

The type of study that is anticipated by this section cannot be conducted within available resources. The Office of Financial Management, along with the Department of Labor and Industries, has been studying this issue on a more limited basis as resources permit, and will continue to do so. For this reason, I have vetoed section 8.

With the exception of sections 8, 9, 10, 11 and 12, Engrossed Substitute House Bill No. 1737 is approved."

CHAPTER 6

[Substitute Senate Bill No. 5373]
TRANSPORTATION BUDGET

AN ACT Relating to transportation appropriations; amending RCW 46.68.110 and 46.68.120; amending section 2, chapter 10, Laws of 1987 1st ex. sess. (uncodified); amending section 18, chapter 10, Laws of 1987 1st ex. sess. as amended by section 5, chapter 283, Laws of 1988 (uncodified); amending section 20, chapter 10, Laws of 1987 1st ex. sess. as amended by section 7, chapter 283, Laws of 1988 (uncodified); amending section 26, chapter 10, Laws of 1987 1st ex. sess. as amended by section 12, chapter 283, Laws of 1988 (uncodified); amending section 27, chapter 10, Laws of 1987 1st ex. sess. as amended by section 13, chapter 283, Laws of 1988 (uncodified); and amending section 30, chapter 10, Laws of 1987 1st ex. sess. as amended by section 16, chapter 283, Laws of 1988 (uncodified); adding a new section to chapter 44.40 RCW; creating new sections; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. The transportation budget of the state is hereby adopted and, subject to the provisions hereinafter set forth, the several amounts hereinafter specified, or as much thereof as may be necessary to accomplish the purposes designated, are hereby appropriated from the several accounts and funds hereinafter named to the designated state agencies and offices for salaries, wages, and other expenses, for capital projects, and for other specified purposes, including the payment of any final judgments arising out of such activities, for the period ending June 30, 1991. The appropriations contained in sections 69 through 74 of this act are for the period ending June 30, 1989.

NEW SECTION. Sec. 2. FOR THE TRAFFIC SAFETY COMMISSION

General Fund—Public Safety and Education

Account Appropriation	\$	1,200,000
Highway Safety Fund Appropriation—State	\$	351,750
Highway Safety Fund Appropriation—Federal	\$	4,532,200
Total Appropriation	\$	6,083,950

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

- (1) \$1,200,000 of the general fund—public safety and education account appropriation is provided solely for continuation of the DWI community task force program.

(2) It is the intent of the legislature that no state dollars be appropriated for continuation of the DWI community task force program beyond the 1989-91 biennium.

NEW SECTION. Sec. 3. FOR THE BOARD OF PILOTAGE COMMISSIONERS

General Fund—Pilotage Account Appropria- tion	\$ 174,956
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The appropriation in this section is subject to the following conditions and limitations: No more than \$66,000 may be expended for attorney general fees.

NEW SECTION. Sec. 4. FOR THE COUNTY ROAD ADMINISTRATION BOARD

Motor Vehicle Fund—Rural Arterial Trust	
Account Appropriation	\$ 24,155,072
Motor Vehicle Fund Appropriation	\$ 999,551
Total Appropriation	\$ 25,154,623

NEW SECTION. Sec. 5. FOR THE TRANSPORTATION IMPROVEMENT BOARD

Motor Vehicle Fund—Urban Arterial Trust	
Account Appropriation	\$ 50,976,600

The urban arterial trust account appropriation includes \$28,000,000 from the proceeds of the sale of Series III Urban Arterial bonds provided for by RCW 47.26.420 through 47.26.427.

***NEW SECTION. Sec. 6. FOR THE STATE PATROL—FIELD OPERATIONS BUREAU**

General Fund Appropriation	\$ 300,000
Motor Vehicle Fund—State Patrol Highway	
Account Appropriation—State	\$ 110,690,369
Motor Vehicle Fund—State Patrol Highway	
Account Appropriation—Federal	\$ 2,965,228
Motor Vehicle Fund Appropriation	\$ 392,989
Total Appropriation	\$ 114,348,586

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

(1) The motor vehicle fund—state patrol highway account—state appropriation in this section includes \$1,969,889 for twenty-eight additional traffic troopers. The twenty-eight officers shall begin training on February 1, 1990.

(2) \$297,973 is appropriated from the state patrol highway account—state solely for the replacement of trooper weapons. The weapons being replaced will be disposed of at fair market value in accordance with department of general administration's surplus property procedures and in

compliance with office of financial management regulations. Officers may purchase their service revolvers at the fair market value.

(3) \$464,300 is appropriated from the state patrol highway account—state solely for aircraft repair. Any user of Washington state patrol aircraft shall pay its pro rata share of all operating and maintenance costs including capitalization.

(4) \$300,000 from the state patrol highway account—state appropriation and \$300,000 from the general fund appropriation is appropriated solely for the investigation of vehicle license fraud. The Washington state patrol, department of revenue, and the office of financial management shall report semiannually beginning December 15, 1989, to the legislative transportation committee on the number of fraud cases investigated and their outcome.

(5) The motor vehicle fund—state patrol highway account—state appropriation in this section includes \$1,571,000 for the safety education program.

(6) The motor vehicle fund—state patrol highway account—state appropriation in this section includes \$591,630 for five tow truck inspectors.

(7) The motor vehicle fund—state patrol highway account—state appropriation includes \$591,120 for the Vehicle Identification Number Program and \$1,303,700 for 15 additional commercial vehicle officers.

*Sec. 6 was partially vetoed, see message at end of chapter.

**NEW SECTION. Sec. 7. FOR THE STATE PATROL—SUP-
PORT SERVICES BUREAU**

Motor Vehicle Fund—State Patrol Highway

Account Appropriation \$ 48,210,204

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

(1) \$2,205,285 is provided solely for development of the third and final phase of the patrol information collection system. Authority to expend these funds is conditioned upon compliance with the requirements set forth in section 63 of this act.

(2) \$2,463,000 is provided solely for the purchase of mobile radios for troopers' vehicles.

**NEW SECTION. Sec. 8. FOR THE GOVERNOR—COMPEN-
SATION—SALARY AND INSURANCE BENEFITS**

Special Fund Salary and Insurance Contribu-

tion Increase Revolving Fund Appropria-
tion \$ 2,345,453

The appropriation in this section is provided for a 3.0 percent salary increase effective January 1, 1990, and an additional 3.0 percent salary increase effective January 1, 1991, for commissioned officers of the

Washington state patrol. The increase provided for in this section is in addition to any salary increases provided for in Senate Bill No. 5352 or any other omnibus appropriations act for the 1989-91 biennium enacted by the 1989 legislature.

***NEW SECTION. Sec. 9. FOR THE DEPARTMENT OF LICENSING—VEHICLE SERVICES**

Motor Vehicle Fund Appropriation	\$	32,607,339
General Fund—Wildlife Account Appropria- tion	\$	421,186
Total Appropriation	\$	33,028,525

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

(1) \$1,538,900 of the motor vehicle fund appropriation is provided solely for the completion of the county auditor automation project. Authority to expend these funds is conditioned upon compliance with the requirements set forth in section 63 of this act.

(2) The department shall create an advisory committee to examine the current processes and costs for issuing vehicle titles, registrations, and other vehicle documentation. Membership on the committee shall include the director as chairperson and appropriate departmental personnel and representatives of county auditors, subagents, county executives, and county council members/commissioners. By June 30, 1990, the advisory committee shall report to the legislative transportation committee as follows: (a) An analysis of the costs and benefits accruing annually to county auditors and subagents as a result of vehicle licensing activities; (b) analysis and recommendations of an appropriate allocation of on-going operating and maintenance county auditor automation project costs among the department, county auditors, and subagents; (c) the committee, in consultation with the information systems division of the department, the office of financial management, and the department of information services shall address the issue of future system requirements and how the costs associated with such requirements should be shared between the department, county auditors, and subagents; and (d) an analysis of the costs and benefits associated with the alternative of having all vehicle licensing activities conducted solely within the department, and an analysis of other alternatives recommended by the advisory committee.

(3) \$100,000 of this appropriation is provided solely for a budget/policy analyst for the vehicle services division.

(4) \$374,656 of the motor vehicle fund appropriation is provided solely for the front license tab program.

(5) \$46,609 of the motor vehicle fund appropriation is provided solely for the implementation of Engrossed House Bill No. 1645, regulating the relationship between motor vehicle dealers and manufacturers.

*Sec. 9 was partially vetoed, see message at end of chapter.

***NEW SECTION. Sec. 10. FOR THE DEPARTMENT OF LICENSING—DRIVER SERVICES**

General Fund—Public Safety and Education

Account Appropriation	\$	3,412,942
Highway Safety Fund Appropriation	\$	35,321,479
Highway Safety Fund—Motorcycle Safety		
Education Account Appropriation	\$	1,037,499
Total Appropriation	\$	39,771,920

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

(1) \$557,870 of the highway safety fund appropriation is provided for establishing two new driver license examining offices.

