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HOUSE BILL 3164

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State of Washington

58th Legislature

2004 Regular Session

By Representatives Murray, Ericksen, Wallace, Jarrett, Sommers, Rockefeller, Woods, Ruderman, Hatfield, Morris, Cooper, G. Simpson and Hankins

Read first time 02/02/2004. Referred to Committee on Transportation.

1 AN ACT Relating to transportation innovative partnerships; and  
2 adding a new chapter to Title 47 RCW.

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

4 NEW SECTION. **Sec. 1.** LEGISLATIVE FINDINGS AND INTENT. The  
5 legislature finds that the public-private initiatives act created under  
6 chapter 47.46 RCW has not met the needs and expectations of the public  
7 or private sectors for the development of transportation projects. The  
8 legislature intends to phase out chapter 47.46 RCW coincident with the  
9 completion of the Tacoma Narrows Bridge - SR 16 public-private  
10 partnership. From the effective date of this act, this chapter will  
11 provide a more desirable and effective approach to developing  
12 transportation projects in partnership with the private sector by  
13 applying lessons learned from other states and from this state's ten-  
14 year experience with chapter 47.46 RCW.

15 NEW SECTION. **Sec. 2.** DEFINITIONS. The definitions in this  
16 section apply throughout this chapter.

17 (1) "Local government" means a political subdivision of the state,

1 including regional transportation organizations as defined in this  
2 section.

3 (2) "Private sector partner" and "private partner" means a person,  
4 entity, or organization that is not the federal government, a state, or  
5 a political subdivision of a state.

6 (3) "Public funds" means money originally derived from taxes or  
7 fees imposed generally. This does not include revenues derived from  
8 specific operation of a transportation project, such as user fees,  
9 lease revenues, development rights, highway tolls, etc.

10 (4) "Public sector approval authority" means the transportation  
11 commission for the state, the district administrator for the federal  
12 highway administration, the county executive for counties where  
13 applicable, and the legislative authority such as a council, board, or  
14 commission for local governments.

15 (5) "Public sector partner" and "public partner" means a federal or  
16 state transportation-related agency, local government, regional  
17 transportation organization, or any other political subdivision of the  
18 state.

19 (6) "Regional transportation organization" means a metropolitan  
20 transportation organization, regional transportation planning  
21 organization, regional transportation investment district,  
22 transportation benefit district, regional transit authority, public  
23 transportation benefit district, transit agency, or city transportation  
24 authority.

25 (7) "Transportation projects" means a project, whether capital or  
26 operating, where the primary purpose of the project is to facilitate  
27 the transport of people or goods via any mode of travel. However, this  
28 does not include projects that are primarily for recreational purposes,  
29 such as parks, hiking trails, off-road vehicle trails, etc.

30 NEW SECTION. **Sec. 3.** CREATING TRANSPORTATION INNOVATIVE  
31 PARTNERSHIPS. The Transportation Innovative Partnerships Act is  
32 created for the planning, acquisition, financing, development, design,  
33 construction, reconstruction, replacement, improvement, maintenance,  
34 preservation, management, repair, and operation of transportation  
35 projects. The goals of this chapter are to:

- 36 (1) Reduce the cost of transportation project delivery;
- 37 (2) Recover transportation investment costs;

- 1 (3) Develop an expedited project delivery process;
- 2 (4) Encourage business investment in public infrastructure;
- 3 (5) Use bonded indebtedness and lines of credit outside the state
- 4 treasury, where financially advantageous and in the public interest;
- 5 (6) Maximize innovation; and
- 6 (7) Develop partnerships between private entities and units of
- 7 government.

8 NEW SECTION. **Sec. 4.** JOINT AGREEMENTS WITH OTHER GOVERNMENTAL  
9 ENTITIES. Public sector partners may, either separately or in  
10 combination with any other public sector partner, enter into working  
11 agreements, coordination agreements, or similar implementation  
12 agreements to carry out the joint implementation of a transportation  
13 project selected under this chapter.

14 NEW SECTION. **Sec. 5.** ELIGIBLE PROJECTS. Projects eligible for  
15 development under this chapter include any transportation project as  
16 defined in this chapter, including development of facilities,  
17 structures, operations, properties, vehicles, vessels, or the like that  
18 are necessary to provide revenues in support of financing a  
19 transportation project. The provisions of this chapter are available  
20 to all units of government within the state of Washington.

