

**EIGHTY EIGHTH DAY**

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MORNING SESSION

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Senate Chamber, Olympia  
Thursday, April 6, 2017

The Senate was called to order at 10:03 a.m. by the President of the Senate, Lt. Governor Habib presiding. The Secretary called the roll and announced to the President that all Senators were present.

The Sergeant at Arms Color Guard consisting of representatives from the Naval Hospital of Bremerton: Hospital Corpsman Second Class Garrett Masters; Hospital Corpsman Ryver Kallstrom; Hospital Corpsman Third Class Courtney Depuis; Hospital Corpsman Third Class Daniel Scott; and Personnel Specialist Tyler Hallmark, presented the Colors. Musician First Class Mallory McKendry performed the National Anthem accompanied by the Navy Region Northwest Brass Quartet. The prayer was offered by Captain Scott Dunfee, Deputy Region Chaplain of Navy Region Northwest.

MOTION

On motion of Senator Fain, the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

On motion of Senator Fain, the Senate advanced to the eighth order of business.

MOTION

Senator Bailey moved adoption of the following resolution:

SENATE RESOLUTION  
8649

By Senators Bailey, Sheldon, Rolfes, Hobbs, Angel, Frockt, Pedersen, Becker, Hawkins, Keiser, Zeiger, Short, Kuderer, Walsh, Nelson, McCoy, Wellman, Takko, Cleveland, Padden, Conway, King, Miloscia, Hunt, Mullet, Schoesler, Ranker, Wilson, Ericksen, Van De Wege, O'Ban, Rossi, Darneille, Fain, Hasegawa, Fortunato, Pearson, Rivers, Warnick, and Brown

WHEREAS, Washington State has both a strong maritime heritage and a contemporary reliance on the sea; and

WHEREAS, The United States Navy is the military service that secures sea lanes, allowing free flow of commerce to and from our state, and the service whose power projection promotes stability for our friends and deters aggression from our foes; and

WHEREAS, The Navy has been a presence in Puget Sound since before Washington Statehood; and

WHEREAS, United States Navy installations provide careers and economic stability to tens of thousands of Washington State citizens; and

WHEREAS, Washington Navy bases support two aircraft carriers, more than 10 surface ships, 14 submarines, and 120 aircraft; and

WHEREAS, Washington State and the Pacific Northwest are home to 23,300 active duty Navy service members, 21,700 Navy

civilian employees, 3,600 Naval reservists, 42,000 Navy family members, and 99,200 Navy retirees; and

WHEREAS, Washington State based Navy personnel and assets regularly deploy around the world to deter aggression, relieve the distressed, and aid America's friends and allies; and

WHEREAS, Washington State Navy bases are consistently recognized for their leadership and innovation in environmental stewardship, community engagement, and quality of life; and

WHEREAS, Navy personnel routinely provide homeland security, disaster assistance, and rescue services to the citizens of Washington State;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate celebrate Thursday, April 6, as Navy Appreciation Day and bring warm greetings and many thanks to each and every person related to the Navy's work and mission in our state.

Senators Bailey, Rolfes, Sheldon, Ranker, Angel, Hobbs, Becker, Braun, Fortunato and Lias spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8649.

The motion by Senator Bailey carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed, introduced and thanked the Honorabel Ralph Munro, former Secretary of State, who was seated at the rostrum.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced the distinguished members of the Navy who were seated in the gallery.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Rear Admiral Gary A. Mayes, who was seated at the rostrum.

With permission of the Senate, business was suspended to allow Admiral Mayes to address the Senate.

Rear Admiral Gary A. Mayes: "Good morning. Mr. President, thank you for the kind introduction. As the Commander, Navy Region northwest, it is my distinct honor and privilege to be here on the floor of the Senate for Washington State Navy Day."

"Navy Region Northwest has over 192,000 Sailors, civilian employees, family members, retirees and contractors across the region. The navy's presence here strengthens communities in many ways, including socioeconomic impact. Washington State's second largest employment sector is defense, with \$12.7 billion infused into the state economy annually. The Navy accounts for approximately sixty percent of this total."

"In the gallery, representing some of our most recent deployed returnees with us today are: Commander Todd Ladwig, Commanding Officer of VAQ-138, who led his team on successful Electronic Attack missions flying the E/A-18

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Growlers; and Commander James Imlah, an Executive Officer, representing the returning men and women of VP-47.”

“Your record of legislative support speaks for itself – you’ve continued to focus on legislation helping military families more easily become part of Washington’s workforce and school system, helping veterans transition into the civilian economy, enabled our Navy Operations and training here to be more compatible in close coordination with the surrounding communities. I appreciate all the work you continue to do to make this state an even better hope port for the Navy.”

“Today, and every day, your Navy is operating around the world, and around the clock to ensure we are ready and capable of fulfilling our mission. Much of the Navy’s success in this Region can be directly attributed to the dedication and patriotism from people of the great State of Washington. On behalf of the Navy, I want to say ‘Thank you’ for you continued support.”

REMARKS BY THE PRESIDENT

President Habib: “Thank you Admiral. Thank you to all our guests who are here today. You do put the Pacific in Pacific Northwest and we are so proud to be able to honor you. Thank you again to Secretary Munro.”

MOTION

At 10:43 a.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

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AFTERNOON SESSION

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The Senate was called to order at 2:41 p.m. by President Habib.

MOTION

On motion of Senator Fain, Senate Rule 20 was suspended for the remainder of the day to allow consideration of additional floor resolutions.

EDITOR’S NOTE: Senate Rule 20 limits consideration of floor resolutions not essential to the operation of the Senate to one per day during regular daily sessions.

MOTION

Senator Nelson moved adoption of the following resolution:

SENATE RESOLUTION  
8647

By Senators Nelson and Saldaña

WHEREAS, Donna Pierce, overwhelmed by her role as a new mom, began to recognize and understand the hardships and struggles of motherhood; although she did not personally lack the means to provide for her own baby, motherhood still proved to be a demanding endeavor; and as stressed as she was, Donna could not begin to imagine "the level of stress felt by new moms with low incomes, no incomes, no health care, or no home"; and

WHEREAS, In 2001, Donna founded WestSide Baby, and since then, WestSide Baby has admirably sought to help the most vulnerable mothers in King County; and

WHEREAS, WestSide Baby, working together with over 120 social service agencies, provides necessities that are essential to the caring of an infant free of charge; and

WHEREAS, Many of the mothers WestSide Baby serves are forced to make heart-wrenching decisions about which of their necessities they can afford to do without; Donna recognized that being a mother is hard enough on its own, and new mothers having to treat what other families take for granted as luxuries is disheartening and sometimes humiliating; Donna and WestSide Baby have helped mothers provide for the physical needs of their children, granting them some peace of mind and providing a better quality of life to the children they serve; and

WHEREAS, Acting upon its deeply held and outwardly expressed core values of fairness and empowerment, WestSide Baby has made a lasting impact upon the lives of thousands of mothers and their children, helping ensure that they have a more fair and equal start to life; and

WHEREAS, Throughout the years, WestSide Baby has distributed over 16 million dollars worth of diapers, clothes, and safety equipment and helped around 200,000 babies in King County; and

WHEREAS, WestSide Baby's efforts are an invaluable source of empowerment and dignity for thousands of mothers who desperately need the assistance; and

WHEREAS, WestSide Baby continues to provide women with the necessary tools of motherhood, continues to generate awareness about the most vulnerable children in the community, and, most importantly, will continue striving towards its praiseworthy goal: That every baby in the community has his or her physical needs met;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor Ms. Donna Pierce and recognize WestSide Baby's numerous and continuing contributions to Washington's mothers and their children.

Senators Nelson and Keiser spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8647.

The motion by Senator Nelson carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced members from the board and staff of Westside Baby who were seated in the gallery: Ms. Dobry Inocencio; Ms. Sarah Cody Roth; Ms. Nancy Woodland; Ms. Jess Sweetman; Ms. Hannah Lertola; Ms. Kelly Harper; Ms. Tiffany Mathiesen; Ms. Carina Schubert; Ms. Jodi Ryznar; Ms. Phyllis Nomura; Ms. Eleanor Roth; and Ms. Mari Litzenberger.

MOTION

On motion of Senator Fain, the Senate reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1983, by Representatives Dye, Riccelli and Dent

Reducing the population requirement in a consortium of counties in order to operate a juvenile correctional facility.

The measure was read the second time.

MOTION

Senator O'Ban moved that the following committee striking amendment by the Committee on Human Services, Mental Health & Housing be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 865.** RCW 13.04.035 and 1996 c 284 s 1 are each amended to read as follows:

Juvenile court shall be administered by the superior court, except that by local court rule and agreement with the legislative authority of the county this service may be administered by the legislative authority of the county. Juvenile probation counselor and detention services shall be administered by the superior court, except that (1) by local court rule and agreement with the county legislative authority, these services may be administered by the county legislative authority; (2) for the consortium in existence on the effective date of this section, if a consortium of three or more counties, located east of the Cascade mountains and whose combined population exceeds (~~five~~) two hundred (~~thirty~~) thousand, jointly operates a juvenile correctional facility, the county legislative authorities may prescribe for alternative administration of the juvenile correctional facility by ordinance; and (3) in any county with a population of one million or more, probation and detention services shall be administered in accordance with chapter 13.20 RCW. The administrative body shall appoint an administrator of juvenile court, probation counselor, and detention services who shall be responsible for day-to-day administration of such services, and who may also serve in the capacity of a probation counselor. One person may, pursuant to the agreement of more than one administrative body, serve as administrator of more than one juvenile court. If a county participating in a consortium authorized under subsection (2) of this section withdraws from participation, the withdrawing county may rejoin the consortium at a later time so long as a majority of the consortium members agree."

On page 1, line 3 of the title, after "facility;" strike the remainder of the title and insert "and amending RCW 13.04.035."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Human Services, Mental Health & Housing to House Bill No. 1983.

The motion by Senator O'Ban carried and the committee striking amendment was adopted by voice vote.

#### MOTION

On motion of Senator O'Ban, the rules were suspended, House Bill No. 1983 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator O'Ban spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1983 as amended by the Senate.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1983 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 47; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Erickson, Fain, Fortunato, Frockt, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Liias, McCoy,

Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pearson, Pedersen, Ranker, Rivers, Rolfes, Rossi, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson and Zeiger

Voting nay: Senators Hasegawa and Saldaña

HOUSE BILL NO. 1983, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SUBSTITUTE HOUSE BILL NO. 1838, by House Committee on Transportation (originally sponsored by Representative Schmick)

Concerning the crossing of certain public roadways by wheeled all-terrain vehicles.

The measure was read the second time.

#### MOTION

On motion of Senator King, the rules were suspended, Substitute House Bill No. 1838 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1838.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1838 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Erickson, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pearson, Pedersen, Ranker, Rivers, Rolfes, Rossi, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson and Zeiger

Voting nay: Senator Liias

SUBSTITUTE HOUSE BILL NO. 1838, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SUBSTITUTE HOUSE BILL NO. 1877, by House Committee on Transportation (originally sponsored by Representative Stanford)

Concerning the release of driving record abstract information affecting registered tow truck operators.

The measure was read the second time.

#### MOTION

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On motion of Senator King, the rules were suspended, Substitute House Bill No. 1877 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator King spoke in favor of passage of the bill.

MOTION

On motion of Senator Saldaña, Senator Hobbs was excused.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1877.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1877 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Ericksen, Fain, Fortunato, Frockt, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Lias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pearson, Pedersen, Ranker, Rivers, Rolfes, Rossi, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson and Zeiger

Voting nay: Senator Hasegawa

SUBSTITUTE HOUSE BILL NO. 1877, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1250, by Representatives Griffey, Orwall, Dent, MacEwen, Hayes, Holy, McCaslin and Doglio

Authorizing retail marijuana outlets to give a free lockable drug box to adults age twenty-one years and over and to qualifying patients age eighteen years and over subject to restrictions.

The measure was read the second time.

MOTION

Senator Baumgartner moved that the following committee amendment by the Committee on Commerce, Labor & Sports be adopted:

Beginning on page 1, line 13, strike all of subsection (b) and insert the following:

"(b)(i) Retail outlets may receive lockable boxes, intended for the secure storage of marijuana products and paraphernalia, and related literature as a donation from another person or entity, that is not a marijuana producer, processor, or retailer, for donation to their customers.

(ii) Retail outlets may donate the lockable boxes and provide the related literature to any person eligible to purchase marijuana products under subsection (2) of this section. Retail outlets may not use the donation of lockable boxes or literature as an incentive or as a condition of a recipient's purchase of a marijuana product or paraphernalia.

(iii) Retail outlets may also purchase and sell lockable boxes, provided that the sales price is not less than the cost of acquisition."

Senator Baumgartner spoke in favor of adoption of the committee amendment.

The President declared the question before the Senate to be the adoption of the committee amendment by the Committee on Commerce, Labor & Sports to House Bill No. 1250.

The motion by Senator Baumgartner carried and the committee amendment was adopted by voice vote.

MOTION

On motion of Senator Baumgartner, the rules were suspended, House Bill No. 1250 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Baumgartner spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1250 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1250 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Lias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pearson, Pedersen, Ranker, Rivers, Rolfes, Rossi, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson and Zeiger

Voting nay: Senator Ericksen

HOUSE BILL NO. 1250, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Baumgartner: "I just wanted to apologize to the body Mr. President. I have been corrected. I didn't do my homework. It was Daryl Hammond that did lockbox for Al Gore. Very embarrassing. I apologize to the body."

REPLY BY THE PRESIDENT

President Habib: "That is even worse than conflating Jim Carrey and Dana Carvey. Thank you, thank you for that Senator Baumgartner."

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1467, by House Committee on Local Government (originally sponsored by Representatives Stokesbary, Peterson, Griffey, Robinson, Muri, McBride, Rodne, Fitzgibbon and Tharinger)

Removing disincentives to the voluntary formation of regional fire protection service authorities by establishing parity, equalizing certain provisions with existing laws governing fire protection districts, and clarifying the formation process.

The measure was read the second time.

MOTION

Senator Short moved that the following committee striking amendment by the Committee on Local Government be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 866. RCW 52.26.220 and 2006 c 200 s 12 are each amended to read as follows:

(1) ~~((Notwithstanding any other provision in this chapter to the contrary, any))~~ (a) The initial imposition of a benefit charge authorized by this chapter ~~((is not effective unless a proposition to impose the benefit charge is approved by a))~~ must be approved by not less than sixty percent majority of the voters of the regional fire protection service authority voting at a general election or at a special election called by the authority for that purpose ~~((held within the authority))~~. ~~((A))~~ Ballot ~~((measure that contains))~~ measures containing an authorization to impose benefit charges ~~((and))~~ that ~~((is))~~ are approved by the voters pursuant to RCW 52.26.060 ~~((meets))~~ satisfy the proposition approval requirement of this subsection and subsection (2) of this section.

(b) An election held ~~((under this section))~~ for the initial imposition of a benefit charge must be held not more than twelve months prior to the date on which the first charge is to be assessed.

(c) A benefit charge approved at an election expires in six ~~((years))~~ or fewer years as authorized by the voters, unless subsequently reapproved by the voters.

(2) ~~((The))~~ Ballot measures calling for the initial imposition of a benefit charge must be submitted so as to enable ~~((the))~~ voters favoring the authorization of a ~~((regional fire protection service authority))~~ benefit charge to vote "Yes" and those opposed to vote "No." The ballot question is as follows:

"Shall . . . . the regional fire protection service authority composed of (insert the participating fire protection jurisdictions) . . . . be authorized to impose benefit charges each year for . . . (insert number of years not to exceed six) years, not to exceed an amount equal to sixty percent of its operating budget, and be prohibited from imposing an additional property tax under RCW 52.26.140(1)(c)?

YES NO

(3) ~~((Authorities renewing the benefit charge may elect to use the following alternative ballot:))~~ (a) The continued imposition of a benefit charge authorized by this chapter may be approved for six consecutive years. A ballot measure calling for the continued imposition of a benefit charge for six consecutive years must be approved by a majority of the voters of the regional fire protection service authority voting at a general election or at a special election called by the authority for that purpose.

(b) Ballot measures calling for the continued imposition of a benefit charge must be submitted so as to enable voters favoring the continued imposition of the benefit charge to vote "Yes" and those opposed to vote "No." The ballot question must be substantially in the following form:

"Shall . . . . the regional fire protection service authority composed of (insert the participating fire protection jurisdictions) . . . . be authorized to continue voter-authorized benefit charges each year for ~~((insert number of years not to exceed))~~ six ~~(( ))~~ consecutive years, not to exceed an amount equal to sixty percent of its operating budget, and be prohibited from imposing an additional property tax under RCW 52.26.140(1)(c)?

YES NO

Sec. 867. RCW 52.26.230 and 2004 c 129 s 29 are each amended to read as follows:

(1) Not fewer than ten days nor more than six months before the election at which the proposition to impose the benefit charge is submitted as provided in this chapter, the governing board of the regional fire protection service authority, or the planning committee if the benefit charge is proposed as part of the initial formation of the authority, shall hold a public hearing specifically setting forth its proposal to impose benefit charges for the support of its legally authorized activities that will maintain or improve the services afforded in the authority. A report of the public hearing shall be filed with the county treasurer of each county in which the property is located and be available for public inspection.

(2) Prior to November 15th of each year the governing board of the authority shall hold a public hearing to review and establish the regional fire protection service authority benefit charges for the subsequent year.

(3) All resolutions imposing or changing the benefit charges must be filed with the county treasurer or treasurers of each county in which the property is located, together with the record of each public hearing, before November 30th immediately preceding the year in which the benefit charges are to be collected on behalf of the authority.

(4) After the benefit charges have been established, the owners of the property subject to the charge must be notified of the amount of the charge.

Sec. 868. RCW 84.55.092 and 1998 c 16 s 3 are each amended to read as follows:

(1) The regular property tax levy for each taxing district other than the state may be set at the amount which would be allowed otherwise under this chapter if the regular property tax levy for the district for taxes due in prior years beginning with 1986 had been set at the full amount allowed under this chapter including any levy authorized under RCW 52.16.160 or 52.26.140(1)(c) that would have been imposed but for the limitation in RCW 52.18.065 or 52.26.240, applicable upon imposition of the benefit charge under chapter 52.18 or 52.26 RCW.

(2) The purpose of this section is to remove the incentive for a taxing district to maintain its tax levy at the maximum level permitted under this chapter, and to protect the future levy capacity of a taxing district that reduces its tax levy below the level that it otherwise could impose under this chapter, by removing the adverse consequences to future levy capacities resulting from such levy reductions.

Sec. 869. RCW 52.18.050 and 2013 c 49 s 1 are each amended to read as follows:

(1)(a) The initial imposition of a benefit charge authorized by this chapter must be approved by not less than sixty percent of the voters of the district voting at a general election or at a special election called by the district for that purpose.

(b) An election held for the initial imposition of a benefit charge must be held not more than twelve months prior to the date on which the first charge is to be assessed.

(c) A benefit charge approved at an election expires in six or fewer years as authorized by the voters unless subsequently reapproved by the voters.

(2) Ballot measures calling for the initial imposition of a benefit charge must be submitted so as to enable voters favoring the authorization of a benefit charge to vote "Yes" and those opposed to vote "No," and the ballot question must be as follows:

"Shall . . . . county fire protection district No. . . . be authorized to impose benefit charges each year for . . . (insert number of years not to exceed six) years, not to exceed an amount equal to sixty percent of its operating budget, and be prohibited from imposing an additional property tax under RCW 52.16.160?

YES NO

(3)(a) The continued imposition of a benefit charge authorized by this chapter ((must be approved by a majority of the voters of the district voting at a general election or at a special election called by the district for that purpose)) may be approved for six consecutive years.

~~((b) Ballot measures calling for the continued imposition of a benefit charge must be submitted so as to enable voters favoring the continued imposition of the benefit charge to vote "Yes" and those opposed to vote "No." The ballot question must be substantially in the following form:))~~ A ballot measure calling for the continued imposition of a benefit charge for six consecutive years must be approved by a majority of the voters of the district voting at a general election or at a special election called by the district for that purpose.

(b) Ballot measures calling for the continued imposition of a benefit charge must be submitted so as to enable voters favoring the continued imposition of the benefit charge to vote "Yes" and those opposed to vote "No." The ballot question must be substantially in the following form:

"Shall . . . . county fire protection district No. . . . be authorized to continue voter-authorized benefit charges each year for ~~(( . . . (insert number of years not to exceed six)))~~ six consecutive years, not to exceed an amount equal to sixty percent of its operating budget, and be prohibited from imposing an additional property tax under RCW 52.16.160?

YES NO

**Sec. 870.** RCW 52.18.010 and 1998 c 16 s 1 are each amended to read as follows:

(1) Pursuant to an approved initial or continued benefit charge authorized under RCW 52.18.050, the board of fire commissioners of a fire protection district may by resolution, for fire protection district purposes authorized by law, fix and impose a benefit charge on personal property and improvements to real property which are located within the fire protection district on the date specified and which have or will receive the benefits provided by the fire protection district, to be paid by the owners of the properties( (: PROVIDED, That),

(2) A benefit charge ((shall)) does not apply to:

(a) Personal property and improvements to real property owned or used by any recognized religious denomination or religious organization as, or including, a sanctuary or for purposes related to the bona fide religious ministries of the denomination or religious organization, including schools and educational facilities used for kindergarten, primary, or secondary educational purposes or for institutions of higher education and all grounds and buildings related thereto, but not including personal property and improvements to real property owned or used by any recognized religious denomination or religious organization for business operations, profit-making enterprises, or activities not including use of a sanctuary or related to kindergarten, primary, or secondary educational purposes or for institutions of higher education; and

(b) Any of the following tax-exempt properties, provided such entity is not required to pay a fire protection charge under subsection (8) of this section:

(i) Property of housing authorities that is exempt from property taxes under RCW 35.82.210;

(ii) Property of nonprofit entities providing rental housing for very low-income households or providing space for the placement of a mobile home for a very low-income household that is exempt from property taxes under RCW 84.36.560;

(iii) Property of nonprofit homes for the aging that is exempt from property taxes under RCW 84.36.041;

(iv) Property of nonprofit organizations, corporations, or associations providing housing for eligible persons with developmental disabilities that is exempt from property taxes under RCW 84.36.042;

(v) Property of nonprofit organizations providing emergency or transitional housing for low-income homeless persons or victims of domestic violence who are homeless for personal safety reasons that is exempt from property taxes under RCW 84.36.043;

(vi) Property of the state housing finance commission that is exempt from property taxes under RCW 84.36.135; and

(vii) Property of nonprofit corporations operating sheltered workshops for persons with disabilities that is exempt from property taxes under RCW 84.36.350.

(3) A benefit charge may apply to a tax-exempt property included in subsection (2)(b) of this section if the tax-exempt property is located in a fire protection district that:

(a) Is less than four square miles in size;

(b) Has approved a benefit charge prior to the effective date of this section; and

(c) Has a population exceeding nineteen thousand people as of the effective date of this section, as determined by the office of financial management.

(4) A limited benefit charge may apply to property or improvements owned by a Christmas tree grower as defined in RCW 15.13.250(4) so long as the property or improvement is located on land that has been approved as farm and agricultural land with standing crops under chapter 84.34 RCW. For such property or improvement, a benefit charge may not exceed the reduction in property tax that results from the imposition of a benefit charge, as required under RCW 52.18.065.

(5) The aggregate amount of such benefit charges in any one year shall not exceed an amount equal to sixty percent of the operating budget for the year in which the benefit charge is to be collected: PROVIDED, That it shall be the duty of the county legislative authority or authorities of the county or counties in which the fire protection district is located to make any necessary adjustments to assure compliance with such limitation and to immediately notify the board of fire commissioners of any changes thereof.

(6) A benefit charge imposed shall be reasonably proportioned to the measurable benefits to property resulting from the services afforded by the district. It is acceptable to apportion the benefit charge to the values of the properties as found by the county assessor or assessors modified generally in the proportion that fire insurance rates are reduced or entitled to be reduced as the result of providing the services. Any other method that reasonably apportions the benefit charges to the actual benefits resulting from the degree of protection, which may include but is not limited to the distance from regularly maintained fire protection equipment, the level of fire prevention services provided to the properties, or the need of the properties for specialized services, may be specified in the resolution and shall be subject to contest on the ground of unreasonable or capricious action or action in excess of the measurable benefits to the property resulting from services afforded by the district. The board of fire commissioners may determine that certain properties or types or classes of properties are not receiving measurable benefits based on criteria they establish by resolution. A benefit charge authorized by this chapter shall not be applicable to the personal property or improvements to real property of any individual, corporation, partnership, firm, organization, or association maintaining a fire department and whose fire protection and training system has been accepted by a fire insurance underwriter maintaining a fire protection engineering and inspection service authorized by the

state insurance commissioner to do business in this state, but such property may be protected by the fire protection district under a contractual agreement.

(7) For administrative purposes, the benefit charge imposed on any individual property may be compiled into a single charge, provided that the district, upon request of the property owner, provide an itemized list of charges for each measurable benefit included in the charge.

(8)(a) At the annual review of the fire benefit charge mandated by RCW 52.18.060(2), if a fire service agency has identified:

(i) A tax-exempt property under subsection (2)(b) of this section as having a substantial increase in requested emergency services over the previous year; or

(ii) A new tax-exempt property that is similar in size, population, and geographic location as another such tax-exempt property as having an increase in requested emergency services; then the tax exempt property and the fire service agency must work together, in good faith, to address the problem by implementing community risk reduction efforts. The community risk reduction plan may include but is not limited to wellness programs and community action plans.

(b) At the subsequent annual review, if the heightened service requirements have not been reasonably addressed by the joint mitigation efforts, and the tax-exempt property owner has not acted in good faith:

(i) The property is subject to assessment of the fire benefit charge in the subsequent year, subject to approval by the board of fire commissioners as outlined in RCW 52.18.060(2); or

(ii) The respective tax exempt property shall pay the fire service agency a fire protection charge payment in lieu of a benefit charge. The fire protection charge shall be an amount equivalent to the benefit rates for similarly situated properties for that year.

(c) All tax exempt properties identified under subsection (2)(b) of this section and all local fire service agencies are encouraged to work collaboratively to develop and implement programs to address proper usage of fire service resources for residents of the housing properties.

**Sec. 871.** RCW 52.26.180 and 2004 c 129 s 24 are each amended to read as follows:

(1) The governing board of a regional fire protection service authority may by resolution, as authorized in the plan and approved by the voters, for authority purposes authorized by law, fix and impose a benefit charge on personal property and improvements to real property which are located within the authority on the date specified and which have received or will receive the benefits provided by the authority, to be paid by the owners of the properties.

(2) A benefit charge does not apply to:

(a) Personal property and improvements to real property owned or used by any recognized religious denomination or religious organization as, or including, a sanctuary or for purposes related to the bona fide religious ministries of the denomination or religious organization, including schools and educational facilities used for kindergarten, primary, or secondary educational purposes or for institutions of higher education and all grounds and buildings related thereto. However, a benefit charge does apply to personal property and improvements to real property owned or used by any recognized religious denomination or religious organization for business operations, profit-making enterprises, or activities not including use of a sanctuary or related to kindergarten, primary, or secondary educational purposes or for institutions of higher education.

(b) Property of housing authorities that is exempt from property taxes under RCW 35.82.210;

(c) Property of nonprofit entities providing rental housing for very low-income households or providing space for the placement of a mobile home for a very low-income household that is exempt from property taxes under RCW 84.36.560;

(d) Property of nonprofit homes for the aging that is exempt from property taxes under RCW 84.36.041;

(e) Property of nonprofit organizations, corporations, or associations providing housing for eligible persons with developmental disabilities that is exempt from property taxes under RCW 84.36.042;

(f) Property of nonprofit organizations providing emergency or transitional housing for low-income homeless persons or victims of domestic violence who are homeless for personal safety reasons that is exempt from property taxes under RCW 84.36.043;

(g) Property of the state housing finance commission that is exempt from property taxes under RCW 84.36.135; and

(h) Property of nonprofit corporations operating sheltered workshops for persons with disabilities that is exempt from property taxes under RCW 84.36.350.

(3) A limited benefit charge may apply to property or improvements owned by a Christmas tree grower as defined in RCW 15.13.250(4) so long as the property or improvement is located on land that has been approved as farm and agricultural land with standing crops under chapter 84.34 RCW. For such property or improvement, a benefit charge may not exceed the reduction in property tax that results from the imposition of a benefit charge, as required under RCW 52.26.230.

(4) The aggregate amount of these benefit charges in any one year may not exceed an amount equal to sixty percent of the operating budget for the year in which the benefit charge is to be collected. It is the duty of the county legislative authority or authorities of the county or counties in which the regional fire protection service authority is located to make any necessary adjustments to assure compliance with this limitation and to immediately notify the governing board of an authority of any changes thereof.

((2)) (5) A benefit charge imposed must be reasonably proportioned to the measurable benefits to property resulting from the services afforded by the authority. It is acceptable to apportion the benefit charge to the values of the properties as found by the county assessor or assessors modified generally in the proportion that fire insurance rates are reduced or entitled to be reduced as the result of providing the services. Any other method that reasonably apportions the benefit charges to the actual benefits resulting from the degree of protection, which may include but is not limited to the distance from regularly maintained fire protection equipment, the level of fire prevention services provided to the properties, or the need of the properties for specialized services, may be specified in the resolution and is subject to contest on the grounds of unreasonable or capricious action or action in excess of the measurable benefits to the property resulting from services afforded by the authority. The governing board of an authority may determine that certain properties or types or classes of properties are not receiving measurable benefits based on criteria they establish by resolution. A benefit charge authorized by this chapter is not applicable to the personal property or improvements to real property of any individual, corporation, partnership, firm, organization, or association maintaining a fire department and whose fire protection and training system has been accepted by a fire insurance underwriter maintaining a fire protection engineering and inspection service authorized by the state insurance commissioner to do business in this state, but the property may be protected by the authority under a contractual agreement.

((3)) (6) For administrative purposes, the benefit charge imposed on any individual property may be compiled into a single charge, provided that the authority, upon request of the property owner, provide an itemized list of charges for each measurable benefit included in the charge.