(2) \$207,000 of the highway safety fund—motorcycle safety education account appropriation is provided solely for implementing the motorcycle public awareness program provided for in Engrossed Senate Bill No. 6076.

(3) \$432,888, or as much thereof as may be necessary, is provided solely for: (a) Providing a budget/policy analyst for the driver services division; and (b) establishing additional security procedures related to driver's license issuance.

(4) Moneys accruing to the public safety and education account in excess of the 1989-91 appropriation authority in this act, in Senate Bill No. 5352 or any other omnibus appropriation act, or in any other act enacted by the 1989 legislature, shall be transferred to the highway safety fund appropriation to reimburse the fund for the appropriation in this section.

*Sec. 10 was partially vetoed, see message at end of chapter.

NEW SECTION. Sec. 11. FOR THE DEPARTMENT OF LICENSING—MANAGEMENT OPERATIONS

General Fund—Wildlife Account Appropria-

tion	\$	7,238
Highway Safety Fund Appropriation	\$	7,027,608
Motor Vehicle Fund Appropriation	\$	3,378,999
General Fund—Public Safety and Education		
Account Appropriation	\$	611,678
Total Appropriation	\$	11,025,523

***NEW SECTION. Sec. 12. FOR THE DEPARTMENT OF LICENSING—INFORMATION SYSTEMS**

General Fund—Wildlife Account Appropria-

tion	\$	4,041
Highway Safety Fund Appropriation	\$	4,815,059
Motor Vehicle Fund Appropriation	\$	15,191,175
General Fund—Public Safety and Education		
Account Appropriation	\$	390,162

Total Appropriation \$ 20,400,437

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

(1) \$200,000, of which \$100,000 is from the motor vehicle fund appropriation and \$100,000 is from the highway safety fund appropriation, is provided solely for the development of a project management plan exclusively for integration of driver and motor vehicle systems. The plan shall be submitted to the legislative transportation committee by December 15, 1989. Authority to expend these moneys is conditioned upon compliance with the requirements set forth in section 63 of this act.

(2) \$275,136 is provided solely for additional data processing storage capacity and for preparing to implement the federal odometer act.

*Sec. 12 was partially vetoed, see message at end of chapter.

NEW SECTION. Sec. 13. FOR THE LEGISLATIVE TRANSPORTATION COMMITTEE

Motor Vehicle Fund Appropriation	\$	2,525,000
Motor Vehicle Fund—State Patrol Highway		
Account Appropriation	\$	100,000
Total Appropriation	\$	2,625,000

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

(1) \$50,000 of the motor vehicle fund appropriation, or as much thereof as is needed, is provided for a study of gasoline pricing and supply practices to be conducted in conjunction with the Washington state energy office.

(2) \$75,000 of the motor vehicle fund appropriation is provided solely for the study mandated in section 14 of this act.

(3) The motor vehicle fund—state patrol highway account appropriation provided for in this section is for a survey of local law enforcement compensation.

NEW SECTION. Sec. 14. A new section is added to chapter 44.40 RCW to read as follows:

(1) The legislative transportation committee shall undertake a study and develop recommendations for legislative and executive consideration that will:

(a) Increase the efficiency and effectiveness of state transportation programs and reduce costs;

(b) Enhance the accountability and organizational soundness of all transportation modes;

(c) Encourage better communication between local jurisdictions and the department of transportation in developing engineering plans and subsequent construction projects;

(d) Encourage private sector support and financial participation in project development and construction of transportation projects;

(e) Develop long-range goals that reflect changing technology and state-of-the-art advancements in transportation;

(f) Explore alternatives for the establishment of an integrated and balanced multimodal state-wide transportation system to meet the needs of the 21st century; and

(g) Explore ways to reduce the demand on the transportation system and more effectively use the existing system.

The committee may study other transportation needs and problems and make further recommendations.

(2) The office of financial management and the department of transportation shall provide staff support as required by the legislative transportation committee in developing the recommendations. To the extent permitted by law, all agencies of the state shall cooperate fully with the legislative transportation committee in carrying out its duties under this section.

(3) The legislative transportation committee may receive and expend gifts, grants, and endowments from private sector sources to carry out the purpose of this section.

(4) By December 1991 the legislative transportation committee shall submit its preliminary findings and recommendations to the governor, transportation commission, and legislature. A final report shall be submitted by December 1993.

NEW SECTION. Sec. 15. FOR THE MARINE EMPLOYEES COMMISSION

Motor Vehicle Fund—Puget Sound Ferry

Operations Account Appropriation \$ 306,997

The appropriation in this section is subject to the following conditions and limitations: \$20,000 of this appropriation is provided solely to fund an expanded salary survey, as provided for in House Bill No. 1520. If House Bill No. 1520 is not enacted by June 30, 1989, the Puget Sound Ferry Operations Account appropriation shall be reduced by \$20,000.

NEW SECTION. Sec. 16. FOR THE TRANSPORTATION COMMISSION

General Fund—Aeronautics Account Ap-

propriation \$ 1,184

General Fund Appropriation \$ 2,269

Motor Vehicle Fund—Puget Sound Capital

Construction Account Appropriation \$ 31,349

Motor Vehicle Fund—Puget Sound Ferry

Operations Account Appropriation \$ 53,160

Motor Vehicle Fund Appropriation \$ 425,024

Total Appropriation \$ 512,986

NEW SECTION. Sec. 17. FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY CONSTRUCTION—PROGRAM A

Motor Vehicle Fund Appropriation—State \$ 124,000,000
 Motor Vehicle Fund Appropriation—Federal \$ 80,000,000
 Motor Vehicle Fund Appropriation—Local \$ 2,000,000
 Total Appropriation \$ 206,000,000

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

(1) The appropriations in this section are provided for the location, design, right of way, and construction of state highway projects designated as category "A" under RCW 47.05.030.

(2) \$80,000 of this appropriation is provided solely for studies to identify means of mitigating the environmental effects of SR 520 on neighboring communities.

(3) Any study of east-west corridors across or in the vicinity of Lake Washington shall be conducted in a manner consistent with the regional high occupancy vehicle strategic plan.

(4) \$300,000 of this appropriation is provided solely for safety improvements to the first avenue south bridge.

NEW SECTION. Sec. 18. FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY CONSTRUCTION—PROGRAM B

Motor Vehicle Fund Appropriation—State \$ 52,000,000
 Motor Vehicle Fund Appropriation—Federal \$ 473,000,000
 Motor Vehicle Fund Appropriation—Local \$ 5,000,000
 Total Appropriation \$ 530,000,000

The appropriations in this section are provided for the location, design, right of way, and construction of state highway projects on the interstate system designated as category "B" under RCW 47.05.030. The appropriations in this section are subject to the following conditions and limitations:

(1) \$46,000,000 of the motor vehicle fund—state appropriation includes a maximum of \$20,000,000 in proceeds from the sale of bonds authorized by RCW 47.10.790, for state matching funds for the construction of SR 90 from SR 5 to SR 405, and the balance in proceeds from the sale of bonds as authorized by RCW 47.10.801: PROVIDED, That the transportation commission may authorize the use of current revenues available to the department of transportation in lieu of bond proceeds for any part of the state appropriation.

(2) If federal discretionary funds are made available to the state, the motor vehicle fund—state appropriation is increased proportionally to provide matching state funds from the sale of bonds authorized by RCW

47.10.801 and 47.10.790 not to exceed \$10,000,000 and it is understood that the department shall seek authority to expend unanticipated receipts for the federal portion.

(3) It is further recognized that the department may make use of federal cash flow obligations on interstate construction contracts in order to complete the interstate highway system as expeditiously as possible.

NEW SECTION. Sec. 19. FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY CONSTRUCTION—PROGRAM C

Motor Vehicle Fund Appropriation—State	\$	34,750,000
Motor Vehicle Fund Appropriation—Local	\$	1,000,000
Total Appropriation	\$	35,750,000

(1) \$35,000,000 of the appropriations in this section are provided solely for the completion of category C projects currently under construction.

(2) The motor vehicle fund—state appropriation includes up to \$1,000,000 of bond proceeds carried forward from the 1987–89 biennium and \$33,000,000 of bond proceeds authorized in RCW 47.10.801: PROVIDED, That the transportation commission may authorize the use of current revenues available to the department of transportation in lieu of bond proceeds for any part of the state appropriation.

(3) The department of transportation shall, by December 31, 1989, provide the legislative transportation committee with a report identifying the impact of the reduced category C funding contained in this act on all other departmental 1989–91 appropriations by program. The report shall contain, but not be limited to, personnel reductions actually implemented as of the date of this report and also projected reductions for the 1989–91 and 1991–93 biennia.

