

ESHB 2474 - S COMM AMD

By Committee on Highways & Transportation

ADOPTED 03/02/2004

1 Strike everything after the enacting clause and insert the
2 following:

3 **"GENERAL GOVERNMENT AGENCIES--OPERATING**

4 **Sec. 101.** 2003 c 360 s 102 (uncodified) is amended to read as
5 follows:

6 **FOR THE MARINE EMPLOYEES COMMISSION**

7 Puget Sound Ferry Operations Account--State

8	Appropriation	((\$352,000))
9		<u>\$365,000</u>

10 NEW SECTION. **Sec. 102.** A new section is added to 2003 c 360
11 (uncodified) to read as follows:

12 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--INITIATIVE MEASURE NO. 776**
13 **COSTS**

14	Motor Vehicle Account--State Appropriation	\$1,200,000
15	Motor Vehicle Account--Local Appropriation	\$2,100,000
16	TOTAL APPROPRIATION	\$3,300,000

17 The appropriations in this section are subject to the following
18 conditions and limitations: \$1,200,000 of the motor vehicle account--
19 state appropriation and \$2,100,000 of the motor vehicle account--local
20 appropriation are provided solely for the administrative costs
21 associated with issuing refunds resulting from *Pierce County et al. v.*
22 *State of Washington et al.* (Supreme Court Cause No. 73607-3), upholding
23 the Initiative Measure No. 776. Funds may not be expended unless the
24 King county superior court issues a final order requiring the repayment
25 of fees collected.

26 **TRANSPORTATION AGENCIES--OPERATING**

1 **Sec. 201.** 2003 c 360 s 202 (uncodified) is amended to read as
2 follows:

3 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

4	Rural Arterial Trust Account--State Appropriation	\$769,000
5	Motor Vehicle Account--State Appropriation	(\$1,927,000)
6		<u>\$1,936,000</u>
7	County Arterial Preservation Account--State Appropriation . .	\$719,000
8	TOTAL APPROPRIATION	(\$3,415,000)
9		<u>\$3,424,000</u>

10 **Sec. 202.** 2003 c 360 s 203 (uncodified) is amended to read as
11 follows:

12 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

13	Urban Arterial Trust Account--State Appropriation	(\$1,611,000)
14		<u>\$1,613,000</u>
15	Transportation Improvement Account--State	
16	Appropriation	(\$1,620,000)
17		<u>\$1,622,000</u>
18	TOTAL APPROPRIATION	(\$3,231,000)
19		<u>\$3,235,000</u>

20 **Sec. 203.** 2003 c 360 s 204 (uncodified) is amended to read as
21 follows:

22 **FOR THE BOARD OF PILOTAGE COMMISSIONERS**

23	Pilotage Account--State Appropriation	(\$272,000)
24		<u>\$344,000</u>

25 **Sec. 204.** 2003 c 360 s 206 (uncodified) is amended to read as
26 follows:

27 **FOR THE TRANSPORTATION COMMISSION**

28	Motor Vehicle Account--State Appropriation	(\$807,000)
29		<u>\$814,000</u>

30 **Sec. 205.** 2003 c 360 s 207 (uncodified) is amended to read as
31 follows:

32 **FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD**

33	Motor Vehicle Account--State Appropriation	(\$616,000)
34		<u>\$625,000</u>

1 **Sec. 206.** 2003 c 360 s 208 (uncodified) is amended to read as
2 follows:

3 **FOR THE WASHINGTON STATE PATROL--FIELD OPERATIONS BUREAU**

4 State Patrol Highway Account--State Appropriation . . .	((\$171,269,000))
	<u>\$174,149,000</u>
6 State Patrol Highway Account--Federal Appropriation . . .	((\$6,167,000))
	<u>\$6,957,000</u>
8 State Patrol Highway Account--Private/Local Appropriation . . .	\$175,000
9 TOTAL APPROPRIATION	((\$177,611,000))
	<u>\$181,281,000</u>

11 The appropriations in this section are subject to the following
12 conditions and limitations:

13 (1) Washington state patrol officers engaged in off-duty uniformed
14 employment providing traffic control services to the department of
15 transportation or other state agencies are authorized to use state
16 patrol vehicles for the purposes of that employment, subject to
17 guidelines adopted by the chief of the Washington state patrol. The
18 Washington state patrol shall be reimbursed for the use of the vehicle
19 at the prevailing state employee rate for mileage and hours of usage,
20 subject to guidelines developed by the chief of the Washington state
21 patrol. The patrol shall report to the house of representatives and
22 senate transportation committees by December 31, 2004, on the use of
23 agency vehicles by officers engaging in the off-duty employment
24 specified in this subsection. The report shall include an analysis
25 that compares cost reimbursement and cost-impacts, including increased
26 vehicle mileage, maintenance costs, and indirect impacts, associated
27 with the private use of patrol vehicles.

28 (2) \$2,075,000 of the state patrol highway account--state
29 appropriation in this section is provided solely for the addition of
30 thirteen troopers to those permanently assigned to vessel and terminal
31 security. The Washington state patrol shall continue to provide the
32 enhanced services levels established after September 11, 2001.

33 (3) In addition to the user fees, the patrol shall transfer into
34 the state patrol nonappropriated airplane revolving account created
35 under section 1501 of this act, no more than the amount of appropriated
36 state patrol highway account and general fund funding necessary to
37 cover the costs for the patrol's use of the aircraft. The state patrol
38 highway account and general fund--state funds shall be transferred

1 proportionately in accordance with a cost allocation that
2 differentiates between highway traffic enforcement services and general
3 policing purposes.

4 (4) The patrol shall not account for or record locally provided DUI
5 cost reimbursement payments as expenditure credits to the state patrol
6 highway account. The patrol shall report the amount of expected
7 locally provided DUI cost reimbursements to the transportation
8 committees of the senate and house of representatives by December 31 of
9 each year.

10 (5) \$1,848,000 of the state patrol highway account--state
11 appropriation is provided solely for additional security personnel and
12 equipment necessary to comply with the ferry security plan submitted by
13 the Washington state ferry system to the United States coast guard.

14 (6) \$264,600 of the state patrol highway account--state
15 appropriation in this subsection is provided solely for two full-time
16 detectives to work solely to investigate incidents of identity fraud,
17 drivers' license fraud, and identity theft. The detectives, as part of
18 their duty to police the public highways, shall work cooperatively with
19 the department of licensing's driver's special investigation unit.

20 **Sec. 207.** 2003 c 360 s 209 (uncodified) is amended to read as
21 follows:

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

23 State Patrol Highway Account--State Appropriation . . .	((\$69,993,000))
	<u>\$69,799,000</u>
25 State Patrol Highway Account--Private/Local Appropriation .	\$1,290,000
26 TOTAL APPROPRIATION	((\$71,283,000))
27	<u>\$71,089,000</u>

28 The appropriations in this section are subject to the following
29 conditions and limitations:

30 ((~~1~~)) Under the direction of the legislative auditor, the patrol
31 shall update the pursuit vehicle life-cycle cost model developed in the
32 1998 Washington state patrol performance audit (JLARC Report 99-4).
33 The patrol shall utilize the updated model as a basis for determining
34 maintenance and other cost impacts resulting from the increase to
35 pursuit vehicle mileage above 110 thousand miles in the 2003-05
36 biennium. The patrol shall submit a report, that includes identified
37 cost impacts, to the transportation committees of the senate and house
38 of representatives by December 31, 2003.

1 (~~(2) The Washington state patrol shall assign two full time~~
2 ~~detectives to work solely to investigate incidents of identity fraud,~~
3 ~~drivers' license fraud, and identity theft. The detectives shall work~~
4 ~~cooperatively with the department of licensing's driver's special~~
5 ~~investigation unit.))~~

6 **Sec. 208.** 2003 c 360 s 210 (uncodified) is amended to read as
7 follows:

8 **FOR THE DEPARTMENT OF LICENSING--MANAGEMENT AND SUPPORT SERVICES**

9 Marine Fuel Tax Refund Account--State Appropriation	(((\$7,000))
	<u>\$3,000</u>
11 Motorcycle Safety Education Account--State Appropriation	(((\$85,000))
	<u>\$97,000</u>
13 Wildlife Account--State Appropriation	(((\$77,000))
	<u>\$84,000</u>
15 <u>Highway Safety Account--Local Appropriation</u>	<u>\$6,000</u>
16 Highway Safety Account--State Appropriation	(((\$8,286,000))
	<u>\$8,278,000</u>
18 Motor Vehicle Account--State Appropriation	(((\$4,623,000))
	<u>\$4,451,000</u>
20 DOL Services Account--State Appropriation	(((\$107,000))
	<u>\$144,000</u>
22 TOTAL APPROPRIATION	(((\$13,185,000))
	<u>\$13,063,000</u>

24 The appropriations in this section are subject to the following
25 conditions and limitations: \$71,000 of the highway safety account--
26 state appropriation is provided solely to implement Engrossed
27 Substitute Senate Bill No. 5428 or House Bill No. 1681. Funds provided
28 in this subsection may not be expended unless the department of
29 licensing charges a convenience fee of \$1.00 to persons using the
30 internet driver's license or identicard renewal option to defray the
31 credit card costs associated with offering driver's license and
32 identicard renewals on-line. If Engrossed Senate Bill No. 5428 or
33 House Bill No. 1681 is not enacted by June 30, 2004, the amount
34 provided in this subsection shall lapse.

35 **Sec. 209.** 2003 c 360 s 211 (uncodified) is amended to read as
36 follows:

1 **FOR THE DEPARTMENT OF LICENSING--INFORMATION SERVICES**

2	Marine Fuel Tax Refund Account--State Appropriation	\$2,000
3	Motorcycle Safety Education Account--State	
4	Appropriation	(((\$133,000))
5		<u>\$144,000</u>
6	Wildlife Account--State Appropriation	(((\$58,000))
7		<u>\$55,000</u>
8	Highway Safety Account--State Appropriation	(((\$10,489,000))
9		<u>\$11,684,000</u>
10	Highway Safety Account--Federal Appropriation	\$6,000
11	<u>Highway Safety Account--Local Appropriation</u>	<u>\$60,000</u>
12	Motor Vehicle Account--State Appropriation	(((\$6,569,000))
13		<u>\$6,319,000</u>
14	DOL Services Account--State Appropriation	(((\$670,000))
15		<u>\$1,220,000</u>
16	TOTAL APPROPRIATION	(((\$17,927,000))
17		<u>\$19,490,000</u>

18 The appropriations in this section are subject to the following
19 conditions and limitations:

20 (1) The department shall submit a report to the transportation
21 committees of the legislature detailing the progress made in
22 transitioning off of the Unisys system by December 1, 2003, and each
23 December 1 thereafter.

24 (2) \$55,000 of the highway safety account--state appropriation is
25 provided solely to implement Engrossed Substitute Senate Bill No. 5428
26 or House Bill No. 1681. Funds provided in this subsection may not be
27 expended unless the department of licensing charges a convenience fee
28 of \$1.00 to persons using the internet driver's license or identicard
29 renewal option to defray the credit card costs associated with offering
30 driver's license and identicard renewals on-line. If Engrossed Senate
31 Bill No. 5428 or House Bill No. 1681 is not enacted by June 30, 2004,
32 the amount provided in this subsection shall lapse.

33 (3) \$151,000 of the highway safety account--state appropriation is
34 provided solely for the implementation of Senate Bill No. 5412. Within
35 the amount provided, the department of licensing shall prepare to
36 implement a "one-to-one" biometric matching system that compares the
37 biometric identifier submitted to the individual applicant's record.
38 If Senate Bill No. 5412 is not enacted by June 30, 2004, the amount
39 provided in this subsection shall lapse.

