund--State | | |
| 29 | Appropriation | \$ | 251,000 |

30 The appropriation in this section is subject to the following
31 conditions and limitations and specified amounts are provided solely

1 for that activity: The entire appropriation is for the contracted
2 staff at the Gateway Visitor Information Centers, and shall not be used
3 for any other purpose.

4 (End of part)

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PART II
TRANSPORTATION AGENCIES

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 NEW SECTION. **Sec. 206. FOR THE MARINE EMPLOYEES COMMISSION**

2 Motor Vehicle Fund--Puget Sound Ferry Operations
3 Account--State Appropriation \$ 345,000

4 NEW SECTION. **Sec. 207. FOR THE TRANSPORTATION COMMISSION**

5 Transportation Fund--State Appropriation \$ 677,000

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

9 (1) For the fiscal year 1996, the commission shall not be
10 compensated for workdays in excess of 504 (an average of seven workdays
11 per commissioner, per month), except the chair who shall not be
12 compensated for workdays in excess of 114 (an average of nine and one-
13 half workdays per month).

14 (2) For the fiscal year 1997, up to \$45,000 is provided as
15 compensation for commissioner work days. By December 15, 1995 the
16 commission shall report back to the legislative transportation
17 committee on the number of commissioner workdays expended and the
18 adequacy of the fiscal year 1997 appropriation.

19 (3) None of the appropriation may be used to conduct studies or
20 hire consultants without specific authorization from the legislative
21 transportation committee prior to commencing any studies or hiring any
22 consultants.

23 (4) In no event shall the commission hold meetings outside of the
24 state of Washington. The commission is directed to seek methods of
25 reducing travel and meeting costs.

26 NEW SECTION. **Sec. 208. FOR THE WASHINGTON STATE PATROL--FIELD**
27 **OPERATIONS**

28 Motor Vehicle Fund--State Patrol Highway
29 Account--State Appropriation \$ 140,251,000
30 Motor Vehicle Fund--State Patrol Highway
31 Account--Federal Appropriation \$ 3,196,000
32 Motor Vehicle Fund--State Appropriation \$ 747,000
33 Marine Operating Fund--State Appropriation . . . \$ 927,000
34 TOTAL APPROPRIATION \$ 145,121,000

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

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

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

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

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

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

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

37 NEW SECTION. **Sec. 209. FOR THE WASHINGTON STATE PATROL--**
38 **INVESTIGATIVE SERVICES BUREAU**

| | | | |
|---|--|----|-----------|
| 1 | Motor Vehicle Fund--State Appropriation | \$ | 4,509,000 |
| 2 | Transportation Fund--State Appropriation | \$ | 1,642,000 |
| 3 | TOTAL APPROPRIATION | \$ | 6,151,000 |

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

15 NEW SECTION. **Sec. 210. FOR THE WASHINGTON STATE PATROL--SUPPORT**
16 **SERVICES BUREAU**

| | | | |
|----|--|----|------------|
| 17 | Motor Vehicle Fund--State Patrol Highway | | |
| 18 | Account--State Appropriation | \$ | 53,229,000 |
| 19 | Motor Vehicle Fund--State Appropriation | \$ | 1,491,000 |
| 20 | Transportation Fund--State Appropriation | \$ | 2,636,000 |
| 21 | TOTAL APPROPRIATION | \$ | 57,356,000 |

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

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

1 to the legislative transportation committee by August 1, 1995, and the
2 final plan delivered to the legislature by January 1, 1996.

3 (2) \$1,241,000 of the motor vehicle fund--state appropriation and
4 \$2,363,000 of the transportation fund--state appropriation provided for
5 in this section are for the following traditional general fund
6 purposes: The executive protection unit, revolving fund charges,
7 budget and fiscal services, computer services, personnel, human
8 resources, administrative services, and property management. These
9 appropriations shall not be recognized as permanent funding sources for
10 these purposes, but rather as temporary funding sources subject to
11 renewed evaluation during the 1997 legislative session.

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

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

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

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

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

32 (1) \$15,223,000 for the licensing application migration project
33 (LAMP), of which \$9,134,000 is motor vehicle account--state, \$6,089,000
34 is highway safety fund--state.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

38 (a) Sea Tac International Blvd;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

| | | | |
|----|---|----|-------------|
| 31 | Motor Vehicle Fund--State Appropriation | \$ | 221,368,000 |
| 32 | Motor Vehicle Fund--Federal Appropriation | \$ | 461,000 |
| 33 | Motor Vehicle Fund--Private/Local Appropriation | \$ | 3,305,000 |
| 34 | TOTAL APPROPRIATION | \$ | 225,134,000 |

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

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

5 (2) If projected snow and ice expenditures exceed the plan of
6 \$40,000,000, the department will continue service delivery as planned
7 within the other major maintenance groups, and will request a
8 supplemental appropriation in the following legislative session to fund
9 the additional snow and ice expenditures.

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

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

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

27 NEW SECTION. **Sec. 219. FOR THE DEPARTMENT OF TRANSPORTATION--**
28 **PRESERVATION--PROGRAM P**

| | | | |
|----|--|----|-------------|
| 29 | Motor Vehicle Fund--State Appropriation | \$ | 95,544,000 |
| 30 | Motor Vehicle Fund--Federal Appropriation | \$ | 74,600,000 |
| 31 | Motor Vehicle Fund--Private/Local Appropriation | \$ | 8,100,000 |
| 32 | Transportation Fund--State Appropriation | \$ | 119,600,000 |
| 33 | Transportation Fund--Federal Appropriation | \$ | 143,400,000 |
| 34 | Transportation Fund--Private/Local Appropriation | \$ | 3,000,000 |
| 35 | TOTAL APPROPRIATION | \$ | 444,244,000 |

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 funding for infrastructure associated with development of a horse
2 racetrack in western Washington.

3 (End of part)

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

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

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

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

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

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

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

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

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

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

1 State Appropriation \$ 500,000

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

3 Motor Vehicle Fund--State Patrol Highway Account--
4 State Appropriation \$ 890,000

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

6 Motor Vehicle Fund--State Patrol Highway Account--
7 State Appropriation \$ 506,000

8 (4) **SOUTH SEATTLE DETACHMENT**

9 Motor Vehicle Fund--State Patrol Highway Account--
10 State Appropriation \$ 151,000

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

12 Motor Vehicle Fund--State Patrol Highway Account--
13 State Appropriation \$ 197,000

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

15 Motor Vehicle Fund--State Patrol Highway Account--
16 State Appropriation \$ 358,000

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

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

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

22 Motor Vehicle Fund--Transportation Capital
23 Facilities Account--State Appropriation . . . \$ 2,801,000

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

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

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

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

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

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

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

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

12 (6) **MINOR REGIONAL PROJECTS**

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

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

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

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

25 **GENERAL GOVERNMENT AGENCIES--CAPITAL**

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

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

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

11 (End of part)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

18 **PART V**

19 **MISCELLANEOUS**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

18 It is the intent of the legislature that:

19 (1) State government use voice, data, and video telecommunications
20 technologies to:

21 (a) Transmit and increase access to live, interactive classroom
22 instruction and training;

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

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

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

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

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

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

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

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

5 (6) A structure be created to:

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

7 (b) Increase agencies' awareness of information sharing
8 opportunities; and

9 (c) Assist agencies in implementing such possibilities;

