

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 6241

59th Legislature
2006 Regular Session

Passed by the Senate March 8, 2006
YEAS 49 NAYS 0

President of the Senate

Passed by the House March 8, 2006
YEAS 93 NAYS 5

Speaker of the House of Representatives

Approved

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 6241** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 6241

AS RECOMMENDED BY THE CONFERENCE COMMITTEE

Passed Legislature - 2006 Regular Session

State of Washington **59th Legislature** **2006 Regular Session**

By Senate Committee on Transportation (originally sponsored by Senators Haugen, Benson and Jacobsen; by request of Governor Gregoire)

READ FIRST TIME 02/17/06.

1 AN ACT Relating to transportation funding and appropriations;
2 amending RCW 47.29.170; amending 2005 c 313 ss 1, 102, 104, 105, 106,
3 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214,
4 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228,
5 302, 303, 304, 305, 306, 307, 308, 309, 310, 401, 402, 403, 404, 405,
6 406, 501, and 603 (uncodified); adding new sections to 2005 c 313
7 (uncodified); making appropriations and authorizing expenditures for
8 capital improvements; repealing 2005 c 313 s 602 (uncodified); and
9 declaring an emergency.

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

11 **2005-07 BIENNIMUM**

12 **Sec. 1.** 2005 c 313 s 1 (uncodified) is amended to read as follows:
13 (1) The transportation budget of the state is hereby adopted and,
14 subject to the provisions set forth, the several amounts specified, or
15 as much thereof as may be necessary to accomplish the purposes
16 designated, are hereby appropriated from the several accounts and funds
17 named to the designated state agencies and offices for employee

1 compensation and other expenses, for capital projects, and for other
2 specified purposes, including the payment of any final judgments
3 arising out of such activities, for the period ending June 30, 2007.

4 (2) Unless the context clearly requires otherwise, the definitions
5 in this subsection apply throughout this act.

6 (a) "Fiscal year 2006" or "FY 2006" means the fiscal year ending
7 June 30, 2006.

8 (b) "Fiscal year 2007" or "FY 2007" means the fiscal year ending
9 June 30, 2007.

10 (c) "FTE" means full-time equivalent.

11 (d) "Lapse" or "revert" means the amount shall return to an
12 unappropriated status.

13 (e) "Provided solely" means the specified amount may be spent only
14 for the specified purpose. Unless otherwise specifically authorized in
15 this act, any portion of an amount provided solely for a specified
16 purpose which is not expended subject to the specified conditions and
17 limitations to fulfill the specified purpose shall lapse.

18 (f) "Reappropriation" means appropriation and, unless the context
19 clearly provides otherwise, is subject to the relevant conditions and
20 limitations applicable to appropriations.

21 (g) "LEAP" means the legislative evaluation and accountability
22 program committee.

23 **GENERAL GOVERNMENT AGENCIES--OPERATING**

24 NEW SECTION. **Sec. 101.** A new section is added to 2005 c 313
25 (uncodified) to read as follows:

26 **FOR THE OFFICE OF FINANCIAL MANAGEMENT**

27 Motor Vehicle Account--State Appropriation \$217,000

28 **Sec. 102.** 2005 c 313 s 102 (uncodified) is amended to read as
29 follows:

30 **FOR THE MARINE EMPLOYEES COMMISSION**

31 Puget Sound Ferry Operations Account--State
32 Appropriation ((~~\$390,000~~))
33 \$394,000

34 The appropriation in this section is subject to the following
35 conditions and limitations: To address its growing caseload, the

1 marine employees commission shall develop a plan for prioritizing cases
2 to schedule for hearings. The commission shall report back to the
3 transportation committees of the legislature on its case prioritization
4 plan by December 15, 2005.

5 **Sec. 103.** 2005 c 313 s 104 (uncodified) is amended to read as
6 follows:

7 **FOR THE DEPARTMENT OF AGRICULTURE**

8 Motor Vehicle Account--State Appropriation ((~~\$329,000~~))
9 \$330,000

10 The appropriation in this section is subject to the following
11 conditions and limitations: ((~~\$329,000~~)) \$330,000 of the motor vehicle
12 account--state appropriation is provided solely for costs associated
13 with the motor fuel quality program.

14 **Sec. 104.** 2005 c 313 s 105 (uncodified) is amended to read as
15 follows:

16 **FOR THE DEPARTMENT OF ARCHEOLOGY AND HISTORIC PRESERVATION**

17 Motor Vehicle Account--State Appropriation ((~~\$200,000~~))
18 \$487,000

19 The appropriation in this section is subject to the following
20 conditions and limitations:

21 (1) ((~~If Second Substitute Senate Bill No. 5056 is not enacted by~~
22 ~~June 30, 2005, the entire appropriation shall lapse.~~

23 ~~(2) The entire~~) \$200,000 of the motor vehicle account--state
24 appropriation is for additional staffing costs to be dedicated to state
25 transportation activities. Furthermore, any staff hired to support
26 transportation activities must have practical experience with complex
27 construction projects.

28 (2) \$236,000 of the motor vehicle account--state appropriation is
29 provided solely for legal expenses related to the Lower Elwha Klallam
30 Tribe v. Washington (graving dock) case.

31 (3) \$51,000 of the motor vehicle account--state appropriation is
32 provided solely for a pilot project testing remote sensing technology
33 in archeological investigations and surveys for transportation
34 projects.

1 NEW SECTION. **Sec. 105.** A new section is added to 2005 c 313
2 (uncodified) to read as follows:

3 **FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE**
4 Motor Vehicle Account--State Appropriation \$50,000

5 The appropriation in this section is subject to the following
6 conditions and limitations: The total appropriation is provided solely
7 for an evaluation of the current business needs of the legislative
8 transportation fiscal committee staffs with respect to the
9 transportation executive information system (TEIS). The committee
10 shall work with the staffs of the transportation committees, the office
11 of financial management, and the department of transportation to
12 perform the evaluation. Results of the evaluation, including any
13 recommendation for system improvements and usability, shall be
14 submitted to the transportation committees of the legislature and the
15 office of financial management by December 1, 2006.

16 **GENERAL GOVERNMENT AGENCIES--CAPITAL**

17 **Sec. 106.** 2005 c 313 s 106 (uncodified) is amended to read as
18 follows:

19 **FOR WASHINGTON STATE PARKS AND RECREATION--CAPITAL PROJECTS**
20 Motor Vehicle Account--State Appropriation \$1,400,000

21 The appropriation in this section is subject to the following
22 conditions and limitations:

23 (1) \$1,300,000 of the motor vehicle account--state appropriation is
24 a one-time appropriation and is provided solely for the SR 14
25 interchange and bridge portion of the Beacon Rock state park entrance
26 road project. Any portion of the appropriation not expended by June
27 30, 2007, shall revert to the motor vehicle account--state.

28 (2) \$100,000 of the appropriation is provided solely for road work
29 on state route 20 at Deception Pass state park.

30 **TRANSPORTATION AGENCIES--OPERATING**

31 **Sec. 201.** 2005 c 313 s 201 (uncodified) is amended to read as
32 follows:

33 **FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION**
34 Highway Safety Account--State Appropriation (~~(\$2,135,000)~~)

1		<u>\$2,145,000</u>
2	Highway Safety Account--Federal Appropriation	((\$15,828,000))
3		<u>\$15,833,000</u>
4	School Zone Safety Account--State Appropriation	\$3,300,000
5	Bicycle and Pedestrian Safety Account--State	
6	Appropriation	\$40,000
7	TOTAL APPROPRIATION	((\$21,303,000))
8		<u>\$21,318,000</u>

9 The appropriations in this section are subject to the following
10 conditions and limitations: The Washington traffic safety commission
11 shall contract with the Washington state institute for public policy to
12 conduct a study of the impact of state programs concerning the
13 reduction of DUI recidivism. The study must include, on a prioritized
14 basis to the extent federal funds are made available for the study, the
15 following components: (1) The state's existing deferred prosecution
16 program; (2) the state's vehicle impound program; and (3) other states'
17 programs that restrict a person's access to the vehicle, or suspend the
18 vehicle license and registration, upon arrest or conviction.

19 The completed study must be submitted to the appropriate
20 legislative committees by December 1, 2006.

21 **Sec. 202.** 2005 c 313 s 202 (uncodified) is amended to read as
22 follows:

23 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

24	Rural Arterial Trust Account--State Appropriation	((\$821,000))
25		<u>\$823,000</u>
26	Motor Vehicle Account--State Appropriation	((\$1,942,000))
27		<u>\$1,950,000</u>
28	County Arterial Preservation Account--State Appropriation	((\$777,000))
29		<u>\$780,000</u>
30	TOTAL APPROPRIATION	((\$3,540,000))
31		<u>\$3,553,000</u>

32 **Sec. 203.** 2005 c 313 s 203 (uncodified) is amended to read as
33 follows:

34 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

35	Urban Arterial Trust Account--State Appropriation	((\$1,624,000))
36		<u>\$1,630,000</u>

1 Transportation Improvement Account--State Appropriation ((~~\$1,625,000~~))
 2 \$1,632,000
 3 TOTAL APPROPRIATION ((~~\$3,249,000~~))
 4 \$3,262,000

5 **Sec. 204.** 2005 c 313 s 204 (uncodified) is amended to read as
 6 follows:

7 **FOR THE BOARD OF PILOTAGE COMMISSIONERS**
 8 Pilotage Account--State Appropriation ((~~\$417,000~~))
 9 \$1,020,000

10 The appropriation in this section is subject to the following
 11 conditions and limitations: \$500,000 of the appropriation is provided
 12 solely for stipends to trainees in the training program as set forth in
 13 rules adopted by the board; however, if Engrossed Substitute Senate
 14 Bill No. 6870 (pilot trainees stipends) is enacted by June 30, 2006,
 15 then \$600,000 of the total appropriation provided in this act shall
 16 lapse and the appropriation provided in Engrossed Substitute Senate
 17 Bill No. 6870 shall govern.

18 **Sec. 205.** 2005 c 313 s 205 (uncodified) is amended to read as
 19 follows:

20 **FOR THE JOINT TRANSPORTATION COMMITTEE**
 21 Motor Vehicle Account--State Appropriation ((~~\$1,400,000~~))
 22 \$1,679,000

23 The appropriation in this section is subject to the following
 24 conditions and limitations:

25 (1)(a) \$200,000 of the total appropriation is provided solely for
 26 the joint transportation committee to conduct a finance study of the
 27 Washington state ferry system. The purpose of the study is to
 28 facilitate policy discussions and decisions by members of the
 29 legislature regarding the Washington state ferry system. The
 30 legislature recognizes there is a need within the Washington state
 31 ferry system for predictable cash flows, transparency, assessment of
 32 organizational structure, verification that the Washington state ferry
 33 system is operating at maximum efficiency, and better labor relations.
 34 The committee shall report the study to the house of representatives
 35 and senate transportation committees by January 1, 2007.

1 (b) The study must include, at a minimum, a review and evaluation
2 of the ferry system's financial plan, including current assumptions and
3 past studies, in the following areas:

4 (i) Operating program, including ridership, revenue, and cost
5 forecasts and the accuracy of those forecasts; and

6 (ii) Capital program, including project scoping, prioritization and
7 cost estimating, project changes including legislative input regarding
8 significant project changes, and performance measures.

9 (c) In addition to committee members, or their designees, the
10 governor shall appoint a representative for this study. The committee
11 may retain consulting services to assist the committee in conducting
12 the study, including the evaluation of financial, operating, and
13 capital plans. The committee may also appoint other persons to assist
14 with the study.

15 (2) The joint transportation committee shall conduct a study
16 regarding the feasibility of a statewide uniform motor vehicle excise
17 tax (MVET) depreciation schedule. In addition to committee members,
18 the participants in the study must include at a minimum the following
19 individuals: (a) A representative of a regional transit authority
20 (Sound Transit); (b) a representative of a regional transportation
21 planning organization; (c) the secretary of transportation, or his or
22 her designee; (d) a representative of the attorney general's office;
23 (e) a representative of the department of licensing; and (f) a
24 representative of the financial community. The purpose of the study is
25 to develop an MVET depreciation schedule that more accurately reflects
26 vehicle value but does not hinder outstanding contractual obligations.

27 (3) Funds provided in this section are sufficient for the committee
28 to administer a study of the most reliable and cost-effective means of
29 providing passenger-only ferry service.

30 (a) The study shall be guided by a 18 member task force consisting
31 of the chairs and ranking members of the house of representatives and
32 senate transportation committees, a designee of the director of the
33 office of financial management, a member of the transportation
34 commission, a designee of the secretary of transportation, a
35 representative of organized labor, and ten stakeholders to be appointed
36 by the governor as follows: Six representatives of ferry user
37 communities, two representatives of public transportation agencies, and
38 two representatives of commercial ferry operators.

1 (b) The study shall examine issues including but not limited to the
2 long-term viability of different service providers, cost to ferry
3 passengers, the state subsidies required by each provider, and the
4 availability of federal funding for the different service providers.

5 (c) By November 30, 2005, the task force shall make its
6 recommendations to the house of representatives and senate
7 transportation committees.

8 (4) \$450,000 of the motor vehicle account--state appropriation is
9 provided solely to administer a consultant study of the long-term
10 viability of the state's transportation financing methods and sources.

11 (a) At a minimum, the study must examine the following: (i) The
12 short and long-term viability of the motor fuel tax (both state and
13 federal) as a major source of funding for transportation projects and
14 programs; (ii) the desirability and effectiveness of state-distributed
15 transportation funds for the benefit of local units of government;
16 (iii) the potential for alternative and/or emerging sources of
17 transportation revenues, with particular emphasis on user-based fees
18 and charges; and (iv) trends and implications of debt financing for
19 transportation projects. The scope of work for the study may be
20 expanded to include analysis of other financing issues relevant to the
21 long-term viability of the state's transportation system.

22 (b) The findings and recommendations must be submitted to the
23 fiscal committees of the legislature by November 1, 2006.

24 (5) \$75,000 of the motor vehicle account--state appropriation is
25 provided solely for the joint transportation committee to contract for
26 a review of existing research on programs and policies which decrease
27 accidents by teenage drivers, including but not limited to publicly
28 operated driver education and intermediate drivers licensing programs.
29 The institute shall also evaluate the costs and benefits of programs
30 and policies showing the greatest positive impact on teenage driving
31 safety.

32 (6) The committee shall conduct an evaluation of the department of
33 transportation surface transportation program enhancement grant
34 program. The evaluation will include (a) information about the
35 categories of projects submitted for consideration; (b) a review of the
36 allocation of funds awarded across the categories of STP enhancement
37 eligible activities; (c) a review of the criteria used to score

1 projects; and (d) a finding by the committee whether certain categories
2 of projects are disproportionately funded or unfunded.

3 **Sec. 206.** 2005 c 313 s 206 (uncodified) is amended to read as
4 follows:

5 **FOR THE TRANSPORTATION COMMISSION**

6	Motor Vehicle Account--State Appropriation	((\$4,607,000))
7		<u>\$3,954,000</u>
8	Multimodal Transportation Account--State	
9	Appropriation	((\$1,150,000))
10		<u>\$1,252,000</u>
11	TOTAL APPROPRIATION	((\$5,757,000))
12		<u>\$5,206,000</u>

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

15 (1) \$1,500,000 of the motor vehicle fund account--state
16 appropriation is provided solely for a comprehensive tolling study.
17 The transportation commission, with the technical assistance of the
18 department, must conduct a study of the state's transportation system
19 to determine the feasibility of administering tolls on specific
20 transportation facilities or a network of facilities. This study shall
21 serve as the statewide tolling feasibility study required in Engrossed
22 Substitute House Bill No. 1541, and shall serve as the tolling study
23 necessary to implement toll facilities within a regional transportation
24 investment district or its successor entity.

25 (a) The study must include an analysis of the only currently-
26 authorized toll facility, the Tacoma Narrows bridge project. The study
27 findings must include (i) the development of more uniform and equitable
28 policies regarding the distribution of financial obligations imposed on
29 those paying the tolls on the Tacoma Narrows bridge, and (ii)
30 opportunities and options for reducing the outstanding indebtedness on
31 the bridge project, including the possibility of buy-downs and other
32 means of spreading the cost of the project more equitably.

33 (b) The study element for the benefit of a regional transportation
34 investment district or regional transportation improvement authority
35 must also address the state highway system and other transportation
36 facilities in King, Pierce, and Snohomish counties to determine the
37 feasibility of value pricing on a facility or network of facilities.