1 **Sec. 210.** 2003 c 360 s 212 (uncodified) is amended to read as
2 follows:

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

4	Marine Fuel Tax Refund Account--State Appropriation	\$60,000
5	<u>License Plate Technology Account--State Appropriation</u>	<u>\$2,000,000</u>
6	Wildlife Account--State Appropriation	\$585,000
7	Motor Vehicle Account--Local Appropriation	\$1,372,000
8	Motor Vehicle Account--State Appropriation	(\$61,509,000)
9		<u>\$58,661,000</u>
10	Motor Vehicle Account--Federal Appropriation	\$600,000
11	DOL Services Account--State Appropriation	(\$3,211,000)
12		<u>\$3,844,000</u>
13	TOTAL APPROPRIATION	(\$67,337,000)
14		<u>\$67,122,000</u>

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

17 (1) \$144,000 of the motor vehicle account--state appropriation is
18 provided solely for the implementation of Substitute Senate Bill No.
19 5435 or Engrossed Substitute House Bill No. 1592.

20 (2) If Engrossed Senate Bill No. 6063 is not enacted by June 30,
21 2003, \$1,100,000 of the motor vehicle account--state appropriation
22 shall lapse.

23 (3) \$81,000 of the DOL services account--state appropriation is
24 provided solely for the implementation of Substitute House Bill No.
25 1036.

26 (4) \$400,000 of the motor vehicle account--state appropriation is
27 provided solely for additional dealer and manufacturer services
28 enforcement activities to ensure compliance with the laws governing the
29 licensing and regulation of vehicle manufacturers, dealers, wreckers,
30 tow truck operators, hulk haulers, scrap processors, motor vehicle
31 transporters, snowmobile dealers, off-road vehicle dealers, mobile home
32 dealers, travel trailer dealers, vessel dealers, and other
33 miscellaneous dealers operating or doing business in Washington. If
34 Engrossed Senate Bill No. 6063 is not enacted by June 30, 2004, the
35 amount provided in this subsection shall lapse.

36 (5) \$2,000,000 of the license plate technology account--state
37 appropriation and \$400,000 of the motor vehicle account--state
38 appropriation are provided solely for the implementation of a digital
39 license plate printing system. Within the amounts provided, the

1 department shall fund the implementation of a digital license plate
2 system including: The purchase of digital license plate printing
3 equipment by correctional industries; the remodeling of space to
4 provide climate control, ventilation, and power requirements, for the
5 equipment that will be housed at correctional industries; and the
6 purchase of digital license plate inventory. The department shall
7 expend all of the license plate technology account--state appropriation
8 before expending any of the motor vehicle account--state appropriation.
9 By December 1, 2004, the department and correctional industries shall
10 submit a joint report to the transportation committees of the
11 legislature detailing a digital license plate printing system
12 implementation plan. By June 30, 2005, the department and correctional
13 industries shall submit a joint report to the transportation committees
14 of the legislature concerning the cost of the consumables used in the
15 digital license plate printing process.

16 (6) \$67,000 of the motor vehicle account--state appropriation is
17 provided solely for the implementation of Substitute Senate Bill No.
18 6325. If Substitute Senate Bill No. 6325 is not enacted by June 30,
19 2004, the amount provided in this subsection shall lapse.

20 (7) \$192,000 of the motor vehicle account--state appropriation is
21 provided solely for the implementation of Senate Bill No. 6110. If
22 Senate Bill No. 6110 is not enacted by June 30, 2004, the amount
23 provided in this subsection shall lapse.

24 (8) \$25,000 of the motor vehicle account--state appropriation is
25 provided solely for the implementation of Substitute Senate Bill No.
26 6688. If Substitute Senate Bill No. 6688 is not enacted by June 30,
27 2004, the amount provided in this subsection shall lapse.

28 (9) \$35,000 of the motor vehicle account--state appropriation is
29 provided solely for the implementation of Substitute House Bill No.
30 2910. If Substitute House Bill No. 2910 is not enacted by June 30,
31 2004, the amount provided in this subsection shall lapse.

32 (10) \$25,000 of the motor vehicle account--state appropriation is
33 provided solely for the implementation of Substitute Senate Bill No.
34 6148 or House Bill No. 2471. If neither Substitute Senate Bill No.
35 6148 or House Bill No. 2471 is enacted by June 30, 2004, the amount
36 provided in this subsection shall lapse.

37 (11) The department shall study the feasibility of requiring that
38 proof of insurance be provided as a condition of vehicle registration
39 renewal. The department shall consult with the office of the insurance

1 commissioner, and representatives from the county auditors, vehicle
2 subagents, the insurance industry, and interested citizens. The
3 department shall report the findings of this study to the
4 transportation committees of the legislature by December of 2004.

5 **Sec. 211.** 2003 c 360 s 213 (uncodified) is amended to read as
6 follows:

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

8	Motorcycle Safety Education Account--State Appropriation	\$2,576,000
9	Highway Safety Account--State Appropriation	(\$84,809,000)
10		<u>\$86,721,000</u>
11	Highway Safety Account--Federal Appropriation	\$318,000
12	<u>Highway Safety Account--Local Appropriation</u>	<u>\$67,000</u>
13	TOTAL APPROPRIATION	(\$87,703,000)
14		<u>\$89,682,000</u>

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

17 (1) \$178,000 of the highway safety account--state appropriation is
18 provided solely for two temporary collision processing FTEs to
19 eliminate the backlog of collision reports. The department shall
20 report, informally, to the house of representatives and senate
21 transportation committees quarterly, beginning October 1, 2003, on the
22 progress made in eliminating the backlog.

23 (2) \$305,000 of the highway safety account--state appropriation is
24 provided solely to implement Engrossed Substitute Senate Bill No. 5428
25 or House Bill No. 1681. Funds provided in this subsection may not be
26 expended unless the department of licensing charges a convenience fee
27 of \$1.00 to persons using the internet driver's license or identicard
28 renewal option to defray the credit card costs associated with offering
29 driver's license and identicard renewals on-line. If Engrossed
30 Substitute Senate Bill No. 5428 or House Bill No. 1681 is not enacted
31 by June 30, 2004, the amount provided in this subsection shall lapse.

32 (3) \$282,000 of the highway safety account--state appropriation is
33 provided solely for the implementation of Third Substitute Senate Bill
34 No. 5412. Within the amount provided, the department of licensing
35 shall prepare to implement a "one-to-one" biometric matching system
36 that compares the biometric identifier submitted to the individual
37 applicant's record. If Third Substitute Senate Bill No. 5412 is not

1 enacted by June 30, 2004, the amount provided in this subsection shall
2 lapse.

3 **Sec. 212.** 2003 c 360 s 214 (uncodified) is amended to read as
4 follows:

5 **FOR THE DEPARTMENT OF TRANSPORTATION--INFORMATION TECHNOLOGY--PROGRAM**
6 **C**

7	Motor Vehicle Account--State Appropriation	((\$58,661,000))
8		<u>\$57,634,000</u>
9	Motor Vehicle Account--Federal Appropriation	\$5,163,000
10	Puget Sound Ferry Operations Account--State	
11	Appropriation	((\$6,583,000))
12		<u>\$7,038,000</u>
13	Multimodal Transportation Account--State Appropriation . . .	\$363,000
14	TOTAL APPROPRIATION	((\$70,770,000))
15		<u>\$70,198,000</u>

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

18 ~~(1) ((\$715,000 of the motor vehicle account state appropriation is~~
19 ~~provided solely to retain an external consultant to provide an~~
20 ~~assessment of the department's review of current major information~~
21 ~~technology systems and planning for system and application~~
22 ~~modernization. The legislative transportation committee shall approve~~
23 ~~the statement of work before the consultant is hired. The consultant~~
24 ~~shall also work with the department to prepare an application~~
25 ~~modernization strategy and preliminary project plan.~~

26 ~~The department and the consultant shall work with the office of~~
27 ~~financial management and the department of information services to~~
28 ~~ensure that (a) the department's current and future system development~~
29 ~~is consistent with the overall direction of other key state systems;~~
30 ~~and (b) when possible, common statewide information systems are used or~~
31 ~~developed to encourage coordination and integration of information used~~
32 ~~by the department and other state agencies and to avoid duplication.~~
33 ~~The department shall provide a report on its proposed application~~
34 ~~modernization plan to the transportation committees of the legislature~~
35 ~~by June 30, 2004.)) \$850,000 of the motor vehicle account--state~~
36 ~~appropriation is provided for the continued maintenance and support of~~
37 ~~the transportation executive information system (TEIS). The TEIS shall~~
38 ~~be enhanced during the 2004 interim to shift towards a monitoring and~~

1 reporting system capable of tracking and reporting on major project
2 milestones and measurements. The department shall work with the
3 legislature to identify and define meaningful milestones and measures
4 to be used in monitoring the scope, schedule, and cost of projects.

5 (2)(a) (~~(\$2,963,000)~~) \$2,959,000 of the motor vehicle account--
6 state appropriation and \$2,963,000 of the motor vehicle account--
7 federal appropriation are provided solely for implementation of a new
8 revenue collection system, including the integration of the regional
9 fare coordination system (smart card), at the Washington state ferries.
10 By December 1st of each year, an annual update must be provided to the
11 legislative transportation committee concerning the status of
12 implementing and completing this project.

13 (b) (~~(\$400,000)~~) \$200,000 of the Puget Sound ferry operation
14 account--state appropriation is provided solely for implementation of
15 the smart card program. (~~(\$200,000 of this amount must be held in~~
16 ~~allotment reserve until a smart card report is delivered to the~~
17 ~~legislative transportation committee indicating that an agreement on~~
18 ~~which technology will be used throughout the state of Washington for~~
19 ~~the smart card program has been reached among smart card~~
20 ~~participants.))~~

21 (3) The department shall contract with the department of
22 information services to conduct a survey that identifies possible
23 opportunities and benefits associated with siting and use of technology
24 and wireless facilities located on state right of way authorized by RCW
25 47.60.140. The department shall submit a report regarding the survey
26 to the appropriate legislative committees by December 1, 2004.

27 **Sec. 213.** 2003 c 360 s 215 (uncodified) is amended to read as
28 follows:

29 **FOR THE DEPARTMENT OF TRANSPORTATION--FACILITY MAINTENANCE, OPERATIONS**
30 **AND CONSTRUCTION--PROGRAM D--OPERATING**
31 Motor Vehicle Account--State Appropriation (~~(\$31,048,000)~~)
32 \$31,068,000

33 **Sec. 214.** 2003 c 360 s 216 (uncodified) is amended to read as
34 follows:

35 **FOR THE DEPARTMENT OF TRANSPORTATION--AVIATION--PROGRAM F**
36 Aeronautics Account--State Appropriation (~~(\$5,107,000)~~)
37 \$5,355,000

1 Aeronautics Account--Federal Appropriation ((\$650,000))
2 \$2,150,000
3 Aircraft Search and Rescue Safety and Education
4 Account--State Appropriation ((\$282,000))
5 \$160,000
6 TOTAL APPROPRIATION ((\$6,039,000))
7 \$7,665,000

8 The appropriations in this section are subject to the following
9 conditions and limitations: ((\$1,381,000)) \$1,129,000 of the
10 aeronautics account--state appropriation is provided solely for
11 additional preservation grants to airports. (~~(\$122,000 of the aircraft~~
12 ~~search and rescue safety and education account--state appropriation is~~
13 ~~provided for additional search and rescue and safety and education~~
14 ~~activities.)) If Senate Bill No. 6056 is not enacted by June 30, 2003,
15 the amounts provided shall lapse.~~

16 **Sec. 215.** 2003 c 360 s 217 (uncodified) is amended to read as
17 follows:

18 **FOR THE DEPARTMENT OF TRANSPORTATION--PROGRAM DELIVERY MANAGEMENT AND**
19 **SUPPORT--PROGRAM H**

20 Motor Vehicle Account--State Appropriation ((\$49,010,000))
21 \$49,056,000
22 Motor Vehicle Account--Federal Appropriation \$400,000
23 TOTAL APPROPRIATION ((\$49,410,000))
24 \$49,456,000

25 The appropriations in this section are subject to the following
26 conditions and limitations:

27 (1) \$14,310,000 of the motor vehicle account--state appropriation
28 is provided solely for the staffing, activities, and overhead of the
29 department's environmental affairs office. This funding is provided in
30 lieu of funding provided in sections 305 and 306 of this act.

