
BILL REQUEST - CODE REVISER'S OFFICE

BILL REQ. #: H-5288.6/06

ATTY/TYPIST: LL:ads

BRIEF DESCRIPTION:

SSB 6241 - H COMM AMD
By Committee on Transportation

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

3 "2005-07 BIENNIUM

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

5 (1) The transportation budget of the state is hereby adopted and,
6 subject to the provisions set forth, the several amounts specified, or
7 as much thereof as may be necessary to accomplish the purposes
8 designated, are hereby appropriated from the several accounts and funds
9 named to the designated state agencies and offices for employee
10 compensation and other expenses, for capital projects, and for other
11 specified purposes, including the payment of any final judgments
12 arising out of such activities, for the period ending June 30, 2007.

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

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

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

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

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

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

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

1 (g) "LEAP" means the legislative evaluation and accountability
2 program committee.

3 **GENERAL GOVERNMENT AGENCIES--OPERATING**

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

6 **FOR THE OFFICE OF FINANCIAL MANAGEMENT**

7 Multimodal Transportation Account--State Appropriation . . . \$217,000

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

10 **FOR THE MARINE EMPLOYEES COMMISSION**

11 Puget Sound Ferry Operations Account--State
12 Appropriation (~~(\$390,000)~~)
13 \$394,000

14 The appropriation in this section is subject to the following
15 conditions and limitations: To address its growing caseload, the
16 marine employees commission shall develop a plan for prioritizing cases
17 to schedule for hearings. The commission shall report back to the
18 transportation committees of the legislature on its case prioritization
19 plan by December 15, 2005.

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

22 **FOR THE DEPARTMENT OF AGRICULTURE**

23 Motor Vehicle Account--State Appropriation (~~(\$329,000)~~)
24 \$330,000

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

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

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

32 Motor Vehicle Account--State Appropriation (~~(\$200,000)~~)
33 \$487,000

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

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

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

10 (2) \$236,000 of the motor vehicle account--state appropriation is
11 provided solely for legal expenses related to the Lower Elwha Klallam
12 Tribe v. Washington (graving dock) case.

13 (3) \$51,000 of the motor vehicle account--state appropriation is
14 provided solely for a pilot project testing remote sensing technology
15 in archeological investigations and surveys for transportation
16 projects.

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

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

21 The appropriation in this section is subject to the following
22 conditions and limitations: The total appropriation is provided solely
23 for an evaluation of the current business needs of the legislative
24 transportation fiscal committee staffs with respect to the
25 transportation executive information system (TEIS). The committee
26 shall work with the staffs of the transportation committees, the office
27 of financial management, and the department of transportation to
28 perform the evaluation. Results of the evaluation, including any
29 recommendation for system improvements and usability, shall be
30 submitted to the transportation committees of the legislature and the
31 office of financial management by December 1, 2006.

32 **GENERAL GOVERNMENT AGENCIES--CAPITAL**

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

1 **FOR WASHINGTON STATE PARKS AND RECREATION--CAPITAL PROJECTS**

2 Motor Vehicle Account--State Appropriation (~~(\$1,400,000)~~)
3 \$1,000,000

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

6 (1) (~~(\$1,300,000)~~) \$900,000 of the motor vehicle account--state
7 appropriation is a one-time appropriation and is provided solely for
8 the SR 14 interchange portion of the Beacon Rock state park entrance
9 road project. Any portion of the appropriation not expended by June
10 30, 2007, shall revert to the motor vehicle account--state.

11 (2) \$100,000 of the appropriation is provided solely for road work
12 on state route 20 at Deception Pass state park.

13 **TRANSPORTATION AGENCIES--OPERATING**

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

16 **FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION**

17 Highway Safety Account--State Appropriation (~~(\$2,135,000)~~)
18 \$2,145,000

19 Highway Safety Account--Federal Appropriation (~~(\$15,828,000)~~)
20 \$15,833,000

21 School Zone Safety Account--State Appropriation \$3,300,000

22 Bicycle and Pedestrian Safety Account--State
23 Appropriation \$40,000

24 TOTAL APPROPRIATION (~~(\$21,303,000)~~)
25 \$21,318,000

26 The appropriations in this section are subject to the following
27 conditions and limitations: The Washington traffic safety commission
28 shall contract with the Washington state institute for public policy to
29 conduct a study of the impact of state programs concerning the
30 reduction of DUI recidivism. The study must include, on a prioritized
31 basis to the extent federal funds are made available for the study, the
32 following components: (1) The state's existing deferred prosecution
33 program; (2) the state's vehicle impound program; and (3) other states'
34 programs that restrict a person's access to the vehicle, or suspend the
35 vehicle license and registration, upon arrest or conviction.

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

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

5 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

6	Rural Arterial Trust Account--State Appropriation	((\$821,000))
7		<u>\$823,000</u>
8	Motor Vehicle Account--State Appropriation	((\$1,942,000))
9		<u>\$1,950,000</u>
10	County Arterial Preservation Account--State Appropriation	((\$777,000))
11		<u>\$780,000</u>
12	TOTAL APPROPRIATION	((\$3,540,000))
13		<u>\$3,553,000</u>

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

16 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

17	Urban Arterial Trust Account--State Appropriation	((\$1,624,000))
18		<u>\$1,630,000</u>
19	Transportation Improvement Account--State Appropriation	((\$1,625,000))
20		<u>\$1,632,000</u>
21	TOTAL APPROPRIATION	((\$3,249,000))
22		<u>\$3,262,000</u>

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

25 **FOR THE BOARD OF PILOTAGE COMMISSIONERS**

26	Pilotage Account--State Appropriation	((\$417,000))
27		<u>\$1,020,000</u>

28 The appropriation in this section is subject to the following
29 conditions and limitations: \$500,000 of the appropriation is provided
30 solely for stipends to trainees in the training program as set forth in
31 rules adopted by the board; however, if Engrossed Substitute Senate
32 Bill No. 6870 (pilot trainees stipends) is enacted by June 30, 2006,
33 then \$600,000 of the total appropriation provided in this act shall
34 lapse and the appropriation provided in Engrossed Substitute Senate
35 Bill No. 6870 shall govern.

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

3 **FOR THE JOINT TRANSPORTATION COMMITTEE**

4 Motor Vehicle Account--State Appropriation (~~(\$1,400,000)~~)
5 \$1,763,000

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

8 (1)(a) \$200,000 of the total appropriation is provided solely for
9 the joint transportation committee to conduct a finance study of the
10 Washington state ferry system. The purpose of the study is to
11 facilitate policy discussions and decisions by members of the
12 legislature regarding the Washington state ferry system. The
13 legislature recognizes there is a need within the Washington state
14 ferry system for predictable cash flows, transparency, assessment of
15 organizational structure, verification that the Washington state ferry
16 system is operating at maximum efficiency, and better labor relations.
17 The committee shall report the study to the house of representatives
18 and senate transportation committees by December 1, 2006.

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

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

24 (ii) Capital program, including project scoping, prioritization and
25 cost estimating, project changes including legislative input regarding
26 significant project changes, and performance measures.

27 (c) In addition to committee members, or their designees, the
28 governor shall appoint a representative for this study. The committee
29 may retain consulting services to assist the committee in conducting
30 the study, including the evaluation of financial, operating, and
31 capital plans. The committee may also appoint other persons to assist
32 with the study.

33 (2) The joint transportation committee shall conduct a study
34 regarding the feasibility of a statewide uniform motor vehicle excise
35 tax (MVET) depreciation schedule. In addition to committee members,
36 the participants in the study must include at a minimum the following
37 individuals: (a) A representative of a regional transit authority
38 (Sound Transit); (b) a representative of a regional transportation

1 planning organization; (c) the secretary of transportation, or his or
2 her designee; (d) a representative of the attorney general's office;
3 (e) a representative of the department of licensing; and (f) a
4 representative of the financial community. The purpose of the study is
5 to develop an MVET depreciation schedule that more accurately reflects
6 vehicle value but does not hinder outstanding contractual obligations.

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

10 (a) The study shall be guided by a 18 member task force consisting
11 of the chairs and ranking members of the house of representatives and
12 senate transportation committees, a designee of the director of the
13 office of financial management, a member of the transportation
14 commission, a designee of the secretary of transportation, a
15 representative of organized labor, and ten stakeholders to be appointed
16 by the governor as follows: Six representatives of ferry user
17 communities, two representatives of public transportation agencies, and
18 two representatives of commercial ferry operators.

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

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

26 (4) \$450,000 of the motor vehicle account--state appropriation is
27 provided solely to administer a consultant study of the long-term
28 viability of the state's transportation financing methods and sources.

29 (a) At a minimum, the study must examine the following: (i) The
30 short and long-term viability of the motor fuel tax (both state and
31 federal) as a major source of funding for transportation projects and
32 programs; (ii) the desirability and effectiveness of state-distributed
33 transportation funds for the benefit of local units of government;
34 (iii) the potential for alternative and/or emerging sources of
35 transportation revenues, with particular emphasis on user-based fees
36 and charges; and (iv) trends and implications of debt financing for
37 transportation projects. The scope of work for the study may be

1 expanded to include analysis of other financing issues relevant to the
2 long-term viability of the state's transportation system.

3 (b) The findings and recommendations must be submitted to the
4 fiscal committees of the legislature by (~~November 1, 2006~~) January 1,
5 2007.

6 (5) \$84,000 of the motor vehicle account--state appropriation is
7 provided solely to contract with the joint legislative audit and review
8 committee for a review of the organization, decision-making processes,
9 and performance measures of the traffic safety commission. The study
10 will include an analysis of the role of commissioners and staff and the
11 process for prioritizing the commission's initiatives.

12 (6) \$75,000 of the motor vehicle account--state appropriation is
13 provided solely to contract with the Washington state institute for
14 public policy for a review of existing research on programs and
15 policies which decrease accidents by teenage drivers, including but not
16 limited to publicly operated driver education and intermediate drivers
17 licensing programs. The institute shall also evaluate the costs and
18 benefits of programs and policies showing the greatest positive impact
19 on teenage driving safety.

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

22 **FOR THE TRANSPORTATION COMMISSION**

23	Motor Vehicle Account--State Appropriation	((\$4,607,000))
24		<u>\$3,702,000</u>
25	Multimodal Transportation Account--State	
26	Appropriation	\$1,150,000
27	TOTAL APPROPRIATION	((\$5,757,000))
28		<u>\$4,852,000</u>

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

31 (1) \$1,500,000 of the motor vehicle fund account--state
32 appropriation is provided solely for a comprehensive tolling study.
33 The transportation commission, with the technical assistance of the
34 department, must conduct a study of the state's transportation system
35 to determine the feasibility of administering tolls on specific
36 transportation facilities or a network of facilities. This study shall
37 serve as the statewide tolling feasibility study required in Engrossed

1 Substitute House Bill No. 1541, and shall serve as the tolling study
2 necessary to implement toll facilities within a regional transportation
3 investment district or its successor entity.

4 (a) The study must include an analysis of the only currently-
5 authorized toll facility, the Tacoma Narrows bridge project. The study
6 findings must include (i) the development of more uniform and equitable
7 policies regarding the distribution of financial obligations imposed on
8 those paying the tolls on the Tacoma Narrows bridge, and (ii)
9 opportunities and options for reducing the outstanding indebtedness on
10 the bridge project, including the possibility of buy-downs and other
11 means of spreading the cost of the project more equitably.

12 (b) The study element for the benefit of a regional transportation
13 investment district or regional transportation improvement authority
14 must also address the state highway system and other transportation
15 facilities in King, Pierce, and Snohomish counties to determine the
16 feasibility of value pricing on a facility or network of facilities.
17 This study element should: (i) Determine the potential for value
18 pricing to generate revenues for needed transportation facilities; (ii)
19 maximize the efficient operation of facilities and the transportation
20 network; and (iii) provide economic indicators for future system
21 investments. This element of the study must take into account
22 congestion levels, facility and corridor capacity, time of use,
23 economic considerations, and other factors deemed appropriate. The
24 study must recommend any additional laws, rules, procedures, resources,
25 studies, reports, or support infrastructure necessary or desirable
26 before proceeding with the review, evaluation, or implementation of any
27 toll projects or a system-wide, value priced transportation structure.