((4)) (7)(a) At the annual review of the fire benefit charge mandated by RCW 52.26.230(2), if a fire service agency has identified:

(i) A tax-exempt property under subsection (2)(b) of this section as having a substantial increase in requested emergency services over the previous year; or

(ii) A new tax-exempt property that is similar in size, population, and geographic location as another such tax-exempt property as having an increase in requested emergency services; then the tax exempt property and the fire service agency must work together, in good faith, to address the problem by implementing community risk reduction efforts. The community risk reduction plan may include but is not limited to wellness programs and community action plans.

(b) At the subsequent annual review, if the heightened service requirements have not been reasonably addressed by the joint mitigation efforts, and the tax-exempt property owner has not acted in good faith:

(i) The property is subject to assessment of the fire benefit charge in the subsequent year, subject to approval by the governing board of the authority as outlined in RCW 52.26.230(2); or

(ii) The respective tax exempt property shall pay the fire service agency a fire protection charge payment in lieu of a benefit charge. The fire protection charge shall be an amount equivalent to the benefit rates for similarly situated properties for that year.

(c) All tax exempt properties identified under subsection (2)(b) of this section and all local fire service agencies are encouraged to work collaboratively to develop and implement programs to address proper usage of fire service resources for residents of the housing properties.

(8) For the purposes of this section and RCW 52.26.190 through 52.26.270, the following definitions apply:

(a)(i) "Personal property" includes every form of tangible personal property including, but not limited to, all goods, chattels, stock in trade, estates, or crops.

(ii) "Personal property" does not include any personal property used for farming, field crops, farm equipment, or livestock.

(b) "Improvements to real property" does not include permanent growing crops, field improvements installed for the purpose of aiding the growth of permanent crops, or other field improvements normally not subject to damage by fire.

**Sec. 872.** RCW 52.26.020 and 2011 c 141 s 1 are each reenacted and amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Board" means the governing body of a regional fire protection service authority.

(2) "Elected official" means an elected official of a participating fire protection jurisdiction or a regional fire protection district commissioner created under RCW 52.26.080.

(3) "Fire protection jurisdiction" means a fire district, regional fire protection service authority, city, town, port district, municipal airport, or Indian tribe.

(4) "Participating fire protection jurisdiction" means a fire protection jurisdiction participating in the formation or operation of a regional fire protection service authority.

(5) "Regional fire protection service authority" or "authority" means a municipal corporation, an independent taxing authority

within the meaning of Article VII, section 1 of the state Constitution, and a taxing district within the meaning of Article VII, section 2 of the state Constitution, whose boundaries are coextensive with two or more adjacent fire protection jurisdictions and that has been created by a vote of the people under this chapter to implement a regional fire protection service authority plan.

(6) "Regional fire protection service authority plan" or "plan" means a plan to develop and finance a regional fire protection service authority project or projects(§) including, but not limited to, specific capital projects, fire operations and emergency service operations pursuant to RCW 52.26.040(3)(b), and preservation and maintenance of existing or future facilities.

(7) "Regional fire protection service authority planning committee" or "planning committee" means the advisory committee created under RCW 52.26.030 to create and propose to fire protection jurisdictions a regional fire protection service authority plan to design, finance, and develop fire protection and emergency service projects.

(8) "Regular property taxes" has the same meaning as in RCW 84.04.140.

**Sec. 873.** RCW 52.26.030 and 2004 c 129 s 3 are each amended to read as follows:

Regional fire protection service authority planning committees are advisory entities that are created, convened, and empowered as follows:

(1) Any two or more adjacent fire protection jurisdictions may create a regional fire protection service authority and convene a regional fire protection service authority planning committee. No fire protection jurisdiction may participate in more than one created authority.

(2) Each governing body of the fire protection jurisdictions participating in planning under this chapter shall appoint three elected officials to the authority planning committee. Members of the planning committee may receive compensation of seventy dollars per day, or portion thereof, not to exceed seven hundred dollars per year, for attendance at planning committee meetings and for performance of other services in behalf of the authority, and may be reimbursed for travel and incidental expenses at the discretion of their respective governing body.

(3) A regional fire protection service authority planning committee may receive state funding, as appropriated by the legislature, or county funding provided by the affected counties for start-up funding to pay for salaries, expenses, overhead, supplies, and similar expenses ordinarily and necessarily incurred. Upon creation of a regional fire protection service authority, the authority shall within one year reimburse the state or county for any sums advanced for these start-up costs from the state or county.

(4) The planning committee shall conduct its affairs and formulate a regional fire protection service authority plan as provided under RCW 52.26.040.

(5) At its first meeting, a regional fire protection service authority planning committee may elect officers and provide for the adoption of rules and other operating procedures.

(6) The planning committee may dissolve itself at any time by a majority vote of the total membership of the planning committee. Any participating fire protection jurisdiction may withdraw upon thirty calendar days' written notice to the other jurisdictions.

**Sec. 874.** RCW 84.52.010 and 2015 3rd sp.s. c 44 s 324 and 2015 3rd sp.s. c 24 s 404 are each reenacted and amended to read as follows:

(1) Except as is permitted under RCW 84.55.050, all taxes must be levied or voted in specific amounts.

(2) The rate percent of all taxes for state and county purposes, and purposes of taxing districts coextensive with the county, must be determined, calculated and fixed by the county assessors of the respective counties, within the limitations provided by law, upon the assessed valuation of the property of the county, as shown by the completed tax rolls of the county, and the rate percent of all taxes levied for purposes of taxing districts within any county must be determined, calculated and fixed by the county assessors of the respective counties, within the limitations provided by law, upon the assessed valuation of the property of the taxing districts respectively.

(3) When a county assessor finds that the aggregate rate of tax levy on any property, that is subject to the limitations set forth in RCW 84.52.043 or 84.52.050, exceeds the limitations provided in either of these sections, the assessor must recompute and establish a consolidated levy in the following manner:

(a) The full certified rates of tax levy for state, county, county road district, regional transit authority, and city or town purposes must be extended on the tax rolls in amounts not exceeding the limitations established by law; however any state levy takes precedence over all other levies and may not be reduced for any purpose other than that required by RCW 84.55.010. If, as a result of the levies imposed under RCW 36.54.130, 84.34.230, 84.52.069, 84.52.105, the portion of the levy by a metropolitan park district that was protected under RCW 84.52.120, 84.52.125, 84.52.135, 84.52.140, and the protected portion of the levy under RCW 86.15.160 by flood control zone districts in a county with a population of seven hundred seventy-five thousand or more that are coextensive with a county, the combined rate of regular property tax levies that are subject to the one percent limitation exceeds one percent of the true and fair value of any property, then these levies must be reduced as follows:

(i) The portion of the levy by a metropolitan park district that has a population of less than one hundred fifty thousand and is located in a county with a population of one million five hundred thousand or more that is protected under RCW 84.52.120 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(ii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the protected portion of the levy imposed under RCW 86.15.160 by a flood control zone district in a county with a population of seven hundred seventy-five thousand or more that is coextensive with a county must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(iii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the levy imposed by a county under RCW 84.52.140 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(iv) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the portion of the levy by a fire protection district or regional fire protection service authority that is protected under RCW 84.52.125 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(v) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the levy imposed by a county under RCW 84.52.135 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(vi) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the levy imposed by a ferry district under RCW 36.54.130 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(vii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the portion of the levy by a metropolitan park district with a population of one hundred fifty thousand or more that is protected under RCW 84.52.120 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(viii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, then the levies imposed under RCW 84.34.230, 84.52.105, and any portion of the levy imposed under RCW 84.52.069 that is in excess of thirty cents per thousand dollars of assessed value, must be reduced on a pro rata basis until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated; and

(ix) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, then the thirty cents per thousand dollars of assessed value of tax levy imposed under RCW 84.52.069 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated.

(b) The certified rates of tax levy subject to these limitations by all junior taxing districts imposing taxes on such property must be reduced or eliminated as follows to bring the consolidated levy of taxes on such property within the provisions of these limitations:

(i) First, the certified property tax levy authorized under RCW 84.52.821 must be reduced on a pro rata basis or eliminated;

(ii) Second, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates of those junior taxing districts authorized under RCW 36.68.525, 36.69.145, 35.95A.100, and 67.38.130 must be reduced on a pro rata basis or eliminated;

(iii) Third, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates of flood control zone districts other than the portion of a levy protected under RCW 84.52.815 must be reduced on a pro rata basis or eliminated;

(iv) Fourth, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates of all other junior taxing districts, other than fire protection districts, regional fire protection service authorities, library districts, the first fifty cent per thousand dollars of assessed valuation levies for metropolitan park districts, and the first fifty cent per thousand dollars of assessed valuation levies for public hospital districts, must be reduced on a pro rata basis or eliminated;

(v) Fifth, if the consolidated tax levy rate still exceeds these limitations, the first fifty cent per thousand dollars of assessed valuation levies for metropolitan park districts created on or after January 1, 2002, must be reduced on a pro rata basis or eliminated;

(vi) Sixth, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates authorized to fire protection districts under RCW 52.16.140 and 52.16.160 and regional fire protection service authorities under RCW 52.26.140(1) (b) and (c) must be reduced on a pro rata basis or eliminated; and

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(vii) Seventh, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates authorized for fire protection districts under RCW 52.16.130, regional fire protection service authorities under RCW 52.26.140(1)(a), library districts, metropolitan park districts created before January 1, 2002, under their first fifty cent per thousand dollars of assessed valuation levy, and public hospital districts under their first fifty cent per thousand dollars of assessed valuation levy, must be reduced on a pro rata basis or eliminated.

**Sec. 875.** RCW 84.52.010 and 2015 3rd sp.s. c 44 s 325 and 2015 3rd sp.s. c 24 s 405 are each reenacted and amended to read as follows:

(1) Except as is permitted under RCW 84.55.050, all taxes must be levied or voted in specific amounts.

(2) The rate percent of all taxes for state and county purposes, and purposes of taxing districts coextensive with the county, must be determined, calculated and fixed by the county assessors of the respective counties, within the limitations provided by law, upon the assessed valuation of the property of the county, as shown by the completed tax rolls of the county, and the rate percent of all taxes levied for purposes of taxing districts within any county must be determined, calculated and fixed by the county assessors of the respective counties, within the limitations provided by law, upon the assessed valuation of the property of the taxing districts respectively.

(3) When a county assessor finds that the aggregate rate of tax levy on any property, that is subject to the limitations set forth in RCW 84.52.043 or 84.52.050, exceeds the limitations provided in either of these sections, the assessor must recompute and establish a consolidated levy in the following manner:

(a) The full certified rates of tax levy for state, county, county road district, regional transit authority, and city or town purposes must be extended on the tax rolls in amounts not exceeding the limitations established by law; however any state levy takes precedence over all other levies and may not be reduced for any purpose other than that required by RCW 84.55.010. If, as a result of the levies imposed under RCW 36.54.130, 84.34.230, 84.52.069, 84.52.105, the portion of the levy by a metropolitan park district that was protected under RCW 84.52.120, 84.52.125, 84.52.135, and 84.52.140, and the portion of the levy by a flood control zone district that was protected under RCW 84.52.816, the combined rate of regular property tax levies that are subject to the one percent limitation exceeds one percent of the true and fair value of any property, then these levies must be reduced as follows:

(i) The portion of the levy by a flood control zone district that was protected under RCW 84.52.816 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(ii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the levy imposed by a county under RCW 84.52.140 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(iii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the portion of the levy by a fire protection district or regional fire protection service authority that is protected under RCW 84.52.125 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(iv) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the levy imposed by a

county under RCW 84.52.135 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(v) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the levy imposed by a ferry district under RCW 36.54.130 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(vi) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the portion of the levy by a metropolitan park district that is protected under RCW 84.52.120 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

(vii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, then the levies imposed under RCW 84.34.230, 84.52.105, and any portion of the levy imposed under RCW 84.52.069 that is in excess of thirty cents per thousand dollars of assessed value, must be reduced on a pro rata basis until the combined rate no longer exceeds one percent of the true and fair value of any property or must be eliminated; and

(viii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, then the thirty cents per thousand dollars of assessed value of tax levy imposed under RCW 84.52.069 must be reduced until the combined rate no longer exceeds one percent of the true and fair value of any property or eliminated.

(b) The certified rates of tax levy subject to these limitations by all junior taxing districts imposing taxes on such property must be reduced or eliminated as follows to bring the consolidated levy of taxes on such property within the provisions of these limitations:

(i) First, the certified property tax levy authorized under RCW 84.52.821 must be reduced on a pro rata basis or eliminated;

(ii) Second, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates of those junior taxing districts authorized under RCW 36.68.525, 36.69.145, 35.95A.100, and 67.38.130 must be reduced on a pro rata basis or eliminated;

(iii) Third, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates of flood control zone districts other than the portion of a levy protected under RCW 84.52.816 must be reduced on a pro rata basis or eliminated;

(iv) Fourth, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates of all other junior taxing districts, other than fire protection districts, regional fire protection service authorities, library districts, the first fifty cent per thousand dollars of assessed valuation levies for metropolitan park districts, and the first fifty cent per thousand dollars of assessed valuation levies for public hospital districts, must be reduced on a pro rata basis or eliminated;

(v) Fifth, if the consolidated tax levy rate still exceeds these limitations, the first fifty cent per thousand dollars of assessed valuation levies for metropolitan park districts created on or after January 1, 2002, must be reduced on a pro rata basis or eliminated;

(vi) Sixth, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates authorized to fire protection districts under RCW 52.16.140 and 52.16.160 and

regional fire protection service authorities under RCW 52.26.140(1) (b) and (c) must be reduced on a pro rata basis or eliminated; and

(vii) Seventh, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates authorized for fire protection districts under RCW 52.16.130, regional fire protection service authorities under RCW 52.26.140(1)(a), library districts, metropolitan park districts created before January 1, 2002, under their first fifty cent per thousand dollars of assessed valuation levy, and public hospital districts under their first fifty cent per thousand dollars of assessed valuation levy, must be reduced on a pro rata basis or eliminated.

**Sec. 876.** RCW 84.52.043 and 2015 3rd sp.s. c 44 s 322 are each amended to read as follows:

Within and subject to the limitations imposed by RCW 84.52.050 as amended, the regular ad valorem tax levies upon real and personal property by the taxing districts hereafter named are as follows:

(1) Levies of the senior taxing districts are as follows: (a) The levy by the state may not exceed three dollars and sixty cents per thousand dollars of assessed value adjusted to the state equalized value in accordance with the indicated ratio fixed by the state department of revenue to be used exclusively for the support of the common schools; (b) the levy by any county may not exceed one dollar and eighty cents per thousand dollars of assessed value; (c) the levy by any road district may not exceed two dollars and twenty-five cents per thousand dollars of assessed value; and (d) the levy by any city or town may not exceed three dollars and thirty-seven and one-half cents per thousand dollars of assessed value. However any county is hereby authorized to increase its levy from one dollar and eighty cents to a rate not to exceed two dollars and forty-seven and one-half cents per thousand dollars of assessed value for general county purposes if the total levies for both the county and any road district within the county do not exceed four dollars and five cents per thousand dollars of assessed value, and no other taxing district has its levy reduced as a result of the increased county levy.

(2) The aggregate levies of junior taxing districts and senior taxing districts, other than the state, may not exceed five dollars and ninety cents per thousand dollars of assessed valuation. The term "junior taxing districts" includes all taxing districts other than the state, counties, road districts, cities, towns, port districts, and public utility districts. The limitations provided in this subsection do not apply to: (a) Levies at the rates provided by existing law by or for any port or public utility district; (b) excess property tax levies authorized in Article VII, section 2 of the state Constitution; (c) levies for acquiring conservation futures as authorized under RCW 84.34.230; (d) levies for emergency medical care or emergency medical services imposed under RCW 84.52.069; (e) levies to finance affordable housing for very low-income housing imposed under RCW 84.52.105; (f) the portions of levies by metropolitan park districts that are protected under RCW 84.52.120; (g) levies imposed by ferry districts under RCW 36.54.130; (h) levies for criminal justice purposes under RCW 84.52.135; (i) the portions of levies by fire protection districts and regional fire protection service authorities that are protected under RCW 84.52.125; (j) levies by counties for transit-related purposes under RCW 84.52.140; (k) the protected portion of the levies imposed under RCW 86.15.160 by flood control zone districts in a county with a population of seven hundred seventy-five thousand or more that are coextensive with a county; and (l) levies imposed by a regional transit authority under RCW 81.104.175.

**Sec. 877.** RCW 84.52.043 and 2015 3rd sp.s. c 44 s 323 are each amended to read as follows:

Within and subject to the limitations imposed by RCW 84.52.050 as amended, the regular ad valorem tax levies upon real

and personal property by the taxing districts hereafter named are as follows:

(1) Levies of the senior taxing districts are as follows: (a) The levy by the state may not exceed three dollars and sixty cents per thousand dollars of assessed value adjusted to the state equalized value in accordance with the indicated ratio fixed by the state department of revenue to be used exclusively for the support of the common schools; (b) the levy by any county may not exceed one dollar and eighty cents per thousand dollars of assessed value; (c) the levy by any road district may not exceed two dollars and twenty-five cents per thousand dollars of assessed value; and (d) the levy by any city or town may not exceed three dollars and thirty-seven and one-half cents per thousand dollars of assessed value. However any county is hereby authorized to increase its levy from one dollar and eighty cents to a rate not to exceed two dollars and forty-seven and one-half cents per thousand dollars of assessed value for general county purposes if the total levies for both the county and any road district within the county do not exceed four dollars and five cents per thousand dollars of assessed value, and no other taxing district has its levy reduced as a result of the increased county levy.

(2) The aggregate levies of junior taxing districts and senior taxing districts, other than the state, may not exceed five dollars and ninety cents per thousand dollars of assessed valuation. The term "junior taxing districts" includes all taxing districts other than the state, counties, road districts, cities, towns, port districts, and public utility districts. The limitations provided in this subsection do not apply to: (a) Levies at the rates provided by existing law by or for any port or public utility district; (b) excess property tax levies authorized in Article VII, section 2 of the state Constitution; (c) levies for acquiring conservation futures as authorized under RCW 84.34.230; (d) levies for emergency medical care or emergency medical services imposed under RCW 84.52.069; (e) levies to finance affordable housing for very low-income housing imposed under RCW 84.52.105; (f) the portions of levies by metropolitan park districts that are protected under RCW 84.52.120; (g) levies imposed by ferry districts under RCW 36.54.130; (h) levies for criminal justice purposes under RCW 84.52.135; (i) the portions of levies by fire protection districts and regional fire protection service authorities that are protected under RCW 84.52.125; (j) levies by counties for transit-related purposes under RCW 84.52.140; (k) the portion of the levy by flood control zone districts that are protected under RCW 84.52.816; and (l) levies imposed by a regional transit authority under RCW 81.104.175.

**Sec. 878.** RCW 84.52.125 and 2005 c 122 s 1 are each amended to read as follows:

A fire protection district or regional fire protection service authority may protect the district's or authority's tax levy from prorationing under RCW 84.52.010(~~((2))~~) (3)(b) by imposing up to a total of twenty-five cents per thousand dollars of assessed value of the tax levies authorized under RCW 52.16.140 and 52.16.160, or 52.26.140(1) (b) and (c) outside of the five dollars and ninety cents per thousand dollars of assessed valuation limitation established under RCW 84.52.043(2), if those taxes otherwise would be prorated under RCW 84.52.010(~~((2)(e))~~) (3)(b)(vi).

**Sec. 879.** RCW 52.26.070 and 2006 c 200 s 5 are each amended to read as follows:

If the voters approve the plan, including creation of a regional fire protection service authority and imposition of taxes and benefit charges, if any, the authority is formed on the effective date as set forth in the plan or the next January 1st or July 1st, whichever occurs first. The appropriate county election officials shall, within fifteen days of the final certification of the election results, publish a notice in a newspaper or newspapers of general

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circulation in the authority declaring the authority formed. A party challenging the procedure or the formation of a voter-approved authority must file the challenge in writing by serving the prosecuting attorney of each county within, or partially within, the regional fire protection service authority and the attorney general within thirty days after the final certification of the election. Failure to challenge within that time forever bars further challenge of the authority's valid formation.

NEW SECTION. Sec. 880. Sections 5 and 6 of this act apply to benefit charges approved after the effective date of this section.

NEW SECTION. Sec. 881. Section 9 of this act expires January 1, 2018.

NEW SECTION. Sec. 882. Section 10 of this act takes effect January 1, 2018.

NEW SECTION. Sec. 883. Sections 3 and 9 through 13 of this act apply to property taxes levied for collection in 2018 and thereafter.

NEW SECTION. Sec. 884. Section 11 of this act expires January 1, 2018.

NEW SECTION. Sec. 885. Section 12 of this act takes effect January 1, 2018.

NEW SECTION. Sec. 886. Except for sections 10 and 12 of this act, 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 takes effect immediately."

On page 1, line 5 of the title, after "process;" strike the remainder of the title and insert "amending RCW 52.26.220, 52.26.230, 84.55.092, 52.18.050, 52.18.010, 52.26.180, 52.26.030, 84.52.043, 84.52.043, 84.52.125, and 52.26.070; reenacting and amending RCW 52.26.020, 84.52.010, and 84.52.010; creating a new section; providing effective dates; providing expiration dates; and declaring an emergency."

MOTION

Senator Short moved that the following floor amendment no. 210 by Senator Sheldon be adopted:

On page 10, line 6 of the amendment, after "RCW" strike "52.26.230" and insert "52.26.240"

Senators Short and Palumbo spoke in favor of adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 210 by Senator Sheldon on page 10, line 6 to the committee striking amendment.

The motion by Senator Short carried and floor amendment no. 210 was adopted by voice vote.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Local Government as amended to Substitute House Bill No. 1467.

The motion by Senator Short carried and the committee striking amendment as amended was adopted by voice vote.

MOTION

On motion of Senator Short, the rules were suspended, Substitute House Bill No. 1467 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Short spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1467 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1467 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Erickson, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Lias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Palumbo, Pearson, Pedersen, Ranker, Rivers, Rolfes, Rossi, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson and Zeiger

Voting nay: Senator Padden

SUBSTITUTE HOUSE BILL NO. 1467, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1266, by House Committee on Environment (originally sponsored by Representatives Peterson, Young and Fitzgibbon)

Concerning petroleum storage tank systems.

The measure was read the second time.

MOTION

On motion of Senator Erickson, the rules were suspended, Substitute House Bill No. 1266 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Erickson and Carlyle spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1266.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1266 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Erickson, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Lias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pearson, Pedersen, Ranker, Rivers, Rolfes, Rossi, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson and Zeiger

SUBSTITUTE HOUSE BILL NO. 1266, having received the constitutional majority, was declared passed. There being no

objection, the title of the bill was ordered to stand as the title of the act.

#### SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

SENATE BILL NO. 5011,  
 SUBSTITUTE SENATE BILL NO. 5012,  
 SENATE BILL NO. 5040,  
 ENGROSSED SENATE BILL NO. 5042,  
 SENATE BILL NO. 5075,  
 SUBSTITUTE SENATE BILL NO. 5083,  
 ENGROSSED SENATE BILL NO. 5097,  
 SENATE BILL NO. 5118,  
 SUBSTITUTE SENATE BILL NO. 5142,  
 SENATE BILL NO. 5162,  
 SUBSTITUTE SENATE BILL NO. 5185,  
 SENATE BILL NO. 5187,  
 SUBSTITUTE SENATE BILL NO. 5207,  
 SENATE BILL NO. 5237,  
 SUBSTITUTE SENATE BILL NO. 5241,  
 SENATE BILL NO. 5244,  
 SUBSTITUTE SENATE BILL NO. 5262,  
 SUBSTITUTE SENATE BILL NO. 5272,  
 SUBSTITUTE SENATE BILL NO. 5343,  
 SUBSTITUTE SENATE BILL NO. 5374,  
 SENATE BILL NO. 5413,  
 SUBSTITUTE SENATE BILL NO. 5472.

#### MOTION

At 3:15 p.m., on motion of Senator Fain, the Senate was declared to be at ease for the purpose of caucuses.

Senator McCoy announced a meeting of the Democratic Caucus.

The Senate was called to order at 3:50 p.m. by President Habib.

#### SECOND READING

HOUSE BILL NO. 1198, by Representatives Harris, Cody and Riccelli

Concerning substance abuse monitoring for podiatric physicians and surgeons.

The measure was read the second time.

#### MOTION

On motion of Senator Fain, the rules were suspended, House Bill No. 1198 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1198.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1198 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Ericksen, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Liias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Palumbo, Pearson, Pedersen, Ranker, Rivers, Rolfes, Rossi, Saldaña, Schoesler, Sheldon, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson and Zeiger

Voting nay: Senators Padden and Short

HOUSE BILL NO. 1198, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SUBSTITUTE HOUSE BILL NO. 1121, by House Committee on Environment (originally sponsored by Representatives Muri, Fitzgibbon, Short, Peterson, Fey, Smith, Kagi, Barkis, McBride, Farrell, Wilcox, Jinkins, Haler, Stanford, Gregerson, Kilduff, Tarleton, Tharinger and Pollet)

Concerning the frequency of Puget Sound action agenda implementation strategy and science work plan updates.

The measure was read the second time.

#### MOTION

On motion of Senator Short, the rules were suspended, Substitute House Bill No. 1121 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Short and Carlyle spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1121.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1121 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Ericksen, Fain, Fortunato, Frockt, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Liias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Palumbo, Pearson, Pedersen, Ranker, Rivers, Rolfes, Rossi, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson and Zeiger

Voting nay: Senators Hasegawa and Padden

SUBSTITUTE HOUSE BILL NO. 1121, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SUBSTITUTE HOUSE BILL NO. 1344, by House Committee on Finance (originally sponsored by Representatives Dolan,

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Nealey, Doglio, Springer, Frame, Riccelli, Appleton, Ryu, Ormsby and Goodman)

Extending the period for which a bond levy may be increased.

The measure was read the second time.

#### MOTION

On motion of Senator Short, the rules were suspended, Substitute House Bill No. 1344 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Short spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1344.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1344 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 3; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Ericksen, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Hunt, Keiser, King, Kuderer, Liias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Palumbo, Pearson, Pedersen, Ranker, Rivers, Rolfes, Rossi, Saldaña, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson and Zeiger

Voting nay: Senators Honeyford, Padden and Schoesler

SUBSTITUTE HOUSE BILL NO. 1344, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SUBSTITUTE HOUSE BILL NO. 1353, by House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Dent, Blake, Buys and Hayes)

Commissioning an elk management pilot project that focuses initially on the Colockum elk herd.

The measure was read the second time.

#### MOTION

Senator Pearson moved that the following committee striking amendment by the Committee on Ways & Means be adopted:

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 887.** (1) The legislature finds that the Colockum elk herd in central Washington is the fifth largest elk herd in the state and is currently managed for the state by the department of fish and wildlife.

(2) The legislature further finds that the Colockum elk herd has been the subject of a great deal of planning by the department of fish and wildlife. The herd is subject to an existing herd management plan that attempts to ensure a healthy, productive population, manage the herd for a variety of purposes, and allow for a sustainable yield within the population. Proper management of the Colockum elk herd is important, since the herd is a resource

that provides significant recreational, aesthetic, cultural, and economic benefits to recreationalists, local communities, and native Americans.

(3) The legislature further finds that the department of fish and wildlife has studied the Colockum elk herd as recently as 2012. This study led to a greater understanding of the challenges facing the herd and resulted in recommendations as to management approaches to address those challenges.

(4) The legislature further finds that despite the active management and research by the department of fish and wildlife, there are still undesirable consequences of the Colockum elk herd's size, location, and behaviors. These consequences manifest as significant agricultural crop damage within the herd's range and unacceptably threatens to degrade highway safety levels on Interstate 90 and other roadways within the range of the herd due to collisions between herd members and vehicles.

(5) The legislature further finds that the unwanted consequences of the current Colockum elk herd management protocol are not isolated to the range of the Colockum herd. Other elk herds in the state are also the subject of similar management outcomes.

(6) The legislature further finds that the department of fish and wildlife should use the Colockum elk herd as the subject of a pilot project that explores the benefits of more active management. The department must work with the Yakama Nation to obtain input from the tribe on the tribe's recommendations. The pilot project should be limited in time and geography to ensure that overall herd health is not disrupted; however, it should be robust enough to offer scientifically rigorous results.

**NEW SECTION. Sec. 888.** A new section is added to chapter 77.36 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the department must conduct an elk management pilot project to explore the viability of various wildlife management actions to reduce elk highway collisions and elk damage to private crop lands. The pilot project must initially focus on achieving a reduction in highway collisions on interstate highways, and crop damage on properties, within the range of the Colockum herd. The department must invite the Yakama Nation to participate in all aspects of the project.

(2) The department must work with the department of transportation to explore the viability of various wildlife management actions to reduce elk highway collisions, initially focusing on reducing traffic collisions along interstate highways within the range of the herd.

(3) Direct wildlife management efforts must be employed in the pilot project implemented under this section, including:

(a) Increased use of special depredation hunts and general hunting opportunity within the Colockum herd. Total hunting depredations under the pilot project must be limited to three hundred elk per calendar year and these efforts must be designed and implemented in a manner that does not conflict with the primary goals of the current elk herd management plan for the Colockum herd;

(b) Feeding elk within the pilot project area by persons other than the department is prohibited, although in no event may this prohibition affect a person who sets out feed with the intent to feed domestic animals or livestock, even though such feed may be inadvertently consumed by elk or other wildlife; and

(c) The use of managed livestock grazing to attract elk away from roads and private property.

(4) Consistent with RCW 43.01.036, the department and the department of transportation must report the results of the pilot project to the appropriate committees of the legislature by October 31, 2020. Along with results, the departments must report

on how the information gleaned from the pilot project will be used to manage the Colockum elk herd and other similarly situated elk herds in the state.

(5) This section expires July 1, 2021."

On page 1, line 2 of the title, after "herd;" strike the remainder of the title and insert "adding a new section to chapter 77.36 RCW; creating a new section; and providing an expiration date."

Senator Pearson spoke in favor of adoption of the committee striking amendment.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Ways & Means to Substitute House Bill No. 1353.

