
BILL REQUEST - CODE REVISER'S OFFICE

BILL REQ. #: S-5242.4/06 4th draft

ATTY/TYPIST: LL:mos

BRIEF DESCRIPTION: Making 2006 supplemental transportation appropriations.

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

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

11 **2005-07 BIENNIUM**

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

13 (1) The transportation budget of the state is hereby adopted and,
14 subject to the provisions set forth, the several amounts specified, or
15 as much thereof as may be necessary to accomplish the purposes
16 designated, are hereby appropriated from the several accounts and funds
17 named to the designated state agencies and offices for employee

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

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

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

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

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

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

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

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

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

23 **GENERAL GOVERNMENT AGENCIES--OPERATING**

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

26 **FOR THE OFFICE OF FINANCIAL MANAGEMENT**

27 Multimodal Transportation Account--State Appropriation . . . \$234,000

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

30 **FOR THE MARINE EMPLOYEES COMMISSION**

31 Puget Sound Ferry Operations Account--State
32 Appropriation ((\$390,000))
33 \$407,000

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

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

6 (2) \$13,000 of the Puget Sound ferry operations account--state
7 appropriation is provided solely for the implementation of Substitute
8 Senate Bill No. 6794. If Substitute Senate Bill No. 6794 is not
9 enacted by June 30, 2006, the amount provided in this subsection shall
10 lapse.

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

13 **FOR THE DEPARTMENT OF AGRICULTURE**

14 Motor Vehicle Account--State Appropriation ((\$329,000))
15 \$330,000

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

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

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

23 Motor Vehicle Account--State Appropriation ((\$200,000))
24 \$487,000

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

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

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

34 (2) \$236,000 of the motor vehicle account--state appropriation is
35 provided solely for legal expenses related to the *Lower Elwha Klallam*
36 *Tribe v. Washington* (graving dock) case.

1 conduct a study of the impact of state programs concerning the
2 reduction of DUI recidivism. The study must include, on a prioritized
3 basis to the extent federal funds are made available for the study, the
4 following components: (1) The state's existing deferred prosecution
5 program; (2) the state's vehicle impound program; and (3) other states'
6 programs that restrict a person's access to the vehicle, or suspend the
7 vehicle license and registration, upon arrest or conviction.

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

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

12 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

13 Rural Arterial Trust Account--State Appropriation	((\$821,000))
	<u>\$823,000</u>
15 Motor Vehicle Account--State Appropriation	((\$1,942,000))
	<u>\$1,950,000</u>
17 County Arterial Preservation Account--State Appropriation	((\$777,000))
	<u>\$780,000</u>
19 TOTAL APPROPRIATION	((\$3,540,000))
	<u>\$3,553,000</u>

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

23 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

24 Urban Arterial Trust Account--State Appropriation	((\$1,624,000))
	<u>\$1,630,000</u>
26 Transportation Improvement Account--State Appropriation	((\$1,625,000))
	<u>\$1,632,000</u>
28 TOTAL APPROPRIATION	((\$3,249,000))
	<u>\$3,262,000</u>

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

32 **FOR THE BOARD OF PILOTAGE COMMISSIONERS**

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

1 (G) Performance measures for benchmarking and identifying success
2 over time; and

3 (H) Legislative input sought for significant changes sought; and
4 (iii) Operations review, including, but not limited to the
5 following issues:

6 (A) Zero base of the operating budget;

7 (B) Business plan for uniform boat size; and

8 (C) Organizational structure.

9 (b) The purpose of the study is to facilitate policy discussions
10 and decisions by members of the legislature, regarding the Washington
11 state ferry system, including tariff policy, management review, and the
12 potential for public private initiatives. The legislature recognizes
13 there is a need, within the Washington state ferry system, for
14 predictable cash flows, transparency, further integration with the rest
15 of Washington state department of transportation, verification that the
16 Washington state ferry system is operating at maximum efficiency, and
17 better labor relations, and this study is to help move in that
18 direction.

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

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

34 (a) The study shall be guided by a 18 member task force consisting
35 of the chairs and ranking members of the house of representatives and
36 senate transportation committees, a designee of the director of the
37 office of financial management, a member of the transportation
38 commission, a designee of the secretary of transportation, a

1 representative of organized labor, and ten stakeholders to be appointed
2 by the governor as follows: Six representatives of ferry user
3 communities, two representatives of public transportation agencies, and
4 two representatives of commercial ferry operators.

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

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

12 (4) \$450,000 of the motor vehicle account--state appropriation is
13 provided solely to administer a consultant study of the long-term
14 viability of the state's transportation financing methods and sources.

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

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

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

30 **FOR THE TRANSPORTATION COMMISSION**

31 Motor Vehicle Account--State Appropriation	((\$4,607,000))
	<u>\$4,167,000</u>
32	
33 Multimodal Transportation Account--State	
34 Appropriation	((\$1,150,000))
35	<u>\$1,507,000</u>
36 TOTAL APPROPRIATION	((\$5,757,000))
37	<u>\$5,674,000</u>

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

3 (1) \$1,500,000 of the motor vehicle fund account--state
4 appropriation is provided solely for a comprehensive tolling study.
5 The transportation commission, with the technical assistance of the
6 department, must conduct a study of the state's transportation system
7 to determine the feasibility of administering tolls on specific
8 transportation facilities or a network of facilities. This study shall
9 serve as the statewide tolling feasibility study required in Engrossed
10 Substitute House Bill No. 1541, and shall serve as the tolling study
11 necessary to implement toll facilities within a regional transportation
12 investment district or its successor entity.

13 (a) The study must include an analysis of the only currently-
14 authorized toll facility, the Tacoma Narrows bridge project. The study
15 findings must include (i) the development of more uniform and equitable
16 policies regarding the distribution of financial obligations imposed on
17 those paying the tolls on the Tacoma Narrows bridge, and (ii)
18 opportunities and options for reducing the outstanding indebtedness on
19 the bridge project, including the possibility of buy-downs and other
20 means of spreading the cost of the project more equitably.

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

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

1 State Patrol Highway Account--Federal Appropriation . . . \$10,544,000
 2 State Patrol Highway Account--Private/Local Appropriation . . \$169,000
 3 TOTAL APPROPRIATION (~~(\$213,243,000)~~)
 4 \$209,741,000

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

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

22 (2) In addition to the user fees, the patrol shall transfer into
 23 the state patrol nonappropriated airplane revolving account under RCW
 24 43.79.470 no more than the amount of appropriated state patrol highway
 25 account and general fund funding necessary to cover the costs for the
 26 patrol's use of the aircraft. The state patrol highway account and
 27 general fund--state funds shall be transferred proportionately in
 28 accordance with a cost allocation that differentiates between highway
 29 traffic enforcement services and general policing purposes.

30 (3) The patrol shall not account for or record locally provided DUI
 31 cost reimbursement payments as expenditure credits to the state patrol
 32 highway account. The patrol shall report the amount of expected
 33 locally provided DUI cost reimbursements to the transportation
 34 committees of the senate and house of representatives by December 31st
 35 of each year.

36 (4) The state patrol highway account--state appropriation for DUI
 37 reimbursements shall only be spent for pursuit vehicle video cameras,
 38 datamaster DUI testing equipment, tire deflator equipment, and taser

1 guns. The Washington state patrol prior to the issuance of any taser
2 guns will train the troopers on using the equipment. The agency will
3 provide a report to the transportation committees of the senate and
4 house of representatives by December 31st of each year on the
5 occurrences where the taser guns were utilized along with any issues
6 that have been identified.

7 (5) \$29,000 of the state patrol highway account--state
8 appropriation is provided solely for the implementation of House Bill
9 No. 1469. If House Bill No. 1469 is not enacted by June 30, 2005, the
10 amount provided in this subsection shall lapse.

11 (6) \$5,580,000 of the total appropriation is provided solely for a
12 3.8% salary increase for commissioned officers effective July 1, 2005,
13 in addition to any other salary increases provided for in this act.