10 ~~((+6))~~ (7) An acquisition process for equipment, proprietary
11 software, and related services be established that meets the needs of
12 the users, considers the exchange of information, and promotes fair and
13 open competition;

14 ~~((+7))~~ (8) To the greatest extent possible, major information
15 technology projects be implemented on an incremental basis;

16 ~~((+8))~~ (9) The state maximize opportunities to exchange and share
17 data and information by moving toward implementation of open system
18 architecture based upon interface standards providing for application
19 and data portability and interoperability;

20 ~~((+9))~~ (10) To the greatest extent possible, the state recognize
21 any price performance advantages which may be available in midrange and
22 personal computing architecture;

23 ~~((+10))~~ (11) The state improve recruitment, retention, and
24 training of professional staff;

25 ~~((+11))~~ (12) Plans, proposals, and acquisitions for information
26 services be reviewed from a financial and management perspective as
27 part of the budget process; and

28 ~~((+12))~~ (13) State government adopt policies and procedures that
29 maximize the use of existing video telecommunications resources,
30 coordinate and develop video telecommunications in a manner that is
31 cost-effective and encourages shared use, and ensure the appropriate
32 use of video telecommunications to fulfill identified needs.

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

35 The board shall have the following powers and duties related to
36 information services:

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

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

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

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

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

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

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

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

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

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

39 (b) Training and education; and

1 (c) Project management;

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

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

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

9 Except as provided in RCW 43.19.1920, RCW 43.105.017, and section
10 507 of this act, the division of purchasing shall sell or exchange
11 personal property belonging to the state for which the agency, office,
12 department, or educational institution having custody thereof has no
13 further use, at public or private sale, and cause the moneys realized
14 from the sale of any such property to be paid into the fund from which
15 such property was purchased or, if such fund no longer exists, into the
16 state general fund: PROVIDED, Sales of capital assets may be made by
17 the division of purchasing and a credit established in central stores
18 for future purchases of capital items as provided for in RCW 43.19.190
19 through 43.19.1939, as now or hereafter amended: PROVIDED FURTHER,
20 That personal property, excess to a state agency, including educational
21 institutions, shall not be sold or disposed of prior to reasonable
22 efforts by the division of purchasing to determine if other state
23 agencies have a requirement for such personal property. Such
24 determination shall follow sufficient notice to all state agencies to
25 allow adequate time for them to make their needs known. Surplus items
26 may be disposed of without prior notification to state agencies if it
27 is determined by the director of general administration to be in the
28 best interest of the state. The division of purchasing shall maintain
29 a record of disposed surplus property, including date and method of
30 disposal, identity of any recipient, and approximate value of the
31 property: PROVIDED, FURTHER, That this section shall not apply to
32 personal property acquired by a state organization under federal grants
33 and contracts if in conflict with special title provisions contained in
34 such grants or contracts.

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

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

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

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

12 ~~The legislature therefore finds that in order to protect these
13 waters it is necessary to establish an office of marine safety which
14 will have the responsibility to promote the safety of marine
15 transportation in Washington.))~~

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

29 (3) It is the intent of the legislature that the merger of the
30 office of marine safety with the department of ecology be accomplished
31 in an organizational manner that maintains a priority focus and
32 position for the oil spill prevention and response program. The merger
33 shall allow for ready identification of the program by the public and
34 ensure no diminution in the state's commitment to marine safety and
35 environmental protection.

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

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

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

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

26 (b) A clear and simplified organizational design promoting
27 accessibility, responsiveness, and accountability to the legislature,
28 the consumer, and the general public; and

29 (c) Maximum span of control without jeopardizing adequate
30 supervision.

31 (3) The (~~office~~) department shall provide leadership and
32 coordination in identifying and resolving threats to the safety of
33 marine transportation and the impact of marine transportation on the
34 environment:

35 (a) Working with other state agencies and local governments to
36 strengthen the state and local governmental partnership in providing
37 public protection;

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

1 (c) Providing active and fair enforcement of rules;
2 (d) Working with other federal, state, and local agencies and
3 facilitating their involvement in planning and implementing marine
4 safety measures;

5 (e) Providing information to the public; and

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

8 (4) In accordance with the administrative procedure act, chapter
9 34.05 RCW, the ~~((office))~~ department shall ensure an opportunity for
10 consultation, review, and comment before the adoption of standards,
11 guidelines, and rules.

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

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

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

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

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

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

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

15 (4) Delegate powers, duties, and functions of the ~~((office))~~
16 department's oil spill prevention and response division to employees of
17 the ~~((office))~~ department as the ~~((administrator))~~ director deems
18 necessary to carry out the provisions of ~~((this—chapter))~~ RCW
19 43.21I.005 through 43.21I.040 (as recodified by this act) and chapter
20 88.46 RCW;

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

25 (6) Act for the state in the initiation of, or the participation
26 in, any intergovernmental program for the purposes of ~~((this—chapter))~~
27 RCW 43.21I.005 through 43.21I.040 (as recodified by this act) and
28 chapter 88.46 RCW; or

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

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

32 (1) The ~~((administrator))~~ director shall have full authority to
33 administer oaths and take testimony thereunder, to issue subpoenas
34 requiring the attendance of witnesses before the ~~((administrator))~~
35 director together with all books, memoranda, papers, and other
36 documents, articles or instruments, and to compel the disclosure by
37 such witnesses of all facts known to them relative to the matters under
38 investigation.

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

3 (3) Subpoenas issued in the conduct of investigations required or
4 authorized by other statutory provisions or necessary in the
5 enforcement of other statutory provisions shall be governed by chapter
6 34.05 RCW.

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

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

17 Any appropriations made to the office of marine safety shall, on
18 (~~July 1, 1997~~) January 1, 1996, be transferred and credited to the
19 department of ecology.

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

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

28 The transfer of the powers, duties, and functions(~~(, and~~
29 ~~personnel)~~) of the office of marine safety shall not affect the
30 validity of any act performed prior to (~~July 1, 1997~~) January 1,
31 1996.

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

34 No moneys may be spent by the department from the oil spill
35 administration account, as established in RCW 90.56.510, nor the oil
36 spill response account, as established in RCW 90.56.500, for any

1 purpose other than carrying out the purposes, programs, and services of
2 oil spill prevention and response consistent with RCW 43.21I.005
3 through 43.21I.040 (as recodified by this act) and chapter 88.46 RCW.

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

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

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

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

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

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

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

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

22 (1) The oil spill administration account is created in the state
23 treasury. All receipts from RCW 82.23B.020(2) shall be deposited in
24 the account. Moneys from the account may be spent only after
25 appropriation. The account is subject to allotment procedures under
26 chapter 43.88 RCW. On July 1 of each odd-numbered year, if receipts
27 deposited in the account from the tax imposed by RCW 82.23B.020(2) for
28 the previous fiscal biennium exceed the amount appropriated from the
29 account for the previous fiscal biennium, the state treasurer shall
30 transfer the amount of receipts exceeding the appropriation to the oil
31 spill response account. If, on the first day of any calendar month,
32 the balance of the oil spill response account is greater than twenty-
33 five million dollars and the balance of the oil spill administration
34 account exceeds the unexpended appropriation for the current biennium,

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

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

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

32 NEW SECTION. **Sec. 526.** In order to provide enhanced program
33 visibility and improved legislative oversight, the legislature concurs
34 with the recommendation of the transportation commission that two new
35 program designations be established within the department of
36 transportation: (1) The transportation economic partnerships program,
37 and (2) the transit and rail program.