The motion by Senator Pearson carried and the committee striking amendment was adopted by voice vote.

#### MOTION

On motion of Senator Pearson, the rules were suspended, Substitute House Bill No. 1353 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Pearson spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1353 as amended by the Senate.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1353 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Ericksen, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Lias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pearson, Pedersen, Ranker, Rivers, Rossi, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson and Zeiger

Voting nay: Senator Rolfes

SUBSTITUTE HOUSE BILL NO. 1353, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SUBSTITUTE HOUSE BILL NO. 1100, by House Committee on Appropriations (originally sponsored by Representatives Taylor, Blake, Shea, Harmsworth, Condotta, Short, Volz, Van Werven, Irwin, Hargrove and Buys)

Concerning concealed pistol license renewal notices.

The measure was read the second time.

#### MOTION

Senator Pedersen moved that the following floor striking amendment no. 186 by Senator Pedersen be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 889.** RCW 9.41.070 and 2011 c 294 s 1 are each amended to read as follows:

(1) The chief of police of a municipality or the sheriff of a county shall within thirty days after the filing of an application of any person, issue a license to such person to carry a pistol concealed on his or her person within this state for five years from date of issue, for the purposes of protection or while engaged in business, sport, or while traveling. However, if the applicant does not have a valid permanent Washington driver's license or Washington state identification card or has not been a resident of the state for the previous consecutive ninety days, the issuing authority shall have up to sixty days after the filing of the application to issue a license. The issuing authority shall not refuse to accept completed applications for concealed pistol licenses during regular business hours.

The applicant's constitutional right to bear arms shall not be denied, unless:

(a) He or she is ineligible to possess a firearm under the provisions of RCW 9.41.040 or 9.41.045, or is prohibited from possessing a firearm under federal law;

(b) The applicant's concealed pistol license is in a revoked status;

(c) He or she is under twenty-one years of age;

(d) He or she is subject to a court order or injunction regarding firearms pursuant to RCW 9A.46.080, 10.14.080, 10.99.040, 10.99.045, 26.09.050, 26.09.060, 26.10.040, 26.10.115, 26.26.130, 26.50.060, 26.50.070, or 26.26.590;

(e) He or she is free on bond or personal recognizance pending trial, appeal, or sentencing for a felony offense;

(f) He or she has an outstanding warrant for his or her arrest from any court of competent jurisdiction for a felony or misdemeanor; or

(g) He or she has been ordered to forfeit a firearm under RCW 9.41.098(1)(e) within one year before filing an application to carry a pistol concealed on his or her person.

No person convicted of a felony may have his or her right to possess firearms restored or his or her privilege to carry a concealed pistol restored, unless the person has been granted relief from disabilities by the attorney general under 18 U.S.C. Sec. 925(c), or RCW 9.41.040 (3) or (4) applies.

(2)(a) The issuing authority shall conduct a check through the national instant criminal background check system, the Washington state patrol electronic database, the department of social and health services electronic database, and with other agencies or resources as appropriate, to determine whether the applicant is ineligible under RCW 9.41.040 or 9.41.045 to possess a firearm, or is prohibited from possessing a firearm under federal law, and therefore ineligible for a concealed pistol license.

(b) The issuing authority shall deny a permit to anyone who is found to be prohibited from possessing a firearm under federal or state law.

(c) This subsection applies whether the applicant is applying for a new concealed pistol license or to renew a concealed pistol license.

(3) Any person whose firearms rights have been restricted and who has been granted relief from disabilities by the attorney general under 18 U.S.C. Sec. 925(c) or who is exempt under 18 U.S.C. Sec. 921(a)(20)(A) shall have his or her right to acquire, receive, transfer, ship, transport, carry, and possess firearms in accordance with Washington state law restored except as otherwise prohibited by this chapter.

(4) The license application shall bear the full name, residential address, telephone number at the option of the applicant, email address at the option of the applicant, date and place of birth, race,

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gender, description, a complete set of fingerprints, and signature of the licensee, and the licensee's driver's license number or state identification card number if used for identification in applying for the license. A signed application for a concealed pistol license shall constitute a waiver of confidentiality and written request that the department of social and health services, mental health institutions, and other health care facilities release information relevant to the applicant's eligibility for a concealed pistol license to an inquiring court or law enforcement agency.

The application for an original license shall include two complete sets of fingerprints to be forwarded to the Washington state patrol.

The license and application shall contain a warning substantially as follows:

CAUTION: Although state and local laws do not differ, federal law and state law on the possession of firearms differ. If you are prohibited by federal law from possessing a firearm, you may be prosecuted in federal court. A state license is not a defense to a federal prosecution.

The license shall contain a description of the major differences between state and federal law and an explanation of the fact that local laws and ordinances on firearms are preempted by state law and must be consistent with state law.

The application shall contain questions about the applicant's eligibility under RCW 9.41.040 and federal law to possess a pistol, the applicant's place of birth, and whether the applicant is a United States citizen. If the applicant is not a United States citizen, the applicant must provide the applicant's country of citizenship, United States issued alien number or admission number, and the basis on which the applicant claims to be exempt from federal prohibitions on firearm possession by aliens. The applicant shall not be required to produce a birth certificate or other evidence of citizenship. A person who is not a citizen of the United States shall, if applicable, meet the additional requirements of RCW 9.41.173 and produce proof of compliance with RCW 9.41.173 upon application. The license may be in triplicate or in a form to be prescribed by the department of licensing.

The original thereof shall be delivered to the licensee, the duplicate shall within seven days be sent to the director of licensing and the triplicate shall be preserved for six years, by the authority issuing the license.

The department of licensing shall make available to law enforcement and corrections agencies, in an on-line format, all information received under this subsection.

(5) The nonrefundable fee, paid upon application, for the original five-year license shall be thirty-six dollars plus additional charges imposed by the federal bureau of investigation that are passed on to the applicant. No other state or local branch or unit of government may impose any additional charges on the applicant for the issuance of the license.

The fee shall be distributed as follows:

- (a) Fifteen dollars shall be paid to the state general fund;
- (b) Four dollars shall be paid to the agency taking the fingerprints of the person licensed;
- (c) Fourteen dollars shall be paid to the issuing authority for the purpose of enforcing this chapter; and
- (d) Three dollars to the firearms range account in the general fund.

(6) The nonrefundable fee for the renewal of such license shall be thirty-two dollars. No other branch or unit of government may impose any additional charges on the applicant for the renewal of the license.

The renewal fee shall be distributed as follows:

- (a) Fifteen dollars shall be paid to the state general fund;

(b) Fourteen dollars shall be paid to the issuing authority for the purpose of enforcing this chapter; and

(c) Three dollars to the firearms range account in the general fund.

(7) The nonrefundable fee for replacement of lost or damaged licenses is ten dollars to be paid to the issuing authority.

(8) Payment shall be by cash, check, or money order at the option of the applicant. Additional methods of payment may be allowed at the option of the issuing authority.

(9) If the licensee provides an email address at the time of application, the department of licensing must send notice of the license expiration to the licensee's email address within sixty days prior to the expiration of the license. A licensee may renew a license if the licensee applies for renewal within ninety days before or after the expiration date of the license. A license so renewed shall take effect on the expiration date of the prior license. A licensee renewing after the expiration date of the license must pay a late renewal penalty of ten dollars in addition to the renewal fee specified in subsection (6) of this section. The fee shall be distributed as follows:

(a) Three dollars shall be deposited in the state wildlife account and used exclusively first for the printing and distribution of a pamphlet on the legal limits of the use of firearms, firearms safety, and the preemptive nature of state law, and subsequently the support of volunteer instructors in the basic firearms safety training program conducted by the department of fish and wildlife. The pamphlet shall be given to each applicant for a license; and

(b) Seven dollars shall be paid to the issuing authority for the purpose of enforcing this chapter.

(10) Notwithstanding the requirements of subsections (1) through (9) of this section, the chief of police of the municipality or the sheriff of the county of the applicant's residence may issue a temporary emergency license for good cause pending review under subsection (1) of this section. However, a temporary emergency license issued under this subsection shall not exempt the holder of the license from any records check requirement. Temporary emergency licenses shall be easily distinguishable from regular licenses.

(11) A political subdivision of the state shall not modify the requirements of this section or chapter, nor may a political subdivision ask the applicant to voluntarily submit any information not required by this section.

(12) A person who knowingly makes a false statement regarding citizenship or identity on an application for a concealed pistol license is guilty of false swearing under RCW 9A.72.040. In addition to any other penalty provided for by law, the concealed pistol license of a person who knowingly makes a false statement shall be revoked, and the person shall be permanently ineligible for a concealed pistol license.

(13) A person may apply for a concealed pistol license:

- (a) To the municipality or to the county in which the applicant resides if the applicant resides in a municipality;
- (b) To the county in which the applicant resides if the applicant resides in an unincorporated area; or
- (c) Anywhere in the state if the applicant is a nonresident.

(14) Any person who, as a member of the armed forces, including the national guard and armed forces reserves, is unable to renew his or her license under subsections (6) and (9) of this section because of the person's assignment, reassignment, or deployment for out-of-state military service may renew his or her license within ninety days after the person returns to this state from out-of-state military service, if the person provides the following to the issuing authority no later than ninety days after the person's date of discharge or assignment, reassignment, or

deployment back to this state: (a) A copy of the person's original order designating the specific period of assignment, reassignment, or deployment for out-of-state military service, and (b) if appropriate, a copy of the person's discharge or amended or subsequent assignment, reassignment, or deployment order back to this state. A license so renewed under this subsection (14) shall take effect on the expiration date of the prior license. A licensee renewing after the expiration date of the license under this subsection (14) shall pay only the renewal fee specified in subsection (6) of this section and shall not be required to pay a late renewal penalty in addition to the renewal fee."

On page 1, line 1 of the title, after "notices;" strike the remainder of the title and insert "and amending RCW 9.41.070."

Senators Pedersen and Takko spoke in favor of adoption of the striking amendment.

Senators Padden and Becker spoke against adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of floor striking amendment no. 186 by Senator Pedersen to Substitute House Bill No. 1100.

The motion by Senator Pedersen did not carry and floor striking amendment no. 186 was not adopted by voice vote.

#### MOTION

On motion of Senator Padden, the rules were suspended, Substitute House Bill No. 1100 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Padden and Sheldon spoke in favor of passage of the bill.

Senator Takko spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1100.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1100 and the bill passed the Senate by the following vote: Yeas, 32; Nays, 17; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Braun, Brown, Chase, Conway, Darneille, Ericksen, Fain, Fortunato, Hasegawa, Hawkins, Hobbs, Honeyford, King, Miloscia, O'Ban, Padden, Pearson, Rivers, Rolfes, Rossi, Schoesler, Sheldon, Short, Van De Wege, Walsh, Warnick, Wilson and Zeiger

Voting nay: Senators Billig, Carlyle, Cleveland, Frockt, Hunt, Keiser, Kuderer, Liias, McCoy, Mullet, Nelson, Palumbo, Pedersen, Ranker, Saldaña, Takko and Wellman

SUBSTITUTE HOUSE BILL NO. 1100, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

HOUSE BILL NO. 1285, by Representatives Graves, Jinkins, Goodman, Rodne, Shea, Muri, Haler, Kilduff, Klippert, Orwall and Kirby

Modifying oath requirements for interpreters in legal proceedings.

The measure was read the second time.

#### MOTION

On motion of Senator Padden, the rules were suspended, House Bill No. 1285 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Padden and Pedersen spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1285.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1285 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Ericksen, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Liias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pearson, Pedersen, Ranker, Rivers, Rolfes, Rossi, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson and Zeiger

HOUSE BILL NO. 1285, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SUBSTITUTE HOUSE BILL NO. 1130, by House Committee on Higher Education (originally sponsored by Representatives Haler, Pollet and Ryu)

Making the customized training program permanent. Revised for 1st Substitute: Making the customized employment training program permanent.

The measure was read the second time.

#### MOTION

On motion of Senator Wilson, the rules were suspended, Substitute House Bill No. 1130 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Wilson spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1130.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1130 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Ericksen, Fain, Fortunato, Frockt, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Liias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pearson, Pedersen, Ranker, Rivers, Rolfes, Rossi, Saldaña, Schoesler,

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Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson and Zeiger

Voting nay: Senator Hasegawa

SUBSTITUTE HOUSE BILL NO. 1130, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SECOND READING

SUBSTITUTE HOUSE BILL NO. 1444, by House Committee on Education (originally sponsored by Representatives Caldier, Santos, Kilduff, Muri, Senn, Appleton, Fey, Pollet and Slatter)

Facilitating on-time grade level progression and graduation for certain students.

The measure was read the second time.

## MOTION

Senator Zeiger moved that the following committee striking amendment by the Committee on Early Learning & K-12 Education be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 890.** RCW 28A.320.192 and 2012 c 163 s 7 are each amended to read as follows:

In order to facilitate the on-time grade level progression and graduation of students who are homeless as described in RCW 28A.300.542, dependent pursuant to chapter 13.34 RCW, or at-risk youth or children in need of services pursuant to chapter 13.32A RCW, school districts must incorporate the following procedures:

(1) School districts must waive specific courses required for graduation if similar coursework has been satisfactorily completed in another school district or must provide reasonable justification for denial. Should a waiver not be granted to a student who would qualify to graduate from the sending school district, the receiving school district must use best efforts to provide an alternative means of acquiring required coursework so that graduation may occur on time.

(2) School districts are encouraged to consolidate unresolved or incomplete coursework and provide opportunities for credit accrual through local classroom hours, correspondence courses, or the portable assisted study sequence units designed for migrant high school students.

(3) Should a student who is transferring at the beginning or during the student's junior or senior year be ineligible to graduate from the receiving school district after all alternatives have been considered, the sending and receiving districts must ensure the receipt of a diploma from the sending district if the student meets the graduation requirements of the sending district.

(4) Should a student have enrolled in three or more school districts as a high school student and have met state requirements but be ineligible to graduate from the receiving school district after all alternatives have been considered, the receiving school district must waive its local requirements and ensure the receipt of a diploma."

On page 1, line 2 of the title, after "students;" strike the remainder of the title and insert "and amending RCW 28A.320.192."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Early Learning & K-12 Education to Substitute House Bill No. 1444.

The motion by Senator Zeiger carried and the committee striking amendment was adopted by voice vote.

## MOTION

On motion of Senator Zeiger, the rules were suspended, Substitute House Bill No. 1444 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Zeiger spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1444 as amended by the Senate.

## ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1444 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Ericksen, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Lias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pearson, Pedersen, Ranker, Rivers, Rolfes, Rossi, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson and Zeiger

SUBSTITUTE HOUSE BILL NO. 1444, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SECOND READING

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1375, by House Committee on Appropriations (originally sponsored by Representatives Van Werven, Tarleton, Orwall, Griffey, Haler, Holy, McCabe, Young, Dent, Riccelli, Bergquist, Buys, Kraft, Kagi, Ryu, Muri, Goodman, Lovick, Frame and Hargrove)

Providing students at community and technical colleges with the costs of required course materials.

The measure was read the second time.

## MOTION

On motion of Senator Wilson, the rules were suspended, Engrossed Second Substitute House Bill No. 1375 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson, Palumbo and Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute House Bill No. 1375.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute House Bill No. 1375 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Ericksen, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Lias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pearson, Pedersen, Ranker, Rivers, Rolfes, Rossi, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson and Zeiger

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1375, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SECOND READING

HOUSE BILL NO. 1166, by Representatives Griffey and Springer

Concerning fire protection district tax levies.

The measure was read the second time.

## MOTION

On motion of Senator Short, the rules were suspended, House Bill No. 1166 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Short spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1166.

## ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1166 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Ericksen, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Lias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pearson, Pedersen, Ranker, Rivers, Rolfes, Rossi, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson and Zeiger

HOUSE BILL NO. 1166, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SECOND READING

SUBSTITUTE HOUSE BILL NO. 1184, by House Committee on Public Safety (originally sponsored by Representatives Orwall, Griffey, Klippert, McCabe, Senn, Gregerson, Pellicciotti, Jinkins, Irwin, Wylie, Kilduff, McBride, Bergquist, Fey, Smith, Stanford and Hudgins)

Modifying patronizing a prostitute provisions.

The measure was read the second time.

## MOTION

Senator Padden moved that the following committee striking amendment by the Committee on Law & Justice be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 891. RCW 9A.88.110 and 1988 c 146 s 4 are each amended to read as follows:

(1) A person is guilty of patronizing a prostitute if:

(a) Pursuant to a prior understanding, he or she pays a fee to another person as compensation for such person or a third person having engaged in sexual conduct with him or her; or

(b) He or she pays or agrees to pay a fee to another person pursuant to an understanding that in return therefor such person will engage in sexual conduct with him or her; or

(c) He or she solicits or requests another person to engage in sexual conduct with him or her in return for a fee.

(2) The crime of patronizing a prostitute may be committed in more than one location. The crime is deemed to have been committed in any location in which the defendant commits any act under subsection (1)(a), (b), or (c) of this section that constitutes part of the crime. A person who sends a communication to patronize a prostitute is considered to have committed the crime both at the place from which the contact was made pursuant to subsection (1)(a), (b), or (c) of this section and where the communication is received, provided that this section must be construed to prohibit anyone from being prosecuted twice for substantially the same crime.

(3) For purposes of this section, "sexual conduct" has the meaning given in RCW 9A.88.030.

((3)) (4) Patronizing a prostitute is a misdemeanor."

On page 1, line 1 of the title, after "prostitute;" strike the remainder of the title and insert "amending RCW 9A.88.110; and prescribing penalties."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Law & Justice to Substitute House Bill No. 1184.

The motion by Senator Padden carried and the committee striking amendment was adopted by voice vote.

## MOTION

On motion of Senator Padden, the rules were suspended, Substitute House Bill No. 1184 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Padden and Pedersen spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1184 as amended by the Senate.

## ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1184 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Ericksen, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Lias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pearson, Pedersen, Ranker, Rivers, Rolfes, Rossi, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson and Zeiger

SUBSTITUTE HOUSE BILL NO. 1184, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5893, by Senators O'Ban, Rossi, Becker, Rivers, Miloscia, King, Bailey, Braun, Wilson, Walsh, Zeiger, Angel, Warnick, Brown, Honeyford, Fortunato, Pearson, Padden, Fain, Schoesler and Hawkins

Concerning the administration of motor vehicle excise taxes by regional transit authorities.

The measure was read the second time.

MOTION

Senator Lias moved that the following floor striking amendment no. 217 by Senators Lias, Nelson, Mullet, Frockt and Hobbs be adopted.

Strike everything after the enacting clause and insert the following:

**NEW SECTION. Sec. 892.** The legislature recognizes the public comments received since the recent Sound Transit motor vehicle excise tax increase took effect, and acknowledges the resolution of the Sound Transit board to address concerns from citizens. The legislature finds that taxpayer accountability would be best served by providing a market value adjustment for the calculation of motor vehicle excise taxes. Further, the legislature finds that traffic congestion in the Puget Sound region results in lost productivity and air pollution. The legislature is committed to ensuring that all voter-approved Sound Transit projects are completed as outlined in the ballot measure to reduce congestion and preserve public health and welfare.

**NEW SECTION. Sec. 893.** A new section is added to chapter 46.01 RCW to read as follows:

If contracting with any regional transit authority for the collection of a motor vehicle excise tax authorized in RCW 81.104.160(1), the department shall work with the authority on the administration of a market value adjustment program as identified in section 3 of this act.

**NEW SECTION. Sec. 894.** A new section is added to chapter 81.112 RCW to read as follows:

A regional transit authority that includes a county with a population of more than one million five hundred thousand may establish a market value adjustment program to be implemented by December 31, 2017. The program must:

(1) Provide a credit against the motor vehicle excise tax imposed by a regional transit authority in an amount equal to the difference between the motor vehicle excise tax due calculated using the vehicle valuation schedule in RCW 82.44.035 and the motor vehicle excise tax due calculated using the vehicle valuation schedule in chapter 82.44 RCW as it existed on January

1, 1996. The credit applies only to the motor vehicle excise tax authorized in RCW 81.104.160(1);

(2) Ensure that the amount of the motor vehicle excise tax credit identified in subsection (1) of this section is supported from any nonbonded regional transit authority revenues;

(3) Not be applied if it would result in an amount that exceeds the amount determined by the vehicle valuation method identified in RCW 81.104.160(1); and

(4) Be retroactive and apply to all motor vehicle excise tax statements that have already been issued or paid that include charges for the motor vehicle excise tax authorized in RCW 81.104.160(1).

**Sec. 895.** RCW 82.44.135 and 2006 c 318 s 9 are each amended to read as follows:

(1) Except as provided otherwise in this section, before a local government subject to this chapter may impose a motor vehicle excise tax, the local government must contract with the department for the collection of the tax. The department may charge a reasonable amount, not to exceed one percent of tax collections, for the administration and collection of the tax.

(2) A regional transit authority may contract with the department for collection of a motor vehicle tax only if a regional transit authority has implemented a market value adjustment program as identified in section 3 of this act.

(3) Any contract entered into under this section must provide that the department will receive amounts sufficient to fully cover the costs applicable to the tax collection process, including (a) customer service-related costs, (b) information technology-related costs, (c) public announcement and education costs, and (d) any liability or other related risk assessment costs. The contract must also provide that any unforeseen future administrative costs will be borne by the regional transit authority.

**NEW SECTION. Sec. 896.** 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 takes effect immediately."

On page 1, line 2 of the title, after "authorities;" strike the remainder of the title and insert "amending RCW 82.44.135; adding a new section to chapter 46.01 RCW; adding a new section to chapter 81.112 RCW; creating a new section; and declaring an emergency."

Senators Lias, Mullet, Kuderer, Hobbs, Darneille and Conway spoke in favor of adoption of the striking amendment.

Senators O'Ban, Rossi, Sheldon, Fortunato and Walsh spoke against adoption of the striking amendment.

Senator Nelson demanded a roll call.

The President declared that one-sixth of the members supported the demand and the demand was sustained.

The President declared the question before the Senate to be the adoption of the floor striking amendment no. 217 by Senators Lias, Nelson, Mullet, Frockt and Hobbs to Senate Bill No. 5893.

ROLL CALL

The Secretary called the roll on the adoption of the floor striking amendment no. 217 by Senators Lias, Nelson, Mullet, Frockt and Hobbs and the amendment was not adopted by the following vote: Yeas, 24; Nays, 25; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Carlyle, Chase, Cleveland, Conway, Darneille, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Lias, McCoy, Mullet, Nelson, Palumbo, Pedersen, Ranker, Rolfes, Saldaña, Takko, Van De Wege and Wellman

Voting nay: Senators Angel, Bailey, Baumgartner, Becker, Braun, Brown, Ericksen, Fain, Fortunato, Hawkins, Honeyford, King, Miloscia, O'Ban, Padden, Pearson, Rivers, Rossi, Schoesler, Sheldon, Short, Walsh, Warnick, Wilson and Zeiger

MOTION

Senator O'Ban moved that the following floor striking amendment no. 228 by Senators O'Ban and Rossi be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 897. A new section is added to chapter 81.112 RCW to read as follows:

A regional transit authority that includes a county with a population of more than one million five hundred thousand shall pay a motor vehicle excise tax impact assessment to be deposited into the motor vehicle fund established in RCW 46.68.070. The rate of the assessment is one dollar per motor vehicle excise tax payment occurring annually within the authority's boundaries. The state revenue generated under this section is to provide funds to mitigate the impact of vehicle loads on the state roads and highways, with an emphasis on roads and highways within the authority's boundaries.

**Sec. 898.** RCW 82.44.135 and 2006 c 318 s 9 are each amended to read as follows:

(1) Except as otherwise provided in this section, before a local government subject to this chapter may impose a motor vehicle excise tax, the local government must contract with the department for the collection of the tax. The department may charge a reasonable amount, not to exceed one percent of tax collections, for the administration and collection of the tax.

(2) A regional transit authority may contract with the department for the collection of a motor vehicle excise tax only if:

(a) The tax is based solely on the vehicle valuation method identified in RCW 81.104.160(1)(a)(ii); and

(b) The total tax is levied at a rate not exceeding five-tenths of one percent on the value of a vehicle.

(3) Any contract entered into under this section must provide that the department will receive amounts sufficient to fully cover the costs applicable to the tax collection process, including (a) customer service-related costs, (b) information technology-related costs, (c) public announcement and education costs, and (d) any liability or other related risk assessment costs. The contract must also provide that any unforeseen future administrative costs will be borne by the regional transit authority.

**Sec. 899.** RCW 81.104.160 and 2015 3rd sp.s. c 44 s 319 are each amended to read as follows:

(1)(a) Regional transit authorities that include a county with a population of more than one million five hundred thousand may submit an authorizing proposition to the voters, and if approved, may levy and collect an excise tax, at a rate approved by the voters, but not exceeding eight-tenths of one percent on the value, under chapter 82.44 RCW, of every motor vehicle owned by a resident of the taxing district, solely for the purpose of providing high capacity transportation service. The maximum tax rate under this subsection does not include a motor vehicle excise tax approved before July 15, 2015, if the tax will terminate on the date bond debt to which the tax is pledged is repaid. This tax does not apply to vehicles licensed under RCW 46.16A.455 except vehicles with an unladen weight of six thousand pounds or less, RCW 46.16A.425 or 46.17.335(2). ((Notwithstanding any other provision of this subsection or chapter 82.44 RCW))

(i) Except as otherwise provided in (a)(ii) of this subsection, a motor vehicle excise tax imposed by a regional transit authority before or after July 15, 2015, must comply with chapter 82.44 RCW as it existed on January 1, 1996, until December 31st of the year in which the regional transit authority repays bond debt to which a motor vehicle excise tax was pledged before July 15, 2015. Motor vehicle taxes collected by regional transit authorities after December 31st of the year in which a regional transit authority repays bond debt to which a motor vehicle excise tax was pledged before July 15, 2015, must comply with chapter 82.44 RCW as it existed on the date the tax was approved by voters.

(ii) As an alternative to the vehicle valuation method described in (a)(i) of this subsection, for the purpose of determining a motor vehicle excise tax imposed by a regional transit authority under this subsection (1)(a), the value of a motor vehicle must be based on base model Kelley blue book values or national automobile dealers association values, whichever is lower.

(2) An agency and high capacity transportation corridor area may impose a sales and use tax solely for the purpose of providing high capacity transportation service, in addition to the tax authorized by RCW 82.14.030, upon retail car rentals within the applicable jurisdiction that are taxable by the state under chapters 82.08 and 82.12 RCW. The rate of tax may not exceed 2.172 percent. The rate of tax imposed under this subsection must bear the same ratio of the 2.172 percent authorized that the rate imposed under subsection (1) of this section bears to the rate authorized under subsection (1) of this section. The base of the tax is the selling price in the case of a sales tax or the rental value of the vehicle used in the case of a use tax.

(3) Any motor vehicle excise tax previously imposed under the provisions of RCW 81.104.160(1) shall be repealed, terminated, and expire on December 5, 2002, except for a motor vehicle excise tax for which revenues have been contractually pledged to repay a bonded debt issued before December 5, 2002, as determined by *Pierce County et al. v. State*, 159 Wn.2d 16, 148 P.3d 1002 (2006). In the case of bonds that were previously issued, the motor vehicle excise tax must comply with chapter 82.44 RCW as it existed on January 1, 1996.

(4) If a regional transit authority imposes the tax authorized under subsection (1) of this section, the authority may not receive any state grant funds provided in an omnibus transportation appropriations act except transit coordination grants created in chapter 11, Laws of 2015 3rd sp. sess.

**Sec. 900.** RCW 82.44.035 and 2010 c 161 s 910 are each amended to read as follows:

(1) For the purpose of determining any locally imposed motor vehicle excise tax, the value of a truck or trailer (~~shall be~~) is the latest purchase price of the vehicle, excluding applicable federal excise taxes, state and local sales or use taxes, transportation or shipping costs, or preparatory or delivery costs, multiplied by the following percentage based on year of service of the vehicle since last sale. The latest purchase year (~~shall be~~) is considered the first year of service.

YEAR OF SERVICE	PERCENTAGE
1	100
2	81
3	67
4	55
5	45
6	37
7	30
8	25
9	20
10	16
11	13

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12	11
13	9
14	7
15	3
16 or older	0

(2) The reissuance of a certificate of title and registration certificate for a truck or trailer because of the installation of body or special equipment (~~shall~~) must be treated as a sale, and the value of the truck or trailer at that time, as determined by the department from such information as may be available, (~~shall be~~) is considered the latest purchase price.

(3) For the purpose of determining any locally imposed motor vehicle excise tax, the value of a vehicle other than a truck or trailer shall be eighty-five percent of the manufacturer's base suggested retail price of the vehicle when first offered for sale as a new vehicle, excluding any optional equipment, applicable federal excise taxes, state and local sales or use taxes, transportation or shipping costs, or preparatory or delivery costs, multiplied by the applicable percentage listed in this subsection (3) based on year of service of the vehicle.

If the manufacturer's base suggested retail price is unavailable or otherwise unascertainable at the time of initial registration in this state, the department (~~shall~~) must determine a value equivalent to a manufacturer's base suggested retail price as follows:

(a) The department (~~shall~~) must determine a value using any information that may be available, including any guidebook, report, or compendium of recognized standing in the automotive industry or the selling price and year of sale of the vehicle. The department may use an appraisal by the county assessor. In valuing a vehicle for which the current value or selling price is not indicative of the value of similar vehicles of the same year and model, the department (~~shall~~) must establish a value that more closely represents the average value of similar vehicles of the same year and model. The value determined in this subsection (3)(a) (~~shall~~) must be divided by the applicable percentage listed in (b) of this subsection (3) to establish a value equivalent to a manufacturer's base suggested retail price and this value (~~shall~~) must be multiplied by eighty-five percent.

(b) The year the vehicle is offered for sale as a new vehicle (~~shall be~~) is considered the first year of service.

YEAR OF SERVICE	PERCENTAGE
1	100
2	81
3	72
4	63
5	55
6	47
7	41
8	36
9	32
10	27
11	26
12	24
13	23
14	21
15	16
16 or older	10

(4) For purposes of this chapter, value (~~shall~~) excludes value attributable to modifications of a vehicle and equipment that are designed to facilitate the use or operation of the vehicle by a person with a disability.