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

30 (2) (~~(\$2,270,000)~~) \$1,362,000 of the motor vehicle account--state
31 appropriation is provided solely for the transportation performance
32 audit board. (~~Within this amount, the transportation performance~~
33 ~~audit board shall conduct a study and make recommendations to the~~
34 ~~legislature regarding the modification RCW 47.01.012, state~~
35 ~~transportation goals and benchmarks. In conducting the study, the~~
36 ~~board shall consider at a minimum: Original recommendations of the~~
37 ~~Blue Ribbon Commission on Transportation; the current policy goals and~~
38 ~~benchmark categories; the goals outlined in Substitute House Bill No.~~

1 ~~1969; the recent work related to benchmarks completed by the~~
2 ~~transportation commission and the Washington state department of~~
3 ~~transportation; the measures review completed by TPAB; and best~~
4 ~~practices.~~

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

8 (3) \$1,150,000 of the multimodal account--state appropriation is
9 provided solely for a statewide rail capacity and needs analysis. The
10 purpose of this study is to (a) assess the rail freight and rail
11 passenger infrastructure needs in this state; (b) review the current
12 powers, authorities, and interests the state has in both passenger and
13 freight rail; (c) recommend public policies for state participation and
14 ownership in rail infrastructure and service delivery, including but
15 not limited to planning and governance issues; and (d) develop a rail
16 asset management plan. The commission shall report their findings and
17 conclusions of the study to the transportation committees of the
18 legislature by December 1, 2006.

19 (4) The transportation commission shall implement tolls on the
20 Tacoma Narrows bridge in the following manner:

21 (a) For the period when the new bridge is open and the preexisting
22 bridge is undergoing rehabilitation, electronic toll users shall pay a
23 toll of \$1.50. All other users will pay a toll of \$3.00; and

24 (b) When all lanes of both bridges are available to vehicles, the
25 toll shall be \$3.00 except for commercial vehicles whose toll will be
26 set by the commission.

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

29 **FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD**
30 Motor Vehicle Account--State Appropriation ((\$664,000))
31 \$666,000

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

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

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

4 State Patrol Highway Account--State Appropriation . . .	(\$202,530,000)
5	<u>\$202,163,000</u>
6 State Patrol Highway Account--Federal Appropriation . . .	\$10,544,000
7 State Patrol Highway Account--Private/Local Appropriation . .	\$169,000
8 TOTAL APPROPRIATION	(\$213,243,000)
9	<u>\$212,876,000</u>

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

12 (1) Washington state patrol officers engaged in off-duty uniformed
13 employment providing traffic control services to the department of
14 transportation or other state agencies may use state patrol vehicles
15 for the purpose of that employment, subject to guidelines adopted by
16 the chief of the Washington state patrol. The Washington state patrol
17 shall be reimbursed for the use of the vehicle at the prevailing state
18 employee rate for mileage and hours of usage, subject to guidelines
19 developed by the chief of the Washington state patrol. The patrol
20 shall report to the house of representatives and senate transportation
21 committees by December 31, 2005, on the use of agency vehicles by
22 officers engaging in the off-duty employment specified in this
23 subsection. The report shall include an analysis that compares cost
24 reimbursement and cost-impacts, including increased vehicle mileage,
25 maintenance costs, and indirect impacts, associated with the private
26 use of patrol vehicles.

27 (2) In addition to the user fees, the patrol shall transfer into
28 the state patrol nonappropriated airplane revolving account under RCW
29 43.79.470 no more than the amount of appropriated state patrol highway
30 account and general fund funding necessary to cover the costs for the
31 patrol's use of the aircraft. The state patrol highway account and
32 general fund--state funds shall be transferred proportionately in
33 accordance with a cost allocation that differentiates between highway
34 traffic enforcement services and general policing purposes.

35 (3) The patrol shall not account for or record locally provided DUI
36 cost reimbursement payments as expenditure credits to the state patrol
37 highway account. The patrol shall report the amount of expected

1 locally provided DUI cost reimbursements to the transportation
2 committees of the senate and house of representatives by December 31st
3 of each year.

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

13 (5) \$29,000 of the state patrol highway account--state
14 appropriation is provided solely for the implementation of House Bill
15 No. 1469. If House Bill No. 1469 is not enacted by June 30, 2005, the
16 amount provided in this subsection shall lapse.

17 (6) \$5,580,000 of the total appropriation is provided solely for a
18 3.8% salary increase for commissioned officers effective July 1, 2005,
19 in addition to any other salary increases provided for in this act.

20 ~~((+8))~~ (7) The Washington state patrol is authorized to use
21 certificates of participation to fund the King Air aircraft replacement
22 over a term of not more than ten years and an amount not to exceed
23 \$1,900,000.

24 (8)(a) \$834,000 of the state patrol highway account--state
25 appropriation is provided solely for the collective bargaining
26 agreement reached between the governor and the Washington state patrol
27 troopers association under chapter 438, Laws of 2005. For commissioned
28 troopers and sergeants covered under this section, funding is provided
29 for a 2.6% salary increase effective July 1, 2006. This increase
30 supersedes the fiscal year 2007 increase granted under section 501,
31 chapter 313, Laws of 2005. Provisions of the collective bargaining
32 agreement contained in this subsection are described in general terms.
33 Only major economic terms are included in this description. This
34 description does not contain the complete contents of the agreement.
35 Due to the timing challenges in negotiating the initial collective
36 bargaining agreement under chapter 438, Laws of 2005, this agreement
37 was not concluded by the October 1st statutory deadline. However, the

1 legislature does not intend to fund bargaining agreements concluded
2 after the October 1st deadline, or other salary increases not included
3 in the governor's budget proposal, in future biennia.

4 (b) \$62,000 of the state patrol highway account--state
5 appropriation is provided solely for salary increases for commissioned
6 captains and lieutenants covered under this section, if a new
7 collective bargaining agreement is reached between the governor and the
8 Washington state patrol lieutenants association by July 1, 2006. The
9 amount provided in this subsection is contingent on an agreement being
10 reached by July 1, 2006, and shall be held in reserve status until the
11 agreement is reached. If an agreement is not reached by July 1, 2006,
12 the amount provided in this subsection shall lapse. If an agreement is
13 reached by July 1, 2006, the increase supersedes the fiscal year 2007
14 increase granted under section 501, chapter 313, Laws of 2005. Due to
15 the timing challenges in negotiating a collective bargaining agreement
16 funded under this subsection, the agreement will not have been
17 concluded by the October 1st statutory deadline. However, the
18 legislature does not intend to fund bargaining agreements concluded
19 after the October 1st deadline, or other salary increases not included
20 in the governor's budget proposal, in future biennia.

21 (9) The Washington state patrol, in consultation with the
22 department of licensing, local law enforcement agencies, and other
23 appropriate organizations, shall study the options for implementing an
24 inspection program for tow truck operators that are not licensed as
25 registered tow truck operators. This study shall also evaluate
26 prospective sources of funding and the amount of funding necessary for
27 the program. The Washington state patrol shall report to the
28 transportation committees of the legislature by December 1, 2006, on
29 the options, strategies, and recommendations for implementing an
30 inspection program for tow truck operators that are not licensed as
31 registered tow truck operators.

32 (10) \$1,100,000 of the state patrol highway account--state
33 appropriation is provided solely for the implementation of House Bill
34 No. 2682. If House Bill No. 2682 is not enacted by June 30, 2006, the
35 amount provided in this subsection shall lapse.

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

FOR THE WASHINGTON STATE PATROL--INVESTIGATIVE SERVICES BUREAU

State Patrol Highway Account--State Appropriation \$1,358,000

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

FOR THE WASHINGTON STATE PATROL--TECHNICAL SERVICES BUREAU

State Patrol Highway Account--State Appropriation ((~~\$82,748,000~~))
\$91,359,000

State Patrol Highway Account--Private/Local
Appropriation \$2,008,000

TOTAL APPROPRIATION ((~~\$84,756,000~~))
\$93,367,000

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

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

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

~~(3) ((\$6,228,000 of the total appropriation is provided solely for automobile fuel in the 2005-2007 biennium.~~

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

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

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

1 (6)(a) \$28,000 of the state patrol highway account--state
2 appropriation is provided solely for the collective bargaining
3 agreement reached between the governor and the Washington state patrol
4 troopers association under chapter 438, Laws of 2005. For commissioned
5 troopers and sergeants covered under this section, funding is provided
6 for a 2.6% salary increase effective July 1, 2006. This increase
7 supersedes the fiscal year 2007 increase granted under section 501,
8 chapter 313, Laws of 2005. Provisions of the collective bargaining
9 agreement contained in this subsection are described in general terms.
10 Only major economic terms are included in this description. This
11 description does not contain the complete contents of the agreement.
12 Due to the timing challenges in negotiating the initial collective
13 bargaining agreement under chapter 438, Laws of 2005, this agreement
14 was not concluded by the October 1st statutory deadline. However, the
15 legislature does not intend to fund bargaining agreements concluded
16 after the October 1st deadline, or other salary increases not included
17 in the governor's budget proposal, in future biennia.

18 (b) \$2,000 of the state patrol highway account--state appropriation
19 is provided solely for salary increases for commissioned captains and
20 lieutenants covered under this section, if a new collective bargaining
21 agreement is reached between the governor and the Washington state
22 patrol lieutenants association by July 1, 2006. The amount provided in
23 this subsection is contingent on an agreement being reached by July 1,
24 2006, and shall be held in reserve status until the agreement is
25 reached. If an agreement is not reached by July 1, 2006, the amount
26 provided in this subsection shall lapse. If an agreement is reached by
27 July 1, 2006, the increase supersedes the fiscal year 2007 increase
28 granted under section 501, chapter 313, Laws of 2005. Due to the
29 timing challenges in negotiating a collective bargaining agreement
30 funded under this subsection, the agreement will not have been
31 concluded by the October 1st statutory deadline. However, the
32 legislature does not intend to fund bargaining agreements concluded
33 after the October 1st deadline, or other salary increases not included
34 in the governor's budget proposal, in future biennia.

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

1	FOR THE DEPARTMENT OF LICENSING--MANAGEMENT AND SUPPORT SERVICES	
2	Marine Fuel Tax Refund Account--State Appropriation	\$3,000
3	Motorcycle Safety Education Account--State Appropriation . . .	\$96,000
4	Wildlife Account--State Appropriation	((\$82,000))
5		<u>\$95,000</u>
6	Highway Safety Account--State Appropriation	((\$11,418,000))
7		<u>\$11,574,000</u>
8	Motor Vehicle Account--State Appropriation	((\$7,043,000))
9		<u>\$7,381,000</u>
10	DOL Services Account--State Appropriation	((\$88,000))
11		<u>\$102,000</u>
12	((Biometric Security Account--State Appropriation	\$57,000))
13	TOTAL APPROPRIATION	((\$18,787,000))
14		<u>\$19,251,000</u>

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

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

23	FOR THE DEPARTMENT OF LICENSING--INFORMATION SERVICES	
24	Marine Fuel Tax Refund Account--State Appropriation	\$2,000
25	Motorcycle Safety Education Account--State Appropriation . . .	\$35,000
26	Wildlife Account--State Appropriation	\$102,000
27	Highway Safety Account--State Appropriation	((\$20,698,000))
28		<u>\$22,632,000</u>
29	Motor Vehicle Account--State Appropriation	((\$12,095,000))
30		<u>\$12,135,000</u>
31	Motor Vehicle Account--Private/Local Appropriation	\$500,000
32	DOL Services Account--State Appropriation	((\$7,825,000))
33		<u>\$5,919,000</u>
34	((Biometric Security Account--State Appropriation	\$728,000))
35	TOTAL APPROPRIATION	((\$41,985,000))
36		<u>\$41,325,000</u>

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

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

7 (2) \$357,000 of the motor vehicle account--state appropriation is
8 provided solely for the implementation of all special license plate
9 bills introduced during the 2005 legislative session and approved by
10 the special license plate review board. The amount provided in this
11 subsection shall be reduced accordingly for any of those bills that are
12 not enacted by June 30, 2005.

13 (3) \$58,000 of the state wildlife account--state appropriation is
14 provided solely for the implementation of Substitute Senate Bill No.
15 5423. If Substitute Senate Bill No. 5423 is not enacted by June 30,
16 2005, the amount provided in this subsection shall lapse.