31 (2) \$3,100,000 of the motor vehicle account--state appropriation is
32 provided solely for the staffing and activities of the transportation
33 permit efficiency and accountability committee. The committee shall
34 develop a model national environmental policy act (NEPA) tribal
35 consultation process for federal transportation aid projects related to
36 the preservation of cultural, historic, and environmental resources.
37 The process shall ensure that Tribal participation in the NEPA

1 consultation process is conducted pursuant to treaty rights, federal
2 law, and state statutes, consistent with their expectations for
3 protection of such resources.

4 (3) \$300,000 of the motor vehicle account--state appropriation is
5 provided to the department in accordance with RCW 46.68.110(2) and
6 46.68.120(3) and shall be used by the department solely for the
7 purposes of providing contract services to the association of
8 Washington cities and Washington state association of counties to
9 implement section 2(3)(c), (5), and (6), chapter 8 (ESB 5279), Laws of
10 2003 for activities of the transportation permit efficiency and
11 accountability committee.

12 **Sec. 216.** 2003 c 360 s 218 (uncodified) is amended to read as
13 follows:

14 **FOR THE DEPARTMENT OF TRANSPORTATION--ECONOMIC PARTNERSHIPS--PROGRAM K**
15 Motor Vehicle Account--State Appropriation ((~~\$1,011,000~~))
16 \$1,411,000

17 The appropriation in this section is subject to the following
18 conditions and limitations: \$400,000 of the motor vehicle account--
19 state appropriation is provided solely for a traffic and economic study
20 of the Mount Saint Helens tourist and recreational area. The study
21 shall analyze existing and potential traffic patterns in the area and
22 develop funding strategies sufficient to fund construction of a
23 connection between state route number 504 and forest service road
24 number 99. The study shall also include an analysis of potential
25 partnership funding plans involving the use of tolls in order to
26 determine the potential to pay for ongoing maintenance and operations
27 requirements of visitor centers, roads, and other amenities provided to
28 tourists. The purpose and results of this study shall be made
29 available to citizens, businesses, and community organizations in the
30 affected area. The study shall be completed and submitted to the
31 transportation committees of the legislature by December 31, 2004.

32 **Sec. 217.** 2003 c 360 s 219 (uncodified) is amended to read as
33 follows:

34 **FOR THE DEPARTMENT OF TRANSPORTATION--HIGHWAY MAINTENANCE--PROGRAM M**
35 Motor Vehicle Account--State Appropriation ((~~\$283,350,000~~))
36 \$283,672,000
37 Motor Vehicle Account--Federal Appropriation \$1,426,000

1 Motor Vehicle Account--Private/Local Appropriation \$4,253,000
2 TOTAL APPROPRIATION (~~(\$289,029,000)~~)
3 \$289,351,000

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

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

11 (2) The department shall request an unanticipated receipt for any
12 federal moneys received for emergency snow and ice removal and shall
13 place an equal amount of the motor vehicle account--state into
14 unallotted status. This exchange shall not affect the amount of
15 funding available for snow and ice removal.

16 (3) The department shall request an unanticipated receipt for any
17 private or local funds received for reimbursements of third party
18 damages that are in excess of the motor vehicle account--private/local
19 appropriation.

20 (4) Funding is provided for maintenance on the state system to
21 allow for a continuation of the level of service targets included in
22 the 2001-03 biennium. In delivering the program, the department should
23 concentrate on the following areas:

24 (a) Meeting or exceeding the target for structural bridge repair on
25 a statewide basis;

26 (b) Eliminating the number of activities delivered in the "f" level
27 of service at the region level;

28 (c) Reducing the number of activities delivered in the "d" level of
29 service by increasing the resources directed to those activities on a
30 statewide and region basis; and

31 (d) Evaluating, analyzing, and potentially redistributing resources
32 within and among regions to provide greater consistency in delivering
33 the program statewide and in achieving overall level of service
34 targets.

35 **Sec. 218.** 2003 c 360 s 220 (uncodified) is amended to read as
36 follows:

37 **FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM Q--**

1 **OPERATING**

2	Motor Vehicle Account--State Appropriation	((\$38,869,000))
3		<u>\$38,924,000</u>
4	Motor Vehicle Account--Private/Local Appropriation	\$125,000
5	TOTAL APPROPRIATION	((\$38,994,000))
6		<u>\$39,049,000</u>

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

9 (1) A maximum of \$8,800,000 of the motor vehicle account--state
10 appropriation may be expended for the incident response program,
11 including the service patrols. The department and the Washington state
12 patrol shall continue to consult and coordinate with private sector
13 partners, such as towing companies, media, auto, insurance and trucking
14 associations, and the legislative transportation committees to ensure
15 that limited state resources are used most effectively. No funds shall
16 be used to purchase tow trucks.

17 (2) \$4,400,000 of the motor vehicle account--state appropriation is
18 provided solely for low-cost enhancements. The department shall give
19 priority to low-cost enhancement projects that improve safety or
20 provide congestion relief. The department shall prioritize low-cost
21 enhancement projects on a statewide rather than regional basis.

22 (3) At a frequency determined by the department, the interstate-5
23 variable message signs shall display a message advising slower traffic
24 to keep right.

25 (4) The appropriation authority under this section includes
26 spending authority to administer the motorist information sign panel
27 program. The department shall establish the fees charged for these
28 services so that all costs to administer this program are recovered; in
29 no event, however, shall the department charge more than:

30 (a) \$1,000 per business per location on freeways and expressways
31 with average daily trips greater than 80,000;

32 (b) \$750 per business per location on freeways and expressways with
33 average daily trips less than 80,000; and

34 (c) \$400 per business per location on conventional highways.

35 **Sec. 219.** 2003 c 360 s 221 (uncodified) is amended to read as
36 follows:

37 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION MANAGEMENT AND**

1 **SUPPORT--PROGRAM S**

2	Motor Vehicle Account--State Appropriation	((\$24,852,000))
3		<u>\$24,888,000</u>
4	Motor Vehicle Account--Federal Appropriation	\$636,000
5	Puget Sound Ferry Operations Account--State Appropriation .	\$1,093,000
6	Multimodal Transportation Account--State Appropriation . . .	\$973,000
7	TOTAL APPROPRIATION	((\$27,554,000))
8		<u>\$27,590,000</u>

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

11 (1) \$627,000 of the motor vehicle account--state appropriation is
12 provided solely for the implementation of Substitute Senate Bill No.
13 5248. If Substitute Senate Bill No. 5248 is not enacted by June 30,
14 2003, the amount provided in this subsection shall lapse. The agency
15 may transfer between programs funds provided in this subsection.

16 (2) The department shall transfer at no cost to the Washington
17 state patrol the title to the Walla Walla colocation facility.

18 **Sec. 220.** 2003 c 360 s 222 (uncodified) is amended to read as
19 follows:

20 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION PLANNING, DATA,**
21 **AND RESEARCH--PROGRAM T**

22	Motor Vehicle Account--State Appropriation	((\$30,064,000))
23		<u>\$30,105,000</u>
24	Motor Vehicle Account--Federal Appropriation	\$14,814,000
25	Multimodal Transportation Account--State Appropriation . .	\$1,021,000
26	Multimodal Transportation Account--Federal Appropriation .	\$2,000,000
27	TOTAL APPROPRIATION	((\$47,899,000))
28		<u>\$47,940,000</u>

29 The appropriations in this section are subject to the following
30 conditions and limitations:

31 (1) \$3,800,000 of the motor vehicle account--state appropriation is
32 provided solely for a study of regional congestion relief solutions for
33 Puget Sound (including state route 169), Spokane, and Vancouver. The
34 study must include proposals to alleviate congestion consistent with
35 population and land use expectations under the growth management act,
36 and must include measurement of all modes of transportation.

37 (2) \$2,000,000 of the motor vehicle account--state appropriation is
38 provided solely for additional assistance to support regional

1 transportation planning organizations and long-range transportation
2 planning efforts. As a condition of receiving this support, a regional
3 transportation planning organization containing any county with a
4 population in excess of one million shall provide voting membership on
5 its executive board to any incorporated principal city of a
6 metropolitan statistical area within the region, as designated by the
7 United States census bureau.

8 (3) \$3,000,000 of the motor vehicle account--state appropriation is
9 provided solely for the costs of the regional transportation investment
10 district (RTID) election and department of transportation project
11 oversight. These funds are provided as a loan to the RTID and shall be
12 repaid to the state motor vehicle account within one year following the
13 certification of the election results related to the RTID.

14 (4) \$650,000 of the motor vehicle account--state appropriation is
15 provided to the department in accordance with RCW 46.68.110(2) and
16 46.68.120(3) and shall be used by the department to support the
17 processing and analysis of the backlog of city and county collision
18 reports.

19 (5) The department shall contribute to the report required in
20 section 208(1) of this act in the form of an analysis of the cost
21 impacts incurred by the department as the result of the policy
22 implemented in section 208(1) of this act. The analysis shall contrast
23 overtime costs charged by the patrol prior to July 1, 2003, with
24 contract costs for similar services after July 1, 2003.

25 (6) \$60,000 of the distribution under RCW 46.68.110(2) and
26 46.68.120(3) is provided solely to the department for the Washington
27 strategic freight transportation analysis.

28 **Sec. 221.** 2003 c 360 s 223 (uncodified) is amended to read as
29 follows:

30 **FOR THE DEPARTMENT OF TRANSPORTATION--CHARGES FROM OTHER AGENCIES--**
31 **PROGRAM U**

32 Motor Vehicle Account--State Appropriation (~~(\$61,082,000)~~)
33 \$56,219,000

34 The appropriation in this section is subject to the following
35 conditions and limitations:

36 (1) (~~(\$50,799,000)~~) \$45,280,000 of the motor vehicle fund--state
37 appropriation is provided solely for the liabilities attributable to
38 the department of transportation. The office of financial management

1 must provide a detailed accounting of the revenues and expenditures of
2 the self-insurance fund to the transportation committees of the
3 legislature on December 31st and June 30th of each year.

4 (2) Payments in this section represent charges from other state
5 agencies to the department of transportation.