1 This study element should: (i) Determine the potential for value
2 pricing to generate revenues for needed transportation facilities; (ii)
3 maximize the efficient operation of facilities and the transportation
4 network; and (iii) provide economic indicators for future system
5 investments. This element of the study must take into account
6 congestion levels, facility and corridor capacity, time of use,
7 economic considerations, and other factors deemed appropriate. The
8 study must recommend any additional laws, rules, procedures, resources,
9 studies, reports, or support infrastructure necessary or desirable
10 before proceeding with the review, evaluation, or implementation of any
11 toll projects or a system-wide, value priced transportation structure.

12 (c) The study must specifically analyze the potential for a toll
13 facility on SR 704, the cross-base highway located in Pierce county.

14 (2) (~~(\$2,270,000)~~) \$1,362,000 of the motor vehicle account--state
15 appropriation is provided solely for the transportation performance
16 audit board. (~~Within this amount, the transportation performance
17 audit board shall conduct a study and make recommendations to the
18 legislature regarding the modification RCW 47.01.012, state
19 transportation goals and benchmarks. In conducting the study, the
20 board shall consider at a minimum: Original recommendations of the
21 Blue Ribbon Commission on Transportation; the current policy goals and
22 benchmark categories; the goals outlined in Substitute House Bill No.
23 1969; the recent work related to benchmarks completed by the
24 transportation commission and the Washington state department of
25 transportation; the measures review completed by TPAB; and best
26 practices.~~)

27 ~~The board shall submit study results, including any legislative
28 recommendations, to the transportation committees of the legislature by
29 January 1, 2006.)~~)

30 (3) \$1,150,000 of the multimodal account--state appropriation is
31 provided solely for a statewide rail capacity and needs analysis. The
32 purpose of this study is to (a) assess the rail freight and rail
33 passenger infrastructure needs in this state; (b) review the current
34 powers, authorities, and interests the state has in both passenger and
35 freight rail; (c) recommend public policies for state participation and
36 ownership in rail infrastructure and service delivery, including but
37 not limited to planning and governance issues; and (d) develop a rail

1 asset management plan. The commission shall report their findings and
2 conclusions of the study to the transportation committees of the
3 legislature by December 1, 2006.

4 (4) The transportation commission shall implement tolls on the
5 Tacoma Narrows bridge that create an incentive for electronic toll
6 payers.

7 **Sec. 207.** 2005 c 313 s 207 (uncodified) is amended to read as
8 follows:

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

10 Motor Vehicle Account--State Appropriation ((\$664,000))
11 \$666,000

12 The appropriation in this section is subject to the following
13 conditions and limitations: The board shall, on a quarterly basis,
14 provide status reports to the legislature on the delivery of projects
15 funded by this act.

16 **Sec. 208.** 2005 c 313 s 208 (uncodified) is amended to read as
17 follows:

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

19 State Patrol Highway Account--State Appropriation . . ((\$202,530,000))
20 \$201,063,000
21 State Patrol Highway Account--Federal Appropriation . . . \$10,544,000
22 State Patrol Highway Account--Private/Local Appropriation . . \$169,000
23 TOTAL APPROPRIATION ((\$213,243,000))
24 \$211,776,000

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

27 (1) Washington state patrol officers engaged in off-duty uniformed
28 employment providing traffic control services to the department of
29 transportation or other state agencies may use state patrol vehicles
30 for the purpose of that employment, subject to guidelines adopted by
31 the chief of the Washington state patrol. The Washington state patrol
32 shall be reimbursed for the use of the vehicle at the prevailing state
33 employee rate for mileage and hours of usage, subject to guidelines
34 developed by the chief of the Washington state patrol. The patrol
35 shall report to the house of representatives and senate transportation
36 committees by December 31, 2005, on the use of agency vehicles by

1 officers engaging in the off-duty employment specified in this
2 subsection. The report shall include an analysis that compares cost
3 reimbursement and cost-impacts, including increased vehicle mileage,
4 maintenance costs, and indirect impacts, associated with the private
5 use of patrol vehicles.

6 (2) In addition to the user fees, the patrol shall transfer into
7 the state patrol nonappropriated airplane revolving account under RCW
8 43.79.470 no more than the amount of appropriated state patrol highway
9 account and general fund funding necessary to cover the costs for the
10 patrol's use of the aircraft. The state patrol highway account and
11 general fund--state funds shall be transferred proportionately in
12 accordance with a cost allocation that differentiates between highway
13 traffic enforcement services and general policing purposes.

14 (3) The patrol shall not account for or record locally provided DUI
15 cost reimbursement payments as expenditure credits to the state patrol
16 highway account. The patrol shall report the amount of expected
17 locally provided DUI cost reimbursements to the transportation
18 committees of the senate and house of representatives by December 31st
19 of each year.

20 (4) The state patrol highway account--state appropriation for DUI
21 reimbursements shall only be spent for pursuit vehicle video cameras,
22 datamaster DUI testing equipment, tire deflator equipment, and taser
23 guns. The Washington state patrol prior to the issuance of any taser
24 guns will train the troopers on using the equipment. The agency will
25 provide a report to the transportation committees of the senate and
26 house of representatives by December 31st of each year on the
27 occurrences where the taser guns were utilized along with any issues
28 that have been identified.

29 (5) \$29,000 of the state patrol highway account--state
30 appropriation is provided solely for the implementation of House Bill
31 No. 1469. If House Bill No. 1469 is not enacted by June 30, 2005, the
32 amount provided in this subsection shall lapse.

33 (6) \$5,580,000 of the total appropriation is provided solely for a
34 3.8% salary increase for commissioned officers effective July 1, 2005,
35 in addition to any other salary increases provided for in this act.

36 ~~((+8))~~ (7) The Washington state patrol is authorized to use
37 certificates of participation to fund the King Air aircraft replacement

1 over a term of not more than ten years and an amount not to exceed
2 \$1,900,000.

3 (8)(a) \$834,000 of the state patrol highway account--state
4 appropriation is provided solely for the collective bargaining
5 agreement reached between the governor and the Washington state patrol
6 troopers association under chapter 438, Laws of 2005. For commissioned
7 troopers and sergeants covered under this section, funding is provided
8 for a 2.6% salary increase effective July 1, 2006. This increase
9 supersedes the fiscal year 2007 increase granted under section 501,
10 chapter 313, Laws of 2005. Provisions of the collective bargaining
11 agreement contained in this subsection are described in general terms.
12 Only major economic terms are included in this description. This
13 description does not contain the complete contents of the agreement.
14 Due to the timing challenges in negotiating the initial collective
15 bargaining agreement under chapter 438, Laws of 2005, this agreement
16 was not concluded by the October 1st statutory deadline. However, the
17 legislature does not intend to fund bargaining agreements concluded
18 after the October 1st deadline, or other salary increases not included
19 in the governor's budget proposal, in future biennia.

20 (b) \$62,000 of the state patrol highway account--state
21 appropriation is provided solely for salary increases for commissioned
22 captains and lieutenants covered under this section, if a new
23 collective bargaining agreement is reached between the governor and the
24 Washington state patrol lieutenants association by July 1, 2006. The
25 amount provided in this subsection is contingent on an agreement being
26 reached by July 1, 2006, and shall be held in reserve status until the
27 agreement is reached. If an agreement is not reached by July 1, 2006,
28 the amount provided in this subsection shall lapse. If an agreement is
29 reached by July 1, 2006, the increase supersedes the fiscal year 2007
30 increase granted under section 501, chapter 313, Laws of 2005. Due to
31 the timing challenges in negotiating a collective bargaining agreement
32 funded under this subsection, the agreement will not have been
33 concluded by the October 1st statutory deadline. However, the
34 legislature does not intend to fund bargaining agreements concluded
35 after the October 1st deadline, or other salary increases not included
36 in the governor's budget proposal, in future biennia.

37 (9) The Washington state patrol, in consultation with the
38 department of licensing, local law enforcement agencies, and other

1 appropriate organizations, shall study the options for implementing an
2 inspection program for tow truck operators that are not licensed as
3 registered tow truck operators. This study shall also evaluate
4 prospective sources of funding and the amount of funding necessary for
5 the program. The Washington state patrol shall report to the
6 transportation committees of the legislature by December 1, 2006, on
7 the options, strategies, and recommendations for implementing an
8 inspection program for tow truck operators that are not licensed as
9 registered tow truck operators.

10 (10) \$2,040,000 of the state patrol highway account--state
11 appropriation is provided solely for eighteen additional commissioned
12 officers in the vessel and terminal security division.

13 (11) The office of financial management shall conduct a review of
14 the state patrol highway account and report its findings to the
15 legislature by January 1, 2007.

16 NEW SECTION. Sec. 209. A new section is added to 2005 c 313
17 (uncodified) to read as follows:

18 **FOR THE WASHINGTON STATE PATROL--INVESTIGATIVE SERVICES BUREAU**
19 State Patrol Highway Account--State Appropriation \$1,358,000

20 **Sec. 210.** 2005 c 313 s 209 (uncodified) is amended to read as
21 follows:

22 **FOR THE WASHINGTON STATE PATROL--TECHNICAL SERVICES BUREAU**
23 State Patrol Highway Account--State Appropriation . . . ((\$82,748,000))
24 \$91,359,000
25 State Patrol Highway Account--Private/Local
26 Appropriation \$2,008,000
27 TOTAL APPROPRIATION ((\$84,756,000))
28 \$93,367,000

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

31 (1) \$247,000 of the state patrol highway account--state
32 appropriation is provided solely for the implementation of Second
33 Substitute House Bill No. 1188. If Second Substitute House Bill No.
34 1188 is not enacted by June 30, 2005, the amount provided in this
35 subsection shall lapse.

1 (2) The Washington state patrol is instructed to work with the risk
2 management division in the office of financial management in compiling
3 the state patrol data for establishing the agency's risk management
4 insurance premiums to the tort claims account. The office of financial
5 management and the Washington state patrol shall submit a report to the
6 transportation committees of the senate and house of representatives by
7 December 31st of each year on the number of claims, estimated claims to
8 be paid, method of calculation, and the adjustment in the premium.

9 ~~(((\$6,228,000 of the total appropriation is provided solely for
10 automobile fuel in the 2005-2007 biennium.~~

11 ~~(4))~~ \$8,678,000 of the total appropriation is provided solely for
12 the purchase of pursuit vehicles.

13 ~~((+5))~~ (4) \$5,254,000 of the total appropriation is provided
14 solely for vehicle repair and maintenance costs of vehicles used for
15 highway purposes.

16 ~~((+6))~~ (5) \$384,000 of the total appropriation is provided solely
17 for the purchase of mission vehicles used for highway purposes in the
18 commercial vehicle and traffic investigation sections of the patrol.

19 (6)(a) \$28,000 of the state patrol highway account--state
20 appropriation is provided solely for the collective bargaining
21 agreement reached between the governor and the Washington state patrol
22 troopers association under chapter 438, Laws of 2005. For commissioned
23 troopers and sergeants covered under this section, funding is provided
24 for a 2.6% salary increase effective July 1, 2006. This increase
25 supersedes the fiscal year 2007 increase granted under section 501,
26 chapter 313, Laws of 2005. Provisions of the collective bargaining
27 agreement contained in this subsection are described in general terms.
28 Only major economic terms are included in this description. This
29 description does not contain the complete contents of the agreement.
30 Due to the timing challenges in negotiating the initial collective
31 bargaining agreement under chapter 438, Laws of 2005, this agreement
32 was not concluded by the October 1st statutory deadline. However, the
33 legislature does not intend to fund bargaining agreements concluded
34 after the October 1st deadline, or other salary increases not included
35 in the governor's budget proposal, in future biennia.

36 (b) \$2,000 of the state patrol highway account--state appropriation
37 is provided solely for salary increases for commissioned captains and
38 lieutenants covered under this section, if a new collective bargaining

1 agreement is reached between the governor and the Washington state
 2 patrol lieutenants association by July 1, 2006. The amount provided in
 3 this subsection is contingent on an agreement being reached by July 1,
 4 2006, and shall be held in reserve status until the agreement is
 5 reached. If an agreement is not reached by July 1, 2006, the amount
 6 provided in this subsection shall lapse. If an agreement is reached by
 7 July 1, 2006, the increase supersedes the fiscal year 2007 increase
 8 granted under section 501, chapter 313, Laws of 2005. Due to the
 9 timing challenges in negotiating a collective bargaining agreement
 10 funded under this subsection, the agreement will not have been
 11 concluded by the October 1st statutory deadline. However, the
 12 legislature does not intend to fund bargaining agreements concluded
 13 after the October 1st deadline, or other salary increases not included
 14 in the governor's budget proposal, in future biennia.

15 **Sec. 211.** 2005 c 313 s 210 (uncodified) is amended to read as
 16 follows:

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

18 Marine Fuel Tax Refund Account--State Appropriation	\$3,000
19 Motorcycle Safety Education Account--State Appropriation	\$96,000
20 Wildlife Account--State Appropriation	((\$82,000))
21	<u>\$95,000</u>
22 Highway Safety Account--State Appropriation	((\$11,418,000))
23	<u>\$11,574,000</u>
24 Motor Vehicle Account--State Appropriation	((\$7,043,000))
25	<u>\$7,381,000</u>
26 DOL Services Account--State Appropriation	((\$88,000))
27	<u>\$102,000</u>
28 ((Biometric Security Account--State Appropriation))	\$57,000
29 TOTAL APPROPRIATION	((\$18,787,000))
30	<u>\$19,251,000</u>

31 The appropriations in this section are subject to the following
 32 conditions and limitations: \$1,134,000 of the motor vehicle account--
 33 state appropriation is provided solely for the implementation of
 34 Engrossed Substitute Senate Bill No. 6103. If Engrossed Substitute
 35 Senate Bill No. 6103 is not enacted by June 30, 2005, the amount
 36 provided in this subsection shall lapse.

1 **Sec. 212.** 2005 c 313 s 211 (uncodified) is amended to read as
2 follows:

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

4	Marine Fuel Tax Refund Account--State Appropriation	\$2,000
5	Motorcycle Safety Education Account--State Appropriation	\$35,000
6	Wildlife Account--State Appropriation	\$102,000
7	Highway Safety Account--State Appropriation	((\$20,698,000))
8		<u>\$22,632,000</u>
9	Motor Vehicle Account--State Appropriation	((\$12,095,000))
10		<u>\$12,135,000</u>
11	Motor Vehicle Account--Private/Local Appropriation	\$500,000
12	DOL Services Account--State Appropriation	((\$7,825,000))
13		<u>\$5,919,000</u>
14	((Biometric Security Account--State Appropriation	\$728,000))
15	TOTAL APPROPRIATION	((\$41,985,000))
16		<u>\$41,325,000</u>

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

19 (1) The department shall submit a report to the transportation
20 committees of the legislature, detailing the progress made in
21 transitioning from the HP3000 system, by December 30, 2005, and each
22 December 1st thereafter until the project is fully completed.

23 (2) \$357,000 of the motor vehicle account--state appropriation is
24 provided solely for the implementation of all special license plate
25 bills introduced during the 2005 legislative session and approved by
26 the special license plate review board. The amount provided in this
27 subsection shall be reduced accordingly for any of those bills that are
28 not enacted by June 30, 2005.

29 (3) \$58,000 of the state wildlife account--state appropriation is
30 provided solely for the implementation of Substitute Senate Bill No.
31 5423. If Substitute Senate Bill No. 5423 is not enacted by June 30,
32 2005, the amount provided in this subsection shall lapse.

33 (4) \$145,000 of the motor vehicle account--state appropriation is
34 provided solely for the implementation of Engrossed Substitute Senate
35 Bill No. 6103. If Engrossed Substitute Senate Bill No. 6103 is not
36 enacted by June 30, 2005, the amount provided in this subsection shall
37 lapse.

1 (5) \$8,000 of the motor vehicle account--state appropriation is
2 provided solely for the implementation of Substitute Senate Bill No.
3 6287 (parking privileges for persons who are legally blind). If
4 Substitute Senate Bill No. 6287 is not enacted by June 30, 2006, the
5 amount provided in this subsection shall lapse.

6 (6) \$15,000 of the motor vehicle account--state appropriation is
7 provided solely for the implementation of Substitute House Bill No.
8 2389 (parking privileges for persons with porphyria). If Substitute
9 House Bill No. 2389 is not enacted by June 30, 2006, the amount
10 provided in this subsection shall lapse.

11 (7) \$12,000 of the highway safety account--state appropriation is
12 provided solely for the implementation of House Bill No. 2829 (driver
13 training schools). If House Bill No. 2829 is not enacted by June 30,
14 2006, the amount provided in this subsection shall lapse.