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

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

8 (2) Identification of the attorneys representing the state and the
9 opposing parties;

10 (3) A synopsis of the legal theories asserted and the defenses
11 presented;

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

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

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

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

23 (1) There is hereby established in the state treasury the high
24 capacity transportation account. Money in the account shall be used,
25 after appropriation, for local high capacity transportation purposes
26 including rail freight.

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

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

32 (1) The director of licensing shall, on the twenty-fifth day of
33 February, May, August, and November of each year, advise the state
34 treasurer of the total amount of motor vehicle excise taxes imposed by
35 RCW 82.44.020 (1) and (2) remitted to the department during the
36 preceding calendar quarter ending on the last day of March, June,
37 September, and December, respectively, except for those payable under

1 RCW 82.44.030, from motor vehicle owners residing within each
2 municipality which has levied a tax under RCW 35.58.273, which amount
3 of excise taxes shall be determined by the director as follows:

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

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

24 (a) To the high capacity transportation account created in RCW
25 47.78.010, a sum equal to four and five-tenths percent of the special
26 excise tax levied under RCW 35.58.273 by those municipalities
27 authorized to levy a special excise tax within ~~((i))~~ each county
28 ~~((with a population of two hundred ten thousand or more and (ii) each~~
29 ~~county with a population of from one hundred twenty five thousand to~~
30 ~~less than two hundred ten thousand except for those counties that do~~
31 ~~not border a county with a population as described in subsection (i) of~~
32 ~~this subsection)) that has a population of one hundred seventy-five~~
33 ~~thousand or more and has an interstate highway within its borders;~~
34 ~~except that in a case of a municipality located in a county that has a~~
35 ~~population of one hundred seventy-five thousand or more that does not~~
36 ~~have an interstate highway located within its borders, that sum shall~~
37 ~~be deposited in the passenger ferry account;~~

38 (b) To the central Puget Sound public transportation account
39 created in RCW 82.44.180, for revenues distributed after December 31,

1 1992, within a county with a population of one million or more and a
2 county with a population of from two hundred thousand to less than one
3 million bordering a county with a population of one million or more, a
4 sum equal to the difference between (i) the special excise tax levied
5 and collected under RCW 35.58.273 by those municipalities authorized to
6 levy and collect a special excise tax subject to the requirements of
7 subsections (3) and (4) of this section and (ii) the special excise tax
8 that the municipality would otherwise have been eligible to levy and
9 collect at a tax rate of .815 percent and been able to match with
10 locally generated tax revenues, other than the excise tax imposed under
11 RCW 35.58.273, budgeted for any public transportation purpose. Before
12 this deposit, the sum shall be reduced by an amount equal to the amount
13 distributed under (a) of this subsection for each of the municipalities
14 within the counties to which this subsection (2)(b) applies; however,
15 any transfer under this subsection (2)(b) must be greater than zero;

16 (c) To the public transportation systems account created in RCW
17 82.44.180, for revenues distributed after December 31, 1992, within
18 counties not described in (b) of this subsection, a sum equal to the
19 difference between (i) the special excise tax levied and collected
20 under RCW 35.58.273 by those municipalities authorized to levy and
21 collect a special excise tax subject to the requirements of subsections
22 (3) and (4) of this section and (ii) the special excise tax that the
23 municipality would otherwise have been eligible to levy and collect at
24 a tax rate of .815 percent and been able to match with locally
25 generated tax revenues, other than the excise tax imposed under RCW
26 35.58.273, budgeted for any public transportation purpose. Before this
27 deposit, the sum shall be reduced by an amount equal to the amount
28 distributed under (a) of this subsection for each of the municipalities
29 within the counties to which this subsection (2)(c) applies; however,
30 any transfer under this subsection (2)(c) must be greater than zero;
31 and

32 (d) To the general fund, for revenues distributed after June 30,
33 1993, and to the transportation fund, for revenues distributed after
34 June 30, 1995, a sum equal to the difference between (i) the special
35 excise tax levied and collected under RCW 35.58.273 by those
36 municipalities authorized to levy and collect a special excise tax
37 subject to the requirements of subsections (3) and (4) of this section
38 and (ii) the special excise tax that the municipality would otherwise
39 have been eligible to levy and collect at a tax rate of .815 percent

1 notwithstanding the requirements set forth in subsections (3) through
2 (6) of this section, reduced by an amount equal to distributions made
3 under (a), (b), and (c) of this subsection and RCW 82.14.046.

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

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

18 (b) In no event may the amount remitted in a single calendar
19 quarter exceed the amount collected on behalf of the municipality under
20 RCW 35.58.273 during the calendar quarter next preceding the
21 immediately preceding quarter, excluding the sales and use tax
22 equalization distributions provided under RCW 82.14.046.

23 (4) At the close of each calendar year accounting period, but not
24 later than April 1, each municipality that has received motor vehicle
25 excise taxes under subsection (3) of this section shall transmit to the
26 director of licensing and the state auditor a written report showing by
27 source the previous year's budgeted tax revenues for public
28 transportation purposes as compared to actual collections. Any
29 municipality that has not submitted the report by April 1 shall cease
30 to be eligible to receive motor vehicle excise taxes under subsection
31 (3) of this section until the report is received by the director of
32 licensing. If a municipality has received more or less money under
33 subsection (3) of this section for the period covered by the report
34 than it is entitled to receive by reason of its locally-generated
35 collected tax revenues, the director of licensing shall, during the
36 next ensuing quarter that the municipality is eligible to receive motor
37 vehicle excise tax funds, increase or decrease the amount to be
38 remitted in an amount equal to the difference between the locally-
39 generated budgeted tax revenues and the locally-generated collected tax

1 revenues. In no event may the amount remitted for a calendar year
2 exceed the amount collected on behalf of the municipality under RCW
3 35.58.273 during that same calendar year excluding the sales and use
4 tax equalization distributions provided under RCW 82.14.046. At the
5 time of the next fiscal audit of each municipality, the state auditor
6 shall verify the accuracy of the report submitted and notify the
7 director of licensing of any discrepancies.

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

11 (6) Any municipality levying and collecting a tax under RCW
12 35.58.273 which does not have an operating, public transit system or a
13 contract for public transportation services in effect within one year
14 from the initial effective date of the tax shall return to the state
15 treasurer all motor vehicle excise taxes received under subsection (3)
16 of this section.

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

19 (1) Not more than six months after the adoption of the commute trip
20 reduction plan by a jurisdiction, each major employer in that
21 jurisdiction shall develop a commute trip reduction program and shall
22 submit a description of that program to the jurisdiction for review.
23 The program shall be implemented not more than six months after
24 submission to the jurisdiction.