6 (a) FOR PAYMENT OF OFFICE OF FINANCIAL MANAGEMENT DIVISION OF RISK
7 MANAGEMENT FEES ((\$989,000))
8 \$848,000

9 (b) FOR PAYMENT OF COSTS OF THE OFFICE OF
10 THE STATE AUDITOR ((\$823,000))
11 \$819,000

12 (c) FOR PAYMENT OF COSTS OF DEPARTMENT OF GENERAL ADMINISTRATION
13 FACILITIES AND SERVICES AND CONSOLIDATED MAIL SERVICES . . \$3,850,000

14 (d) FOR PAYMENT OF COSTS OF THE
15 DEPARTMENT OF PERSONNEL ((\$2,252,000))
16 \$2,786,000

17 (e) FOR PAYMENT OF SELF-INSURANCE LIABILITY PREMIUMS AND
18 ADMINISTRATION ((\$50,799,000))
19 \$45,280,000

20 (f) FOR PAYMENT OF THE DEPARTMENT OF GENERAL ADMINISTRATION CAPITAL
21 PROJECTS SURCHARGE \$1,846,000

22 (g) FOR ARCHIVES AND RECORDS MANAGEMENT ((\$523,000))
23 \$538,000

24 (h) FOR PAYMENT OF COSTS OF THE OFFICE OF MINORITY AND WOMEN'S
25 BUSINESS ENTERPRISES \$252,000

26 **Sec. 222.** 2003 c 360 s 224 (uncodified) is amended to read as
27 follows:

28 **FOR THE DEPARTMENT OF TRANSPORTATION--PUBLIC TRANSPORTATION--PROGRAM V**
29 Multimodal Transportation Account--State Appropriation . . \$46,457,000
30 Multimodal Transportation Account--Federal Appropriation . \$2,574,000
31 Multimodal Transportation Account--Private/Local
32 Appropriation \$155,000
33 TOTAL APPROPRIATION \$49,186,000

34 The appropriations in this section are subject to the following
35 conditions and limitations:

36 (1) ~~(\$4,000,000 of the multimodal transportation account state~~
37 ~~appropriation is provided solely for a grant program for nonprofit~~
38 ~~providers of transportation for persons with special transportation~~

1 needs. ~~— \$14,000,000 of the multimodal transportation account—state~~
2 ~~appropriation is provided solely for a grant program for transit~~
3 ~~agencies to transport persons with special transportation needs.~~
4 ~~Moneys shall be to provide additional service only and may not be used~~
5 ~~to supplant current funding. Grants shall only be used by nonprofit~~
6 ~~providers and transit agencies for capital and operating costs directly~~
7 ~~associated with adding additional service. Grants for nonprofit~~
8 ~~providers shall be based on need, including the availability of other~~
9 ~~providers of service in the area, efforts to coordinate trips among~~
10 ~~providers and riders, and the cost effectiveness of trips provided.~~
11 ~~Grants for transit agencies shall be prorated based on the amount~~
12 ~~expended for demand response service and route deviated service in~~
13 ~~calendar year 2001 as reported in the "Summary of Public Transportation~~
14 ~~— 2001" published by the department of transportation. No transit~~
15 ~~agency may receive more than thirty percent of these distributions.)~~
16 \$18,000,000 of the multimodal transportation account--state
17 appropriation is provided solely for a grant program for special needs
18 transportation provided by transit agencies and nonprofit providers of
19 transportation.

20 (a) \$4,000,000 of the amount provided in this subsection is
21 provided solely for grants to nonprofit providers of special needs
22 transportation. Grants for nonprofit providers shall be based on need,
23 including the availability of other providers of service in the area,
24 efforts to coordinate trips among providers and riders, and the cost
25 effectiveness of trips provided.

26 (b) \$14,000,000 of the amount provided in this subsection is
27 provided solely for grants to transit agencies to transport persons
28 with special transportation needs. To receive a grant, the transit
29 agency must have a maintenance of effort for special needs
30 transportation that is no less than the previous year's maintenance of
31 effort for special needs transportation. Grants for transit agencies
32 shall be prorated based on the amount expended for demand response
33 service and route deviated service in calendar year 2001 as reported in
34 the "Summary of Public Transportation - 2001" published by the
35 department of transportation. No transit agency may receive more than
36 thirty percent of these distributions.

37 (2) \$1,500,000 of the multimodal transportation account--state
38 appropriation is provided solely for grants to implement section 9 of
39 Engrossed Substitute House Bill No. 2228.

1 (3) Funds are provided for the rural mobility grant program as
2 follows:

3 (a) \$6,000,000 of the multimodal transportation account--state
4 appropriation is provided solely for grants for those transit systems
5 serving small cities and rural areas as identified in the Summary of
6 Public Transportation - 2001 published by the department of
7 transportation. Noncompetitive grants must be distributed to the
8 transit systems serving small cities and rural areas in a manner
9 similar to past disparity equalization programs.

10 (b) \$4,000,000 of the multimodal transportation account--state
11 appropriation is provided solely to providers of rural mobility service
12 in areas not served or underserved by transit agencies through a
13 competitive grant process.

14 (4) \$4,000,000 of the multimodal transportation account--state
15 appropriation is provided solely for a vanpool grant program for: (a)
16 Public transit agencies to add vanpools; and (b) incentives for
17 employers to increase employee vanpool use. The grant program for
18 public transit agencies will cover capital costs only; no operating
19 costs for public transit agencies are eligible for funding under this
20 grant program. ~~((Only grants that add vanpools are eligible, no))~~ No
21 additional employees may be hired for the vanpool grant program, and
22 supplanting of transit funds currently funding vanpools is not allowed.
23 Additional criteria for selecting grants will include leveraging funds
24 other than state funds. The commute trip reduction task force shall
25 determine the cost effectiveness of the grants, including vanpool
26 system coordination, regarding the use of the funds.

27 (5) \$3,000,000 of the multimodal transportation account--state
28 appropriation is provided to the city of Seattle for the Seattle
29 streetcar project on South Lake Union.

30 **Sec. 223.** 2003 c 360 s 225 (uncodified) is amended to read as
31 follows:

32 FOR THE DEPARTMENT OF TRANSPORTATION--MARINE--PROGRAM X	
33 Puget Sound Ferry Operations Account--State	
34 Appropriation	((\$309,580,000))
35	<u>\$312,011,000</u>
36 Multimodal Transportation Account--State	
37 Appropriation	((\$5,120,000))
38	<u>\$4,509,000</u>

1 TOTAL APPROPRIATION ((~~\$314,700,000~~))
2 \$316,520,000

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

5 (1) The appropriation is based on the budgeted expenditure of
6 ((~~\$34,701,000~~)) \$35,264,000 for vessel operating fuel in the 2003-2005
7 biennium. If the actual cost of fuel is less than this budgeted
8 amount, the excess amount may not be expended. If the actual cost
9 exceeds this amount, the department shall request a supplemental
10 appropriation.

11 (2) The appropriation provides for the compensation of ferry
12 employees. The expenditures for compensation paid to ferry employees
13 during the 2003-2005 biennium may not exceed ((~~\$207,757,000~~))
14 \$208,125,000, plus a dollar amount, as prescribed by the office of
15 financial management, that is equal to any insurance benefit increase
16 granted general government employees in excess of ((~~\$495.30~~)) \$482.35
17 a month annualized per eligible marine employee multiplied by the
18 number of eligible marine employees for fiscal year 2004 and
19 ((~~\$567.67~~)) \$482.35 a month annualized per eligible marine employee
20 multiplied by the number of eligible marine employees for fiscal year
21 2005, a dollar amount as prescribed by the office of financial
22 management for costs associated with pension amortization charges, and
23 a dollar amount prescribed by the office of financial management for
24 salary increases during the 2003-2005 biennium. For the purposes of
25 this section, the expenditures for compensation paid to ferry employees
26 shall be limited to salaries and wages and employee benefits as defined
27 in the office of financial management's policies, regulations, and
28 procedures named under objects of expenditure "A" and "B" (7.2.6.2).

29 The prescribed salary increase or decrease dollar amount that shall
30 be allocated from the governor's compensation appropriations is in
31 addition to the appropriation contained in this section and may be used
32 to increase or decrease compensation costs, effective July 1, 2003, and
33 thereafter, as established in the 2003-2005 general fund operating
34 budget.

35 (3) ((~~\$4,234,000 of the multimodal transportation account state~~
36 ~~appropriation and \$800,000 of the Puget Sound ferry operations~~
37 ~~account state appropriation are provided solely for operating costs~~
38 ~~associated with the Vashon to Seattle passenger only ferry. The~~
39 ~~Washington state ferries will develop a plan to increase passenger only~~

1 ~~farebox recovery to at least forty percent by July 1, 2003, with an~~
2 ~~additional goal of eighty percent, through increased fares, lower~~
3 ~~operation costs, and other cost saving measures as appropriate. In~~
4 ~~order to implement the plan, ferry system management is authorized to~~
5 ~~negotiate changes in work hours (requirements for split shift work),~~
6 ~~but only with respect to operating passenger only ferry service, to be~~
7 ~~included in a collective bargaining agreement in effect during the~~
8 ~~2003-05 biennium that differs from provisions regarding work hours in~~
9 ~~the prior collective bargaining agreement. The department must report~~
10 ~~to the transportation committees of the legislature by December 1,~~
11 ~~2003.)~~ No more than \$500,000 of the Puget Sound ferry operations
12 account--state appropriation and \$1,000,000 of the multimodal
13 transportation account--state appropriation may be spent in fiscal year
14 2005 on operational costs for the passenger-only ferry service from
15 Vashon to Seattle. It is the intent of the legislature to eliminate
16 passenger-only ferry service after these funds have been expended and
17 to explore and encourage cost-effective alternatives to state run
18 passenger-only ferry service that will address the transportation needs
19 of existing passengers.

20 (4) \$805,000 of the Puget Sound ferry operations account--state
21 appropriation is provided solely for ferry security operations
22 necessary to comply with the ferry security plan submitted by the
23 Washington state ferry system to the United States coast guard. The
24 department shall track security costs and expenditures. Ferry security
25 operations costs shall not be included as part of the operational costs
26 that are used to calculate farebox recovery.

27 (5) \$866,000 of the multimodal transportation account--state
28 appropriation and \$200,000 of the Puget Sound ferry operations
29 account--state appropriation are provided solely for operating costs
30 associated with the Bremerton to Seattle passenger-only ferry service
31 for thirteen weeks.

32 ((+5)) (6) The department shall study the potential for private or
33 public partners, including but not limited to King county, to provide
34 passenger-only ferry service from Vashon to Seattle. The department
35 shall report to the legislative transportation committees by December
36 31, 2003.

37 ((+6)) (7) The Washington state ferries shall continue to provide
38 service to Sidney, British Columbia.

1 (~~(7)~~) (8) When augmenting the existing ferry fleet, the
2 department of transportation ferry capital program shall explore cost-
3 effective options to include the leasing of ferries from private-sector
4 organizations.

5 (~~(8)~~) (9) The Washington state ferries shall work with the
6 department of general administration, office of state procurement to
7 improve the existing fuel procurement process and solicit, identify,
8 and evaluate, purchasing alternatives to reduce the overall cost of
9 fuel and mitigate the impact of market fluctuations and pressure on
10 both short- and long-term fuel costs. Consideration shall include, but
11 not be limited to, long-term fuel contracts, partnering with other
12 public entities, and possibilities for fuel storage in evaluating
13 strategies and options. The department shall report back to the
14 transportation committees of the legislature by December 1, 2003, on
15 the options, strategies, and recommendations for managing fuel
16 purchases and costs.

17 (~~(9)~~) (10) The department must provide a separate accounting of
18 passenger-only ferry service costs and auto ferry service costs, and
19 must provide periodic reporting to the legislature on the financial
20 status of both passenger-only and auto ferry service in Washington
21 state.