17 (4) \$145,000 of the motor vehicle account--state appropriation is
18 provided solely for the implementation of Engrossed Substitute Senate
19 Bill No. 6103. If Engrossed Substitute Senate Bill No. 6103 is not
20 enacted by June 30, 2005, the amount provided in this subsection shall
21 lapse.

22 (5) \$8,000 of the motor vehicle account--state appropriation is
23 provided solely for the implementation of Substitute Senate Bill No.
24 6287 (parking privileges for persons who are legally blind). If
25 Substitute Senate Bill No. 6287 is not enacted by June 30, 2006, the
26 amount provided in this subsection shall lapse.

27 (6) \$15,000 of the motor vehicle account--state appropriation is
28 provided solely for the implementation of Substitute House Bill No.
29 2389 (parking privileges for persons with porphyria). If Substitute
30 House Bill No. 2389 is not enacted by June 30, 2006, the amount
31 provided in this subsection shall lapse.

32 (7) \$12,000 of the highway safety account--state appropriation is
33 provided solely for the implementation of House Bill No. 2829 (driver
34 training schools). If House Bill No. 2829 is not enacted by June 30,
35 2006, the amount provided in this subsection shall lapse.

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

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

2	Marine Fuel Tax Refund Account--State Appropriation	\$26,000
3	Wildlife Account--State Appropriation	(\$626,000)
4		<u>\$627,000</u>
5	Motor Vehicle Account--State Appropriation	(\$49,894,000)
6		<u>\$51,276,000</u>
7	Motor Vehicle Account--Private/Local Appropriation	\$872,000
8	DOL Services Account--State Appropriation	\$1,146,000
9	Highway Safety Account--State Appropriation	\$404,000
10	TOTAL APPROPRIATION	(\$52,968,000)
11		<u>\$54,351,000</u>

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

14 (1) \$247,000 of the motor vehicle account--state appropriation is
15 provided solely for the implementation of all special license plate
16 bills introduced during the 2005 legislative session and approved by
17 the special license plate review board. The amount provided in this
18 subsection shall be reduced accordingly for any of those bills that are
19 not enacted by June 30, 2005.

20 (2) \$11,000 of the wildlife account--state appropriation is
21 provided solely for the implementation of Engrossed Senate Bill No.
22 5423. If Engrossed Senate Bill No. 5423 is not enacted by June 30,
23 2005, the amount provided in this subsection shall lapse.

24 (3) \$404,000 of the motor vehicle account--state appropriation is
25 provided solely for the implementation of Engrossed Substitute Senate
26 Bill No. 6103. If Engrossed Substitute Senate Bill No. 6103 is not
27 enacted by June 30, 2005, the amount provided in this subsection shall
28 lapse.

29 (4) \$37,000 of the motor vehicle account--state appropriation is
30 provided solely for the implementation of Substitute Senate Bill No.
31 6287 (parking privileges for persons who are legally blind). If
32 Substitute Senate Bill No. 6287 is not enacted by June 30, 2006, the
33 amount provided in this subsection shall lapse.

34 (5) \$5,000 of the motor vehicle account--state appropriation is
35 provided solely for the implementation of Substitute House Bill No.
36 2389 (parking privileges for persons with porphyria). If Substitute
37 House Bill No. 2389 is not enacted by June 30, 2006, the amount
38 provided in this subsection shall lapse.

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

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

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

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

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

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

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

37 (4) \$738,000 of the highway safety account--state appropriation is

1 provided solely for the implementation of House Bill No. 2829 (driver
2 training schools). If House Bill No. 2829 is not enacted by June 30,
3 2006, the amount provided in this subsection shall lapse.

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

6 **FOR THE DEPARTMENT OF TRANSPORTATION--TOLL OPERATIONS AND**
7 **MAINTENANCE--PROGRAM B**

8 Tacoma Narrows Toll Bridge Account--State Appropriation ((~~\$8,615,000~~)
9 \$8,124,000)

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

12 **FOR THE DEPARTMENT OF TRANSPORTATION--INFORMATION TECHNOLOGY--PROGRAM**
13 **C**

14 Motor Vehicle Account--State Appropriation ((~~\$55,941,000~~)
15 \$56,295,000)
16 Motor Vehicle Account--Federal Appropriation \$1,973,000
17 Puget Sound Ferry Operations Account--State
18 Appropriation ((~~\$8,558,000~~)
19 \$8,572,000)
20 Multimodal Transportation Account--State Appropriation . . . \$363,000
21 TOTAL APPROPRIATION ((~~\$66,835,000~~)
22 \$67,203,000)

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

25 (1) ((~~\$850,000~~)) \$800,000 of the motor vehicle account--state
26 appropriation is provided solely for the continued maintenance and
27 support of the transportation executive information system (TEIS). The
28 TEIS shall be enhanced during the ((2005)) 2006 legislative interim to
29 continue the shift towards a monitoring and reporting system capable of
30 tracking and reporting on major project milestones and measurements.
31 The department shall work with the legislature to identify and define
32 meaningful milestones and measures to be used in monitoring the scope,
33 schedule, and cost of projects. The department shall provide updated
34 information on six project milestones for all active projects, funded
35 in part or in whole with 2005 transportation partnership account funds
36 or 2003 nickel account funds, on a quarterly basis in TEIS. The

1 department shall also provide updated information on six project
2 milestones for projects agreed to by the legislature, office of
3 financial management, and the department, and funded with preexisting
4 funds, on a quarterly basis in TEIS.

5 (2) \$350,000 of the motor vehicle account--state appropriation is
6 provided solely for a financial and capital project system needs
7 assessment for future automation development and enhancements. The
8 completed assessment will identify options which shall be presented to
9 the transportation committees of the senate and the house of
10 representatives by December 31, 2005.

11 (3) The department shall consult with the office of financial
12 management and the department of information services to ensure that
13 (a) the department's current and future system development is
14 consistent with the overall direction of other key state systems; and
15 (b) when possible, use or develop common statewide information systems
16 to encourage coordination and integration of information used by the
17 department and other state agencies and to avoid duplication.

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

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

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

25 Motor Vehicle Account--State Appropriation	((\$33,499,000))
26	<u>\$33,600,000</u>

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

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

30 Aeronautics Account--State Appropriation	((\$5,632,000))
31	<u>\$7,137,000</u>
32 Aeronautics Account--Federal Appropriation	\$2,150,000
33 (Aircraft Search and Rescue Safety and	
34 Education Account--State Appropriation	\$262,000))
35 Multimodal Transportation Account--State Appropriation . . .	\$100,000
36 Multimodal Transportation Account--Federal Appropriation . .	\$900,000

1 TOTAL APPROPRIATION ((\$9,044,000))
2 \$10,287,000

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

5 (1)(a) \$433,000 of the aeronautics account--state appropriation is
6 provided solely for airport pavement projects. The department's
7 aviation division shall complete a priority airport pavement project
8 list by January 1, 2006, to be considered by the legislature in the
9 2006 supplemental budget. If Substitute Senate Bill No. 5414 is not
10 enacted by June 30, 2005, the amount provided in this subsection shall
11 lapse.

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

15 (c)) If Substitute Senate Bill No. 5414 is enacted by July 1,
16 2005, then the remaining unexpended fund balance in the aircraft search
17 and rescue, safety, and education account shall be deposited into the
18 state aeronautics account.

19 (2) The entire multimodal transportation account--state and federal
20 appropriations are provided solely for implementing Engrossed
21 Substitute Senate Bill No. 5121. If Engrossed Substitute Senate Bill
22 No. 5121 is not enacted by June 30, 2005, or if federal funds are not
23 received by March 1, 2006, for the purpose of implementing Engrossed
24 Substitute Senate Bill No. 5121, the amount provided in this subsection
25 shall lapse.

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

28 **FOR THE DEPARTMENT OF TRANSPORTATION--PROGRAM DELIVERY MANAGEMENT AND**
29 **SUPPORT--PROGRAM H**

30 Motor Vehicle Account--State Appropriation ((\$48,961,000))
31 \$52,828,000
32 Motor Vehicle Account--Federal Appropriation \$500,000
33 Multimodal Account--State Appropriation \$250,000
34 TOTAL APPROPRIATION ((\$49,711,000))
35 \$53,578,000

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

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

9 (2) (~~(\$1,475,000)~~) \$1,775,000 of the motor vehicle account--state
10 appropriation is provided solely for the staffing activities of the
11 transportation permit efficiency and accountability committee.

12 (3) \$3,500,000 of the motor vehicle account--state appropriation is
13 provided solely for consultant contracts to assist the department in
14 the delivery of the capital construction program by identifying
15 improvements to program delivery, program management, project controls,
16 program and project monitoring, forecasting, and reporting. The
17 consultants shall work with the department of information services and
18 include department of information services' recommendations in their
19 reports.

20 The consultants shall develop a capital construction strategic
21 plan, due to the transportation committees of the house of
22 representatives and senate and to the office of financial management,
23 by June 30, 2006.

24 The consultants shall also coordinate their work with other budget
25 and performance efforts, including Roadmap, the joint transportation
26 committee budget study, the findings of the critical applications
27 modernization and integration strategies study, including proposed next
28 steps, and the priorities of government process.

29 The department shall report to the transportation committees of the
30 house of representatives and senate, and the office of financial
31 management, by July 31, 2006, on recommended capital budgeting and
32 reporting options. Options must include appropriate project groupings
33 for reporting purposes, and appropriate measures for reporting project
34 progress, timeliness, cost, and criteria and processes for project
35 transfers.

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

1 **FOR THE DEPARTMENT OF TRANSPORTATION--ECONOMIC PARTNERSHIPS--PROGRAM K**
2 Motor Vehicle Account--State Appropriation (~~(\$1,068,000)~~)
3 \$1,072,000

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

6 **FOR THE DEPARTMENT OF TRANSPORTATION--HIGHWAY MAINTENANCE--PROGRAM M**
7 Motor Vehicle Account--State Appropriation (~~(\$296,648,000)~~)
8 \$299,720,000
9 Motor Vehicle Account--Federal Appropriation \$1,426,000
10 Motor Vehicle Account--Private/Local Appropriation \$4,315,000
11 TOTAL APPROPRIATION (~~(\$302,389,000)~~)
12 \$305,461,000

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

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

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

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

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

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

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

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

4 (d) Evaluating, analyzing, and potentially redistributing resources
5 within and among regions to provide greater consistency in delivering
6 the program statewide and in achieving overall level of service
7 targets.

8 (5) The department shall develop and implement a plan to improve
9 work zone safety on a statewide basis. As part of the strategy
10 included in the plan, the department shall fund equipment purchases
11 using a portion of the money from the annual OTEF equipment purchasing
12 and replacement process. The department shall also identify and
13 evaluate statewide equipment needs (such as work zone safety equipment)
14 and prioritize any such needs on a statewide basis. Substitute
15 purchasing at the statewide level, when appropriate, shall be utilized
16 to meet those identified needs. The department must report to the
17 transportation committees of the legislature by December 1, 2005, on
18 the plan, and by December 1, 2006, on the status of implementing the
19 plan.

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

22 **FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM Q--**
23 **OPERATING**

24	Motor Vehicle Account--State Appropriation	((\$42,811,000))
25		<u>\$43,847,000</u>
26	Motor Vehicle Account--Federal Appropriation	\$2,050,000
27	Motor Vehicle Account--Private/Local Appropriation	\$128,000
28	TOTAL APPROPRIATION	((\$44,989,000))
29		<u>\$46,025,000</u>

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

32 (1) \$4,400,000 of the motor vehicle account--state appropriation is
33 provided solely for low-cost enhancements. The department shall give
34 priority to low-cost enhancement projects that improve safety or
35 provide congestion relief. The department shall prioritize low-cost
36 enhancement projects on a statewide rather than regional basis.

1 (2) The department shall provide directional signs to the
2 Muckleshoot tribal offices on Interstate 5 and State Routes 167 and
3 410. The Muckleshoot tribe will pay for the signs.