25 (2) A commute trip reduction program shall consist of, at a minimum
26 (a) designation of a transportation coordinator and the display of the
27 name, location, and telephone number of the coordinator in a prominent
28 manner at each affected worksite; (b) regular distribution of
29 information to employees regarding alternatives to single-occupant
30 vehicle commuting; (c) an annual review of employee commuting and
31 reporting of progress toward meeting the single-occupant vehicle
32 reduction goals to the county, city, or town consistent with the method
33 established in the commute trip reduction plan; and (d) implementation
34 of a set of measures designed to achieve the applicable commute trip
35 reduction goals adopted by the jurisdiction. Such measures may include
36 but are not limited to:

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

- 1 (ii) Instituting or increasing parking charges for single-occupant
2 vehicles;
- 3 (iii) Provision of commuter ride matching services to facilitate
4 employee ridesharing for commute trips;
- 5 (iv) Provision of subsidies for transit fares;
- 6 (v) Provision of vans for van pools;
- 7 (vi) Provision of subsidies for car pooling or van pooling;
- 8 (vii) Permitting the use of the employer's vehicles for car pooling
9 or van pooling;
- 10 (viii) Permitting flexible work schedules to facilitate employees'
11 use of transit, car pools, or van pools;
- 12 (ix) Cooperation with transportation providers to provide
13 additional regular or express service to the worksite;
- 14 (x) Construction of special loading and unloading facilities for
15 transit, car pool, and van pool users;
- 16 (xi) Provision of bicycle parking facilities, lockers, changing
17 areas, and showers for employees who bicycle or walk to work;
- 18 (xii) Provision of a program of parking incentives such as a rebate
19 for employees who do not use the parking facility;
- 20 (xiii) Establishment of a program to permit employees to work part
21 or full time at home or at an alternative worksite closer to their
22 homes;
- 23 (xiv) Establishment of a program of alternative work schedules such
24 as compressed work week schedules which reduce commuting; ((and))
- 25 (xv) Establishment of proximate commuting programs by employers
26 with multiple worksites; and
- 27 (xvi) Implementation of other measures designed to facilitate the
28 use of high-occupancy vehicles such as on-site day care facilities and
29 emergency taxi services.
- 30 (3) Employers or owners of worksites may form or utilize existing
31 transportation management associations to assist members in developing
32 and implementing commute trip reduction programs.

33 **Sec. 531.** RCW 82.44.180 and 1993 sp.s. c 23 s 64 and 1993 c 393 s
34 1 are each reenacted and amended to read as follows:

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

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

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

15 (a) Planning;

16 (b) Development of capital projects;

17 (c) Development of high capacity transportation systems as defined
18 in RCW 81.104.015;

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

21 (e) Public transportation system contributions required to fund
22 projects under federal programs and those approved by the
23 transportation improvement board.

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

33 (a) Planning;

34 (b) Development of capital projects;

35 (c) Development of high capacity transportation systems as defined
36 in RCW 81.104.015;

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

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

3 (f) Public transportation system contributions required to fund
4 projects under federal programs and those approved by the
5 transportation improvement board.

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

8 There is hereby established in the state treasury the high capacity
9 transportation account. Money in the account shall be used, after
10 appropriation, for high occupancy vehicle lane construction or for
11 local high capacity transportation purposes including rail freight.

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

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

- 19 ((+1)) (a) SPRING ST TO JOHNSON RD (627000D);
20 ((+2)) (b) W. LK SAMM. PKWY. TO SR 202 (152038A, 152039D);
21 ((+3)) (c) DIAMOND LAKE CHANNELIZATION (600232E);
22 ((+4)) (d) 15TH SW TO SR 161 U-XING (351214A);
23 ((+5)) (e) ANDRESEN ROAD TO SR 503 (450093B);
24 ((+6)) (f) NE 144TH ST TO BATTLEGROUND (450387B);
25 ((+7)) (g) STEAMBOAT ISLAND RD I/C (310199A);
26 ((+8)) (h) GRAHAM HILL VICINITY (316111A);
27 ((+9)) (i) NORTH OF WINSLOW - STAGE 1 (330505A);
28 ((+10)) (j) SR 5 TO BLANDFORD DRIVE (401487A);
29 ((+11)) (k) 32ND STREET INTERCHANGE (316711A); and
30 ((+12)) (l) SUNNYSLOPE I/C - STAGE 2 (228531A).

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

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

1 (2) The purpose of this amendment is to clarify the intent of the
2 legislature that the appropriation for project No. (b) included moneys
3 for construction of Stage 1, including a diamond interchange at SR
4 520/SR 202. Such moneys are reappropriated for the project, W. Lake
5 Sammamish Parkway to SR 202, including the construction of the diamond
6 interchange at SR 520/SR 202. Such reappropriation shall be considered
7 to be effective as of the date of section 20, chapter 303, Laws of
8 1994. All expenditures made by the department from that date are
9 hereby ratified.

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

12 NEW SECTION. Sec. 534. It is the intent of the legislature that
13 the department of transportation may implement a voluntary retirement
14 incentive program that is cost neutral provided that such program is
15 approved by the director of financial management.

16 NEW SECTION. Sec. 535. GENERALLY ACCEPTED ACCOUNTING PRINCIPLES.
17 The appropriations of moneys and the designation of funds and accounts
18 by this and other acts of the 1995 legislature shall be construed in a
19 manner consistent with legislation enacted by the 1985, 1987, 1989,
20 1991, and 1993 legislatures to conform state funds and accounts with
21 generally accepted accounting principles.

22 NEW SECTION. Sec. 536. Sections 511 through 523 and 528 through
23 533 of this act expire June 30, 1997.

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

26 (1) Agencies authorized to provide high capacity transportation
27 service, including transit agencies and regional transit authorities,
28 are hereby granted dedicated funding sources for such systems. These
29 dedicated funding sources, as set forth in RCW 81.104.150, 81.104.160,
30 and 81.104.170, are authorized only for agencies located in (~~(a) each~~
31 ~~county with a population of two hundred ten thousand or more and (b)~~
32 ~~each county with a population of from one hundred twenty five thousand~~
33 ~~to less than two hundred ten thousand except for those counties that do~~
34 ~~not border a county with a population as described under (a) of this~~
35 ~~subsection. In any county with a population of one million or more or~~

1 ~~in any county having a population of four hundred thousand or more~~
2 ~~bordering a county with a population of one million or more, these~~
3 ~~funding sources may be imposed only by a regional transit authority))~~
4 any county that has a population of one hundred seventy-five thousand
5 or more and has an interstate highway within its borders. A vote
6 within the boundaries of a regional transit authority to authorize
7 imposition of these dedicated funding sources may not occur prior to
8 February 1, 1996.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 (d) To the general fund, for revenues distributed after June 30,
2 1993, and to the transportation fund, for revenues distributed after
3 June 30, 1995, a sum equal to the difference between (i) the special
4 excise tax levied and collected under RCW 35.58.273 by those
5 municipalities authorized to levy and collect a special excise tax
6 subject to the requirements of subsections (3) and (4) of this section
7 and (ii) the special excise tax that the municipality would otherwise
8 have been eligible to levy and collect at a tax rate of .815 percent
9 notwithstanding the requirements set forth in subsections (3) through
10 (6) of this section, reduced by an amount equal to distributions made
11 under (a), (b), and (c) of this subsection and RCW 82.14.046.