22 (~~(10)~~) (11) The Washington state ferries must work with the
23 department's information technology division to implement a new revenue
24 collection system, including the integration of the regional fare
25 coordination system (smart card). Each December, annual updates are to
26 be provided to the transportation committees of the legislature
27 concerning the status of implementing and completing this project, with
28 updates concluding the first December after full project
29 implementation.

30 (~~(11)~~) (12) The Washington state ferries shall evaluate the
31 benefits and costs of selling the depreciation rights to ferries
32 purchased by the state in the future through sale and lease-back
33 agreements, as permitted under RCW 47.60.010. The department is
34 authorized to issue a request for proposal to solicit proposals from
35 potential buyers. The department must report to the transportation
36 committees of the legislature by December 1, 2004, on the options,
37 strategies, and recommendations for sale/lease-back agreements on
38 existing ferry boats as well as future ferry boat purchases.

1 **Sec. 224.** 2003 c 360 s 226 (uncodified) is amended to read as
2 follows:

3 **FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--OPERATING**

4 Multimodal Transportation Account--State	
5 Appropriation	((\$35,075,000))
6	<u>\$34,205,000</u>

7 The appropriation in this section is subject to the following
8 conditions and limitations:

9 (1) ((~~\$30,831,000~~)) \$29,961,000 of the multimodal transportation
10 account--state appropriation is provided solely for the Amtrak service
11 contract and Talgo maintenance contract associated with providing and
12 maintaining the state-supported passenger rail service.

13 (2) No Amtrak Cascade runs may be eliminated.

14 (3) The department is directed to explore scheduling changes that
15 will reduce the delay in Seattle when traveling from Portland to
16 Vancouver B.C.

17 (4) The department is directed to explore opportunities with
18 British Columbia (B.C.) concerning the possibility of leasing an
19 existing Talgo trainset to B.C. during the day for a commuter run when
20 the Talgo is not in use during the Bellingham layover.

21 (5) The department shall undertake an origin and destination study
22 to provide data that may be used for a new passenger train cost sharing
23 agreement with the state of Oregon. The study shall be delivered to
24 the transportation committees of the legislature before July 1, 2004.

25 **Sec. 225.** 2003 c 360 s 227 (uncodified) is amended to read as
26 follows:

27 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**
28 **OPERATING**

29 Motor Vehicle Account--State Appropriation	((\$7,057,000))
30	<u>\$7,067,000</u>
31 Motor Vehicle Account--Federal Appropriation	\$2,569,000
32 TOTAL APPROPRIATION	((\$9,626,000))
33	<u>\$9,636,000</u>

34 The appropriations in this section are subject to the following
35 conditions and limitations:

36 (1) Up to \$75,000 of the total appropriation is provided in
37 accordance with RCW 46.68.110(2) and 46.68.120(3) to fund the state's

1 share of the 2004 Washington marine cargo forecast study. Public port
2 districts, acting through their association, must provide funding to
3 cover the remaining cost of the forecast.

4 (2) \$300,000 of the motor vehicle account--state appropriation is
5 provided in accordance with RCW 46.68.110(2) and 46.68.120(3) solely to
6 fund a study of the threats posed by flooding to the state and other
7 infrastructure near the Interstate 5 crossing of the Skagit River.
8 This funding is contingent on the receipt of federal matching funds.

9 (3) In addition to other gubernatorial appointees, the state
10 historic preservation officer shall be appointed to any steering
11 committee that makes the final selection of projects funded from the
12 surface transportation program enhancement funds or a similar program
13 anticipated to be authorized in the extension or reauthorization of the
14 transportation equity act for the 21st century (TEA-21).

15 **TRANSPORTATION AGENCIES--CAPITAL**

16 **Sec. 301.** 2003 c 360 s 301 (uncodified) is amended to read as
17 follows:

18 **FOR THE WASHINGTON STATE PATROL**

19 State Patrol Highway Account--State Appropriation . . . ((~~\$2,205,000~~))
20 \$2,705,000

21 The appropriation in this section is subject to the following
22 conditions and limitations: \$625,000 of the state patrol highway
23 account appropriation is provided solely for the patrol's share of the
24 Shelton area water and sewer regional plan. However, this amount is
25 contingent on general fund--state funding of the Washington corrections
26 center's portion of the Shelton area water and sewer regional plan. If
27 general fund--state funding is not provided, the amount provided in
28 this subsection shall lapse.

29 **Sec. 302.** 2003 c 360 s 303 (uncodified) is amended to read as
30 follows:

31 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

32 Urban Arterial Trust Account--State Appropriation \$99,201,000
33 Transportation Improvement Account--State Appropriation . \$98,215,000
34 Freight Mobility Account--Federal Appropriation \$23,000,000
35 TOTAL APPROPRIATION ((~~\$197,416,000~~))

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

(1) The transportation improvement account--state appropriation includes \$23,955,000 in proceeds from the sale of bonds authorized in RCW 47.26.500. The transportation improvement board may authorize the use of current revenues available to the agency in lieu of bond proceeds for any part of the state appropriation.

(2) The transportation improvement board shall maintain grant funding currently approved for the SR 3/SR 303 Interchange (Waaga Way).

(3) \$23,570,000 of the transportation improvement account--state appropriation in this section is provided solely for the following freight projects, with the specific funding listed provided solely for the respective project: SR 397 Ainsworth Ave. Grade Crossing, \$6,180,000; Colville Alternate Truck Route, \$2,200,000; Port of Kennewick Road (Exten. of Piert Rd.), \$1,400,000; Duwamish Intelligent Transportation Systems (ITS), \$2,500,000; Bigelow Gulch Road - Urban Boundary to Argonne Rd., \$2,000,000; Pacific Hwy E / Port of Tacoma Rd to Alexander Ave, \$2,290,000; and S. 228th Street Extension and Grade Separation, \$7,000,000.

Sec. 303. 2003 c 360 s 305 (uncodified) is amended to read as follows:

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

Transportation 2003 Account (Nickel Account)--State	
Appropriation	(((\$565,300,000))
	\$558,465,000
(Transportation 2003 Account (Nickel Account) Federal	
Appropriation	\$950,000
Transportation 2003 Account (Nickel Account) Local	
Appropriation	\$3,434,000))
Motor Vehicle Account--State Appropriation	(((\$157,374,000))
	\$164,524,000
Motor Vehicle Account--Federal Appropriation	(((\$192,940,000))
	\$194,339,000
Motor Vehicle Account--Local Appropriation	(((\$13,258,000))
	\$30,158,000
Special Category C Account--State Appropriation	\$50,279,000
Tacoma Narrows Toll Bridge Account Appropriation	(((\$613,300,000))

1 \$603,992,000
 2 TOTAL APPROPRIATION ((\$1,596,835,000))
 3 \$1,601,607,000

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

6 (1) (~~(\$157,374,000 of the motor vehicle account state~~
 7 ~~appropriation, \$192,940,000 of the motor vehicle account federal~~
 8 ~~appropriation, \$13,258,000 of the motor vehicle account local~~
 9 ~~appropriation, and \$50,279,000 of the special category C account state~~
 10 ~~appropriation are provided solely to implement the activities and~~
 11 ~~projects included in the Legislative 2003 Transportation Project List~~
 12 ~~— Current Law report as transmitted to LEAP on April 27, 2003.)) The
 13 entire transportation 2003 account (nickel account) appropriation is
 14 provided solely for the projects and activities as listed by project,
 15 biennium, and amount in the Legislative 2003 Transportation Project
 16 List - New Law List under the heading "Nickel Funds" as transmitted to
 17 LEAP on March 11, 2004. Limited transfers of allocations between
 18 projects may occur for those amounts listed for the 2003-05 biennium
 19 subject to conditions and limitations in section 503 of this act.~~

20 (a) Within the amount provided in this subsection, \$11,000,000 of
 21 the transportation 2003 account (nickel account)--state appropriation
 22 is provided solely for the environmental impact statement on the SR 520
 23 Evergreen floating bridge.

24 (b) Within the amount provided in this subsection, \$250,000 of the
 25 transportation 2003 account (Nickel Account)--state appropriation and
 26 an equal amount from the city of Seattle are provided solely for an
 27 analysis of the impacts that an expansion of the SR 520 Evergreen
 28 floating bridge will have on the streets of North Capitol Hill, Roanoke
 29 Park, and Montlake. An advisory committee with two members each from
 30 Portage Bay/Roanoke Park Community Council, Montlake Community Council,
 31 and the North Capitol Hill community organization along with the
 32 secretary of transportation is established. The seven-member committee
 33 shall hire and oversee the contract with a transportation consulting
 34 organization to: (a) Perform an analysis of such impacts; and (b)
 35 design a traffic and circulation plan that mitigates the adverse
 36 consequences of such impacts. If the city of Seattle does not agree to
 37 provide \$250,000 by January 1, 2004, the amount provided in this
 38 subsection shall lapse.

1 (2) \$87,202,487 of the motor vehicle account--state appropriation,
2 \$39,330,766 of the motor vehicle account--federal appropriation, and
3 \$11,288,422 of the motor vehicle account--local appropriation are
4 provided solely to implement the projects as indicated in the
5 Legislative 2003 Transportation Project List - New Law List under the
6 heading "Pre-Existing Revenues" as transmitted to LEAP on March 11,
7 2004.

8 (3) The motor vehicle account--state appropriation includes
9 ((~~\$78,000,000~~)) \$93,615,000 in proceeds from the sale of bonds
10 authorized by RCW 47.10.843. The transportation commission may
11 authorize the use of current revenues available to the department of
12 transportation in lieu of bond proceeds for any part of the state
13 appropriation. The motor vehicle account--state appropriation includes
14 ((~~\$18,038,000~~)) \$17,380,000 in unexpended proceeds from bond sales
15 authorized in RCW 47.10.843 for mobility and economic initiative
16 improvement projects.

17 ((~~+3~~)) (4) \$42,189,749 of the motor vehicle account--state
18 appropriation, \$149,990,632 of the motor vehicle account--federal
19 appropriation, \$17,950,021 of the motor vehicle account--local
20 appropriation, and \$50,279,000 of the special category C account--state
21 appropriation are provided solely to implement the projects included in
22 the Legislative 2003 Transportation Project List - Current Law List
23 under the heading "Improvement Projects" as transmitted to LEAP on
24 March 11, 2004. The department shall manage all projects on the list
25 within the overall expenditure authority provided in this subsection.

26 (a) Within the amounts provided in this subsection, \$1,700,000 of
27 the motor vehicle account--state appropriation is provided solely for
28 the I-5 Salmon creek noisewall project.

29 (b) Within amounts provided in this subsection, \$100,000 of the
30 motor vehicle account--state appropriation is provided solely for the
31 department to hire a consultant to complete a cost-benefit analysis
32 comparing the efficiency of having high-occupancy vehicle (HOV) lanes
33 in the right lane versus the left lane. The study shall compare the
34 costs, and the traffic efficiencies of building HOV lanes in the right
35 and left lanes. The study shall be completed and submitted to the
36 transportation committees of the legislature by December 1, 2004.

37 (c) Within amounts provided in this subsection, \$500,000 of the
38 motor vehicle account--state appropriation is provided solely for a
39 study to provide the legislature with information regarding the

1 feasibility of pursuing a Washington commerce corridor. The department
2 shall retain outside experts to conduct the study. The study must
3 include the following conditions:

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

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

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

11 (C) Freight rail;

12 (D) Passenger rail;

13 (E) Public utilities; and

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

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

18 (iii) The Washington commerce corridor must be subject to a joint
19 permitting process involving federal, state, and local agencies with
20 jurisdiction; and

21 (iv) The legislative transportation committee shall form a working
22 group to work with the department and the outside consultant on the
23 study.