21 NEW SECTION. **Sec. 6.** FINANCING MECHANISMS AS PART OF PROPOSAL.  
22 Public sector partners may, in connection with the evaluation of  
23 concepts or proposals for transportation projects, consider any  
24 financing mechanisms, either together with a transportation project  
25 proposal or as a separate, stand-alone proposal to finance a project.  
26 The public partner may consider sources identified under section 24 of  
27 this act or any other lawful source. Financing may be considered for  
28 all or part of a proposed project.

29 NEW SECTION. **Sec. 7.** REVIEW, EVALUATION, AND SELECTION OF  
30 POTENTIAL PROJECTS. To carry out the purposes of this chapter, a  
31 public partner may:

- 32 (1) Solicit concepts or proposals for transportation projects from
- 33 private entities and units of government;

1 (2) Accept unsolicited concepts or proposals for transportation  
2 projects from private entities and units of government;

3 (3) Evaluate projects already programmed or identified for  
4 traditional development and financing by a unit of government; and

5 (4) Evaluate the concepts or proposals received under this section  
6 and select potential projects based on the concepts or proposals. The  
7 evaluation under this subsection must include consultation with any  
8 appropriate unit of government.

9 NEW SECTION. **Sec. 8.** ADMINISTRATIVE FEE AUTHORIZED--HONORARIA  
10 PROHIBITED. A public sector partner may charge an administrative fee  
11 for the evaluation of a project proposal in an amount determined by the  
12 public partner, reasonably calculated to offset any costs incurred that  
13 are not otherwise funded through governmental budget appropriations.  
14 The public partner may not provide an honorarium to a project proponent  
15 without prior approval from the public sector's approval authority.

16 NEW SECTION. **Sec. 9.** AUTHORIZATION TO SPEND FUNDS FOR EVALUATION  
17 AND NEGOTIATION OF PROPOSALS. A public sector partner may spend, out  
18 of any funds available for the purpose, such moneys as may be necessary  
19 for the evaluation of concepts or proposals for transportation projects  
20 and for negotiating agreements for transportation projects authorized  
21 by this chapter. The public sector partner may employ engineers,  
22 consultants, or other experts the public partner determines are needed  
23 for the purposes of doing the evaluation and negotiation. Expenses  
24 incurred by the public partner under this section before the issuance  
25 of transportation project revenue bonds or other financing must be paid  
26 by the public partner and charged to the appropriate transportation  
27 project. The public partner shall keep records and accounts showing  
28 each amount so charged. Upon the sale of transportation project  
29 revenue bonds or upon obtaining other financing for a transportation  
30 project, the funds spent by the public partner under this section in  
31 connection with the project must be repaid to the public partner from  
32 the proceeds of the bonds or other financing, as allowed by law.

33 NEW SECTION. **Sec. 10.** PUBLIC PARTNER MAY NEGOTIATE TENTATIVE  
34 AGREEMENTS. After an evaluation by the public sector partner of  
35 concepts or proposals submitted or reviewed under section 7 of this

1 act, and the selection of potential transportation projects, the public  
2 partner may negotiate and enter into tentative agreements described in  
3 section . . . of this act for implementing the selected transportation  
4 projects.

5 NEW SECTION. **Sec. 11.** RESTRICTIONS ON PUBLIC DISCLOSURE. Except  
6 as provided in subsection (2) of this section:

7 (1) Information related to a transportation project proposed under  
8 this chapter, including but not limited to the project's design,  
9 management, financing and other details, is exempt from disclosure  
10 under chapter 42.17 RCW until:

11 (a) The public partner shares the information with another unit of  
12 local government, metropolitan planning organization, regional  
13 transportation organization, or transportation commission; or

14 (b) The public partner completes its evaluation of the proposed  
15 project and has selected the proposal for negotiation of a tentative  
16 agreement.

17 (2) After the public partner has either shared the information  
18 described in subsection (1) of this section with a local government,  
19 metropolitan planning organization, or regional transportation  
20 organization, or has completed its evaluation of the proposed project,  
21 the information is subject to disclosure under chapter 42.17 RCW.

22 (3) Sensitive business, commercial, or financial information that  
23 is not customarily provided to business competitors that is submitted  
24 to the public partner in connection with a transportation project under  
25 sections . . . through . . . of this act is exempt from disclosure  
26 under chapter 42.17 RCW until the information is submitted to the  
27 public partner's approval authority in connection with its review and  
28 approval of the transportation project as provided in section 20 of  
29 this act.