15 **Sec. 213.** 2005 c 313 s 212 (uncodified) is amended to read as
16 follows:

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

18	Marine Fuel Tax Refund Account--State Appropriation	\$26,000
19	Wildlife Account--State Appropriation	(\$626,000)
20		<u>\$627,000</u>
21	Motor Vehicle Account--State Appropriation	(\$49,894,000)
22		<u>\$51,276,000</u>
23	Motor Vehicle Account--Private/Local Appropriation	\$872,000
24	DOL Services Account--State Appropriation	\$1,146,000
25	Highway Safety Account--State Appropriation	\$404,000
26	TOTAL APPROPRIATION	(\$52,968,000)
27		<u>\$54,351,000</u>

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

30 (1) \$247,000 of the motor vehicle account--state appropriation is
31 provided solely for the implementation of all special license plate
32 bills introduced during the 2005 legislative session and approved by
33 the special license plate review board. The amount provided in this
34 subsection shall be reduced accordingly for any of those bills that are
35 not enacted by June 30, 2005.

36 (2) \$11,000 of the wildlife account--state appropriation is

1 provided solely for the implementation of Engrossed Senate Bill No.
2 5423. If Engrossed Senate Bill No. 5423 is not enacted by June 30,
3 2005, the amount provided in this subsection shall lapse.

4 (3) \$404,000 of the motor vehicle account--state appropriation is
5 provided solely for the implementation of Engrossed Substitute Senate
6 Bill No. 6103. If Engrossed Substitute Senate Bill No. 6103 is not
7 enacted by June 30, 2005, the amount provided in this subsection shall
8 lapse.

9 (4) \$37,000 of the motor vehicle account--state appropriation is
10 provided solely for the implementation of Substitute Senate Bill No.
11 6287 (parking privileges for persons who are legally blind). If
12 Substitute Senate Bill No. 6287 is not enacted by June 30, 2006, the
13 amount provided in this subsection shall lapse.

14 (5) \$5,000 of the motor vehicle account--state appropriation is
15 provided solely for the implementation of Substitute House Bill No.
16 2389 (parking privileges for persons with porphyria). If Substitute
17 House Bill No. 2389 is not enacted by June 30, 2006, the amount
18 provided in this subsection shall lapse.

19 (6) The department of licensing, in consultation with the
20 department of transportation, Washington state patrol, local law
21 enforcement agencies, and other appropriate organizations, shall study
22 the feasibility of creating a toll-free hotline for the public to
23 report violations of accessible parking laws, including RCW 46.16.381
24 and 46.61.581. A report on the findings of this study is due to the
25 transportation committees of the legislature by December 1, 2006, and
26 shall include recommendations on how to disseminate and publicize
27 information to the public that explains the existence, purpose, and
28 method of accessing such a hotline, and how to partner with appropriate
29 law enforcement agencies in the jurisdiction in which alleged
30 violations occurred. In making recommendations regarding the potential
31 establishment of an accessible parking violation hotline, the
32 department of licensing shall consider how to utilize or partner with
33 existing statewide and regional hotlines.

34 **Sec. 214.** 2005 c 313 s 213 (uncodified) is amended to read as
35 follows:

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

37 Motorcycle Safety Education Account--State

1	Appropriation	((\$3,005,000))
2		<u>\$3,006,000</u>
3	Highway Safety Account--State Appropriation	((\$85,051,000))
4		<u>\$87,078,000</u>
5	Highway Safety Account--Federal Appropriation	\$8,000
6	((Biometric Security Account--State Appropriation	\$1,523,000))
7	TOTAL APPROPRIATION	((\$89,587,000))
8		<u>\$90,092,000</u>

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

11 (1) \$970,000 of the highway safety account--state appropriation is
12 provided solely for the commercial driver license program. The
13 department shall informally report to the transportation committees of
14 the legislature on the progress made in addressing federal audit
15 findings and in implementing the federal motor carrier safety
16 improvement act. Reports shall be made by the following dates:
17 November 1, 2005, and each November 1st thereafter.

18 (2) \$412,000 of the motorcycle safety and education account--state
19 appropriation is provided solely for the department's motorcycle safety
20 program. The department shall informally report to the transportation
21 committees of the legislature detailing the progress made in
22 implementing national highway traffic safety assessment guidelines.
23 Reports shall be made by the following dates: November 1, 2005, and
24 each November 1st thereafter.

25 (3) The department of licensing, in consultation with the
26 department of transportation and other stakeholders, shall draft
27 legislation to bring the state into compliance with any federal
28 legislation or rules enacted relative to identification necessary for
29 persons crossing international borders. The department shall report to
30 the transportation committees of the legislature by December 1, 2005,
31 on the recommended legislation for bringing the state into compliance
32 with federal requirements.

33 (4) \$738,000 of the highway safety account--state appropriation is
34 provided solely for the implementation of House Bill No. 2829 (driver
35 training schools). If House Bill No. 2829 is not enacted by June 30,
36 2006, the amount provided in this subsection shall lapse.

37 (5) The department shall join in any lawsuits filed by other states
38 seeking funding to implement the provisions of Title II of P.L. 109-13,

1 improved security for driver's license and personal identification
2 cards (Real ID), as passed by Congress May 10, 2005, whenever the
3 department is legally and ethically permitted to do so.

4 (6) The department shall coordinate with the federally designated
5 organ procurement organization for Washington state to develop
6 instructional materials relating to organ and tissue donation awareness
7 education. The instructional materials shall be provided to each
8 qualifying applicant for an instructor's license or a driver training
9 school license. All costs associated with the development,
10 distribution, and implementation of the instructional materials shall
11 be the responsibility of the foundation established under RCW
12 46.12.510.

13 **Sec. 215.** 2005 c 313 s 214 (uncodified) is amended to read as
14 follows:

15 **FOR THE DEPARTMENT OF TRANSPORTATION--TOLL OPERATIONS AND**
16 **MAINTENANCE--PROGRAM B**

17 Tacoma Narrows Toll Bridge Account--State Appropriation ((~~\$8,615,000~~))
18 \$8,294,000

19 **Sec. 216.** 2005 c 313 s 215 (uncodified) is amended to read as
20 follows:

21 **FOR THE DEPARTMENT OF TRANSPORTATION--INFORMATION TECHNOLOGY--PROGRAM**
22 **C**

23 Motor Vehicle Account--State Appropriation ((~~\$55,941,000~~))
24 \$56,295,000

25 Motor Vehicle Account--Federal Appropriation \$1,973,000

26 Puget Sound Ferry Operations Account--State
27 Appropriation ((~~\$8,558,000~~))
28 \$8,572,000

29 Multimodal Transportation Account--State Appropriation . . . \$363,000

30 TOTAL APPROPRIATION ((~~\$66,835,000~~))
31 \$67,203,000

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

34 (1) ((~~\$850,000~~)) \$800,000 of the motor vehicle account--state
35 appropriation is provided solely for the continued maintenance and
36 support of the transportation executive information system (TEIS). The

1 TEIS shall be enhanced during the ((2005)) 2006 legislative interim to
2 continue the shift towards a monitoring and reporting system capable of
3 tracking and reporting on major project milestones and measurements.
4 The department shall work with the legislature to identify and define
5 meaningful milestones and measures to be used in monitoring the scope,
6 schedule, and cost of projects. The department shall provide updated
7 information on six project milestones for all active projects, funded
8 in part or in whole with 2005 transportation partnership account funds
9 or 2003 nickel account funds, on a quarterly basis in TEIS. The
10 department shall also provide updated information on six project
11 milestones for projects agreed to by the legislature, office of
12 financial management, and the department, and funded with preexisting
13 funds, on a quarterly basis in TEIS.

14 (2) \$350,000 of the motor vehicle account--state appropriation is
15 provided solely for a financial and capital project system needs
16 assessment for future automation development and enhancements. The
17 completed assessment will identify options which shall be presented to
18 the transportation committees of the senate and the house of
19 representatives by December 31, 2005.

20 (3) The department shall consult with the office of financial
21 management and the department of information services to ensure that
22 (a) the department's current and future system development is
23 consistent with the overall direction of other key state systems; and
24 (b) when possible, use or develop common statewide information systems
25 to encourage coordination and integration of information used by the
26 department and other state agencies and to avoid duplication.

27 (4) The department shall review its GPS network services and survey
28 data, and evaluate the added benefits of using real-time data from a
29 regional cooperative GPS network.

30 (5) The department shall report to the joint transportation
31 committee by November 15, 2006, on the plan for the next phase of the
32 critical applications systems replacement project.

33 **Sec. 217.** 2005 c 313 s 216 (uncodified) is amended to read as
34 follows:

35 **FOR THE DEPARTMENT OF TRANSPORTATION--FACILITY MAINTENANCE, OPERATIONS**
36 **AND CONSTRUCTION--PROGRAM D--OPERATING**

37 Motor Vehicle Account--State Appropriation ((\$33,499,000))

1 \$33,600,000

2 **Sec. 218.** 2005 c 313 s 217 (uncodified) is amended to read as
3 follows:

4 **FOR THE DEPARTMENT OF TRANSPORTATION--AVIATION--PROGRAM F**

5 Aeronautics Account--State Appropriation	(((\$5,632,000))
6	<u>\$7,137,000</u>
7 Aeronautics Account--Federal Appropriation	\$2,150,000
8 (Aircraft Search and Rescue Safety and	
9 Education Account--State Appropriation	\$262,000))
10 Multimodal Transportation Account--State Appropriation . . .	\$100,000
11 Multimodal Transportation Account--Federal Appropriation . .	\$900,000
12 TOTAL APPROPRIATION	(((\$9,044,000))
13	<u>\$10,287,000</u>

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

16 (1)(a) \$433,000 of the aeronautics account--state appropriation is
17 provided solely for airport pavement projects. The department's
18 aviation division shall complete a priority airport pavement project
19 list by January 1, 2006, to be considered by the legislature in the
20 2006 supplemental budget. If Substitute Senate Bill No. 5414 is not
21 enacted by June 30, 2005, the amount provided in this subsection shall
22 lapse.

23 (b) (~~The entire aircraft search and rescue safety and education~~
24 ~~account appropriation shall lapse if Substitute Senate Bill No. 5414 is~~
25 ~~enacted by June 30, 2005.~~

26 (c)) If Substitute Senate Bill No. 5414 is enacted by July 1,
27 2005, then the remaining unexpended fund balance in the aircraft search
28 and rescue, safety, and education account shall be deposited into the
29 state aeronautics account.

30 (2) The entire multimodal transportation account--state and federal
31 appropriations are provided solely for implementing Engrossed
32 Substitute Senate Bill No. 5121. If Engrossed Substitute Senate Bill
33 No. 5121 is not enacted by June 30, 2005, or if federal funds are not
34 received by March 1, 2006, for the purpose of implementing Engrossed
35 Substitute Senate Bill No. 5121, the amount provided in this subsection
36 shall lapse.

1 **Sec. 219.** 2005 c 313 s 218 (uncodified) is amended to read as
2 follows:

3 **FOR THE DEPARTMENT OF TRANSPORTATION--PROGRAM DELIVERY MANAGEMENT AND**
4 **SUPPORT--PROGRAM H**

5 Motor Vehicle Account--State Appropriation	((\$48,961,000))
6	<u>\$52,828,000</u>
7 Motor Vehicle Account--Federal Appropriation	\$500,000
8 Multimodal Account--State Appropriation	\$250,000
9 TOTAL APPROPRIATION	((\$49,711,000))
10	<u>\$53,578,000</u>

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

13 (1) \$300,000 of the motor vehicle account--state appropriation is
14 provided to the department in accordance with RCW 46.68.110(2) and
15 46.68.120(3) and shall be used by the department solely for the
16 purposes of providing contract services to the association of
17 Washington cities and Washington state association of counties for (a)
18 activities of the transportation permit efficiency and accountability
19 committee, including pilot mitigation banking activities, and (b) other
20 permit delivery efforts.

21 (2) ((~~\$1,475,000~~)) \$1,775,000 of the motor vehicle account--state
22 appropriation is provided solely for the staffing activities of the
23 transportation permit efficiency and accountability committee.

24 (3) \$3,500,000 of the motor vehicle account--state appropriation is
25 provided solely for consultant contracts to assist the department in
26 the delivery of the capital construction program by identifying
27 improvements to program delivery, program management, project controls,
28 program and project monitoring, forecasting, and reporting. The
29 consultants shall work with the department of information services and
30 include department of information services' recommendations in their
31 reports.

32 The consultants shall develop a capital construction strategic
33 plan, due to the transportation committees of the house of
34 representatives and senate and to the office of financial management,
35 by June 30, 2006.

36 The consultants shall also coordinate their work with other budget
37 and performance efforts, including Roadmap, the joint transportation

1 committee budget study, the findings of the critical applications
2 modernization and integration strategies study, including proposed next
3 steps, and the priorities of government process.

4 The department shall report to the transportation committees of the
5 house of representatives and senate, and the office of financial
6 management, by July 31, 2006, on recommended capital budgeting and
7 reporting options. Options must include appropriate project groupings
8 for reporting purposes, and appropriate measures for reporting project
9 progress, timeliness, cost, and criteria and processes for project
10 transfers.

11 **Sec. 220.** 2005 c 313 s 219 (uncodified) is amended to read as
12 follows:

13 **FOR THE DEPARTMENT OF TRANSPORTATION--ECONOMIC PARTNERSHIPS--PROGRAM K**
14 Motor Vehicle Account--State Appropriation ((~~\$1,068,000~~))
15 \$1,072,000

16 **Sec. 221.** 2005 c 313 s 220 (uncodified) is amended to read as
17 follows:

18 **FOR THE DEPARTMENT OF TRANSPORTATION--HIGHWAY MAINTENANCE--PROGRAM M**
19 Motor Vehicle Account--State Appropriation ((~~\$296,648,000~~))
20 \$299,720,000
21 Motor Vehicle Account--Federal Appropriation \$1,426,000
22 Motor Vehicle Account--Private/Local Appropriation \$4,315,000
23 TOTAL APPROPRIATION ((~~\$302,389,000~~))
24 \$305,461,000

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

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

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

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

5 (4) Funding is provided for maintenance on the state system to
6 allow for a continuation of the level of service targets included in
7 the 2003-05 biennium. In delivering the program, the department should
8 concentrate on the following areas:

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

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

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

16 (d) Evaluating, analyzing, and potentially redistributing resources
17 within and among regions to provide greater consistency in delivering
18 the program statewide and in achieving overall level of service
19 targets.

20 (5) The department shall develop and implement a plan to improve
21 work zone safety on a statewide basis. As part of the strategy
22 included in the plan, the department shall fund equipment purchases
23 using a portion of the money from the annual OTEF equipment purchasing
24 and replacement process. The department shall also identify and
25 evaluate statewide equipment needs (such as work zone safety equipment)
26 and prioritize any such needs on a statewide basis. Substitute
27 purchasing at the statewide level, when appropriate, shall be utilized
28 to meet those identified needs. The department must report to the
29 transportation committees of the legislature by December 1, 2005, on
30 the plan, and by December 1, 2006, on the status of implementing the
31 plan.

32 **Sec. 222.** 2005 c 313 s 221 (uncodified) is amended to read as
33 follows:

34 **FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM Q--**
35 **OPERATING**

36 Motor Vehicle Account--State Appropriation (~~(\$42,811,000)~~)
37 \$43,847,000

1 Motor Vehicle Account--Federal Appropriation \$2,050,000
 2 Motor Vehicle Account--Private/Local Appropriation \$128,000
 3 TOTAL APPROPRIATION (~~(\$44,989,000)~~)
 4 \$46,025,000

5 The appropriations in this section are subject to the following
 6 conditions and limitations: \$4,400,000 of the motor vehicle account--
 7 state appropriation is provided solely for low-cost enhancements. The
 8 department shall give priority to low-cost enhancement projects that
 9 improve safety or provide congestion relief. The department shall
 10 prioritize low-cost enhancement projects on a statewide rather than
 11 regional basis.

12 **Sec. 223.** 2005 c 313 s 222 (uncodified) is amended to read as
 13 follows:

14 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION MANAGEMENT AND**
 15 **SUPPORT--PROGRAM S**

16 Motor Vehicle Account--State Appropriation (~~(\$25,434,000)~~)
 17 \$25,516,000
 18 Motor Vehicle Account--Federal Appropriation \$30,000
 19 Puget Sound Ferry Operations Account--State
 20 Appropriation \$1,321,000
 21 Multimodal Transportation Account--State Appropriation . . . \$973,000
 22 TOTAL APPROPRIATION (~~(\$27,758,000)~~)
 23 \$27,840,000

24 **Sec. 224.** 2005 c 313 s 223 (uncodified) is amended to read as
 25 follows:

26 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION PLANNING, DATA,**
 27 **AND RESEARCH--PROGRAM T**

28 Motor Vehicle Account--State Appropriation (~~(\$22,390,000)~~)
 29 \$24,052,000
 30 Motor Vehicle Account--Federal Appropriation \$16,756,000
 31 Multimodal Transportation Account--State Appropriation (~~(\$2,267,000)~~)
 32 \$2,279,000
 33 Multimodal Transportation Account--Federal
 34 Appropriation \$2,829,000
 35 Multimodal Transportation Account--Private/Local
 36 Appropriation \$100,000

1	Transportation Partnership Account--State	
2	Appropriation	(((\$6,000,000))
3		<u>\$2,300,000</u>
4	TOTAL APPROPRIATION	(((\$50,342,000))
5		<u>\$48,316,000</u>

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

8 (1) In order to qualify for state planning funds available to
9 regional transportation planning organizations under this section, a
10 regional transportation planning organization containing any county
11 with a population in excess of one million shall provide voting
12 membership on its executive board to any incorporated principal city of
13 a metropolitan statistical area within the region, as designated by the
14 United States census bureau, and to any incorporated city within the
15 region with a population in excess of eighty thousand as of July 1,
16 2005. Additionally, a regional transportation planning organization
17 described under this subsection shall conduct a review of its executive
18 board membership criteria to ensure that the criteria appropriately
19 reflects a true and comprehensive representation of the organization's
20 jurisdictions of significance within the region.