(4) Up to \$750,000 of this appropriation is provided to the department of transportation solely to fund the state's fifty percent share of the cost of a study, led by the city of Seattle, including a conceptual layout plan through the design report processes on Seattle's first avenue south bridge. The department of transportation shall report the findings of the current study underway by the city of Seattle, King county, and the port of Seattle, and the findings of the draft environmental impact study, to the legislative transportation committee before proceeding with design work for the first avenue south bridge other than that necessary for the environmental impact statement.

(5) Nothing in this section precludes the department from completing engineering on projects when such engineering costs are being provided by local government or private sources.

NEW SECTION. Sec. 20. FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY MANAGEMENT AND FACILITIES—PROGRAM D

Motor Vehicle Fund Appropriation	\$	58,608,867
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Motor Vehicle Fund—Transportation Capital

Facilities Account Appropriation	\$	1,000,000
Total Appropriation	\$	59,608,867

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

(1) \$200,000 of the motor vehicle fund appropriation is provided solely for a capital facilities management system.

(2) If House Bill No. 1467 is not enacted by June 30, 1989, the motor vehicle fund—transportation capital facilities account appropriation shall lapse, and the motor vehicle fund appropriation shall increase by \$1,000,000.

NEW SECTION. Sec. 21. FOR THE DEPARTMENT OF TRANSPORTATION—AERONAUTICS—PROGRAM F

General Fund—Aeronautics Account Appropriation—State	\$	3,030,407
General Fund—Aeronautics Account Appropriation—Local	\$	75,000
General Fund—Aeronautics Account Appropriation—Federal	\$	661,451
Total Appropriation	\$	3,766,858

The appropriations in this section are provided for management and support of the aeronautics division, state fund grants to local airports, development and maintenance of a state-wide airport system plan, maintenance of state-owned emergency airports, federal inspections, and the search and rescue program.

(1) The general fund—aeronautics account—state appropriation contains \$100,000 for transfer to the motor vehicle fund as partial repayment of the \$407,430 advanced to pay the tort settlement in the case of *Osibov vs. the state of Washington*, Spokane county superior court, Cause No. 239168.

(2) \$75,000 of the general fund—aeronautics account—local appropriation, or as much as is necessary, is provided for design of a study of the state-wide economic, environmental and social effects of alternatives for providing passenger and cargo capacity that may be required due to increases in commercial air carrier operations. This appropriation is contingent upon receipt of funds for this purpose from private sources, deposited in the state treasury under RCW 47.68.160.

NEW SECTION. Sec. 22. FOR THE DEPARTMENT OF TRANSPORTATION—SEARCH AND RESCUE—PROGRAM F

General Fund—Search and Rescue Account Appropriation	\$	116,633
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The appropriation in this section is provided for directing and conducting searches for missing, downed, overdue, or presumed downed general aviation aircraft; for safety and education activities necessary to insure safety of persons operating or using aircraft; and for the Washington wing civil air patrol in accordance with RCW 47.68.370.

NEW SECTION. Sec. 23. FOR THE DEPARTMENT OF TRANSPORTATION—COMMUNITY ECONOMIC REVITALIZATION—PROGRAM G

Motor Vehicle Fund—Economic Development Account Appropriation \$ 7,000,000

The appropriation in this section is funded with the proceeds from the sale of bonds authorized by RCW 47.10.801 and is provided for improvements to the state highway system necessitated by planned economic development.

NEW SECTION. Sec. 24. FOR THE DEPARTMENT OF TRANSPORTATION—NONINTERSTATE BRIDGES—PROGRAM H

Motor Vehicle Fund Appropriation—State \$ 26,000,000
Motor Vehicle Fund Appropriation—Federal \$ 33,000,000
Motor Vehicle Fund Appropriation—Local \$ 1,000,000
Total Appropriation \$ 60,000,000

The appropriations in this section are provided to preserve the structural and operating integrity of existing bridges. The appropriations in this section are subject to the following conditions and limitations: \$220,000 of the appropriation provided for in this section shall be used exclusively for the first avenue south bridge.

NEW SECTION. Sec. 25. FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY MAINTENANCE AND OPERATIONS—PROGRAM M

Motor Vehicle Fund Appropriation—State \$ 191,946,680
Motor Vehicle Fund Appropriation—Local \$ 69,161
Total Appropriation \$ 192,015,841

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

- (1) \$1,500,000 of the motor vehicle fund—state appropriation is provided solely for snow and ice removal activities in excess of \$33,800,000. The excess moneys are to be matched with reprioritized maintenance funds of twenty-five percent of the total needed over \$33,800,000 until the \$1,500,000 is matched. The legislative transportation committee must be notified if the resulting total of \$35,800,000 is exceeded.
- (2) If actual and projected expenditures for public damage repair exceed amounts presumed in the maintenance work plan as submitted in the

budget request to the house of representatives and senate transportation committees, supplemental relief will be sought.

(3) If Engrossed House Bill No. 1502, adjusting vehicle permit fees, is enacted by June 30, 1989, the motor vehicle fund—state appropriation is reduced by \$164,000.

NEW SECTION. Sec. 26. FOR THE DEPARTMENT OF TRANSPORTATION—SALES AND SERVICES TO OTHERS—PROGRAM R

Motor Vehicle Fund Appropriation—State	\$	2,273,000
Motor Vehicle Fund Appropriation—Federal	\$	68,000,000
Motor Vehicle Fund Appropriation—Local	\$	6,869,000
Total Appropriation	\$	77,142,000

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

(1) The appropriations contain \$350,000 of state funds for expenditure in accordance with RCW 47.56.720 (Puget Island–Westport Ferry—Payments for operation and maintenance to Wahkiakum county).

(2) The appropriations contain \$900,000 of state funds for the guarantee, pursuant to RCW 47.56.712, of the payment of principal and interest on the Spokane River toll bridge revenue refunding bonds as the bonds become due, but only to the extent that net revenues from the operation of the bridge are insufficient.

(3) The appropriations contain \$400,000 of local funds to guarantee bond payments on the Astoria–Megler bridge pursuant to RCW 47.56.646.

NEW SECTION. Sec. 27. FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION MANAGEMENT AND SUPPORT—PROGRAM S

General Fund—Aeronautics Account Appropriation	\$	14,391
General Fund Appropriation	\$	26,152
Motor Vehicle Fund—Puget Sound Capital Construction Account Appropriation	\$	383,510
Motor Vehicle Fund—Puget Sound Ferry Operations Account Appropriation	\$	784,107
Motor Vehicle Fund Appropriation	\$	30,044,558
Total Appropriation	\$	31,252,718

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

(1) \$2,300,000 of the motor vehicle fund appropriation is provided solely for the acquisition or development of a financial management system. Authority to expend these funds is conditioned upon compliance with the requirements set forth in section 63 of this act.

(2) \$802,700 of the motor vehicle fund appropriation is provided solely for the transportation executive information system.

***NEW SECTION. Sec. 28. FOR THE DEPARTMENT OF TRANSPORTATION—PLANNING, RESEARCH, AND PUBLIC TRANSPORTATION—PROGRAM T**

For public transportation and rail programs:

General Fund Appropriation—State	\$	629,800
General Fund Appropriation—		
Federal/Local	\$	5,466,819
High Capacity Transportation Account Approp-		
riation	\$	8,561,139
For planning and research:		
Motor Vehicle Fund Appropriation—State	\$	8,637,774
Motor Vehicle Fund Appropriation—Feder-		
al	\$	10,463,549
Total Appropriation	\$	33,759,081

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

(1) The motor vehicle fund—state appropriation may be increased by up to \$1,500,000 in the event federal funds are not available to fully fund the motor vehicle fund—federal appropriation in this section, subject to legislative transportation committee notification. If additional federal funds become available to more than fully fund the motor vehicle fund—federal appropriation in this section, the department may transfer up to \$600,000 from the motor vehicle fund—state appropriation to the motor vehicle fund—federal appropriation.

(2) \$892,852 of the motor vehicle fund—state appropriation is provided for interstate 4-R and route planning studies.

(3) \$115,126 of the motor vehicle fund—state appropriation is provided for traffic analysis studies.

(4) \$50,000 of the motor vehicle fund—state appropriation and \$50,000 of the general fund—state appropriation is provided solely for one additional full-time employee to implement the requirements set forth in Engrossed House Bill No. 1438.

(5) The high capacity transportation account appropriation is subject to the following conditions and limitations:

(a) \$6,801,793 or as much thereof as may be necessary may be expended to provide up to eighty percent matching assistance for regional passenger rail planning efforts;

(b) \$500,000 or as much thereof as may be necessary may be expended to determine ways of improving Amtrak service including coordination and planning efforts within the state;

(c) \$833,346 or as much thereof as may be necessary may be expended for passenger rail program administration and for independent review of passenger rail plans; and

(d) \$426,000 or as much thereof as may be necessary may be expended for freight rail program administration.