30 NEW SECTION. **Sec. 12.** APPOINTMENT OF SPECIAL LEGAL COUNSEL. (1)  
31 For proposed transportation projects and at the request of the public  
32 sector partner, the attorney general, county prosecutor, city attorney,  
33 or chief counsel for the regional transportation organization may  
34 appoint special legal counsel for the purpose of evaluating partnership  
35 agreements entered into or to be entered into under this chapter. The

1 special legal counsel is under the direction and control of the public  
2 sector partner and may:

3 (a) Advise the public partner concerning the legality of specific  
4 proposed partnerships;

5 (b) Advise the public partner on legal procedures and practices  
6 related to implementation of specific projects that use a partnership;

7 (c) Assist the public partner in negotiating partnership  
8 agreements;

9 (d) Assist the public partner in preparing any document related to  
10 a specific partnership;

11 (e) Advise the public partner regarding accounting, investment, and  
12 tax requirements applicable to specific projects that use a  
13 partnership; and

14 (f) Advise the public partner regarding any relevant federal  
15 securities or other laws and related disclosure requirements.

16 (2) When the attorney general, county prosecutor, city attorney, or  
17 chief legal counsel for the regional transportation organization  
18 reviews an agreement entered into under this chapter, the attorney  
19 shall:

20 (a) Recognize that the agreement is the product of a partnership;  
21 and

22 (b) Defer to the business judgment of the public sector partner and  
23 the public approval authority concerning the assignment of risks and  
24 the incentives provided within the agreement.

25 NEW SECTION. **Sec. 13.** ENVIRONMENTAL, ENGINEERING, AND TECHNICAL  
26 STUDIES CONTRACTED. Notwithstanding any other provision of law, the  
27 public sector may contract with a private developer of a selected  
28 project proposal to conduct environmental impact studies and  
29 engineering and technical studies funded by the legislature.

30 NEW SECTION. **Sec. 14.** REQUIRED TERMS OF PARTNERSHIP AGREEMENTS.  
31 The following provisions are mandatory in any agreement to which the  
32 public sector is a party:

33 (1) The plans and specifications for each project constructed under  
34 this chapter must comply with the state department of transportation's  
35 standards for state projects, or the local government's standards for  
36 local government projects; and

1 (2) For any project that reverts to public ownership, agreements  
2 must address responsibility for reconstruction or renovations that are  
3 required in order for a facility to meet all applicable government  
4 standards upon reversion of the facility to the state or local  
5 government.

6 NEW SECTION. **Sec. 15.** ELEMENTS SUBJECT TO NEGOTIATION IN A  
7 PARTNERSHIP AGREEMENT. (1) As part of the program established under  
8 this chapter, the public sector partner may:

9 (a) Enter into any agreement or any configuration of agreements  
10 relating to transportation projects with any private entity or unit of  
11 government or any configuration of private entities and units of  
12 government. The subject of agreements entered into under this section  
13 may include, but need not be limited to, planning, acquisition,  
14 financing, development, design, construction, reconstruction,  
15 replacement, improvement, preservation, maintenance, management,  
16 repair, and operation of transportation projects;

17 (b) Include in any agreement entered into under this section any  
18 financing mechanisms, including but not limited to sources identified  
19 under section 24 of this act or any other lawful source.

20 (2) The agreements among the public and private sector partners  
21 entered into under this section must specify at least the following:

22 (a) The point in the transportation project at which public and  
23 private sector partners will enter the project and which partners will  
24 assume responsibility for specific project elements;

25 (b) How the partners will share management of the risks of the  
26 project;

27 (c) How the partners will share the costs of development of the  
28 project;

29 (d) How the partners will allocate financial responsibility for  
30 cost overruns;

31 (e) The penalties for nonperformance;

32 (f) The incentives for performance;

33 (g) The accounting and auditing standards to be used to evaluate  
34 work on the project; and

35 (h) Whether the project is consistent with any applicable state  
36 transportation plans, and any applicable regional transportation plans  
37 or local transportation or land use plans or programs.