21 ~~((3) \$2,000,000 of the transportation partnership account state~~
22 ~~appropriation is provided solely for the costs of the regional~~
23 ~~transportation investment district (RTID) election and department of~~
24 ~~transportation project oversight. These funds are provided as a loan~~
25 ~~to the RTID and shall be repaid to the state motor vehicle account~~
26 ~~within one year following the certification of the election results~~
27 ~~related to the RTID. If either Engrossed Substitute House Bill No.~~
28 ~~2157 or Senate Bill No. 6089 are enacted by June 30, 2005, the amount~~
29 ~~provided in this subsection shall lapse. None of this appropriation~~
30 ~~may be used for election expenses for an election held before January~~
31 ~~1, 2006.~~

32 ~~(4))~~ (2) \$175,000 of the motor vehicle account--state
33 appropriation is provided to the department in accordance with RCW
34 46.68.110(2) and 46.68.120(3) and shall be used by the department to
35 support the processing and analysis of the backlog of city and county
36 collision reports by January 2006. The amount provided in this
37 subsection shall lapse if federal funds become available for this
38 purpose.

1 ~~((+5))~~ (3) \$150,000 of the multimodal transportation account--
2 state appropriation is provided solely for the implementation of
3 Engrossed Second Substitute House Bill No. 1565. If Engrossed Second
4 Substitute House Bill No. 1565 is not enacted by June 30, 2005, the
5 amount provided in this subsection shall lapse.

6 ~~((+6))~~ (4) The department of transportation shall evaluate the
7 number of spaces available for long-haul truck parking relative to
8 current and projected future needs. The department of transportation
9 shall also explore options for augmenting the number of spaces
10 available, including, but not limited to, expanding state-owned rest
11 areas or modifying regulations governing the use of these facilities,
12 utilizing weigh stations and park and ride lots, and encouraging the
13 expansion of the private sector's role. Finally, the department shall
14 explore the utility of coordinating with neighboring states on
15 long-haul truck parking and evaluate methodologies for alleviating any
16 air quality issues relative to the issue. The department must report
17 to the transportation committees of the legislature by December 1,
18 2005, on the options, strategies, and recommendations for long-haul
19 truck parking.

20 ~~((+7))~~ (5) \$50,000 of the multimodal transportation account--state
21 appropriation is provided solely for evaluating high-speed passenger
22 transportation facilities and services, including rail or magnetic
23 levitation transportation systems, to connect airports as a means to
24 more efficiently utilize airport capacity, as well as connect major
25 population and activity centers. This evaluation shall be coordinated
26 with the airport capacity and facilities market analysis conducted
27 pursuant to Engrossed Substitute Senate Bill No. 5121 and results of
28 the evaluation shall be submitted by July 1, 2007. If Engrossed
29 Substitute Senate Bill No. 5121 is not enacted by June 30, 2005, or if
30 federal funds are not received by March 1, 2006, for the purpose of
31 implementing Engrossed Substitute Senate Bill No. 5121, the amount
32 provided in this subsection shall lapse.

33 (6) \$700,000 of the motor vehicle account--state appropriation is
34 provided solely for completing funding for a route development plan of
35 U.S. route 2.

36 (7) The department shall conduct a study of the resources allocated
37 to each of the seven department regions and the corresponding
38 workloads. Given the magnitude of the investments in the Puget Sound

1 region, particular emphasis shall be given to reviewing the resources
2 allocated and corresponding workloads with respect to the urban
3 corridors region and the northwest region. Based on the results of
4 this study, the department shall submit recommendations by December 1,
5 2006, to the legislature and the office of financial management
6 regarding reallocating resources and revising regional boundaries
7 within the department, as appropriate, in order to better coincide
8 allocated resources with designated regional boundaries.

9 (8) \$750,000 of the multimodal transportation account--state
10 appropriation is provided solely for implementing Engrossed Substitute
11 House Bill No. 2871. If Engrossed Substitute House Bill No. 2871 is
12 not enacted by June 30, 2006, the amount provided in this subsection
13 shall lapse. The regional transportation commission's duties to
14 develop, complete, and submit a governance proposal to the 2007
15 legislature are highly time sensitive. As a result, the legislature
16 finds that competitive bidding is not cost-effective or appropriate for
17 personal service contracts entered into by the commission, and that the
18 director of the office of financial management should, by the
19 director's authority under RCW 39.29.011(5), exempt any such personal
20 service contract from the competitive bidding requirements of chapter
21 39.29 RCW.

22 (9) \$2,300,000 of the transportation partnership account--state
23 appropriation is provided solely for the costs of the regional
24 transportation investment district (RTID) and department of
25 transportation project oversight. The department shall provide support
26 from its urban corridors region to assist in preparing project costs,
27 expenditure plans, and modeling. The department shall not deduct a
28 management reserve, nor charge management or overhead fees. These
29 funds are provided as a loan to the RTID and shall be repaid to the
30 state motor vehicle account within one year following the certification
31 of the election results related to the RTID.

32 (10) \$100,000 of the motor vehicle account--state appropriation is
33 provided solely to the department in accordance with RCW 46.68.110(2)
34 and 46.68.120(3) and shall be used by the department solely to conduct
35 an analysis of expanding the transportation concurrency requirements
36 prescribed under the growth management act, chapter 36.70A RCW, to
37 include development impacts on level of service standards applicable to
38 state-owned transportation facilities, including state highways and

1 state ferry routes. The objective of the analysis is to determine how
2 to ensure that jurisdictional divisions do not defeat growth management
3 act concurrency goals. The department shall convene a committee to
4 oversee the analysis, with the committee comprised of, at a minimum,
5 four members of the transportation committees of the legislature, four
6 members of the appropriate land use committees of the legislature, and
7 one member each from the association of Washington cities and the
8 Washington state association of counties, or a designee thereof. The
9 completed study, including recommendations, must be submitted to the
10 appropriate standing committees of the legislature, and to the office
11 of financial management, by December 1, 2006.

12 (11) The department of transportation, the Washington state
13 economic revenue forecast council, and the office of financial
14 management shall review and adopt a method of forecasting motor vehicle
15 and special fuel prices, revenue, and the amount of consumption that
16 has an increased rate of accuracy as compared to the existing method.
17 The three agencies shall submit a report to the transportation
18 committees of the legislature by December 1, 2006, outlining the
19 methods researched and the criteria utilized to select and adopt the
20 new fuel forecasting method.

21 (12) \$150,000 of the multimodal transportation account--state
22 appropriation is provided solely for a transportation demand management
23 program, developed by the Whatcom council of governments, to further
24 reduce drive-alone trips and maximize the use of sustainable
25 transportation choices. The community based program must focus on all
26 trips, not only commute trips, by providing education, assistance, and
27 incentives to four target audiences: (a) Large work sites; (b)
28 employees of businesses in downtown areas; (c) school children; and (d)
29 residents of Bellingham.

30 **Sec. 225.** 2005 c 313 s 224 (uncodified) is amended to read as
31 follows:

32 **FOR THE DEPARTMENT OF TRANSPORTATION--CHARGES FROM OTHER AGENCIES--**
33 **PROGRAM U**

34	Motor Vehicle Account--State Appropriation	((\$45,030,000))
35		<u>\$46,874,000</u>
36	Motor Vehicle Account--Federal Appropriation	\$400,000
37	TOTAL APPROPRIATION	((\$45,430,000))

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

(1) \$31,749,000 of the motor vehicle fund--state appropriation is provided solely for the liabilities attributable to the department of transportation. The office of financial management must provide a detailed accounting of the revenues and expenditures of the self-insurance fund to the transportation committees of the legislature on December 31st and June 30th of each year.

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

(a) FOR PAYMENT OF OFFICE OF FINANCIAL MANAGEMENT DIVISION OF RISK MANAGEMENT FEES \$1,667,000

(b) FOR PAYMENT OF COSTS OF THE OFFICE OF THE STATE AUDITOR ((~~\$1,017,000~~)) \$1,026,000

(c) FOR PAYMENT OF COSTS OF DEPARTMENT OF GENERAL ADMINISTRATION FACILITIES AND SERVICES AND CONSOLIDATED MAIL SERVICES \$4,049,000

(d) FOR PAYMENT OF COSTS OF THE DEPARTMENT OF PERSONNEL ((~~\$3,572,000~~)) \$4,548,000

(e) FOR PAYMENT OF SELF-INSURANCE LIABILITY PREMIUMS AND ADMINISTRATION \$31,749,000

(f) FOR PAYMENT OF THE DEPARTMENT OF GENERAL ADMINISTRATION CAPITAL PROJECTS SURCHARGE \$1,717,000

(g) FOR ARCHIVES AND RECORDS MANAGEMENT \$545,000

(h) FOR OFFICE OF MINORITIES AND WOMEN BUSINESS ENTERPRISES ((~~\$1,114,000~~)) \$1,124,000

(i) FOR PAYMENT OF THE DEPARTMENT OF PERSONNEL HRMS PAYROLL SYSTEM \$817,000

(j) FOR PAYMENT OF THE OFFICE OF FINANCIAL MANAGEMENT ROADMAP CHARGES \$12,000

(k) FOR PAYMENT OF OFFICE OF FINANCIAL MANAGEMENT CAPITAL BUDGET SYSTEM CHARGES \$15,000

(l) FOR PAYMENT OF DEPARTMENT OF INFORMATION SERVICES RATE INCREASES \$5,000

1 **Sec. 226.** 2005 c 313 s 225 (uncodified) is amended to read as
2 follows:

3 **FOR THE DEPARTMENT OF TRANSPORTATION--PUBLIC TRANSPORTATION--PROGRAM**
4 **V**

5	Multimodal Transportation Account--State	
6	Appropriation	((\$62,269,000))
7		<u>\$87,233,000</u>
8	Multimodal Transportation Account--Federal	
9	Appropriation	\$2,603,000
10	Multimodal Transportation Account--Private/Local	
11	Appropriation	\$155,000
12	TOTAL APPROPRIATION	((\$65,027,000))
13		<u>\$89,991,000</u>

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

16 (1) \$25,000,000 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) \$5,500,000 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) \$19,500,000 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 2003 as reported in
34 the "Summary of Public Transportation - 2003" published by the
35 department of transportation. No transit agency may receive more than
36 thirty percent of these distributions. The first \$450,000 provided to
37 King county shall be used as follows:

1 (i) \$320,000 shall be used to provide electric buses, instead of
2 diesel buses, for service on Capital Hill in Seattle, Washington
3 through June 30, 2007;

4 (ii) \$130,000 shall be used to provide training for blind
5 individuals traveling through Rainier Valley and the greater Seattle
6 area. The training is to include destination training and retraining
7 due to the expected closure of the downtown bus tunnel and training on
8 how to use the Sound Transit light rail system.

9 (2) Funds are provided for the rural mobility grant program as
10 follows:

11 (a) \$7,000,000 of the multimodal transportation account--state
12 appropriation is provided solely for grants for those transit systems
13 serving small cities and rural areas as identified in the Summary of
14 Public Transportation - 2003 published by the department of
15 transportation. Noncompetitive grants must be distributed to the
16 transit systems serving small cities and rural areas in a manner
17 similar to past disparity equalization programs.

18 (b) \$7,000,000 of the multimodal transportation account--state
19 appropriation is provided solely to providers of rural mobility service
20 in areas not served or underserved by transit agencies through a
21 competitive grant process.

22 (3) (~~(\$5,000,000)~~) \$8,900,000 of the multimodal transportation
23 account--state appropriation is provided solely for a vanpool grant
24 program for: (a) Public transit agencies to add vanpools; and (b)
25 incentives for employers to increase employee vanpool use. The grant
26 program for public transit agencies will cover capital costs only; no
27 operating costs for public transit agencies are eligible for funding
28 under this grant program. No additional employees may be hired from
29 the funds provided in this section for the vanpool grant program, and
30 supplanting of transit funds currently funding vanpools is not allowed.
31 Additional criteria for selecting grants must include leveraging funds
32 other than state funds.

33 (4) \$3,000,000 of the multimodal transportation account--state
34 appropriation is provided solely for the city of Seattle for the
35 Seattle streetcar project on South Lake Union. (~~Should the city
36 receive any state funds for this purpose during the 2003-05 or 2005-07
37 biennium, the amount provided in this subsection must be reduced
38 accordingly.~~)

1 (5) \$1,200,000 of the multimodal transportation account--state
2 appropriation is provided solely for the implementation of Engrossed
3 Substitute House Bill No. 2124. If Engrossed Substitute House Bill No.
4 2124 is not enacted by June 30, 2005, the amount provided in this
5 subsection shall lapse.

6 (6)(a) \$20,000,000 of the multimodal transportation account--state
7 appropriation is provided solely for the regional mobility grant
8 projects identified on the LEAP Transportation Document 2006-D,
9 Regional Mobility Grant Program Projects as developed March 8, 2006.
10 The department shall review all projects receiving grant awards under
11 this program at least semiannually to determine whether the projects
12 are making satisfactory progress. Any project that has been awarded
13 funds, but does not report activity on the project within one year of
14 the grant award, shall be reviewed by the department to determine
15 whether the grant should be terminated. The department shall promptly
16 close out grants when projects have been completed, and identify where
17 unused grant funds remain because actual project costs were lower than
18 estimated in the grant award. When funds become available either
19 because grant awards have been rescinded for lack of sufficient project
20 activity or because completed projects returned excess grant funds upon
21 project closeout, the department shall expeditiously extend new grant
22 awards to qualified alternative projects identified on the list.

23 (b) Pursuant to the grant program established in ((Engrossed
24 Substitute House Bill No. 2124)) RCW 47.66.030, the department shall
25 issue a call for projects and/or service proposals. Applications must
26 be received by the department by November 1, 2005, and November 1,
27 2006. The department must submit a prioritized list for funding to the
28 transportation committees of the legislature that reflects the
29 department's recommendation, as well as, a list of all project or
30 service proposals received.

31 (7) \$2,000,000 of the multimodal transportation account--state
32 appropriation is provided solely for new tri-county connection service
33 for Island, Skagit, and Whatcom transit agencies.

34 (8) \$2,000,000 of the multimodal transportation account--state
35 appropriation is provided solely to King county as a state match to
36 obtain federal funding for a car sharing program for persons meeting
37 certain income or employment criteria.

1 (9) \$750,000 of the multimodal transportation account--state
2 appropriation is provided solely for the implementation of the local
3 government and regional transportation planning requirements in
4 Engrossed Substitute Senate Bill No. 6566 (commute trip reduction).
5 The department may use contract or temporary employees to implement the
6 bill and shall allocate the remaining funds to regional transportation
7 planning organizations, counties, and cities on an as needed basis. If
8 Engrossed Substitute Senate Bill No. 6566 is not enacted by June 30,
9 2006, the amount provided in this subsection shall lapse.

10 (10) \$200,000 of the multimodal account appropriation is provided
11 solely for up to three low-income car ownership programs. The
12 department shall seek to leverage available federal funds from the job
13 access and reverse commute program to augment the funding provided in
14 this subsection. Additionally, the department shall report back to the
15 appropriate committees of the legislature with a review of the
16 obstacles presented by state laws on surplus property disposal to
17 community organizations reconditioning cars and selling those cars at
18 below market rates to low-income families.

19 **Sec. 227.** 2005 c 313 s 226 (uncodified) is amended to read as
20 follows:

21 **FOR THE DEPARTMENT OF TRANSPORTATION--MARINE--PROGRAM X**

22 Puget Sound Ferry Operations Account--State	
23 Appropriation	((<u>\$350,454,000</u>))
24	<u>\$372,254,000</u>
25 Multimodal Transportation Account--State	
26 Appropriation	\$3,660,000
27 TOTAL APPROPRIATION	((<u>\$354,114,000</u>))
28	<u>\$375,914,000</u>

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

31 (1) ((\$57,928,000)) \$75,280,000 of the total appropriation is
32 provided solely for auto ferry vessel operating fuel in the 2005-2007
33 biennium.