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

6 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION MANAGEMENT AND**
7 **SUPPORT--PROGRAM S**

8	Motor Vehicle Account--State Appropriation	((\$25,434,000))
9		<u>\$25,516,000</u>
10	Motor Vehicle Account--Federal Appropriation	\$30,000
11	Puget Sound Ferry Operations Account--State	
12	Appropriation	\$1,321,000
13	Multimodal Transportation Account--State Appropriation	\$973,000
14	TOTAL APPROPRIATION	((\$27,758,000))
15		<u>\$27,840,000</u>

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

18 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION PLANNING, DATA,**
19 **AND RESEARCH--PROGRAM T**

20	Motor Vehicle Account--State Appropriation	((\$22,390,000))
21		<u>\$22,602,000</u>
22	Motor Vehicle Account--Federal Appropriation	\$16,756,000
23	Multimodal Transportation Account--State Appropriation ((\$2,267,000))	
24		<u>\$2,379,000</u>
25	Multimodal Transportation Account--Federal	
26	Appropriation	\$2,829,000
27	Multimodal Transportation Account--Private/Local	
28	Appropriation	\$100,000
29	Transportation Partnership Account--State	
30	Appropriation	((\$6,000,000))
31		<u>\$2,000,000</u>
32	TOTAL APPROPRIATION	((\$50,342,000))
33		<u>\$46,666,000</u>

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

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

14 ~~((3) \$2,000,000 of the transportation partnership account--state~~
15 ~~appropriation is provided solely for the costs of the regional~~
16 ~~transportation investment district (RTID) election and department of~~
17 ~~transportation project oversight. These funds are provided as a loan~~
18 ~~to the RTID and shall be repaid to the state motor vehicle account~~
19 ~~within one year following the certification of the election results~~
20 ~~related to the RTID. If either Engrossed Substitute House Bill No.~~
21 ~~2157 or Senate Bill No. 6089 are enacted by June 30, 2005, the amount~~
22 ~~provided in this subsection shall lapse. None of this appropriation~~
23 ~~may be used for election expenses for an election held before January~~
24 ~~1, 2006.~~

25 ~~(4))~~ (2) \$175,000 of the motor vehicle account--state
26 appropriation is provided to the department in accordance with RCW
27 46.68.110(2) and 46.68.120(3) and shall be used by the department to
28 support the processing and analysis of the backlog of city and county
29 collision reports by January 2006. The amount provided in this
30 subsection shall lapse if federal funds become available for this
31 purpose.

32 ~~((5))~~ (3) \$150,000 of the multimodal transportation account--
33 state appropriation is provided solely for the implementation of
34 Engrossed Second Substitute House Bill No. 1565. If Engrossed Second
35 Substitute House Bill No. 1565 is not enacted by June 30, 2005, the
36 amount provided in this subsection shall lapse.

37 ~~((6))~~ (4) The department of transportation shall evaluate the
38 number of spaces available for long-haul truck parking relative to

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

13 ~~((7))~~ (5) \$50,000 of the multimodal transportation account--state
14 appropriation is provided solely for evaluating high-speed passenger
15 transportation facilities and services, including rail or magnetic
16 levitation transportation systems, to connect airports as a means to
17 more efficiently utilize airport capacity, as well as connect major
18 population and activity centers. This evaluation shall be coordinated
19 with the airport capacity and facilities market analysis conducted
20 pursuant to Engrossed Substitute Senate Bill No. 5121 and results of
21 the evaluation shall be submitted by July 1, 2007. If Engrossed
22 Substitute Senate Bill No. 5121 is not enacted by June 30, 2005, or if
23 federal funds are not received by March 1, 2006, for the purpose of
24 implementing Engrossed Substitute Senate Bill No. 5121, the amount
25 provided in this subsection shall lapse.

26 (6) The department shall conduct a study of the resources allocated
27 to each of the seven department regions and the corresponding
28 workloads. Given the magnitude of the investments in the Puget Sound
29 region, particular emphasis shall be given to reviewing the resources
30 allocated and corresponding workloads with respect to the urban
31 corridors region and the northwest region. Based on the results of
32 this study, the department shall submit recommendations by December 1,
33 2006, to the legislature and the office of financial management
34 regarding reallocating resources and revising regional boundaries
35 within the department, as appropriate, in order to better coincide
36 allocated resources with designated regional boundaries.

37 (7) \$1,000,000 of the multimodal transportation account--state
38 appropriation is provided solely for implementing Engrossed Substitute

1 House Bill No. 2871. If Engrossed Substitute House Bill No. 2871 is
2 not enacted by June 30, 2006, the amount provided in this subsection
3 shall lapse. The regional transportation commission's duties to
4 develop, complete, and submit a governance proposal to the 2007
5 legislature are highly time sensitive. As a result, the director of
6 the office of financial management shall determine that competitive
7 bidding is not cost-effective or appropriate for personal service
8 contracts entered into by the commission, and, by the director's
9 authority under RCW 39.29.011(5), shall exempt any such personal
10 service contract from the competitive bidding requirements of chapter
11 39.29 RCW.

12 (8) \$2,000,000 of the transportation partnership account--state
13 appropriation is provided solely for the costs of the regional
14 transportation investment district (RTID) election, not including
15 public outreach activities, and department of transportation project
16 oversight. The department shall provide support from its urban
17 corridors region to assist in preparing project costs, expenditure
18 plans, and modeling. The department shall not deduct a management
19 reserve, nor charge management or overhead fees. These funds are
20 provided as a loan to the RTID and shall be repaid to the state motor
21 vehicle account within one year following the certification of the
22 election results related to the RTID. If neither Engrossed Substitute
23 House Bill No. 2871 nor Substitute Senate Bill No. 6599 is enacted by
24 June 30, 2006, the amount provided in this subsection shall lapse.
25 None of this appropriation may be used for election expenses for an
26 election held before January 1, 2007.

27 (9) \$100,000 of the motor vehicle account--state appropriation is
28 provided solely to the department in accordance with RCW 46.68.110(2)
29 and 46.68.120(3) and shall be used by the department solely to conduct
30 an analysis of expanding the transportation concurrency requirements
31 prescribed under the growth management act, chapter 36.70A RCW, to
32 include development impacts on level of service standards applicable to
33 state-owned transportation facilities, including state highways and
34 state ferry routes. The objective of the analysis is to determine how
35 to ensure that jurisdictional divisions do not defeat growth management
36 act concurrency goals. The department shall convene a committee to
37 oversee the analysis, with the committee comprised of, at a minimum,
38 four members of the transportation committees of the legislature, four

1 members of the appropriate land use committees of the legislature, and
2 one member each from the association of Washington cities and the
3 Washington state association of counties, or a designee thereof. The
4 completed study, including recommendations, must be submitted to the
5 appropriate standing committees of the legislature, and to the office
6 of financial management, by December 1, 2006.

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

9 **FOR THE DEPARTMENT OF TRANSPORTATION--CHARGES FROM OTHER AGENCIES--**
10 **PROGRAM U**

11 Motor Vehicle Account--State Appropriation	((\$45,030,000))
	<u>\$46,874,000</u>
13 Motor Vehicle Account--Federal Appropriation	\$400,000
14 TOTAL APPROPRIATION	((\$45,430,000))
15	<u>\$47,274,000</u>

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

18 (1) \$31,749,000 of the motor vehicle fund--state appropriation is
19 provided solely for the liabilities attributable to the department of
20 transportation. The office of financial management must provide a
21 detailed accounting of the revenues and expenditures of the self-
22 insurance fund to the transportation committees of the legislature on
23 December 31st and June 30th of each year.

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

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

28 (b) FOR PAYMENT OF COSTS OF THE OFFICE OF THE STATE
29 AUDITOR ((~~\$1,017,000~~))
30 \$1,026,000

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

34 (d) FOR PAYMENT OF COSTS OF THE DEPARTMENT OF
35 PERSONNEL ((~~\$3,572,000~~))
36 \$4,548,000

37 (e) FOR PAYMENT OF SELF-INSURANCE LIABILITY

1	PREMIUMS AND ADMINISTRATION	\$31,749,000
2	(f) FOR PAYMENT OF THE DEPARTMENT OF GENERAL	
3	ADMINISTRATION CAPITAL PROJECTS SURCHARGE	\$1,717,000
4	(g) FOR ARCHIVES AND RECORDS MANAGEMENT	\$545,000
5	(h) FOR OFFICE OF MINORITIES AND WOMEN BUSINESS	
6	ENTERPRISES	(\$1,114,000)
7		<u>\$1,124,000</u>
8	(i) FOR PAYMENT OF THE DEPARTMENT OF PERSONNEL	
9	<u>HRMS PAYROLL SYSTEM</u>	<u>\$817,000</u>
10	(j) FOR PAYMENT OF THE OFFICE OF FINANCIAL	
11	<u>MANAGEMENT ROADMAP CHARGES</u>	<u>\$12,000</u>
12	(k) FOR PAYMENT OF OFFICE OF FINANCIAL MANAGEMENT	
13	<u>CAPITAL BUDGET SYSTEM CHARGES</u>	<u>\$15,000</u>
14	(l) FOR PAYMENT OF DEPARTMENT OF INFORMATION SERVICES	
15	<u>RATE INCREASES</u>	<u>\$5,000</u>

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

18 **FOR THE DEPARTMENT OF TRANSPORTATION--PUBLIC TRANSPORTATION--PROGRAM**
19 **V**

20	Multimodal Transportation Account--State	
21	Appropriation	(\$62,269,000)
22		<u>\$87,133,000</u>
23	Multimodal Transportation Account--Federal	
24	Appropriation	\$2,603,000
25	Multimodal Transportation Account--Private/Local	
26	Appropriation	\$155,000
27	TOTAL APPROPRIATION	(\$65,027,000)
28		<u>\$89,891,000</u>

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

31 (1) \$25,000,000 of the multimodal transportation account--state
32 appropriation is provided solely for a grant program for special needs
33 transportation provided by transit agencies and nonprofit providers of
34 transportation.

35 (a) \$5,500,000 of the amount provided in this subsection is
36 provided solely for grants to nonprofit providers of special needs
37 transportation. Grants for nonprofit providers shall be based on need,

1 including the availability of other providers of service in the area,
2 efforts to coordinate trips among providers and riders, and the cost
3 effectiveness of trips provided.

4 (b) \$19,500,000 of the amount provided in this subsection is
5 provided solely for grants to transit agencies to transport persons
6 with special transportation needs. To receive a grant, the transit
7 agency must have a maintenance of effort for special needs
8 transportation that is no less than the previous year's maintenance of
9 effort for special needs transportation. Grants for transit agencies
10 shall be prorated based on the amount expended for demand response
11 service and route deviated service in calendar year 2003 as reported in
12 the "Summary of Public Transportation - 2003" published by the
13 department of transportation. No transit agency may receive more than
14 thirty percent of these distributions. The first \$450,000 provided to
15 King county shall be used as follows:

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

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

24 (2) Funds are provided for the rural mobility grant program as
25 follows:

26 (a) \$7,000,000 of the multimodal transportation account--state
27 appropriation is provided solely for grants for those transit systems
28 serving small cities and rural areas as identified in the Summary of
29 Public Transportation - 2003 published by the department of
30 transportation. Noncompetitive grants must be distributed to the
31 transit systems serving small cities and rural areas in a manner
32 similar to past disparity equalization programs.

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

37 (3) (~~(\$5,000,000)~~) \$8,900,000 of the multimodal transportation
38 account--state appropriation is provided solely for a vanpool grant

1 program for: (a) Public transit agencies to add vanpools; and (b)
2 incentives for employers to increase employee vanpool use. The grant
3 program for public transit agencies will cover capital costs only; no
4 operating costs for public transit agencies are eligible for funding
5 under this grant program. No additional employees may be hired from
6 the funds provided in this section for the vanpool grant program, and
7 supplanting of transit funds currently funding vanpools is not allowed.
8 Additional criteria for selecting grants must include leveraging funds
9 other than state funds.

10 (4) \$3,000,000 of the multimodal transportation account--state
11 appropriation is provided solely for the city of Seattle for the
12 Seattle streetcar project on South Lake Union. (~~Should the city
13 receive any state funds for this purpose during the 2003-05 or 2005-07
14 biennium, the amount provided in this subsection must be reduced
15 accordingly.~~)

16 (5) \$1,200,000 of the multimodal transportation account--state
17 appropriation is provided solely for the implementation of Engrossed
18 Substitute House Bill No. 2124. If Engrossed Substitute House Bill No.
19 2124 is not enacted by June 30, 2005, the amount provided in this
20 subsection shall lapse.

