
SECOND SUBSTITUTE SENATE BILL 5063

State of Washington 59th Legislature 2005 Regular Session

By Senate Committee on Transportation (originally sponsored by
Senators Jacobsen, Rasmussen and Kline)

READ FIRST TIME 03/07/05.

1 AN ACT Relating to creation of a telework enhancement funding
2 board; adding a new chapter to Title 47 RCW; and creating a new
3 section.

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

5 NEW SECTION. **Sec. 1.** The legislature recognizes that commuting
6 accounts for more trips and miles traveled than any other single
7 purpose. The legislature also recognizes that telework has been found
8 to reduce commute trips and provide flexibility for work-related
9 travel. Additionally, telework enables employers to allow employees to
10 work outside of urban areas, which reduces urban commute trips while
11 strengthening rural economies. The legislature further recognizes that
12 telework is a key component in a comprehensive transportation demand
13 management package. Therefore, it is the legislature's intent to
14 decrease traffic congestion with the creation of the telework
15 enhancement funding board.

16 NEW SECTION. **Sec. 2.** As used in this chapter, "telework" means a
17 work arrangement whereby employees are regularly scheduled to perform

1 the normal duties and responsibilities of their positions at locations
2 other than the traditional workplace, through the use of computers or
3 telecommunications. The term includes persons who are self-employed.

4 NEW SECTION. **Sec. 3.** (1) The telework enhancement funding board
5 is created consisting of eight members.

6 (2) Five members of the board are voting members appointed by the
7 governor, subject to confirmation by the senate. One of these voting
8 members must be a cabinet-level appointment as the governor's
9 representative to the board. The governor shall appoint one of the
10 general public members of the board as the chair. The voting members
11 of the board will be appointed for terms of four years, except that two
12 members initially will be appointed for terms of two years, and three
13 members will initially be appointed for terms of three years. In
14 making the appointments, the governor shall seek a board membership
15 that collectively provide the expertise necessary to provide strong
16 fiscal oversight of telework enhancement projects. The governor shall
17 appoint at least three of the voting members of the board no later than
18 ninety days after the effective date of this act. Vacant positions on
19 the board will be filled in the same manner as original appointments.
20 The governor may remove members of the board for good cause.

21 In addition to the five voting members of the board, the following
22 three state officials shall serve as ex officio nonvoting members of
23 the board: The secretary of the department of transportation, the
24 chair of the utilities and transportation commission, and the director
25 of the department of community, trade, and economic development. The
26 state officials serving in an ex officio capacity may designate a
27 representative of their respective agencies to serve on the board in
28 their behalf. The designations must be made in writing and in a manner
29 as specified by the board.

30 (3) The department of transportation shall provide staff support to
31 the board. For administrative purposes, the board is located with the
32 department of transportation.

33 (4) Members of the board who do not represent state agencies will
34 be compensated as provided by RCW 43.03.250. Members of the board will
35 be reimbursed for travel expenses as provided by RCW 43.03.050 and
36 43.03.060.

1 NEW SECTION. **Sec. 4.** (1) The board is responsible for making
2 grants and loans for telework enhancement projects and telework
3 activities from the amounts appropriated to the board for this purpose.
4 To accomplish this purpose the board may:

5 (a) Provide assistance to grant and loan applicants regarding the
6 procedures and criteria for grant and loan awards;

7 (b) Make and execute all manner of contracts and agreements with
8 public and private parties as the board deems necessary, consistent
9 with the purposes of this chapter;

10 (c) Accept gifts, grants, or loans of funds, property, or financial
11 or other aid in any form from any other source on any terms that are
12 not in conflict with this chapter;

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

15 (e) Do all acts and things necessary or convenient to carry out the
16 powers expressly granted or implied under this chapter.

17 (2) The department of transportation shall provide all necessary
18 grants and loans administration assistance to the board, and shall
19 distribute funds as provided by the board in section 5 of this act.

20 NEW SECTION. **Sec. 5.** (1) The board shall develop procedures and
21 criteria for allocation of funds for telework enhancement projects and
22 telework activities on a statewide basis to address the highest
23 priorities for enhancing telework. To the extent practicable the board
24 shall adopt an annual allocation of funding. The allocation should
25 address the acceleration of telework in Washington. The board may
26 annually establish a maximum amount of funding available for any
27 individual project, subject to available funding.

28 (2)(a) In evaluating, ranking, and awarding funds for projects and
29 activities the board shall give preference to projects that:

30 (i) Provide incentives to employers to provide telework
31 opportunities for employees;

32 (ii) Provide incentives and assistance to employers to locate jobs
33 outside the congested Puget Sound urban areas; or

34 (iii) Assist in developing telecommunications infrastructure in
35 rural and underserved communities.

36 (b) In evaluating, ranking, and awarding funds for projects and
37 activities the board shall also give consideration to projects that:

1 (i) Are the most cost-effective;
2 (ii) Have the greatest matched or in-kind funding; and
3 (iii) Will be implemented by a sponsor with a successful record of
4 project implementation.

5 (3) The board may waive or modify portions of the allocation
6 procedures and standards adopted under this section in the award of
7 grants or loans to conform to legislative appropriations directing an
8 alternative award procedure or when the funds to be awarded are from
9 federal or other sources requiring other allocation procedures or
10 standards as a condition of the board's receipt of the funds. The
11 board shall develop an integrated process to manage the allocation of
12 funding from federal and state sources to minimize delays in the award
13 of funding while recognizing the difference in state and legislative
14 appropriation timing.

15 NEW SECTION. **Sec. 6.** (1) Telework projects must be submitted to
16 the telework enhancement funding board for funding by January 1st and
17 July 1st of each year beginning in 2005. Beginning in 2006, the board
18 shall provide the legislature with a list of the proposed projects and
19 a list of the projects funded by October 1st of each year for
20 informational purposes.

21 (2) The department of transportation shall track all funds
22 allocated for telework enhancement projects and telework activities on
23 behalf of the board, including both funds allocated by the board and
24 funds allocated by other state or federal agencies for telework
25 enhancement.

26 (3) Beginning in December 2006, the board shall provide a biennial
27 report to the governor and the legislature on telework enhancement
28 expenditures.

29 NEW SECTION. **Sec. 7.** The telework enhancement account is created
30 in the state treasury. Such funds as the legislature directs or
31 appropriates to the account will be deposited to the account. Moneys
32 in the account may be spent only after appropriation. Expenditures
33 from the account may be used for telework enhancement.

34 NEW SECTION. **Sec. 8.** The department of transportation shall
35 provide necessary grants and loan administration support to the

1 telework enhancement funding board. The department shall also track
2 telework enhancement expenditures. The department shall provide all
3 necessary administrative support to the board, and the board will be
4 located with the department.

5 NEW SECTION. **Sec. 9.** Sections 1 through 8 of this act constitute
6 a new chapter in Title 47 RCW.

7 NEW SECTION. **Sec. 10.** If specific funding for the purposes of
8 this act, referencing this act by bill or chapter number, is not
9 provided by June 30, 2005, in the omnibus transportation appropriations
10 act, this act is null and void.

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