(5) This section applies to a motor vehicle excise tax imposed by a regional transit authority only to the extent described in RCW 81.104.160(1)(a)(i). This section does not apply to a motor

vehicle excise tax imposed by a regional transit authority under RCW 81.104.160(1)(a)(ii).

**Sec. 901.** RCW 81.104.190 and 2009 c 280 s 7 are each amended to read as follows:

Except as otherwise provided in RCW 82.44.135, cities that operate transit systems, county transportation authorities, metropolitan municipal corporations, public transportation benefit areas, high capacity transportation corridor areas, and regional transit systems may contract with the state department of revenue or other appropriate entities for administration and collection of any tax authorized by RCW 81.104.150, 81.104.160, and 81.104.170.

NEW SECTION. Sec. 902. 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. 903. 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 takes effect immediately."

On page 1, line 1 of the title, after "Relating to" strike the remainder of the title and insert "establishing a vehicle valuation method for a regional transit authority collecting a motor vehicle excise tax that is based on Kelley blue book or national automobile dealers association values; amending RCW 82.44.135, 81.104.160, 82.44.035, and 81.104.190; adding a new section to chapter 81.112 RCW; and declaring an emergency."

The President declared the question before the Senate to be the adoption of floor striking amendment no. 228 by Senators O'Ban and Rossi to Senate Bill No. 5893.

The motion by Senator O'Ban carried and floor striking amendment no. 228 was adopted on a rising vote.

MOTION

On motion of Senator O'Ban, the rules were suspended, Engrossed Senate Bill No. 5893 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators O'Ban, Fortunato, Baumgartner and Rossi spoke in favor of passage of the bill.

Senators Liias, Mullet, Chase, Pedersen and Kuderer spoke against passage of the bill.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5893 and the bill passed the Senate by the following vote: Yeas, 25; Nays, 24; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Braun, Brown, Ericksen, Fain, Fortunato, Hawkins, Honeyford, King, Miloscia, O'Ban, Padden, Pearson, Rivers, Rossi, Schoesler, Sheldon, Short, Walsh, Warnick, Wilson and Zeiger

Voting nay: Senators Billig, Carlyle, Chase, Cleveland, Conway, Darneille, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, McCoy, Mullet, Nelson, Palumbo, Pedersen, Ranker, Rolfes, Saldaña, Takko, Van De Wege and Wellman

ENGROSSED SENATE BILL NO. 5893, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5096, by Senators King and Hobbs

Making transportation appropriations for the 2017-2019 fiscal biennium.

The measure was read the second time.

MOTION

On motion of Senator King, Substitute Senate Bill No. 5096 was not substituted for Senate Bill No. 5096 and the substitute bill was not adopted.

MOTION

Senator King moved that the following floor striking amendment no. 191 by Senators King and Hobbs be adopted:

Strike everything after the enacting clause and insert the following:

"2017-2019 FISCAL BIENNIUM

NEW SECTION. Sec. 1 (1) The transportation budget of the state is hereby adopted and, subject to the provisions set forth, the several amounts specified, or as much thereof as may be necessary to accomplish the purposes designated, are hereby appropriated from the several accounts and funds named to the designated state agencies and offices for employee compensation 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, 2019.

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

(a) "Fiscal year 2018" or "FY 2018" means the fiscal year ending June 30, 2018.

(b) "Fiscal year 2019" or "FY 2019" means the fiscal year ending June 30, 2019.

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

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

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

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

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

GENERAL GOVERNMENT AGENCIES— OPERATING

NEW SECTION. Sec. 101. FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION

Motor Vehicle Account—State Appropriation \$496,000

NEW SECTION. Sec. 102. FOR THE UTILITIES AND TRANSPORTATION COMMISSION

Grade Crossing Protective Account—State Appropriation \$1,604,000

NEW SECTION. Sec. 103. FOR THE OFFICE OF FINANCIAL MANAGEMENT

Motor Vehicle Account—State Appropriation \$1,580,000

Puget Sound Ferry Operations Account—State Appropriation \$116,000

TOTAL APPROPRIATION \$1,696,000

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

(1) \$300,000 of the motor vehicle account—state appropriation is provided solely for the office of financial management to work with the department of transportation on integrating the transportation reporting and accounting information system or its successor system with the One Washington project.

(2) The office of financial management, in conjunction with the office of the chief information officer, shall provide oversight and review of the department of transportation's competitive procurement process for a new ferry dispatch system.

NEW SECTION. Sec. 104. FOR THE STATE PARKS AND RECREATION COMMISSION

Motor Vehicle Account—State Appropriation \$986,000

The appropriation in this section is subject to the following conditions and limitations: The entire appropriation in this section is provided solely for road maintenance purposes.

NEW SECTION. Sec. 105. FOR THE DEPARTMENT OF AGRICULTURE

Motor Vehicle Account—State Appropriation \$1,254,000

NEW SECTION. Sec. 106. FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE

Motor Vehicle Account—State Appropriation \$597,000

NEW SECTION. Sec. 107. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Motor Vehicle Account—State Appropriation \$250,000

The appropriation in this section is subject to the following conditions and limitations: \$250,000 of the motor vehicle account—state appropriation is provided solely for the department, from amounts set aside out of statewide fuel taxes distributed to cities according to RCW 46.68.110(2), to contract with the Washington state association of cities to identify city-owned fish passage barriers that share the same stream system as state-owned fish passage barriers. The study must identify, map, and provide a preliminary assessment of city-owned barriers that need correction. The study must provide recommendations on: (a) How to prioritize city-owned barriers within the same stream system of state-owned barriers in the current six-year construction plan to maximize state investment; and (b) how future state six-year construction plans should incorporate city-owned barriers. A report must be provided to the office of financial management and the transportation committees of the legislature by July 1, 2018.

NEW SECTION. Sec. 108. FOR THE BOARD OF PILOTAGE COMMISSIONERS

Multimodal Transportation Account—State Appropriation \$600,000

Pilotage Account—State Appropriation \$3,190,000

TOTAL APPROPRIATION \$3,790,000

The appropriations in this section are subject to the following conditions and limitations: \$600,000 of the multimodal transportation account—state appropriation and \$1,455,000 of the pilotage account—state appropriation are provided solely for self-insurance liability premium expenditures. Consistent with the additional revenue provided in chapter . . . (Substitute Senate Bill No. 5819), Laws of 2017, the board of pilotage commissioners shall use revenues from tariff transfers of \$800,000 per fiscal biennium, self-insurance premium surcharges of \$16 per pilotage assignment, \$600,000 from the multimodal transportation account, and the pilotage account fund balance to fund this expenditure.

TRANSPORTATION AGENCIES—OPERATING

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**NEW SECTION. Sec. 201. FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION**

Highway Safety Account—State	Appropriation	\$3,166,000
Highway Safety Account—Federal	Appropriation	\$23,099,000
Highway Safety Account—Private/Local	Appropriation	\$118,000
School Zone Safety Account—State	Appropriation	\$850,000
<b>TOTAL APPROPRIATION</b>		<b>\$27,233,000</b>

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

- (1) \$1,000,000 of the highway safety account—federal appropriation is provided solely for federal funds that may be obligated to the commission pursuant to 23 U.S.C. Sec. 164 during the 2017-2019 fiscal biennium.
- (2) \$100,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter . . . (Substitute Senate Bill No. 5402), Laws of 2017 (bicyclist safety advisory council). If chapter . . . (Substitute Senate Bill No. 5402), Laws of 2017 is not enacted by June 30, 2017, the amount in this subsection lapses.
- (3) \$951,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter . . . (Senate Bill No. 5037), Laws of 2017 (DUI fourth offense). If chapter . . . (Senate Bill No. 5037), Laws of 2017 is not enacted by June 30, 2017, the amount in this subsection lapses. The funding is provided for grants to organizations that seek to reduce driving under the influence of drugs and alcohol and for administering the program. \$108,806 of the amount provided in this subsection is for the commission to cover the costs associated with administering the grant program. The funding provided in this subsection is contingent on the availability of funds raised by the blood alcohol content test fee sufficient to cover the costs of administering the program, as provided in section 703 of this act.

**NEW SECTION. Sec. 202. FOR THE COUNTY ROAD ADMINISTRATION BOARD**

Rural Arterial Trust Account—State	Appropriation	\$1,022,000
Motor Vehicle Account—State	Appropriation	\$2,504,000
County Arterial Preservation Account—State	Appropriation	\$1,541,000
<b>TOTAL APPROPRIATION</b>		<b>\$5,067,000</b>

**NEW SECTION. Sec. 203. FOR THE TRANSPORTATION IMPROVEMENT BOARD**

Transportation Improvement Account—State	Appropriation	\$4,089,000
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**NEW SECTION. Sec. 204. FOR THE JOINT TRANSPORTATION COMMITTEE**

Multimodal Transportation Account—State	Appropriation	\$500,000
Motor Vehicle Account—State	Appropriation	\$1,429,000
<b>TOTAL APPROPRIATION</b>		<b>\$1,929,000</b>

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

- (1) \$100,000 of the motor vehicle account—state appropriation is for a study that details a cost estimate for replacing the westbound U.S. 2 trestle and recommends a series of financing options to address that cost and to satisfy debt service requirements.
- In conducting the study, the committee shall work in close collaboration with a stakeholder group that includes, but need not

be limited to, Snohomish county, the port of Everett, economic alliance Snohomish county, the cities of Everett, Lake Stevens, Marysville, Snohomish, and Monroe, and affected transit agencies.

The committee shall quantify both the cost of replacing the westbound trestle structure and making mobility and capacity improvements to maximize the use of the structure in the years leading up to full replacement. Financing options, which should be examined and quantified, include public/private partnerships, public/public partnerships, a transportation benefit district tailored to the specific incorporated and unincorporated area, loans and grants, and other alternative financing measures available at the state or federal level.

The committee shall also evaluate ways in which the costs of alternative financing can be debt serviced.

The committee shall complete the study and submit a final report and recommendations to the transportation committees of the legislature, including recommendations on statutory changes needed to implement available financing options, by December 1, 2017.

(2)(a) \$500,000 of the multimodal transportation account—state appropriation is for a consultant study of air cargo congestion at Washington airports. The study must:

- (i) Evaluate the current and projected future capacity of the air cargo system;
- (ii) Identify underutilized capacity; and
- (iii) Evaluate what would be needed to more effectively use existing capacity at airports across the state. As part of this evaluation, the study must:
  - (A) Evaluate air, land, and surface transportation constraints, including intermodal constraints, to accommodate current demand and future growth;
  - (B) Evaluate impediments to addressing those constraints; and
  - (C) Evaluate options to address those constraints.
- (b) The study must also identify the state's interest in reducing air cargo congestion and evaluate ways to address this interest on a statewide basis.
- (c) The study must provide recommendations regarding:
  - (i) Options to reduce air cargo congestion and more efficiently use available capacity at Washington airports;
  - (ii) Options to address the state's interest in reducing air cargo congestion on a statewide basis;
  - (iii) Strategies to accomplish the recommendations; and
  - (iv) Statutory changes needed to implement the recommendations.
- (d) The department of transportation shall provide technical support to the study.
- (e) The joint transportation committee shall issue a report of its findings and recommendations to the house of representatives and senate transportation committees by December 14, 2018.

**NEW SECTION. Sec. 205. FOR THE TRANSPORTATION COMMISSION**

Motor Vehicle Account—State	Appropriation	\$2,074,000
Multimodal Transportation Account—State	Appropriation	\$462,000
<b>TOTAL APPROPRIATION</b>		<b>\$2,536,000</b>

The appropriations in this section are subject to the following conditions and limitations: The commission shall coordinate with the department of transportation to jointly pursue any federal or other funds that are or might become available to fund a road usage charge pilot project. Where feasible, grant application content prepared by the commission must reflect the direction provided by the road usage charge steering committee on the preferred road usage charge pilot project approach. One or more

grant applications may be developed as part of the road usage charge pilot project implementation plan development work, but the pilot project implementation plan must nevertheless include any details necessary for a full launch of the pilot project not required to be included in any grant application.

**NEW SECTION. Sec. 206. FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD**

Motor Vehicle Account—State Appropriation \$758,000

**NEW SECTION. Sec. 207. FOR THE WASHINGTON STATE PATROL**

State Patrol Highway Account—State Appropriation \$480,766,000

State Patrol Highway Account—Federal Appropriation \$14,025,000

State Patrol Highway Account—Private/Local Appropriation \$3,863,000

Highway Safety Account—State Appropriation \$1,067,000

Ignition Interlock Device Revolving Account—State Appropriation \$510,000

Multimodal Transportation Account—State Appropriation \$276,000

State Patrol Nonappropriated Airplane Revolving Account—State Appropriation \$26,000

**TOTAL APPROPRIATION \$500,533,000**

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

(1) Washington state patrol officers engaged in off-duty uniformed employment providing traffic control services to the department of transportation or other state agencies may use state patrol vehicles for the purpose of that employment, subject to guidelines adopted by the chief of the Washington state patrol. The Washington state patrol must be reimbursed for the use of the vehicle at the prevailing state employee rate for mileage and hours of usage, subject to guidelines developed by the chief of the Washington state patrol.

(2) \$510,000 of the highway safety account—state appropriation is provided solely for the ignition interlock program at the Washington state patrol to provide funding for two staff to work and provide support for the program in working with manufacturers, service centers, technicians, and participants in the program.

(3) \$1,000,000 of the state patrol highway account—state appropriation is provided solely for ongoing support, system updates, and maintenance of the P25 digital land mobile radio system. Of the amount provided in this subsection, \$400,000 must be used for an independent assessment of the P25 digital land mobile radio system. The independent assessment must identify implementation issues and coverage gaps and recommend strategies to address these issues and gaps. To the extent practicable, the Washington state patrol shall begin implementing recommendations before the completion of the independent assessment.

(4) \$600,000 of the state patrol highway account—state appropriation is provided solely for the implementation of chapter . . . (Senate Bill No. 5274), Laws of 2017 (WSPRS salary definition). If chapter . . . (Senate Bill No. 5274), Laws of 2017 is not enacted by June 30, 2017, the amount in this subsection lapses.

(5) \$510,000 of the state patrol highway account—state appropriation is provided solely for the operation of the license investigation unit to enforce vehicle registration laws in southwestern Washington. The Washington state patrol, in consultation with the department of revenue, shall maintain a running estimate of sales and use taxes remitted to the state pursuant to activity conducted by the license investigation unit.

At the end of the calendar quarter in which it is estimated that more than \$625,000 in taxes have been remitted to the state since the effective date of this section, the Washington state patrol shall notify the state treasurer and the state treasurer shall transfer funds pursuant to section 408(26) of this act.

**NEW SECTION. Sec. 208. FOR THE DEPARTMENT OF LICENSING**

Marine Fuel Tax Refund Account—State Appropriation \$34,000

Motorcycle Safety Education Account—State Appropriation \$4,523,000

State Wildlife Account—State Appropriation \$1,030,000

Highway Safety Account—State Appropriation \$204,568,000

Highway Safety Account—Federal Appropriation \$3,215,000

Motor Vehicle Account—State Appropriation \$91,279,000

Motor Vehicle Account—Federal Appropriation \$329,000

Motor Vehicle Account—Private/Local Appropriation \$2,048,000

Ignition Interlock Device Revolving Account—State Appropriation \$5,146,000

Department of Licensing Services Account—State Appropriation \$6,611,000

**TOTAL APPROPRIATION \$318,783,000**

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

(1) \$23,810,000 of the highway safety account—state appropriation is provided solely for business and technology modernization. The department and the state chief information officer or his or her designee must provide a joint project status report to the transportation committees of the legislature on at least a calendar quarter basis. The report must include, but is not limited to: Detailed information about the planned and actual scope, schedule, and budget; status of key vendor and other project deliverables; and a description of significant changes to planned deliverables or system functions over the life of the project. Project staff will periodically brief the committees or the committees' staff on system security and data protection measures.

(2) The department when modernizing its computer systems must place personal and company data elements in separate data fields to allow the department to select discrete data elements when providing information or data to persons or entities outside the department. This requirement must be included as part of the systems design in the department's business and technology modernization. Pursuant to the restrictions in federal and state law, a person's photo, social security number, or medical information must not be made available through public disclosure or data being provided under RCW 46.12.630 or 46.12.635.

(3) \$4,471,000 of the highway safety account—state appropriation is provided solely for costs necessary to accommodate increased demand for enhanced drivers' licenses and enhanced identicards. The office of financial management shall place the entire amount provided in this subsection in unallotted status. The office of financial management may release portions of the funds when it determines that average wait times have increased by more than two minutes based on wait time and volume data provided by the department compared to average wait times and volume during the month of December 2016. The department and the office of financial management shall evaluate the use of these funds on a monthly basis and periodically report to the transportation committees of the legislature on average wait

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times and volume data for enhanced drivers' licenses and enhanced identicards.

(4) \$61,324 of the highway safety account—state appropriation is provided solely for the implementation of chapter . . . (Engrossed Senate Bill No. 5008), Laws of 2017 (REAL ID compliance). If chapter . . . (Engrossed Senate Bill No. 5008), Laws of 2017 is not enacted by June 30, 2017, the amount in this subsection lapses.

(5) The department shall continue to encourage the use of online vehicle registration renewal reminders and minimize the number of letters mailed by the department. To further this goal, the department shall develop a pilot program to replace first-class mail, letter-form renewal reminders with postcard renewal reminders. The goal of the pilot program is to realize substantial savings on printing and postage costs. The pilot program must include customers who performed their last renewal online and still receive a paper renewal notice. The appropriations in this section reflect savings in postage and printing costs of at least \$250,000 in the 2017-2019 fiscal biennium.

(6)(a) Within existing funds, the department, in consultation with the department of ecology, shall convene a work group comprised of registered tow truck operators, hulk haulers, representatives from county solid waste facilities, and the recycling community to develop a sustainable plan for the collection and disposal of abandoned recreational vehicles.

(b) The work group shall report on the current problems relating to abandoned recreational vehicles and develop policy options for procedures relating to the transportation, recycling, and disposal of abandoned recreational vehicles, as well as other potentially related issues. As a result of its discussions, the work group shall also produce draft legislation. The final report and draft legislation are due to the standing transportation committees of the legislature on December 1, 2017.

(7) \$30,400 of the highway safety account—state appropriation is provided solely for the implementation of chapter . . . (Senate Bill No. 5382), Laws of 2017 (reduced-cost identicards). If chapter . . . (Senate Bill No. 5382), Laws of 2017 is not enacted by June 30, 2017, the amount in this subsection lapses.

(8) \$43,500 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter . . . (Senate Bill No. 5536), Laws of 2017 (hunter education training). If chapter . . . (Senate Bill No. 5536), Laws of 2017 is not enacted by June 30, 2017, the amount in this subsection lapses.

(9) \$482,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter . . . (Engrossed Substitute Senate Bill No. 5620), Laws of 2017 (transportation network companies). If chapter . . . (Engrossed Substitute Senate Bill No. 5620), Laws of 2017 is not enacted by June 30, 2017, the amount in this subsection lapses.

(10) \$111,900 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter . . . (Engrossed Substitute Senate Bill No. 5338), Laws of 2017 (registration enforcement). If chapter . . . (Engrossed Substitute Senate Bill No. 5338), Laws of 2017 is not enacted by June 30, 2017, the amount in this subsection lapses.

(11) \$190,900 of the highway safety account—state appropriation is provided solely for the implementation of chapter . . . (Substitute Senate Bill No. 5289), Laws of 2017 (distracted driving). If chapter . . . (Substitute Senate Bill No. 5289), Laws of 2017 is not enacted by June 30, 2017, the amount in this subsection lapses.

(12) \$209,400 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter . . . (Substitute Senate Bill No. 5508), Laws of 2017 (vehicle registration periods). If chapter . . . (Substitute Senate Bill No.

5508), Laws of 2017 is not enacted by June 30, 2017, the amount in this subsection lapses.

(13) \$30,400 of the highway safety account—state appropriation is provided solely for the implementation of chapter . . . (Substitute Senate Bill No. 5343), Laws of 2017 (tow truck notices). If chapter . . . (Substitute Senate Bill No. 5343), Laws of 2017 is not enacted by June 30, 2017, the amount in this subsection lapses.

**NEW SECTION. Sec. 209. FOR THE DEPARTMENT OF TRANSPORTATION—TOLL OPERATIONS AND MAINTENANCE—PROGRAM B**

High Occupancy Toll Lanes Operations Account—State Appropriation	\$4,027,000
Motor Vehicle Account—State Appropriation	\$513,000
State Route Number 520 Corridor Account—State Appropriation	\$52,563,000
State Route Number 520 Civil Penalties Account—State Appropriation	\$4,328,000
Tacoma Narrows Toll Bridge Account—State Appropriation	\$32,069,000
Interstate 405 Express Toll Lanes Operations Account—State Appropriation	\$22,135,000
Alaskan Way Viaduct Replacement Project Account—State Appropriation	\$6,506,000
<b>TOTAL APPROPRIATION</b>	<b>\$122,141,000</b>

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

(1) \$1,300,000 of the Tacoma Narrows toll bridge account—state appropriation and \$9,048,000 of the state route number 520 corridor account—state appropriation are provided solely for the purposes of addressing unforeseen operations and maintenance costs on the Tacoma Narrows bridge and the state route number 520 bridge, respectively. The office of financial management shall place the amounts provided in this section, which represent a portion of the required minimum fund balance under the policy of the state treasurer, in unallotted status. The office may release the funds only when it determines that all other funds designated for operations and maintenance purposes have been exhausted.

(2) The department shall make detailed quarterly expenditure reports available to the Washington state transportation commission and to the public on the department's web site using current department resources. The reports must include a summary of toll revenue by facility on all operating toll facilities and high occupancy toll lane systems, and an itemized depiction of the use of that revenue.

(3) As long as the facility is tolled, the department must provide quarterly reports to the transportation committees of the legislature on the Interstate 405 express toll lane project performance measures listed in RCW 47.56.880(4). These reports must include:

(a) Information on the travel times and travel time reliability (at a minimum, average and 90th percentile travel times) maintained during peak and nonpeak periods in the express toll lanes and general purpose lanes for both the entire corridor and commonly made trips in the corridor including, but not limited to, northbound from Bellevue to Rose Hill, state route number 520 at NE 148th to Interstate 405 at state route number 522, Bellevue to Bothell (both NE 8th to state route number 522 and NE 8th to state route number 527), and a trip internal to the corridor (such as NE 85th to NE 160th) and similar southbound trips;

(b) A month-to-month comparison of travel times and travel time reliability for the entire corridor and commonly made trips in the corridor as specified in (a) of this subsection since implementation of the express toll lanes and, to the extent

available, a comparison to the travel times and travel time reliability prior to implementation of the express toll lanes;

(c) Total express toll lane and total general purpose lane traffic volumes, as well as per lane traffic volumes for each type of lane (i) compared to total express toll lane and total general purpose lane traffic volumes, as well as per lane traffic volumes for each type of lane, on this segment of Interstate 405 prior to implementation of the express toll lanes and (ii) compared to total express toll lane and total general purpose lane traffic volumes, as well as per lane traffic volumes for each type of lane, from month to month since implementation of the express toll lanes; and

(d) Underlying congestion measurements, that is, speeds, that are being used to generate the summary graphs provided, to be made available in a digital file format.

(4) \$666,000 of the high occupancy toll lanes operations account—state appropriation, \$11,527,000 of the state route number 520 corridor account—state appropriation, \$4,955,000 of the Tacoma Narrows toll bridge account—state appropriation, \$4,286,000 of the Interstate 405 express toll lanes operations account—state appropriation, and \$6,506,000 of the Alaskan Way viaduct replacement project account—state appropriation are provided solely for the department to implement a new tolling customer service toll collection system, and are subject to the conditions, limitations, and review provided in section 701 of this act.

(a) The office of financial management shall place \$2,000,000 of the amounts provided in this subsection in unallotted status, to be distributed between the facilities using the account proportions in this subsection. If the vendors selected as the successful bidders for the new tolling customer service toll collection system or the operator of the new system are different than the vendor as of January 1, 2017, the office of financial management may release portions of this amount as transition costs.

(b) The funds provided in this subsection from the Alaskan Way viaduct replacement project account—state appropriation are provided through a transfer from the motor vehicle account—state in section 408(23) of this act. These funds are a loan to the Alaskan Way viaduct replacement project account—state, and the legislature assumes that these funds will be reimbursed to the motor vehicle account—state at a later date when the portion of state route number 99 that is the deep bore tunnel is operational.

(c) The department must provide a project status report to the office of financial management and the transportation committees of the legislature on at least a calendar quarterly basis. The report must include, but is not limited to:

(i) Detailed information about the planned and actual scope, schedule, and budget;

(ii) Status of key vendor and other project deliverables; and

(iii) A description of significant changes to planned deliverables or system functions over the life of the project.

(d) The department shall continue to work with the office of financial management, office of the chief information officer, and the transportation committees of the legislature on the project management plan that includes a provision for independent verification and validation of contract deliverables from the successful bidder and a provision for quality assurance that includes reporting independently to the office of the chief information officer on an ongoing basis during system implementation.

(5) The department shall make detailed quarterly reports to the governor and the transportation committees of the legislature on the following:

(a) The use of consultants in the tolling program, including the name of the contractor, the scope of work, the type of contract,

timelines, deliverables, any new task orders, and any extensions to existing consultant contracts;

(b) The nonvendor costs of administering toll operations, including the costs of staffing the division, consultants and other personal service contracts required for technical oversight and management assistance, insurance, payments related to credit card processing, transponder purchases and inventory management, facility operations and maintenance, and other miscellaneous nonvendor costs; and

(c) The vendor-related costs of operating tolled facilities, including the costs of the customer service center, cash collections on the Tacoma Narrows bridge, electronic payment processing, and toll collection equipment maintenance, renewal, and replacement.

(d) The toll adjudication process, including a summary table for each toll facility that includes:

(i) The number of notices of civil penalty issued;

(ii) The number of recipients who pay before the notice becomes a penalty;

(iii) The number of recipients who request a hearing and the number who do not respond;

(iv) Workload costs related to hearings;

(v) The cost and effectiveness of debt collection activities; and

(vi) Revenues generated from notices of civil penalty.

(6) \$4,328,000 of the state route number 520 civil penalties account—state appropriation, \$2,192,000 of the Tacoma Narrows toll bridge account—state appropriation, and \$1,191,000 of the Interstate 405 express toll lanes operations account—state appropriation are provided solely for expenditures related to the toll adjudication process.

(7) \$3,100,000 of the Interstate 405 express toll lanes operations account—state appropriation, \$1,498,000 of the state route number 520 corridor account—state appropriation, and \$1,802,000 of the high occupancy toll lanes operations account—state appropriation are provided solely for the operation and maintenance of roadside toll collection systems.

(8) \$11,011,000 of the Interstate 405 express toll lanes operations account—state appropriation is provided solely for operational costs related to the express toll lane facility, including the customer service center vendor, transponders, credit card fees, printing and postage, rent, office supplies, telephone and communications equipment, computers, and vehicle operations. Expenditures for the toll adjudication process are not included in this subsection. Within the amount provided in this subsection, the department must, to the greatest extent possible, without adding additional tolling gantries, continue to expand the length of the access and exit points to the express toll lanes, clarify signage and striping to eliminate confusion, and make other operational and customer service improvements to enhance the public's use of the toll facility.

**NEW SECTION. Sec. 210. FOR THE DEPARTMENT OF TRANSPORTATION—INFORMATION TECHNOLOGY—PROGRAM C**

Transportation Partnership Account—State Appropriation \$1,460,000

Motor Vehicle Account—State Appropriation \$83,572,000

Puget Sound Ferry Operations Account—State Appropriation \$263,000

Multimodal Transportation Account—State Appropriation \$2,876,000

Transportation 2003 Account (Nickel Account)—State Appropriation \$1,460,000

TOTAL APPROPRIATION \$89,631,000

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

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(1) \$9,588,000 of the motor vehicle account—state appropriation is provided solely for the development of the labor system replacement project and is subject to the conditions, limitations, and review provided in section 701 of this act. It is the intent of the legislature that if any portion of the labor system replacement project is leveraged in the future for the time, leave, and labor distribution of any other agencies, the motor vehicle account will be reimbursed proportionally for the development of the system since the funds from the motor vehicle account must be used exclusively for highway purposes in conformance with Article II, section 40 of the state Constitution. This must be accomplished through a loan arrangement with the current interest rate under the terms set by the office of the state treasurer at the time the system is deployed to additional agencies. If the motor vehicle account is not reimbursed for future use of the system, it is further the intent of the legislature that reductions will be made to central service agency charges accordingly.

(2) \$2,296,000 of the motor vehicle account—state appropriation is provided solely for the development of ferries network systems support.

**NEW SECTION. Sec. 211. FOR THE DEPARTMENT OF TRANSPORTATION—FACILITY MAINTENANCE, OPERATIONS, AND CONSTRUCTION—PROGRAM D—OPERATING**

Motor Vehicle Account—State	Appropriation
\$28,146,000	
State Route Number 520 Corridor Account—State	Appropriation
	\$34,000
<b>TOTAL APPROPRIATION</b>	<b>\$28,180,000</b>

**NEW SECTION. Sec. 212. FOR THE DEPARTMENT OF TRANSPORTATION — AVIATION—PROGRAM F**

Aeronautics Account—State	Appropriation
\$6,749,000	
Aeronautics Account—Federal	Appropriation
\$4,900,000	
Aeronautics Account—Private/Local	Appropriation
\$171,000	
<b>TOTAL APPROPRIATION</b>	<b>\$11,820,000</b>

**NEW SECTION. Sec. 213. FOR THE DEPARTMENT OF TRANSPORTATION — PROGRAM DELIVERY MANAGEMENT AND SUPPORT—PROGRAM H**

Motor Vehicle Account—State	Appropriation
\$54,216,000	
Motor Vehicle Account—Federal	Appropriation
	\$500,000
Multimodal Transportation Account—State	Appropriation
	\$252,000
<b>TOTAL APPROPRIATION</b>	<b>\$54,968,000</b>

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

(1) \$300,000 of the motor vehicle account—state appropriation is provided solely for the completion of property value determinations for surplus properties to be sold. The value determinations must be completed by agency staff if available; otherwise, the agency may contract out for these services. The real estate services division of the department must recover the cost of its efforts from the sale of surplus property. Proceeds for surplus property sales must fund additional future sales, and the real estate services division shall prioritize staff resources to meet revenue assumptions for surplus property sales.