21 (6)(a) \$20,000,000 of the multimodal transportation account--state
22 appropriation is provided solely for the regional mobility grant
23 projects identified on the LEAP Transportation Document 2006-B,
24 Regional Mobility Grant Program Projects as developed February 27,
25 2006. The department shall review all projects receiving grant awards
26 under this program at least semiannually to determine whether the
27 projects are making satisfactory progress. Any project that has been
28 awarded funds, but does not report activity on the project within one
29 year of the grant award, shall be reviewed by the department to
30 determine whether the grant should be terminated. The department shall
31 promptly close out grants when projects have been completed, and
32 identify where unused grant funds remain because actual project costs
33 were lower than estimated in the grant award. When funds become
34 available either because grant awards have been rescinded for lack of
35 sufficient project activity or because completed projects returned
36 excess grant funds upon project closeout, the department shall
37 expeditiously extend new grant awards to qualified alternative projects
38 identified on the list.

1 **(b)** Pursuant to the grant program established in (~~Engrossed~~
2 ~~Substitute House Bill No. 2124~~) RCW 47.66.030, the department shall
3 issue a call for projects and/or service proposals. Applications must
4 be received by the department by November 1, 2005, and November 1,
5 2006. The department must submit a prioritized list for funding to the
6 transportation committees of the legislature that reflects the
7 department's recommendation, as well as, a list of all project or
8 service proposals received.

9 (7) \$2,000,000 of the multimodal transportation account--state
10 appropriation is provided solely for new tri-county connection service
11 for Island, Skagit, and Whatcom transit agencies.

12 (8) \$2,000,000 of the multimodal transportation account--state
13 appropriation is provided solely to King county as a state match to
14 obtain federal funding for a car sharing program for persons meeting
15 certain income or employment criteria.

16 (9) \$750,000 of the multimodal transportation account--state
17 appropriation is provided solely for the implementation of the local
18 government and regional transportation planning requirements in
19 Engrossed Substitute House Bill No. 3089 (commute trip reduction). The
20 department may use contract or temporary employees to implement the
21 bill and shall allocate the remaining funds to regional transportation
22 planning organizations, counties, and cities on an as needed basis. If
23 Engrossed Substitute House Bill No. 3089 is not enacted by June 30,
24 2006, the amount provided in this subsection shall lapse.

25 (10) \$200,000 of the multimodal account appropriation is provided
26 solely for up to three low-income car ownership programs. The
27 department shall seek to leverage available federal funds from the job
28 access and reverse commute program to augment the funding provided in
29 this subsection. Additionally, the department shall report back to the
30 appropriate committees of the legislature with a review of the
31 obstacles presented by state laws on surplus property disposal to
32 community organizations reconditioning cars and selling those cars at
33 below market rates to low-income families.

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

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

37 Puget Sound Ferry Operations Account--State

1	Appropriation	((\$350,454,000))
2		<u>\$372,254,000</u>
3	Multimodal Transportation Account--State	
4	Appropriation	\$3,660,000
5	TOTAL APPROPRIATION	((\$354,114,000))
6		<u>\$375,914,000</u>

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

9 (1) ((\$57,928,000)) \$75,280,000 of the total appropriation is
10 provided solely for auto ferry vessel operating fuel in the 2005-2007
11 biennium.

12 (2) ((The total appropriation provides for the compensation of
13 ferry employees. The expenditures for compensation paid to ferry
14 employees during the 2005-2007 biennium may not exceed \$222,356,000,
15 plus a dollar amount, as prescribed by the office of financial
16 management, that is equal to any insurance benefit increase granted
17 general government employees in excess of \$584.58 a month annualized
18 per eligible marine employee multiplied by the number of eligible
19 marine employees for fiscal year 2006 and \$584.58 a month annualized
20 per eligible marine employee multiplied by the number of eligible
21 marine employees for fiscal year 2007, a dollar amount as prescribed by
22 the office of financial management for costs associated with pension
23 amortization charges, and a dollar amount prescribed by the office of
24 financial management for salary increases during the 2005-2007
25 biennium. For the purposes of this section, the expenditures for
26 compensation paid to ferry employees shall be limited to salaries and
27 wages and employee benefits as defined in the office of financial
28 management's policies, regulations, and procedures named under objects
29 of expenditure "A" and "B" (7.2.6.2).)) The maximum amount of
30 expenditures for compensation paid to ferry employees during the
31 2005-2007 biennium shall not exceed \$226,455,000. This amount reflects
32 the sole source of state funding available to support the
33 implementation of any collective bargaining agreements or arbitration
34 awards with respect to state ferry employee compensation, including
35 salaries, wages, and employee benefits, during the 2005-2007 biennium,
36 which amount includes \$6,223,000 in full satisfaction of the
37 arbitration awards for the 2001-2003 biennium and \$1,339,000 for labor
38 productivity gains agreements. The department's use of this

1 expenditure authority constitutes a good faith attempt to implement
2 such agreements and awards, including those applicable to prior
3 biennia. It is the intent of the legislature that the expenditure
4 authority provided in this subsection fully satisfy any agreements or
5 awards required to be implemented during the 2005-2007 biennium, and
6 that the provisions of Substitute House Bill No. 3178 (marine employees
7 collective bargaining) will govern the implementation of agreements or
8 awards effective beginning with the 2007-2009 biennium. For the
9 purposes of this section, the expenditures for compensation paid to
10 ferry employees shall be limited to salaries and wages and employee
11 benefits as defined in the office of financial management's state
12 administrative and accounting manual, chapter 75.70, named under
13 objects of expenditure "A" and "B".

14 (3) \$1,116,000 of the Puget Sound ferry operations account--state
15 appropriation is provided solely for ferry security operations
16 necessary to comply with the ferry security plan submitted by the
17 Washington state ferry system to the United States coast guard. The
18 department shall track security costs and expenditures. Ferry security
19 operations costs shall not be included as part of the operational costs
20 that are used to calculate farebox recovery.

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

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

30 (6) \$3,660,000 of the multimodal transportation account--state
31 appropriation is provided solely to provide passenger-only ferry
32 service. The ferry system shall continue passenger-only ferry service
33 from Vashon Island to Seattle through June 30, 2007. Beginning
34 September 1, 2005, ferry system management shall implement its
35 agreement with the Inlandboatmen's Union of the Pacific and the
36 International Organization of Masters, Mates and Pilots providing for
37 part-time passenger-only work schedules. (~~Funds may not be spent to~~

1 ~~implement the results of the passenger only ferry study conducted by~~
2 ~~the joint transportation committee provided in section 205 of this act~~
3 ~~until approved by the legislature.))~~

4 (7) \$350,000 of the Puget Sound ferry operations account--state
5 appropriation is provided solely for the implementation of Substitute
6 House Bill No. 3178 (marine employees collective bargaining). If
7 Substitute House Bill No. 3178 is not enacted by June 30, 2006, the
8 amount provided in this subsection shall lapse.

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

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

12 Multimodal Transportation Account--State
13 Appropriation (~~(\$36,420,000)~~)
14 \$36,266,000

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

17 (1) \$29,091,000 of the multimodal transportation account--state
18 appropriation is provided solely for the Amtrak service contract and
19 Talgo maintenance contract associated with providing and maintaining
20 the state-supported passenger rail service.

21 (2) \$2,750,000 of the multimodal transportation account--state
22 appropriation is provided solely for a new round trip rail service
23 between Seattle and Portland beginning July 1, 2006.

24 (3) No AMTRAK Cascade runs may be eliminated.

25 (4) (~~(\$200,000)~~) \$40,000 of the multimodal transportation account--
26 state appropriation is provided solely for the produce railcar program.
27 The department is encouraged to implement the produce railcar program
28 by maximizing private investment.

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

31 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**
32 **OPERATING**

33 Motor Vehicle Account--State Appropriation (~~(\$7,947,000)~~)
34 \$8,500,000
35 Motor Vehicle Account--Federal Appropriation \$2,597,000
36 Multimodal Transportation Account--State Appropriation . (~~(\$211,000)~~)

1 \$411,000
 2 TOTAL APPROPRIATION ((~~\$10,755,000~~))
 3 \$11,508,000

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

6 (1) \$211,000 of the motor vehicle account--state appropriation and
 7 ((~~\$211,000~~)) \$411,000 of the multimodal transportation account--state
 8 appropriation are provided solely for the state's contribution to
 9 county and city studies of flood hazards in association with interstate
 10 highways. First priority shall be given to threats along the I-5
 11 corridor.

12 (2) \$525,000 of the motor vehicle account--state appropriation is
 13 provided solely to the department in accordance with RCW 46.68.110(2)
 14 and 46.68.120(3) and shall be used by the department solely for
 15 contract services with the association of Washington cities and the
 16 Washington state association of counties for improving transportation
 17 permitting and mitigation processes.

18 **TRANSPORTATION AGENCIES--CAPITAL**

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

21 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**
 22 Rural Arterial Trust Account--State Appropriation ((~~\$67,933,000~~))
 23 \$64,933,000
 24 Motor Vehicle Account--State Appropriation \$355,000
 25 County Arterial Preservation Account--State
 26 Appropriation ((~~\$30,392,000~~))
 27 \$32,697,000
 28 TOTAL APPROPRIATION ((~~\$98,680,000~~))
 29 \$97,985,000

30 The appropriations in this section are subject to the following
 31 conditions and limitations: \$355,000 of the motor vehicle account--
 32 state appropriation is provided for county ferries as set forth in RCW
 33 47.56.725(4).

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

1 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

2	Urban Arterial Trust Account--State Appropriation	((\$99,425,000))
3		<u>\$101,425,000</u>
4	Small City Preservation and Sidewalk	
5	Account--State Appropriation	\$2,000,000
6	Transportation Improvement Account--State	
7	Appropriation	((\$103,601,000))
8		<u>\$94,401,000</u>
9	TOTAL APPROPRIATION	((\$205,026,000))
10		<u>\$197,826,000</u>

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

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

18 (2) \$2,000,000 of the small city preservation and sidewalk
19 account--state appropriation is provided to fund the provisions of
20 chapter 83, Laws of 2005 (Substitute Senate Bill No. 5775).

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

23 **FOR THE DEPARTMENT OF TRANSPORTATION--PROGRAM D (DEPARTMENT OF**
24 **TRANSPORTATION-ONLY PROJECTS)--CAPITAL**

25	Motor Vehicle Account--State Appropriation	((\$2,492,000))
26		<u>\$2,328,000</u>

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

29 (1) ((~~\$601,000~~)) \$584,000 of the motor vehicle account--state
30 appropriation is provided solely for ((~~the~~)) statewide administration.

31 (2) \$632,000 of the motor vehicle account--state appropriation is
32 provided solely for regional minor projects.

33 (3) ((~~\$224,000~~)) \$305,000 of the motor vehicle account--state
34 appropriation is provided solely for designing the replacement of the
35 existing outdated maintenance facility in Ephrata.

36 (4) ((~~\$219,000~~)) \$239,000 of the motor vehicle account--state

1 appropriation is provided solely for the designing of the northwest
2 regional maintenance complex in Seattle.

3 (5) (~~(\$833,000)~~) \$568,000 of the motor vehicle account--state
4 appropriation is provided solely for the Olympic region headquarters
5 project.

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

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

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

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

17 Transportation 2003 Account (Nickel Account)--State	
18 Appropriation	((\$1,175,004,000))
19	<u>\$1,180,217,000</u>
20 Motor Vehicle Account--State Appropriation	((\$70,359,000))
21	<u>\$82,236,000</u>
22 Motor Vehicle Account--Federal Appropriation	((\$229,036,000))
23	<u>\$390,742,000</u>
24 Motor Vehicle Account--Private/Local Appropriation	((\$33,893,000))
25	<u>\$58,522,000</u>
26 Special Category C Account--State Appropriation	((\$3,419,000))
27	<u>\$3,961,000</u>
28 Tacoma Narrows Toll Bridge Account Appropriation	((\$272,329,000))
29	<u>\$274,038,000</u>
30 Transportation Partnership Account--State	
31 Appropriation	((\$519,786,000))
32	<u>\$384,186,000</u>
33 <u>Multimodal Transportation Account--State</u>	
34 <u>Appropriation</u>	<u>\$1,002,000</u>
35 TOTAL APPROPRIATION	((\$2,303,826,000))
36	<u>\$2,374,904,000</u>

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

3 (1) The entire transportation 2003 account (nickel account)
4 appropriation and the entire transportation partnership account
5 appropriation are provided solely for the projects and activities as
6 listed by fund, project and amount in LEAP Transportation Document
7 ((2005-6)) 2006-1, Highway Improvement Program (I) as developed ((April
8 24, 2005)) February 27, 2006. However, limited transfers of
9 allocations between projects may occur for those amounts listed subject
10 to the conditions and limitations in section 603 of this act.