14 ~~((+8))~~ (7) The Washington state patrol is authorized to use
15 certificates of participation to fund the King Air aircraft replacement
16 over a term of not more than ten years and an amount not to exceed
17 \$1,900,000.

18 (8)(a) \$822,000 of the state patrol highway account--state
19 appropriation is provided solely for the collective bargaining
20 agreement reached between the governor and the Washington state patrol
21 troopers association under chapter 438, Laws of 2005. For commissioned
22 troopers and sergeants covered under this section, funding is provided
23 for a 2.6% salary increase effective July 1, 2006, until August 31,
24 2006. Funding is also provided for a 1% salary increase effective
25 September 1, 2006. Provisions of the collective bargaining agreement
26 contained in this subsection are described in general terms. Only
27 major economic terms are included in this description. This
28 description does not contain the complete contents of the agreement.
29 Due to the timing challenges in negotiating the initial collective
30 bargaining agreement under chapter 438, Laws of 2005, this agreement
31 was not 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 (b) \$58,000 of the state patrol highway account--state
36 appropriation is provided solely for salary increases for commissioned
37 captains and lieutenants covered under this section, if a new
38 collective bargaining agreement is reached between the governor and the

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

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

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

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

18 **FOR THE WASHINGTON STATE PATROL--TECHNICAL SERVICES BUREAU**
19 State Patrol Highway Account--State Appropriation . . . ((\$82,748,000))
20 \$91,368,000
21 State Patrol Highway Account--Private/Local
22 Appropriation \$2,008,000
23 TOTAL APPROPRIATION ((\$84,756,000))
24 \$93,376,000

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

27 (1) \$247,000 of the state patrol highway account--state
28 appropriation is provided solely for the implementation of Second
29 Substitute House Bill No. 1188. If Second Substitute House Bill No.
30 1188 is not enacted by June 30, 2005, the amount provided in this
31 subsection shall lapse.

32 (2) The Washington state patrol is instructed to work with the risk
33 management division in the office of financial management in compiling
34 the state patrol data for establishing the agency's risk management
35 insurance premiums to the tort claims account. The office of financial
36 management and the Washington state patrol shall submit a report to the

1 transportation committees of the senate and house of representatives by
2 December 31st of each year on the number of claims, estimated claims to
3 be paid, method of calculation, and the adjustment in the premium.

4 ~~(3) ((\$6,228,000 of the total appropriation is provided solely for
5 automobile fuel in the 2005-2007 biennium.~~

6 ~~(4))~~ \$8,678,000 of the total appropriation is provided solely for
7 the purchase of pursuit vehicles.

8 ~~((5))~~ (4) \$5,254,000 of the total appropriation is provided
9 solely for vehicle repair and maintenance costs of vehicles used for
10 highway purposes.

11 ~~((6))~~ (5) \$384,000 of the total appropriation is provided solely
12 for the purchase of mission vehicles used for highway purposes in the
13 commercial vehicle and traffic investigation sections of the patrol.

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

31 (b) \$2,000 of the state patrol highway account--state appropriation
32 is provided solely for salary increases for commissioned captains and
33 lieutenants covered under this section, if a new collective bargaining
34 agreement is reached between the governor and the Washington state
35 patrol lieutenants association by July 1, 2006. The amount provided in
36 this subsection is contingent on an agreement being reached by July 1,
37 2006, and shall be held in reserve status until the agreement is
38 reached. If an agreement is not reached by July 1, 2006, the amount

1 provided in this subsection shall lapse. Due to the timing challenges
2 in negotiating a collective bargaining agreement funded under this
3 subsection, the agreement will not have been concluded by the October
4 1st statutory deadline. However, the legislature does not intend to
5 fund bargaining agreements concluded after the October 1st deadline, or
6 other salary increases not included in the governor's budget proposal,
7 in future biennia.

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

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

11 Marine Fuel Tax Refund Account--State Appropriation	\$3,000
12 Motorcycle Safety Education Account--State Appropriation	\$96,000
13 Wildlife Account--State Appropriation	((\$82,000))
14	<u>\$95,000</u>
15 Highway Safety Account--State Appropriation	((\$11,418,000))
16	<u>\$11,676,000</u>
17 Motor Vehicle Account--State Appropriation	((\$7,043,000))
18	<u>\$7,381,000</u>
19 DOL Services Account--State Appropriation	((\$88,000))
20	<u>\$102,000</u>
21 ((Biometric Security Account--State Appropriation	\$57,000))
22 TOTAL APPROPRIATION	((\$18,787,000))
23	<u>\$19,353,000</u>

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

26 (1) \$1,134,000 of the motor vehicle account--state appropriation is
27 provided solely for the implementation of Engrossed Substitute Senate
28 Bill No. 6103. If Engrossed Substitute Senate Bill No. 6103 is not
29 enacted by June 30, 2005, the amount provided in this subsection shall
30 lapse.

31 (2) \$52,000 of the highway safety account--state appropriation is
32 provided solely for the implementation of House Bill No. 2829. If
33 House Bill No. 2829 is not enacted by June 30, 2006, the amount
34 provided in this subsection shall lapse.

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

1	FOR THE DEPARTMENT OF LICENSING--INFORMATION SERVICES	
2	Marine Fuel Tax Refund Account--State Appropriation	\$2,000
3	Motorcycle Safety Education Account--State Appropriation	\$35,000
4	Wildlife Account--State Appropriation	\$102,000
5	Highway Safety Account--State Appropriation	(\$20,698,000)
6		<u>\$22,740,000</u>
7	Motor Vehicle Account--State Appropriation	(\$12,095,000)
8		<u>\$12,149,000</u>
9	Motor Vehicle Account--Private/Local Appropriation	\$500,000
10	DOL Services Account--State Appropriation	(\$7,825,000)
11		<u>\$5,919,000</u>
12	((Biometric Security Account--State Appropriation	\$728,000))
13	TOTAL APPROPRIATION	(\$41,985,000)
14		<u>\$41,447,000</u>

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

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

21 (2) \$357,000 of the motor vehicle account--state appropriation is
22 provided solely for the implementation of all special license plate
23 bills introduced during the 2005 legislative session and approved by
24 the special license plate review board. The amount provided in this
25 subsection shall be reduced accordingly for any of those bills that are
26 not enacted by June 30, 2005.

27 (3) \$58,000 of the state wildlife account--state appropriation is
28 provided solely for the implementation of Substitute Senate Bill No.
29 5423. If Substitute Senate Bill No. 5423 is not enacted by June 30,
30 2005, the amount provided in this subsection shall lapse.

31 (4) \$145,000 of the motor vehicle account--state appropriation is
32 provided solely for the implementation of Engrossed Substitute Senate
33 Bill No. 6103. If Engrossed Substitute Senate Bill No. 6103 is not
34 enacted by June 30, 2005, the amount provided in this subsection shall
35 lapse.

36 (5) \$8,000 of the motor vehicle account--state appropriation is
37 provided solely for the implementation of Engrossed Substitute Senate

1 Bill No. 6287. If Engrossed Substitute Senate Bill No. 6287 is not
2 enacted by June 30, 2006, the amount provided in this subsection shall
3 lapse.

4 (6) \$49,000 of the highway safety account--state appropriation is
5 provided solely for the implementation of House Bill No. 2829. If
6 House Bill No. 2829 is not enacted by June 30, 2006, the amount
7 provided in this subsection shall lapse.

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

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

11	Marine Fuel Tax Refund Account--State Appropriation	\$26,000
12	Wildlife Account--State Appropriation	(\$626,000)
13		<u>\$627,000</u>
14	Motor Vehicle Account--State Appropriation	(\$49,894,000)
15		<u>\$51,271,000</u>
16	Motor Vehicle Account--Private/Local Appropriation	\$872,000
17	DOL Services Account--State Appropriation	\$1,146,000
18	Highway Safety Account--State Appropriation	\$404,000
19	TOTAL APPROPRIATION	(\$52,968,000)
20		<u>\$54,346,000</u>

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

23 (1) \$247,000 of the motor vehicle account--state appropriation is
24 provided solely for the implementation of all special license plate
25 bills introduced during the 2005 legislative session and approved by
26 the special license plate review board. The amount provided in this
27 subsection shall be reduced accordingly for any of those bills that are
28 not enacted by June 30, 2005.