(6) If Substitute House Bill No. 1825 is not enacted by June 30, 1989, the high capacity transportation account appropriation shall be eliminated.

*Sec. 13 was partially vetoed, see message at end of chapter.

NEW SECTION. Sec. 29. FOR THE DEPARTMENT OF TRANSPORTATION—CHARGES FROM OTHER AGENCIES—PROGRAM U

Motor Vehicle Fund Appropriation \$ 10,607,946

The appropriation in this section is to provide for costs billed to the department for the services of other state agencies as follows:

- (1) Archives and records management, \$216,000;
- (2) Attorney general tort claims support, \$5,141,946;
- (3) Office of the state auditor audit services, \$731,000;
- (4) Department of general administration facilities and services charges, \$1,946,000; and
- (5) Department of personnel services, \$2,573,000.

NEW SECTION. Sec. 30. FOR THE DEPARTMENT OF TRANSPORTATION—MARINE CONSTRUCTION—PROGRAM W

Motor Vehicle Fund—Puget Sound Capital
 Construction Account Appropriation—
 State \$ 98,930,400

Motor Vehicle Fund—Puget Sound Capital
 Construction Account Appropriation—
 Federal \$ 14,200,000
 Total Appropriation \$ 113,130,400

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

(1) The appropriations in this section are provided to carry out only the projects presented to the governor and the house of representatives and senate transportation committees in the department of transportation's 1989-91 biennial budget request dated March, 1989. The department of transportation shall revise these projects to reconcile them with the 1987-89 actual expenditures within sixty days of the beginning of the biennium.

(2) The Puget Sound capital construction account—state appropriation in this section contains \$15,000,000 of state funds transferred as a loan from the Puget Sound ferry operations account. Repayment to the Puget

Sound ferry operations account from the Puget Sound capital construction account shall begin in the 1993-95 biennium.

(3) The Puget Sound capital construction account—state appropriation of \$100,300,000 includes \$20,000,000 in proceeds from the sale of bonds authorized by RCW 47.60.560: PROVIDED, That the department of transportation may use current revenues available to the Puget Sound capital construction account in lieu of bond proceeds for any part of the state appropriation.

(4) The Puget Sound capital construction account—state appropriation contains up to \$100,000 which shall be used in conjunction with funds provided by the legislative transportation committee to study and recommend a means for financing the future purchases of any required auto ferry vessel(s): PROVIDED, That the results of this joint study shall be presented to the governor and the house of representatives and senate transportation committees prior to December 31, 1989.

(5) The department of transportation shall provide the legislative transportation committee with a monthly report concerning the status of the capital program authorized in this section.

NEW SECTION. Sec. 31. FOR THE DEPARTMENT OF TRANSPORTATION—MARINE—PROGRAM X

Ferry System Fund Appropriation \$ 167,808,589

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

(1) The appropriation is based on the budgeted expenditure of \$19,643,704 for vessel operating fuel in the 1989-91 biennium. If the actual cost of fuel is less than this budgeted amount, the excess amount shall not be expended. If the actual cost exceeds this amount, the department shall request a supplemental appropriation.

(2) In the event that revenues available to the ferry system fund are not sufficient to support the expenditures necessary for the operation and maintenance of the state ferry system as authorized in this section, the department may transfer funds from the Puget Sound ferry operations account to the ferry system fund.

(3) The appropriation contained in this section provides for the compensation of ferry employees, including increases. The expenditures for compensation paid to ferry employees during the 1989-91 biennium shall not exceed \$110,842,958 plus a dollar amount, as prescribed by the office of financial management, which is equal to any insurance benefit increase granted general government employees in excess of \$224.75 a month annualized per eligible marine employee multiplied by the number of eligible marine employees for the respective fiscal year, a dollar amount as prescribed by the office of financial management for salary increases during the

1989-91 biennium, and a dollar amount as prescribed by the office of financial management for costs associated with pension amortization charges and cost of living allowances. For the purposes of this section, the expenditures for compensation paid to ferry employees shall be limited to salaries and wages and employee benefits as defined in the office of financial management's policies, regulations, and procedures named under objects of expenditure "A" and "B" (7.2.6.2). Of the \$110,842,958 provided for compensation, plus the prescribed insurance benefit, pension, and salary increase dollar amount:

(a) The maximum dollar amount which shall be allocated from the governor's compensation salary appropriation is in addition to the appropriation contained in this section and may be used to increase compensation costs, effective January 1, 1990;

(b) The prescribed insurance benefit increase dollar amount which shall be allocated from the governor's compensation insurance benefits appropriation is in addition to the appropriation contained in this section and may be used to increase compensation costs, effective July 1, 1989;

(c) The maximum dollar amount which shall be allocated from the governor's compensation salary appropriation is in addition to the appropriation contained in this section and shall be used to maintain any 1989-90 compensation increase and may be used to increase compensation costs, effective January 1, 1991.

In no event may the June 30, 1990, hourly salary rate increase exceed any average hourly salary rate increase granted during the 1989-90 fiscal year.

In no event may the June 30, 1991, hourly salary rate increase exceed any salary rate increase granted during the 1990-91 fiscal year.

(4) The department of transportation shall provide the legislative transportation committee with a monthly report concerning the status of the operating program authorized in this section.

(5) The appropriation in this section contains \$1,000,000 which shall be expended only to complete the marine division payroll/personnel integration project.

(6) The transportation commission shall propose to the legislative transportation committee a reporting structure that reflects the respective operating expenditures and revenues supporting each of the vessel routes by December 31, 1989. The proposed reporting structure should be tied to existing accounting data and should provide the legislature adequate information to examine the tax subsidy required to support the operation of the various routes.

NEW SECTION. Sec. 32. FOR THE DEPARTMENT OF TRANSPORTATION—STATE AID—PROGRAM Z
Motor Vehicle Fund Appropriation—State \$ 6,456,591

Motor Vehicle Fund Appropriation—Federal	\$	106,615,693
Motor Vehicle Fund Appropriation—Local	\$	18,557,000
Total Appropriation	\$	131,629,284

(1) The appropriations in this section include \$7,000,000 from the motor vehicle fund—federal for transportation expenditures related to the United States navy home port in Everett.

(2) The appropriations contain \$309,000 of state funds from the proceeds of bonds for Columbia Basin county roads authorized in chapter 121, Laws of 1951; chapter 311, Laws of 1955; and chapter 121, Laws of 1965 for reimbursable expenditures on cooperative projects authorized by state or federal laws.

(3) \$3,000,000 of the motor vehicle fund—state appropriation, or as much thereof as may be required, is provided for studies that are mutually beneficial to cities, counties and the state department of transportation, including the continuation of the road jurisdiction study and the project cost evaluation methodology study.

NEW SECTION. Sec. 33. FOR THE DEPARTMENT OF TRANSPORTATION—SUPPORTIVE SERVICES—PROGRAM 090

General Fund Appropriation—Federal	\$	400,000
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The appropriation in this section is provided for supportive services to on-the-job training programs for minority construction workers and for minority contractors' training programs.

NEW SECTION. Sec. 34. SPECIAL APPROPRIATIONS TO THE GOVERNOR

Motor Vehicle Fund Appropriation	\$	9,858,000
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(1) The appropriation in this section includes \$3,200,000 for transportation projects relating to the Everett homeport.

(2) The appropriation in this section includes \$6,658,000 for expenditures relating to transportation improvements on the Blair waterway as negotiated in the Puyallup Tribal Claim settlement.

NEW SECTION. Sec. 35. FOR THE DEPARTMENT OF TRANSPORTATION

Motor Vehicle Fund—RV Account Appropriation Transfer:		
For transfer to the Motor Vehicle Fund	\$	400,000

The appropriation transfer in this section is provided for the construction and maintenance of recreation vehicle sanitary disposal systems at rest areas on the state highway system.

NEW SECTION. Sec. 36. FOR THE DEPARTMENT OF TRANSPORTATION—FOR PAYMENT OF BELATED CLAIMS

Motor Vehicle Fund Appropriation	\$	5,000,000
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Puget Sound Ferry Operations Account Appropriation	\$	100,000
Total Appropriation	\$	5,100,000

NEW SECTION. Sec. 37. FOR THE LEGISLATIVE TRANSPORTATION COMMITTEE—FOR PAYMENT OF BELATED CLAIMS Motor Vehicle Fund Appropriation

	\$	100,000
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***NEW SECTION.** Sec. 38. *It is the intent of the legislature that the amounts assumed in this act for all revolving funds for services provided to the Washington state patrol and department of licensing by other agencies, including the department of personnel service fund for personnel services, the legal services revolving fund for tort claim administration costs and other legal costs, the audit services revolving fund for audits, and the archives and records management account for archiving, storage, and records management services, shall not be exceeded without prior approval of the legislative transportation committee.*

*Sec. 38 was vetoed, see message at end of chapter.