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

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

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

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

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

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

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

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

- 27 (1) RCW 81.112.010 and 1992 c 101 s 1;
- 28 (2) RCW 81.112.020 and 1992 c 101 s 2;
- 29 (3) RCW 81.112.030 and 1994 c 44 s 1, 1993 sp.s. c 23 s 62, & 1992
30 c 101 s 3;
- 31 (4) RCW 81.112.040 and 1994 c 109 s 1 & 1992 c 101 s 4;
- 32 (5) RCW 81.112.050 and 1992 c 101 s 5;
- 33 (6) RCW 81.112.060 and 1992 c 101 s 6;
- 34 (7) RCW 81.112.070 and 1992 c 101 s 7;
- 35 (8) RCW 81.112.080 and 1992 c 101 s 8;
- 36 (9) RCW 81.112.090 and 1992 c 101 s 9;
- 37 (10) RCW 81.112.100 and 1992 c 101 s 10;
- 38 (11) RCW 81.112.110 and 1992 c 101 s 11;

- 1 (12) RCW 81.112.120 and 1992 c 101 s 12;
- 2 (13) RCW 81.112.130 and 1992 c 101 s 13;
- 3 (14) RCW 81.112.140 and 1992 c 101 s 14;
- 4 (15) RCW 81.112.150 and 1992 c 101 s 15;
- 5 (16) RCW 81.112.160 and 1992 c 101 s 16;
- 6 (17) RCW 81.112.170 and 1992 c 101 s 17;
- 7 (18) RCW 81.112.900 and 1992 c 101 s 33;
- 8 (19) RCW 81.112.901 and 1992 c 101 s 34; and
- 9 (20) RCW 81.112.902 and 1992 c 101 s 35.

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

12 Unless the context clearly requires otherwise, the definitions in
13 this section apply throughout this chapter.

14 (1) "High capacity transportation system" means a system of public
15 transportation services within an urbanized region operating
16 principally on exclusive rights of way, and the supporting services and
17 facilities necessary to implement such a system, including interim
18 express services and high occupancy vehicle lanes, which taken as a
19 whole, provides a substantially higher level of passenger capacity,
20 speed, and service frequency than traditional public transportation
21 systems operating principally in general purpose roadways.

22 (2) "Regional transit system" means a high capacity transportation
23 system under the jurisdiction of one or more transit agencies (~~except~~
24 ~~where a regional transit authority created under chapter 81.112 RCW~~
25 ~~exists, in which case "regional transit system" means the high capacity~~
26 ~~transportation system under the jurisdiction of a regional transit~~
27 ~~authority~~)).

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

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

33 (1) In any county (~~with a population of from two hundred ten~~
34 ~~thousand to less than one million that is not bordered by a county with~~
35 ~~a population of one million or more, and in each county with a~~
36 ~~population of less than two hundred ten thousand~~) that has a
37 population of one hundred seventy-five thousand or more and has an

1 interstate highway within its borders, except for any county having a
2 population of more than one million or a county that has a population
3 more than four hundred thousand and is adjacent to a county with a
4 population of more than one million, transit agencies may elect to
5 establish high capacity transportation service. Such agencies shall
6 form a regional policy committee with proportional representation based
7 upon population distribution within the designated service area and a
8 representative of the department of transportation, or such agencies
9 may use the designated metropolitan planning organization as the
10 regional policy committee.

11 Transit agencies participating in joint regional policy committees
12 shall seek voter approval within their own service boundaries of a high
13 capacity transportation system plan and financing plan. For transit
14 agencies in counties adjoining state or international boundaries where
15 the high capacity transportation system plan and financing plan propose
16 a bi-state or international high capacity transportation system, such
17 voter approval shall be required from only those voters residing within
18 the service area in the state of Washington.

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

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

24 Transit agencies in each county with a population of one million or
25 more, and in each county with a population of from ~~((two))~~ four hundred
26 ~~((ten))~~ thousand to less than one million bordering a county with a
27 population of one million or more ~~((that are authorized on January 1,~~
28 ~~1991, to provide high capacity transportation planning and operating~~
29 ~~services must))~~ may establish through interlocal agreements a ~~((joint~~
30 ~~regional policy committee with proportional representation based upon~~
31 ~~the population distribution within each agency's designated service~~
32 ~~area, as determined by the parties to the agreement.~~

33 ~~((1) The membership of the joint regional policy committee shall~~
34 ~~consist of locally elected officials who serve on the legislative~~
35 ~~authority of the existing transit systems and a representative from the~~
36 ~~department of transportation. Nonvoting membership for elected~~
37 ~~officials from adjoining counties may be allowed at the committee's~~
38 ~~discretion.~~

1 ~~(2) The joint regional policy committee shall be responsible for~~
2 ~~the preparation and adoption of~~) process to jointly prepare a regional
3 high capacity transportation implementation program, which shall
4 include the system plan, project plans, and a financing plan. This
5 program shall be in conformance with the regional transportation
6 planning organization's regional transportation plan and consistent
7 with RCW 81.104.080.

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

13 Transit agencies are encouraged to utilize this process and the
14 process in RCW 81.104.170 in order to better coordinate high-capacity
15 transit services and to provide for more effective utilization of
16 transportation resources.

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

19 Regional high capacity transportation service may be expanded
20 beyond the established district boundaries through interlocal
21 agreements among the transit agencies ~~((and any regional transit~~
22 ~~authorities in existence))~~.

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

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

32 (2) A county may use funds collected under RCW 81.100.030 or
33 81.100.060 to contract with one or more transit agencies ~~((or regional~~
34 ~~transit authorities))~~ for planning, operation, and maintenance of
35 commuter rail projects which: (a) Are consistent with the regional
36 transportation plan; (b) have met the project planning and oversight
37 requirements of RCW 81.104.100 and 81.104.110; and (c) have been

1 approved by the voters within the service area of each transit agency
2 (~~(or regional transit authority)~~) participating in the project. For
3 transit agencies in counties adjoining state or international
4 boundaries where the high capacity transportation system plan and
5 financing plan propose a bi-state or international high capacity
6 transportation system, such voter approval shall be required from only
7 those voters residing within the service area in the state of
8 Washington. The phrase "approved by the voters" includes specific
9 funding authorization for the commuter rail project.

10 (3) The utilities and transportation commission shall maintain
11 safety responsibility for passenger rail service operating on freight
12 rail lines. Agencies providing passenger rail service on lines other
13 than freight rail lines shall maintain safety responsibility for that
14 service.

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

17 (1) Transit agencies authorized to provide high capacity
18 transportation service(~~(, including transit agencies and regional~~
19 ~~transit authorities,)~~) are hereby granted dedicated funding sources for
20 such systems. These dedicated funding sources, as set forth in RCW
21 81.104.150, 81.104.160, and 81.104.170, are authorized only for
22 agencies located in (~~((a) each county with a population of two hundred~~
23 ~~ten thousand or more and (b) each county with a population of from one~~
24 ~~hundred twenty-five thousand to less than two hundred ten thousand~~
25 ~~except for those counties that do not border a county with a population~~
26 ~~as described under (a) of this subsection. In any county with a~~
27 ~~population of one million or more or in any county having a population~~
28 ~~of four hundred thousand or more bordering a county with a population~~
29 ~~of one million or more, these funding sources may be imposed only by a~~
30 ~~regional transit authority)) any county that has a population of one
31 hundred seventy-five thousand or more and has an interstate highway
32 within its borders.~~

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

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

38 (a) Acceptability;

- 1 (b) Ease of administration;
- 2 (c) Equity;
- 3 (d) Implementation feasibility;
- 4 (e) Revenue reliability; and
- 5 (f) Revenue yield.