29 (2) \$11,000 of the wildlife account--state appropriation is
30 provided solely for the implementation of Engrossed Senate Bill No.
31 5423. If Engrossed Senate Bill No. 5423 is not enacted by June 30,
32 2005, the amount provided in this subsection shall lapse.

33 (3) \$404,000 of the motor vehicle account--state appropriation is
34 provided solely for the implementation of Engrossed Substitute Senate
35 Bill No. 6103. If Engrossed Substitute Senate Bill No. 6103 is not
36 enacted by June 30, 2005, the amount provided in this subsection shall
37 lapse.

1 (4) \$37,000 of the motor vehicle account--state appropriation is
2 provided solely for the implementation of Engrossed Substitute Senate
3 Bill No. 6287. If Engrossed Substitute Senate Bill No. 6287 is not
4 enacted by June 30, 2006, the amount provided in this subsection shall
5 lapse.

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

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

9 Motorcycle Safety Education Account--State
10 Appropriation ((~~\$3,005,000~~))
11 \$3,006,000
12 Highway Safety Account--State Appropriation ((~~\$85,051,000~~))
13 \$87,078,000
14 Highway Safety Account--Federal Appropriation \$8,000
15 ((~~Biometric Security Account--State Appropriation \$1,523,000~~))
16 TOTAL APPROPRIATION ((~~\$89,587,000~~))
17 \$90,092,000

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

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

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

34 (3) The department of licensing, in consultation with the
35 department of transportation and other stakeholders, shall draft
36 legislation to bring the state into compliance with any federal
37 legislation or rules enacted relative to identification necessary for

1 persons crossing international borders. The department shall report to
2 the transportation committees of the legislature by December 1, 2005,
3 on the recommended legislation for bringing the state into compliance
4 with federal requirements.

5 (4) \$738,000 of the highway safety account--state appropriation is
6 provided solely for the implementation of House Bill No. 2829. If
7 House Bill No. 2829 is not enacted by June 30, 2006, the amount
8 provided in this subsection shall lapse.

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

11 **FOR THE DEPARTMENT OF TRANSPORTATION--TOLL OPERATIONS AND**
12 **MAINTENANCE--PROGRAM B**

13 Tacoma Narrows Toll Bridge Account--State Appropriation ((~~\$8,615,000~~))
14 \$8,624,000

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

17 **FOR THE DEPARTMENT OF TRANSPORTATION--INFORMATION TECHNOLOGY--PROGRAM**
18 **C**

19 Motor Vehicle Account--State Appropriation ((~~\$55,941,000~~))
20 \$56,597,000

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

22 Puget Sound Ferry Operations Account--State
23 Appropriation ((~~\$8,558,000~~))
24 \$8,572,000

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

26 TOTAL APPROPRIATION ((~~\$66,835,000~~))
27 \$67,505,000

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

30 (1) ((~~\$850,000~~)) \$800,000 of the motor vehicle account--state
31 appropriation is provided solely for the continued maintenance and
32 support of the transportation executive information system (TEIS). The
33 TEIS shall be enhanced during the ((2005)) 2006 legislative interim to
34 continue the shift towards a monitoring and reporting system capable of
35 tracking and reporting on major project milestones and measurements.
36 The department shall work with the legislature to identify and define

1 meaningful milestones and measures to be used in monitoring the scope,
2 schedule, and cost of projects. The department shall provide updated
3 information on six project milestones for all active projects, funded
4 in part or in whole with 2005 transportation partnership account funds
5 or 2003 nickel account funds, on a quarterly basis in TEIS. The
6 department shall also provide updated information on six project
7 milestones for projects agreed to by the legislature, office of
8 financial management, and the department, and funded with preexisting
9 funds, on a quarterly basis in TEIS.

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

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

23 (4) \$245,000 of the motor vehicle account--state appropriation is
24 provided solely for expanding the department's existing agreement with
25 the department of information services. This amount is provided for
26 additional bandwidth to accommodate web demand, particularly during
27 peak periods.

28 (5) \$302,000 of the motor vehicle account--state appropriation is
29 provided solely for the department's share of the costs for the Union
30 Gap disaster recovery facility.

31 (6) The department shall review its GPS network services and survey
32 data, and evaluate the added benefits of using real-time data from a
33 regional cooperative GPS network.

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

36 **FOR THE DEPARTMENT OF TRANSPORTATION--FACILITY MAINTENANCE, OPERATIONS**

1 **AND CONSTRUCTION--PROGRAM D--OPERATING**

2 Motor Vehicle Account--State Appropriation (~~(\$33,499,000)~~)
3 \$33,600,000

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

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

7 Aeronautics Account--State Appropriation (~~(\$5,632,000)~~)
8 \$7,137,000

9 Aeronautics Account--Federal Appropriation \$2,150,000

10 (~~Aircraft Search and Rescue Safety and~~
11 ~~Education Account State Appropriation \$262,000)~~)

12 Multimodal Transportation Account--State Appropriation . . . \$100,000

13 Multimodal Transportation Account--Federal Appropriation . . \$900,000

14 TOTAL APPROPRIATION (~~(\$9,044,000)~~)
15 \$10,287,000

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

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

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

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

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

1 Substitute Senate Bill No. 5121, the amount provided in this subsection
2 shall lapse.

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

5 **FOR THE DEPARTMENT OF TRANSPORTATION--PROGRAM DELIVERY MANAGEMENT AND**
6 **SUPPORT--PROGRAM H**

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

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

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

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

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

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

1 place an equal amount of the motor vehicle account--state into
2 unallotted status. This exchange shall not affect the amount of
3 funding available for snow and ice removal.

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

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

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

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

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

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

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

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

1 **FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM Q--**
2 **OPERATING**

3	Motor Vehicle Account--State Appropriation	((\$42,811,000))
4		<u>\$38,777,000</u>
5	Motor Vehicle Account--Federal Appropriation	\$2,050,000
6	Motor Vehicle Account--Private/Local Appropriation	\$128,000
7	<u>Highway Safety Account--State Appropriation</u>	<u>\$5,070,000</u>
8	TOTAL APPROPRIATION	((\$44,989,000))
9		<u>\$46,025,000</u>

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

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

19 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION MANAGEMENT AND**
20 **SUPPORT--PROGRAM S**

21	Motor Vehicle Account--State Appropriation	((\$25,434,000))
22		<u>\$25,516,000</u>
23	Motor Vehicle Account--Federal Appropriation	\$30,000
24	Puget Sound Ferry Operations Account--State	
25	Appropriation	\$1,321,000
26	Multimodal Transportation Account--State Appropriation	\$973,000
27	TOTAL APPROPRIATION	((\$27,758,000))
28		<u>\$27,840,000</u>

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

31 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION PLANNING, DATA,**
32 **AND RESEARCH--PROGRAM T**

33	Motor Vehicle Account--State Appropriation	((\$22,390,000))
34		<u>\$23,452,000</u>
35	Motor Vehicle Account--Federal Appropriation	\$16,756,000
36	Multimodal Transportation Account--State Appropriation	((\$2,267,000))

1 46.68.110(2) and 46.68.120(3) and shall be used by the department to
2 support the processing and analysis of the backlog of city and county
3 collision reports by January 2006. The amount provided in this
4 subsection shall lapse if federal funds become available for this
5 purpose.

6 ~~((+5))~~ (4) \$150,000 of the multimodal transportation account--
7 state appropriation is provided solely for the implementation of
8 Engrossed Second Substitute House Bill No. 1565. If Engrossed Second
9 Substitute House Bill No. 1565 is not enacted by June 30, 2005, the
10 amount provided in this subsection shall lapse.