NEW SECTION. Sec. 39. No moneys from the motor vehicle fund or highway safety fund may be expended under this act for major relocation of the Washington state patrol or the department of licensing.

NEW SECTION. Sec. 40. The department of transportation and the county road administration board shall, by December 31, 1989, jointly provide the legislative transportation committee a report describing the current financial status of county-operated ferry systems. The report shall include but not be limited to recommendations regarding the appropriate level of state support for these transportation services and whether there is sufficient justification to consider transferring responsibilities for operating these systems to the Washington state department of transportation.

Sec. 41. Section 46.68.110, chapter 12, Laws of 1961 as last amended by section 37, chapter 10, Laws of 1987 1st ex. sess. and RCW 46.68.110 are each amended to read as follows:

Funds credited to the incorporated cities and towns of the state as set forth in subdivision (1) of RCW 46.68.100 shall be subject to deduction and distribution as follows:

(1) One and one-half percent of such sums shall be deducted monthly as such sums are credited and set aside for the use of the department of transportation for the supervision of work and expenditures of such incorporated cities and towns on the city and town streets thereof, including the supervision and administration of federal-aid programs for which the department of transportation has responsibility: PROVIDED, That any moneys so retained and not expended shall be credited in the succeeding biennium to the incorporated cities and towns in proportion to deductions herein made;

~~(2) ((From July 1, 1985, through June 30, 1987, twenty-four one-hundredths of one percent of such funds shall be deducted monthly, as such funds accrue, and set aside for the use of the department of transportation for the purpose of funding the cities' share of the costs of highway jurisdiction studies and other studies. Any funds so retained and not expended shall be credited in the succeeding biennium to the cities in proportion to the deductions made;~~

~~(3)) From July 1, 1987, through June 30, 1989, thirty-three one-hundredths of one percent of such funds shall be deducted monthly, as such funds accrue, and set aside for the use of the department of transportation for the purpose of funding the cities' share of the costs of highway jurisdiction studies and other studies. Any funds so retained and not expended shall be credited in the succeeding biennium to the cities in proportion to the deductions made;~~

(3) From July 1, 1989, through June 30, 1991, thirty-three one-hundredths of one percent of such funds shall be deducted monthly, as such funds accrue, and set aside for the use of the department of transportation for the purpose of funding the cities' share of the costs of highway jurisdiction studies and other studies. Any funds so retained and not expended shall be credited in the succeeding biennium to the cities in proportion to the deductions made;

(4) The balance remaining to the credit of incorporated cities and towns after such deduction shall be apportioned monthly as such funds accrue among the several cities and towns within the state ratably on the basis of the population last determined by the office of financial management.

Sec. 42. Section 46.68.120, chapter 12, Laws of 1961 as last amended by section 38, chapter 10, Laws of 1988 1st ex. sess. and RCW 46.68.120 are each amended to read as follows:

Funds to be paid to the counties of the state shall be subject to deduction and distribution as follows:

(1) One and one-half percent of such funds shall be deducted monthly as such funds accrue and set aside for the use of the department of transportation and the county road administration board for the supervision of work and expenditures of such counties on the county roads thereof, including the supervision and administration of federal-aid programs for which the department of transportation has responsibility: PROVIDED, That any funds so retained and not expended shall be credited in the succeeding biennium to the counties in proportion to deductions herein made;

(2) All sums required to be repaid to counties composed entirely of islands shall be deducted;

~~(3) ((From July 1, 1985, through June 30, 1987, twenty-four one-hundredths of one percent of such funds shall be deducted monthly, as such funds accrue, and set aside for the use of the department of transportation~~

~~for the purpose of funding the counties' share of the costs of highway jurisdiction studies and other studies. Any funds so retained and not expended shall be credited in the succeeding biennium to the counties in proportion to the deductions made;~~

~~(4)) From July 1, 1987, through June 30, 1989, thirty-three one-hundredths of one percent of such funds shall be deducted monthly, as such funds accrue, and set aside for the use of the department of transportation for the purpose of funding the counties' share of the costs of highway jurisdiction studies and other studies. Any funds so retained and not expended shall be credited in the succeeding biennium to the counties in proportion to the deductions made;~~

(4) From July 1, 1989, through June 30, 1991, thirty-three one-hundredths of one percent of such funds shall be deducted monthly, as such funds accrue, and set aside for the use of the department of transportation for the purpose of funding the counties' share of the costs of highway jurisdiction studies and other studies. Any funds so retained and not expended shall be credited in the succeeding biennium to the counties in proportion to the deductions made;

(5) The balance of such funds remaining to the credit of counties after such deductions shall be paid to the several counties monthly, as such funds accrue, in accordance with RCW 46.68.122 and 46.68.124.

NEW SECTION. Sec. 43. The motor vehicle fund revenues are received at a relatively even flow throughout the year. Expenditures exceed the revenue during the accelerated summer and fall highway construction season, creating a negative cash balance during the heavy construction season. Negative cash balances also may result from the use of state funds to finance federal advance construction projects prior to conversion to federal funding. The legislature recognizes that the department of transportation may require interfund loans or other short-term financing to meet temporary seasonal cash requirements and additional cash requirements to fund federal advance construction projects.

NEW SECTION. Sec. 44. The legislature recognizes the economic importance to the state of attracting new industrial development, and that the availability of transportation services is a significant factor in attracting such industries. The transportation commission and the department of transportation may consider these unique circumstances in determining priorities for capital expenditures.

NEW SECTION. Sec. 45. In addition to such other appropriations as are made by this act, there is hereby appropriated to the department of transportation from legally available bond proceeds in the respective construction or building accounts such amounts as are necessary to pay the expenses incurred by the state finance committee in the issuance and sale of the subject bonds.

NEW SECTION. Sec. 46. As used in this act, "St Patrol Hiwy Acct" means the State Patrol Highway Account.

NEW SECTION. Sec. 47. FOR THE WASHINGTON STATE PATROL

Spokane district headquarters (88-2-009)

	Reappropriation	Appropriation
St Patrol Hiwy Acct	100,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/91 and	Costs
6/30/89	Thereafter	
2,291,000		2,391,000

NEW SECTION. Sec. 48. FOR THE WASHINGTON STATE PATROL

Construct detachment office: Mount Vernon (88-1-018)

	Reappropriation	Appropriation
St Patrol Hiwy Acct	100,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/91 and	Costs
6/30/89	Thereafter	
539,000		639,000

NEW SECTION. Sec. 49. FOR THE WASHINGTON STATE PATROL

Asbestos abatement: Academy (90-1-001)

	Reappropriation	Appropriation
St Patrol Hiwy Acct		256,800
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/91 and	Costs
6/30/89	Thereafter	
3,000		259,800

NEW SECTION. Sec. 50. FOR THE WASHINGTON STATE PATROL

Construct communications tower: Bremerton (90-2-002)

Reappropriation	Appropriation
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St Patrol Hiwy Acct		241,900
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/91 and	Costs
6/30/89	Thereafter	
		241,900

NEW SECTION. Sec. 51. FOR THE WASHINGTON STATE PATROL

Small repairs and improvements: State-wide (90-2-004)

	Reappropriation	Appropriation
St Patrol Hiwy Acct		140,600
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/91 and	Costs
6/30/89	Thereafter	
		140,600

NEW SECTION. Sec. 52. FOR THE WASHINGTON STATE PATROL

Minor works: State-wide (90-2-006)

	Reappropriation	Appropriation
St Patrol Hiwy Acct		1,600,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/91 and	Costs
6/30/89	Thereafter	
		1,600,000

NEW SECTION. Sec. 53. FOR THE WASHINGTON STATE PATROL

Communications center expansion: Vancouver (90-2-007)

	Reappropriation	Appropriation
St Patrol Hiwy Acct		239,700
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/91 and	Costs
6/30/89	Thereafter	
4,000		243,700

NEW SECTION. Sec. 54. FOR THE WASHINGTON STATE PATROL

Property acquisition district headquarters: Tacoma (90-2-013)

	Reappropriation	Appropriation
St Patrol Hiwy Acct		750,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/91 and	Costs
6/30/89	Thereafter	
53,000		803,000

NEW SECTION. Sec. 55. FOR THE WASHINGTON STATE PATROL

Construct district headquarters: Everett (90-2-018)

	Reappropriation	Appropriation
St Patrol Hiwy Acct		3,500,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/91 and	Costs
6/30/89	Thereafter	
53,000		3,553,000

NEW SECTION. Sec. 56. FOR THE WASHINGTON STATE PATROL

Program through design development: Washington State Patrol headquarters (90-2-040)

	Reappropriation	Appropriation
St Patrol Hiway Acct		100,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/91 and	Costs
6/30/89	Thereafter	
	24,000,000	24,000,000

NEW SECTION. Sec. 57. FOR THE WASHINGTON STATE PATROL

Emergency vehicle operation course: Phase II (91-3-011)

	Reappropriation	Appropriation
Public Safety and Education Acct	500,000	

Project Costs Through 6/30/89	Estimated Costs 7/1/91 and Thereafter	Estimated Total Costs
607,000		1,107,000

NEW SECTION. Sec. 58. FOR THE STATE TREASURER—TRANSFER

Motor Vehicle Fund Appropriation \$ 38,000,000

The appropriation in this section is for transfer to the Puget Sound ferry operations account on August 1, 1989: PROVIDED, That the amount appropriated for transfer shall not exceed the amount of the unexpended balance in the Puget Sound ferry operations account on June 30, 1989, which is subject to transfer from the account pursuant to RCW 47.60.540(2). The amount transferred shall be reported to the legislative transportation committee.