24 (c) Within the amounts provided in this subsection, \$2,480,000 of
25 the motor vehicle account--state appropriation is provided solely for
26 the SR 28 east end of the George Sellar bridge - phase 1 project.
27 Future biennia appropriations for this project are expected to be
28 \$6,510,000.

29 (d) Within the amounts provided in this subsection, \$400,000 of the
30 motor vehicle account--state appropriation and \$150,000 of the motor
31 vehicle account--local appropriation are provided solely for a route
32 development plan to identify the future transportation improvements
33 that should be pursued for state route 169. The study shall include
34 the following elements:

35 (i) Documentation of existing conditions;

36 (ii) Determination of present and future operating conditions;

37 (iii) Development and testing of various transportation conceptual
38 improvement strategies;

39 (iv) Preliminary environmental analysis;

1 (v) Public involvement; and

2 (vi) Cost estimates for the identified conceptual improvements.

3 (5) A maximum of \$28,643,607 from the motor vehicle account--state
4 appropriation and motor vehicle account--federal appropriation is
5 provided for direct project support costs, including, but not limited
6 to, direct project support, property management, scenic byways, and
7 other administration.

8 (6) A maximum of \$9,238,726 from the motor vehicle account--state
9 appropriation and motor vehicle account--federal appropriation is
10 provided for environmental retrofit improvement projects not included
11 in the list in subsection (4) of this section.

12 (7) A maximum of \$2,266,813 from the motor vehicle account--state
13 appropriation and motor vehicle account--federal appropriation is
14 provided for improvement projects programmed through the transportation
15 commission's priority programming process.

16 (8) The Tacoma Narrows toll bridge account--state appropriation
17 includes \$567,000,000 in proceeds from the sale of bonds authorized by
18 RCW 47.10.843. The Tacoma Narrows toll bridge account--state
19 appropriation includes ((\$46,300,000)) \$36,992,000 in unexpended
20 proceeds from the January 2003 bond sale authorized in RCW 47.10.843
21 for the Tacoma Narrows bridge project.

22 ~~((4))~~ (9) The special category C account--state appropriation
23 includes \$44,000,000 in proceeds from the sale of bonds authorized by
24 RCW 47.10.812. The transportation commission may authorize the use of
25 current revenues available in the special category C account in lieu of
26 bond proceeds for any part of the state appropriation.

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

31 ~~(6))~~ (10) The ((motor vehicle account)) transportation 2003
32 account (nickel account)--state appropriation includes ((\$280,000,000))
33 \$275,000,000 in proceeds from the sale of bonds authorized by Senate
34 Bill No. 6062. The transportation commission may authorize the use of
35 current revenues available to the department of transportation in lieu
36 of bond proceeds for any part of the state appropriation.

37 ~~((7) \$11,000,000 of the motor vehicle account--state appropriation~~
38 ~~is provided solely for the environmental impact statement on the SR 520~~
39 ~~Evergreen floating bridge.~~

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

15 ~~(9)(a) \$500,000 of the motor vehicle account—state appropriation~~
16 ~~is provided solely for a study to provide the legislature with~~
17 ~~information regarding the feasibility of pursuing a Washington commerce~~
18 ~~corridor. The department shall retain outside experts to conduct the~~
19 ~~study. The study must include the following conditions:~~

20 ~~(i) The Washington commerce corridor must be a north-south corridor~~
21 ~~starting in the vicinity of Lewis county and extending northerly to the~~
22 ~~vicinity of the Canadian border. The corridor must be situated east of~~
23 ~~state route number 405 and west of the Cascades. The corridor may~~
24 ~~include any of the following features:~~

25 ~~(A) Ability to carry long-haul freight;~~

26 ~~(B) Ability to provide for passenger auto travel;~~

27 ~~(C) Freight rail;~~

28 ~~(D) Passenger rail;~~

29 ~~(E) Public utilities; and~~

30 ~~(F) Other ancillary facilities as may be desired to maximize use of~~
31 ~~the corridor;~~

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

34 ~~(iii) The Washington commerce corridor must be subject to a joint~~
35 ~~permitting process involving federal, state, and local agencies with~~
36 ~~jurisdiction.~~

37 ~~(b) The legislative transportation committee shall form a working~~
38 ~~group to work with the department and the outside consultant on the~~
39 ~~study.~~

1 ~~(10) \$8,000,000 of the motor vehicle account state appropriation~~
2 ~~is provided for the SR 522, University of Washington Bothell campus~~
3 ~~access project. This amount will cover approximately one half of the~~
4 ~~construction costs.))~~

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

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

17 ~~((14))~~ (13) To manage some projects more efficiently, federal
18 funds may be transferred from program Z to program I to replace those
19 federal funds in a dollar-for-dollar match. However, funds may not be
20 transferred between federal programs. Fund transfers authorized under
21 this subsection shall not affect project prioritization status.
22 Appropriations shall initially be allotted as appropriated in this act.
23 The department shall not transfer funds as authorized under this
24 subsection without approval of the transportation commission and the
25 director of financial management. The department shall submit a report
26 on those projects receiving fund transfers to the transportation
27 committees of the senate and house of representatives by December 1,
28 2004.

29 (14) The department shall, on a quarterly basis beginning July 1,
30 2004, provide to the legislature reports providing the status on each
31 project in the project lists submitted pursuant to this act to LEAP on
32 March 11, 2004, and on any additional projects for which the department
33 has expended funds during the 2003-05 fiscal biennium. The department
34 shall work with the transportation committees of the legislature to
35 agree on report formatting and elements. Elements shall include, but
36 not be limited to, project scope, schedule, and costs. The department
37 shall also provide the information required under this subsection via
38 the transportation executive information systems (TEIS).

1 **Sec. 304.** 2003 1st sp.s. c 26 s 506 (uncodified) is amended to
2 read as follows:

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

4	Transportation 2003 Account (Nickel Account)	\$2,000,000
5	Motor Vehicle Account--State Appropriation	(((\$178,909,000))
6		<u>\$204,969,000</u>
7	Motor Vehicle Account--Federal Appropriation	(((\$457,467,000))
8		<u>\$499,067,000</u>
9	Motor Vehicle Account--Local Appropriation	\$12,666,000
10	Multimodal Account--State Appropriation	\$1,690,000
11	((Multimodal Account--Federal Appropriation	\$4,247,000))
12	<u>Puyallup Tribal Settlement Account--State</u>	
13	<u>Appropriation</u>	<u>\$10,625,000</u>
14	TOTAL APPROPRIATION	(((\$656,979,000))
15		<u>\$731,017,000</u>

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

18 (1) ~~(((\$178,909,000 of the motor vehicle account state~~
19 ~~appropriation, \$457,467,000 of the motor vehicle account federal~~
20 ~~appropriation, \$12,666,000 of the motor vehicle account local~~
21 ~~appropriation, \$1,690,000 of the multimodal transportation account--~~
22 ~~state appropriation, and \$4,247,000 of the multimodal transportation~~
23 ~~account--federal appropriation are provided solely to implement the~~
24 ~~activities and projects included in the Legislative 2003 Transportation~~
25 ~~Project List--Current Law report transmitted to LEAP on April 27,~~
26 ~~2003.)) The entire 2003 transportation account (nickel account)~~
27 ~~appropriation is provided solely for the projects and activities as~~
28 ~~listed by project, biennium, and amount in the Legislative 2003~~
29 ~~Transportation Project List - New Law List under the heading "Nickel~~
30 ~~Funds" as transmitted to LEAP on March 11, 2004. Limited transfers of~~
31 ~~allocations between projects may occur for those amounts listed for the~~
32 ~~2003-05 biennium subject to conditions and limitations in section 503~~
33 ~~of this act.~~

34 (2) \$58,681,145 of the motor vehicle account--state appropriation,
35 \$30,106,512 of the motor vehicle account--federal appropriation,
36 \$7,349,630 of the motor vehicle account--local appropriation, and
37 \$10,625,000 of the Puyallup tribal settlement account--state
38 appropriation are provided solely to implement the projects included in
39 the Legislative 2003 Transportation Project List - Current Law List

1 under the heading "Bridge Improvements" as transmitted to LEAP on March
2 11, 2004. The department shall manage all projects on the list within
3 the overall expenditure authority provided in this subsection.

4 (a) Within the amounts provided in this subsection, \$1,000,000 of
5 the motor vehicle account--state appropriation is provided solely for
6 the Purdy creek bridge project. The 2005-07 biennium appropriations
7 for this project are expected to be \$5,074,000.

8 (b) Within the amounts provided in this subsection, \$10,625,000 of
9 the Puyallup tribal settlement account--state appropriation is provided
10 solely for mitigation costs associated with the Murray Morgan/11st
11 Street Bridge demolition. The department may negotiate with the city
12 of Tacoma for the purpose of transferring ownership of the Murray
13 Morgan/11th Street Bridge to the city. The department is allowed to
14 use the Puyallup tribal settlement account appropriation, as well as
15 any funds appropriated in the current biennium and planned in future
16 biennia for the demolition and mitigation for the demolition of the
17 bridge to rehabilitate or replace the bridge, if agreed to by the city.
18 In no event will the department's participation exceed \$26,500,000 and
19 no funds may be expended unless the city of Tacoma agrees to take
20 ownership of the bridge in its entirety and provide that the payment of
21 these funds extinguishes any real or implied agreements regarding
22 future expenditures on the bridge.

23 (3) A maximum of \$211,585,010 from the motor vehicle account--state
24 appropriation and motor vehicle account--federal appropriation and
25 \$1,690,000 of the multimodal account--state appropriation are provided
26 for roadway preservation projects.

27 (4) A maximum of \$55,336,893 from the motor vehicle account--state
28 appropriation and motor vehicle account--federal appropriation is
29 provided for bridge repair projects.

30 (5) A maximum of \$51,562,422 from the motor vehicle account--state
31 appropriation and motor vehicle account--federal appropriation is
32 provided for other facilities preservation projects.

33 (6) A maximum of \$38,968,540 from the motor vehicle account--state
34 appropriation and motor vehicle account--federal appropriation is
35 provided for other preservation projects programmed through the
36 transportation commission's priority programming process.

37 (7) A maximum of \$56,737,803 from the motor vehicle account--state
38 appropriation and motor vehicle account--federal appropriation is

1 provided for direct project support costs, including, but not limited
2 to, direct project support, property management, scenic byways, and
3 other administration.

4 (8) \$81,147,069 of the motor vehicle account--state appropriation
5 and \$173,103,529 of the motor vehicle account--federal appropriation
6 are provided solely for the Hood Canal bridge project.

7 (9) The motor vehicle account--state appropriation includes
8 ~~(((\$2,850,000))~~ \$3,066,000 in proceeds from the sale of bonds authorized
9 in RCW 47.10.761 and 47.10.762 for emergency purposes.

10 ~~((+3))~~ (10) The motor vehicle account--state appropriation
11 includes ~~(((\$77,700,000))~~ \$77,822,000 in proceeds from the sale of bonds
12 authorized by RCW 47.10.843. The transportation commission may
13 authorize the use of current revenues available to the department of
14 transportation in lieu of bond proceeds for any part of the state
15 appropriation.