11 ~~((+6))~~ (5) The department of transportation shall evaluate the
12 number of spaces available for long-haul truck parking relative to
13 current and projected future needs. The department of transportation
14 shall also explore options for augmenting the number of spaces
15 available, including, but not limited to, expanding state-owned rest
16 areas or modifying regulations governing the use of these facilities,
17 utilizing weigh stations and park and ride lots, and encouraging the
18 expansion of the private sector's role. Finally, the department shall
19 explore the utility of coordinating with neighboring states on
20 long-haul truck parking and evaluate methodologies for alleviating any
21 air quality issues relative to the issue. The department must report
22 to the transportation committees of the legislature by December 1,
23 2005, on the options, strategies, and recommendations for long-haul
24 truck parking.

25 ~~((+7))~~ (6) \$50,000 of the multimodal transportation account--state
26 appropriation is provided solely for evaluating high-speed passenger
27 transportation facilities and services, including rail or magnetic
28 levitation transportation systems, to connect airports as a means to
29 more efficiently utilize airport capacity, as well as connect major
30 population and activity centers. This evaluation shall be coordinated
31 with the airport capacity and facilities market analysis conducted
32 pursuant to Engrossed Substitute Senate Bill No. 5121 and results of
33 the evaluation shall be submitted by July 1, 2007. If Engrossed
34 Substitute Senate Bill No. 5121 is not enacted by June 30, 2005, or if
35 federal funds are not received by March 1, 2006, for the purpose of
36 implementing Engrossed Substitute Senate Bill No. 5121, the amount
37 provided in this subsection shall lapse.

1 (7) \$700,000 of the motor vehicle account--state appropriation is
2 provided solely for completing funding for a route development plan of
3 U.S. route 2.

4 (8) The department shall conduct a study of the resources allocated
5 to each of the seven department regions and the corresponding
6 workloads. Given the magnitude of the investments in the Puget Sound
7 region, particular emphasis shall be given to reviewing the resources
8 allocated and corresponding workloads with respect to the urban
9 corridors region and the northwest region. Based on the results of
10 this study, the department shall submit recommendations by December 1,
11 2006, to the legislature and the office of financial management
12 regarding reallocating resources and revising regional boundaries
13 within the department, as appropriate, in order to better coincide
14 allocated resources with designated regional boundaries.

15 (9) \$250,000 of the motor vehicle account--state appropriation is
16 provided solely for predesign for safety improvements at the I-5 Martin
17 Way interchange in the city of Lacey.

18 (10) The department shall inventory all tidelands owned by the
19 department and, in cooperation with the department of natural
20 resources, assess the commercial value and viability of the on-going
21 harvesting of any shellfish thereupon.

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

24 **FOR THE DEPARTMENT OF TRANSPORTATION--CHARGES FROM OTHER AGENCIES--**
25 **PROGRAM U**

26	Motor Vehicle Account--State Appropriation	((\$45,030,000))
27		<u>\$46,864,000</u>
28	Motor Vehicle Account--Federal Appropriation	\$400,000
29	TOTAL APPROPRIATION	((\$45,430,000))
30		<u>\$47,264,000</u>

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

33 (1) \$31,749,000 of the motor vehicle fund--state appropriation is
34 provided solely for the liabilities attributable to the department of
35 transportation. The office of financial management must provide a
36 detailed accounting of the revenues and expenditures of the self-

1 insurance fund to the transportation committees of the legislature on
2 December 31st and June 30th of each year.

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

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

7 (b) FOR PAYMENT OF COSTS OF THE OFFICE OF THE STATE
8 AUDITOR ((~~\$1,017,000~~))
9 \$1,026,000

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

13 (d) FOR PAYMENT OF COSTS OF THE DEPARTMENT OF
14 PERSONNEL ((~~\$3,572,000~~))
15 \$4,548,000

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

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

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

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

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

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

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

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

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

33 **FOR THE DEPARTMENT OF TRANSPORTATION--PUBLIC TRANSPORTATION--PROGRAM**
34 **V**

35 Multimodal Transportation Account--State
36 Appropriation ((~~\$62,269,000~~))
37 \$86,933,000

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

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

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

14 (3) (~~(\$5,000,000)~~) \$8,900,000 of the multimodal transportation
15 account--state appropriation is provided solely for a vanpool grant
16 program for: (a) Public transit agencies to add vanpools; and (b)
17 incentives for employers to increase employee vanpool use. The grant
18 program for public transit agencies will cover capital costs only; no
19 operating costs for public transit agencies are eligible for funding
20 under this grant program. No additional employees may be hired from
21 the funds provided in this section for the vanpool grant program, and
22 supplanting of transit funds currently funding vanpools is not allowed.
23 Additional criteria for selecting grants must include leveraging funds
24 other than state funds.

25 (4) \$3,000,000 of the multimodal transportation account--state
26 appropriation is provided solely for the city of Seattle for the
27 Seattle streetcar project on South Lake Union. (~~Should the city
28 receive any state funds for this purpose during the 2003-05 or 2005-07
29 biennium, the amount provided in this subsection must be reduced
30 accordingly.~~)

31 (5) \$1,200,000 of the multimodal transportation account--state
32 appropriation is provided solely for the implementation of Engrossed
33 Substitute House Bill No. 2124. If Engrossed Substitute House Bill No.
34 2124 is not enacted by June 30, 2005, the amount provided in this
35 subsection shall lapse.

36 (6)(a) \$20,000,000 of the multimodal transportation account--state
37 appropriation is provided solely for the regional mobility grant
38 projects identified on the LEAP Transportation Document 2006-C,

1 Regional Mobility Grant Program Projects as developed February 15,
2 2006. The department shall review all projects receiving grant awards
3 under this program at least semiannually to determine whether the
4 projects are making satisfactory progress. Any project that has been
5 awarded funds, but does not report activity on the project within one
6 year of the grant award, shall be reviewed by the department to
7 determine whether the grant should be terminated. The department shall
8 promptly close out grants when projects have been completed, and
9 identify where unused grant funds remain because actual project costs
10 were lower than estimated in the grant award. When funds become
11 available either because grant awards have been rescinded for lack of
12 sufficient project activity or because completed projects returned
13 excess grant funds upon project closeout, the department shall
14 expeditiously extend new grant awards to qualified alternative projects
15 identified on the list.

16 (b) Pursuant to the grant program established in (~~Engrossed~~
17 ~~Substitute House Bill No. 2124~~) RCW 47.66.030, the department shall
18 issue a call for projects and/or service proposals. Applications must
19 be received by the department by November 1, 2005, and November 1,
20 2006. The department must submit a prioritized list for funding to the
21 transportation committees of the legislature that reflects the
22 department's recommendation, as well as, a list of all project or
23 service proposals received.

24 (7) \$2,000,000 of the multimodal transportation account--state
25 appropriation is provided solely for new tri-county connection service
26 for Island, Skagit, and Whatcom transit agencies.

27 (8) \$2,000,000 of the multimodal transportation account--state
28 appropriation is provided solely to King county as a state match to
29 obtain federal funding for a car sharing program for persons meeting
30 certain income or employment criteria.

31 (9) \$750,000 of the multimodal transportation account--state
32 appropriation is provided solely for the implementation of the local
33 government and regional transportation planning requirements in
34 Engrossed Substitute Senate Bill No. 6566. The department shall
35 allocate the funds to regional transportation planning organizations,
36 counties, and cities on an as needed basis. If Engrossed Substitute
37 Senate Bill No. 6566 is not enacted by June 30, 2006, the amount
38 provided in this subsection shall lapse.

1 awards with respect to state ferry employee compensation, including
2 salaries, wages, and employee benefits, during the 2005-2007 biennium,
3 which amount includes \$6,223,000 in full satisfaction of the
4 arbitration awards for the 2001-2003 biennium and \$1,339,000 for labor
5 productivity gains agreements. The department's use of this
6 expenditure authority constitutes a good faith attempt to implement
7 such agreements and awards, including those applicable to prior
8 biennia. It is the intent of the legislature that the expenditure
9 authority provided in this subsection fully satisfy any agreements or
10 awards required to be implemented during the 2005-2007 biennium, and
11 that the provisions of Substitute Senate Bill No. 6794 will govern the
12 implementation of agreements or awards effective beginning with the
13 2007-2009 biennium. For the purposes of this section, the expenditures
14 for compensation paid to ferry employees shall be limited to salaries
15 and wages and employee benefits as defined in the office of financial
16 management's state administrative and accounting manual, chapter 75.70,
17 named under objects of expenditure "A" and "B".