NEW SECTION. Sec. 59. FOR THE DEPARTMENT OF TRANSPORTATION—TRANSFER

Motor Vehicle Fund—Highway Construction
Stabilization Account Transfer: For transfer to the Motor Vehicle Fund \$ 120,000,000

The appropriation transfer in this section is provided for expenditures pursuant to RCW 46.68.200.

NEW SECTION. Sec. 60. To the extent that the employer contributions for retirement, industrial insurance, and medical aid granted to state general government employees through enactment of the omnibus state appropriations act are less than amounts assumed in the operating programs in this appropriations act, such portion of the appropriations shall be withheld and assigned to a reserve status pursuant to RCW 43.88.110(2). Specific amounts shall be assigned to a reserve status with the concurrence of the office of financial management and the legislative transportation committee.

NEW SECTION. Sec. 61. The department of transportation is authorized to undertake federal advance construction projects under the provisions of 23 U.S.C. Sec. 115 in order to maintain progress in meeting approved highway construction and preservation objectives. The legislature recognizes that the use of state funds may be required to temporarily fund expenditures of the federal appropriations for the highway construction and preservation programs for federal advance construction projects prior to conversion to federal funding.

NEW SECTION. Sec. 62. To maximize the use of motor vehicle fund revenues, it is the intent of the legislature to encourage sharing of technology, information, and systems where appropriate between transportation agencies.

To facilitate this exchange, the Washington state department of transportation assistant secretary for finance and budget management; Washington state department of transportation chief, management information systems; the Washington state patrol support services bureau deputy chief; Washington state patrol manager of the computer services division; the department of licensing deputy director and department of licensing assistant director for information systems will meet quarterly to share plans, discuss progress of key projects and to coordinate activities for the common good. Minutes of these meetings will be distributed to the respective agency heads and the legislative transportation committee. Washington state department of transportation will provide staff support and meeting coordination.

NEW SECTION. Sec. 63. Agencies shall comply with the following requirements regarding information systems projects when directed to do so by specific appropriation proviso.

(1) The agency shall produce a feasibility study for each information systems project in accordance with published department of information services instructions. In addition to department of information services requirements such studies shall examine and evaluate the costs and benefits of maintaining status quo.

(2) The agency shall produce a project management plan for each project. The plan or plans shall address all factors critical to successful completion of each project. These plans shall include, but not be limited to, the following elements: A description of the problem or opportunity which the information systems project is intended to address; a statement of project objectives and assumptions; definition of phases, tasks, and activities to be accomplished and the estimated cost of each phase; a description of how the agency will facilitate responsibilities of oversight agencies; a description of key decision points in the project life cycle; a description of variance control measures; a definitive schedule that shows the elapsed time estimated to complete the project and when each task is to be started and completed; and a description of resource requirements to accomplish the activities within specified time, cost, and functionality constraints.

(3) A copy of each feasibility study and project management plan shall be provided to the department of information services, the office of financial management, and the legislative transportation committee. Authority to expend any funds for individual information systems projects shall be conditioned upon approval of the relevant feasibility study and project management plan by the department of information services and the office

of financial management or the legislative transportation committee as appropriate.

(4) A project status report shall be submitted to the department of information services, the office of financial management, and the legislative transportation committee for each project prior to reaching key decision points identified in the relevant project management plan. Project status reports shall examine and evaluate project management, accomplishments, budget, action to address variances, risk management, cost and benefits analysis, and other aspects critical to completion of a project.

Work shall not commence on any task in a subsequent phase of a project until the status report for the preceding key decision point has been approved by the department of information services, the office of financial management, and the legislative transportation committee as appropriate.

(5) In those instances when a project review is requested in accordance with department of information services policies, the reviews shall examine and evaluate: System requirements specifications; scope; system architecture; change controls; documentation; user involvement; training; availability and capability of resources; programming languages and techniques; system inputs and outputs; plans for testing, conversion, implementation, and post-implementation; and other aspects critical to successful construction, integration, and implementation of automated systems. Copies of project review written reports shall be forwarded to the office of financial management and the legislative transportation committee by the agency.

(6) A written post-implementation review report shall be prepared by the agency for each information systems project in accordance with published department of information services instructions. In addition to the information requested pursuant to the department of information services instructions, post-implementation reports shall evaluate the degree to which a project accomplished its major objectives including, but not limited to, a comparison of original cost and benefit estimates to actual costs and benefits achieved. Copies of post-implementation review reports shall be provided to the department of information services, the office of financial management, and the legislative transportation committee.

NEW SECTION. Sec. 64. By July 1, 1990 the department of transportation shall take actions necessary to ensure that the safety requirements for work places in the state ferry system, whether within the navigable waters subject to the jurisdiction of the state of Washington or the United States, conform, at a minimum, with the employee safety and health regulations adopted by the department of labor and industries pursuant to chapter 49.17 RCW.

NEW SECTION. Sec. 65. Counties with a population of 50,000 or more and cities with a population of 8,000 or more receiving moneys provided in this act shall have adopted a local comprehensive plan prior to the receipt of such funds. The plan shall include a coordinated system of growth

planning and strategies and shall take into consideration any state and regional planning efforts, including but not limited to, the rail development commission report, road jurisdiction study, department of transportation policy plan, and the Washington state economic development board. Cities and towns must adopt a comprehensive plan under chapter 35.63 or 35A.63 RCW or under the authority of its charter where applicable. Counties must adopt a comprehensive plan under chapter 35.63 or 36.70 RCW or under the authority of its own charter where applicable. The plans adopted by cities, towns, and counties shall be submitted, upon adoption, to the office of financial management and the department of transportation.

NEW SECTION. Sec. 66. In addition to the appropriation authority contained in section 31 of this act for program X, the marine division may expend up to \$500,000 from the Puget Sound ferry operations account for unprogrammed expenditures with prior approval of the legislative transportation committee.

***NEW SECTION. Sec. 67.** *The attorney general shall prepare annually a report to the legislative transportation committee comprising a comprehensive summary of all cases involving tort claims against the department of transportation involving highways which were concluded and closed in the previous calendar year. The report shall include for each case closed:*

- (1) A summary of the factual background of the case;*
- (2) Identification of the attorneys representing the state and the opposing parties;*
- (3) A synopsis of the legal theories asserted and the defenses presented;*
- (4) Whether the case was tried, settled, or dismissed, and in whose favor;*
- (5) The amount of any settlement or verdict reached, and the terms for payment;*
- (6) A summary of all settlement offers made by the parties where a verdict was returned against the state;*
- (7) The approximate number of attorney hours expended by the state on the case, together with the corresponding dollar amount billed therefore; and*
- (8) Such other matters relating to the case as the attorney general deems relevant or appropriate, especially including any comments or recommendations for changes in statute law or agency practice that might effectively reduce the exposure of the state to such tort claims.*

**Sec. 67 was vetoed, see message at end of chapter.*

NEW SECTION. Sec. 68. The attorney general shall, by July 1, 1989, begin an investigation into the causes behind the substantial increase in the price of gasoline and other petroleum products since March 24, 1989, to determine whether any state laws have been violated by manufacturers, distributors, or sellers of gasoline or other petroleum products. The attorney general shall consult with the utilities and transportation commission, the

state energy office, and other state agencies for any technical assistance the attorney general may need.

The attorney general shall have concurrent authority and power with the prosecuting attorneys to conduct such investigation and to initiate and conduct on behalf of the citizens of the state of Washington the prosecution of any offense relating to the price of gasoline or other petroleum products.

The attorney general shall report by December 1, 1989, to the senate and house of representatives energy and utilities committees and the legislative transportation committee on the findings of the investigation and the status of any prosecutions.