16 ~~((+4) The entire transportation 2003 account (nickel account)~~
17 ~~appropriation is provided solely for the projects and activities as~~
18 ~~indicated in the Legislative 2003 Transportation Project List New Law~~
19 ~~report transmitted to LEAP on April 27, 2003.~~

20 (+5)) (11) The department of transportation shall continue to
21 implement the lowest life cycle cost planning approach to pavement
22 management throughout the state to encourage the most effective and
23 efficient use of pavement preservation funds. Emphasis should be
24 placed on increasing the number of roads addressed on time and reducing
25 the number of roads past due.

26 ((+6)) (12) Of the amounts appropriated in this section and
27 section 305 of this act, no more than \$124,000 is provided for
28 increased project costs due to the enactment of Substitute Senate Bill
29 No. 5457.

30 ((+7)) (13) To manage some projects more efficiently, federal
31 funds may be transferred from program Z to program P to replace those
32 federal funds in a dollar-for-dollar match. However, funds may not be
33 transferred between federal programs. Fund transfers authorized under
34 this subsection shall not affect project prioritization status.
35 Appropriations shall initially be allotted as appropriated in this act.
36 The department shall not transfer funds as authorized under this
37 subsection without approval of the transportation commission and the
38 director of financial management. The department shall submit a report

1 on those projects receiving fund transfers to the transportation
2 committees of the senate and house of representatives by December 1,
3 2004.

4 (14) The department shall, on a quarterly basis beginning July 1,
5 2004, provide to the legislature reports providing the status on each
6 project in the project lists submitted pursuant to this act to LEAP on
7 March 11, 2004, and on any additional projects for which the department
8 has expended funds during the 2003-05 fiscal biennium. The department
9 shall work with the transportation committees of the legislature to
10 agree on report formatting and elements. Elements shall include, but
11 not be limited to, project scope, schedule, and costs. The department
12 shall also provide the information required under this subsection via
13 the transportation executive information systems (TEIS).

14 **Sec. 305.** 2003 c 360 s 308 (uncodified) is amended to read as
15 follows:

16 **FOR THE DEPARTMENT OF TRANSPORTATION--WASHINGTON STATE FERRIES**
17 **CONSTRUCTION--PROGRAM W**

18	Puget Sound Capital Construction Account--	
19	State Appropriation	((\$129,066,000))
20		<u>\$108,427,000</u>
21	Puget Sound Capital Construction Account--	
22	Federal Appropriation	((\$34,400,000))
23		<u>\$69,881,000</u>
24	<u>Puget Sound Capital Construction Account--</u>	
25	<u>Local Appropriation</u>	<u>\$249,000</u>
26	Multimodal Transportation Account--State	
27	Appropriation	((\$13,381,000))
28		<u>\$11,977,000</u>
29	Transportation 2003 Account (nickel account)	
30	Appropriation	\$5,749,000
31	TOTAL APPROPRIATION	((\$182,596,000))
32		<u>\$196,283,000</u>

33 The appropriations in this section are provided for improving the
34 Washington state ferry system, including, but not limited to, vessel
35 construction, major and minor vessel (~~improvements~~) preservation, and
36 terminal preservation, construction, and improvements. The
37 appropriations in this section are subject to the following conditions
38 and limitations:

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

6 ~~(2) ((\$129,066,000 of the Puget Sound capital construction~~
7 ~~account--state appropriation and \$34,400,000 of the Puget Sound capital~~
8 ~~construction account--federal appropriation are provided solely for~~
9 ~~capital projects as listed in the Legislative 2003 Transportation~~
10 ~~Project List--Current Law as transmitted to the LEAP on April 27,~~
11 ~~2003.~~

12 ~~(3) \$17,521,000 of the transportation 2003 account (nickel~~
13 ~~account)--state appropriation is provided solely for capital projects~~
14 ~~as listed in the Legislative 2003 Transportation Project List--New Law~~
15 ~~as transmitted to the LEAP on April 27, 2003.~~

16 (4)) \$108,427,000 of the Puget Sound capital construction
17 account--state appropriation, \$69,881,000 of the Puget Sound capital
18 construction account--federal appropriation, \$249,000 of the Puget
19 Sound capital construction account--local appropriation, and \$205,000
20 of the multimodal transportation account--state appropriation are
21 provided for ferry construction projects. The department shall report
22 against the Legislative 2003 Transportation Project List - Current Law
23 transmitted to LEAP on March 11, 2004. The department shall report
24 quarterly on project delivery and expenditures.

25 (a) Within the amounts provided in this subsection, a maximum of
26 \$58,412,000 of the Puget Sound capital construction account--state
27 appropriation, \$21,362,000 of the Puget Sound capital construction
28 account--federal appropriation, and \$249,000 of the Puget Sound capital
29 construction account--local appropriation are provided for terminal
30 projects.

31 (b) Within the amounts provided in this subsection, a maximum of
32 \$44,765,000 of the Puget Sound capital construction account--state
33 appropriation, \$48,432,000 of the Puget Sound capital construction
34 account--federal appropriation, and \$205,000 of the multimodal
35 transportation account--state appropriation are provided for vessel
36 projects.

37 (c) Within the amounts provided in this subsection, \$5,250,000 of
38 the Puget Sound capital construction account--state appropriation and
39 \$87,000 of the Puget Sound capital construction account--federal

1 appropriation are provided for emergency repair projects.
2 Additionally, unused funds under (a) and (b) of this subsection, may be
3 transferred to emergency repair projects.

4 (3) \$11,772,000 of the multimodal transportation account--state
5 appropriation and \$5,749,000 of the transportation 2003 (nickel)
6 account--state appropriation are provided solely for the projects and
7 activities as listed by project, biennium, and amount in the
8 Legislative 2003 Transportation Project List - New Law transmitted to
9 LEAP on March 11, 2004. The department shall, on a quarterly basis,
10 provide to the legislature status reports on each project in the
11 Legislative 2003 Transportation Project List - New Law. The department
12 is to work with the legislature to agree on report formatting and
13 elements. Elements shall include, but are not limited to, project
14 schedule and project costs.

15 (4) \$300,000 of the Puget Sound capital construction account--state
16 appropriation is provided solely for a study of alternatives to
17 relocating the Keystone Terminal. The study team shall consist of
18 seven members. All members of the study team shall be selected by June
19 1, 2004. The transportation commission shall select the following
20 study team members: One Washington state ferry pilot, two members of
21 the traveling public that use the Keystone to Port Townsend route on a
22 regular basis, one tug pilot, and three department staff members, two
23 of whom work for the Washington state ferry system program. The
24 department shall issue a request for proposals on behalf of the study
25 team for an outside consulting firm to conduct the study. The
26 consulting firm shall meet with the study team periodically. The study
27 will include, but is not limited to the following topics regarding the
28 existing terminal: (a) The costs and benefits associated with
29 preserving and maintaining the terminal, including enlarging the harbor
30 and dredging; (b) ridership projections associated with preserving and
31 maintaining the current terminal; (c) maintaining and retrofitting
32 existing vessels so they can serve the terminal; (d) coordinating the
33 impact of vehicles using the ferry run with highway capacity; (e) how
34 many, if any, new vessels should be constructed; and (f) the impact on
35 the environment. The study group and consultant must report back to
36 the legislative transportation committee no later than December 1,
37 2004. This report must include alternative scenarios to relocating the
38 Keystone Terminal.

1 (5) The Puget Sound capital construction account--state
2 appropriation includes (~~(\$45,000,000)~~) \$29,385,000 in proceeds from the
3 sale of bonds authorized by RCW 47.10.843 for vessel and terminal
4 acquisition, major and minor improvements, and long lead time materials
5 acquisition for the Washington state ferries. The transportation
6 commission may authorize the use of current revenues available to the
7 motor vehicle account in lieu of bond proceeds for any part of the
8 state appropriation.

9 (~~(+5)~~) (6) The Washington state ferries shall consult with the
10 United States Coast Guard regarding operational and design standards
11 required to meet Safety of Life at Sea requirements, in an effort to
12 determine the most efficient and cost-effective vessel design that
13 meets these requirements.

14 **Sec. 306.** 2003 1st sp.s. c 26 s 508 (uncodified) is amended to
15 read as follows:

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

17 Essential Rail Assistance Account--State Appropriation	\$770,000
18 Multimodal Transportation Account--State	
19 Appropriation	\$34,530,000
20 Multimodal Transportation Account--Federal Appropriation	\$9,499,000
21 Washington Fruit Express Account--State Appropriation	\$500,000
22 TOTAL APPROPRIATION	\$45,299,000

23 The appropriations in this section are subject to the following
24 conditions and limitations:

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

30 (2) \$4,530,000 of the multimodal transportation account--state
31 appropriation, \$9,499,000 of the multimodal transportation account--
32 federal appropriation, \$500,000 of the Washington fruit express
33 account--state appropriation, and \$770,000 of the essential rail
34 assistance account--state appropriation are provided solely for capital
35 projects as listed in the Legislative 2003 Transportation Project List
36 - Current Law as transmitted to the LEAP on (~~April 27, 2003~~) March
37 11, 2004.

1 (3) \$1,230,000 of the multimodal transportation account--state
2 appropriation and \$770,000 of the essential rail assistance account--
3 state appropriation is to be placed in reserve status by the office of
4 financial management to be held until the department identifies the
5 location for a new transload facility at either Wenatchee or Quincy.
6 The funds are to be released upon determination of a location and
7 approval by the office of financial management.

8 (4) \$30,000,000 of the multimodal transportation account--state
9 appropriation is provided solely for capital projects as listed in the
10 Legislative 2003 Transportation Project List - New Law as transmitted
11 to the LEAP on (~~April 27, 2003~~) March 11, 2004.

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

16 (6) If the department issues a call for projects, applications must
17 be received by the department by November 1, 2003, and November 1,
18 2004.

19 (7) The department may not execute the Palouse River & Coulee City
20 Rail purchase until the chairs of the transportation committees of the
21 legislature have reviewed, and the office of financial management has
22 approved, a business plan that demonstrates the long term financial
23 viability of state-owned, privately operated short rail service. The
24 office of financial management shall issue to the chairs of the
25 transportation committees of the legislature a report outlining reasons
26 for the acceptance or rejection of the plan.

27 **Sec. 307.** 2003 c 360 s 310 (uncodified) is amended to read as
28 follows:

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

Highway Infrastructure Account--State Appropriation	\$207,000
Highway Infrastructure Account--Federal Appropriation	\$1,602,000
Motor Vehicle Account--State Appropriation	(\$28,425,000)
	<u>\$21,826,000</u>
<u>Motor Vehicle Account--Federal Appropriation</u>	<u>\$1,000,000</u>
Multimodal Transportation Account--State	
Appropriation	(\$13,726,000)
	<u>\$14,226,000</u>

1 TOTAL APPROPRIATION ((~~\$43,960,000~~))
2 \$38,861,000

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

5 (1) \$6,000,000 of the multimodal transportation account--state
6 appropriation is provided solely for the projects and activities as
7 indicated in the Legislative 2003 Transportation Project List - New Law
8 Local Projects report transmitted to LEAP on April 27, 2003.

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

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

30 (4) (~~(\$1,156,000)~~) \$647,000 of the motor vehicle account--state
31 appropriation is reappropriated and provided solely for additional
32 small city pavement preservation program grants, to be administered by
33 the department's highways and local programs division. The department
34 shall review all projects receiving grant awards under this program at
35 least semiannually to determine whether the projects are making
36 satisfactory progress. Any project that has been awarded small city
37 pavement preservation program grant funds, but does not report activity
38 on the project within one year of grant award, should be reviewed by
39 the department to determine whether the grant should be terminated.