(2) The legislature recognizes that the trail known as the Rocky Reach Trail, and its extensions, serve to separate motor vehicle traffic from pedestrians and bicyclists, increasing motor vehicle safety on state route number 2 and the coincident section of state route number 97. Consistent with chapter 47.30 RCW and pursuant to RCW 47.12.080, the legislature declares that

transferring portions of WSDOT Inventory Control (IC) No. 2-09-04686 containing the trail and associated buffer areas to the Washington state parks and recreation commission is consistent with the public interest. The legislature directs the department to transfer the property to the Washington state parks and recreation commission.

(a) The department must be paid fair market value for any portions of the transferred real property that is later abandoned, vacated, or ceases to be publicly maintained for trail purposes.

(b) Prior to completing the transfer in this subsection (2), the department must ensure that provisions are made to accommodate private and public utilities and any facilities that predate the department's acquisition of the property, at no cost to those entities. Prior to completing the transfer, the department shall also ensure that provisions, by fair market assessment, are made to accommodate other private and public utilities and any facilities that have been legally allowed by permit or other instrument.

(c) The department may sell any adjoining property that is not necessary to support the Rocky Reach Trail and adjacent buffer areas only after the transfer of trail-related property to the Washington state parks and recreation commission is complete. Adjoining property owners must be given the first opportunity to acquire such property that abuts their property, and applicable boundary line or other adjustments must be made to the legal descriptions for recording purposes.

**NEW SECTION. Sec. 214. FOR THE DEPARTMENT OF TRANSPORTATION — PUBLIC-PRIVATE PARTNERSHIPS—PROGRAM K**

Multimodal Transportation Account—State	Appropriation
\$535,000	
Motor Vehicle Account—State	Appropriation
	\$622,000
Electric Vehicle Charging Infrastructure Account—State	Appropriation
	\$1,000,000
<b>TOTAL APPROPRIATION</b>	<b>\$2,157,000</b>

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

(1) \$1,000,000 of the electric vehicle charging infrastructure account—state appropriation is provided solely for the purpose of capitalizing the Washington electric vehicle infrastructure bank as provided in chapter 44, Laws of 2015 3rd sp. sess. (transportation revenue). The department may spend no more than one million dollars from the electric vehicle charging infrastructure account during the four-year period of the 2015-2017 and 2017-2019 fiscal biennia.

(2) \$500,000 of the multimodal transportation account—state appropriation is provided solely to study public-private partnership alternatives for the financing and construction of an entry building located at Colman Dock.

(a) As part of the study, the public-private partnerships program must evaluate the efficacy of contracting with a private entity to construct the Colman Dock entry building. The study must:

(i) Identify and discuss options to construct the facility as currently scoped; and

(ii) Identify and discuss options, including rescoping the current design of the facility for purposes of providing a project that has the potential to increase economic development activities along the Seattle waterfront area.

(b) By November 15, 2017, the public-private partnerships program must provide a report to the governor and the transportation committees of the legislature on the program's findings and recommendations.

(3) \$35,000 of the multimodal transportation account—state appropriation is provided solely for the public-private partnerships program to conduct an outreach effort to assess

interest in a public-private partnership to rebuild the Anacortes ferry terminal. The public-private partnerships program shall issue a request for letters of interest, similar to the request issued in 2009, in a public-private partnership to rebuild the Anacortes ferry terminal by combining the ferry terminal functions and structure with one or more commercial ventures, including, but not limited to, ventures to provide lodging, conference and meeting facilities, food service, shopping, or other retail operations. The public-private partnerships program shall notify the transportation committees of the legislature upon release of the request for letters of interest and shall provide the transportation committees of the legislature with a summary of the information collected once the letters of interest have been received.

**NEW SECTION. Sec. 215. FOR THE DEPARTMENT OF TRANSPORTATION — HIGHWAY MAINTENANCE—PROGRAM M**

Motor Vehicle Account—State	Appropriation
\$438,746,000	
Motor Vehicle Account—Federal	Appropriation
\$7,000,000	
State Route Number 520 Corridor Account—State	
Appropriation	\$4,447,000
Tacoma Narrows Toll Bridge Account—State	
Appropriation	\$1,233,000
<b>TOTAL APPROPRIATION</b>	<b>\$451,426,000</b>

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

(1) \$7,092,000 of the motor vehicle account—state appropriation is provided solely for utility fees assessed by local governments as authorized under RCW 90.03.525 for the mitigation of stormwater runoff from state highways.

(2) \$4,447,000 of the state route number 520 corridor account—state appropriation is provided solely to maintain the state route number 520 floating bridge. These funds must be used in accordance with RCW 47.56.830(3).

(3) \$1,233,000 of the Tacoma Narrows toll bridge account—state appropriation is provided solely to maintain the new Tacoma Narrows bridge. These funds must be used in accordance with RCW 47.56.830(3).

(4) \$250,000 of the motor vehicle account—state appropriation is provided solely for the department to implement safety improvements and debris clean up on department-owned rights-of-way in the city of Seattle. Direct or contracted activities must include collecting and disposing of garbage, clearing debris or hazardous material, and implementing safety improvements. Funds may also be used to contract with the city of Seattle to provide mutual services in rights-of-way similar to contract agreements in the 2015-2017 fiscal biennium.

**NEW SECTION. Sec. 216. FOR THE DEPARTMENT OF TRANSPORTATION — TRAFFIC OPERATIONS—PROGRAM Q — OPERATING**

Motor Vehicle Account—State	Appropriation
\$62,578,000	
Motor Vehicle Account—Federal	Appropriation
\$2,050,000	
Motor Vehicle Account—Private/Local	Appropriation
\$250,000	
<b>TOTAL APPROPRIATION</b>	<b>\$64,878,000</b>

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

(1) \$6,000,000 of the motor vehicle account—state appropriation is provided solely for low-cost enhancements. The department shall give priority to low-cost enhancement projects that improve safety or provide congestion relief. By December 15th of each odd-numbered year, the department shall provide a

report to the legislature listing all low-cost enhancement projects completed in the prior fiscal biennium.

(2) During the 2017-2019 fiscal biennium, the department shall continue a pilot program that expands private transportation providers' access to high occupancy vehicle lanes. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, the following vehicles must be authorized to use the reserved portion of the highway if the vehicle has the capacity to carry eight or more passengers, regardless of the number of passengers in the vehicle: (a) Auto transportation company vehicles regulated under chapter 81.68 RCW; (b) passenger charter carrier vehicles regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; (c) private nonprofit transportation provider vehicles regulated under chapter 81.66 RCW; and (d) private employer transportation service vehicles. For purposes of this subsection, "private employer transportation service" means regularly scheduled, fixed-route transportation service that is offered by an employer for the benefit of its employees. Nothing in this subsection is intended to authorize the conversion of public infrastructure to private, for-profit purposes or to otherwise create an entitlement or other claim by private users to public infrastructure.

(3) \$50,000 of the motor vehicle account—state appropriation is provided solely for the department to coordinate with the appropriate local jurisdictions for development and implementation of a historic route 10 signage program on Interstate 90 from the Columbia River to the Idaho state border.

**NEW SECTION. Sec. 217. FOR THE DEPARTMENT OF TRANSPORTATION — TRANSPORTATION MANAGEMENT AND SUPPORT — PROGRAM S**

Motor Vehicle Account—State	Appropriation
\$32,794,000	
Motor Vehicle Account—Federal	Appropriation
\$1,655,000	
Multimodal Transportation Account—State	
Appropriation	\$1,128,000
<b>TOTAL APPROPRIATION</b>	<b>\$35,577,000</b>

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

(1) \$1,500,000 of the motor vehicle account—state appropriation is provided solely for a grant program that makes awards for the following: (a) Support for nonproject agencies, churches, and other entities to help provide outreach to populations underrepresented in the current apprenticeship programs; (b) preapprenticeship training; and (c) child care, transportation, and other supports that are needed to help women, veterans, and minorities enter and succeed in apprenticeship. The department must report on grants that have been awarded and the amount of funds disbursed by December 1, 2017, and annually thereafter.

(2) \$300,000 of the motor vehicle account—state appropriation is provided solely for succession planning and leadership training. The department shall report on the implementation of these activities to the transportation committees of the legislature by June 30, 2019.

**NEW SECTION. Sec. 218. FOR THE DEPARTMENT OF TRANSPORTATION — TRANSPORTATION PLANNING, DATA, AND RESEARCH — PROGRAM T**

Motor Vehicle Account—State	Appropriation
\$23,017,000	
Motor Vehicle Account—Federal	Appropriation
\$32,869,000	
Multimodal Transportation Account—State	Appropriation
\$711,000	

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Multimodal Transportation Account—Federal  
 Appropriation \$2,809,000  
 Multimodal Transportation Account—Private/Local  
 Appropriation \$100,000  
**TOTAL APPROPRIATION \$59,506,000**

The appropriations in this section are subject to the following conditions and limitations: The department shall investigate opportunities for a transit-oriented development pilot project at the existing Kingsgate park and ride at Interstate 405 and 132nd. The department must coordinate with the city of Kirkland and other key stakeholders to determine the feasibility and cost of transit-oriented development at Kingsgate. A report on the process and outcomes is due to the transportation committees of the legislature by December 1, 2017.

**NEW SECTION. Sec. 219. FOR THE DEPARTMENT OF TRANSPORTATION — CHARGES FROM OTHER AGENCIES — PROGRAM U**

Motor Vehicle Account—State Appropriation  
 \$69,997,000  
 Multimodal Transportation Account—State  
 Appropriation \$1,285,000  
**TOTAL APPROPRIATION \$71,282,000**

**NEW SECTION. Sec. 220. FOR THE DEPARTMENT OF TRANSPORTATION — PUBLIC TRANSPORTATION — PROGRAM V**

State Vehicle Parking Account—State Appropriation  
 \$754,000  
 Regional Mobility Grant Program Account—State  
 Appropriation \$94,347,000  
 Rural Mobility Grant Program Account—State  
 Appropriation \$32,223,000  
 Multimodal Transportation Account—State  
 Appropriation \$90,370,000  
 Multimodal Transportation Account—Federal  
 Appropriation \$3,574,000  
**TOTAL APPROPRIATION \$221,268,000**

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

(1) \$52,679,000 of the multimodal transportation account—state appropriation is provided solely for a grant program for special needs transportation provided by transit agencies and nonprofit providers of transportation. Of this amount:

(a) \$12,000,000 of the multimodal transportation account—state appropriation is provided solely for grants to nonprofit providers of special needs transportation. Grants for nonprofit providers must be based on need, including the availability of other providers of service in the area, efforts to coordinate trips among providers and riders, and the cost effectiveness of trips provided. Of the amount provided in this subsection (1)(a), \$25,000 of the multimodal transportation account—state appropriation is provided solely for the ecumenical christian helping hands organization for special needs transportation services.

(b) \$40,679,000 of the multimodal transportation account—state appropriation is provided solely for grants to transit agencies to transport persons with special transportation needs. To receive a grant, the transit agency must, to the greatest extent practicable, have a maintenance of effort for special needs transportation that is no less than the previous year's maintenance of effort for special needs transportation. Grants for transit agencies must be prorated based on the amount expended for demand response service and route deviated service in calendar year 2015 as reported in the "Summary of Public Transportation - 2015" published by the department of transportation. No transit agency may receive more than thirty percent of these distributions.

(2) \$32,223,000 of the rural mobility grant program account—state appropriation is provided solely for grants to aid small cities in rural areas as prescribed in RCW 47.66.100.

(3)(a) \$10,290,000 of the multimodal transportation account—state appropriation is provided solely for a vanpool grant program for: (i) Public transit agencies to add vanpools or replace vans; and (ii) incentives for employers to increase employee vanpool use. The grant program for public transit agencies will cover capital costs only; operating costs for public transit agencies are not eligible for funding under this grant program. Additional employees may not be hired from the funds provided in this section for the vanpool grant program, and supplanting of transit funds currently funding vanpools is not allowed. The department shall encourage grant applicants and recipients to leverage funds other than state funds.

(b) At least \$1,600,000 of the amount provided in this subsection must be used for vanpool grants in congested corridors.

(4) \$16,668,000 of the regional mobility grant program account—state appropriation is reappropriated and provided solely for the regional mobility grant projects identified in LEAP Transportation Document 2017-2 ALL PROJECTS as developed April 5, 2017, Program - Public Transportation Program (V).

(5)(a) \$77,679,000 of the regional mobility grant program account—state appropriation is provided solely for the regional mobility grant projects identified in the LEAP transportation document identified in subsection (4) of this section. The department shall review all projects receiving grant awards under this program at least semiannually to determine whether the projects are making satisfactory progress. Any project that has been awarded funds, but does not report activity on the project within one year of the grant award, must be reviewed by the department to determine whether the grant should be terminated. The department shall promptly close out grants when projects have been completed, and any remaining funds must be used only to fund projects identified in the LEAP transportation document identified in subsection (4) of this section. The department shall provide annual status reports on December 15, 2017, and December 15, 2018, to the office of financial management and the transportation committees of the legislature regarding the projects receiving the grants. It is the intent of the legislature to appropriate funds through the regional mobility grant program only for projects that will be completed on schedule. A grantee may not receive more than twenty-five percent of the amount appropriated in this subsection. The department shall not approve any increases or changes to the scope of a project for the purpose of a grantee expending remaining funds on an awarded grant.

(b) In order to be eligible to receive a grant under (a) of this subsection during the 2017-2019 fiscal biennium, a transit agency must establish a process for private transportation providers to apply for the use of park and ride facilities. For purposes of this subsection, (i) "private transportation provider" means: An auto transportation company regulated under chapter 81.68 RCW; a passenger charter carrier regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; a private nonprofit transportation provider regulated under chapter 81.66 RCW; or a private employer transportation service provider; and (ii) "private employer transportation service" means regularly scheduled, fixed-route transportation service that is offered by an employer for the benefit of its employees.

(6) Funds provided for the commute trip reduction (CTR) program may also be used for the growth and transportation efficiency center program.

(7) \$5,920,000 of the multimodal transportation account—state appropriation and \$754,000 of the state vehicle parking account—state appropriation are provided solely for CTR grants and activities. Of this amount, \$250,000 of the multimodal transportation account—state appropriation is provided solely for a voluntary pilot program to expand public-private partnership CTR incentives to make measurable reductions in off-peak, weekend, and nonwork trips. Ridesharing may be integrated into grant proposals. The department shall prioritize grant proposals that focus on the Interstate 90, Interstate 5, or Interstate 405 corridor. The department shall offer competitive trip-reduction grants. The department shall report to the transportation committees of the legislature by December 1, 2018, on the pilot program's impacts to the transportation system and potential improvements to the CTR grant program.

(8) \$15,523,000 of the multimodal transportation account—state appropriation is provided solely for connecting Washington transit projects identified in the LEAP transportation document identified in subsection (4) of this section.

(9) \$2,000,000 of the multimodal transportation account—state appropriation is provided solely for transit coordination grants.

(10) The department shall not require more than a ten percent match from nonprofit transportation providers for state grants.

(11)(a) For projects funded as part of the 2015 connecting Washington transportation package listed on the LEAP transportation document identified in subsection (4) of this section, if the department expects to have substantial reappropriations for the 2019-2021 fiscal biennium, the department may, on a pilot basis, apply funding from a project with an appropriation that cannot be used for the current fiscal biennium to advance one of the following projects:

(i) King County Metro - RapidRide Expansion, Burien-Delridge (G2000031);

(ii) King County Metro - Route 40 Northgate to Downtown (G2000032);

(iii) Spokane Transit - Spokane Central City Line (G2000034);

(iv) Kitsap Transit - East Bremerton Transfer Center (G2000039); or

(v) City of Seattle - Northgate Transit Center Pedestrian Bridge (G2000041).

(b) At least ten business days before advancing a project pursuant to this subsection, the department must notify the office of financial management and the transportation committees of the legislature. The advancement of a project may not hinder the delivery of the projects for which the reappropriations are necessary for the 2019-2021 fiscal biennium.

(12) \$250,000 of the multimodal transportation account—state appropriation is provided solely for King county for a pilot program to provide certain students in the Highline and Lake Washington school districts with an ORCA card during the summer. To be eligible for an ORCA card under this program, a student must also be in high school, be eligible for free and reduced-price lunches, and have a job or other responsibility during the summer. King county must provide a report to the department and the transportation committees of legislature by December 15, 2018, regarding: The annual student usage of the pilot program, available ridership data, the cost to expand the program to other King county school districts, the cost to expand the program to student populations other than high school or eligible for free and reduced-price lunches, opportunities for subsidized ORCA cards or local grant or matching funds, and any additional information that would help determine if the pilot program should be extended or expanded.

**NEW SECTION. Sec. 221. FOR THE DEPARTMENT OF TRANSPORTATION — MARINE—PROGRAM X**

Puget Sound Ferry Operations Account—State

Appropriation	\$496,307,000
Puget Sound Ferry Operations Account—Federal	
Appropriation	\$8,743,000
Puget Sound Ferry Operations Account—Private/Local	
Appropriation	\$121,000
<b>TOTAL APPROPRIATION</b>	<b>\$505,171,000</b>

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

(1) For the 2017-2019 fiscal biennium, the department may enter into a distributor controlled fuel hedging program and other methods of hedging approved by the fuel hedging committee.

(2) \$68,049,000 of the Puget Sound ferry operations account—state appropriation is provided solely for auto ferry vessel operating fuel in the 2017-2019 fiscal biennium, which reflect cost savings from a reduced biodiesel fuel requirement and, therefore, is contingent upon the enactment of section 702 of this act. The amount provided in this subsection represents the fuel budget for the purposes of calculating any ferry fare fuel surcharge.

(3) \$30,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the marine division assistant secretary's designee to the board of pilotage commissioners, who serves as the board chair. As the agency chairing the board, the department shall direct the board chair, in his or her capacity as chair, to require that the report to the governor and chairs of the transportation committees required under RCW 88.16.035(1)(f) be filed by September 1, 2017, and annually thereafter, and that the report include the continuation of policies and procedures necessary to increase the diversity of pilots, trainees, and applicants, including a diversity action plan. The diversity action plan must articulate a comprehensive vision of the board's diversity goals and the steps it will take to reach those goals.

(4) \$500,000 of the Puget Sound ferry operations account—state appropriation is provided solely for operating costs related to moving vessels for emergency capital repairs. Funds may only be spent after approval by the office of financial management.

**NEW SECTION. Sec. 222. FOR THE DEPARTMENT OF TRANSPORTATION — RAIL — PROGRAM Y — OPERATING**

Multimodal Transportation Account—State	
Appropriation	\$79,846,000
Multimodal Transportation Account—Private/Local	
Appropriation	\$46,000
<b>TOTAL APPROPRIATION</b>	<b>\$79,892,000</b>

**NEW SECTION. Sec. 223. FOR THE DEPARTMENT OF TRANSPORTATION — LOCAL PROGRAMS—PROGRAM Z — OPERATING**

Motor Vehicle Account—State	Appropriation
\$10,644,000	
Motor Vehicle Account—Federal	Appropriation
\$2,567,000	
Multise Roadway Safety Account—State	Appropriation
\$132,000	
<b>TOTAL APPROPRIATION</b>	<b>\$13,343,000</b>

The appropriations in this section are subject to the following conditions and limitations: \$1,100,000 of the motor vehicle account—state appropriation is provided solely for the department, from amounts set aside out of statewide fuel taxes distributed to counties according to RCW 46.68.120(3), to contract with the Washington state association of counties to: Provide statewide updates to transportation metrics and financial reporting; develop and implement an inventory of county culvert and short-span bridge infrastructure; and develop and implement enhanced road safety data in support of county road systemic safety programs. The Washington state association of counties must develop and implement data collection, management, and

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reporting in cooperation with state agencies involved with the collection and maintenance of related inventory systems.

**TRANSPORTATION AGENCIES—CAPITAL**

**NEW SECTION. Sec. 301. FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD**

Freight Mobility Investment Account—State  
 Appropriation \$23,323,000  
 Highway Safety Account—State Appropriation  
 \$1,000,000  
 Motor Vehicle Account—Federal Appropriation  
 \$3,250,000  
 Freight Mobility Multimodal Account—State  
 Appropriation \$20,163,000  
 Freight Mobility Multimodal Account—Private/Local  
 Appropriation \$1,000,000  
**TOTAL APPROPRIATION \$48,736,000**

**NEW SECTION. Sec. 302. FOR THE WASHINGTON STATE PATROL**

State Patrol Highway Account—State Appropriation  
 \$3,103,000

The appropriation in this section is subject to the following conditions and limitations: The entire appropriation in this section is provided solely for the following projects:

- (1) \$250,000 for emergency repairs;
- (2) \$728,000 for roof replacements;
- (3) \$2,000,000 for the state patrol academy in Shelton for replacement of the skid pan, repair of the training tank, and replacement of the HVAC system; and
- (4) \$125,000 for the Whiskey Ridge generator shelter.

The Washington state patrol may transfer funds between projects specified in this section to address cash flow requirements. If a project specified in this section is completed for less than the amount provided, the remainder may be transferred to another project specified in this section not to exceed the total appropriation provided in this section.

**NEW SECTION. Sec. 303. FOR THE COUNTY ROAD ADMINISTRATION BOARD**

Rural Arterial Trust Account—State Appropriation  
 \$58,186,000  
 Motor Vehicle Account—State Appropriation \$706,000  
 County Arterial Preservation Account—State  
 Appropriation \$35,434,000  
**TOTAL APPROPRIATION \$94,326,000**

**NEW SECTION. Sec. 304. FOR THE TRANSPORTATION IMPROVEMENT BOARD**

Small City Pavement and Sidewalk Account—State  
 Appropriation \$5,780,000  
 Transportation Improvement Account—State  
 Appropriation \$240,300,000  
 Multimodal Transportation Account—State  
 Appropriation \$14,670,000  
**TOTAL APPROPRIATION \$260,750,000**

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

- (1) \$9,687,000 of the transportation improvement account—state appropriation is provided solely for:
  - (a) The arterial preservation program to help low tax-based, medium-sized cities preserve arterial pavements;
  - (b) The small city pavement program to help cities meet urgent preservation needs; and
  - (c) The small city low-energy street light retrofit program.
- (2) \$14,670,000 of the multimodal transportation account—state appropriation is provided solely for the complete streets program.

**NEW SECTION. Sec. 305. FOR THE DEPARTMENT OF TRANSPORTATION—FACILITIES—PROGRAM D—(DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)—CAPITAL**

Motor Vehicle Account—State Appropriation  
 \$6,087,000  
 Connecting Washington Account—State Appropriation  
 \$24,257,000  
**TOTAL APPROPRIATION \$30,344,000**

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

- (1) \$16,170,000 of the connecting Washington account—state appropriation is provided solely for a new Olympic region maintenance and administration facility to be located on the department-owned site at the intersection of Marvin Road and 32nd Avenue.
- (2) \$8,087,000 of the connecting Washington account—state appropriation is provided solely for a new administration facility on Euclid Avenue in Wenatchee, Washington.

**NEW SECTION. Sec. 306. FOR THE DEPARTMENT OF TRANSPORTATION — IMPROVEMENTS — PROGRAM I**

Transportation Partnership Account—State  
 Appropriation \$570,992,000  
 Motor Vehicle Account—State Appropriation  
 \$46,866,000  
 Motor Vehicle Account—Federal Appropriation  
 \$216,647,000  
 Motor Vehicle Account—Private/Local Appropriation  
 \$24,209,000  
 Connecting Washington Account—State  
 Appropriation \$1,165,822,000  
 Special Category C Account—State Appropriation  
 \$146,000  
 Multimodal Transportation Account—State  
 Appropriation \$12,662,000  
 Alaskan Way Viaduct Replacement Project Account—State  
 Appropriation \$122,046,000  
 Transportation 2003 Account (Nickel Account)—State  
 Appropriation \$51,115,000  
 Interstate 405 Express Toll Lanes Operations Account—State  
 Appropriation \$12,000,000  
**TOTAL APPROPRIATION \$2,222,505,000**

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

- (1) Except as provided otherwise in this section, the entire connecting Washington account—state appropriation and the entire transportation partnership account—state appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document 2017-1 as developed April 5, 2017, Program - Highway Improvements Program (I). However, limited transfers of specific line-item project appropriations may occur between projects for those amounts listed subject to the conditions and limitations in section 601 of this act.
- (2) Except as provided otherwise in this section, the entire transportation 2003 account (nickel account)—state appropriation is provided solely for the projects and activities as listed in LEAP Transportation Document 2017-1 as developed April 5, 2017, Program – Highway Improvements Program (I).
- (3) Except as provided otherwise in this section, the entire motor vehicle account—state appropriation and motor vehicle account—federal appropriation are provided solely for the projects and activities listed in LEAP Transportation Document 2017-2 ALL PROJECTS as developed April 5, 2017, Program -

Highway Improvements Program (I). Any federal funds gained through efficiencies, adjustments to the federal funds forecast, additional congressional action not related to a specific project or purpose, or the federal funds redistribution process must then be applied to highway and bridge preservation activities.

(4) Within the motor vehicle account—state appropriation and motor vehicle account—federal appropriation, the department may transfer funds between programs I and P, except for funds that are otherwise restricted in this act. The department shall submit a report on fiscal year 2017 funds transferred using this subsection as part of the department's 2018 budget submittal.

(5) The connecting Washington account—state appropriation includes up to \$250,993,000 in proceeds from the sale of bonds authorized in RCW 47.10.889.

(6) The transportation 2003 account (nickel account)—state appropriation includes up to \$51,115,000 in proceeds from the sale of bonds authorized in RCW 47.10.861.

(7) The transportation partnership account—state appropriation includes up to \$321,864,000 in proceeds from the sale of bonds authorized in RCW 47.10.873. Of this amount, \$122,046,000 must be transferred to the Alaskan Way viaduct replacement project account.

(8) \$159,407,000 of the transportation partnership account—state appropriation, \$7,000 of the motor vehicle account—federal appropriation, \$8,000,000 of the motor vehicle account—private/local appropriation, \$29,100,000 of the transportation 2003 account (nickel account)—state appropriation, \$122,046,000 of the Alaskan Way viaduct replacement project account—state appropriation, and \$2,662,000 of the multimodal transportation account—state appropriation are provided solely for the SR 99/Alaskan Way Viaduct Replacement project (809936Z).

(9) \$10,000,000 of the multimodal transportation account—state appropriation is provided solely for transit mitigation for the SR 99/Viaduct Project - Construction Mitigation project (809940B).

(10) \$5,804,000 of the transportation partnership account—state appropriation, \$5,162,000 of the transportation 2003 account (nickel account)—state appropriation, and \$146,000 of the special category C account—state appropriation are provided solely for the US 395/North Spokane Corridor project (600010A). Any future savings on the project must stay on the US 395/Interstate 90 corridor and be made available to the current phase of the North Spokane corridor project or any future phase of the project in 2017-2019.

(11) \$26,601,000 of the transportation partnership account—state appropriation and \$10,956,000 of the transportation 2003 account (nickel account)—state appropriation are provided solely for the I-405/Kirkland Vicinity Stage 2 - Widening project (8BI1002). This project must be completed as soon as practicable as a design-build project. Any future savings on this project or other Interstate 405 corridor projects must stay on the Interstate 405 corridor and be made available to the I-405/SR 167 Interchange - Direct Connector project (140504C), the I-405 Renton to Bellevue project (M00900R), or the I-405/SR 522 to I-5 Capacity Improvements project (L2000234) in the 2017-2019 fiscal biennium.

(12) \$1,500,000 of the transportation partnership account—state appropriation is provided solely for preliminary engineering for adding capacity on Interstate 405 between state route number 522 and Interstate 5. The funding is a transfer from the I-405/Kirkland Vicinity Stage 2 - Widening project due to savings, and will start an additional phase of this I-405 project.

(13)(a) The SR 520 Bridge Replacement and HOV project (8BI1003) is supported over time from multiple sources, including a \$300,000,000 TIFIA loan, \$924,615,000 in Garvee

bonds, toll revenues, state bonds, interest earnings, and other miscellaneous sources.

(b) \$44,311,000 of the transportation partnership account—state appropriation is provided solely for the SR 520 Bridge Replacement and HOV project (8BI1003).

(c) When developing the financial plan for the project, the department shall assume that all maintenance and operation costs for the new facility are to be covered by tolls collected on the toll facility and not by the motor vehicle account.

(14) For urban corridors that are all or partially within a metropolitan planning organization boundary, for which the department has not initiated environmental review, and that require an environmental impact statement, at least one alternative must be consistent with the goals set out in RCW 47.01.440.

(15) The department shall itemize all future requests for the construction of buildings on a project list and submit them through the transportation executive information system as part of the department's 2018 budget submittal. It is the intent of the legislature that new facility construction must be transparent and not appropriated within larger highway construction projects.

(16) Any advisory group that the department convenes during the 2017-2019 fiscal biennium must consider the interests of the entire state of Washington.

(17) It is the intent of the legislature that for the I-5 JBLM Corridor Improvements project (M00100R), the department shall actively pursue \$50,000,000 in federal funds to pay for this project to supplant state funds in the future. \$50,000,000 in connecting Washington account funding must be held in unallotted status during the 2021-2023 fiscal biennium. These funds may only be used after the department has provided notice to the office of financial management that it has exhausted all efforts to secure federal funds from the federal highway administration and the department of defense.

(18) Of the amounts allocated to the Puget Sound Gateway project (M00600R) in LEAP Transportation Document 2017-1 as developed April 5, 2017, \$4,000,000 must be used to complete the bridge connection at 28th/24th Street over state route number 509 in the city of SeaTac. The bridge connection must be completed prior to other construction on the state route number 509 segment of the project.