Sec. 69. Section 2, chapter 10, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE TRAFFIC SAFETY COMMISSION

Highway Safety Fund Appropriation—State	\$	((310,449))
		<u>410,449</u>
Highway Safety Fund Appropriation—Federal	\$	((4,190,574))
		<u>4,440,574</u>
Total Appropriation	\$	((4,501,023))
		<u>4,851,023</u>

The appropriations in this section are subject to the following conditions and limitations: \$100,000 of the highway safety fund—state appropriation is provided solely for the relocation, repair, and replacement costs resulting from the traffic safety commission office fire.

Sec. 70. Section 18, chapter 10, Laws of 1987 1st ex. sess. as amended by section 5, chapter 283, Laws of 1988 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY CONSTRUCTION—PROGRAM C

Motor Vehicle Fund Appropriation—State	\$	93,455,000
Motor Vehicle Fund Appropriation—Local	\$	2,000,000
Total Appropriation	\$	95,455,000

The appropriations in this section are provided for the location, design, right of way, and construction of state highway projects designated as category "C" under RCW 47.05.030. ~~((If Senate Bill No. 6464 is enacted, the motor vehicle fund—state appropriation shall be increased by \$13,000,000.))~~

(1) The motor vehicle fund—state appropriation will be funded with the proceeds from the sale of bonds authorized in RCW 47.10.801 in the amount of \$93,455,000: PROVIDED, That the transportation commission in consultation with the legislative transportation committee may authorize the use of current revenues available to the department of transportation in lieu of bond proceeds for any part of the state appropriation.

The transportation commission shall adjust its list of category "C" projects to include only those projects that can be accomplished within the moneys provided in this appropriation.

It is the intent of the legislature that no moneys shall be expended on projects that are not included on the transportation commission's priority list for the 1987-89 biennium. It is further the intent of the legislature that the category "A" and "H" programs take precedence over category "C" projects and that the category "A" and "H" programs be fully funded in the 1989-91 biennium to the exclusion of category "C" projects as required under chapter 47.05 RCW.

~~((It is the intent of the legislature that the department's category C preliminary engineering and right of way expenditures for unfunded list 4 projects shall not exceed \$12,000,000:))~~

It is the intent of the legislature that the maximum amount of state motor vehicle funds not required for other purposes be made available for category "C" program expenditures. If additional moneys become available, deferred funded list 4 category "C" project contracts shall not be awarded by the department without prior consultation with the legislative transportation committee.

~~((No moneys may be expended on list 5 category "C" projects in the 1987-89 biennium:))~~

(2) Notwithstanding subsection (1) of this section and to the extent that the motor vehicle fund—state receives additional revenues from the sale of department of transportation parcel number 32704447, \$455,000 of the motor vehicle fund appropriation—state is provided solely for the construction of a loop ramp as described under program item number 351216A in the transportation commission category "C" program file.

Sec. 71. Section 20, chapter 10, Laws of 1987 1st ex. sess. as amended by section 7, chapter 283, Laws of 1988 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—AERONAUTICS—PROGRAM F

General Fund—Aeronautics Account Approp- riation—State	\$	2,377,803
General Fund—Aeronautics Account Approp- riation—Federal	\$	902,460
Total Appropriation	\$	3,280,263

The appropriations in this section are provided for management and support of the aeronautics division, state fund grants to local airports, development and maintenance of a state-wide airport system plan, maintenance of state-owned emergency airports, federal inspections, and the search and rescue program. ~~((The aeronautics account—state appropriation contains \$100,000 for transfer to the motor vehicle fund as the second~~

~~of four installments in repayment of the \$407,430 advanced to pay the tort settlement in the case of Osibov vs. the state of Washington, Spokane county superior court, Cause No. 239168:))~~

If aeronautics account—state revenue is insufficient to fund the appropriation authority, the aeronautics account may receive an interfund loan from the motor vehicle fund. Any interfund loan received shall be repaid in the 1989–91 biennium.

Sec. 72. Section 26, chapter 10, Laws of 1987 1st ex. sess. as amended by section 12, chapter 283, Laws of 1988 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—COUNTY-CITY PROGRAM—PROGRAM R

Motor Vehicle Fund Appropriation—State	\$	((1,450,000))
		<u>1,539,000</u>
Motor Vehicle Fund Appropriation—Federal	\$	151,612,528
Motor Vehicle Fund Appropriation—Local	\$	19,977,219
Total Appropriation	\$	((173,039,747))
		<u>173,128,747</u>

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

(1) The appropriations contain \$~~((241,000))~~ 330,000 of state funds for expenditure in accordance with RCW 47.56.720 (Puget Island–Westport Ferry—Payments for operation and maintenance to Wahkiakum county). ~~((If Senate Bill No. 5159 is enacted, the department may request a supplemental appropriation:))~~

(2) ~~((The appropriations contain \$900,000 of state funds for the guarantee, pursuant to RCW 47.56.712, of the payment of principal of and interest on the Spokane River toll bridge revenue refunding bonds as the bonds become due, but only to the extent that net revenues from the operation of the bridge are insufficient therefor.~~

~~((3))~~) The appropriations contain \$309,000 of state funds from the proceeds of bonds for Columbia Basin county roads authorized in chapter 121, Laws of 1951; chapter 311, Laws of 1955; and chapter 121, Laws of 1965 for reimbursable expenditures on cooperative projects authorized by state or federal laws.

~~((4))~~) (3) The appropriations contain \$91,612,528 of federal funds and \$15,227,923 of local funds for reimbursable expenditures for location, design, right-of-way, construction, and maintenance on the north metro operating base interchange, city streets, county roads, and other nonstate highways.

~~((5))~~ (4) The appropriations contain \$61,000,000 of federal funds and \$1,000,000 of local funds for location, design, right-of-way, and construction on state highways which is fully reimbursable.

~~((6))~~ (5) The appropriations contain \$400,000 of local funds to guarantee bond payments on the Astoria-Megler bridge pursuant to RCW 47.56.646.

~~((7))~~ (6) The appropriations contain \$3,437,811 of local funds for miscellaneous sales and services.

~~((8))~~ (7) The appropriations contain \$6,000,000 of federal funds for construction of defense access roads related to the Everett home port.

Sec. 73. Section 27, chapter 10, Laws of 1987 1st ex. sess. as amended by section 13, chapter 283, Laws of 1988 (uncodified) are each amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—EXECUTIVE MANAGEMENT AND MANAGEMENT SERVICES—PROGRAM S

General Fund—Aeronautics Account Appropriation	\$	9,371
General Fund Appropriation	\$	15,194
Motor Vehicle Fund—Puget Sound Capital Construction Account Appropriation	\$	217,442
Motor Vehicle Fund—Puget Sound Ferry Operations Account Appropriation	\$	459,076
Motor Vehicle Fund Appropriation	\$	((31,611,418))
		<u>32,211,418</u>
Ferry System Fund Appropriation	\$	1,071,178
Total Appropriation	\$	((33,383,679))
		<u>33,983,679</u>

The appropriations in this section include \$100,000 for the implementation of the joint financial information systems to be utilized by the office of financial management, legislative evaluation and accountability committee, department of transportation, department of information systems, the committees on ways and means of the senate and house of representatives, and the legislative transportation committee.

Sec. 74. Section 30, chapter 10, Laws of 1987 1st ex. sess. as amended by section 16, chapter 283, Laws of 1988 (uncodified) are each amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—MARINE—PROGRAM X

((Motor Vehicle Fund—Puget Sound Ferry Operations Account Appropriation))	\$	((45,155,127))
Ferry System Fund Appropriation	\$	((105,361,963))
		<u>150,517,090</u>

((Total Appropriation..... \$)) ((+50,512,090))

The appropriation((s)) in this section ((are)) is provided for management and support of the marine transportation division of the department of transportation and for the operation and maintenance of the state ferry system.

The appropriation((s)) in this section ((are)) is subject to the following conditions and limitations:

(1) The appropriation(~~s~~are)) is based on the budgeted expenditure of \$15,525,251 for vessel operating fuel in the 1987-89 biennium. If the actual cost of fuel is less than this budgeted amount, the excess amount shall not be expended. If the actual cost exceeds this amount, it is the intent of the legislature that the department will request a supplemental appropriation.

(2) Prior to the expenditure of any funds budgeted for additional passenger-only service, the department of transportation shall obtain approval from the legislative transportation committee. If the additional passenger-only service is not approved, the funds appropriated in this section for that purpose shall not be expended for any other purpose.

(3) For the period from July 1, 1987, up to the actual implementation date of the 1987-89 biennial salary increase for employees under the jurisdiction of the state personnel board, no increases in the hourly wage rates of ferry employees, as ferry employee is defined in RCW 47.64.011(5), shall be included in the base hourly wage rates used for future salary increase calculations.