11 ((b)) (a) Within the amounts provided in this subsection,
12 ((\$5,000,000)) \$6,835,000 of the transportation partnership account--
13 state appropriation ((is provided solely)), \$5,002,000 of the
14 transportation 2003 account (nickel account)--state appropriation, and
15 \$2,645,000 of the motor vehicle account--federal appropriation are for
16 project ((109040S)) 109040T: I-90/Seattle to Mercer Island - Two way
17 transit/HOV. Expenditure of these funds is contingent upon the
18 development of an access plan that provides equitable and dependable
19 access for I-90 Mercer Island exit and entry.

20 ((e)) (b) Within the amounts provided in this subsection,
21 \$500,000 of the transportation partnership account--state appropriation
22 is ((provided solely)) for a west Olympia access study, to complete an
23 access study for state route 101/west Olympia.

24 ((d)) (c) Within the amounts provided in this subsection,
25 \$800,000 of the transportation partnership account--state appropriation
26 is ((provided solely)) for an SR 534 access point decision report.

27 ((f)) (d) Within the amounts provided within this subsection,
28 ((\$435,000,000)) \$6,000,000 of the transportation partnership account--
29 state appropriation is ((provided solely)) for project 509009B: I-90
30 Snoqualmie Pass East - Hyak to Keechelus dam. However, if the
31 preferred alternative selected for this project results in a lower
32 total project cost, the remaining funds may be used for concrete
33 rehabilitation on I-90 in the vicinity of this project.

34 (2) The motor vehicle account--state appropriation includes
35 ((\$53,000,000)) up to \$40,000,000 in proceeds from the sale of bonds
36 authorized by RCW 47.10.843. ((The transportation commission may
37 authorize the use of current revenues available to the department of

1 ~~transportation in lieu of bond proceeds for any part of the state~~
2 ~~appropriation.))~~

3 (3) The department shall not commence construction on any part of
4 the SR 520 bridge project until agreements have been reached with the
5 incorporated towns or cities that represent the communities affected by
6 the SR 520 project. The agreements must provide reasonable assurance
7 that no further degradation will occur to the citizens' current use and
8 enjoyment of their properties as a result of repairs and improvements
9 made to the SR 520 bridge and its connecting roadways. Such assurances
10 may be achieved through engineering design choices, mitigation
11 measures, or a combination of both.

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

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

25 (6) The transportation 2003 account (nickel account)--state
26 appropriation includes ~~((\$940,000,000))~~ up to \$885,000,000 in proceeds
27 from the sale of bonds authorized by chapter 147, Laws of 2003. ~~((The~~
28 ~~transportation commission may authorize the use of current revenues~~
29 ~~available to the department of transportation in lieu of bond proceeds~~
30 ~~for any part of the state appropriation.~~

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

1 ~~on those projects receiving fund transfers to the transportation~~
2 ~~committees of the senate and house of representatives by December 1,~~
3 ~~2006.~~

4 ~~(8))~~ (7) The department shall, on a quarterly basis beginning July
5 1, 2005, provide to the office of financial management and the
6 legislature reports providing the status on each project in the project
7 lists submitted pursuant to this act (~~and on any additional projects~~
8 ~~for which the department has expended funds during the 2005-07 fiscal~~
9 ~~biennium~~). Other projects may be reported on a programmatic basis.
10 The department shall work with the office of financial management and
11 the transportation committees of the legislature to agree on report
12 formatting and elements. Elements shall include, but not be limited
13 to, project scope, schedule, and costs. The department shall also
14 provide the information required under this subsection on a quarterly
15 basis via the transportation executive information systems (TEIS).

16 ~~((9))~~ (8) The department of transportation shall conduct an
17 analysis of the causes of traffic congestion on I-5 in the vicinity of
18 Fort Lewis and develop recommendations for alleviating the congestion.
19 The department must report to the transportation committees of the
20 legislature by December 1, 2005, on its analysis and recommendations
21 regarding traffic congestion on I-5 in the vicinity of Fort Lewis.

22 ~~((10))~~ (9) The department of transportation is authorized to
23 proceed with the SR 519 Intermodal Access project if the city of
24 Seattle has not agreed to a project configuration or design by July 1,
25 2006.

26 ~~((12) \$13,000,000)~~ (10) \$12,841,000 of the transportation 2003
27 account (nickel account)--state appropriation and ~~((5,000,000))~~
28 \$4,939,000 of the transportation partnership account--state
29 appropriation are provided solely for construction of a new interchange
30 on SR 522 to provide direct access to the University of Washington
31 Bothell/Cascadia community college joint campus. This appropriation
32 assumes an additional ~~((8,000,000))~~ \$8,061,000 will be provided in the
33 2007-09 biennium from the transportation partnership account.

34 (11) The motor vehicle account--state appropriation includes up to
35 \$14,214,000 in unexpended proceeds from the sale of bonds authorized in
36 RCW 47.10.843.

37 (12) The special category C account--state appropriation includes

1 up to \$1,710,000 in unexpended proceeds from the sale of bonds
2 authorized in RCW 47.10.812.

3 (13) The department should consider using mitigation banking on
4 appropriate projects whenever possible, without increasing the cost to
5 projects. The department should consider using the advanced
6 environmental mitigation revolving account (AEMRA) for corridor and
7 watershed based mitigation opportunities, in addition to project
8 specific mitigation.

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

15 (15) \$19,262,149 of the motor vehicle account--federal
16 appropriation and \$1,873,478 of the transportation 2003 account (nickel
17 account) appropriation are provided solely for project 154302E: SR 543
18 (I-5 to the international boundary).

19 (16) \$3,509,738 of the motor vehicle account--federal appropriation
20 and \$30,793 of the motor vehicle account--state appropriation are
21 provided solely for project 100598C: I-5 Blaine Exit interchange
22 improvements.

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

1 The city must designate representation from the community council
 2 of each neighborhood impacted by the SR 520 bridge replacement and HOV
 3 project and representation from the arboretum to serve on an advisory
 4 committee to guide the planning process and plan preparation of the 520
 5 expansion impact plan. The University of Washington shall designate a
 6 representative to serve on the advisory committee. The secretary of
 7 the state department of transportation shall designate a representative
 8 to serve on the advisory committee. The funds provided may be spent to
 9 contract with a consultant to: (a) Facilitate the activities of the
 10 advisory committee; (b) analyze impacts of alternative designs; (c)
 11 perform conceptual design work on proposals made by the advisory
 12 committee; and (d) prepare mitigation plans for alternative design
 13 concepts.

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

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

17	Transportation 2003 Account (Nickel Account)--State	
18	Appropriation	((\$10,622,000))
19		<u>\$1,687,000</u>
20	Motor Vehicle Account--State Appropriation	((\$76,824,000))
21		<u>\$104,330,000</u>
22	Motor Vehicle Account--Federal Appropriation	((\$404,360,000))
23		<u>\$431,311,000</u>
24	Motor Vehicle Account--Private/Local Appropriation	((\$6,656,000))
25		<u>\$8,485,000</u>
26	Puyallup Tribal Settlement Account--State	
27	Appropriation	\$11,000,000
28	Transportation Partnership Account--State	
29	Appropriation	((\$139,533,000))
30		<u>\$24,540,000</u>
31	TOTAL APPROPRIATION	((\$648,995,000))
32		<u>\$581,353,000</u>

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

35 (1) The entire transportation 2003 account (nickel account)
 36 appropriation and the entire transportation partnership account
 37 appropriation are provided solely for the projects and activities as

1 listed by fund, project and amount in LEAP Transportation Document
2 (~~(2005-6)~~) 2006-1, Highway Preservation Program (P) as developed
3 (~~(April 24, 2005)~~) February 27, 2006. However, limited transfers of
4 allocations between projects may occur for those amounts listed subject
5 to the conditions and limitations in section 603 of this act.

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

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

13 (2) \$11,000,000 of the Puyallup tribal settlement account--state
14 appropriation is provided solely for mitigation costs associated with
15 the Murray Morgan/~~((11st))~~ 11th Street Bridge demolition. The
16 department may negotiate with the city of Tacoma for the purpose of
17 transferring ownership of the Murray Morgan/11th Street Bridge to the
18 city. The department may use the Puyallup tribal settlement account
19 appropriation, as well as any funds appropriated in the current
20 biennium and planned in future biennia for the demolition and
21 mitigation for the demolition of the bridge to rehabilitate or replace
22 the bridge, if agreed to by the city. In no event shall the
23 department's participation exceed \$26,500,000 and no funds may be
24 expended unless the city of Tacoma agrees to take ownership of the
25 bridge in its entirety and provide that the payment of these funds
26 extinguishes any real or implied agreements regarding future
27 expenditures on the bridge.

28 (3) (~~(\$11,590,000)~~) \$740,000 of the motor vehicle account--state
29 appropriation, (~~(\$95,299,000)~~) \$106,149,000 of the motor vehicle
30 account--federal appropriation, and (~~(\$113,591,000)~~) \$10,305,000 of the
31 transportation partnership account--state appropriation are provided
32 solely for the Hood Canal bridge project.

33 (4) The motor vehicle account--state appropriation includes
34 (~~(\$530,000)~~) up to \$735,000 in unexpended proceeds from the sale of
35 bonds authorized in RCW 47.10.761 and 47.10.762 for emergency purposes.

36 (5) The department of transportation shall continue to implement
37 the lowest life cycle cost planning approach to pavement management
38 throughout the state to encourage the most effective and efficient use

1 of pavement preservation funds. Emphasis should be placed on
2 increasing the number of roads addressed on time and reducing the
3 number of roads past due.

4 ~~(6) ((To manage some projects more efficiently, federal funds may
5 be transferred from program Z to program P and replaced with state
6 funds in a dollar for dollar match. Fund transfers authorized under
7 this subsection shall not affect project prioritization status.
8 Appropriations shall initially be allotted as appropriated in this act.
9 The department shall not transfer funds as authorized under this
10 subsection without approval of the transportation commission and the
11 director of financial management. The department shall submit a report
12 on those projects receiving fund transfers to the transportation
13 committees of the senate and house of representatives by December 1,
14 2006.~~

15 ~~(7))~~ The department shall, on a quarterly basis beginning July 1,
16 2005, provide to the office of financial management and the legislature
17 reports providing the status on each project in the project lists
18 submitted pursuant to this act ~~((and on any additional projects for
19 which the department has expended funds during the 2005-07 fiscal
20 biennium))~~. Other projects may be reported on a programmatic basis.
21 The department shall work with the office of financial management and
22 the transportation committees of the legislature to agree on report
23 formatting and elements. Elements shall include, but not be limited
24 to, project scope, schedule, and costs. The department shall also
25 provide the information required under this subsection on a quarterly
26 basis via the transportation executive information systems (TEIS).

27 (7) The motor vehicle account--state appropriation includes up to
28 \$912,000 in unexpended proceeds from the sale of bonds authorized in
29 RCW 47.10.843.

30 (8) The motor vehicle account--state appropriation includes up to
31 \$15,000,000 in proceeds from the sale of bonds authorized by House Bill
32 No. 3315. Of this amount \$10,000,000 is for repair of unstable slopes
33 that threaten state highways and \$5,000,000 is for emergency repairs.
34 Slide repair on state routes 101, 104, 105, and 107 must be funded from
35 the amount provided in this subsection if federal emergency funds are
36 not available.