(19) In working with affected jurisdictions on the local contribution funding for the SR 167/SR 509 Puget Sound Gateway project (M00600R) in LEAP Transportation Document 2017-1 as developed April 5, 2017, the department shall complete a full single-point urban interchange at the intersection of state route number 161 (Meridian Avenue) and state route number 167.

(20) In making budget allocations to the Puget Sound Gateway project, the department shall implement the project's construction as a single corridor investment. The department shall develop a coordinated corridor construction and implementation plan for state route number 167 and state route number 509 in collaboration with affected stakeholders. Specific funding allocations must be based on where and when specific project segments are ready for construction to move forward and investments can be best optimized for timely project completion. Emphasis must be placed on avoiding gaps in fund expenditures for either project.

(21) It is the intent of the legislature that, for the I-5/North Lewis County Interchange project (L2000204), the department develop and design the project with the objective of significantly improving access to the industrially zoned properties in north Lewis county. The design must consider the county's process of investigating alternatives to improve such access from Interstate 5 that began in March 2015.

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(22) \$600,000 of the motor vehicle account—state appropriation is provided solely for the department to complete an interchange justification report (IJR) for the U.S. 2 trestle (L1000158), covering the state route number 204 and 20th Street interchanges at the end of the westbound structure.

(a) The department shall develop the IJR in close collaboration with affected local jurisdictions, including Snohomish county and the cities of Everett, Lake Stevens, Marysville, Snohomish, and Monroe.

(b) Within the amount provided for the IJR, the department must address public outreach and the overall operational approval of the IJR.

(c) The department shall complete the IJR and submit the final report to the governor and the transportation committees of the legislature by July 1, 2018.

(23) The legislature recognizes that the city of Mercer Island has unique access issues that require the use of Interstate 90 to leave the island and that this access may be impeded by the I-90/Two Way Transit and HOV Improvements project. The department must continue to work with the city of Mercer Island to address potential access solutions as the project nears completion.

(24) \$2,000,000 of the Interstate 405 express toll lanes operations account—state appropriation is provided solely for the I-405 NB Hard Shoulder Running – SR 527 to I-5 project (L1000163).

(25) The legislature finds that there are sixteen companies involved in wood preserving in the state that employ four hundred workers and have an annual payroll of fifteen million dollars. Before the department's switch to steel guardrails, ninety percent of the twenty-five hundred mile guardrail system was constructed of preserved wood and one hundred ten thousand wood guardrail posts were produced annually for state use. Moreover, the policy of using steel posts requires the state to use imported steel. Given these findings, where practicable, and until June 30, 2019, the department shall include the design option to use wood guardrail posts, in addition to steel posts, in new guardrail installations. The selection of posts must be consistent with the agency design manual policy that existed before December 2009.

(26) For the SR 526 Corridor Improvements project (N52600R), the department shall look holistically at the state route number 526 corridor from the state route number 526/Interstate 5 interchange at the east end to the southwest Everett industrial area and Boeing's west access road on the west end. The department, working with affected jurisdictions and stakeholders, shall select project elements that best maximize mobility and congestion relief in the corridor and draw from project elements identified in a practical solutions process.

(27)(a) For projects funded by the connecting Washington account—state on LEAP Transportation Document 2017-1 as developed April 5, 2017, if the department expects to have substantial reappropriations for the 2019-2021 fiscal biennium, the department may, on a pilot basis, apply funding from a project with an appropriation that cannot be used for the current fiscal biennium to advance one of the following projects:

- (i) SR 20/Sharpes Corner Vicinity Intersection (L1000112);
- (ii) I-5/Marvin Road/SR 510 Interchange (L1100110);
- (iii) I-5/Northbound On-ramp at Bakerview (L2000119);
- (iv) US 395/Ridgeline Intersection (L2000127);
- (v) I-90/Eastside Restripe Shoulders (L2000201);
- (vi) SR 240/Richland Corridor Improvements (L2000202);
- (vii) SR 14/Bingen Overpass (L2220062);
- (viii) US Hwy 2 Safety (N00200R);
- (ix) SR 520/148th Ave NE Overlake Access Ramp (L1100101);

(x) SR 28/SR 285 North Wenatchee Area Improvements (L2000061);

(xi) I-5/Rebuild Chambers Way Interchange Improvements (L2000223);

(xii) SR 28 East Wenatchee Corridor Improvements (T10300R);

(xiii) SR 3/Belfair Bypass – New Alignment (T30400R); or

(xiv) SR 510/Yelm Loop Phase 2 (T32700R).

(b) At least ten business days before advancing a project pursuant to this subsection, the department must notify the office of financial management and the transportation committees of the legislature. The advancement of a project may not hinder the delivery of the projects for which the reappropriations are necessary for the 2019-2021 fiscal biennium.

(28) Within existing resources and in consultation with local communities, the department shall begin planning efforts, including traffic data collection, analysis and evaluation, scoping, and environmental review, for roundabouts at the intersection of state route number 900 and SE May Valley Road and at the intersection of state route number 169 and Cedar Grove Road SE.

**NEW SECTION. Sec. 307. FOR THE DEPARTMENT OF TRANSPORTATION — PRESERVATION — PROGRAM P**

Recreational Vehicle Account—State	Appropriation	\$2,480,000
Transportation Partnership Account—State	Appropriation	\$204,000
Motor Vehicle Account—State	Appropriation	\$49,192,000
Motor Vehicle Account—Federal	Appropriation	\$515,368,000
Motor Vehicle Account—Private/Local	Appropriation	\$10,400,000
State Route Number 520 Corridor Account—State	Appropriation	\$498,000
Connecting Washington Account—State	Appropriation	\$185,030,000
Tacoma Narrows Toll Bridge Account—State	Appropriation	\$384,000
Transportation 2003 Account (Nickel Account)—State	Appropriation	\$58,894,000
<b>TOTAL APPROPRIATION</b>		<b>\$822,450,000</b>

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

(1) Except as provided otherwise in this section, the entire connecting Washington account—state appropriation and the entire transportation partnership account—state appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document 2017-1 as developed April 5, 2017, Program - Highway Preservation Program (P). However, limited transfers of specific line-item project appropriations may occur between projects for those amounts listed subject to the conditions and limitations in section 601 of this act.

(2) Except as provided otherwise in this section, the entire transportation 2003 account (nickel account)—state appropriation is provided solely for the projects and activities as listed in LEAP Transportation Document 2017-1 as developed April 5, 2017, Program – Highway Preservation Program (P).

(3) Except as provided otherwise in this section, the entire motor vehicle account—state appropriation and motor vehicle account—federal appropriation are provided solely for the projects and activities listed in LEAP Transportation Document 2017-2 ALL PROJECTS as developed April 5, 2017, Program - Highway Preservation Program (P). Any federal funds gained

through efficiencies, adjustments to the federal funds forecast, additional congressional action not related to a specific project or purpose, or the federal funds redistribution process must then be applied to highway and bridge preservation activities.

(4) Within the motor vehicle account—state appropriation and motor vehicle account—federal appropriation, the department may transfer funds between programs I and P, except for funds that are otherwise restricted in this act. The department shall submit a report on fiscal year 2017 funds transferred using this subsection as part of the department's 2018 budget submittal.

(5) The transportation 2003 account (nickel account)—state appropriation includes up to \$13,084,000 in proceeds from the sale of bonds authorized in RCW 47.10.861.

(6) \$7,200,000 of the connecting Washington account—state appropriation is provided solely for the land mobile radio upgrade (G2000055). The land mobile radio project is subject to technical oversight by the office of the chief information officer. The department, in collaboration with the office of the chief information officer, shall identify where existing or proposed mobile radio technology investments should be consolidated, identify when existing or proposed mobile radio technology investments can be reused or leveraged to meet multiagency needs, increase mobile radio interoperability between agencies, and identify how redundant investments can be reduced over time. The department shall also provide quarterly reports to the technology services board on project progress.

(7) \$3,000,000 of the motor vehicle account—state appropriation is provided solely for extraordinary costs incurred from litigation awards, settlements, or dispute mitigation activities not eligible for funding from the self-insurance fund. The amount provided in this subsection must be held in unallotted status until the department submits a request to the office of financial management that includes documentation detailing litigation-related expenses. The office of financial management may release the funds only when it determines that all other funds designated for litigation awards, settlements, and dispute mitigation activities have been exhausted. No funds provided in this subsection may be expended on any legal fees related to the SR 99/Alaskan Way viaduct replacement project.

(8) \$22,620,000 of the motor vehicle account—federal appropriation and \$663,000 of the motor vehicle account—state appropriation are provided solely for the preservation of structurally deficient bridges or bridges that are at risk of becoming structurally deficient. These funds must be used widely around the state of Washington. When practicable, the department shall pursue design-build contracts for these bridge projects to expedite delivery. The department shall provide a report that identifies the progress of each project funded in this subsection as part of its 2018 agency budget request.

(9) The department must consult with the Washington state patrol during the design phase of a department-led improvement or preservation project that could impact weigh station operations. The department must ensure that the designs of the projects do not prevent or interfere with weigh station operations.

(10) The department shall continue to monitor the test patch of pavement that used electric arc furnace slag as an aggregate and report back to the legislature by December 1, 2018, on its comparative wear resistance, skid resistance, and feasibility for use throughout the state in new pavement construction.

(11) The appropriation in this section includes funding for starting planning, engineering, and construction of the Elwha River bridge replacement. To the greatest extent practicable, the department shall maintain public access on the existing route.

(12) For projects funded by the connecting Washington account—state on LEAP Transportation Document 2017-1 as developed April 5, 2017, if the department expects to have

substantial reappropriations for the 2019-2021 fiscal biennium, the department may, on a pilot basis, apply funding from a project with an appropriation that cannot be used for the current fiscal biennium to advance the US 12/Wildcat Bridge Replacement project (L2000075). At least ten business days before advancing the project pursuant to this subsection, the department must notify the office of financial management and the transportation committees of the legislature. The advancement of the project may not hinder the delivery of the projects for which the reappropriations are necessary for the 2019-2021 fiscal biennium.

**NEW SECTION. Sec. 308. FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—CAPITAL**

Motor Vehicle Account—State	Appropriation
\$5,903,000	
Motor Vehicle Account—Federal	Appropriation
\$5,106,000	
Motor Vehicle Account—Private/Local	Appropriation
\$500,000	
<b>TOTAL APPROPRIATION</b>	<b>\$11,509,000</b>

The appropriations in this section are subject to the following conditions and limitations: The department shall set aside a sufficient portion of the motor vehicle account—state appropriation for federally selected competitive grants or congressional earmark projects that require matching state funds. State funds set aside as matching funds for federal projects must be accounted for in project 000005Q and remain in unallotted status until needed for those federal projects.

**NEW SECTION. Sec. 309. FOR THE DEPARTMENT OF TRANSPORTATION — WASHINGTON STATE FERRIES CONSTRUCTION — PROGRAM W**

Puget Sound Capital Construction Account—State	Appropriation	\$58,724,000
Puget Sound Capital Construction Account—Federal	Appropriation	\$152,838,000
Puget Sound Capital Construction Account—Private/Local	Appropriation	\$15,654,000
Transportation Partnership Account—State	Appropriation	\$2,923,000
Connecting Washington Account—State	Appropriation	\$142,837,000
<b>TOTAL APPROPRIATION</b>	<b>\$372,976,000</b>	

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

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed in LEAP Transportation Document 2017-2 ALL PROJECTS as developed April 5, 2017, Program - Washington State Ferries Capital Program (W) and is contingent upon the enactment of subsection (6) of this section.

(2) \$26,252,000 of the Puget Sound capital construction account—federal appropriation and \$63,804,000 of the connecting Washington account—state appropriation are provided solely for the Mukilteo ferry terminal (952515P). To the greatest extent practicable and within available resources, the department shall design the new terminal to be a net-zero energy building. To achieve this goal, the department shall evaluate using highly energy efficient equipment and systems, and the most appropriate renewable energy systems for the needs and location of the terminal. To the extent practicable, the department shall avoid closure of, or disruption to, any existing public access walkways in the vicinity of the terminal project during construction.

(3) \$61,729,000 of the Puget Sound capital construction account—federal appropriation, \$36,529,000 of the connecting Washington account—state appropriation, and \$15,554,000 of

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the Puget Sound capital construction account—private/local appropriation are provided solely for the Seattle Terminal Replacement project (900010L).

(4) \$4,000,000 of the Puget Sound capital construction account—state appropriation is provided solely for emergency capital repair costs (999910K). Funds may only be spent after approval by the office of financial management.

(5) \$575,000 of the Puget Sound capital construction account—state appropriation is provided solely for life extension of the existing ticketing system and ORCA acceptance (project 998521B). The ferry system shall work with Washington technology solutions and the tolling division on the development of a new, interoperable ticketing system.

(6)(a) The department shall, in consultation with the office of financial management, hire an independent planning consultant to assist with overall scope development of a new ferry system long-range plan, including incorporating the items listed in (b) of this subsection. The independent planning consultant must have experience in planning for other ferry systems.

(b) The department shall update the ferries division long-range plan by June 30, 2019. In reviewing the changing needs of the users of the ferry system and the associated funding opportunities and challenges, the department must include, but is not limited to, the following elements in the new long-range plan:

- (i) Identify changes in the demographics of users of the system;
- (ii) Review route timetables and propose adjustments that take into consideration ridership volume, vessel load times, proposed and current passenger-only ferry system ridership, and other operational needs;
- (iii) Review vessel needs by route and propose a vessel replacement schedule, vessel retirement schedule, and estimated number of vessels needed. This analysis should also articulate a reserve vessel strategy;
- (iv) Identify the characteristics most appropriate for replacement vessels, such as passenger and car-carrying capacity, while taking into consideration other cost-driving factors. These factors should include:
  - (A) Anticipated crewing requirements;
  - (B) Fuel type;
  - (C) Other operating and maintenance costs;
- (v) Review vessel dry dock needs, consider potential impacts of the United States navy, and propose strategies to meet these needs;
- (vi) Address the seismic vulnerability of the system and articulate emergency preparedness plans;
- (vii) Evaluate leased and state-owned property locations for the ferry headquarters, to include an analysis of properties outside the downtown area of Seattle;
- (viii) Evaluate strategies that may help spread peak ridership, such as time-of-day ticket pricing and expanding the reservation system; and
- (ix) Identify operational changes that may reduce costs, such as nighttime tie-up locations.

**NEW SECTION. Sec. 310. FOR THE DEPARTMENT OF TRANSPORTATION — RAIL — PROGRAM Y— CAPITAL**

Essential Rail Assistance Account—State	Appropriation	\$424,000
Transportation Infrastructure Account—State	Appropriation	\$5,367,000
Multimodal Transportation Account—State	Appropriation	\$51,665,000
Multimodal Transportation Account—Federal	Appropriation	\$1,487,000
<b>TOTAL APPROPRIATION</b>		<b>\$58,943,000</b>

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

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document 2017-2 ALL PROJECTS as developed April 5, 2017, Program - Rail Program (Y).

(2) \$5,000,000 of the transportation infrastructure account—state appropriation is provided solely for new low-interest loans approved by the department through the freight rail investment bank (FRIB) program. The department shall issue FRIB program loans with a repayment period of no more than ten years, and charge only so much interest as is necessary to recoup the department's costs to administer the loans. If any funds remain in the FRIB program, the department may reopen the loan program and shall evaluate new applications in a manner consistent with past practices as specified in section 309, chapter 367, Laws of 2011. The department shall report annually to the transportation committees of the legislature and the office of financial management on all FRIB loans issued.

(3) \$7,017,000 of the multimodal transportation account—state appropriation and \$24,000 of the essential rail assistance account—state appropriation are provided solely for new statewide emergent freight rail assistance projects identified in the LEAP transportation document referenced in subsection (1) of this section.

(4) \$367,000 of the transportation infrastructure account—state appropriation and \$1,100,000 of the multimodal transportation account—state appropriation are provided solely to reimburse Highline Grain, LLC for approved work completed on Palouse River and Coulee City (PCC) railroad track in Spokane county between the BNSF Railway Interchange at Cheney and Geiger Junction and must be administered in a manner consistent with freight rail assistance program projects. The value of the public benefit of this project is expected to meet or exceed the cost of this project in: Shipper savings on transportation costs; jobs saved in rail-dependent industries; and/or reduced future costs to repair wear and tear on state and local highways due to fewer annual truck trips (reduced vehicle miles traveled). The amounts provided in this subsection are not a commitment for future legislatures, but it is the legislature's intent that future legislatures will work to approve biennial appropriations until the full \$7,337,000 cost of this project is reimbursed.

(5)(a) \$400,000 of the essential rail assistance account—state appropriation and \$305,000 of the multimodal transportation account—state appropriation are provided solely for the purpose of the rehabilitation and maintenance of the Palouse river and Coulee City railroad line (F01111B).

(b) Expenditures from the essential rail assistance account—state in this subsection may not exceed the combined total of:

- (i) Revenues deposited into the essential rail assistance account from leases and sale of property pursuant to RCW 47.76.290; and
- (ii) Revenues transferred from the miscellaneous program account to the essential rail assistance account, pursuant to RCW 47.76.360, for the purpose of sustaining the grain train program by maintaining the Palouse river and Coulee City railroad.

(6) The department shall issue a call for projects for the freight rail assistance program, and shall evaluate the applications in a manner consistent with past practices as specified in section 309, chapter 367, Laws of 2011. By November 15, 2018, the department shall submit a prioritized list of recommended projects to the office of financial management and the transportation committees of the legislature.

(7) For projects funded as part of the 2015 connecting Washington transportation package identified on the LEAP

transportation document identified in subsection (1) of this section, if the department expects to have substantial reappropriations for the 2019-2021 fiscal biennium, the department may, on a pilot basis, apply funding from a project with an appropriation that cannot be used for the current fiscal biennium to advance the South Kelso Railroad Crossing project (L1000147). At least ten business days before advancing a project pursuant to this subsection, the department must notify the office of financial management and the transportation committees of the legislature. The advancement of a project may not hinder the delivery of the projects for which the reappropriations are necessary for the 2019-2021 fiscal biennium.

**NEW SECTION. Sec. 311. FOR THE DEPARTMENT OF TRANSPORTATION — LOCAL PROGRAMS — PROGRAM Z—CAPITAL**

Highway Infrastructure Account—State	Appropriation	\$293,000
Highway Infrastructure Account—Federal	Appropriation	\$218,000
Transportation Partnership Account—State	Appropriation	\$1,143,000
Highway Safety Account—State	Appropriation	\$2,388,000
Motor Vehicle Account—State	Appropriation	\$13,300,000
Motor Vehicle Account—Federal	Appropriation	\$65,187,000
Motor Vehicle Account—Private/Local	Appropriation	\$18,000,000
Connecting Washington Account—State	Appropriation	\$118,293,000
Multimodal Transportation Account—State	Appropriation	\$49,268,000
<b>TOTAL APPROPRIATION</b>		<b>\$268,090,000</b>

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

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document 2017-2 ALL PROJECTS as developed April 5, 2017, Program - Local Programs Program (Z).

(2) \$24,812,000 of the multimodal transportation account—state appropriation and \$1,143,000 of the transportation partnership account—state appropriation are provided solely for pedestrian and bicycle safety program projects (project L2000188).

(3) \$11,400,000 of the motor vehicle account—federal appropriation and \$7,750,000 of the multimodal transportation account—state appropriation are provided solely for newly selected safe routes to school projects. \$6,372,000 of the motor vehicle account—federal appropriation, \$923,000 of the multimodal transportation account—state appropriation, and \$2,388,000 of the highway safety account—state appropriation are reappropriated for safe routes to school projects selected in the previous biennia (project L2000189).

(4) The department shall submit a report to the transportation committees of the legislature by December 1, 2017, and December 1, 2018, on the status of projects funded as part of the pedestrian safety/safe routes to school grant program. The report must include, but is not limited to, a list of projects selected and a brief description of each project's status.

(5) \$11,930,000 of the multimodal transportation account—state appropriation is provided solely for connecting Washington bicycle and pedestrian projects listed in the LEAP transportation document referenced in subsection (1) of this section.

(6) It is the expectation of the legislature that the department will be administering a local railroad crossing safety grant program for \$7,400,000 in federal funds during the 2017-2019 fiscal biennium. Of the amounts identified in this subsection, a minimum of \$500,000 must be for railroad grade-crossing safety grants at locations where multiple pedestrian or bicyclist fatalities have occurred in the vicinity of a grade-crossing in the last five years.

(7) \$43,800,000 of the motor vehicle account—federal appropriation is provided solely for national highway freight network projects identified on the project list submitted in accordance with section 218(4)(b), chapter 14, Laws of 2016 on October 31, 2016. The department shall validate the projects on the list. Only projects that are validated by the department may receive funding under this subsection. The department shall continue to work with the Washington state freight advisory committee to improve project screening and validation to support project prioritization and selection, including during the freight mobility plan update in 2017. The department shall provide an updated prioritized freight project list when submitting its 2019-2021 budget request. To the greatest extent practicable, the department shall follow the Washington state freight advisory committee recommendation to allocate ten percent of the funds in this subsection to multimodal projects as permitted under the fixing America's surface transportation (FAST) act.

(8)(a) For projects funded as part of the 2015 connecting Washington transportation package listed on the LEAP transportation document identified in subsection (1) of this section, if the department expects to have substantial reappropriations for the 2019-2021 fiscal biennium, the department may, on a pilot basis, apply funding from a project with an appropriation that cannot be used for the current fiscal biennium to advance one of the following projects:

- (i) SR 502 Main Street Project/Widening (L2000065);
- (ii) Complete SR 522 Improvements-Kenmore (T10600R);
- (iii) Issaquah-Fall City Road (L1000094);
- (iv) Lewis Street Bridge (L2000066);
- (v) Covington Connector (L2000104);
- (vi) Orchard Street Connector (L2000120);
- (vii) Harbour Reach Extension (L2000136);
- (viii) Sammamish Bridge Corridor (L2000137);
- (ix) Brady Road (L2000164);
- (x) Thornton Road Overpass (L2000228);
- (xi) I-5/Port of Tacoma Road Interchange (L1000087);
- (xii) Wilburton Reconnection Project (G2000006);
- (xiii) SR 520 Trail Grade Separation at 40th Street (G2000013);
- (xiv) Bay Street Pedestrian Project (G2000015); or
- (xv) Cowiche Canyon Trail (G2000010).

(b) At least ten business days before advancing a project pursuant to this subsection, the department must notify the office of financial management and the transportation committees of the legislature. The advancement of a project may not hinder the delivery of the projects for which the reappropriations are necessary for the 2019-2021 fiscal biennium.

(9) \$8,000,000 of the connecting Washington account—state appropriation is provided solely for the Covington Connector (L2000104). The amounts described in the LEAP transportation document referenced in subsection (1) of this section are not a commitment by future legislatures, but it is the legislature's intent that future legislatures will work to approve appropriations in the 2019-2021 fiscal biennium to reimburse the city of Covington for approved work completed on the project up to the full \$24,000,000 cost of this project.

**NEW SECTION. Sec. 312. ANNUAL REPORTING REQUIREMENTS FOR CAPITAL PROGRAM**

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(1) As part of its budget submittal for the 2018 supplemental budget, the department of transportation shall provide an update to the report provided to the legislature in 2017 that: (a) Compares the original project cost estimates approved in the 2003, 2005, and 2015 tax package project lists to the completed cost of the project, or the most recent legislatively approved budget and total project costs for projects not yet completed; (b) identifies highway projects that may be reduced in scope and still achieve a functional benefit; (c) identifies highway projects that have experienced scope increases and that can be reduced in scope; (d) identifies highway projects that have lost significant local or regional contributions that were essential to completing the project; and (e) identifies contingency amounts allocated to projects.

(2) As part of its budget submittal for the 2018 supplemental budget, the department of transportation shall provide: (a) An annual report on the number of toll credits the department has accumulated and how the department has used the toll credits, and (b) a status report of the projects funded using federal national highway freight program funds.

**NEW SECTION. Sec. 313. QUARTERLY REPORTING REQUIREMENTS FOR CAPITAL PROGRAM**

On a quarterly basis, the department of transportation shall provide to the office of financial management and the legislative transportation committees the following reports for all capital programs:

- (1) For active projects, the report must include:
  - (a) A TEIS version containing actual capital expenditures for all projects consistent with the structure of the most recently enacted budget;
  - (b) Anticipated cost savings, cost increases, reappropriations, and schedule adjustments for all projects consistent with the structure of the most recently enacted budget;
  - (c) The award amount, the engineer's estimate, and the number of bidders for all active projects consistent with the structure of the most recently enacted budget;
  - (d) Projected costs and schedule for individual projects that are funded at a programmatic level for projects relating to bridge rail, guard rail, fish passage barrier removal, roadside safety projects, and seismic bridges. Projects within this programmatic level funding must be completed on a priority basis and scoped to be completed within the current programmatic budget;
  - (e) Highway projects that may be reduced in scope and still achieve a functional benefit;
  - (f) Highway projects that have experienced scope increases and that can be reduced in scope;
  - (g) Highway projects that have lost significant local or regional contributions that were essential to completing the project; and
  - (h) Contingency amounts for all projects consistent with the structure of the most recently enacted budget.

- (2) For completed projects, the report must:
  - (a) Compare the costs and operationally complete date for projects with budgets of twenty million dollars or more that are funded with preexisting funds to the original project cost estimates and schedule; and
  - (b) Provide a list of nickel and TPA projects charging to the nickel/TPA environmental mitigation reserve (OBI4ENV) and the amount each project is charging.

- (3) For prospective projects, the report must:
  - (a) Identify the estimated advertisement date for all projects consistent with the structure of the most recently enacted transportation budget that are going to advertisement during the current fiscal biennium;

(b) Identify the anticipated operationally complete date for all projects consistent with the structure of the most recently enacted transportation budget that are going to advertisement during the current fiscal biennium; and

(c) Identify the estimated cost of completion for all projects consistent with the structure of the most recently enacted transportation budget that are going to advertisement during the current fiscal biennium.

**NEW SECTION. Sec. 314. FEDERAL FUNDS RECEIVED FOR CAPITAL PROJECT EXPENDITURES**

To the greatest extent practicable, the department of transportation shall expend federal funds received for capital project expenditures before state funds.

**TRANSFERS AND DISTRIBUTIONS**

**NEW SECTION. Sec. 401. FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND REVENUE**

Transportation Partnership Account—State  
 Appropriation \$2,212,000  
 Connecting Washington Account—State Appropriation  
 \$1,255,000  
 Highway Bond Retirement Account—State  
 Appropriation \$1,235,669,000  
 Ferry Bond Retirement Account—State Appropriation  
 \$28,873,000  
 Transportation Improvement Board Bond Retirement  
 Account—State Appropriation \$13,254,000  
 Nondebt-Limit Reimbursable Bond Retirement  
 Account—State Appropriation \$26,609,000  
 Toll Facility Bond Retirement Account—State  
 Appropriation \$86,493,000  
 Transportation 2003 Account (Nickel Account)—State  
 Appropriation \$321,000  
**TOTAL APPROPRIATION \$1,394,686,000**

**NEW SECTION. Sec. 402. FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND FISCAL AGENT CHARGES**

Transportation Partnership Account—State  
 Appropriation \$442,000  
 Connecting Washington Account—State Appropriation  
 \$251,000  
 Transportation 2003 Account (Nickel Account)—State  
 Appropriation \$64,000  
**TOTAL APPROPRIATION \$757,000**

**NEW SECTION. Sec. 403. FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT TO BE PAID BY STATUTORILY PRESCRIBED REVENUE**

Toll Facility Bond Retirement Account—Federal  
 Appropriation \$199,901,000  
 Toll Facility Bond Retirement Account—State  
 Appropriation \$25,372,000  
**TOTAL APPROPRIATION \$225,273,000**

**NEW SECTION. Sec. 404. FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION**

Motor Vehicle Account—State Appropriation:  
 For motor vehicle fuel tax distributions to  
 cities and counties \$514,648,000

**NEW SECTION. Sec. 405. FOR THE STATE  
TREASURER—STATE REVENUES FOR DISTRIBUTION**

Multimodal Transportation Account—State  
Appropriation: For distribution to  
cities and counties \$26,786,000  
Motor Vehicle Account—State  
Appropriation: For distribution to  
cities and counties \$23,438,000  
TOTAL APPROPRIATION \$50,224,000

**NEW SECTION. Sec. 406. FOR THE STATE  
TREASURER—TRANSFERS**

Motor Vehicle Account—State Appropriation:  
For motor vehicle fuel tax refunds and  
statutory transfers \$2,196,693,000

**NEW SECTION. Sec. 407. FOR THE DEPARTMENT  
OF LICENSING—TRANSFERS**

Motor Vehicle Account—State Appropriation:  
For motor vehicle fuel tax refunds and  
transfers \$200,747,000

**NEW SECTION. Sec. 408. FOR THE STATE  
TREASURER—ADMINISTRATIVE TRANSFERS**

(1) License Plate Technology Account—State  
Appropriation: For transfer to the Highway  
Safety Account—State, the lesser of this amount  
or the balance of the account \$3,500,000  
(2) State Patrol Highway Account—State  
Appropriation: For transfer to the Connecting  
Washington Account—State \$21,221,000  
(3) Transportation Partnership Account—State  
Appropriation: For transfer to the Connecting  
Washington Account—State \$10,946,000  
(4) Highway Safety Account—State  
Appropriation: For transfer to the Multimodal  
Transportation Account—State \$19,000,000  
(5) Highway Safety Account—State  
Appropriation: For transfer to the State Patrol  
Highway Account—State \$35,000,000  
(6) Motor Vehicle Account—State Appropriation:  
For transfer to the Connecting Washington  
Account—State \$56,464,000  
(7) Motor Vehicle Account—State Appropriation:  
For transfer to the Freight Mobility Investment  
Account—State \$8,511,000  
(8) Motor Vehicle Account—State Appropriation:  
For transfer to the Puget Sound Capital  
Construction Account—State \$50,000,000  
(9) Motor Vehicle Account—State Appropriation:  
For transfer to the Rural Arterial Trust  
Account—State \$4,844,000  
(10) Motor Vehicle Account—State Appropriation:  
For transfer to the Transportation Improvement  
Account—State \$9,688,000  
(11) Puget Sound Ferry Operations Account—State  
Appropriation: For transfer to the Connecting  
Washington Account—State \$1,305,000  
(12) Rural Mobility Grant Program Account—State  
Appropriation: For transfer to the Multimodal  
Transportation Account—State \$3,000,000  
(13) State Route Number 520 Civil Penalties  
Account—State Appropriation: For transfer to  
the State Route Number 520 Corridor  
Account—State \$1,240,000  
(14) Capital Vessel Replacement Account—State  
Appropriation: For transfer to the Connecting  
Washington Account—State, the lesser of this  
amount or the balance of the account \$36,500,000

(15) Multimodal Transportation Account—State  
Appropriation: For transfer to the Freight  
Mobility Multimodal Account—State \$8,511,000  
(16) Multimodal Transportation Account—State  
Appropriation: For transfer to the Puget Sound  
Ferry Operations Account—State \$15,000,000  
(17) Multimodal Transportation Account—State  
Appropriation: For transfer to the Regional  
Mobility Grant Program Account—State \$27,679,000  
(18) Multimodal Transportation Account—State  
Appropriation: For transfer to the Rural  
Mobility Grant Program Account—State \$15,223,000  
(19) Tacoma Narrows Toll Bridge Account—State  
Appropriation: For transfer to the Motor  
Vehicle Account—State \$950,000  
(20) Transportation 2003 Account (Nickel Account)—  
State Appropriation: For transfer to the  
Connecting Washington Account—State \$22,970,000  
(21)(a) Interstate 405 Express Toll Lanes  
Operations Account—State Appropriation: For transfer  
to the Motor Vehicle Account—State \$2,019,000  
(b) The transfer identified in this subsection is provided solely  
to repay in full the motor vehicle account—state appropriation  
loan from section 407(19), chapter 222, Laws of 2014.  
(22)(a) Transportation Partnership Account—State  
Appropriation: For transfer to the Alaskan Way  
Viaduct Replacement Project Account—State  
\$122,046,000  
(b) The amount transferred in this subsection represents that  
portion of the up to \$200,000,000 in proceeds from the sale of  
bonds authorized in RCW 47.10.873, intended to be sold through  
the 2021-2023 fiscal biennium, used only for construction of the  
SR 99/Alaskan Way Viaduct Replacement project (809936Z),  
and that must be repaid from the Alaskan Way viaduct  
replacement project account consistent with RCW 47.56.864.  
(23)(a) Motor Vehicle Account—State Appropriation:  
For transfer to the Alaskan Way Viaduct Replacement  
Project Account—State \$6,506,000  
(b) The funds provided in (a) of this subsection are a loan to  
the Alaskan Way viaduct replacement project account—state, and  
the legislature assumes that these funds will be reimbursed to the  
motor vehicle account—state at a later date when the portion of  
state route number 99 that is a deep bore tunnel is operational.  
(24) Multimodal Transportation Account—State  
Appropriation: For transfer to the Connecting Washington  
Account—State \$28,000,000  
(25) Motor Vehicle Account—State  
Appropriation: For transfer to the County Arterial  
Preservation Account—State \$4,844,000  
(26)(a) General Fund Account—State Appropriation:  
For transfer to the State Patrol Highway  
Account—State \$625,000  
(b) The state treasurer must hold the funding provided under  
this subsection in unallotted status. The state treasurer shall  
transfer the funds only after receiving notification from the  
Washington state patrol under section 207(5) of this act.