(4) The appropriation contained in this section provides for the compensation of ferry employees, including increases. The expenditures for compensation paid to ferry employees during the 1987-89 biennium shall not exceed \$105,210,000 plus a dollar amount, as prescribed by the office of financial management, which is equal to any insurance benefit increase granted general government employees in excess of \$167 a month annualized per eligible marine employee multiplied by the number of eligible marine employees for fiscal year 1989. For the purposes of this section, the expenditures for compensation paid to ferry employees shall be limited to salaries and wages and employee benefits as defined in the office of financial management's policies, regulations, and procedures named under objects of expenditure "A" and "L" (7.2.6.2). Of the \$105,210,000 provided for compensation, plus the prescribed insurance benefit increase dollar amount:

(a) A maximum of \$678,000 may be used to increase compensation costs, effective January 1, 1988;

(b) The prescribed insurance benefit increase dollar amount may be used to increase compensation costs, effective July 1, 1988;

(c) A maximum of \$2,145,000 shall be used to maintain any 1987-88 compensation increase and may be used to increase compensation costs, effective January 1, 1989.

In no event may the June 30, 1988, hourly salary rate increase exceed any salary rate increase granted during the 1987-88 fiscal year.

In no event may the June 30, 1989, hourly salary rate increase exceed any salary rate increase granted during the 1988-89 fiscal year.

(5) To the extent that ferry employees by bargaining unit have absorbed the required offset of wage increases by the amount that the employer's contribution for employees' and dependents' insurance and health care plans exceeds that of other state general government employees in the 1985-87 biennium, employees will not be required to absorb a further offset except to the extent the differential between employer contributions for those employees and all other state general government employees increases during the 1987-89 biennium. If the differential increases or the 1985-87 offset by bargaining unit is insufficient to meet the required deduction, the amount available for compensation shall be reduced by bargaining unit by the amount of such increase or the 1985-87 shortage in the required offset.

(6) The department of transportation shall provide the legislative transportation committee with a monthly report concerning the status of this program.

(7) In the event that revenues available to the ferry system fund are not sufficient to support the expenditures necessary for the operation and maintenance of the state ferry system, the department may transfer funds from the Puget Sound ferry operations account to the ferry system fund.

NEW SECTION. Sec. 75. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 76. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect immediately.

Passed the Senate May 10, 1989.

Passed the House May 10, 1989.

Approved by the Governor May 20, 1989, with the exception of certain items which were vetoed.

Filed in Office of Secretary of State May 20, 1989.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith, without my approval as to sections 6(3), 9(3), 10(3) and (4), 12(1) and (2), 28(6), 38, and 67, Recengrossed Substitute Senate Bill No. 5373 entitled:

"AN ACT Relating to transportation appropriations."

I regret that I am not able to veto this entire bill. The transportation budget contained in this bill is inadequate. It fails to meet even the minimal standards of responsible public policy. But because the Legislature refused to approve an adequate financing package, I have no choice but to approve the major portions of this bill. Without it, the citizens of this state would have to face an unacceptable risk. Without

a transportation budget, we ultimately would have to pull our troopers off our highways and close down critical state functions such as the Department of Licensing. I refuse to place the citizens of this state at such a risk.

Several sections of this bill must be vetoed, however.

Section 6, subsection 3 provides \$464,300 solely for aircraft repair of the Washington state patrol aircraft. Additionally, it provides for any user to pay a pro rata share of the expenses. These costs have not been anticipated in user agency budgets and funding has not been provided. I believe that pro rata billing is a sound management concept and will ask the Office of Financial Management to look at this approach for the 1991-93 budget.

Section 9, subsection 3 provides that \$100,000 of the total appropriation is solely for a budget/policy analyst for the vehicle services division. This subsection is unduly restrictive, given the limited resources provided to the Department of Licensing for operation during the 1989-91 biennium. I am removing this language to aid the Department in retaining more management flexibility to carry out the mandates established by the Legislature.

Section 10, subsection 3 provides that \$432,888 is provided solely for a budget analyst for the driver services division and additional security procedures related to driver's license issuance. This subsection is unduly restrictive, given the limited resources provided to the Department of Licensing for operation during the 1989-91 biennium. I am removing the language to aid the Department in retaining more management flexibility to carry out the mandates established by the Legislature.

Section 10, subsection 4 provides that moneys accruing to the Public Safety and Education Account (PSEA) in excess of the 1989-91 appropriation authority in this act or Senate Bill No. 5352 or any other omnibus appropriation act, shall be transferred to the Highway Safety Fund to reimburse the fund. In recent years, the Legislature has expressed a desire for an open process in determining levels of appropriation to the various agencies from the PSEA. This transfer circumvents that process by dedicating an undetermined amount of revenue to the Highway Safety Fund. Additionally, the forecast for the PSEA has recently been revised downward, which may result in a negative fund balance occurring during the ensuing biennium. It is prudent to maintain a fund balance in the PSEA to cushion against further unanticipated adjustments to revenue.

Section 12, subsection 1 provides that \$200,000 from two funds is solely for the development of a project management plan for integration of driver and motor vehicle systems. It further indicates that the plan shall be submitted to the Legislative Transportation Committee and the authority to expend this money is conditioned on the requirements of section 63 of this Act. This subsection is unduly restrictive, given the limited resources provided to the Department of Licensing for operation during the 1989-91 biennium. I am removing the language to aid the Department in retaining more management flexibility to carry out the mandates established by the Legislature.

Section 12, subsection 2 provides \$275,136 solely for additional data processing storage capacity and for preparing to implement the federal odometer act. This subsection is unduly restrictive, given the limited resources provided to the Department of Licensing for operation during the 1989-91 biennium. I am removing the language to aid the Department in retaining more management flexibility to carry out the mandates established by the Legislature.

Section 28, subsection 6 provides that the appropriation \$8,561,139 for high capacity transportation in this full section is eliminated if Substitute House Bill No. 1825 is not enacted by June 30, 1989. Hence, it would eliminate the appropriations for passenger rail programs, AMTRAK service improvements evaluation, and freight rail administration funding in subsection 28(5)(d). Funds provided for freight rail programs in Substitute Senate Bill 5521, section 607, (the Capital budget), are restricted to capital purchases and grants for capital improvements. Elimination of this appropriation leaves these programs without resources for management. If Substitute

House Bill No. 1825 is not passed, the funds for passenger rail programs will be placed in reserve.

Section 38 states that the amounts assumed in this Act for all revolving funds for various essential support services to the Washington State Patrol and the Department of Licensing by other agencies, shall not be exceeded without the prior approval of the Legislative Transportation Committee. This section puts caps on revolving fund payments for these agencies which are inconsistent relative to other state agencies in matters relating to revolving fund charges. It also inappropriately delegates budgetary authority over executive agencies to a legislative committee.

Section 67 contains language almost identical to language which I previously vetoed in section 17 of Engrossed Second Substitute Senate Bill No. 5658, which was related to risk management. This section would require the Attorney General to submit a yearly report to the Legislative Transportation Committee with information on each tort claim against the State. Much of the information that would be required would be useful to have on an annual basis, and I have no objection to most of this section. One of the subsections, however, is problematic, and in order to remove it from the bill I must veto the entire section. Subsection 6 would require the Attorney General to provide information on each and every settlement offer made on a tort claim and make this public information. This would provide a road map to the State's negotiating strategy to claimant's attorneys and be a serious disadvantage to the State. While those who have legitimate tort claims against the State are entitled to reasonable compensation, the State also has an obligation to settle claims without unnecessary and unjustified costs to the taxpayers of the state.

With the exception of sections 6(3), 9(3), 10(3) and (4), 12(1) and (2), 28(6), 38, and 67, Reengrossed Substitute Senate Bill No. 5373 is approved.*

CHAPTER 7

[Senate Bill No. 6095]
BRANCH CAMPUSES

AN ACT Relating to branch campuses; amending RCW 28B.25.020; adding new sections to Title 28B RCW; adding a new section to chapter 28B.10 RCW; adding new sections to chapter 28B.80 RCW; creating a new section; and repealing RCW 28B.30.510.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. The legislature finds that the benefits of higher education should be more widely available to the citizens of the state of Washington. The legislature also finds that a citizen's place of residence can restrict that citizen's access to educational opportunity at the upper division and graduate level.

Because most of the state-supported baccalaureate universities are located in areas removed from major metropolitan areas, the legislature finds that many of the state's citizens, especially those citizens residing in the central Puget Sound area, the Tri-Cities, Spokane, Vancouver, and Yakima, have insufficient and inequitable access to upper-division baccalaureate and graduate education.

This lack of sufficient educational opportunities in urban areas makes it difficult or impossible for place-bound individuals, who are unable to relocate, to complete a baccalaureate or graduate degree. It also exacerbates the difficulty financially needy students have in attending school, since many of those students need to work, and work is not always readily available in