34 (2) ((~~The total appropriation provides for the compensation of~~
35 ~~ferry employees. The expenditures for compensation paid to ferry~~
36 ~~employees during the 2005-2007 biennium may not exceed \$222,356,000,~~
37 ~~plus a dollar amount, as prescribed by the office of financial~~

1 management, that is equal to any insurance benefit increase granted
2 general government employees in excess of \$584.58 a month annualized
3 per eligible marine employee multiplied by the number of eligible
4 marine employees for fiscal year 2006 and \$584.58 a month annualized
5 per eligible marine employee multiplied by the number of eligible
6 marine employees for fiscal year 2007, a dollar amount as prescribed by
7 the office of financial management for costs associated with pension
8 amortization charges, and a dollar amount prescribed by the office of
9 financial management for salary increases during the 2005-2007
10 biennium. For the purposes of this section, the expenditures for
11 compensation paid to ferry employees shall be limited to salaries and
12 wages and employee benefits as defined in the office of financial
13 management's policies, regulations, and procedures named under objects
14 of expenditure "A" and "B" (7.2.6.2).)) The maximum amount of
15 expenditures for compensation paid to ferry employees during the
16 2005-2007 biennium shall not exceed \$226,455,000. This amount reflects
17 the sole source of state funding available to support the
18 implementation of any collective bargaining agreements or arbitration
19 awards with respect to state ferry employee compensation, including
20 salaries, wages, and employee benefits, during the 2005-2007 biennium,
21 which amount includes \$6,223,000 in full satisfaction of the
22 arbitration awards for the 2001-2003 biennium and \$1,339,000 for labor
23 productivity gains agreements. The department's use of this
24 expenditure authority constitutes a good faith attempt to implement
25 such agreements and awards, including those applicable to prior
26 biennia. It is the intent of the legislature that the expenditure
27 authority provided in this subsection fully satisfy any agreements or
28 awards required to be implemented during the 2005-2007 biennium, and
29 that the provisions of Substitute House Bill No. 3178 (marine employees
30 collective bargaining) will govern the implementation of agreements or
31 awards effective beginning with the 2007-2009 biennium. For the
32 purposes of this section, the expenditures for compensation paid to
33 ferry employees shall be limited to salaries and wages and employee
34 benefits as defined in the office of financial management's state
35 administrative and accounting manual, chapter 75.70, named under
36 objects of expenditure "A" and "B".

37 (3) \$1,116,000 of the Puget Sound ferry operations account--state
38 appropriation is provided solely for ferry security operations

1 necessary to comply with the ferry security plan submitted by the
2 Washington state ferry system to the United States coast guard. The
3 department shall track security costs and expenditures. Ferry security
4 operations costs shall not be included as part of the operational costs
5 that are used to calculate farebox recovery.

6 (4) The Washington state ferries must work with the department's
7 information technology division to implement an electronic fare system,
8 including the integration of the regional fare coordination system
9 (smart card). Each December and June, semi-annual updates must be
10 provided to the transportation committees of the legislature concerning
11 the status of implementing and completing this project, with updates
12 concluding the first December after full project implementation.

13 (5) The Washington state ferries shall continue to provide service
14 to Sidney, British Columbia.

15 (6) \$3,660,000 of the multimodal transportation account--state
16 appropriation is provided solely to provide passenger-only ferry
17 service. The ferry system shall continue passenger-only ferry service
18 from Vashon Island to Seattle (~~((through June 30, 2007))~~) until such time
19 as a county ferry district's assumption of the route, as authorized by
20 Substitute Senate Bill No. 6787. Beginning September 1, 2005, ferry
21 system management shall implement its agreement with the
22 Inlandboatmen's Union of the Pacific and the International Organization
23 of Masters, Mates and Pilots providing for part-time passenger-only
24 work schedules. (~~((Funds may not be spent to implement the results of~~
25 ~~the passenger only ferry study conducted by the joint transportation~~
26 ~~committee provided in section 205 of this act until approved by the~~
27 ~~legislature.))~~)

28 (7) \$350,000 of the Puget Sound ferry operations account--state
29 appropriation is provided solely for the implementation of Substitute
30 House Bill No. 3178 (marine employees collective bargaining). If
31 Substitute House Bill No. 3178 is not enacted by June 30, 2006, the
32 amount provided in this subsection shall lapse.

33 **Sec. 228.** 2005 c 313 s 227 (uncodified) is amended to read as
34 follows:

35 **FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--OPERATING**
36 Multimodal Transportation Account--State
37 Appropriation ((\$36,420,000))

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

(1)(a) \$29,091,000 of the multimodal transportation account--state appropriation is provided solely for the Amtrak service contract and Talgo maintenance contract associated with providing and maintaining the state-supported passenger rail service. Upon completion of the rail platform project in the city of Stanwood, the department shall provide daily Amtrak Cascades service to the city.

(b) The department shall negotiate with Amtrak and Burlington Northern Santa Fe to adjust the Amtrak Cascades schedule to leave Bellingham at a significantly earlier hour.

(2) \$2,750,000 of the multimodal transportation account--state appropriation is provided solely for a new round trip rail service between Seattle and Portland beginning July 1, 2006.

(3) No AMTRAK Cascade runs may be eliminated.

(4) (~~(\$200,000)~~) \$40,000 of the multimodal transportation account--state appropriation is provided solely for the produce railcar program. The department is encouraged to implement the produce railcar program by maximizing private investment.

(5) \$500,000 of the multimodal transportation account--state appropriation is provided solely for a study of the realignment of highway and rail in the Longview industrial area (SR 432) corridor, specifically regarding whether the construction of a limited access bypass highway to reduce congestion resulting from anticipated growth in future rail and truck traffic, is a feasible alternative. In conducting the study, the department shall consult port districts, local government planning staff, and rail road companies, and other appropriate stakeholders.

(6) \$60,000 of the multimodal transportation account--state appropriation is provided solely for a study of the need for transloading capabilities in the West Plains area that could be served by the Geiger Spur, including evaluation of prospective transloader sites, potential operators and users, and the type, size, and special needs of shippers/customers. The study must also evaluate the costs associated with building and operating a transloader site and the impact to local roadways and surrounding land uses. In conducting the study, the department shall consult with Spokane County.

1 **Sec. 229.** 2005 c 313 s 228 (uncodified) is amended to read as
2 follows:

3 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**
4 **OPERATING**

5	Motor Vehicle Account--State Appropriation	((\$7,947,000)
6		<u>\$8,500,000</u>
7	Motor Vehicle Account--Federal Appropriation	\$2,597,000
8	Multimodal Transportation Account--State Appropriation	((\$211,000)
9		<u>\$411,000</u>
10	TOTAL APPROPRIATION	((\$10,755,000)
11		<u>\$11,508,000</u>

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

14 (1) \$211,000 of the motor vehicle account--state appropriation and
15 ((~~\$211,000~~)) \$411,000 of the multimodal transportation account--state
16 appropriation are provided solely for the state's contribution to
17 county and city studies of flood hazards in association with interstate
18 highways. First priority shall be given to threats along the I-5
19 corridor.

20 (2) \$525,000 of the motor vehicle account--state appropriation is
21 provided solely to the department in accordance with RCW 46.68.110(2)
22 and 46.68.120(3) and shall be used by the department solely for
23 contract services with the association of Washington cities and the
24 Washington state association of counties for improving transportation
25 permitting and mitigation processes.

26 **TRANSPORTATION AGENCIES--CAPITAL**

27 **Sec. 301.** 2005 c 313 s 302 (uncodified) is amended to read as
28 follows:

29 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

30	Rural Arterial Trust Account--State Appropriation	((\$67,933,000)
31		<u>\$64,933,000</u>
32	Motor Vehicle Account--State Appropriation	\$355,000
33	County Arterial Preservation Account--State	
34	Appropriation	((\$30,392,000)
35		<u>\$32,697,000</u>
36	TOTAL APPROPRIATION	((\$98,680,000)

1 \$97,985,000

2 The appropriations in this section are subject to the following
3 conditions and limitations: \$355,000 of the motor vehicle account--
4 state appropriation is provided for county ferries as set forth in RCW
5 47.56.725(4).

6 **Sec. 302.** 2005 c 313 s 303 (uncodified) is amended to read as
7 follows:

8 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

9 Urban Arterial Trust Account--State Appropriation . . . ((~~\$99,425,000~~))
10 \$101,425,000

11 Small City Preservation and Sidewalk
12 Account--State Appropriation \$2,000,000

13 Transportation Improvement Account--State
14 Appropriation ((~~\$103,601,000~~))
15 \$94,401,000

16 TOTAL APPROPRIATION ((~~\$205,026,000~~))
17 \$197,826,000

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

20 (1) The transportation improvement account--state appropriation
21 includes up to \$14,143,000 in proceeds from the sale of bonds
22 authorized in RCW 47.26.500. ((~~The transportation improvement board~~
23 ~~may authorize the use of current revenues available to the agency in~~
24 ~~lieu of bond proceeds for any part of the state appropriation.~~))

25 (2) \$2,000,000 of the small city preservation and sidewalk
26 account--state appropriation is provided to fund the provisions of
27 chapter 83, Laws of 2005 (Substitute Senate Bill No. 5775).

28 **Sec. 303.** 2005 c 313 s 304 (uncodified) is amended to read as
29 follows:

30 **FOR THE DEPARTMENT OF TRANSPORTATION--PROGRAM D (DEPARTMENT OF**
31 **TRANSPORTATION-ONLY PROJECTS)--CAPITAL**

32 Motor Vehicle Account--State Appropriation ((~~\$2,492,000~~))
33 \$2,328,000

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

1 (1) (~~(\$601,000)~~) \$584,000 of the motor vehicle account--state
2 appropriation is provided solely for (~~the~~) statewide administration.

3 (2) \$632,000 of the motor vehicle account--state appropriation is
4 provided solely for regional minor projects.

5 (3) (~~(\$224,000)~~) \$305,000 of the motor vehicle account--state
6 appropriation is provided solely for designing the replacement of the
7 existing outdated maintenance facility in Ephrata.

8 (4) (~~(\$219,000)~~) \$239,000 of the motor vehicle account--state
9 appropriation is provided solely for the designing of the northwest
10 regional maintenance complex in Seattle.

11 (5) (~~(\$833,000)~~) \$568,000 of the motor vehicle account--state
12 appropriation is provided solely for the Olympic region headquarters
13 project.

14 (a) The department of transportation is authorized to use
15 certificates of participation for the financing of the Olympic region
16 project in the amount of \$34,874,000 plus financing expenses and
17 required reserves pursuant to chapter 39.94 RCW.

18 (b) The Washington state department of transportation may utilize
19 the design-build process in accordance with chapter 39.10 RCW for the
20 Olympic region project. If the design-build process is used, it may be
21 developed in partnership with the department of general administration.

22 **Sec. 304.** 2005 c 313 s 305 (uncodified) is amended to read as
23 follows:

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

25	Transportation 2003 Account (Nickel Account)--State	
26	Appropriation	((\$1,175,004,000))
27		<u>\$1,190,511,000</u>
28	Motor Vehicle Account--State Appropriation	((\$70,359,000))
29		<u>\$85,165,000</u>
30	Motor Vehicle Account--Federal Appropriation	((\$229,036,000))
31		<u>\$395,043,000</u>
32	Motor Vehicle Account--Private/Local Appropriation	((\$33,893,000))
33		<u>\$58,522,000</u>
34	Special Category C Account--State Appropriation	((\$3,419,000))
35		<u>\$3,479,000</u>
36	Tacoma Narrows Toll Bridge Account Appropriation	((\$272,329,000))
37		<u>\$274,038,000</u>

1 Transportation Partnership Account--State
2 Appropriation ((~~\$519,786,000~~))
3 \$384,186,000
4 Multimodal Transportation Account--State
5 Appropriation \$1,002,000
6 TOTAL APPROPRIATION ((~~\$2,303,826,000~~))
7 \$2,391,946,000

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

10 (1)(a) The entire transportation 2003 account (nickel account)
11 appropriation and the entire transportation partnership account
12 appropriation are provided solely for the projects and activities as
13 listed by fund, project and amount in LEAP Transportation Document
14 ((~~2005-6~~)) 2006-1, Highway Improvement Program (I) as developed ((~~April~~
15 ~~24, 2005~~)) March 8, 2006. However, limited transfers of allocations
16 between projects may occur for those amounts listed subject to the
17 conditions and limitations in section 603 of this act.

18 (b) Within the amounts provided in this subsection, ((~~\$5,000,000~~))
19 \$6,835,000 of the transportation partnership account--state
20 appropriation ((~~is provided solely~~)), \$5,002,000 of the transportation
21 2003 account (nickel account)--state appropriation, and \$2,645,000 of
22 the motor vehicle account--federal appropriation are for project
23 ((~~109040S~~)) 109040T: I-90/Seattle to Mercer Island - Two way
24 transit/HOV. Expenditure of these funds on construction is contingent
25 upon the development of an access plan that provides equitable and
26 dependable access for I-90 Mercer Island exit and entry.

27 (c) Within the amounts provided in this subsection, \$500,000 of the
28 transportation partnership account--state appropriation is ((~~provided~~
29 ~~solely~~)) for a west Olympia access study, to complete an access study
30 for state route 101/west Olympia.

31 (d) Within the amounts provided in this subsection, \$800,000 of the
32 transportation partnership account--state appropriation is ((~~provided~~
33 ~~solely~~)) for an SR 534 access point decision report.

34 (f) Within the amounts provided within this subsection,
35 ((~~\$435,000,000~~)) \$6,000,000 of the transportation partnership account--
36 state appropriation is ((~~provided solely~~)) for project 509009B: I-90
37 Snoqualmie Pass East - Hyak to Keechelus dam. However, if the

1 preferred alternative selected for this project results in a lower
2 total project cost, the remaining funds may be used for concrete
3 rehabilitation on I-90 in the vicinity of this project.

4 (g) Within the amounts provided in this subsection, \$12,841,000 of
5 the transportation 2003 account (nickel account)--state appropriation
6 and \$4,939,000 of the transportation partnership account--state
7 appropriation are for construction of a new interchange on SR 522 to
8 provide direct access to the University of Washington Bothell/Cascadia
9 community college joint campus. This appropriation assumes an
10 additional \$8,061,000 will be provided in the 2007-09 biennium from the
11 transportation partnership account.

12 (h) Within the amounts provided in this subsection, \$19,262,149 of
13 the motor vehicle account--federal appropriation and \$1,873,478 of the
14 transportation 2003 account (nickel account) appropriation are for
15 project 154302E: SR 543 (I-5 to the international boundary).

16 (2) The motor vehicle account--state appropriation includes
17 ((\$53,000,000)) up to \$50,000,000 in proceeds from the sale of bonds
18 authorized by RCW 47.10.843. ((The transportation commission may
19 authorize the use of current revenues available to the department of
20 transportation in lieu of bond proceeds for any part of the state
21 appropriation.))

22 (3) ((The department shall not commence construction on any part of
23 the SR 520 bridge project until agreements have been reached with the
24 incorporated towns or cities that represent the communities affected by
25 the SR 520 project. The agreements must provide reasonable assurance
26 that no further degradation will occur to the citizens' current use and
27 enjoyment of their properties as a result of repairs and improvements
28 made to the SR 520 bridge and its connecting roadways. Such assurances
29 may be achieved through engineering design choices, mitigation
30 measures, or a combination of both.)) The department shall not commence
31 construction on any part of the state route number 520 bridge
32 replacement and HOV project until a record of decision has been reached
33 providing reasonable assurance that project impacts will be avoided,
34 minimized, or mitigated as much as practicable to protect against
35 further adverse impacts on neighborhood environmental quality as a
36 result of repairs and improvements made to the state route 520 bridge
37 and its connecting roadways, and that any such impacts will be
38 addressed through engineering design choices, mitigation measures, or

1 a combination of both. The requirements of this section shall not
2 apply to off-site pontoon construction supporting the state route
3 number 520 bridge replacement and HOV project.

4 (4) The transportation partnership account--state appropriation
5 includes ~~(((\$400,000,000))~~ up to \$150,000,000 in proceeds from the sale
6 of bonds authorized ~~((by Substitute House Bill No. 2311 (or the version~~
7 ~~as enacted into law)))~~ in RCW 47.10.873. ~~((The transportation~~
8 ~~commission may authorize the use of current revenues available to the~~
9 ~~department of transportation in lieu of bond proceeds for any part of~~
10 ~~the state appropriation.))~~

11 (5) The Tacoma Narrows toll bridge account--state appropriation
12 includes up to \$257,016,000 in proceeds from the sale of bonds
13 authorized by RCW 47.10.843. The Tacoma Narrows toll bridge account--
14 state appropriation includes ~~(((\$15,313,000))~~ up to \$17,022,000 in
15 unexpended proceeds from the ~~((January 2003))~~ March 2005 bond sale
16 authorized in RCW 47.10.843 for the Tacoma Narrows bridge project.