1        NEW SECTION.    **Sec. 16.**    PUBLIC INVOLVEMENT AND PARTICIPATION PLAN.

2        (1) Before final approval, agreements entered into under this chapter  
3        must include a process that provides for public involvement and  
4        participation with respect to the development of the projects. For  
5        state projects, the plan must be submitted to the transportation  
6        commission for approval. For other regional or local government  
7        projects, the plan must be submitted to the appropriate executive or  
8        legislative authority for approval.

9        (2) All workshops, forums, open houses, meetings, public hearings,  
10       or similar public gatherings must be administered and attended by  
11       representatives of public sector partners to an agreement authorized by  
12       this chapter.

13       NEW SECTION.    **Sec. 17.**    LIMITED APPLICATION OF PREVAILING WAGE LAW.

14       Chapter 39.12 RCW does not apply to concepts or proposals submitted  
15       under this chapter, or to agreements entered into under this chapter,  
16       except that if public moneys are used to pay any costs of construction  
17       of public works that are part of a project, chapter 39.12 RCW applies  
18       to the public works. In addition, if public moneys are used to pay any  
19       costs of construction of public works that are part of a project, the  
20       construction contract for the public works must contain provisions that  
21       require the payment of workers under the contract in accordance with  
22       chapter 39.12 RCW.

23       NEW SECTION.    **Sec. 18.**    CONFORMITY WITH FEDERAL LAWS.

24       Notwithstanding any provision of this chapter, applicable federal laws,  
25       rules, and regulations govern in any situation that involves federal  
26       funds if the federal laws, rules, or regulations:

27       (1) Conflict with any provision of this chapter;

28       (2) Require procedures that are additional to or different from  
29       those provided in this chapter; or

30       (3) Require contract provisions not authorized in this chapter.

31       NEW SECTION.    **Sec. 19.**    COMPETITIVE BID--FINANCIAL PRO FORMA  
32       REQUIRED. Before presenting an agreement for approval under section 20  
33       of this act, the public sector partner must:

34       (1) Consider whether further cost savings can be achieved by  
35       competitively bidding all or several portions of the transportation



1 proposal. The public partner must conduct an analysis of the impacts  
2 of competitively bidding all or part of the transportation proposal,  
3 and submit its analysis, findings, and recommendations to the public  
4 sector approval authority before entering into a final agreement;

5 (2) Consider whether to implement procedures to promote competition  
6 among subcontractors for any subcontracts to be let in connection with  
7 the transportation project. As part of its request for approval of the  
8 agreement, the public sector partner shall report in writing to the  
9 applicable approval authority its conclusions regarding the  
10 appropriateness of implementing the procedures; and

11 (3) Prepare a financial analysis that fully discloses all project  
12 costs, direct and indirect, including costs of any public, private, or  
13 other alternative financing. If a proposal will be financed in whole  
14 or in part with private sources or alternative sources, a comparative  
15 analysis of the costs of public financing versus private or alternative  
16 financing must be prepared and presented to the appropriate approval  
17 authority.

18 NEW SECTION. **Sec. 20.** APPROVAL REQUIRED TO EXECUTE CONTRACTS.

19 (1) The public sector partner may not enter into an agreement under  
20 this chapter until the agreement is reviewed and approved by the  
21 transportation commission for state projects, or the highest executive  
22 or legislative authority for local government projects.

23 (2) The public sector partner may not approve an agreement under  
24 this chapter for the construction of a public improvement as part of a  
25 transportation project unless the agreement provides for bonding,  
26 financial guarantees, deposits, or the posting of other security to  
27 secure the payment of laborers, subcontractors, and suppliers who  
28 perform work or provide materials as part of the project.

29 NEW SECTION. **Sec. 21.** DISCLOSURE OF BUSINESS SECRETS RESTRICTED.

30 (1) Except as provided in subsection (2) of this section, documents,  
31 communications, and information developed, exchanged, or compiled in  
32 the course of negotiating an agreement with potential partners to an  
33 agreement under this chapter are exempt from disclosure under chapter  
34 42.17 RCW.

35 (2) The documents, communications, or information described in  
36 subsection (1) of this section are subject to disclosure under chapter

1 42.17 RCW when the documents, communications, or information are  
2 submitted to the appropriate approval authority in connection with its  
3 review and approval of a transportation project under section 20 of  
4 this act.

5 (3) The terms of a final agreement entered into under this chapter  
6 and the terms of a proposed agreement presented to the public sector  
7 approval authority for review and approval under section 20 of this act  
8 are subject to disclosure under chapter 42.17 RCW.