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

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

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

34 (6) \$3,660,000 of the multimodal transportation account--state
35 appropriation is provided solely to provide passenger-only ferry
36 service. The ferry system shall continue the existing passenger-only
37 ferry service from Vashon Island to Seattle through June 30, 2007, but
38 shall not expand that service. Beginning September 1, 2005, ferry

1 system management shall implement its agreement with the
2 Inlandboatmen's Union of the Pacific and the International Organization
3 of Masters, Mates and Pilots providing for part-time passenger-only
4 work schedules. Funds may not be spent to implement the results of the
5 passenger-only ferry study conducted by the joint transportation
6 committee provided in section 205 of this act until approved by the
7 legislature.

8 (7) \$350,000 of the Puget Sound ferry operations account--state
9 appropriation is provided solely for the implementation of Substitute
10 Senate Bill No. 6794. If Substitute Senate Bill No. 6794 is not
11 enacted by June 30, 2006, the amount provided in this subsection shall
12 lapse.

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

15 **FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--OPERATING**
16 Multimodal Transportation Account--State
17 Appropriation ((~~\$36,420,000~~))
18 \$36,316,000

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

21 (1) \$29,091,000 of the multimodal transportation account--state
22 appropriation is provided solely for the Amtrak service contract and
23 Talgo maintenance contract associated with providing and maintaining
24 the state-supported passenger rail service. Upon completion of the
25 rail platform project in the city of Stanwood, the department shall
26 provide daily Amtrak Cascades service to the city.

27 (2) \$2,750,000 of the multimodal transportation account--state
28 appropriation is provided solely for a new round trip rail service
29 between Seattle and Portland beginning July 1, 2006.

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

31 (4) ((~~\$200,000~~)) \$40,000 of the multimodal transportation account--
32 state appropriation is provided solely for the produce railcar program.
33 The department is encouraged to implement the produce railcar program
34 by maximizing private investment.

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

1 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**
2 **OPERATING**

3	Motor Vehicle Account--State Appropriation	((\$7,947,000))
4		<u>\$8,600,000</u>
5	Motor Vehicle Account--Federal Appropriation	\$2,597,000
6	Multimodal Transportation Account--State Appropriation .	((\$211,000))
7		<u>\$711,000</u>
8	TOTAL APPROPRIATION	((\$10,755,000))
9		<u>\$11,908,000</u>

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

12 (1) \$211,000 of the motor vehicle account--state appropriation and
13 ((~~\$211,000~~)) \$411,000 of the multimodal transportation account--state
14 appropriation are provided solely for the state's contribution to
15 county and city studies of flood hazards in association with interstate
16 highways. First priority shall be given to threats along the I-5
17 corridor.

18 (2) \$525,000 of the motor vehicle account--state appropriation is
19 provided to the department in accordance with RCW 46.68.110(2) and
20 46.68.120(3) and shall be used by the department solely for contract
21 services with the association of Washington cities and the Washington
22 state association of counties for improving transportation permitting
23 and mitigation processes.

24 (3) \$100,000 of the motor vehicle account--state appropriation is
25 provided to the department in accordance with RCW 46.68.110(2) and
26 46.68.120(3) and shall be used by the department solely to conduct an
27 analysis of expanding the transportation concurrency requirements
28 prescribed under the growth management act, chapter 36.70A RCW, to
29 include development impacts on level of service standards applicable to
30 state-owned transportation facilities, including state highways and
31 state ferry routes. The objective of the analysis is to determine how
32 to ensure that jurisdictional divisions do not defeat growth management
33 act concurrency goals. The department shall convene a committee to
34 oversee the analysis, with the committee comprised of, at a minimum,
35 four members of the transportation committees of the legislature and
36 four members of the appropriate land use committees of the legislature.
37 The completed study, including recommendations, must be submitted to

1 the appropriate standing committees of the legislature, and to the
2 office of financial management, by December 1, 2006.

3 (4) \$300,000 of the multimodal transportation account--state
4 appropriation is provided solely for a transportation demand management
5 program, developed by the Whatcom council of governments, to further
6 reduce drive-alone trips and maximize the use of sustainable
7 transportation choices. The community based program must focus on all
8 trips, not only commute trips, by providing education, assistance, and
9 incentives to four target audiences: (a) Large work sites; (b)
10 employees of businesses in downtown areas; (c) school children; and (d)
11 residents of Bellingham.

12 **TRANSPORTATION AGENCIES--CAPITAL**

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

15 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

16 Rural Arterial Trust Account--State Appropriation	((\$67,933,000))
	<u>\$64,933,000</u>
18 Motor Vehicle Account--State Appropriation	\$355,000
19 County Arterial Preservation Account--State	
20 Appropriation	((\$30,392,000))
	<u>\$32,697,000</u>
22 TOTAL APPROPRIATION	((\$98,680,000))
	<u>\$97,985,000</u>

24 The appropriations in this section are subject to the following
25 conditions and limitations: \$355,000 of the motor vehicle account--
26 state appropriation is provided for county ferries as set forth in RCW
27 47.56.725(4).

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

30 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

31 Urban Arterial Trust Account--State Appropriation	((\$99,425,000))
	<u>\$101,425,000</u>
33 <u>Motor Vehicle Account--Federal Appropriation</u>	<u>\$87,000,000</u>
34 Small City Preservation and Sidewalk	
35 Account--State Appropriation	\$2,000,000

1 appropriation is provided solely for designing the replacement of the
2 existing outdated maintenance facility in Ephrata.

3 (4) (~~(\$219,000)~~) \$239,000 of the motor vehicle account--state
4 appropriation is provided solely for the designing of the northwest
5 regional maintenance complex in Seattle.

6 (5) (~~(\$833,000)~~) \$568,000 of the motor vehicle account--state
7 appropriation is provided solely for the Olympic region headquarters
8 project.

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

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

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

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

20 Transportation 2003 Account (Nickel Account)--State	
21 Appropriation	((\$1,175,004,000))
22	<u>\$1,200,261,000</u>
23 Motor Vehicle Account--State Appropriation	((\$70,359,000))
24	<u>\$82,924,000</u>
25 Motor Vehicle Account--Federal Appropriation	((\$229,036,000))
26	<u>\$399,718,000</u>
27 Motor Vehicle Account--Private/Local Appropriation	((\$33,893,000))
28	<u>\$58,522,000</u>
29 Special Category C Account--State Appropriation	((\$3,419,000))
30	<u>\$5,679,000</u>
31 Tacoma Narrows Toll Bridge Account Appropriation	((\$272,329,000))
32	<u>\$274,038,000</u>
33 Transportation Partnership Account--State	
34 Appropriation	((\$519,786,000))
35	<u>\$374,486,000</u>
36 <u>Multimodal Transportation Account--State</u>	
37 <u>Appropriation</u>	<u>\$1,002,000</u>

1 TOTAL APPROPRIATION ((~~\$2,303,826,000~~))
2 \$2,396,630,000

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

5 (1) The entire transportation 2003 account (nickel account)
6 appropriation and the entire transportation partnership account
7 appropriation are provided solely for the projects and activities as
8 listed by fund, project and amount in LEAP Transportation Document
9 ((~~2005-6~~)) 2006-1, Highway Improvement Program (I) as developed ((~~April~~
10 ~~24, 2005~~)) February 15, 2006. However, limited transfers of
11 allocations between projects may occur for those amounts listed subject
12 to the conditions and limitations in section 603 of this act.

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

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

26 ((~~d~~)) (c) Within the amounts provided in this subsection,
27 \$800,000 of the transportation partnership account--state appropriation
28 is ((~~provided solely~~)) for an SR 534 access point decision report.