17 (6) The transportation 2003 account (nickel account)--state
18 appropriation includes ~~(((\$940,000,000))~~ up to \$880,000,000 in proceeds
19 from the sale of bonds authorized by chapter 147, Laws of 2003. ~~((The~~
20 ~~transportation commission may authorize the use of current revenues~~
21 ~~available to the department of transportation in lieu of bond proceeds~~
22 ~~for any part of the state appropriation.~~

23 ~~(7) To manage some projects more efficiently, federal funds may be~~
24 ~~transferred from program Z to program I and replaced with state funds~~
25 ~~in a dollar for dollar match. Fund transfers authorized under this~~
26 ~~subsection shall not affect project prioritization status.~~
27 ~~Appropriations shall initially be allotted as appropriated in this act.~~
28 ~~The department shall not transfer funds as authorized under this~~
29 ~~subsection without approval of the transportation commission and the~~
30 ~~director of financial management. The department shall submit a report~~
31 ~~on those projects receiving fund transfers to the transportation~~
32 ~~committees of the senate and house of representatives by December 1,~~
33 ~~2006.~~

34 ~~(8))~~ (7) The department shall, on a quarterly basis beginning July
35 1, 2005, provide to the office of financial management and the
36 legislature reports providing the status on each project in the project
37 lists submitted pursuant to this act ~~((and on any additional projects~~
38 ~~for which the department has expended funds during the 2005-07 fiscal~~

1 biennium)). Other projects may be reported on a programmatic basis.
2 The department shall work with the office of financial management and
3 the transportation committees of the legislature to agree on report
4 formatting and elements. Elements shall include, but not be limited
5 to, project scope, schedule, and costs. The department shall also
6 provide the information required under this subsection on a quarterly
7 basis via the transportation executive information systems (TEIS).

8 ~~((9))~~ (8) The department of transportation shall conduct an
9 analysis of the causes of traffic congestion on I-5 in the vicinity of
10 Fort Lewis and develop recommendations for alleviating the congestion.
11 The department must report to the transportation committees of the
12 legislature by December 1, 2005, on its analysis and recommendations
13 regarding traffic congestion on I-5 in the vicinity of Fort Lewis.

14 ~~((10))~~ (9) The department of transportation is authorized to
15 proceed with the SR 519 Intermodal Access project if the city of
16 Seattle has not agreed to a project configuration or design by July 1,
17 2006.

18 ~~((12) \$13,000,000 of the transportation 2003 account (nickel~~
19 ~~account) state appropriation and \$5,000,000 of the transportation~~
20 ~~partnership account state appropriation are provided solely for~~
21 ~~construction of a new interchange on SR 522 to provide direct access to~~
22 ~~the University of Washington Bothell/Cascadia community college joint~~
23 ~~campus. This appropriation assumes an additional \$8,000,000 will be~~
24 ~~provided in the 2007-09 biennium from the transportation partnership~~
25 ~~account.))~~

26 (10) The motor vehicle account--state appropriation includes up to
27 \$14,214,000 in unexpended proceeds from the sale of bonds authorized in
28 RCW 47.10.843.

29 (11) The special category C account--state appropriation includes
30 up to \$1,710,000 in unexpended proceeds from the sale of bonds
31 authorized in RCW 47.10.812.

32 (12) The department should consider using mitigation banking on
33 appropriate projects whenever possible, without increasing the cost to
34 projects. The department should consider using the advanced
35 environmental mitigation revolving account (AEMRA) for corridor and
36 watershed based mitigation opportunities, in addition to project
37 specific mitigation.

1 (13) \$500,000 of the motor vehicle account--state appropriation is
2 provided solely for a planning study regarding congestion mitigation
3 improvements on state route 101 in the vicinity of the city of
4 Aberdeen.

5 (14) \$6,200,000 of the motor vehicle account--federal appropriation
6 is provided solely for eastern Washington international border crossing
7 and freight mobility projects, including pavement preservation,
8 pavement structural strengthening, and other safety enhancements.
9 Projects shall include funding for U.S. route 97 international border
10 vicinity paving and improvement projects.

11 (15) \$3,509,738 of the motor vehicle account--federal appropriation
12 and \$30,793 of the motor vehicle account--state appropriation are
13 provided solely for project 100598C: I-5 Blaine Exit interchange
14 improvements.

15 (16) \$250,000 of the transportation 2003 (nickel) account
16 appropriation within the SR 520 project funding for project design is
17 provided solely for the city of Seattle to prepare a plan for
18 addressing the impacts of the SR 520 bridge replacement and HOV project
19 on Seattle neighborhoods, parks, and institutions of higher education.
20 In evaluating the project's impacts, the city shall give great weight
21 to the concerns of neighborhoods and institutions of higher education
22 impacted by design proposals. The mayor and council shall convene the
23 advisory committee. The mayor and council shall have final approval of
24 the plan. The legislature intends that the plan will allow a
25 comprehensive approach to mitigating the impacts of the project and
26 that the city presents the plan to the state department of
27 transportation. The state department of transportation shall not
28 commence construction on any part of the SR 520 bridge replacement and
29 HOV project until agreements have been reached with the city,
30 consistent with the 520 expansion impact plan.

31 The city must designate representation from the community council
32 of each neighborhood impacted by the SR 520 bridge replacement and HOV
33 project and representation from the arboretum to serve on an advisory
34 committee to guide the planning process and plan preparation of the 520
35 expansion impact plan. The University of Washington shall designate a
36 representative to serve on the advisory committee. The secretary of
37 the state department of transportation shall designate a representative
38 to serve on the advisory committee. The funds provided may be spent to

1 contract with a consultant to: (a) Facilitate the activities of the
2 advisory committee; (b) analyze impacts of alternative designs; (c)
3 perform conceptual design work on proposals made by the advisory
4 committee; and (d) prepare mitigation plans for alternative design
5 concepts.

6 (17) The legislature recognizes that the finance and project
7 implementation planning processes required for the Alaskan Way viaduct
8 and Seattle Seawall replacement project and the SR 520 bridge
9 replacement and HOV project cannot guarantee appropriate decisions
10 unless key study assumptions are reasonable with respect to each
11 project.

12 To assure appropriate finance plan and project implementation plan
13 assumptions, an expert review panel shall be appointed to provide
14 independent financial and technical review for development of a finance
15 plan and project implementation plan for the projects described in this
16 subsection.

17 (a) The expert review panel shall consist of five to ten members
18 who are recognized experts in relevant fields, such as planning,
19 engineering, finance, law, the environment, emerging transportation
20 technologies, geography, and economics.

21 (b) The expert review panel shall be selected cooperatively by the
22 chairs of the senate and house transportation committees, the secretary
23 of the department of transportation, and the governor to assure a
24 balance of disciplines.

25 (c) The chair of the expert review panel shall be designated by the
26 governor.

27 (d) The expert panel shall, with respect to completion of the
28 project alternatives as described in the draft environmental impact
29 statement of each project:

30 (i) Review the finance plan for the project to ensure that it
31 clearly identifies secured and anticipated funding sources and is
32 feasible and sufficient;

33 (ii) Review the project implementation plan covering all state and
34 local permitting and mitigation approvals that ensure the most
35 expeditious and cost-effective delivery of the project; and

36 (iii) Report its findings and recommendations on the items
37 described in (d)(i) and (ii) of this subsection to the joint

1 transportation committee, the office of financial management, and the
2 governor no later than September 1, 2006.

3 (e) Upon receipt of the expert review panel's findings and
4 recommendations under (d)(iii) of this subsection, the governor must
5 make a finding of whether each finance plan is feasible and sufficient
6 to complete the project as described in the draft environmental impact
7 statement.

8 (f) Nothing in this section shall be interpreted to delay
9 construction of any of the projects referenced in this subsection.

10 (18)(a) Prior to commencing construction on either project, the
11 department of transportation must complete all of the following
12 requirements for both the Alaskan Way viaduct and Seattle Seawall
13 replacement project, and the state route number 520 bridge replacement
14 and HOV project: (i) In accordance with the national environmental
15 policy act, the department must designate the preferred alternative,
16 prepare a substantial project mitigation plan, and complete a
17 comprehensive cost estimate review using the department's cost estimate
18 validation process, for each project; (ii) in accordance with all
19 applicable federal highway administration planning and project
20 management requirements, the department must prepare a project finance
21 plan for each project that clearly identifies secured and anticipated
22 fund sources, cash flow timing requirements, and project staging and
23 phasing plans if applicable; and (iii) the department must report these
24 results for each project to the joint transportation committee.

25 (b) The requirements of this subsection shall not apply to (i)
26 utility relocation work, and related activities, on the Alaskan Way
27 viaduct and Seattle Seawall replacement project and (ii) off-site
28 pontoon construction supporting the state route number 520 bridge
29 replacement and HOV project.

30 **Sec. 305.** 2005 c 313 s 306 (uncodified) is amended to read as
31 follows:

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

33 Transportation 2003 Account (Nickel Account)--State

34 Appropriation ((\$10,622,000))

35 \$1,687,000

36 Motor Vehicle Account--State Appropriation ((\$76,824,000))

37 \$94,799,000

1	Motor Vehicle Account--Federal Appropriation	((\$404,360,000))
2		<u>\$435,310,000</u>
3	Motor Vehicle Account--Private/Local Appropriation . . .	((\$6,656,000))
4		<u>\$8,485,000</u>
5	Puyallup Tribal Settlement Account--State	
6	Appropriation	\$11,000,000
7	Transportation Partnership Account--State	
8	Appropriation	((\$139,533,000))
9		<u>\$24,540,000</u>
10	TOTAL APPROPRIATION	((\$648,995,000))
11		<u>\$575,821,000</u>

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

14 (1) The entire transportation 2003 account (nickel account)
15 appropriation and the entire transportation partnership account
16 appropriation are provided solely for the projects and activities as
17 listed by fund, project and amount in LEAP Transportation Document
18 ((~~2005-6~~)) 2006-1, Highway Preservation Program (P) as developed
19 ((~~April 24, 2005~~)) March 8, 2006. However, limited transfers of
20 allocations between projects may occur for those amounts listed subject
21 to the conditions and limitations in section 603 of this act.

22 ((~~(a) Within the amounts provided in this subsection, \$139,033,000~~
23 ~~of the transportation partnership account state appropriation is~~
24 ~~provided solely for implementation of structures preservation (P2)~~
25 ~~projects.~~

26 ((~~(b) Within the amounts provided in this subsection, \$500,000 of the~~
27 ~~transportation partnership account state appropriation is provided~~
28 ~~solely for implementation of other facilities (P3) projects.~~))

29 (2) \$11,000,000 of the Puyallup tribal settlement account--state
30 appropriation is provided solely for mitigation costs associated with
31 the Murray Morgan/((~~11st~~)) 11th Street Bridge demolition. The
32 department may negotiate with the city of Tacoma for the purpose of
33 transferring ownership of the Murray Morgan/11th Street Bridge to the
34 city. The department may use the Puyallup tribal settlement account
35 appropriation, as well as any funds appropriated in the current
36 biennium and planned in future biennia for the demolition and
37 mitigation for the demolition of the bridge to rehabilitate or replace
38 the bridge, if agreed to by the city. In no event shall the

1 department's participation exceed \$26,500,000 and no funds may be
2 expended unless the city of Tacoma agrees to take ownership of the
3 bridge in its entirety and provide that the payment of these funds
4 extinguishes any real or implied agreements regarding future
5 expenditures on the bridge.

6 (3) (~~(\$11,590,000)~~) \$740,000 of the motor vehicle account--state
7 appropriation, (~~(\$95,299,000)~~) \$106,149,000 of the motor vehicle
8 account--federal appropriation, and (~~(\$113,591,000)~~) \$10,305,000 of the
9 transportation partnership account--state appropriation are provided
10 solely for the Hood Canal bridge project.

11 (4) The motor vehicle account--state appropriation includes
12 (~~(\$530,000)~~) up to \$735,000 in unexpended proceeds from the sale of
13 bonds authorized in RCW 47.10.761 and 47.10.762 for emergency purposes.

14 (5) The department of transportation shall continue to implement
15 the lowest life cycle cost planning approach to pavement management
16 throughout the state to encourage the most effective and efficient use
17 of pavement preservation funds. Emphasis should be placed on
18 increasing the number of roads addressed on time and reducing the
19 number of roads past due.

20 (6) (~~(To manage some projects more efficiently, federal funds may~~
21 ~~be transferred from program Z to program P and replaced with state~~
22 ~~funds in a dollar for dollar match. Fund transfers authorized under~~
23 ~~this subsection shall not affect project prioritization status.~~
24 ~~Appropriations shall initially be allotted as appropriated in this act.~~
25 ~~The department shall not transfer funds as authorized under this~~
26 ~~subsection without approval of the transportation commission and the~~
27 ~~director of financial management. The department shall submit a report~~
28 ~~on those projects receiving fund transfers to the transportation~~
29 ~~committees of the senate and house of representatives by December 1,~~
30 ~~2006.~~

31 ~~(7)~~) The department shall, on a quarterly basis beginning July 1,
32 2005, provide to the office of financial management and the legislature
33 reports providing the status on each project in the project lists
34 submitted pursuant to this act (~~(and on any additional projects for~~
35 ~~which the department has expended funds during the 2005-07 fiscal~~
36 ~~biennium)). Other projects may be reported on a programmatic basis.~~
37 The department shall work with the office of financial management and
38 the transportation committees of the legislature to agree on report

1 formatting and elements. Elements shall include, but not be limited
2 to, project scope, schedule, and costs. The department shall also
3 provide the information required under this subsection on a quarterly
4 basis via the transportation executive information systems (TEIS).

5 (7) The motor vehicle account--state appropriation includes up to
6 \$912,000 in unexpended proceeds from the sale of bonds authorized in
7 RCW 47.10.843.

8 (8) The motor vehicle account--state appropriation includes up to
9 \$6,000,000 in proceeds from the sale of bonds authorized by RCW
10 47.10.843.

11 (9) \$4,000,000 of the motor vehicle account--federal appropriation
12 and \$6,000,000 of the motor vehicle account--state appropriation are
13 for expenditures on damaged state roads due to flooding, mudslides,
14 rock fall, or other unforeseen events. Slide repair on state routes
15 101, 4, 107, and 105 must be funded from this amount if federal
16 emergency funds are not available.

17 **Sec. 306.** 2005 c 313 s 307 (uncodified) is amended to read as
18 follows:

19 **FOR THE DEPARTMENT OF TRANSPORTATION-- TRAFFIC OPERATIONS--PROGRAM Q--**
20 **CAPITAL**

21	Motor Vehicle Account--State Appropriation	((\$17,519,000))
22		<u>\$17,555,000</u>
23	Motor Vehicle Account--Federal Appropriation	\$15,068,000
24	Motor Vehicle Account--Local Appropriation	\$108,000
25	TOTAL APPROPRIATION	((\$32,695,000))
26		<u>\$32,731,000</u>

27 The appropriations in this section are subject to the following
28 conditions and limitations: The motor vehicle account--state
29 appropriation includes \$11,255,000 for state matching funds for
30 federally selected competitive grant or congressional earmark projects
31 other than the commercial vehicle information systems and network.
32 These moneys shall be placed into reserve status until such time as
33 federal funds are secured that require a state match.

34 **Sec. 307.** 2005 c 313 s 308 (uncodified) is amended to read as
35 follows:

1	FOR THE DEPARTMENT OF TRANSPORTATION--WASHINGTON STATE FERRIES	
2	CONSTRUCTION--PROGRAM W	
3	Puget Sound Capital Construction Account--State	
4	Appropriation	((\$153,184,000))
5		<u>\$122,324,000</u>
6	Puget Sound Capital Construction Account--Federal	
7	Appropriation	((\$59,967,000))
8		<u>\$73,590,000</u>
9	Puget Sound Capital Construction Account--Private/Local	
10	Appropriation	\$26,000
11	Multimodal Transportation Account--State Appropriation . .	\$13,249,000
12	Transportation 2003 Account (Nickel Account)--State	
13	Appropriation	((\$34,987,000))
14		<u>\$34,991,000</u>
15	TOTAL APPROPRIATION	((\$261,413,000))
16		<u>\$244,180,000</u>

17 The appropriations in this section are provided for improving the
18 Washington state ferry system, including, but not limited to, vessel
19 construction, major and minor vessel preservation, and terminal
20 preservation, construction, and improvements. The appropriations in
21 this section are subject to the following conditions and limitations:

22 (1) The Puget Sound capital construction account--state
23 appropriation includes ((~~\$72,000,000~~)) up to \$40,950,000 in proceeds
24 from the sale of bonds authorized by RCW 47.10.843 for vessel and
25 terminal acquisition, major and minor improvements, and long lead time
26 materials acquisition for the Washington state ferries. ((The
27 transportation commission may authorize the use of current revenues
28 available to the motor vehicle account in lieu of bond proceeds for any
29 part of the state appropriation.))