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

3 **FOR THE DEPARTMENT OF TRANSPORTATION-- TRAFFIC OPERATIONS--PROGRAM Q--**
4 **CAPITAL**

5	Motor Vehicle Account--State Appropriation	((\$17,519,000))
6		<u>\$17,555,000</u>
7	Motor Vehicle Account--Federal Appropriation	\$15,068,000
8	Motor Vehicle Account--Local Appropriation	\$108,000
9	TOTAL APPROPRIATION	((\$32,695,000))
10		<u>\$32,731,000</u>

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

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

20 **FOR THE DEPARTMENT OF TRANSPORTATION--WASHINGTON STATE FERRIES**
21 **CONSTRUCTION--PROGRAM W**

22	Puget Sound Capital Construction Account--State	
23	Appropriation	((\$153,184,000))
24		<u>\$122,324,000</u>
25	Puget Sound Capital Construction Account--Federal	
26	Appropriation	((\$59,967,000))
27		<u>\$73,590,000</u>
28	Puget Sound Capital Construction Account--Private/Local	
29	Appropriation	\$26,000
30	Multimodal Transportation Account--State Appropriation . .	\$13,249,000
31	Transportation 2003 Account (Nickel Account)--State	
32	Appropriation	((\$34,987,000))
33		<u>\$34,991,000</u>
34	TOTAL APPROPRIATION	((\$261,413,000))
35		<u>\$244,180,000</u>

36 The appropriations in this section are provided for improving the
37 Washington state ferry system, including, but not limited to, vessel

1 construction, major and minor vessel preservation, and terminal
2 preservation, construction, and improvements. The appropriations in
3 this section are subject to the following conditions and limitations:

4 (1) The Puget Sound capital construction account--state
5 appropriation includes (~~(\$72,000,000)~~) up to \$40,950,000 in proceeds
6 from the sale of bonds authorized by RCW 47.10.843 for vessel and
7 terminal acquisition, major and minor improvements, and long lead time
8 materials acquisition for the Washington state ferries. (~~The~~
9 ~~transportation commission may authorize the use of current revenues~~
10 ~~available to the motor vehicle account in lieu of bond proceeds for any~~
11 ~~part of the state appropriation.~~)

12 (2) The multimodal transportation account--state appropriation
13 includes up to \$10,249,000 in proceeds from the sale of bonds
14 authorized by RCW 47.10.867. (~~The transportation commission may~~
15 ~~authorize the use of current revenues available to the department of~~
16 ~~transportation in lieu of bond proceeds from any part of the state~~
17 ~~appropriation.~~)

18 (3) \$15,617,000 of the Puget Sound capital construction account--
19 state appropriation is provided solely for the Eagle Harbor Terminal
20 Preservation project.

21 (4) The entire transportation 2003 account (nickel account)
22 appropriation and \$10,249,000 of the multimodal transportation
23 account--state appropriation are provided solely for the projects and
24 activities as listed by fund, project and amount in LEAP Transportation
25 Document (~~(2005-6)~~) 2006-1, Ferries Construction Program (W) as
26 developed (~~(April 24, 2005)~~) February 27, 2006. However, limited
27 transfers of allocations between projects may occur for those amounts
28 listed subject to the conditions and limitations in section 603 of this
29 act.

30 (5) The department shall, on a quarterly basis beginning July 1,
31 2005, provide to the office of financial management and the legislature
32 reports providing the status on each project in the project lists
33 submitted pursuant to this act and on any additional projects for which
34 the department has expended funds during the 2005-07 fiscal biennium.
35 Elements shall include, but not be limited to, project scope, schedule,
36 and costs. The department shall also provide the information required
37 under this subsection via the transportation executive information
38 systems (TEIS).

1 ((6) \$3,000,000 of the multimodal transportation account state
2 appropriation is provided solely to implement approved recommendations
3 of the stakeholder task force convened to study the most reliable and
4 cost-effective means of providing passenger only ferry service. The
5 funds provided in this subsection shall be placed in reserve by the
6 office of financial management. The funds may not be released until
7 approved by the legislature.))

8 (6) The multimodal transportation account--state appropriation
9 includes up to \$1,170,000 in unexpended proceeds from the sale of bonds
10 authorized in RCW 47.10.867.

11 (7) \$37,117,000 of the Puget Sound capital construction account--
12 state appropriation is provided solely for the design, acquisition of
13 equipment, and construction of 144-car capacity vessels.

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

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

17 ((Essential Rail Assistance Account State Appropriation. \$250,000))
18 Multimodal Transportation Account--State
19 Appropriation ((\$67,158,000))
20 \$69,986,000
21 Multimodal Transportation Account--Private/Local
22 Appropriation \$8,287,000
23 Multimodal Transportation Account--Federal
24 Appropriation ((\$11,966,000))
25 \$17,268,000
26 TOTAL APPROPRIATION ((\$88,161,000))
27 \$95,541,000

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

30 (1) The multimodal transportation account--state appropriation
31 includes up to \$33,435,000 in proceeds from the sale of bonds and up to
32 \$830,000 in unexpended bond proceeds authorized by RCW 47.10.867.
33 ((The transportation commission may authorize the use of current
34 revenues available to the department of transportation in lieu of bond
35 proceeds for any part of the state appropriation.))

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

1 received, the department shall consult with the transportation
2 committees of the legislature prior to spending the funds on additional
3 projects.

4 (3)(a) (~~(\$67,158,000)~~) \$68,926,000 of the multimodal transportation
5 account--state appropriation, (~~(\$11,966,000)~~) \$17,268,000 of the
6 multimodal transportation account--federal appropriation, \$8,287,000 of
7 the multimodal transportation account--local appropriation, and
8 \$250,000 of the essential rail assistance account are provided solely
9 for the projects and activities as listed by fund, project and amount
10 in LEAP Transportation Document (~~(2005-2)~~) 2006-C, Rail Capital Program
11 (Y) as developed (~~(April 23, 2005)~~) February 27, 2006. However,
12 limited transfers of allocations between projects may occur for those
13 amounts listed subject to the conditions and limitations in section 603
14 of this act.

15 (b) Within the amounts provided in this subsection, \$6,500,000 of
16 the multimodal transportation account--state appropriation is
17 (~~provided solely~~) for the two commuter rail projects listed in the
18 LEAP Transportation Document (~~(2005-6)~~) 2006-C, Rail Capital Program
19 (Y) as developed (~~(April 24, 2005)~~) February 27, 2006.

20 (4) If the department issues a call for projects, applications must
21 be received by the department by November 1, 2005, and November 1,
22 2006.

23 (5) \$50,000 of the multimodal transportation account--state
24 appropriation is provided solely for a study of eastern Skagit county
25 freight rail. The study shall examine the feasibility of restoring
26 portions of freight rail line to the towns of Lyman, Hamilton, and
27 Concrete. The study must also identify existing and potential
28 industrial sites available for development and redevelopment, and the
29 freight rail service needs of the identified industrial sites.

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

32 (7) Funds provided for the Tacoma rail improvement project may be
33 expended for preconstruction engineering, but construction shall not
34 begin until Tacoma rail transfers ownership to local jurisdictions of
35 the tracks from the new interconnect in Thurston county south.

36 (8) \$3,500,000 of the multimodal transportation account--state
37 appropriation is provided solely for construction of a rail loop at the

1 Port of Walla Walla including five turnouts, potable water system, fire
2 flow system, property acquisition, and relocation of an irrigation
3 line.

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

6 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**
7 **CAPITAL**

8	Highway Infrastructure Account--State Appropriation	\$207,000
9	Highway Infrastructure Account--Federal Appropriation	\$1,602,000
10	Motor Vehicle Account--Federal Appropriation	(\$18,221,000)
11		<u>\$23,798,000</u>
12	Motor Vehicle Account--State Appropriation	(\$6,702,000)
13		<u>\$5,340,000</u>
14	<u>Transportation Partnership Account--State Appropriation</u>	<u>\$2,008,000</u>
15	Freight Mobility Investment Account--State	
16	Appropriation	(\$12,000,000)
17		<u>\$6,000,000</u>
18	Multimodal Transportation Account--State	
19	Appropriation	(\$36,002,000)
20		<u>\$40,403,000</u>
21	<u>Transportation 2003 Account (nickel account)--State</u>	
22	<u>Appropriation</u>	<u>\$557,000</u>
23	<u>Freight Mobility Multimodal Account--State</u>	
24	<u>Appropriation</u>	<u>\$9,700,000</u>
25	TOTAL APPROPRIATION	(\$74,734,000)
26		<u>\$89,615,000</u>

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

29 (1) To manage some projects more efficiently, federal funds may be
30 transferred from program Z to programs I and P and state funds shall be
31 transferred from programs I and P to program Z to replace those federal
32 funds in a dollar-for-dollar match. Fund transfers authorized under
33 this subsection shall not affect project prioritization status.
34 Appropriations shall initially be allotted as appropriated in this act.
35 The department may not transfer funds as authorized under this
36 subsection without approval of the (~~transportation commission~~) office

1 of financial management. The department shall submit a report on those
2 projects receiving fund transfers to the transportation committees of
3 the senate and house of representatives by December 1, 2006.

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

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

23 (4) (~~(\$3,545,000)~~) \$1,545,000 of the multimodal transportation
24 account--state appropriation is reappropriated and provided solely to
25 fund the multiphase cooperative project with the state of Oregon to
26 dredge the Columbia River. The amount provided in this subsection
27 shall lapse unless the state of Oregon appropriates a dollar-for-dollar
28 match to fund its share of the project.

29 (5) (~~(\$274,000)~~) \$206,000 of the motor vehicle account--state
30 appropriation is reappropriated and provided solely for additional
31 traffic and pedestrian safety improvements near schools. The highways
32 and local programs division within the department of transportation
33 shall administer this program. The department shall review all
34 projects receiving grant awards under this program at least
35 semiannually to determine whether the projects are making satisfactory
36 progress. Any project that has been awarded traffic and pedestrian
37 safety improvement grant funds, but does not report activity on the
38 project within one year of grant award should be reviewed by the

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

9 (6) The motor vehicle account--state appropriation includes up to
10 \$905,000 in unexpended proceeds from the sale of bonds authorized by
11 RCW 47.10.843.

12 (7) (~~(\$867,000)~~) \$607,000 of the multimodal transportation
13 account--state appropriation is reappropriated and provided solely to
14 support the safe routes to school program.

15 (8) (~~(\$18,221,000)~~) \$16,110,000 of the motor vehicle account--
16 federal appropriation is provided solely for the local freight capital
17 projects in progress identified in this subsection. The specific
18 funding listed is provided solely for the respective projects: SR 397
19 Ainsworth Ave. Grade Crossing, (~~(\$5,180,000)~~) \$4,992,000; Colville
20 Alternate Truck Route, (~~(\$2,000,000)~~) \$1,746,000; S. 228th Street
21 Extension and Grade Separation, \$6,500,000; Bigelow Gulch Road-Urban
22 Boundary to Argonne Rd., \$2,000,000; Granite Falls Alternate Route,
23 (~~(\$1,791,000)~~) \$122,000; and Pacific Hwy. E./Port of Tacoma Road to
24 Alexander, \$750,000.

25 (9) (~~(\$3,400,000)~~) \$2,898,000 of the motor vehicle account--state
26 appropriation is provided solely for the local freight capital projects
27 in progress identified in this subsection. The specific funding listed
28 is provided solely for the respective projects: Duwamish Intelligent
29 Transportation Systems (ITS), (~~(\$2,520,000)~~) \$2,382,000; Port of
30 Kennewick/Piert Road, (~~(\$520,000; SR 397 Ainsworth Ave. Grade Crossing,~~
31 ~~\$360,000)~~) \$516,000.

32 (10) \$6,000,000 of the multimodal account--state appropriation is
33 provided solely for the local freight 'D' street grade separation
34 project.

35 (11) The department (~~must~~) shall issue a call for pedestrian
36 safety projects, such as safe routes to schools and transit, and
37 bicycle and pedestrian paths. Applications must be received by the
38 department by November 1, 2005, and November 1, 2006. The department

1 shall identify cost-effective projects, and submit a prioritized list
2 to the legislature for funding by December 15th of each year.
3 Recommendations made to the legislature for safe routes to schools and
4 bicycle and pedestrian path projects must, to the extent practicable
5 based on available funding, allocate sixty percent of available funds
6 to bicycle and pedestrian path projects and forty percent to safe
7 routes to schools. Preference ((will)) shall be given to projects that
8 provide a local match. ((The grant recipients may only be governmental
9 entities-)) Any unallocated funding may be used for grants of up to a
10 maximum of \$1,000 to nonprofit or governmental organizations for the
11 purpose of supporting school-based safe routes to school promotions or
12 programs. Specific conditions and amounts for mini-grants will be
13 established by the department.

14 (12) ((~~\$19,540,000~~)) \$18,370,000 of the multimodal transportation
15 account--state appropriation, \$6,000,000 of the freight mobility
16 multimodal account--state appropriation, and ((~~\$12,000,000~~)) \$6,000,000
17 of the freight mobility investment account--state appropriation are
18 provided solely for the projects and activities as listed by fund,
19 project and amount in LEAP Transportation Document ((~~2005-6~~)) 2006-1,
20 Local Programs (Z) as developed ((~~April 24, 2005~~)) February 27, 2006.
21 However, limited transfers of allocations between projects may occur
22 for those amounts listed subject to the conditions and limitations in
23 section 603 of this act.