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

36 (2) The motor vehicle account--state appropriation includes
37 ((~~\$53,000,000~~)) up to \$50,000,000 in proceeds from the sale of bonds
38 authorized by RCW 47.10.843. ((~~The transportation commission may~~

1 ~~authorize the use of current revenues available to the department of~~
2 ~~transportation in lieu of bond proceeds for any part of the state~~
3 ~~appropriation.)~~)

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

13 (4) The transportation partnership account--state appropriation
14 includes ~~((\$400,000,000))~~ up to \$200,000,000 in proceeds from the sale
15 of bonds authorized ~~((by Substitute House Bill No. 2311 (or the version~~
16 ~~as enacted into law)))~~ in RCW 47.10.873. ~~((The transportation~~
17 ~~commission may authorize the use of current revenues available to the~~
18 ~~department of transportation in lieu of bond proceeds for any part of~~
19 ~~the state appropriation.)~~)

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

26 (6) The transportation 2003 account (nickel account)--state
27 appropriation includes ~~((\$940,000,000))~~ up to \$900,000,000 in proceeds
28 from the sale of bonds authorized by chapter 147, Laws of 2003. ~~((The~~
29 ~~transportation commission may authorize the use of current revenues~~
30 ~~available to the department of transportation in lieu of bond proceeds~~
31 ~~for any part of the state appropriation.~~

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

1 ~~director of financial management. The department shall submit a report~~
2 ~~on those projects receiving fund transfers to the transportation~~
3 ~~committees of the senate and house of representatives by December 1,~~
4 ~~2006.~~

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

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

23 ~~((10))~~ (9) The department of transportation is authorized to
24 proceed with the SR 519 Intermodal Access project if the city of
25 Seattle has not agreed to a project configuration or design by July 1,
26 2006.

27 ~~((12) \$13,000,000)~~ (10) \$12,841,000 of the transportation 2003
28 account (nickel account)--state appropriation and ~~((5,000,000))~~
29 \$4,939,000 of the transportation partnership account--state
30 appropriation are provided solely for construction of a new interchange
31 on SR 522 to provide direct access to the University of Washington
32 Bothell/Cascadia community college joint campus. This appropriation
33 assumes an additional ~~((8,000,000))~~ \$8,061,000 will be provided in the
34 2007-09 biennium from the transportation partnership account.

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

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

4 (13) \$10,000,000 of the motor vehicle account--federal
5 appropriation is for expenditures on damaged state and local roads due
6 to flooding, mudslides, rock fall, or other unforeseen events. Slide
7 repair on state routes 101, 104, 107, and 105 must be funded from this
8 amount if federal emergency funds are not available.

9 (14) The department should consider using mitigation banking on
10 appropriate projects whenever possible, without increasing the cost to
11 projects. The department should consider using the advanced
12 environmental mitigation revolving account (AEMRA) for corridor and
13 watershed based mitigation opportunities, in addition to project
14 specific mitigation.

15 (15) \$500,000 of the motor vehicle account--state appropriation is
16 provided solely for a planning study regarding congestion mitigation
17 improvements on state route 101 in the vicinity of the city of
18 Aberdeen.

19 (16) \$6,200,000 of the motor vehicle account--federal appropriation
20 is provided solely for eastern Washington international border crossing
21 and freight mobility projects, including pavement preservation,
22 pavement structural strengthening, and other safety enhancements.
23 Projects shall include funding for U.S. route 97 international border
24 vicinity paving and improvement projects, and the Usk Bridge.

25 (17) \$19,262,149 of the motor vehicle account--federal
26 appropriation and \$1,873,478 of the transportation 2003 account (nickel
27 account) appropriation are provided solely for project 154302E: SR 543
28 (I-5 to the international boundary).

29 (18) \$3,509,738 of the motor vehicle account--federal appropriation
30 and \$30,793 of the motor vehicle account--state appropriation are
31 provided solely for project 100598C: I-5 Blaine Exit interchange
32 improvements.

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

35 **FOR THE DEPARTMENT OF TRANSPORTATION--PRESERVATION--PROGRAM P**
36 **Transportation 2003 Account (Nickel Account)--State**
37 **Appropriation ((\$10,622,000))**

1 biennium and planned in future biennia for the demolition and
2 mitigation for the demolition of the bridge to rehabilitate or replace
3 the bridge, if agreed to by the city. In no event shall the
4 department's participation exceed \$26,500,000 and no funds may be
5 expended unless the city of Tacoma agrees to take ownership of the
6 bridge in its entirety and provide that the payment of these funds
7 extinguishes any real or implied agreements regarding future
8 expenditures on the bridge.

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

14 (4) The motor vehicle account--state appropriation includes
15 (~~(\$530,000)~~) up to \$735,000 in unexpended proceeds from the sale of
16 bonds authorized in RCW 47.10.761 and 47.10.762 for emergency purposes.

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

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

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

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

8 (7) The motor vehicle account--state appropriation includes up to
 9 \$912,000 in unexpended proceeds from the sale of bonds authorized in
 10 RCW 47.10.843.

11 (8) The motor vehicle account--state appropriation includes up to
 12 \$3,000,000 in proceeds from the sale of bonds authorized by RCW
 13 47.10.843.

14 **Sec. 306.** 2005 c 313 s 308 (uncodified) is amended to read as
 15 follows:

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

18	Puget Sound Capital Construction Account--State	
19	Appropriation	((\$153,184,000))
20		<u>\$112,632,000</u>
21	Puget Sound Capital Construction Account--Federal	
22	Appropriation	((\$59,967,000))
23		<u>\$73,590,000</u>
24	Puget Sound Capital Construction Account--Private/Local	
25	Appropriation	\$26,000
26	Multimodal Transportation Account--State Appropriation . .	\$13,249,000
27	Transportation 2003 Account (Nickel Account)--State	
28	Appropriation	((\$34,987,000))
29		<u>\$41,123,000</u>
30	TOTAL APPROPRIATION	((\$261,413,000))
31		<u>\$240,620,000</u>

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

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

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

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

18 (4) The entire transportation 2003 account (nickel account)
19 appropriation and \$10,249,000 of the multimodal transportation
20 account--state appropriation are provided solely for the projects and
21 activities as listed by fund, project and amount in LEAP Transportation
22 Document (~~(2005-6)~~) 2006-1, Ferries Construction Program (W) as
23 developed (~~(April 24, 2005)~~) February 15, 2006. However, limited
24 transfers of allocations between projects may occur for those amounts
25 listed subject to the conditions and limitations in section 603 of this
26 act.

27 (5) The department shall, on a quarterly basis beginning July 1,
28 2005, provide to the office of financial management and the legislature
29 reports providing the status on each project in the project lists
30 submitted pursuant to this act and on any additional projects for which
31 the department has expended funds during the 2005-07 fiscal biennium.
32 Elements shall include, but not be limited to, project scope, schedule,
33 and costs. The department shall also provide the information required
34 under this subsection via the transportation executive information
35 systems (TEIS).

36 (~~(6) \$3,000,000 of the multimodal transportation account--state~~
37 ~~appropriation is provided solely to implement approved recommendations~~
38 ~~of the stakeholder task force convened to study the most reliable and~~

1 ~~cost-effective means of providing passenger only ferry service. The~~
2 ~~funds provided in this subsection shall be placed in reserve by the~~
3 ~~office of financial management. The funds may not be released until~~
4 ~~approved by the legislature.))~~

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

8 **Sec. 307.** 2005 c 313 s 309 (uncodified) is amended to read as
9 follows:

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

11	Essential Rail Assistance Account--State Appropriation . . .	\$250,000
12	Multimodal Transportation Account--State	
13	Appropriation	((\$67,158,000))
14		<u>\$69,486,000</u>
15	Multimodal Transportation Account--Private/Local	
16	Appropriation	\$8,287,000
17	Multimodal Transportation Account--Federal	
18	Appropriation	((\$11,966,000))
19		<u>\$17,268,000</u>
20	TOTAL APPROPRIATION	((\$88,161,000))
21		<u>\$95,291,000</u>

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

24 (1) The multimodal transportation account--state appropriation
25 includes up to \$33,435,000 in proceeds from the sale of bonds and up to
26 \$830,000 in unexpended bond proceeds authorized by RCW 47.10.867.
27 ~~((The transportation commission may authorize the use of current~~
28 ~~revenues available to the department of transportation in lieu of bond~~
29 ~~proceeds for any part of the state appropriation.))~~

30 (2) If federal block grant funding for freight or passenger rail is
31 received, the department shall consult with the transportation
32 committees of the legislature prior to spending the funds on additional
33 projects.