**NEW SECTION. Sec. 409.** The department of  
transportation may undertake federal advance construction  
projects under the provisions of 23 U.S.C. Sec. 115 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  
before conversion to federal funding.

**COMPENSATION**

EIGHTY EIGHTH DAY, APRIL 6, 2017

2017 REGULAR SESSION

**NEW SECTION. Sec. 501. GENERAL STATE EMPLOYEE COMPENSATION ADJUSTMENTS**

Except as otherwise provided in sections 502 through 516 of this act, state employee compensation adjustments will be provided in accordance with funding adjustments provided in the 2017-2019 omnibus appropriations act.

**NEW SECTION. Sec. 502. COLLECTIVE BARGAINING AGREEMENTS NOT IMPAIRED**

Nothing in this act prohibits the expenditure of any funds by an agency or institution of the state for benefits guaranteed by any collective bargaining agreement in effect on the effective date of this section.

**NEW SECTION. Sec. 503. COLLECTIVE BARGAINING AGREEMENTS**

Sections 504 through 516 of this act represent the results of the 2017-2019 collective bargaining process required under chapters 47.64 and 41.56 RCW. Provisions of the collective bargaining agreements contained in sections 504 through 516 of this act are described in general terms. Only major economic terms are included in the descriptions. These descriptions do not contain the complete contents of the agreements. The collective bargaining agreements contained in sections 504 through 516 of this act may also be funded by expenditures from nonappropriated accounts. If positions are funded with lidded grants or dedicated fund sources with insufficient revenue, additional funding from other sources is not provided.

**NEW SECTION. Sec. 504. COLLECTIVE BARGAINING AGREEMENT — WSP TROOPERS ASSOCIATION**

An agreement has been reached between the governor and the Washington state patrol troopers association pursuant to chapter 41.56 RCW for the 2017-2019 fiscal biennium. Funding is provided for a sixteen percent general wage increase for troopers effective July 1, 2017, and a three percent general wage increase for troopers effective July 1, 2018. Funding is also provided for a twenty percent general wage increase for sergeants effective July 1, 2017, and a three percent general wage increase for sergeants effective July 1, 2018. The agreement also includes and funding is provided for increases to longevity pay, changes to specialty pay, and an increase to vacation accruals.

**NEW SECTION. Sec. 505. COLLECTIVE BARGAINING AGREEMENT — WSP LIEUTENANTS ASSOCIATION**

An agreement has been reached between the governor and the Washington state patrol lieutenants association pursuant to chapter 41.56 RCW for the 2017-2019 fiscal biennium. Funding is provided for a twenty percent general wage increase effective July 1, 2017, and a three percent general wage increase effective July 1, 2018. The agreement also includes and funding is provided for increases to longevity pay.

**NEW SECTION. Sec. 506. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENT—OPEIU**

An agreement has been reached between the governor and the office and professional employees international union local eight (OPEIU) through an interest arbitration award pursuant to chapter 47.64 RCW for the 2017-2019 fiscal biennium. Funding is provided for the awarded six and one-half percent general wage increase effective July 1, 2017, and six and one-half percent general wage increase effective July 1, 2018. The agreement also includes and funding is provided for salary adjustments for targeted job classifications and restructuring of the pay schedule.

**NEW SECTION. Sec. 507. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENT—FASPAA**

An agreement has been reached between the governor and the ferry agents, supervisors, and project administrators association pursuant to chapter 47.64 RCW for the 2017-2019 fiscal biennium. Funding is provided for a three percent general wage increase effective July 1, 2017, and a two percent general wage increase effective July 1, 2018.

**NEW SECTION. Sec. 508. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENT—SEIU LOCAL 6**

An agreement has been reached between the governor and the service employees international union local 6 pursuant to chapter 47.64 RCW for the 2017-2019 fiscal biennium. Funding is provided for a six percent general wage increase effective July 1, 2017, and a four percent general wage increase effective July 1, 2018.

**NEW SECTION. Sec. 509. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENT—CARPENTERS**

An agreement has been reached between the governor and the Pacific Northwest regional council of carpenters through an interest arbitration award pursuant to chapter 47.64 RCW for the 2017-2019 fiscal biennium. Funding is provided for the awarded four percent general wage increase effective July 1, 2017, and three percent general wage increase effective July 1, 2018. The agreement also includes and funding is provided for increases in the wage differential among certain job classifications.

**NEW SECTION. Sec. 510. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENT—METAL TRADES**

An agreement has been reached between the governor and the Puget Sound metal trades council through an interest arbitration award pursuant to chapter 47.64 RCW for the 2017-2019 fiscal biennium. Funding is provided for the awarded three percent general wage increase effective July 1, 2017, and three percent general wage increase effective July 1, 2018. The agreement also includes and funding is provided for increases in the wage differential among certain job classifications.

**NEW SECTION. Sec. 511. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENT—IBU**

An agreement has been reached between the governor and the inlandboatmen's union pursuant to chapter 47.64 RCW for the 2017-2019 fiscal biennium. Funding is provided for a four percent general wage increase effective July 1, 2017, and a one percent general wage increase effective July 1, 2018. The agreement also includes and funding is provided for increases in the wage differential among certain job classifications and for employees hired on or after June 30, 2011, an increase in leave earned.

**NEW SECTION. Sec. 512. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENT—MM&P MATES**

An agreement has been reached between the governor and the master, mates, and pilots - mates pursuant to chapter 47.64 RCW for the 2017-2019 fiscal biennium. Funding is provided for a three percent general wage increase effective July 1, 2017, and a two percent general wage increase effective July 1, 2018.

**NEW SECTION. Sec. 513. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENT—MM&P MASTERS**

An agreement has been reached between the governor and the master, mates, and pilots - masters through an interest arbitration award pursuant to chapter 47.64 RCW for the 2017-2019 fiscal biennium. Funding is provided for a five and one-half percent general wage increase effective July 1, 2017, and a two and one-half percent general wage increase effective July 1, 2018. The

award also includes and funding is provided for an additional pay increase to address inversion among certain job classifications.

**NEW SECTION. Sec. 514. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENT—MM&P WATCH CENTER SUPERVISORS**

An agreement has been reached between the governor and the master, mates, and pilots – watch center supervisors pursuant to chapter 47.64 RCW for the 2017-2019 fiscal biennium. Funding is provided for a three percent general wage increase effective July 1, 2017, and a one percent general wage increase effective July 1, 2018. The agreement also includes and funding is provided for an increase for the fleet safety and training administrators equal to the same hourly rate of pay as the watch center supervisors.

**NEW SECTION. Sec. 515. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENT—MEBA-UL**

An agreement has been reached between the governor and the marine engineers' beneficial association unlicensed engine room employees pursuant to chapter 47.64 RCW for the 2017-2019 fiscal biennium. Funding is provided for a three percent general wage increase effective July 1, 2017, and a two percent general wage increase effective July 1, 2018.

**NEW SECTION. Sec. 516. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENT—MEBA-L**

An agreement has been reached between the governor and the marine engineers' beneficial association licensed engineer officers pursuant to chapter 47.64 RCW for the 2017-2019 fiscal biennium. Funding is provided for a three percent general wage increase effective July 1, 2017, and a two percent general wage increase effective July 1, 2018. The agreement also includes and funding is provided for an additional pay increase to address inversion among certain job classifications.

**IMPLEMENTING PROVISIONS**

**NEW SECTION. Sec. 601. FUND TRANSFERS**

(1) The 2005 transportation partnership projects or improvements and 2015 connecting Washington projects or improvements are listed in the LEAP Transportation Document 2017-1 as developed April 5, 2017, which consists of a list of specific projects by fund source and amount over a sixteen-year period. Current fiscal biennium funding for each project is a line-item appropriation, while the outer year funding allocations represent a sixteen-year plan. The department of transportation is expected to use the flexibility provided in this section to assist in the delivery and completion of all transportation partnership account and connecting Washington account projects on the LEAP transportation document referenced in this section. For the 2017-2019 project appropriations, unless otherwise provided in this act, the director of the office of financial management may provide written authorization for a transfer of appropriation authority between projects funded with transportation partnership account appropriations or connecting Washington account appropriations to manage project spending and efficiently deliver all projects in the respective program under the following conditions and limitations:

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

(b) Transfers from a project may not be made as a result of the reduction of the scope of a project or be made to support increases in the scope of a project;

(c) Transfers from a project may be made if the funds appropriated to the project are in excess of the amount needed in the current fiscal biennium;

(d) Transfers may not occur for projects not identified on the applicable project list;

(e) Transfers may not be made while the legislature is in session;

(f) Transfers to a project may not be made with funds designated as attributable to practical design savings as described in RCW 47.01.480;

(g) Each transfer between projects may only occur if the director of the office of financial management finds that any resulting change will not hinder the completion of the projects as approved by the legislature. Until the legislature reconvenes to consider the 2018 supplemental omnibus transportation appropriations act, any unexpended 2015-2017 appropriation balance as approved by the office of financial management, in consultation with the legislative staff of the house of representatives and senate transportation committees, may be considered when transferring funds between projects; and

(h) Transfers between projects may be made by the department of transportation without the formal written approval provided under this subsection (1), provided that the transfer amount does not exceed five hundred thousand dollars or ten percent of the total project, whichever is less. These transfers must be reported quarterly to the director of the office of financial management and the chairs of the house of representatives and senate transportation committees.

(2) The department of transportation must submit quarterly all transfers authorized under this section in the transportation executive information system. The office of financial management must maintain a legislative baseline project list identified in the LEAP transportation documents referenced in this act, and update that project list with all authorized transfers under this section.

(3) At the time the department submits a request to transfer funds under this section, a copy of the request must be submitted to the transportation committees of the legislature.

(4) The office of financial management shall work with legislative staff of the house of representatives and senate transportation committees to review the requested transfers in a timely manner.

(5) The department must submit annually as part of its budget submittal a report detailing all transfers made pursuant to this section.

**NEW SECTION. Sec. 602.** To the extent that any appropriation authorizes expenditures of state funds from the motor vehicle account, special category C account, Tacoma Narrows toll bridge account, transportation 2003 account (nickel account), transportation partnership account, transportation improvement account, Puget Sound capital construction account, multimodal transportation account, state route number 520 corridor account, or other transportation capital project account in the state treasury for a state transportation program that is specified to be funded with proceeds from the sale of bonds authorized in chapter 47.10 RCW, the legislature declares that any such expenditures made before the issue date of the applicable transportation bonds for that state transportation program are intended to be reimbursed from proceeds of those transportation bonds in a maximum amount equal to the amount of such appropriation.

**NEW SECTION. Sec. 603. BELATED CLAIMS**

The agencies and institutions of the state may expend moneys appropriated in this act, upon approval of the office of financial management, for the payment of supplies and services furnished to the agency or institution in prior fiscal biennia.

**NEW SECTION. Sec. 604. FOR THE OFFICE OF FINANCIAL MANAGEMENT—CENTRAL SERVICE ITEMS—RATE ADJUSTMENT**

EIGHTY EIGHTH DAY, APRIL 6, 2017

2017 REGULAR SESSION

Highway Safety Account—State Appropriation	\$776,000
Highway Safety Account—Federal Appropriation	\$21,000
Motorcycle Safety Education Account—State Appropriation	\$13,000
State Wildlife Account—State Appropriation	\$3,000
Pilotage Account—State Appropriation	\$58,000
Ignition Interlock Device Revolving Account—State Appropriation	\$3,000
Motor Vehicle Account—State Appropriation	\$2,445,000
Multimodal Transportation Account—State Appropriation	\$470,000
State Patrol Highway Account—State Appropriation	\$678,000
Transportation Improvement Account—State Appropriation	\$39,000
Department of Licensing Services Account—State Appropriation	\$75,000
<b>TOTAL APPROPRIATION</b>	<b>\$4,580,000</b>

The appropriations in this section are subject to the following conditions and limitations: The office of financial management shall adjust allotments and appropriation schedules in the amounts specified, for the state agencies and central service items identified in LEAP Transportation Document CS - 2017, dated April 5, 2017.

**NEW SECTION. Sec. 605. FOR THE DEPARTMENT OF TRANSPORTATION**

(1) As part of its 2018 supplemental budget submittal, the department shall provide a report to the legislature and the office of financial management that:

(a) Identifies, by capital project, the amount of state funding that has been reappropriated from the 2015-2017 fiscal biennium into the 2017-2019 fiscal biennium; and

(b) Identifies, for each project, the amount of cost savings or increases in funding that have been identified as compared to the 2015 enacted omnibus transportation appropriations act.

(2) As part of the agency request for capital programs, the department shall load reappropriations separately from funds that were assumed to be required for the 2017-2019 fiscal biennium into budgeting systems.

**NEW SECTION. Sec. 606. FOR THE DEPARTMENT OF TRANSPORTATION—WEB SITE REPORTING REQUIREMENTS**

(1) The department of transportation shall post on its web site every report that is due from the department to the legislature during the 2017-2019 fiscal biennium on one web page. The department must post both completed reports and planned reports on a single web page.

(2) The department shall provide a web link for each change order that is more than five hundred thousand dollars on the affected project web page.

**NEW SECTION. Sec. 607.** (1) By November 15, 2017, and annually thereafter, the department of transportation must report on amounts expended to benefit transit, bicycle, or pedestrian elements within all connecting Washington projects in programs I, P, and Z identified in LEAP Transportation Document 2017-2 ALL PROJECTS as developed April 5, 2017. The report must address each modal category separately and identify if eighteenth amendment protected funds have been used and, if not, the source of funding.

(2) To facilitate the report in subsection (1) of this section, the department of transportation must require that all bids on connecting Washington projects include an estimate on the cost to implement any transit, bicycle, or pedestrian project elements.

**NEW SECTION. Sec. 608.** The department of transportation may provide up to three million dollars in toll credits to Kitsap transit for its role in passenger-only ferry service and ferry corridor-related projects. The number of toll credits provided must be equal to, but no more than, the number sufficient to meet federal match requirements for grant funding for passenger-only ferry service, but must not exceed the amount authorized in this section.

**MISCELLANEOUS 2017-2019 FISCAL BIENNIUM**

**NEW SECTION. Sec. 701. INFORMATION TECHNOLOGY PROJECTS**

(1) All appropriations for designated information technology projects in this act must be placed in unallotted status and must not be expended before the office of the chief information officer certifies that the project complies with state information technology and security policy and strategies. At a minimum, the office of the chief information officer must certify, if the chief information officer deems appropriate, that the project meets critical project success factors, aligns with statewide technology strategy and architecture, reuses existing technology services and solutions, minimizes custom development, complies with security and other policy requirements, and uses modularized, component-based architectures. The office of the chief information officer must evaluate the project at the appropriate stages. The office of the chief information officer must notify the office of financial management and the legislative fiscal committees each time it certifies a project is ready to proceed with the next stage. Appropriations may then be allotted for that certified phase only.

(2) The chief information officer may suspend or terminate a project at any time if the chief information officer determines that the project is not meeting or not expected to meet anticipated performance and technology outcomes. Once suspension or termination occurs, the agency shall not make additional expenditures on the project without approval of the chief information officer.

The following projects are subject to the conditions, limitations, and review provided in this section:

Department of Transportation – Labor System Replacement,  
Department of Transportation – New CSC System & Operator,  
and

Department of Transportation - New Ferry Division Dispatch System.

(3) The office of the chief information officer, in consultation with the office of financial management, may identify additional projects to be subject to this section other than those listed in subsection (2) of this section, including projects that are not separately identified within an agency budget.

**Sec. 702.** RCW 43.19.642 and 2016 c 197 s 2 are each amended to read as follows:

(1) Effective June 1, 2006, for agencies complying with the ultra-low sulfur diesel mandate of the United States environmental protection agency for on-highway diesel fuel, agencies shall use biodiesel as an additive to ultra-low sulfur diesel for lubricity, provided that the use of a lubricity additive is warranted and that the use of biodiesel is comparable in performance and cost with other available lubricity additives. The amount of biodiesel added to the ultra-low sulfur diesel fuel shall be not less than two percent.

(2) Except as provided in subsection (5) of this section, effective June 1, 2009, state agencies are required to use a minimum of twenty percent biodiesel as compared to total volume of all diesel purchases made by the agencies for the

operation of the agencies' diesel-powered vessels, vehicles, and construction equipment.

(3) All state agencies using biodiesel fuel shall, beginning on July 1, 2016, file annual reports with the department of enterprise services documenting the use of the fuel and a description of how any problems encountered were resolved.

(4) By December 1, 2009, the department of enterprise services shall:

(a) Report to the legislature on the average true price differential for biodiesel by blend and location; and

(b) Examine alternative fuel procurement methods that work to address potential market barriers for in-state biodiesel producers and report these findings to the legislature.

(5) During the ~~((2011-2013, 2013-2015, and))~~ 2015-2017 and 2017-2019 fiscal biennia, the Washington state ferries is required to use a minimum of five percent biodiesel as compared to total volume of all diesel purchases made by the Washington state ferries for the operation of the Washington state ferries diesel-powered vessels, as long as the price of a B5 biodiesel blend does not exceed the price of conventional diesel fuel by five percent or more.

**Sec. 703.** RCW 46.61.5054 and 2017 c ... (SB 5037) s 5 are each amended to read as follows:

(1)(a) In addition to penalties set forth in RCW 46.61.5051 through 46.61.5053 until September 1, 1995, and RCW 46.61.5055 thereafter, a two hundred fifty dollar fee shall be assessed to a person who is either convicted, sentenced to a lesser charge, or given deferred prosecution, as a result of an arrest for violating RCW 46.61.502, 46.61.504, 46.61.520, or 46.61.522. This fee is for the purpose of funding the Washington state toxicology laboratory and the Washington state patrol for grants and activities to increase the conviction rate and decrease the incidence of persons driving under the influence of alcohol or drugs.

(b) Upon a verified petition by the person assessed the fee, the court may suspend payment of all or part of the fee if it finds that the person does not have the ability to pay.

(2) The fee assessed under subsection (1) of this section shall be collected by the clerk of the court and, subject to subsection (5) of this section, one hundred seventy-five dollars of the fee must be distributed as follows:

(a) Forty percent shall be subject to distribution under RCW 3.46.120, 3.50.100, 35.20.220, 3.62.020, 3.62.040, or 10.82.070.

(b) The remainder of the fee shall be forwarded to the state treasurer who shall, through June 30, 1997, deposit: Fifty percent in the death investigations' account to be used solely for funding the state toxicology laboratory blood or breath testing programs; and fifty percent in the state patrol highway account to be used solely for funding activities to increase the conviction rate and decrease the incidence of persons driving under the influence of alcohol or drugs. Effective July 1, 1997, the remainder of the fee shall be forwarded to the state treasurer who shall deposit: Fifteen percent in the death investigations' account to be used solely for funding the state toxicology laboratory blood or breath testing programs; and eighty-five percent in the state patrol highway account to be used solely for funding activities to increase the conviction rate and decrease the incidence of persons driving under the influence of alcohol or drugs.

(3) Twenty-five dollars of the fee assessed under subsection (1) of this section must be distributed to the highway safety fund to be used solely for funding Washington traffic safety commission grants to reduce statewide collisions caused by persons driving under the influence of alcohol or drugs. Grants awarded under this subsection may be for projects that encourage collaboration with other community, governmental, and private organizations, and that utilize innovative approaches based on best practices or

proven strategies supported by research or rigorous evaluation. Grants recipients may include, for example:

(a) DUI courts; and

(b) Jurisdictions implementing the victim impact panel registries under RCW 46.61.5152 and 10.01.230.

(4) Fifty dollars of the fee assessed under subsection (1) of this section must be distributed to the highway safety fund to be used solely for funding Washington traffic safety commission grants to organizations within counties targeted for programs to reduce driving under the influence of alcohol or drugs. For the 2017-2019 fiscal biennium, the fee may also be used to support the cost of administration of the grant program by the Washington traffic safety commission.

(5) If the court has suspended payment of part of the fee pursuant to subsection (1)(b) of this section, amounts collected shall be distributed proportionately.

(6) This section applies to any offense committed on or after July 1, 1993, and only to adult offenders.

**Sec. 704.** RCW 46.68.030 and 2016 c 28 s 2 are each amended to read as follows:

(1) The director shall forward all fees for vehicle registrations under chapters 46.16A and 46.17 RCW, unless otherwise specified by law, to the state treasurer with a proper identifying detailed report. The state treasurer shall credit these moneys to the motor vehicle fund created in RCW 46.68.070.

(2) Proceeds from vehicle license fees and renewal vehicle license fees must be deposited by the state treasurer as follows:

(a) \$23.60 of each initial or renewal vehicle license fee must be deposited in the state patrol highway account in the motor vehicle fund, hereby created. Vehicle license fees, renewal vehicle license fees, and all other funds in the state patrol highway account must be for the sole use of the Washington state patrol for highway activities of the Washington state patrol, subject to proper appropriations and reappropriations.

(b) \$2.02 of each initial vehicle license fee and \$0.93 of each renewal vehicle license fee must be deposited each biennium in the Puget Sound ferry operations account.

(c) Any remaining amounts of vehicle license fees and renewal vehicle license fees that are not distributed otherwise under this section must be deposited in the motor vehicle fund.

(3) During the 2015-2017 fiscal biennium, the legislature may transfer from the state patrol highway account to the connecting Washington account such amounts as reflect the excess fund balance of the state patrol highway account.

(4) During the 2017-2019 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the state patrol highway account to the connecting Washington account.

**Sec. 705.** RCW 46.68.060 and 2015 3rd s.p.s. c 43 s 602 are each amended to read as follows:

There is hereby created in the state treasury a fund to be known as the highway safety fund to the credit of which must be deposited all moneys directed by law to be deposited therein. This fund must be used for carrying out the provisions of law relating to driver licensing, driver improvement, financial responsibility, cost of furnishing abstracts of driving records and maintaining such case records, and to carry out the purposes set forth in RCW 43.59.010, and chapters 46.72 and 46.72A RCW. During the 2013-2015 and 2015-2017 fiscal biennia, the legislature may transfer from the highway safety fund to the Puget Sound ferry operations account, the motor vehicle fund, and the multimodal transportation account such amounts as reflect the excess fund balance of the highway safety fund. During the 2017-2019 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the highway safety fund to the multimodal transportation account.

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**Sec. 706.** RCW 46.68.280 and 2015 3rd sp.s. c 43 s 603 are each amended to read as follows:

(1) The transportation 2003 account (nickel account) is hereby created in the motor vehicle fund. Money in the account may be spent only after appropriation. Expenditures from the account must be used only for projects or improvements identified as transportation 2003 projects or improvements in the omnibus transportation budget and to pay the principal and interest on the bonds authorized for transportation 2003 projects or improvements. Upon completion of the projects or improvements identified as transportation 2003 projects or improvements, moneys deposited in this account must only be used to pay the principal and interest on the bonds authorized for transportation 2003 projects or improvements, and any funds in the account in excess of the amount necessary to make the principal and interest payments may be used for maintenance on the completed projects or improvements.

(2) During the 2015-2017 fiscal biennium, the legislature may transfer from the transportation 2003 account (nickel account) to the connecting Washington account such amounts as reflect the excess fund balance of the transportation 2003 account (nickel account).

(3) During the 2017-2019 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the transportation 2003 account (nickel account) to the connecting Washington account.

(4) The "nickel account" means the transportation 2003 account.

**Sec. 707.** RCW 46.68.290 and 2015 3rd sp.s. c 43 s 604 are each amended to read as follows:

(1) The transportation partnership account is hereby created in ~~((the state treasury))~~ the motor vehicle fund. All distributions to the account from RCW 46.68.090 must be deposited into the account. Money in the account may be spent only after appropriation. Expenditures from the account must be used only for projects or improvements identified as 2005 transportation partnership projects or improvements in the omnibus transportation appropriations act, including any principal and interest on bonds authorized for the projects or improvements.

(2) The legislature finds that:

(a) Citizens demand and deserve accountability of transportation-related programs and expenditures. Transportation-related programs must continuously improve in quality, efficiency, and effectiveness in order to increase public trust;

(b) Transportation-related agencies that receive tax dollars must continuously improve the way they operate and deliver services so citizens receive maximum value for their tax dollars; and

(c) Fair, independent, comprehensive performance audits of transportation-related agencies overseen by the elected state auditor are essential to improving the efficiency, economy, and effectiveness of the state's transportation system.

(3) For purposes of chapter 314, Laws of 2005:

(a) "Performance audit" means an objective and systematic assessment of a state agency or agencies or any of their programs, functions, or activities by the state auditor or designee in order to help improve agency efficiency, effectiveness, and accountability. Performance audits include economy and efficiency audits and program audits.

(b) "Transportation-related agency" means any state agency, board, or commission that receives funding primarily for transportation-related purposes. At a minimum, the department of transportation, the transportation improvement board or its successor entity, the county road administration board or its

successor entity, and the traffic safety commission are considered transportation-related agencies. The Washington state patrol and the department of licensing shall not be considered transportation-related agencies under chapter 314, Laws of 2005.

(4) Within the authorities and duties under chapter 43.09 RCW, the state auditor shall establish criteria and protocols for performance audits. Transportation-related agencies shall be audited using criteria that include generally accepted government auditing standards as well as legislative mandates and performance objectives established by state agencies. Mandates include, but are not limited to, agency strategies, timelines, program objectives, and mission and goals as required in RCW 43.88.090.

(5) Within the authorities and duties under chapter 43.09 RCW, the state auditor may conduct performance audits for transportation-related agencies. The state auditor shall contract with private firms to conduct the performance audits.

(6) The audits may include:

(a) Identification of programs and services that can be eliminated, reduced, consolidated, or enhanced;

(b) Identification of funding sources to the transportation-related agency, to programs, and to services that can be eliminated, reduced, consolidated, or enhanced;

(c) Analysis of gaps and overlaps in programs and services and recommendations for improving, dropping, blending, or separating functions to correct gaps or overlaps;

(d) Analysis and recommendations for pooling information technology systems used within the transportation-related agency, and evaluation of information processing and telecommunications policy, organization, and management;

(e) Analysis of the roles and functions of the transportation-related agency, its programs, and its services and their compliance with statutory authority and recommendations for eliminating or changing those roles and functions and ensuring compliance with statutory authority;

(f) Recommendations for eliminating or changing statutes, rules, and policy directives as may be necessary to ensure that the transportation-related agency carry out reasonably and properly those functions vested in the agency by statute;

(g) Verification of the reliability and validity of transportation-related agency performance data, self-assessments, and performance measurement systems as required under RCW 43.88.090;

(h) Identification of potential cost savings in the transportation-related agency, its programs, and its services;

(i) Identification and recognition of best practices;

(j) Evaluation of planning, budgeting, and program evaluation policies and practices;

(k) Evaluation of personnel systems operation and management;

(l) Evaluation of purchasing operations and management policies and practices;

(m) Evaluation of organizational structure and staffing levels, particularly in terms of the ratio of managers and supervisors to nonmanagement personnel; and

(n) Evaluation of transportation-related project costs, including but not limited to environmental mitigation, competitive bidding practices, permitting processes, and capital project management.