1 The department must promptly close out grants when projects have been
2 completed, and identify where unused grant funds remain because actual
3 project costs were lower than estimated in the grant award. The
4 department shall expeditiously extend new grant awards to qualified
5 projects when funds become available either because grant awards have
6 been rescinded for lack of sufficient project activity or because
7 completed projects returned excess grant funds upon project closeout.

8 (5) (~~(\$4,010,000)~~) \$3,156,000 of the motor vehicle account--state
9 appropriation is reappropriated and provided solely for additional
10 traffic and pedestrian safety improvements near schools. The highways
11 and local programs division within the department of transportation
12 shall administer this program. The department shall review all
13 projects receiving grant awards under this program at least
14 semiannually to determine whether the projects are making satisfactory
15 progress. Any project that has been awarded traffic and pedestrian
16 safety improvement grant funds, but does not report activity on the
17 project within one year of grant award should be reviewed by the
18 department to determine whether the grant should be terminated. The
19 department must promptly close out grants when projects have been
20 completed, and identify where unused grant funds remain because actual
21 project costs were lower than estimated in the grant award. The
22 department shall expeditiously extend new grant awards to qualified
23 projects when funds become available either because grant awards have
24 been rescinded for lack of sufficient project activity or because
25 completed projects returned excess grant funds upon project closeout.

26 (6) The motor vehicle account--state appropriation includes
27 (~~(\$20,452,000)~~) \$15,317,000 in unexpended proceeds from the sale of
28 bonds authorized by RCW 47.10.843.

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

34 (8) \$500,000 of the multimodal account--state appropriation is
35 provided solely to complete the engineering and permitting necessary to
36 implement the Skagit county flood control project.

37 **TRANSFERS AND DISTRIBUTIONS**

1 **Sec. 401.** 2003 c 360 s 401 (uncodified) is amended to read as
2 follows:

3 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND**
4 **REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND DEBT**
5 **TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND REVENUE**

6 Highway Bond Retirement Account Appropriation	(\$258,971,000)
	<u>\$250,000,000</u>
8 Nondebt-Limit Reimbursable Account Appropriation	\$4,131,000
9 Ferry Bond Retirement Account Appropriation	\$43,340,000
10 Transportation Improvement Board Bond Retirement	
11 Account--State Appropriation	\$36,721,000
12 Motor Vehicle Account--State Appropriation	(\$3,876,000)
13	<u>\$5,254,000</u>
14 Special Category C Account--State Appropriation	(\$331,000)
15	<u>\$338,000</u>
16 Transportation Improvement Account--State	
17 Appropriation	\$240,000
18 Multimodal Transportation Account--State Appropriation	\$358,000
19 Transportation 2003 Account (nickel account)	
20 Appropriation	(\$2,100,000)
21	<u>\$2,117,000</u>
22 TOTAL APPROPRIATION	(\$350,068,000)
23	<u>\$342,499,000</u>

24 **Sec. 402.** 2003 c 360 s 402 (uncodified) is amended to read as
25 follows:

26 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND**
27 **REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND FISCAL**
28 **AGENT CHARGES**

29 Motor Vehicle Account--State Appropriation	\$1,293,000
30 Special Category C Account Appropriation	\$111,000
31 Transportation Improvement Account--State	
32 Appropriation	(\$5,000)
33	<u>\$21,000</u>
34 Multimodal Transportation Account--State Appropriation	\$119,000
35 Transportation 2003 Account (nickel account)--State	
36 Appropriation	\$700,000
37 TOTAL APPROPRIATION	(\$2,228,000)
38	<u>\$2,244,000</u>

1 Appropriation: For transfer to the Motor
2 Vehicle Account ((~~\$20,000,000~~))
3 \$15,000,000
4 (2) Motor Vehicle Account--State
5 Appropriation: For motor vehicle fuel tax
6 refunds and transfers ((~~\$465,152,000~~))
7 \$770,347,000
8 (3) Highway Safety Account--State
9 Appropriation: For transfer to the motor
10 vehicle account--state ((~~\$12,000,000~~))
11 \$22,000,000

12 The state treasurer shall perform the transfers from the state
13 patrol highway account and the highway safety account to the motor
14 vehicle account on a quarterly basis.

15 **Sec. 406.** 2003 c 360 s 406 (uncodified) is amended to read as
16 follows:

17 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSFERS**

18 (1) Motor Vehicle Account--State Appropriation:
19 For transfer to Puget Sound Ferry Operations
20 Account \$21,757,000
21 (2) RV Account--State Appropriation:
22 For transfer to the Motor Vehicle Account--State \$1,954,000
23 (3) Motor Vehicle Account--State Appropriation:
24 For transfer to Puget Sound Capital Construction
25 Account ((~~\$64,287,000~~))
26 \$58,287,000
27 (4) Puget Sound Ferry Operations Account--State
28 Appropriation: For transfer to Puget Sound Capital
29 Construction Account \$22,000,000
30 (5) Transportation Equipment Fund--State
31 Appropriation: For transfer to the Motor Vehicle
32 Account--State \$5,000,000
33 (6) Advanced Right-of-Way Revolving Account--
34 State Appropriation: For transfer to the Motor
35 Vehicle Account--State \$3,000,000

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

1 (a) The department of transportation shall only transfer funds in
2 subsections (2) and (3) of this section up to the level provided, on an
3 as-needed basis.

4 (b) The department of transportation shall transfer funds in
5 subsection (4) of this section up to the amount identified, provided
6 that a minimum balance of \$5,000,000 is retained in the Puget Sound
7 ferry operations account.

8 (c) The amount identified in subsection (4) of this section may not
9 include any revenues collected as passenger fares.

10 **Sec. 407.** 2003 c 360 s 407 (uncodified) is amended to read as
11 follows:

12 **FOR THE DEPARTMENT OF RETIREMENT SYSTEMS--TRANSFERS**

13	State Patrol Highway Account:	For transfer to the
14	department of retirement systems expense account:	
15	For the administrative expenses of the ((judicial))	
16	<u>Washington state patrol</u> retirement system	((\$223,304))
17		<u>\$290,000</u>

18 **MISCELLANEOUS**

19 **Sec. 501.** RCW 70.94.996 and 2003 c 364 s 9 are each amended to
20 read as follows:

21 (1) To the extent that funds are appropriated, the department of
22 transportation shall administer a performance-based grant program for
23 private employers, public agencies, nonprofit organizations,
24 developers, and property managers who provide financial incentives for
25 ride sharing in vehicles carrying two or more persons, for using public
26 transportation, for using car sharing, or for using nonmotorized
27 commuting, including telework, before July 1, 2013, to their own or
28 other employees.

29 (2) The amount of the grant will be determined based on the value
30 to the transportation system of the vehicle trips reduced. The commute
31 trip reduction task force shall develop an award rate giving priority
32 to applications achieving the greatest reduction in trips and commute
33 miles per public dollar requested and considering the following
34 criteria: The local cost of providing new highway capacity, congestion
35 levels, and geographic distribution.

1 (3) No private employer, public agency, nonprofit organization,
2 developer, or property manager is eligible for grants under this
3 section in excess of one hundred thousand dollars in any fiscal year.

4 (4) The total of grants provided under this section may not exceed
5 seven hundred fifty thousand dollars in any fiscal year. However, this
6 subsection does not apply during the 2003-2005 fiscal biennium.

7 (5) The department of transportation shall report to the department
8 of revenue by the 15th day of each month the aggregate monetary amount
9 of grants provided under this section in the prior month and the
10 identity of the recipients of those grants.

11 (6) The source of funds for this grant program is the multimodal
12 transportation account.

13 (7) This section expires January 1, 2014.

14 NEW SECTION. Sec. 502. A new section is added to 2003 c 360
15 (uncodified) to read as follows:

16 The department is given the authority to provide up to \$3,000,000
17 in toll credits to Kitsap transit for its role in new passenger-only
18 ferry service. The number of toll credits provided to Kitsap transit
19 must be equal to, but no more than, a number sufficient to meet federal
20 match requirements for grant funding for passenger-only ferry service,
21 but shall not exceed the amount authorized under this section.

22 NEW SECTION. Sec. 503. A new section is added to 2003 c 360
23 (uncodified) to read as follows:

24 (1) The transportation commission may authorize a transfer of
25 spending allocation within the appropriation provided and between
26 projects as listed in the Legislative 2003 Transportation Project List
27 - New Law to manage project spending near biennial cutoffs under the
28 following conditions and limitations:

29 (a) Transfers from a project may be made if the funds allocated to
30 the project are in excess of the amount needed to complete the project,
31 but transfers may only be made in the biennium in which the savings
32 occur;

33 (b) Transfers from a project may not be made as a result of the
34 reduction of the scope of a project, nor shall a transfer be made to
35 support increases in the scope of a project;

36 (c) Transfers may be made within the current biennium from projects
37 that are experiencing unavoidable expenditure delays, but the transfers

1 may only occur if the commission finds that any resulting change to the
2 nickel program financial plan provides that all projects on the list
3 may be completed as intended by the legislature;

4 (d) Transfers may not occur to projects not identified on the list;
5 and

6 (e) Transfers may not occur if they are for the purpose of
7 advancing or delaying project milestones.

8 (2) The legislature reserves the authority to: (a) Authorize
9 transfer of spending allocation to adjust legislatively approved
10 milestones; (b) increase or diminish the scope of a project; (c)
11 provide for new projects; and (d) address significant project cost
12 overruns.

13 (3) For the purposes of this section, "project milestones" means
14 the initiation of major project phases including preliminary design,
15 right of way, project advertisement date, or other significant project
16 management decisions.

17 NEW SECTION. **Sec. 504.** A new section is added to 2003 c 360
18 (uncodified) to read as follows:

19 It is the intent of the legislature that the freight mobility
20 account created in Substitute Senate Bill No. 6680 maintain a zero or
21 positive cash balance at the end of each biennium. Toward this purpose
22 the Washington state department of transportation may make expenditures
23 from the account before receiving reimbursements. Before the end of
24 the biennium, the department shall transfer sufficient cash to cover
25 any negative cash balances from the motor vehicle fund and the
26 multimodal transportation account to the freight mobility account for
27 unrecovered reimbursements. The department shall calculate the
28 distribution of this transfer based on expenditures. In the ensuing
29 biennium the department shall transfer the reimbursements received in
30 the freight mobility account back to the motor vehicle fund and the
31 multimodal transportation account to the extent of the cash transferred
32 at biennium end. The department shall also distribute any interest
33 charges accruing to the freight mobility account to the motor vehicle
34 fund and the multimodal transportation account. Adjustments for any
35 indirect cost recoveries may also be made at this time.

36 NEW SECTION. **Sec. 505.** If any provision of this act or its

1 application to any person or circumstance is held invalid, the
2 remainder of the act or the application of the provision to other
3 persons or circumstances is not affected.

4 NEW SECTION. **Sec. 506.** This act is necessary for the immediate
5 preservation of the public peace, health, or safety, or support of the
6 state government and its existing public institutions, and takes effect
7 immediately.

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ESHB 2474 - S COMM AMD
 By Committee on Highways & Transportation

ADOPTED 03/02/2004

1 On page 1, line 1 of the title, after "appropriations;" strike the
 2 remainder of the title and insert "amending RCW 70.94.996; amending
 3 2003 1st sp.s. c 26 ss 506 and 508 (uncodified); amending 2003 c 360 ss
 4 102, 202, 203, 204, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215,
 5 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 301, 303,
 6 305, 308, 310, 401, 402, 403, 404, 405, 406, and 407 (uncodified);
 7 adding new sections to 2003 c 360 (uncodified); and declaring an
 8 emergency."

--- END ---