9 NEW SECTION. **Sec. 22.** EMINENT DOMAIN. A public sector partner  
10 may exercise the power of eminent domain to acquire property, rights of  
11 way, or other rights in property for transportation projects that are  
12 necessary to implement a project developed under this chapter,  
13 regardless of whether the property will be owned in fee simple by the  
14 public entity.

15 NEW SECTION. **Sec. 23.** CREATION OF TRANSPORTATION INNOVATIVE  
16 PARTNERSHIP ACCOUNT. (1) The transportation innovative partnership  
17 account is established separate and distinct from the state general  
18 fund. Interest earned by the transportation innovative partnership  
19 account must be credited to the account.

20 (2) The following moneys must be deposited into the transportation  
21 innovative partnership account:

22 (a) Proceeds from bonds or other financing instruments issued under  
23 section 28 of this act;

24 (b) Revenues received from any transportation project developed  
25 under this chapter; and

26 (c) Any other moneys that are by donation, grant, contract, law, or  
27 other means transferred, allocated, or appropriated to the account.

28 (3) Moneys in the transportation innovative partnership account  
29 must be made available to the public partner by the state treasurer  
30 upon presentation of an ordinance, resolution, chapter law, or other  
31 duly enacted legal document evidencing the intent of the public sector  
32 approval authority to appropriate funds to a project developed under  
33 this chapter.

34 (4) The state treasurer shall serve as a fiduciary for the purpose  
35 of carrying out this chapter and implementing all or portions of any  
36 transportation project financed under this chapter.

1 (5) Moneys in the transportation innovative partnership account  
2 that were derived from revenue subject to Article II, section 40  
3 (Amendment 18) of the Washington state Constitution, may be used only  
4 for purposes authorized by that provision of the state Constitution.

5 (6) The state treasurer shall establish separate subaccounts within  
6 the transportation innovative partnership account for each  
7 transportation project that is initiated under this chapter. Except as  
8 provided in subsection (5) of this section, a public sector partner may  
9 pledge moneys in the transportation innovative partnership account to  
10 secure revenue bonds or any other debt obligations relating to the  
11 transportation project for which the account is established.

12 (7) Moneys in a subaccount established under subsection (6) of this  
13 section must be used as provided in any agreement applicable to the  
14 transportation project for which the subaccount is established.

15 NEW SECTION. **Sec. 24.** TYPES OF FINANCING AVAILABLE. (1) A  
16 transportation project may be financed in whole or in part with:

17 (a) The proceeds of grant anticipation revenue bonds authorized by  
18 23 U.S.C. Sec. 122 and applicable state law. Legislative authorization  
19 and appropriation is required in order to use this source of financing;

20 (b) Grants, loans, loan guarantees, lines of credit, revolving  
21 lines of credit, or other financing arrangements available under the  
22 Transportation Infrastructure Finance and Innovation Act under 23  
23 U.S.C. Sec. 181 et seq., or any other applicable federal law;

24 (c) Infrastructure loans or assistance from the state  
25 infrastructure bank established by RCW 82.44.195;

26 (d) Federal, state, or local revenues, subject to appropriation by  
27 the applicable legislative authority;

28 (e) User fees, tolls, fares, lease proceeds, rents, gross or net  
29 receipts from sales, proceeds from the sale of development rights,  
30 franchise fees, rents, or any other lawful form of consideration.

31 (2) As security for the payment of financing described in this  
32 section, the revenues from the project may be pledged, but no such  
33 pledge of revenues constitutes in any manner or to any extent a general  
34 obligation of the state. Any financing described in this section may  
35 be structured on a senior, parity, or subordinate basis to any other  
36 financing.

1        NEW SECTION.    **Sec. 25.**    USE OF FEDERAL FUNDS AND SIMILAR SOURCES OF  
2 REVENUE.    A public sector partner may accept from the United States or  
3 any of its agencies such funds as are available to this state or to the  
4 unit of government for carrying out the purposes of this chapter,  
5 whether the funds are made available by grant, loan, or other financing  
6 arrangement.    The public sector partner may enter into such agreements  
7 and other arrangements with the United States or any of its agencies as  
8 may be necessary, proper, and convenient for carrying out the purposes  
9 of this chapter, subject to section 24(2) of this act.