30 (2) The multimodal transportation account--state appropriation
31 includes up to \$10,249,000 in proceeds from the sale of bonds
32 authorized by RCW 47.10.867. ((The transportation commission may
33 authorize the use of current revenues available to the department of
34 transportation in lieu of bond proceeds from any part of the state
35 appropriation.))

36 (3) \$15,617,000 of the Puget Sound capital construction account--
37 state appropriation is provided solely for the Eagle Harbor Terminal
38 Preservation project.

1 (4) The entire transportation 2003 account (nickel account)
2 appropriation and \$10,249,000 of the multimodal transportation
3 account--state appropriation are provided solely for the projects and
4 activities as listed by fund, project and amount in LEAP Transportation
5 Document ((2005-6)) 2006-1, Ferries Construction Program (W) as
6 developed ((April 24, 2005)) March 8, 2006. However, limited transfers
7 of allocations between projects may occur for those amounts listed
8 subject to the conditions and limitations in section 603 of this act.

9 (5) The department shall, on a quarterly basis beginning July 1,
10 2005, provide to the office of financial management and the legislature
11 reports providing the status on each project in the project lists
12 submitted pursuant to this act and on any additional projects for which
13 the department has expended funds during the 2005-07 fiscal biennium.
14 Elements shall include, but not be limited to, project scope, schedule,
15 and costs. The department shall also provide the information required
16 under this subsection via the transportation executive information
17 systems (TEIS).

18 (6) \$3,000,000 of the multimodal transportation account--state
19 appropriation is provided solely ((to implement approved
20 recommendations of the stakeholder task force convened to study the
21 most reliable and cost effective means of providing passenger only
22 ferry service. The funds provided in this subsection shall be placed
23 in reserve by the office of financial management. The funds may not be
24 released until approved by the legislature)) for passenger-only
25 projects. Projects may include vessel or terminal projects or costs
26 associated with selling vessels.

27 (7) The multimodal transportation account--state appropriation
28 includes up to \$1,170,000 in unexpended proceeds from the sale of bonds
29 authorized in RCW 47.10.867.

30 (8) \$37,117,000 of the Puget Sound capital construction account--
31 state appropriation is for the initial procurement of four 144-vehicle
32 auto-passenger ferry vessels using the process outlined in Substitute
33 Senate Bill No. 6853 and is contingent upon the enactment of Substitute
34 Senate Bill No. 6853.

35 **Sec. 308.** 2005 c 313 s 309 (uncodified) is amended to read as
36 follows:

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

2 Essential Rail Assistance Account--State Appropriation . . . \$250,000

3 Multimodal Transportation Account--State

4 Appropriation ((~~\$67,158,000~~))

5 \$68,176,000

6 Multimodal Transportation Account--Private/Local

7 Appropriation \$8,287,000

8 Multimodal Transportation Account--Federal

9 Appropriation ((~~\$11,966,000~~))

10 \$17,268,000

11 TOTAL APPROPRIATION ((~~\$88,161,000~~))

12 \$93,981,000

13 The appropriations in this section are subject to the following

14 conditions and limitations:

15 (1) The multimodal transportation account--state appropriation

16 includes up to \$33,435,000 in proceeds from the sale of bonds and up to

17 \$830,000 in unexpended bond proceeds authorized by RCW 47.10.867.

18 (~~The transportation commission may authorize the use of current~~

19 ~~revenues available to the department of transportation in lieu of bond~~

20 ~~proceeds for any part of the state appropriation.~~)

21 (2) If federal block grant funding for freight or passenger rail is

22 received, the department shall consult with the transportation

23 committees of the legislature prior to spending the funds on additional

24 projects.

25 (3)(a) ((~~\$67,158,000~~)) \$68,176,000 of the multimodal transportation

26 account--state appropriation, ((~~\$11,966,000~~)) \$17,268,000 of the

27 multimodal transportation account--federal appropriation, \$8,287,000 of

28 the multimodal transportation account--local appropriation, and

29 \$250,000 of the essential rail assistance account are provided solely

30 for the projects and activities as listed by fund, project and amount

31 in LEAP Transportation Document ((~~2005-2~~)) 2006-C, Rail Capital Program

32 (Y) as developed ((~~April 23, 2005~~)) March 8, 2006. However, limited

33 transfers of allocations between projects may occur for those amounts

34 listed subject to the conditions and limitations in section 603 of this

35 act.

36 (b) Within the amounts provided in this subsection, \$6,500,000 of

37 the multimodal transportation account--state appropriation is

1 (~~provided solely~~) for the two commuter rail projects listed in the
2 LEAP Transportation Document (~~(2005-6)~~) 2006-C, Rail Capital Program
3 (Y) as developed (~~(April 24, 2005)~~) March 8, 2006.

4 (c) The office of financial management shall negotiate the purchase
5 of the CW line. The purchase agreement must include both the operating
6 and capital rights of the CW line. If the office of financial
7 management is unable to negotiate the purchase of the CW line, the
8 office may stop all negotiations and acquire the line and operational
9 rights through any other alternative means available. The office of
10 financial management shall also negotiate a new operational agreement
11 for the line, in consultation with local governments and other
12 stakeholders.

13 (d) The office of financial management shall negotiate the purchase
14 of the operating rights of the P&L and PV Hooper lines. If the office
15 of financial management is unable to negotiate the purchase of the
16 operating rights of the P&L and PV Hooper lines, the office may stop
17 all negotiations and acquire the operating rights through any other
18 alternative means available. The office of financial management shall
19 also negotiate new operational agreement(s) for the P&L and PV Hooper
20 lines in consultation with local governments and other stakeholders.

21 (e) In order to maintain the operation of the Palouse River &
22 Coulee City rail lines, the office of financial management is
23 authorized to negotiate an agreement wherein they may forgive all or
24 part of the existing freight rail assistance loan to the current
25 operator of the Palouse River & Coulee City rail lines in exchange for
26 good and valuable consideration.

27 (4) If the department issues a call for projects, applications must
28 be received by the department by November 1, 2005, and November 1,
29 2006.

30 (5) \$50,000 of the multimodal transportation account--state
31 appropriation is provided solely for a study of eastern Skagit county
32 freight rail. The study shall examine the feasibility of restoring
33 portions of freight rail line to the towns of Lyman, Hamilton, and
34 Concrete. The study must also identify existing and potential
35 industrial sites available for development and redevelopment, and the
36 freight rail service needs of the identified industrial sites.

37 (6) The department shall finalize and issue the Amtrak Cascades
38 long range plan update as of the effective date of this act.

1 (7) Funds provided for the Tacoma rail improvement project may be
2 expended for preconstruction engineering.

3 (8) \$2,500,000 of the multimodal transportation account--state
4 appropriation is provided solely for a rail loop at the Port of Walla
5 Walla.

6 **Sec. 309.** 2005 c 313 s 310 (uncodified) is amended to read as
7 follows:

8 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**
9 **CAPITAL**

10	Highway Infrastructure Account--State Appropriation	\$207,000
11	Highway Infrastructure Account--Federal Appropriation	\$1,602,000
12	Motor Vehicle Account--Federal Appropriation	(\$18,221,000)
13		<u>\$48,998,000</u>
14	Motor Vehicle Account--State Appropriation	(\$6,702,000)
15		<u>\$8,340,000</u>
16	<u>Transportation Partnership Account--State Appropriation</u>	<u>\$2,008,000</u>
17	Freight Mobility Investment Account--State	
18	Appropriation	(\$12,000,000)
19		<u>\$6,000,000</u>
20	<u>Passenger Ferry Account--State Appropriation</u>	<u>\$9,000,000</u>
21	Multimodal Transportation Account--State	
22	Appropriation	(\$36,002,000)
23		<u>\$39,403,000</u>
24	<u>Transportation 2003 Account (nickel account)--State</u>	
25	<u>Appropriation</u>	<u>\$557,000</u>
26	<u>Freight Mobility Multimodal Account--State</u>	
27	<u>Appropriation</u>	<u>\$9,700,000</u>
28	TOTAL APPROPRIATION	(\$74,734,000)
29		<u>\$125,815,000</u>

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

32 (1) To manage some projects more efficiently, federal funds may be
33 transferred from program Z to programs I and P and state funds shall be
34 transferred from programs I and P to program Z to replace those federal
35 funds in a dollar-for-dollar match. Fund transfers authorized under
36 this subsection shall not affect project prioritization status.
37 Appropriations shall initially be allotted as appropriated in this act.

1 The department may not transfer funds as authorized under this
2 subsection without approval of the (~~transportation commission~~) office
3 of financial management. The department shall submit a report on those
4 projects receiving fund transfers to the transportation committees of
5 the senate and house of representatives by December 1, 2006.

6 (2) The department shall, on a quarterly basis, provide status
7 reports to the legislature on the delivery of projects as outlined in
8 the project lists distributed with this act, and on any additional
9 projects for which the department has expended funds during the 2005-07
10 fiscal biennium, except for projects managed by the freight mobility
11 strategic investment board. The department shall work with the
12 transportation committees of the legislature to agree on report
13 formatting and elements. For projects funded by new revenue in the
14 2003 and 2005 transportation packages, reporting elements shall
15 include, but not be limited to, project scope, schedule, and costs.
16 Other projects may be reported on a programmatic basis. The department
17 shall also provide the information required under this subsection on a
18 quarterly basis via the transportation executive information system
19 (TEIS).

20 (3) The multimodal transportation account--state appropriation
21 includes up to \$6,000,000 in proceeds from the sale of bonds authorized
22 by RCW 47.10.867. (~~The transportation commission may authorize the~~
23 ~~use of current revenues available to the department of transportation~~
24 ~~in lieu of bond proceeds for any part of the state appropriation.~~)

25 (4) (~~\$3,545,000~~) \$1,545,000 of the multimodal transportation
26 account--state appropriation is reappropriated and provided solely to
27 fund the multiphase cooperative project with the state of Oregon to
28 dredge the Columbia River. The amount provided in this subsection
29 shall lapse unless the state of Oregon appropriates a dollar-for-dollar
30 match to fund its share of the project.

31 (5) (~~\$274,000~~) \$206,000 of the motor vehicle account--state
32 appropriation is reappropriated and provided solely for additional
33 traffic and pedestrian safety improvements near schools. The highways
34 and local programs division within the department of transportation
35 shall administer this program. The department shall review all
36 projects receiving grant awards under this program at least
37 semiannually to determine whether the projects are making satisfactory
38 progress. Any project that has been awarded traffic and pedestrian

1 safety improvement grant funds, but does not report activity on the
2 project within one year of grant award should be reviewed by the
3 department to determine whether the grant should be terminated. The
4 department must promptly close out grants when projects have been
5 completed, and identify where unused grant funds remain because actual
6 project costs were lower than estimated in the grant award. The
7 department shall expeditiously extend new grant awards to qualified
8 projects when funds become available either because grant awards have
9 been rescinded for lack of sufficient project activity or because
10 completed projects returned excess grant funds upon project closeout.

11 (6) The motor vehicle account--state appropriation includes up to
12 \$905,000 in unexpended proceeds from the sale of bonds authorized by
13 RCW 47.10.843.

14 (7) (~~(\$867,000)~~) \$607,000 of the multimodal transportation
15 account--state appropriation is reappropriated and provided solely to
16 support the safe routes to school program.

17 (8) (~~(\$18,221,000)~~) \$16,110,000 of the motor vehicle account--
18 federal appropriation is provided solely for the local freight capital
19 projects in progress identified in this subsection. The specific
20 funding listed is provided solely for the respective projects: SR 397
21 Ainsworth Ave. Grade Crossing, (~~(\$5,180,000)~~) \$4,992,000; Colville
22 Alternate Truck Route, (~~(\$2,000,000)~~) \$1,746,000; S. 228th Street
23 Extension and Grade Separation, \$6,500,000; Bigelow Gulch Road-Urban
24 Boundary to Argonne Rd., \$2,000,000; Granite Falls Alternate Route,
25 (~~(\$1,791,000)~~) \$122,000; and Pacific Hwy. E./Port of Tacoma Road to
26 Alexander, \$750,000.

27 (9) (~~(\$3,400,000)~~) \$2,898,000 of the motor vehicle account--state
28 appropriation is provided solely for the local freight capital projects
29 in progress identified in this subsection. The specific funding listed
30 is provided solely for the respective projects: Duwamish Intelligent
31 Transportation Systems (ITS), (~~(\$2,520,000)~~) \$2,382,000; Port of
32 Kennewick/Piert Road, (~~(\$520,000; SR 397 Ainsworth Ave. Grade Crossing,~~
33 ~~\$360,000)~~) \$516,000.

34 (10) \$6,000,000 of the multimodal account--state appropriation is
35 provided solely for the local freight 'D' street grade separation
36 project.

37 (11) The department (~~must~~) shall issue a call for pedestrian
38 safety projects, such as safe routes to schools and transit, and

1 bicycle and pedestrian paths. Applications must be received by the
2 department by November 1, 2005, and November 1, 2006. The department
3 shall identify cost-effective projects, and submit a prioritized list
4 to the legislature for funding by December 15th of each year.
5 Recommendations made to the legislature for safe routes to schools and
6 bicycle and pedestrian path projects must, to the extent practicable
7 based on available funding, allocate sixty percent of available funds
8 to bicycle and pedestrian path projects and forty percent to safe
9 routes to schools. Preference ((will)) shall be given to projects that
10 provide a local match. ((The grant recipients may only be governmental
11 entities.))

12 (12) ((~~\$19,540,000~~)) \$18,370,000 of the multimodal transportation
13 account--state appropriation, \$6,000,000 of the freight mobility
14 multimodal account--state appropriation, \$2,008,000 of the
15 transportation partnership account--state appropriation, and
16 ((~~\$12,000,000~~)) \$6,000,000 of the freight mobility investment account--
17 state appropriation are provided solely for the projects and activities
18 as listed by fund, project and amount in LEAP Transportation Document
19 ((~~2005-6~~)) 2006-1, Local Programs (Z) as developed ((~~April 24, 2005~~))
20 March 8, 2006. However, limited transfers of allocations between
21 projects may occur for those amounts listed subject to the conditions
22 and limitations in section 603 of this act.

23 (13) \$870,000 of the multimodal transportation account--state
24 appropriation is provided solely for the Yakima Avenue, 9th Street to
25 Front Street, pedestrian safety improvement project.

26 (14) \$5,000,000 of the multimodal transportation account--state
27 appropriation and \$2,000,000 of the motor vehicle account--federal
28 appropriation are provided solely for the pedestrian and bicycle safety
29 program projects and safe routes to schools program projects identified
30 on the LEAP Transportation Document 2006-B, Pedestrian and Bicycle
31 Safety Program Projects and Safe Routes to Schools Program Projects as
32 developed March 8, 2006. Projects must be allocated funding based on
33 order of priority. The department shall review all projects receiving
34 grant awards under this program at least semiannually to determine
35 whether the projects are making satisfactory progress. Any project
36 that has been awarded funds, but does not report activity on the
37 project within one year of the grant award, shall be reviewed by the
38 department to determine whether the grant should be terminated. The

1 department shall 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. When funds
4 become available either because grant awards have been rescinded for
5 lack of sufficient project activity or because completed projects
6 returned excess grant funds upon project closeout, the department shall
7 expeditiously extend new grant awards to qualified alternative projects
8 identified on the list.

9 (15) \$9,700,000 of the motor vehicle account--federal appropriation
10 is provided solely for the intersection and corridor safety program
11 projects as identified on the LEAP Transportation Document 2006-A,
12 Intersection and Corridor Safety Program Projects as developed March 8,
13 2006.

14 (16) \$19,500,000 of the motor vehicle account--federal
15 appropriation is provided solely for rural county two-lane roadway
16 pilot projects including \$7,500,000 already under contract. Any
17 further allocations shall be prioritized by the department based on
18 high-accident-corridor criteria. For purposes of this subsection,
19 "high-accident-corridor" means a highway corridor of one mile or more
20 where analysis of collision history indicates that the section has
21 higher than average collision and severity factors.

22 (17) \$2,500,000 of the motor vehicle account--state appropriation
23 is provided solely for the Yakima downtown futures initiative.

24 (18) \$810,000 of the multimodal transportation account--state
25 appropriation is provided solely for the projects identified in this
26 subsection: Des Moines creek trail, \$250,000; SR 282 to Port of
27 Ephrata connector, \$385,000; Mount Baker Ridge viewpoint, \$175,000.

