

2 **SSB 5153** - H COMM AMD **ADOPTED 04/08/99**
3 By Committee on Transportation

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5 Strike everything after the enacting clause and insert the
6 following:

7 "Sec. 1. RCW 47.06A.020 and 1998 c 175 s 3 are each amended to
8 read as follows:

9 (1) The board shall:

10 (a) Adopt rules and procedures necessary to implement the freight
11 mobility strategic investment program;

12 (b) Solicit from public entities proposed projects that meet
13 eligibility criteria established in accordance with subsection (4) of
14 this section; and

15 (c) Review and evaluate project applications based on criteria
16 established under this section, and prioritize and select projects
17 comprising a portfolio to be funded in part with grants from state
18 funds appropriated for the freight mobility strategic investment
19 program. In determining the appropriate level of state funding for a
20 project, the board shall ensure that state funds are allocated to
21 leverage the greatest amount of partnership funding possible. After
22 selecting projects comprising the portfolio, the board shall submit
23 them as part of its budget request to the office of financial
24 management and the legislature. The board shall ensure that projects
25 submitted as part of the portfolio are not more appropriately funded
26 with other federal, state, or local government funding mechanisms or
27 programs. The board shall reject those projects that appear to improve
28 overall general mobility with limited enhancement for freight mobility.

29 The board shall provide periodic progress reports on its activities
30 to the (~~governor~~) office of financial management and the legislative
31 transportation committee.

32 (2) The board may:

33 (a) Accept from any state or federal agency, loans or grants for
34 the financing of any transportation project and enter into agreements
35 with any such agency concerning the loans or grants;

36 (b) Provide technical assistance to project applicants;

1 (c) Accept any gifts, grants, or loans of funds, property, or
2 financial, or other aid in any form from any other source on any terms
3 and conditions which are not in conflict with this chapter;

4 (d) Adopt rules under chapter 34.05 RCW as necessary to carry out
5 the purposes of this chapter; and

6 (e) Do all things necessary or convenient to carry out the powers
7 expressly granted or implied under this chapter.

8 (3) The board shall designate strategic freight corridors within
9 the state. The board shall update the list of designated strategic
10 corridors not less than every two years, and shall establish a method
11 of collecting and verifying data, including information on city and
12 county-owned roadways.

13 (4) From June 11, 1998, through the biennium ending June 30, 2001,
14 the board shall utilize threshold project eligibility criteria that, at
15 a minimum, includes the following:

16 (a) The project must be on a strategic freight corridor;

17 (b) The project must meet one of the following conditions:

18 (i) It is primarily aimed at reducing identified barriers to
19 freight movement with only incidental benefits to general or personal
20 mobility; or

21 (ii) It is primarily aimed at increasing capacity for the movement
22 of freight with only incidental benefits to general or personal
23 mobility; or

24 (iii) It is primarily aimed at mitigating the impact on communities
25 of increasing freight movement, including roadway/railway conflicts;
26 and

27 (c) The project must have a total public benefit/total public cost
28 ratio of equal to or greater than one.

29 (5) From June 11, 1998, through the biennium ending June 30, 2001,
30 the board shall use the multicriteria analysis and scoring framework
31 for evaluating and ranking eligible freight mobility and freight
32 mitigation projects developed by the freight mobility project
33 prioritization committee and contained in the January 16, 1998, report
34 entitled "Project Eligibility, Priority and Selection Process for a
35 Strategic Freight Investment Program." The prioritization process
36 shall measure the degree to which projects address important program
37 objectives and shall generate a project score that reflects a project's
38 priority compared to other projects. The board shall assign scoring
39 points to each criterion that indicate the relative importance of the

1 criterion in the overall determination of project priority. After June
2 30, 2001, the board may supplement and refine the initial project
3 priority criteria and scoring framework developed by the freight
4 mobility project prioritization committee as expertise and experience
5 is gained in administering the freight mobility program.