10        NEW SECTION.    **Sec. 26.**    OTHER SOURCES OF VALUABLE CONSIDERATION  
11 AUTHORIZED.    A public sector partner may accept from any source any  
12 grant, donation, gift, or other form of conveyance of land, money,  
13 other real or personal property, or other valuable thing made to the  
14 state of Washington, the department, or a local government for carrying  
15 out the purposes of this chapter.

16        Any transportation project may be financed in whole or in part by  
17 contribution of any funds or property made by any private entity or  
18 public sector partner that is a party to any agreement entered into  
19 under this chapter.

20        NEW SECTION.    **Sec. 27.**    USE OF TRANSPORTATION INNOVATIVE  
21 PARTNERSHIP ACCOUNT.    (1) The public sector partner may use moneys in  
22 the transportation innovative partnership account to ensure the  
23 repayment of loan guarantees or extensions of credit made to or on  
24 behalf of private entities engaged in the planning, acquisition,  
25 financing, development, design, construction, reconstruction,  
26 replacement, improvement, maintenance, preservation, management,  
27 repair, or operation of any transportation project that is part of the  
28 program established under this chapter.

29        (2) The lien of a pledge made under this section is subordinate to  
30 the lien of a pledge securing bonds payable from moneys in the motor  
31 vehicle fund established in RCW 46.68.070, or the transportation  
32 innovative partnership account established in section 23 of this act.

33        NEW SECTION.    **Sec. 28.**    AUTHORITY TO ISSUE REVENUE BONDS AND OTHER  
34 INDENTURES.    (1) In addition to any authority the public sector partner  
35 has to issue and sell bonds and other similar obligations, this section

1 establishes continuing authority for the issuance and sale of bonds and  
2 other similar obligations in a manner consistent with this section. To  
3 finance a transportation project in whole or in part, the public sector  
4 partner may request that the state treasurer issue revenue bonds on  
5 behalf of the public sector partner. The bonds must be secured by a  
6 pledge of, and a lien on, and be payable only from moneys in the  
7 transportation innovative partnership account established in section 23  
8 of this act, and any other revenues specifically pledged to repayment  
9 of the bonds. Such a pledge by the public partner creates a lien that  
10 is valid and binding from the time the pledge is made. Revenue bonds  
11 issued under this section are not general obligations of the state or  
12 local government and are not secured by or payable from any funds or  
13 assets of the public partner other than the moneys and revenues  
14 specifically pledged to the repayment of such revenue bonds.

15 (2) Moneys received from the issuance of revenue bonds or other  
16 debt obligations, including any investment earnings thereon, may be  
17 spent:

18 (a) For the purpose of financing the costs of the transportation  
19 project for which the bonds are issued;

20 (b) To pay the costs and other administrative expenses of the  
21 bonds;

22 (c) To pay the costs of credit enhancement or to fund any reserves  
23 determined to be necessary or advantageous in connection with the  
24 revenue bonds; and

25 (d) To reimburse the public sector partners for any costs related  
26 to carrying out the purposes of the program established under this  
27 chapter.

28 NEW SECTION. **Sec. 29.** ADVISORY COMMITTEES REQUIRED FOR LARGE  
29 PROJECTS. For projects with costs, including financing costs, of fifty  
30 million dollars or greater, advisory committees are required.

31 (1) A public sector partner that participates in a transportation  
32 project must establish an advisory committee to advise with respect to  
33 transportation projects. An advisory committee must consist of not  
34 fewer than five and not more than nine members, as determined by the  
35 public partner. Members must be appointed by the public partner, or  
36 for projects with joint public sector participation, in a manner agreed  
37 to by the state and any participating unit of government.

1           (2) An advisory committee shall review concepts or proposals for  
2 transportation projects and submit recommendations to the public sector  
3 partners.

4           (3) An advisory committee shall meet as necessary at times and  
5 places fixed by the public sector partner, but not less than twice per  
6 year. The public sector partner shall provide personnel services to  
7 assist the advisory committee within the limits of available funds. An  
8 advisory committee may adopt rules to govern its proceedings and may  
9 select officers.

10           NEW SECTION.   **Sec. 30.** Section captions used in this act are not  
11 part of the law.

12           NEW SECTION.   **Sec. 31.** Sections 1 through 30 of this act  
13 constitute a new chapter in Title 47 RCW.

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