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

9 (a) Employer tax as provided in RCW 81.104.150;

10 (b) Special motor vehicle excise tax as provided in RCW 81.104.160;
11 and

12 (c) Sales and use tax as provided in RCW 81.104.170.

13 Revenues from these taxes may be used only to support those
14 purposes prescribed in subsection (10) of this section. Before the
15 date of an election authorizing an agency to impose any of the taxes
16 enumerated in this section and authorized in RCW 81.104.150,
17 81.104.160, and 81.104.170, the agency must comply with the process
18 prescribed in RCW 81.104.100 (1) and (2) and 81.104.110. No
19 construction on exclusive right of way may occur before the
20 requirements of RCW 81.104.100(3) are met.

21 (5) Authorization in subsection (4) of this section shall not
22 adversely affect the funding authority of transit agencies not provided
23 for in this chapter. Local option funds may be used to support
24 implementation of interlocal agreements with respect to the
25 establishment of regional high capacity transportation service.
26 (~~Except when a regional transit authority exists,~~) Local
27 jurisdictions shall retain control over moneys generated within their
28 boundaries, although funds may be commingled with those generated in
29 other areas for planning, construction, and operation of high capacity
30 transportation systems as set forth in the agreements.

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

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

1 (8) (~~Agencies shall provide to the registered voters in the area~~
2 ~~a document describing the systems plan and the financing plan set forth~~
3 ~~in RCW 81.104.100. It shall also describe the relationship of the~~
4 ~~system to regional issues such as development density at station~~
5 ~~locations and activity centers, and the interrelationship of the system~~
6 ~~to adopted land use and transportation demand management goals within~~
7 ~~the region. This document shall be provided to the voters at least~~
8 ~~twenty days prior to the date of the election)) When making public
9 representations about revenues available to support a proposed project
10 transit agencies, shall not assume, nor imply the availability of state
11 funds unless those funds have been specifically authorized. Any
12 assumptions of federal funds shall be based on authorizations in the
13 current six-year transportation authorization law.~~

14 (9) For any election in which voter approval is sought for a high
15 capacity transportation system plan and financing plan pursuant to RCW
16 81.104.040, a local voter's pamphlet shall be produced as provided in
17 chapter 29.81A RCW.

18 (10) Agencies providing high capacity transportation service shall
19 retain responsibility for revenue encumbrance, disbursement, and
20 bonding. Funds may be used for any purpose relating to planning,
21 construction, and operation of high capacity transportation systems and
22 commuter rail systems, personal rapid transit, busways, bus sets, and
23 entrained and linked buses.

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

26 Cities that operate transit systems, county transportation
27 authorities, metropolitan municipal corporations, and public
28 transportation benefit areas(~~(, and regional transit authorities))~~) may
29 submit an authorizing proposition to the voters and if approved may
30 impose an excise tax of up to two dollars per month per employee on all
31 employers located within the agency's jurisdiction, measured by the
32 number of full-time equivalent employees, solely for the purpose of
33 providing high capacity transportation service. The rate of tax shall
34 be approved by the voters. This tax may not be imposed by(~~(:—(1))~~) a
35 transit agency when the county within which it is located is imposing
36 an excise tax pursuant to RCW 81.100.030(~~(; or (2) a regional transit~~
37 ~~authority when any county within the authority's boundaries is imposing~~
38 ~~an excise tax pursuant to RCW 81.100.030)))). The agency imposing the~~

1 tax authorized in this section may provide for exemptions from the tax
2 to such educational, cultural, health, charitable, or religious
3 organizations as it deems appropriate.

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

6 (1) Cities that operate transit systems, county transportation
7 authorities, metropolitan municipal corporations, and public
8 transportation benefit areas(~~(, and regional transit authorities)~~) may
9 submit an authorizing proposition to the voters, and if approved, may
10 levy and collect an excise tax, at a rate approved by the voters, but
11 not exceeding eighty one-hundredths of one percent on the value, under
12 chapter 82.44 RCW, of every motor vehicle owned by a resident of the
13 taxing district, solely for the purpose of providing high capacity
14 transportation service. In any county imposing a motor vehicle excise
15 tax surcharge pursuant to RCW 81.100.060, the maximum tax rate under
16 this section shall be reduced to a rate equal to eighty one-hundredths
17 of one percent on the value less the equivalent motor vehicle excise
18 tax rate of the surcharge imposed pursuant to RCW 81.100.060. This
19 rate shall not apply to vehicles licensed under RCW 46.16.070 except
20 vehicles with an unladen weight of six thousand pounds or less, RCW
21 46.16.079, (~~(46.16.080,)~~) 46.16.085, or 46.16.090.

22 (2) An agency imposing a tax under subsection (1) of this section
23 may also impose a sales and use tax solely for the purpose of providing
24 high capacity transportation service, in addition to the tax authorized
25 by RCW 82.14.030, upon retail car rentals within the agency's
26 jurisdiction that are taxable by the state under chapters 82.08 and
27 82.12 RCW. The rate of tax shall bear the same ratio to the rate
28 imposed under RCW 82.08.020(2) as the excise tax rate imposed under
29 subsection (1) of this section bears to the excise tax rate imposed
30 under RCW 82.44.020 (1) and (2). The base of the tax shall be the
31 selling price in the case of a sales tax or the rental value of the
32 vehicle used in the case of a use tax. The revenue collected under
33 this subsection shall be used in the same manner as excise taxes under
34 subsection (1) of this section.

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

1 Cities that operate transit systems, county transportation
2 authorities, metropolitan municipal corporations, and public
3 transportation benefit areas(~~(, and regional transit authorities)~~) may
4 submit an authorizing proposition to the voters and if approved by a
5 majority of persons voting, fix and impose a sales and use tax in
6 accordance with the terms of this chapter, solely for the purpose of
7 providing high capacity transportation service.

8 The tax authorized pursuant to this section shall be in addition to
9 the tax authorized by RCW 82.14.030 and shall be collected from those
10 persons who are taxable by the state pursuant to chapters 82.08 and
11 82.12 RCW upon the occurrence of any taxable event within the taxing
12 district. The maximum rate of such tax shall be approved by the voters
13 and shall not exceed one percent of the selling price (in the case of
14 a sales tax) or value of the article used (in the case of a use tax).
15 The maximum rate of such tax that may be imposed shall not exceed
16 nine-tenths of one percent in any county that imposes a tax under RCW
17 82.14.340(~~(, or within a regional transit authority if any county~~
18 ~~within the authority imposes a tax under RCW 82.14.340)~~).

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

21 Cities that operate transit systems, county transportation
22 authorities, metropolitan municipal corporations, and public
23 transportation benefit areas(~~(, and regional transit authorities)~~) are
24 authorized to pledge revenues from the employer tax authorized by RCW
25 81.104.150, the special motor vehicle excise tax authorized by RCW
26 81.104.160, and the sales and use tax authorized by RCW 81.104.170, to
27 retire bonds issued solely for the purpose of providing high capacity
28 transportation service.

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

31 Cities that operate transit systems, county transportation
32 authorities, metropolitan municipal corporations, and public
33 transportation benefit areas(~~(, and regional transit systems)~~) may
34 contract with the state department of revenue or other appropriate
35 entities for administration and collection of any tax authorized by RCW
36 81.104.150, 81.104.160, and 81.104.170.