34 (3)(a) ~~((~~\$67,158,000~~))~~ \$69,486,000 of the multimodal transportation
35 account--state appropriation, ~~((~~\$11,966,000~~))~~ \$17,268,000 of the
36 multimodal transportation account--federal appropriation, \$8,287,000 of
37 the multimodal transportation account--local appropriation, and

1 \$250,000 of the essential rail assistance account are provided solely
2 for the projects and activities as listed by fund, project and amount
3 in LEAP Transportation Document ((2005-2)) 2006-D, Rail Capital Program
4 (Y) as developed ((~~April 23, 2005~~)) February 15, 2006. However,
5 limited transfers of allocations between projects may occur for those
6 amounts listed subject to the conditions and limitations in section 603
7 of this act.

8 (b) Within the amounts provided in this subsection, \$6,500,000 of
9 the multimodal transportation account--state appropriation is
10 ((~~provided solely~~)) for the two commuter rail projects as listed ((~~in~~
11 ~~the LEAP Transportation Document 2005-6, Rail Capital Program (Y) as~~
12 ~~developed April 24, 2005~~)).

13 (c) The office of financial management shall negotiate the purchase
14 of the CW line. The purchase agreement must include both the operating
15 and capital rights of the CW line. If the office of financial
16 management is unable to negotiate the purchase of the CW line, the
17 office may stop all negotiations and acquire the line and operational
18 rights through any other alternative means available. The office of
19 financial management shall also negotiate a new operational agreement
20 for the line in consultation with local governments and other
21 stakeholders.

22 (d) The office of financial management shall negotiate a new
23 operating agreement on the P&L and PV Hooper lines. If the office is
24 unable to negotiate a new operating agreement for the lines, the office
25 may stop all negotiations and acquire the operational rights through
26 any other alternative means available.

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

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

37 (6) \$500,000 of the multimodal transportation account--state
38 appropriation is provided solely for a study of the freight/passenger

1 rail corridor from Longview to Kalama. The study must identify options
 2 for improving both passenger rail on time performance and the reduction
 3 of freight rail congestion at the ports. The study must provide an
 4 analysis of infrastructure improvement options that fit within the
 5 budget currently provided for the Kelso Martin's Bluff project. The
 6 study must also examine the realignment of highway and rail in the
 7 Longview industrial area (SR 432) corridor, specifically regarding
 8 whether the construction of a limited access bypass highway to reduce
 9 congestion resulting from anticipated growth in future rail and truck
 10 traffic, is a feasible alternative. In conducting the study, the
 11 department shall consult port districts, local government planning
 12 staff, and rail road companies, and other appropriate stakeholders.

13 (7) \$60,000 of the multimodal transportation account--state
 14 appropriation is provided solely for a study of the need for
 15 transloading capabilities in the West Plains area that could be served
 16 by the Geiger Spur, including evaluation of prospective transloader
 17 sites, potential operators and users, and the type, size, and special
 18 needs of shippers/customers. The study must also evaluate the costs
 19 associated with building and operating a transloader site and the
 20 impact to local roadways and surrounding land uses.

21 **Sec. 308.** 2005 c 313 s 310 (uncodified) is amended to read as
 22 follows:

23 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**
 24 **CAPITAL**

25	Highway Infrastructure Account--State Appropriation	\$207,000
26	Highway Infrastructure Account--Federal Appropriation	\$1,602,000
27	Motor Vehicle Account--Federal Appropriation	(\$18,221,000)
28		<u>\$48,310,000</u>
29	Motor Vehicle Account--State Appropriation	(\$6,702,000)
30		<u>\$13,340,000</u>
31	<u>Transportation Partnership Account--State Appropriation</u>	<u>\$908,000</u>
32	Freight Mobility Investment Account--State	
33	Appropriation	(\$12,000,000)
34		<u>\$6,000,000</u>
35	Multimodal Transportation Account--State	
36	Appropriation	(\$36,002,000)
37		<u>\$41,728,000</u>

1 fund the multiphase cooperative project with the state of Oregon to
2 dredge the Columbia River. The amount provided in this subsection
3 shall lapse unless the state of Oregon appropriates a dollar-for-dollar
4 match to fund its share of the project.

5 (5) (~~(\$274,000)~~) \$206,000 of the motor vehicle account--state
6 appropriation is reappropriated and provided solely for additional
7 traffic and pedestrian safety improvements near schools. The highways
8 and local programs division within the department of transportation
9 shall administer this program. The department shall review all
10 projects receiving grant awards under this program at least
11 semiannually to determine whether the projects are making satisfactory
12 progress. Any project that has been awarded traffic and pedestrian
13 safety improvement grant funds, but does not report activity on the
14 project within one year of grant award should be reviewed by the
15 department to determine whether the grant should be terminated. The
16 department must promptly close out grants when projects have been
17 completed, and identify where unused grant funds remain because actual
18 project costs were lower than estimated in the grant award. The
19 department shall expeditiously extend new grant awards to qualified
20 projects when funds become available either because grant awards have
21 been rescinded for lack of sufficient project activity or because
22 completed projects returned excess grant funds upon project closeout.

23 (6) The motor vehicle account--state appropriation includes up to
24 \$905,000 in unexpended proceeds from the sale of bonds authorized by
25 RCW 47.10.843.

26 (7) (~~(\$867,000)~~) \$607,000 of the multimodal transportation
27 account--state appropriation is reappropriated and provided solely to
28 support the safe routes to school program.

29 (8) (~~(\$18,221,000)~~) \$16,110,000 of the motor vehicle account--
30 federal appropriation is provided solely for the local freight capital
31 projects in progress identified in this subsection. The specific
32 funding listed is provided solely for the respective projects: SR 397
33 Ainsworth Ave. Grade Crossing, (~~(\$5,180,000)~~) \$4,992,000; Colville
34 Alternate Truck Route, (~~(\$2,000,000)~~) \$1,746,000; S. 228th Street
35 Extension and Grade Separation, \$6,500,000; Bigelow Gulch Road-Urban
36 Boundary to Argonne Rd., \$2,000,000; Granite Falls Alternate Route,
37 (~~(\$1,791,000)~~) \$122,000; and Pacific Hwy. E./Port of Tacoma Road to
38 Alexander, \$750,000.

1 (9) (~~(\$3,400,000)~~) \$2,898,000 of the motor vehicle account--state
2 appropriation is provided solely for the local freight capital projects
3 in progress identified in this subsection. The specific funding listed
4 is provided solely for the respective projects: Duwamish Intelligent
5 Transportation Systems (ITS), (~~(\$2,520,000)~~) \$2,382,000; Port of
6 Kennewick/Piert Road, (~~(\$520,000; SR 397 Ainsworth Ave. Grade Crossing,~~
7 ~~\$360,000)~~) \$516,000.

8 (10) \$6,000,000 of the multimodal account--state appropriation is
9 provided solely for the local freight 'D' street grade separation
10 project.

11 (11) The department (~~must~~) shall issue a call for pedestrian
12 safety projects, such as safe routes to schools and transit, and
13 bicycle and pedestrian paths. Applications must be received by the
14 department by November 1, 2005, and November 1, 2006. The department
15 shall identify cost-effective projects, and submit a prioritized list
16 to the legislature for funding by December 15th of each year.
17 Recommendations made to the legislature for safe routes to schools and
18 bicycle and pedestrian path projects must, to the extent practicable
19 based on available funding, allocate sixty percent of available funds
20 to bicycle and pedestrian path projects and forty percent to safe
21 routes to schools. Preference (~~will~~) shall be given to projects that
22 provide a local match. The grant recipients may only be governmental
23 entities.