28 (19) Regional transportation planning organizations that receive
29 federal surface transportation program funding shall develop and adhere
30 to a strategy for selecting projects based on regional priorities such
31 as growth management, congestion relief, safety, economic development,
32 or other regional priorities which support state and federal policies.
33 The legislature further intends that the federal funds be applied to
34 the prioritized strategic regional transportation projects rather than
35 by formulaic distribution methods. These funds shall not be used for
36 administrative costs. Regional transportation planning organizations
37 shall report the results of their project selection processes to the
38 department by November 15, 2006, specifically outlining their adopted

1 strategy and how their selected projects support regional priorities.
2 The department shall provide a full and transparent accounting of all
3 federal surface transportation program funds received and expected to
4 be received by the state under the new federal surface transportation
5 act, and its proposed distribution, and as soon as possible make this
6 information available to regional transportation planning organizations
7 and the legislature. The department shall also report to the
8 legislative transportation committees by December 31, 2006, as to how
9 the regional project selection processes support regional priorities,
10 and how these regionally selected projects support state and federal
11 policies.

12 (20) \$688,000 of the motor vehicle account--federal appropriation
13 is provided solely for completion of the Coal Creek Parkway project.

14 (21) \$9,000,000 of the passenger ferry account--state appropriation
15 is provided solely for the implementation of the passenger-only ferry
16 grant program created in Substitute Senate Bill No. 6787. If
17 Substitute Senate Bill No. 6787 is not enacted by June 30, 2006, the
18 amount provided in this subsection shall lapse.

19 **TRANSFERS AND DISTRIBUTIONS**

20 **Sec. 401.** 2005 c 313 s 401 (uncodified) is amended to read as
21 follows:

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

26 Highway Bond Retirement Account Appropriation	((\$354,913,000))
	<u>\$334,313,000</u>
28 Nondebt-Limit Reimbursable Account Appropriation	((\$8,775,000))
	<u>\$6,091,000</u>
30 Ferry Bond Retirement Account Appropriation	((\$39,010,000))
	<u>\$38,241,000</u>
32 Transportation Improvement Board Bond Retirement	
33 Account--State Appropriation	((\$30,899,000))
	<u>\$30,923,000</u>
35 Motor Vehicle Account--State Appropriation	((\$2,562,000))
	<u>\$682,000</u>

1	Transportation Improvement Account--State	
2	Appropriation	((\$105,000))
3		<u>\$120,000</u>
4	Multimodal Transportation Account--State	
5	Appropriation	((\$303,000))
6		<u>\$370,000</u>
7	Transportation 2003 Account (Nickel Account)	
8	Appropriation	((\$19,177,000))
9		<u>\$6,600,000</u>
10	<u>Transportation Partnership Account--State</u>	
11	<u>Appropriation</u>	<u>\$1,125,000</u>
12	TOTAL APPROPRIATION	((\$455,744,000))
13		<u>\$418,465,000</u>

14 **Sec. 402.** 2005 c 313 s 402 (uncodified) is amended to read as
15 follows:

16 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**
17 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND**
18 **FISCAL AGENT CHARGES**

19	Motor Vehicle Account--State Appropriation	((\$283,000))
20		<u>\$248,000</u>
21	Transportation Improvement Account--State Appropriation . . .	\$13,000
22	Multimodal Transportation Account--State Appropriation . .	((\$96,000))
23		<u>\$35,000</u>
24	Transportation 2003 Account (Nickel Account)--State	
25	Appropriation	((\$2,400,000))
26		<u>\$2,200,000</u>
27	Transportation Partnership Account--State	
28	Appropriation	((\$2,800,000))
29		<u>\$375,000</u>
30	TOTAL APPROPRIATION	((\$5,592,000))
31		<u>\$2,871,000</u>

32 **Sec. 403.** 2005 c 313 s 403 (uncodified) is amended to read as
33 follows:

34 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**
35 **BOND REGISTRATION AND TRANSFER CHARGES: FOR MVFT BONDS AND TRANSFERS**

36 (1) Motor Vehicle Account--State Reappropriation:

1 For transfer to the Tacoma Narrows toll bridge
2 account \$257,016,000

3 The department of transportation is authorized to sell up to
4 \$257,016,000 in bonds authorized by RCW 47.10.843 for the Tacoma
5 Narrows bridge project. Proceeds from the sale of the bonds shall be
6 deposited into the motor vehicle account. The department of
7 transportation shall inform the treasurer of the amount to be
8 deposited.

9 (2) Motor Vehicle Account--State Appropriation:
10 For transfer to the Puget Sound capital construction
11 account ((~~\$72,000,000~~))
12 \$40,950,000

13 The department of transportation is authorized to sell up to
14 ((~~\$72,000,000~~)) \$40,950,000 in bonds authorized by RCW 47.10.843 for
15 vessel and terminal acquisition, major and minor improvements, and long
16 lead-time materials acquisition for the Washington state ferries.

17 **Sec. 404.** 2005 c 313 s 404 (uncodified) is amended to read as
18 follows:

19 **FOR THE STATE TREASURER--STATE REVENUES FOR DISTRIBUTION**
20 Motor Vehicle Account Appropriation for
21 motor vehicle fuel tax distributions to cities
22 and counties ((~~\$450,757,000~~))
23 \$487,612,000

24 **Sec. 405.** 2005 c 313 s 405 (uncodified) is amended to read as
25 follows:

26 **FOR THE STATE TREASURER--TRANSFERS**
27 Motor Vehicle Account--State
28 Appropriation: For motor vehicle fuel tax
29 refunds and transfers ((~~\$820,769,000~~))
30 \$1,037,342,000

31 **Sec. 406.** 2005 c 313 s 406 (uncodified) is amended to read as
32 follows:

33 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSFERS**
34 (1) RV Account--State Appropriation:

1 For transfer to the Motor Vehicle Account--State \$2,000,000
2 (2) Motor Vehicle Account--State Appropriation:
3 For transfer to Puget Sound Capital Construction
4 Account--State \$73,000,000
5 (3) Highway Safety Account--State Appropriation:
6 For transfer to the Motor Vehicle Account--State ((\$10,000,000))
7 \$5,000,000
8 (4) Motor Vehicle Account--State Appropriation:
9 For transfer to the Puget Sound Ferry Operations
10 Account--State ((\$19,087,000))
11 \$31,000,000
12 (5) Motor Vehicle Account--State Appropriation:
13 For transfer to the Transportation Partnership
14 Account--State ((\$51,372,000))
15 \$33,127,000
16 (6) Highway Safety Account--State Appropriation:
17 For transfer to the Multimodal Transportation
18 Account--State ((\$21,170,000))
19 \$25,980,000
20 (7) Transportation Partnership Account--State Appropriation:
21 For transfer to the Small City Pavement and Sidewalk
22 Account--State ((\$2,000,000))
23 \$1,000,000
24 (8) Transportation Partnership Account--State Appropriation:
25 For transfer to the Transportation Improvement
26 Account--State ((\$5,000,000))
27 \$2,500,000
28 (9) Transportation Partnership Account--State Appropriation:
29 For transfer to the ((~~Rural~~)) County Arterial
30 ((~~Trust~~)) Preservation Account--State ((\$3,000,000))
31 \$1,500,000
32 (10) License Plate Technology Account--State Appropriation:
33 For transfer to the Motor Vehicle Account--State \$2,500,000
34 ~~((11) Motor Vehicle Account--State Appropriation:~~
35 ~~For transfer to the State Patrol Highway Account--~~
36 ~~State \$1,406,000~~
37 ~~(12) Motor Vehicle Account--State Appropriation:~~
38 ~~For transfer to the Transportation 2003 Account~~

1	(Nickel Account) State	\$461,000
2	(13)) (11) Multimodal Transportation Account--State Appropriation:	
3	For transfer to the Transportation Partnership	
4	Account--State	(((\$29,400,000))
5		<u>\$29,417,000</u>
6	(12) Motor Vehicle Account--State Appropriation:	
7	For transfer to the Freight Mobility Multimodal	
8	Account--State, up to a maximum of	\$3,700,000
9	(13) Multimodal Transportation Account--State Appropriation:	
10	For transfer to the Tacoma Narrows Toll Bridge	
11	Account--State	\$1,300,000
12	(14) Multimodal Transportation Account--State Appropriation:	
13	For transfer to the Freight Mobility Multimodal	
14	Account--State	\$4,610,000

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

18 (a) The department of transportation shall only transfer funds in
19 subsection (2) of this section up to the level provided, on an as-
20 needed basis.

21 (b) The amount (~~identified in subsection (3) of this section may~~
22 ~~not include any revenues collected as passenger fares.~~) transferred in
23 subsection (12) of this section shall be the same as the Union Pacific
24 Railroad's original contribution, adjusted for earned interest and
25 expenditures, and shall be made on June 30, 2006.

26 (c) The amount transferred in subsection (14) of this section is
27 the equivalent of the Burlington Northern Santa Fe funds advanced to
28 the SR 519 project and shall be invested in a freight mobility project
29 agreed to by the freight mobility strategic investment board and the
30 BNSF railway if the final design of the SR 519 project does not include
31 the original rail benefit.

32 **COMPENSATION**

33 **Sec. 501.** 2005 c 313 s 501 (uncodified) is amended to read as
34 follows:

35 **EMPLOYEE SALARY COST OF LIVING ADJUSTMENT.** For those funds that
36 support noncapital FTE employees, agency appropriations in sections 101

1 through 408 of this act provide funding for salary cost of living
2 adjustments subject to the following conditions and limitations:

3 (1) In addition to the purposes set forth in subsection (2) through
4 (4) of this section, the appropriations for cost of living adjustments
5 provide for a 3.2% increase effective July 1, 2005, for all state
6 employees represented by a collective bargaining unit under the
7 personnel system reform act of 2002.

8 (2) The appropriations for cost of living adjustments provide for
9 a 3.2% increase effective September 1, 2005, for all classified
10 employees, except those represented by a collective bargaining unit
11 under the personnel system reform act of 2002, and except the
12 certificated employees covered by the provisions of Initiative Measure
13 No. 732. Also included are employees in the Washington management
14 service, and exempt employees under the jurisdiction of the personnel
15 resources board or the director of personnel, as applicable.

16 (3) The appropriations are also sufficient to fund a 3.2% salary
17 increase effective September 1, 2005, for ferry system employees and
18 for general government, legislative, and judicial employees exempt from
19 merit system rules whose maximum salaries are not set by the commission
20 on salaries for elected officials.

21 (4) The appropriations for cost of living adjustments provide for
22 a 1.6% salary increase effective July 1, 2006, until June 30, 2007, for
23 all state employees represented by a collective bargaining unit under
24 the personnel system reform act of 2002. In addition, appropriation is
25 provided for a 1.6% increase effective September 1, 2006, for all
26 classified employees, except those represented by a collective
27 bargaining unit under the personnel system reform act of 2002, and
28 except the certificated employees covered by the provisions of
29 Initiative Measure No. 732. Also included are employees in the
30 Washington management service, and exempt employees under the
31 jurisdiction of the personnel resources board or the director of
32 personnel, as applicable. The appropriation is also sufficient to fund
33 a 1.6% salary increase effective September 1, 2006, until June 30,
34 2007, for ferry system employees and for general government,
35 legislative, and judicial employees exempt from merit system rules
36 whose maximum salaries are not set by the commission on salaries for
37 elected officials. This subsection shall not apply to Washington state
38 patrol commissioned troopers and sergeants covered under sections

1 208(8)(a) and 210(6)(a) of this act. If a new collective bargaining
2 agreement is reached between the governor and the Washington state
3 patrol lieutenants association by July 1, 2006, this subsection shall
4 not apply to Washington state patrol commissioned captains and
5 lieutenants covered under sections 208(8)(b) and 210(6)(b) of this act.

6 (5)(a) No salary increase may be paid under this section to any
7 person whose salary has been Y-rated pursuant to rules adopted by the
8 personnel resources board or the director of personnel, as applicable.

9 (b) The average salary increases paid under this section to agency
10 officials whose maximum salaries are established by the committee on
11 agency official salaries shall not exceed the average increases
12 provided under subsection (3) of this section.

13 IMPLEMENTING PROVISIONS

14 NEW SECTION. Sec. 601. A new section is added to 2005 c 313
15 (uncodified) to read as follows:

16 Executive Order number 05-05, archaeological and cultural
17 resources, was issued effective November 10, 2005. Agencies and higher
18 education institutions that issue grants or loans for capital projects
19 shall comply with the requirements set forth in this executive order.

20 NEW SECTION. Sec. 602. 2005 c 313 s 602 (uncodified) is repealed.

21 Sec. 603. 2005 c 313 s 603 (uncodified) is amended to read as
22 follows:

23 (1) The (~~transportation commission~~) director of the office of
24 financial management may authorize a transfer of spending allocation
25 within the appropriation provided and between projects funded with
26 transportation 2003 account (nickel account) appropriations (~~or the~~),
27 transportation partnership account appropriations, multimodal
28 transportation account appropriations, freight mobility account
29 appropriations, or freight mobility investment account appropriations,
30 in order to manage project spending and efficiently deliver all
31 projects in the respective program under the following conditions and
32 limitations:

33 (a) Transfers may only be made within each specific fund source
34 referenced on the respective project list;

1 **(b)** Transfers from a project may be made if the funds allocated to
2 the project are in excess of the amount needed to complete the project;

3 ~~((b))~~ **(c)** Transfers from a project may be made if the project is
4 experiencing unavoidable expenditure delays;

5 ~~((e))~~ **(d)** Transfers from a project may not be made as a result of
6 the reduction of the scope of a project, nor shall a transfer be made
7 to support increases in the scope of a project;

8 ~~((d))~~ **(e)** Each transfer between projects may only occur if the
9 ~~((commission))~~ director of the office of financial management finds
10 that any resulting change will not hinder the completion of the
11 projects approved by the legislature; ~~((and~~

12 ~~(e))~~ **(f)** Transfers may not occur to projects not identified on the
13 applicable project list; and

14 (g) Transfers may not be made while the legislature is in session.

15 ~~((A report of the transfers shall be submitted on October 1st~~
16 ~~of each fiscal year to the senate and house of representatives~~
17 ~~transportation committees.))~~ At least five working days prior to any
18 transfer, a report of the transfers made to date shall be submitted to
19 the legislative evaluation and accountability program (LEAP). The
20 report must also include a list of monitored projects or transfers
21 currently under consideration by the department, and a financial plan
22 consistent with legislative intent. Within five working days, LEAP
23 shall review the proposed financial plan and report to the joint
24 transportation committee as to whether the expenditures and revenues
25 are sufficient to deliver the projects listed on the most recent
26 legislatively approved project list.

27 **Sec. 604.** RCW 47.29.170 and 2005 c 317 s 17 are each amended to
28 read as follows:

29 Before accepting any unsolicited project proposals, the commission
30 must adopt rules to facilitate the acceptance, review, evaluation, and
31 selection of unsolicited project proposals. These rules must include
32 the following:

33 (1) Provisions that specify unsolicited proposals must meet
34 predetermined criteria;

35 (2) Provisions governing procedures for the cessation of
36 negotiations and consideration;

1 (3) Provisions outlining that unsolicited proposals are subject to
2 a two-step process that begins with concept proposals and would only
3 advance to the second step, which are fully detailed proposals, if the
4 commission so directed;

5 (4) Provisions that require concept proposals to include at least
6 the following information: Proposers' qualifications and experience;
7 description of the proposed project and impact; proposed project
8 financing; and known public benefits and opposition; and

9 (5) Provisions that specify the process to be followed if the
10 commission is interested in the concept proposal, which must include
11 provisions:

12 (a) Requiring that information regarding the potential project
13 would be published for a period of not less than thirty days, during
14 which time entities could express interest in submitting a proposal;

15 (b) Specifying that if letters of interest were received during the
16 thirty days, then an additional sixty days for submission of the fully
17 detailed proposal would be allowed; and

18 (c) Procedures for what will happen if there are insufficient
19 proposals submitted or if there are no letters of interest submitted in
20 the appropriate time frame.

21 The commission may adopt other rules as necessary to avoid
22 conflicts with existing laws, statutes, or contractual obligations of
23 the state.

24 The commission may not accept or consider any unsolicited proposals
25 before (~~January 1~~) June 30, 2007.

26 MISCELLANEOUS

27 NEW SECTION. **Sec. 701.** If any provision of this act or its
28 application to any person or circumstance is held invalid, the
29 remainder of the act or the application of the provision to other
30 persons or circumstances is not affected.

31 NEW SECTION. **Sec. 702.** This act is necessary for the immediate
32 preservation of the public peace, health, or safety, or support of the

1 state government and its existing public institutions, and takes effect
2 immediately.

(End of bill)

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