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

3 By April 1st of each year, the legislative authority of each
4 municipality, as defined in RCW 35.58.272, (~~and each regional transit~~
5 ~~authority~~)) shall prepare a six-year transit development plan for that
6 calendar year and the ensuing five years. The program shall be
7 consistent with the comprehensive plans adopted by counties, cities,
8 and towns, pursuant to chapter 35.63, 35A.63, or 36.70 RCW, the
9 inherent authority of a first class city or charter county derived from
10 its charter, or chapter 36.70A RCW. The program shall contain
11 information as to how the municipality intends to meet state and local
12 long-range priorities for public transportation, capital improvements,
13 significant operating changes planned for the system, and how the
14 municipality intends to fund program needs. The six-year plan for each
15 municipality (~~and regional transit authority~~)) shall specifically set
16 forth those projects of regional significance for inclusion in the
17 transportation improvement program within that region. Each
18 municipality (~~and regional transit authority~~)) shall file the six-year
19 program with the state department of transportation, the transportation
20 improvement board, and cities, counties, and regional planning councils
21 within which the municipality is located.

22 In developing its program, the municipality (~~and the regional~~
23 ~~transit authority~~)) shall consider those policy recommendations
24 affecting public transportation contained in the state transportation
25 policy plan approved by the state transportation commission and, where
26 appropriate, adopted by the legislature. The municipality shall
27 conduct one or more public hearings while developing its program and
28 for each annual update.

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

31 (1) There is hereby created a transportation improvement board of
32 twenty-one members, six of whom shall be county members and six of whom
33 shall be city members. The remaining members shall be: (a) One
34 representative appointed by the governor who shall be a state employee
35 with responsibility for transportation policy, planning, or funding;
36 (b) two representatives from the department of transportation; (c) two
37 representatives of public transit systems; (d) a private sector
38 representative; (e) a member representing the ports; (f) a member

1 representing nonmotorized transportation; and (g) a member representing
2 special needs transportation.

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

19 (3) Of the city members of the board one shall be a chief city
20 engineer, public works director, or other city employee with
21 responsibility for public works activities, of a city with a population
22 of twenty thousand or more; one shall be a chief city engineer, public
23 works director, or other city employee with responsibility for public
24 works activities, of a city of less than twenty thousand population;
25 one shall be a city planning director or planning manager; one shall be
26 a mayor, commissioner, or city councilmember of a city with a
27 population of twenty thousand or more; one shall be a mayor,
28 commissioner, or city councilmember of a city who serves on the board
29 of a public transit system; and one shall be a mayor, commissioner, or
30 councilmember of a city of less than twenty thousand population. All
31 of the city members shall be appointed. Not more than one city member
32 of the board shall be from any one city. No more than two of the three
33 city-elected officials may represent cities located in either the
34 eastern or western part of the state as divided north and south by the
35 summit of the Cascade mountains.

36 (4) Of the transit members, at least one shall be a general
37 manager, executive director, or transit director of a public transit
38 system in an urban area with a population over two hundred thousand and

1 at least one representative from a rural or small urban transit system
2 in an area with a population less than two hundred thousand.

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

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

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

12 (8) The nonmotorized transportation member shall be a citizen with
13 a demonstrated interest and involvement with a nonmotorized
14 transportation group.

15 (9) The specialized transportation member shall be a citizen with
16 a demonstrated interest and involvement with a state-wide specialized
17 needs transportation group.

18 (10) Appointments of county, city, Washington department of
19 transportation, transit, port, nonmotorized transportation, special
20 needs transportation, private sector, and public representatives shall
21 be made by the secretary of the department of transportation.
22 Appointees shall be chosen from a list of two persons for each position
23 nominated by the Washington state association of counties for county
24 members, the association of Washington cities for city members, the
25 Washington state transit association for the transit members, and the
26 Washington public ports association for the port member. The private
27 sector, public, nonmotorized transportation, and special needs members
28 shall be sought through classified advertisements in selected
29 newspapers collectively serving all urban areas of the state, and other
30 appropriate means. Persons applying for the private sector,
31 nonmotorized transportation, special needs transportation, or the
32 public member position must provide a letter of interest and a resume
33 to the secretary of the department of transportation. In the case of
34 a vacancy, the appointment shall be only for the remainder of the
35 unexpired term in which the vacancy has occurred. A vacancy shall be
36 deemed to have occurred on the board when any member elected to public
37 office completes that term of office or is removed therefrom for any
38 reason or when any member employed by a political subdivision
39 terminates such employment for whatsoever reason or when a private

1 sector, nonmotorized transportation, special needs transportation, or
2 public member resigns or is unable or unwilling to serve.

3 (11) Appointments shall be for terms of four years. Terms of all
4 appointed members shall expire on June 30th of even-numbered years.
5 The initial term of appointed members may be for less than four years.
6 No appointed member may serve more than two consecutive four-year
7 terms.

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

10 (13) Expenses of the board shall be paid in accordance with RCW
11 47.26.140.

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

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

18 In order to qualify for state planning funds available to regional
19 transportation planning organizations, the regional transportation
20 planning organizations containing any county with a population in
21 excess of one million shall provide voting membership on its executive
22 board to the state transportation commission, the state department of
23 transportation, and the three largest public port districts within the
24 region as determined by gross operating revenues. It shall further
25 assure that at least fifty percent of the county and city local elected
26 officials who serve on the executive board also serve on transit agency
27 boards (~~(or on a regional transit authority)~~).

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

30 (2)(a) All reports, documents, surveys, books, records, files,
31 papers, or written material in the possession of any regional transit
32 authority created under chapter 81.112 RCW shall be delivered to the
33 custody of the transit agencies within the boundaries of the regional
34 transit authority. All cabinets, furniture, office equipment, motor
35 vehicles, and other tangible property employed by any regional transit
36 authority created under chapter 81.112 RCW shall be made available to
37 the transit agencies within the boundaries of the regional transit

1 authority. All funds, credits, or other assets held by any regional
2 transit authority created under chapter 81.112 RCW shall be assigned to
3 the transit agencies within the boundaries of the regional transit
4 authority.

5 (b) Any appropriations or grants made to any regional transit
6 authority created under chapter 81.112 RCW and any funds in the custody
7 of any regional transit authority created under chapter 81.112 RCW
8 shall, on the effective date of this section, be transferred and
9 credited to the transit agencies within the boundaries of the regional
10 transit authority.

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

17 (3) All rules and all pending business before any regional transit
18 authority created under chapter 81.112 RCW shall be continued and acted
19 upon by the transit agencies within the boundaries of the regional
20 transit authority. All existing contracts and obligations shall remain
21 in full force and shall be performed by the transit agencies within the
22 boundaries of the regional transit authority.

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

27 (5) If apportionments of budgeted funds are required because of the
28 transfers directed by this section, the director of financial
29 management shall certify the apportionments to the agencies affected,
30 the state auditor, and the state treasurer. Each of these shall make
31 the appropriate transfer and adjustments in funds and appropriation
32 accounts and equipment records in accordance with the certification.

33 (6) Nothing contained in this section may be construed to alter any
34 existing collective bargaining unit or the provisions of any existing
35 collective bargaining agreement until the agreement has expired or
36 until the bargaining unit has been modified by action of the personnel
37 board as provided by law.

38 (7) The transit agencies within the boundaries of the regional
39 transit authority shall apportion equitably among themselves any assets

1 or liabilities remaining after the regional transit authority is
2 abolished.