6 (6) It is the intent of the legislature that each freight mobility
7 project contained in the project portfolio submitted by the board
8 utilize the greatest amount of nonstate funding possible. The board
9 shall adopt rules that give preference to projects that contain the
10 greatest levels of financial participation from nonprogram fund
11 sources. The board shall consider twenty percent as the minimum
12 partnership contribution, but shall also ensure that there are
13 provisions allowing exceptions for projects that are located in areas
14 where minimal local funding capacity exists or where the magnitude of
15 the project makes the adopted partnership contribution financially
16 unfeasible.

17 (7) The board shall develop and recommend policies that address
18 operational improvements that primarily benefit and enhance freight
19 movement, including, but not limited to, policies that reduce
20 congestion in truck lanes at border crossings and weigh stations and
21 provide for access to ports during nonpeak hours.

22 **Sec. 2.** RCW 47.06A.030 and 1998 c 175 s 4 are each amended to read
23 as follows:

24 (1) The freight mobility strategic investment board is created.
25 The board shall convene by July 1, 1998.

26 (2) The board is composed of twelve members. The following members
27 are appointed by the governor for terms of four years, except that five
28 members initially are appointed for terms of two years: (a) Two
29 members, one of whom is from a city located within or along a strategic
30 freight corridor, appointed from a list of at least four persons
31 nominated by the association of Washington cities or its successor; (b)
32 two members, one of whom is from a county having a strategic freight
33 corridor within its boundaries, appointed from a list of at least four
34 persons nominated by the Washington state association of counties or
35 its successor; (c) two members, one of whom is from a port district
36 located within or along a strategic freight corridor, appointed from a
37 list of at least four persons nominated by the Washington public ports
38 association or its successor; (d) one member representing the office of

1 financial management; (e) one member appointed as a representative of
2 the trucking industry; (f) one member appointed as a representative of
3 the railroads; (g) the secretary of the department of transportation;
4 (h) one member representing the steamship industry; and (i) one member
5 of the general public. In appointing the general public member, the
6 governor shall endeavor to appoint a member with special expertise in
7 relevant fields such as public finance, freight transportation, or
8 public works construction. The governor shall appoint the general
9 public member as chair of the board. In making appointments to the
10 board, the governor shall ensure that each geographic region of the
11 state is represented.

12 (3) Members of the board (~~((may not receive compensation.~~
13 ~~Reimbursement for))~~ shall be reimbursed for reasonable and customary
14 travel ((and other)) expenses ((shall be provided by each respective
15 organization that a member represents on the board)) as provided in RCW
16 43.03.050 and 43.03.060.

17 (4) If a vacancy on the board occurs by death, resignation, or
18 otherwise, the governor shall fill the vacant position for the
19 unexpired term. Each vacancy in a position appointed from lists
20 provided by the associations and departments under subsection (2) of
21 this section must be filled from a list of at least four persons
22 nominated by the relevant association or associations.

23 (5) The appointments made in subsection (2) of this section are not
24 subject to confirmation.

25 **Sec. 3.** RCW 47.06A.040 and 1998 c 175 s 5 are each amended to read
26 as follows:

27 The board (~~((shall))~~), at its option, may either appoint an executive
28 director, who shall serve at its pleasure and whose salary shall be set
29 by the board(~~((— Staff support to the board shall initially be provided~~
30 ~~by the department of transportation, the transportation improvement~~
31 ~~board, and the county road administration board or their successor~~
32 ~~agencies.— The board shall develop a plan that provides for~~
33 ~~administration and staffing of the program and present this plan to the~~
34 ~~office of financial management and the legislative transportation~~
35 ~~committee by December 31, 1998))~~ or make provisions ensuring the
36 responsibilities of the executive director are carried out by an
37 existing transportation-related state agency or by private contract.
38 Staff support to the board shall be provided by the department of

1 transportation, the transportation improvement board, and the county
2 road administration board, or their successor agencies."

EFFECT: Allows the Board greater flexibility to contract out with other state agencies or with the private sector to provide staffing, rather than requiring the Board to hire an Executive Director or to contract with DOT for that position.

Clarifies that only travel expenses that are reasonable and customary may be reimbursed, pursuant to OFM guidelines.

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