24 (12) (~~(\$19,540,000)~~) \$14,391,000 of the multimodal transportation
25 account--state appropriation, \$6,000,000 of the freight mobility
26 multimodal account--state appropriation, and (~~(\$12,000,000)~~) \$6,000,000
27 of the freight mobility investment account--state appropriation are
28 provided solely for the projects and activities as listed by fund,
29 project and amount in LEAP Transportation Document (~~(2005-6)~~) 2006-1,
30 Local Programs (Z) as developed (~~(April 24, 2005)~~) February 15, 2006.
31 However, limited transfers of allocations between projects may occur
32 for those amounts listed subject to the conditions and limitations in
33 section 603 of this act.

34 (13) \$870,000 of the multimodal transportation account--state
35 appropriation is provided solely for the Yakima Avenue, 9th Street to
36 Front Street, pedestrian safety improvement project.

37 (14) \$9,700,000 of the motor vehicle account--federal appropriation
38 is provided solely for the intersection and corridor safety program

1 projects as identified on the LEAP Transportation Document 2006-A,
2 Intersection and Corridor Safety Program Projects as developed February
3 15, 2006.

4 (15) \$19,500,000 of the motor vehicle account--federal
5 appropriation is provided solely for rural county two-lane roadway
6 pilot projects. The department must award funding to projects based on
7 high-accident-corridor criteria. For purposes of this subsection,
8 "high-accident-corridor" means a highway corridor of one mile or more
9 where a five-year analysis of collision history indicates that the
10 section has higher than average collision and severity factors.

11 (16) \$7,585,000 of the motor vehicle account--state appropriation
12 is provided solely for the local road projects identified in this
13 subsection. The specific funding listed is provided solely for the
14 respective projects: Yakima downtown futures initiative safety
15 improvements, \$2,500,000; Coal Creek parkway completion, \$4,700,000; SR
16 282 connector, \$385,000.

17 (17) \$250,000 of the multimodal transportation account--state
18 appropriation is provided solely for completion of the Des Moines creek
19 trail.

20 (18) \$5,000,000 of the multimodal transportation account--state
21 appropriation and \$2,000,000 of the motor vehicle account--federal
22 appropriation are provided solely for the pedestrian and bicycle safety
23 program projects and safe routes to schools program projects identified
24 on the LEAP Transportation Document 2006-B, Pedestrian and Bicycle
25 Safety Program Projects and Safe Routes to Schools Program Projects as
26 developed February 15, 2006. Projects must be allocated funding based
27 on order of priority. The department shall review all projects
28 receiving grant awards under this program at least semiannually to
29 determine whether the projects are making satisfactory progress. Any
30 project that has been awarded funds, but does not report activity on
31 the project within one year of the grant award, shall be reviewed by
32 the department to determine whether the grant should be terminated.
33 The department shall promptly close out grants when projects have been
34 completed, and identify where unused grant funds remain because actual
35 project costs were lower than estimated in the grant award. When funds
36 become available either because grant awards have been rescinded for
37 lack of sufficient project activity or because completed projects

1 returned excess grant funds upon project closeout, the department shall
2 expeditiously extend new grant awards to qualified alternative projects
3 identified on the list.

4 (19) \$2,500,000 of the multimodal transportation account--state
5 appropriation is provided solely for the construction of a rail loop at
6 the Port of Walla Walla.

7 (20) For allocations made during the 2005-2007 biennium, any
8 steering committee that makes final selection of projects, and any
9 regional transportation planning organization that makes funding
10 recommendations regarding the selection of projects, funded from
11 federal surface transportation program enhancement funds or a similar
12 program shall ensure, to the greatest extent practicable, that funding
13 for each transportation enhancement activity is allocated such that the
14 allocation meets or exceeds the national average of allocations made
15 for each respective activity. The secretary of transportation may not
16 approve a project list submitted by the steering committee unless it
17 reflects allocation decisions that comply with this subsection. For
18 the purpose of this subsection, "transportation enhancement activity"
19 means the eligible project categories designated under 23 U.S.C. Sec.
20 101(a)(35).

21 **TRANSFERS AND DISTRIBUTIONS**

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

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

28 Highway Bond Retirement Account Appropriation	((\$354,913,000))
	<u>\$334,313,000</u>
29 Nondebt-Limit Reimbursable Account Appropriation	((\$8,775,000))
	<u>\$6,091,000</u>
30 Ferry Bond Retirement Account Appropriation	((\$39,010,000))
	<u>\$38,241,000</u>
31	
32 Transportation Improvement Board Bond Retirement	
33 Account--State Appropriation	((\$30,899,000))
34	
35	<u>\$30,923,000</u>
36	

1 Motor Vehicle Account--State Appropriation (~~(\$2,562,000)~~)
2 \$1,550,000
3 Transportation Improvement Account--State
4 Appropriation (~~(\$105,000)~~)
5 \$120,000
6 Multimodal Transportation Account--State
7 Appropriation (~~(\$303,000)~~)
8 \$370,000
9 Transportation 2003 Account (Nickel Account)
10 Appropriation (~~(\$19,177,000)~~)
11 \$6,343,000
12 Transportation Partnership Account--State
13 Appropriation \$1,550,000
14 TOTAL APPROPRIATION (~~(\$455,744,000)~~)
15 \$419,501,000

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

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

21 Motor Vehicle Account--State Appropriation (~~(\$283,000)~~)
22 \$195,000
23 Transportation Improvement Account--State Appropriation . . . \$13,000
24 Multimodal Transportation Account--State Appropriation . . (~~(\$96,000)~~)
25 \$35,000
26 Transportation 2003 Account (Nickel Account)--State
27 Appropriation (~~(\$2,400,000)~~)
28 \$584,000
29 Transportation Partnership Account--State
30 Appropriation (~~(\$2,800,000)~~)
31 \$130,000
32 TOTAL APPROPRIATION (~~(\$5,592,000)~~)
33 \$957,000

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

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

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

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

12 (2) Motor Vehicle Account--State Appropriation:
13 For transfer to the Puget Sound capital construction
14 account ((~~\$72,000,000~~))
15 \$40,950,000

16 The department of transportation is authorized to sell up to
17 ((~~\$72,000,000~~)) \$40,950,000 in bonds authorized by RCW 47.10.843 for
18 vessel and terminal acquisition, major and minor improvements, and long
19 lead-time materials acquisition for the Washington state ferries.

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

22 **FOR THE STATE TREASURER--STATE REVENUES FOR DISTRIBUTION**
23 Motor Vehicle Account Appropriation for
24 motor vehicle fuel tax distributions to cities
25 and counties ((~~\$450,757,000~~))
26 \$487,160,000

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

29 **FOR THE STATE TREASURER--TRANSFERS**
30 Motor Vehicle Account--State
31 Appropriation: For motor vehicle fuel tax
32 refunds and transfers ((~~\$820,769,000~~))
33 \$1,040,210,000

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

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

4 (1) The transportation commission may authorize a transfer of
5 spending allocation within the appropriation provided and between
6 projects funded with transportation 2003 account (nickel account)
7 appropriations ~~((or—the))~~, transportation partnership account
8 appropriations, multimodal transportation account appropriations,
9 freight mobility account appropriations, or freight mobility investment
10 account appropriations, in order to manage project spending and
11 efficiently deliver all projects in the respective program under the
12 following conditions and 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 ~~((e))~~ (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 and
31 to the office of financial management. The report must also include a
32 list of monitored projects or transfers currently under consideration
33 by the commission or the department, and a balanced financial plan.

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~~) July 1, 2007.

33 NEW SECTION. Sec. 605. A new section is added to 2005 c 313
34 (uncodified) to read as follows:

35 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--DISABILITY SURVIVOR'S BENEFIT**
36 State Patrol Highway Account--State Appropriation \$507,000

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