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

5 Transit agencies entering into local agreements under RCW
6 81.104.040 shall include, as part of their process to prepare a high
7 capacity transportation program, a comprehensive treatment of mobility
8 in the entire region which their program addresses. It shall consider
9 existing and future technological alternatives under development
10 demonstrating the capacity for addressing regional transportation
11 problems into the twenty-first century.

12 The evaluation shall address trips throughout the region including
13 city-to-city, city-to-suburb, and suburb-to-suburb, considering steps
14 necessary to reduce congestion, especially addressing peak period
15 traffic. The program shall be destination oriented, addressing not
16 only the service needs of urban areas but those of less populated areas
17 throughout the region. It shall include necessary freeway expansion,
18 including the use of special purpose lanes to expedite commerce and for
19 other purposes. It shall also consider programs developed for certain
20 areas such as fare-free programs, and tax incentives for business and
21 individuals designed to reduce trips, in order to reduce traffic
22 congestion and to ensure mobility.

23 The process shall include input from cities and counties, public
24 ports, large employers in the area, the department of transportation,
25 and the legislature.

26 NEW SECTION. **Sec. 556.** Section 537, chapter . . . , Laws of 1995
27 1st sp. sess. (this act) shall expire on May 31, 1996.

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

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

34 The authority shall be formed in the following manner:

35 (1) The joint regional policy committee created pursuant to RCW
36 81.104.040 shall adopt a system and financing plan, including the

1 definition of the service area. This action shall be completed by
2 September 1, 1992, contingent upon satisfactory completion of the
3 planning process defined in RCW 81.104.100. The final system plan
4 shall be adopted no later than June 30, 1993. In addition to the
5 requirements of RCW 81.104.100, the plan for the proposed system shall
6 provide explicitly for a minimum portion of new tax revenues to be
7 allocated to local transit agencies for interim express services. Upon
8 adoption the joint regional policy committee shall immediately transmit
9 the plan to the county legislative authorities within the adopted
10 service area.

11 (2) The legislative authorities of the counties within the service
12 area shall decide by resolution whether to participate in the
13 authority. This action shall be completed within forty-five days
14 following receipt of the adopted plan or by August 13, 1993, whichever
15 comes first.

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

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

26 (5) The authority is formally constituted at its first meeting and
27 the board shall begin taking steps toward implementation of the system
28 and financing plan adopted by the joint regional policy committee. If
29 the joint regional policy committee fails to adopt a plan by June 30,
30 1993, the authority shall proceed to do so based on the work completed
31 by that date by the joint regional policy committee. Upon formation of
32 the authority, the joint regional policy committee shall cease to
33 exist. The authority may make minor modifications to the plan as
34 deemed necessary and shall at a minimum review local transit agencies'
35 plans to ensure feeder service/high capacity transit service
36 integration, ensure fare integration, and ensure avoidance of parallel
37 competitive services. The authority shall also conduct a minimum
38 thirty-day public comment period.

1 (6) If the authority determines that major modifications to the
2 plan are necessary before the initial ballot proposition is submitted
3 to the voters, the authority may make those modifications with a
4 favorable vote of two-thirds of the entire membership. Any such
5 modification shall be subject to the review process set forth in RCW
6 81.104.110. The modified plan shall be transmitted to the legislative
7 authorities of the participating counties. The legislative authorities
8 shall have forty-five days following receipt to act by motion or
9 ordinance to confirm or rescind their continued participation in the
10 authority.

11 (7) If any county opts to not participate in the authority, but two
12 or more contiguous counties do choose to continue to participate, the
13 authority's board shall be revised accordingly. The authority shall,
14 within forty-five days, redefine the system and financing plan to
15 reflect elimination of one or more counties, and submit the redefined
16 plan to the legislative authorities of the remaining counties for their
17 decision as to whether to continue to participate. This action shall
18 be completed within forty-five days following receipt of the redefined
19 plan.

20 (8) The authority shall place on the ballot within two years of the
21 authority's formation, a single ballot proposition to authorize the
22 imposition of taxes to support the implementation of an appropriate
23 phase of the plan within its service area. In addition to the system
24 plan requirements contained in RCW 81.104.100(2)(d), the system plan
25 approved by the authority's board before the submittal of a proposition
26 to the voters shall identify the system, and an estimate of the cost of
27 that system, of which the phase is a component and also contain an
28 equity element which:

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

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

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

38 A simple majority of those voting within the boundaries of the
39 authority is required for approval. If the vote is affirmative, the

1 authority shall begin implementation of the projects identified in the
2 proposition. However, the authority may not submit any authorizing
3 proposition for voter-approved taxes prior to July 1, 1993, nor a
4 second proposition prior to February 1, 1996; nor may the authority
5 issue bonds or form any local improvement district prior to (~~July 1,~~
6 ~~1993~~) February 1, 1996.

7 (9) If the vote on a proposition fails, the board may redefine the
8 proposition, make changes to the authority boundaries, and make
9 corresponding changes to the composition of the board. If the
10 composition of the board is changed, the participating counties shall
11 revise the membership of the board accordingly. The board may then
12 submit the revised proposition or a different proposition to the
13 voters. No single proposition may be submitted to the voters more than
14 twice. The authority may place additional propositions on the ballot
15 to impose taxes to support additional phases of plan implementation.

16 If the authority is unable to achieve a positive vote on a
17 proposition within two years from the date of the first election on a
18 proposition, the board may, by resolution, reconstitute the authority
19 as a single-county body. With a two-thirds vote of the entire
20 membership of the voting members, the board may also dissolve the
21 authority.

22 NEW SECTION. Sec. 558. A new section is added to chapter 47.60
23 RCW to read as follows:

24 There is hereby established in the transportation fund the
25 passenger ferry account. Money in the account shall be used for
26 capital improvements for passenger ferry projects including, but not
27 limited to, pedestrian and transit facilities at ferry terminals and
28 passenger-only ferry vessels. Moneys in the account shall be expended
29 with legislative appropriation.

30 NEW SECTION. Sec. 559. Sections 539 through 556 of this act shall
31 take effect the earlier of: (1) May 31, 1996, unless a high capacity
32 transportation system plan, with funding, as authorized under RCW
33 81.104.140 is approved by a majority of the voters within the
34 boundaries of a regional transit authority, authorized under chapter
35 81.112 RCW, by May 31, 1996, then sections 539 through 556 of this act
36 shall not take effect; or (2) the last day of the month following the
37 month in which a high capacity transportation system plan, with

1 funding, as authorized under RCW 81.104.140 is rejected by a majority
2 of the voters within the boundaries of a regional transit authority,
3 authorized under chapter 81.112 RCW, after January 31, 1996.

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

6 NEW SECTION. **Sec. 561.** If any provision of this act or its
7 application to any person or circumstance is held invalid, the
8 remainder of the act or the application of the provision to other
9 persons or circumstances is not affected.

10 NEW SECTION. **Sec. 562.** (1) Except for sections 514 through 524
11 and 539 through 556 of this act, this act is necessary for the
12 immediate preservation of the public peace, health, or safety, or
13 support of the state government and its existing public institutions,
14 and shall take effect July 1, 1995.

15 (2) Sections 514 through 524 of this act shall take effect January
16 1, 1996."

17 Correct internal references accordingly and fix the title as
18 required.

19 (End of part)

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