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

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

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

10 (15)(a) The legislature intends that federal funds administered by
11 the department of transportation and used to fund projects selected by
12 regional transportation planning organizations be used in a more
13 effective and efficient manner. The legislature further intends that
14 regional transportation planning organizations implement a project
15 selection process which focuses on the highest priority investments in
16 their regional transportation plan to solve the transportation issues
17 facing that region. These federal funds are not to be used as "peanut
18 butter" and spread through the region on low-priority projects. The
19 regional transportation planning organization shall make these funds
20 available for the wide range of projects eligible for these federal
21 funds, including transit, highways and arterials, and rural
22 transportation projects as long as the projects are a priority and
23 address the regions most pressing transportation issues.

24 (b) The department shall provide a full and transparent accounting
25 of all federal surface transportation program funds received and
26 expected to be received by the state under the new federal surface
27 transportation act and shall as soon as possible make this information
28 available to regional transportation planning organizations and the
29 legislature. The regional transportation planning organizations shall
30 provide information to the department of transportation that details
31 the project prioritization process and criteria, the prioritized list
32 of projects, and the transportation problem that the project addresses.
33 The department of transportation will issue a report to the
34 transportation committees of the legislature providing information
35 about the implementation of this subsection every November 1st covering
36 the prior federal fiscal year. These funds shall not be used for
37 administrative costs or participation in project selection processes or
38 transportation improvement program compilation processes. Nothing in

1 this subsection displaces currently programmed projects, but to the
2 extent practicable, the region is to implement this subsection as soon
3 as possible.

4 **TRANSFERS AND DISTRIBUTIONS**

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

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

11 Highway Bond Retirement Account Appropriation	((\$354,913,000))
	<u>\$334,313,000</u>
13 Nondebt-Limit Reimbursable Account Appropriation	((\$8,775,000))
	<u>\$6,091,000</u>
15 Ferry Bond Retirement Account Appropriation	((\$39,010,000))
	<u>\$38,241,000</u>
17 Transportation Improvement Board Bond Retirement	
18 Account--State Appropriation	((\$30,899,000))
	<u>\$30,923,000</u>
20 Motor Vehicle Account--State Appropriation	((\$2,562,000))
	<u>\$674,000</u>
22 Transportation Improvement Account--State	
23 Appropriation	((\$105,000))
	<u>\$120,000</u>
25 Multimodal Transportation Account--State	
26 Appropriation	((\$303,000))
	<u>\$370,000</u>
28 Transportation 2003 Account (Nickel Account)	
29 Appropriation	((\$19,177,000))
	<u>\$6,638,000</u>
31 <u>Transportation Partnership Account--State</u>	
32 <u>Appropriation</u>	<u>\$1,125,000</u>
33 TOTAL APPROPRIATION	((\$455,744,000))
34	<u>\$418,495,000</u>

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

3 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**
4 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND**
5 **FISCAL AGENT CHARGES**

6	Motor Vehicle Account--State Appropriation	((\$283,000))
7		<u>\$246,000</u>
8	Transportation Improvement Account--State Appropriation . . .	\$13,000
9	Multimodal Transportation Account--State Appropriation . .	((\$96,000))
10		<u>\$35,000</u>
11	Transportation 2003 Account (Nickel Account)--State	
12	Appropriation	((\$2,400,000))
13		<u>\$2,212,000</u>
14	Transportation Partnership Account--State	
15	Appropriation	((\$2,800,000))
16		<u>\$375,000</u>
17	TOTAL APPROPRIATION	((\$5,592,000))
18		<u>\$2,881,000</u>

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

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

23 (1) Motor Vehicle Account--State Reappropriation:
24 For transfer to the Tacoma Narrows toll bridge
25 account \$257,016,000

26 The department of transportation is authorized to sell up to
27 \$257,016,000 in bonds authorized by RCW 47.10.843 for the Tacoma
28 Narrows bridge project. Proceeds from the sale of the bonds shall be
29 deposited into the motor vehicle account. The department of
30 transportation shall inform the treasurer of the amount to be
31 deposited.

32 (2) Motor Vehicle Account--State Appropriation:
33 For transfer to the Puget Sound capital construction
34 account ((~~\$72,000,000~~))
35 \$40,950,000

1 The department of transportation is authorized to sell up to
2 (~~(\$72,000,000)~~) \$40,950,000 in bonds authorized by RCW 47.10.843 for
3 vessel and terminal acquisition, major and minor improvements, and long
4 lead-time materials acquisition for the Washington state ferries.

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

7 **FOR THE STATE TREASURER--STATE REVENUES FOR DISTRIBUTION**

8 Motor Vehicle Account Appropriation for
9 motor vehicle fuel tax distributions to cities
10 and counties (~~(\$450,757,000)~~)
11 \$487,612,000

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

14 **FOR THE STATE TREASURER--TRANSFERS**

15 Motor Vehicle Account--State
16 Appropriation: For motor vehicle fuel tax
17 refunds and transfers (~~(\$820,769,000)~~)
18 \$1,037,342,000

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

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

- 22 (1) RV Account--State Appropriation:
23 For transfer to the Motor Vehicle Account--State \$2,000,000
- 24 (2) Motor Vehicle Account--State Appropriation:
25 For transfer to Puget Sound Capital Construction
26 Account--State \$73,000,000
- 27 (3) Highway Safety Account--State Appropriation:
28 For transfer to the Motor Vehicle Account--State . . . (~~(\$10,000,000)~~)
29 \$5,000,000
- 30 (4) Motor Vehicle Account--State Appropriation:
31 For transfer to the Puget Sound Ferry Operations
32 Account--State (~~(\$19,087,000)~~)
33 \$31,000,000
- 34 (5) Motor Vehicle Account--State Appropriation:
35 For transfer to the Transportation Partnership

1 Account--State ((\$51,372,000))
 2 \$32,935,000
 3 (6) Highway Safety Account--State Appropriation:
 4 For transfer to the Multimodal Transportation
 5 Account--State ((\$21,170,000))
 6 \$25,980,000
 7 (7) Transportation Partnership Account--State Appropriation:
 8 For transfer to the Small City Pavement and Sidewalk
 9 Account--State ((\$2,000,000))
 10 \$1,000,000
 11 (8) Transportation Partnership Account--State Appropriation:
 12 For transfer to the Transportation Improvement
 13 Account--State ((\$5,000,000))
 14 \$2,500,000
 15 (9) Transportation Partnership Account--State Appropriation:
 16 For transfer to the ((Rural)) County Arterial
 17 ((Trust)) Preservation Account--State ((\$3,000,000))
 18 \$1,500,000
 19 (10) License Plate Technology Account--State Appropriation:
 20 For transfer to the Motor Vehicle Account--State \$2,500,000
 21 ~~((11) Motor Vehicle Account--State Appropriation:~~
 22 ~~For transfer to the State Patrol Highway Account--~~
 23 ~~State \$1,406,000~~
 24 ~~(12) Motor Vehicle Account--State Appropriation:~~
 25 ~~For transfer to the Transportation 2003 Account~~
 26 ~~(Nickel Account)--State \$461,000~~
 27 ~~(13))~~ (11) Multimodal Transportation Account--State Appropriation:
 28 For transfer to the Transportation Partnership
 29 Account--State \$29,400,000
 30 (12) Motor Vehicle Account--State Appropriation:
 31 For transfer to the Freight Mobility Multimodal
 32 Account--State, up to a maximum of \$3,700,000
 33 (13) Multimodal Transportation Account--State Appropriation:
 34 For transfer to the Tacoma Narrows Toll Bridge
 35 Account--State \$2,700,000
 36

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

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

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

9 **COMPENSATION**

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

12 **EMPLOYEE SALARY COST OF LIVING ADJUSTMENT.** For those funds that
13 support noncapital FTE employees, agency appropriations in sections 101
14 through 408 of this act provide funding for salary cost of living
15 adjustments subject to the following conditions and limitations:

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

21 (2) The appropriations for cost of living adjustments provide for
22 a 3.2% increase effective September 1, 2005, for all classified
23 employees, except those represented by a collective bargaining unit
24 under the personnel system reform act of 2002, and except the
25 certificated employees covered by the provisions of Initiative Measure
26 No. 732. Also included are employees in the Washington management
27 service, and exempt employees under the jurisdiction of the personnel
28 resources board or the director of personnel, as applicable.

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

34 (4) The appropriations for cost of living adjustments provide for
35 a 1.6% salary increase effective July 1, 2006, until June 30, 2007, for
36 all state employees represented by a collective bargaining unit under

1 the personnel system reform act of 2002. In addition, appropriation is
2 provided for a 1.6% increase effective September 1, 2006, for all
3 classified employees, except those represented by a collective
4 bargaining unit under the personnel system reform act of 2002, and
5 except the certificated employees covered by the provisions of
6 Initiative Measure No. 732. Also included are employees in the
7 Washington management service, and exempt employees under the
8 jurisdiction of the personnel resources board or the director of
9 personnel, as applicable. The appropriation is also sufficient to fund
10 a 1.6% salary increase effective September 1, 2006, until June 30,
11 2007, for ferry system employees and for general government,
12 legislative, and judicial employees exempt from merit system rules
13 whose maximum salaries are not set by the commission on salaries for
14 elected officials. This subsection shall not apply to Washington state
15 patrol commissioned troopers and sergeants covered under sections
16 208(8)(a) and 210(6)(a) of this act. If a new collective bargaining
17 agreement is reached between the governor and the Washington state
18 patrol lieutenants association by July 1, 2006, this subsection shall
19 not apply to Washington state patrol commissioned captains and
20 lieutenants covered under sections 208(8)(b) and 210(6)(b) of this act.

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

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

28 **IMPLEMENTING PROVISIONS**

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

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

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

1 **Sec. 603.** 2005 c 313 s 603 (uncodified) is amended to read as
2 follows:

3 (1) The (~~transportation commission~~) director of the office of
4 financial management may authorize a transfer of spending allocation
5 within the appropriation provided and between projects funded with
6 transportation 2003 account (nickel account) appropriations (~~or the~~),
7 transportation partnership account appropriations, multimodal
8 transportation account appropriations, freight mobility account
9 appropriations, or freight mobility investment account appropriations,
10 in order to manage project spending and efficiently deliver all
11 projects in the respective program under the following conditions and
12 limitations:

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

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

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

19 (~~(c)~~) (d) Transfers from a project may not be made as a result of
20 the reduction of the scope of a project, nor shall a transfer be made
21 to support increases in the scope of a project;

22 (~~(d)~~) (e) Each transfer between projects may only occur if the
23 commission finds that any resulting change will not hinder the
24 completion of the projects approved by the legislature; (~~and~~

25 ~~(e)~~) (f) Transfers may not occur to projects not identified on the
26 applicable project list; and

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

28 (2) Upon approval of every transfer, a report of the transfers made
29 to date shall be submitted (~~on October 1st of each fiscal year~~) to
30 the senate and house of representatives transportation committees. The
31 report must also include a list of monitored projects or transfers
32 currently under consideration by the department, and a financial plan
33 consistent with legislative intent.

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

36 Before accepting any unsolicited project proposals, the commission

1 must adopt rules to facilitate the acceptance, review, evaluation, and
2 selection of unsolicited project proposals. These rules must include
3 the following:

4 (1) Provisions that specify unsolicited proposals must meet
5 predetermined criteria;

6 (2) Provisions governing procedures for the cessation of
7 negotiations and consideration;

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

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

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

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

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

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

28 The commission may adopt other rules as necessary to avoid
29 conflicts with existing laws, statutes, or contractual obligations of
30 the state.

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

33 **MISCELLANEOUS**

34 NEW SECTION. **Sec. 701.** If any provision of this act or its
35 application to any person or circumstance is held invalid, the

1 remainder of the act or the application of the provision to other
2 persons or circumstances is not affected.

3 NEW SECTION. **Sec. 702.** This act is necessary for the immediate
4 preservation of the public peace, health, or safety, or support of the
5 state government and its existing public institutions, and takes effect
6 immediately.

(End of bill)

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1 Correct the title.

--- END ---