(7) Within the authorities and duties under chapter 43.09 RCW, the state auditor must provide the preliminary performance audit reports to the audited state agency for comment. The auditor also may seek input on the preliminary report from other appropriate officials. Comments must be received within thirty days after receipt of the preliminary performance audit report unless a different time period is approved by the state auditor. The final

performance audit report shall include the objectives, scope, and methodology; the audit results, including findings and recommendations; the agency's response and conclusions; and identification of best practices.

(8) The state auditor shall provide final performance audit reports to the citizens of Washington, the governor, the joint legislative audit and review committee, the appropriate legislative committees, and other appropriate officials. Final performance audit reports shall be posted on the internet.

(9) The audited transportation-related agency is responsible for follow-up and corrective action on all performance audit findings and recommendations. The audited agency's plan for addressing each audit finding and recommendation shall be included in the final audit report. The plan shall provide the name of the contact person responsible for each action, the action planned, and the anticipated completion date. If the audited agency does not agree with the audit findings and recommendations or believes action is not required, then the action plan shall include an explanation and specific reasons.

The office of financial management shall require periodic progress reports from the audited agency until all resolution has occurred. The office of financial management is responsible for achieving audit resolution. The office of financial management shall annually report by December 31st the status of performance audit resolution to the appropriate legislative committees and the state auditor. The legislature shall consider the performance audit results in connection with the state budget process.

The auditor may request status reports on specific audits or findings.

(10) For the period from July 1, 2005, until June 30, 2007, the amount of \$4,000,000 is appropriated from the transportation partnership account to the state auditors office for the purposes of subsections (2) through (9) of this section.

(11) During the 2015-2017 fiscal biennium, the legislature may transfer from the transportation partnership account to the connecting Washington account such amounts as reflect the excess fund balance of the transportation partnership account.

(12) During the 2017-2019 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the transportation partnership account to the connecting Washington account.

**Sec. 708.** RCW 46.68.325 and 2015 1st sp.s. c 10 s 703 are each amended to read as follows:

(1) The rural mobility grant program account is created in the state treasury. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for the grants provided under RCW 47.66.100.

(2) Beginning September 2011, by the last day of September, December, March, and June of each year, the state treasurer shall transfer from the multimodal transportation account to the rural mobility grant program account two million five hundred thousand dollars.

(3) During the 2013-2015 and 2015-2017 fiscal biennia, the legislature may transfer from the rural mobility grant program account to the multimodal transportation account such amounts as reflect the excess fund balance of the rural mobility grant program account.

(4) During the 2017-2019 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the rural mobility grant program account to the multimodal transportation account.

**Sec. 709.** RCW 46.68.370 and 2013 c 306 s 713 are each amended to read as follows:

The license plate technology account is created in the state treasury. All receipts collected under RCW 46.17.015 must be deposited into this account. Expenditures from this account must

support current and future license plate technology and systems integration upgrades for both the department and correctional industries. Moneys in the account may be spent only after appropriation. Additionally, the moneys in this account may be used to reimburse the motor vehicle account for any appropriation made to implement the digital license plate system. ~~((During the 2011-2013 and 2013-2015 fiscal biennia, the legislature may transfer from the license plate technology account to the highway safety account such amounts as reflect the excess fund balance of the license plate technology account.))~~ During the 2017-2019 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the license plate technology account to the highway safety fund.

**Sec. 710.** RCW 47.29.170 and 2015 1st sp.s. c 10 s 704 are each amended to read as follows:

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

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

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

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

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

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

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

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

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

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

The commission may not accept or consider any unsolicited proposals before July 1, ~~((2017))~~ 2018.

**Sec. 711.** RCW 47.56.403 and 2015 1st sp.s. c 10 s 705 are each amended to read as follows:

(1) The department may provide for the establishment, construction, and operation of a pilot project of high occupancy toll lanes on state route 167 high occupancy vehicle lanes within King county. The department may issue, buy, and redeem bonds, and deposit and expend them; secure and remit financial and other assistance in the construction of high occupancy toll lanes, carry insurance, and handle any other matters pertaining to the high occupancy toll lane pilot project.

(2) Tolls for high occupancy toll lanes will be established as follows:

(a) The schedule of toll charges for high occupancy toll lanes must be established by the transportation commission and collected in a manner determined by the commission.

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(b) Toll charges shall not be assessed on transit buses and vanpool vehicles owned or operated by any public agency.

(c) The department shall establish performance standards for the state route 167 high occupancy toll lane pilot project. The department must automatically adjust the toll charge, using dynamic tolling, to ensure that toll-paying single-occupant vehicle users are only permitted to enter the lane to the extent that average vehicle speeds in the lane remain above forty-five miles per hour at least ninety percent of the time during peak hours. The toll charge may vary in amount by time of day, level of traffic congestion within the highway facility, vehicle occupancy, or other criteria, as the commission may deem appropriate. The commission may also vary toll charges for single-occupant inherently low-emission vehicles such as those powered by electric batteries, natural gas, propane, or other clean burning fuels.

(d) The commission shall periodically review the toll charges to determine if the toll charges are effectively maintaining travel time, speed, and reliability on the highway facilities.

(3) The department shall monitor the state route 167 high occupancy toll lane pilot project and shall annually report to the transportation commission and the legislature on operations and findings. At a minimum, the department shall provide facility use data and review the impacts on:

- (a) Freeway efficiency and safety;
- (b) Effectiveness for transit;
- (c) Person and vehicle movements by mode;
- (d) Ability to finance improvements and transportation services through tolls; and

(e) The impacts on all highway users. The department shall analyze aggregate use data and conduct, as needed, separate surveys to assess usage of the facility in relation to geographic, socioeconomic, and demographic information within the corridor in order to ascertain actual and perceived questions of equitable use of the facility.

(4) The department shall modify the pilot project to address identified safety issues and mitigate negative impacts to high occupancy vehicle lane users.

(5) Authorization to impose high occupancy vehicle tolls for the state route 167 high occupancy toll pilot project expires if either of the following two conditions apply:

(a) If no contracts have been let by the department to begin construction of the toll facilities associated with this pilot project within four years of July 24, 2005; or

(b) If high occupancy vehicle tolls are being collected on June 30, ~~((2017))~~ 2019.

(6) The department of transportation shall adopt rules that allow automatic vehicle identification transponders used for electronic toll collection to be compatible with other electronic payment devices or transponders from the Washington state ferry system, other public transportation systems, or other toll collection systems to the extent that technology permits.

(7) The conversion of a single existing high occupancy vehicle lane to a high occupancy toll lane as proposed for SR-167 must be taken as the exception for this pilot project.

(8) A violation of the lane restrictions applicable to the high occupancy toll lanes established under this section is a traffic infraction.

(9) Procurement activity associated with this pilot project shall be open and competitive in accordance with chapter 39.29 RCW.

**Sec. 712.** RCW 47.56.876 and 2015 1st sp.s. c 10 s 706 are each amended to read as follows:

A special account to be known as the state route number 520 civil penalties account is created in the state treasury. All state route number 520 bridge replacement and HOV program civil

penalties generated from the nonpayment of tolls on the state route number 520 corridor must be deposited into the account, as provided under RCW 47.56.870(4)(b)(vii). Moneys in the account may be spent only after appropriation. Expenditures from the account may be used to fund any project within the state route number 520 bridge replacement and HOV program, including mitigation. During the 2013-2015 and 2015-2017 fiscal biennia, the legislature may transfer from the state route number 520 civil penalties account to the state route number 520 corridor account such amounts as reflect the excess fund balance of the state route number 520 civil penalties account. Funds transferred must be used solely for capital expenditures for the state route number 520 bridge replacement and HOV project. During the 2017-2019 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the state route number 520 civil penalties account to the state route number 520 corridor account.

**Sec. 713.** RCW 47.60.530 and 2015 3rd sp.s. c 43 s 605 are each amended to read as follows:

(1) The Puget Sound ferry operations account is created in the motor vehicle fund.

(2) The following funds must be deposited into the account:

- (a) All moneys directed by law;
- (b) All revenues generated from ferry fares; and
- (c) All revenues generated from commercial advertising, concessions, parking, and leases as allowed under RCW 47.60.140.

(3) Moneys in the account may be spent only after appropriation.

(4) Expenditures from the account may be used only for the maintenance, administration, and operation of the Washington state ferry system.

(5) During the 2015-2017 fiscal biennium, the legislature may transfer from the Puget Sound ferry operations account to the connecting Washington account such amounts as reflect the excess fund balance of the Puget Sound ferry operations account.

(6) During the 2017-2019 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the Puget Sound ferry operations account to the connecting Washington account.

**Sec. 714.** RCW 81.53.281 and 2016 c 14 s 701 are each amended to read as follows:

There is hereby created in the state treasury a "grade crossing protective fund" to carry out the provisions of RCW 81.53.261, 81.53.271, 81.53.281, 81.53.291, and 81.53.295; for grants and/or subsidies to public, private, and nonprofit entities for rail safety projects authorized or ordered by the commission; and for personnel and associated costs related to supervising and administering rail safety grants and/or subsidies. During the 2013-2015 fiscal biennium, funds in this account may also be used to conduct the study required under section 102, chapter 222, Laws of 2014. The commission shall transfer from the public service revolving fund's miscellaneous fees and penalties accounts moneys appropriated for these purposes as needed. At the time the commission makes each allocation of cost to said grade crossing protective fund, it shall certify that such cost shall be payable out of said fund. When federal-aid highway funds are involved, the department of transportation shall, upon entry of an order by the commission requiring the installation or upgrading of a grade crossing protective device, submit to the commission an estimate for the cost of the proposed installation and related work. Upon receipt of the estimate the commission shall pay to the department of transportation the percentage of the estimate specified in RCW 81.53.295, as now or hereafter amended, to be used as the grade crossing protective fund portion of the cost of the installation and related work.

The commission may adopt rules for the allocation of money from the grade crossing protective fund. During the 2015-2017 and 2017-2019 fiscal (~~biennium~~) biennia, the commission may waive rules regarding local matching fund requirements, maximum awards for individual projects, and other application requirements as necessary to expedite the allocation of money from the grade crossing protective fund to address underprotected grade crossings as identified by the commission.

**2015-2017 FISCAL BIENNIUM  
GENERAL GOVERNMENT AGENCIES—  
OPERATING**

**Sec. 801.** 2016 c 14 s 102 (uncodified) is amended to read as follows:

**FOR THE UTILITIES AND TRANSPORTATION  
COMMISSION**

Grade Crossing Protective Account—State  
Appropriation ~~(((\$1,604,000))~~  
\$504,000

**Sec. 802.** 2016 c 14 s 103 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Motor Vehicle Account—State Appropriation  
~~(((\$2,296,000))~~  
\$2,196,000

Puget Sound Ferry Operations Account—State  
Appropriation \$115,000

State Patrol Highway Account—State Appropriation  
\$150,000

TOTAL APPROPRIATION \$2,561,000  
\$2,461,000

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

(1) \$835,000 of the motor vehicle account—state appropriation is provided solely for the office of financial management, from amounts set aside out of statewide fuel taxes distributed to counties according to RCW 46.68.120(3), to contract with the Washington state association of counties to develop, implement, and report on transportation metrics associated with transportation system policy goals outlined in RCW 47.04.280. The Washington state association of counties, in cooperation with state agencies, must: Evaluate and implement opportunities to streamline reporting of county transportation financial data; expand reporting and collection of short-span bridge and culvert data; evaluate and report on the impact of increased freight and rail traffic on county roads; and to evaluate, implement, and report on the opportunities for improved capital project management and delivery.

(2) \$100,000 of the motor vehicle account—state appropriation is provided solely for the office of financial management, from funds set aside out of statewide fuel taxes distributed to counties according to RCW 46.68.120(3), to contract with the Washington state association of counties to work with the department of fish and wildlife to develop voluntary programmatic agreements for the maintenance, preservation, rehabilitation, and replacement of water crossing structures. A report must be presented to the legislature by December 31, 2016, on the implementation of developed voluntary programmatic agreements.

(3) \$150,000 of the state patrol highway account—state appropriation is provided solely for an organizational assessment of the Washington state patrol.

(4) The office of financial management, in conjunction with the office of the chief information officer, shall provide oversight and review of the department of transportation's development of the request for proposal for a new tolling customer service toll

collection system and development of a project management plan as required in section 209(8) (~~(of this act)~~), chapter 14, Laws of 2016.

**Sec. 803.** 2016 c 14 s 104 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF AGRICULTURE**

Motor Vehicle Account—State Appropriation  
~~(((\$1,240,000))~~  
\$1,239,000

**TRANSPORTATION AGENCIES—OPERATING**

**Sec. 901.** 2016 c 14 s 201 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON TRAFFIC SAFETY  
COMMISSION**

Highway Safety Account—State Appropriation  
~~(((\$3,183,000))~~  
\$3,182,000

Highway Safety Account—Federal Appropriation  
~~(((\$21,644,000))~~  
\$22,042,000

Highway Safety Account—Private/Local Appropriation  
\$118,000

School Zone Safety Account—State Appropriation \$850,000

TOTAL APPROPRIATION \$25,795,000  
\$26,192,000

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

(1) The commission may continue to oversee pilot projects implementing the use of automated traffic safety cameras to detect speed violations within cities west of the Cascade mountains that have a population of more than one hundred ninety-five thousand and that are located in a county with a population of fewer than one million five hundred thousand. For the purposes of pilot projects in this subsection, no more than one automated traffic safety camera may be used to detect speed violations within any one jurisdiction.

(a) The commission shall comply with RCW 46.63.170 in administering the pilot projects.

(b) By January 1, 2017, any local authority that is operating an automated traffic safety camera to detect speed violations must provide a summary to the transportation committees of the legislature concerning the use of the cameras and data regarding infractions, revenues, and costs.

(2) \$99,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 243, Laws of 2015 (pedestrian safety reviews).

(3) ~~(((\$6,500,000))~~ \$1,030,000 of the highway safety account—federal appropriation is provided solely for federal funds that may be obligated to the commission pursuant to 23 U.S.C. Sec. 164 during the 2015-2017 fiscal biennium.

(4) Within current resources, the commission must examine the declining revenue going to the school zone safety account with the goal of identifying factors contributing to the decline. By December 31, 2015, the commission must provide a report to the transportation committees of the legislature that summarizes its findings and provides recommendations designed to ensure that the account is receiving all amounts that should be deposited into the account.

**Sec. 902.** 2016 c 14 s 202 (uncodified) is amended to read as follows:

**FOR THE COUNTY ROAD ADMINISTRATION  
BOARD**

Rural Arterial Trust Account—State Appropriation  
\$1,000,000

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Motor Vehicle	Account—State	Appropriation
<del>(\$2,459,000)</del>		
<u>\$2,416,000</u>		
County Arterial Preservation Account—State		
Appropriation \$1,518,000		
TOTAL APPROPRIATION		\$4,977,000
		<u>\$4,934,000</u>

Sec. 903. 2016 c 14 s 203 (uncodified) is amended to read as follows:

**FOR THE TRANSPORTATION IMPROVEMENT BOARD**

Transportation Improvement Account—State	Appropriation
<del>(\$4,063,000)</del>	
<u>\$4,046,000</u>	

Sec. 904. 2016 c 14 s 204 (uncodified) is amended to read as follows:

Motor Vehicle	Account—State	Appropriation
<del>(\$2,222,000)</del>		
<u>\$2,272,000</u>		

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

(1)(a) \$250,000 of the motor vehicle account—state appropriation is for a consultant study of Washington state patrol recruitment and retention of troopers. The study must identify barriers to effective candidate recruitment, candidates' successful completion of training, and retention of trained troopers of various tenure. The study must provide:

- (i) An overview of current attrition rates;
- (ii) Options and strategies on reducing the average number of trooper positions that are vacant;
- (iii) Identification of best practices for recruitment and retention of law enforcement officers;
- (iv) Recommendations to improve existing recruitment and selection programs;
- (v) Recommendations for where salary and benefit adjustments should be targeted to most effectively address recruitment and retention challenges;
- (vi) Recommendations regarding changes to the training and education program; and
- (vii) Other recommendations for cost-effective personnel strategies.

(b) The joint transportation committee shall issue a report of its findings to the house and senate transportation committees by December 14, 2015. The Washington state patrol shall work with the consultant to identify costs for each recommendation.

(2)(a) \$125,000 of the motor vehicle account—state appropriation is for a study of Washington state weigh station planning, placement, and operations by the Washington state patrol and department of transportation as they relate to roadway safety and preservation. The study must:

- (i) Provide a high-level overview of commercial vehicle enforcement programs, with a focus on weigh stations, including both state and federal funding programs. This overview must include a description of how the Washington state patrol and department of transportation allocate these state and federal funds.
- (ii) Review Washington state patrol and department of transportation planning related to weigh station location and operation, and the extent to which their efforts complement, coordinate with, or overlap each other;
- (iii) Identify best practices in the funding, placement, and operation of weigh stations;

(iv) Review plans by the department of transportation and Washington state patrol to reopen a Federal Way area southbound weigh station;

(v) Recommend changes in state statutes, policy, or agency practices and rules to improve the efficiency and effectiveness of weigh station funding, placement, and operation, including potential savings to be achieved by adopting the changes; and

(vi) Review whether it is cost-effective or more efficient to place future weigh stations in the median of a highway instead of placing two individual weigh stations on either side of a highway.

(b) The joint transportation committee must issue a report of its findings and recommendations to the house of representatives and senate transportation committees by December 14, 2015.

(3) \$250,000 of the motor vehicle account—state appropriation, from the cities' statewide fuel tax distributions under RCW 46.68.110(2), is for a study to be conducted in 2016 to identify prominent road-rail conflicts, recommend a corridor-based prioritization process for addressing the impacts of projected increases in rail traffic, and identify areas of state public policy interest, such as the critical role of freight movement to the Washington economy and the state's competitiveness in world trade. The study must consider the results of the updated marine cargo forecast due to be delivered to the joint transportation committee on December 1, 2015. In conducting the study, the joint transportation committee must consult with the department of transportation, the freight mobility strategic investment board, the utilities and transportation commission, local governments, and other relevant stakeholders. The joint transportation committee must issue a report of its recommendations and findings by January 9, 2017.

(4) The legislature intends for the joint transportation committee to undertake a study during the 2017-2019 fiscal biennium of consolidating rail employee safety and regulatory functions in the utilities and transportation commission. The joint transportation committee should review the information provided by the utilities and transportation commission and should provide recommendations to the transportation committees of the legislature regarding such a consolidation of rail employee safety and regulatory functions.

(5) Within existing resources, during the interim periods between regular sessions of the legislature, the joint transportation committee shall include on its agendas work sessions on the Alaskan Way viaduct replacement project. These work sessions must include a report on current progress of the project, timelines for completion, outstanding claims, the financial status of the project, and any other information necessary for the legislature to maintain appropriate oversight of the project. The parties invited to present may include the department of transportation, the Seattle tunnel partners, and other appropriate stakeholders. The joint transportation committee shall have at least two such work sessions before December 31, 2015.

(6) \$450,000 of the motor vehicle account—state appropriation is for the design-build contracting review study established in chapter 18, Laws of 2015 3rd sp. sess. The department of transportation must provide technical assistance, as necessary.

(7) The joint transportation committee must study the issues surrounding minority and women-owned business contracting related to the transportation sector. The study should identify any best practices adopted in other states that encourage participation by minority and women-owned businesses. The joint transportation committee, with direction from the executive committee, may form a legislative task force at the conclusion of the study to help to inform the legislature of any best practices

identified from other states that encourage minority and women-owned businesses' participation in the transportation sector.

**Sec. 905.** 2016 c 14 s 205 (uncodified) is amended to read as follows:

**FOR THE TRANSPORTATION COMMISSION**

Motor Vehicle Account—State Appropriation  
 ((\$2,667,000))  
\$2,516,000

Motor Vehicle Account—Federal Appropriation \$500,000  
 Multimodal Transportation Account—State  
 Appropriation \$112,000

TOTAL APPROPRIATION \$3,279,000  
\$3,128,000

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

(1) \$300,000 of the motor vehicle account—state appropriation is provided solely to continue evaluating a road usage charge as an alternative to the motor vehicle fuel tax to fund investments in transportation. The evaluation must include monitoring and reviewing work that is underway in other states and nationally. The commission may coordinate with the department of transportation to jointly pursue any federal or other funds that are or might become available and eligible for road usage charge pilot projects. The commission must reconvene the road usage charge steering committee, with the same membership authorized in chapter 222, Laws of 2014, and report to the governor's office and the transportation committees of the house of representatives and the senate by December 15, 2015.

(2) \$150,000 of the motor vehicle account—state appropriation is provided solely for the commission to use an outside survey firm to conduct three transportation surveys during the 2015-2017 fiscal biennium. The commission must consult with the joint transportation committee when deciding on the survey topics and design to ensure the survey results will deliver the data, information, and analysis for future transportation policy and strategic planning decisions in a manner useful to the legislature.

(3)(a) The legislature finds that, while some travel times have improved through Interstate 405 between the junctions with Interstate 5 on the north end and NE 6th Street in the city of Bellevue on the south end, especially for transit trips, the implementation of the express toll lane system has made travel more difficult for a number of other drivers and trips. To provide some relief to drivers, the legislature encourages the commission to expedite consideration of the elimination of tolls during evening nonpeak hours, weekends, and holidays, to the extent that such a change will improve commuters' experience on this portion of Interstate 405. The legislature further finds that the commission, as the tolling authority of the state, should act swiftly, working in conjunction with the department of transportation's comprehensive effort to tackle obstacles adversely affecting commutes on this portion of Interstate 405, to drive improved results for the users of this critical corridor as soon as is practicable.

(b) In accordance with the rule-making authority provided under RCW 34.05.350(1)(a), the legislature deems it necessary, for preservation of the general welfare, that operational changes be made to improve the express toll lane program on Interstate 405 and that the tolling authority use its emergency rule-making authority to effect such changes in accordance with RCW 47.56.850 and 47.56.880. The legislature finds that the need for improvements to the commuter experience on the portion of Interstate 405 identified in (a) of this subsection necessitates that such action be taken in an expedited fashion. The tolling authority, with input from the department of transportation, shall evaluate the hours and days of operation for the express toll lanes and the minimum high occupancy vehicle passenger requirements

for using the express toll lanes, taking into consideration the goals of: Reducing travel time on this portion of Interstate 405, including in the general purpose lanes; reducing the cost of traveling within the express toll lanes on this portion of Interstate 405; and maintaining sufficient revenue to pay for this portion of Interstate 405's express toll lane operating costs. This subsection (3) does not create a private right of action.

(4)(a) \$500,000 of the motor vehicle account—federal appropriation is provided solely to advance the work completed since 2011 in evaluating a road usage charge as an alternative to the motor vehicle fuel tax to fund future investments in transportation by completing the work necessary to launch a road usage charge pilot project, with all implementation details for a pilot project identified and incorporated into a pilot project implementation plan.

(i) Pilot project implementation preparation must include identification of all essential agency roles and responsibilities for the pilot project, a selection of the technologies and methodologies to be included, a target number of participants and participant characteristics, rigorous specific evaluation criteria by which the pilot project will be assessed, a communication plan for the pilot project that consists of a participant recruitment plan and a plan for communicating information about the launch and ongoing progress of the pilot project, and pilot project expenditure and revenue estimates.

(ii) In developing the road usage charge pilot project implementation plan, the commission shall consult and coordinate with the department of transportation, the department of licensing, the department of revenue, and the office of the state treasurer to establish participation and coordination parameters for the project.

(b) The commission shall coordinate with the department of transportation to jointly pursue any federal or other funds that are or might become available to fund a road usage charge pilot project. Where feasible, grant application content prepared by the commission must reflect the direction provided by the road usage charge steering committee on the preferred road usage charge pilot project approach. One or more grant applications may be developed as part of the road usage charge pilot project implementation plan development work, but the pilot project implementation plan must nevertheless include any details necessary for a full launch of the pilot project not required to be included in any grant application.

(c) The commission shall reconvene the road usage charge steering committee, with the same membership authorized in chapter 222, Laws of 2014, as well as the addition of a representative from the Puget Sound regional council, and may obtain guidance from the steering committee when it reaches key pilot project implementation plan development milestones. The commission must provide a report on the road usage charge pilot project implementation plan that includes all implementation details for a road usage charge pilot project to the governor's office and the transportation committees of the house of representatives and the senate by November 1, 2016.

~~((5) \$150,000 of the motor vehicle account—state appropriation is provided solely for supporting the disadvantaged business enterprise advisory committee established in chapter . . . (Senate Bill No. 6180), Laws of 2016. If chapter . . . (Senate Bill No. 6180), Laws of 2016 is not enacted by June 30, 2016, the amount provided in this subsection lapses.))~~

**Sec. 906.** 2016 c 14 s 206 (uncodified) is amended to read as follows:

**FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD**

Motor Vehicle Account—State Appropriation  
 ((\$1,024,000))

\$1,015,000

The appropriation in this section is subject to the following conditions and limitations: \$250,000 of the motor vehicle account—state appropriation is provided solely to conduct a study of freight infrastructure needs, including an update of the long-term marine cargo forecast. The board must work with the Washington public ports association to evaluate: (1) Forecasted cargo movement by commodity, type, and mode of land transport; and (2) current and projected freight infrastructure capacity needs. A report on the study must be delivered to the joint transportation committee by December 1, 2015.

**Sec. 907.** 2016 c 14 s 207 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE PATROL**

State Patrol Highway Account—State

Appropriation (~~(\$415,364,000)~~)

\$407,880,000

State Patrol Highway Account—Federal

Appropriation \$13,291,000

State Patrol Highway Account—Private/Local

Appropriation \$3,823,000

Highway Safety Account—State Appropriation \$1,494,000

Multimodal Transportation Account—State

Appropriation \$276,000

TOTAL APPROPRIATION \$434,248,000

\$426,764,000

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

(1) Washington state patrol officers engaged in off-duty uniformed employment providing traffic control services to the department of transportation or other state agencies may use state patrol vehicles for the purpose of that employment, subject to guidelines adopted by the chief of the Washington state patrol. The Washington state patrol must be reimbursed for the use of the vehicle at the prevailing state employee rate for mileage and hours of usage, subject to guidelines developed by the chief of the Washington state patrol.

(2) \$510,000 of the highway safety account—state appropriation is provided solely for the ignition interlock program at the Washington state patrol to provide funding for two staff to work and provide support for the program in working with manufacturers, service centers, technicians, and participants in the program.

(3) \$23,000 of the state patrol highway account—state appropriation is provided solely for the implementation of chapter 3, Laws of 2015 2nd sp. sess. (impaired driving).

(4) \$5,000,000 of the state patrol highway account—state appropriation is provided solely for compensation increases for Washington state patrol troopers, sergeants, lieutenants, and captains. This increase is not subject to interest arbitration and is for salary and benefits that are in addition to the current interest arbitration award. It is the intent of the legislature that chapter . . . (Engrossed Second Substitute House Bill No. 2872), Laws of 2016 provide the revenue to support the ongoing costs associated with the compensation increases identified in this subsection in order to provide the means necessary to recruit and retain state patrol officers in subsequent biennia.

(5)(a) The department and the Washington state patrol must work collaboratively to develop a comprehensive plan for weigh station construction and preservation for the entire state. The plan must be submitted to the transportation committees of the legislature by January 1, 2017.

(b) As part of the 2017-2019 biennial budget submittal, the department and the Washington state patrol must jointly submit a prioritized list of weigh station projects for legislative approval.

(6) \$115,000 of the state patrol highway account—state appropriation is provided solely for the operation of the license investigation unit to enforce vehicle registration laws in southwestern Washington.

**Sec. 908.** 2016 c 14 s 208 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF LICENSING**

Marine Fuel Tax Refund Account—State

Appropriation \$34,000

License Plate Technology Account—State

Appropriation \$3,200,000

Motorcycle Safety Education Account—State

Appropriation \$4,488,000

State Wildlife Account—State Appropriation \$1,001,000

Highway Safety Account—State Appropriation (~~(\$201,666,000)~~)

\$198,735,000

Highway Safety Account—Federal Appropriation \$3,573,000

Motor Vehicle Account—State Appropriation (~~(\$92,044,000)~~)

\$92,662,000

Motor Vehicle Account—Federal Appropriation \$362,000

Motor Vehicle Account—Private/Local Appropriation (~~(\$1,544,000)~~)

\$1,859,000

Ignition Interlock Device Revolving Account—State

Appropriation \$5,142,000

Department of Licensing Services Account—State

Appropriation (~~(\$6,672,000)~~)

\$6,671,000

TOTAL APPROPRIATION \$319,726,000

\$317,727,000

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

(1) (~~(\$30,954,000)~~) \$28,570,000 of the highway safety account—state appropriation and \$3,200,000 of the license plate technology account—state appropriation are provided solely for business and technology modernization. The department and the state chief information officer or his or her designee must provide a joint project status report to the transportation committees of the legislature on at least a calendar quarter basis. The report must include, but is not limited to: Detailed information about the planned and actual scope, schedule, and budget; status of key vendor and other project deliverables; and a description of significant changes to planned deliverables or system functions over the life of the project. Project staff will periodically brief the committees or the committees' staff on system security and data protection measures.

(2) \$5,059,000 of the motor vehicle account—state appropriation is provided solely for replacing prorated and fuel tax computer systems used to administer interstate licensing and the collection of fuel tax revenues.

(3) \$3,714,000 of the highway safety account—state appropriation is provided solely for the implementation of an updated central issuance system.

(4) \$3,082,000 of the highway safety account—state appropriation is provided solely for exam and licensing activities, including the workload associated with providing driver record abstracts, and is subject to the following additional conditions and limitations:

(a) The department may furnish driving record abstracts only to those persons or entities expressly authorized to receive the abstracts under Title 46 RCW;

(b) The department may furnish driving record abstracts only for an amount that does not exceed the specified fee amounts in RCW 46.52.130 (2)(e)(v) and (4); and

(c) The department may not enter into a contract, or otherwise participate in any arrangement, with a third party or other state agency for any service that results in an additional cost, in excess of the fee amounts specified in RCW 46.52.130 (2)(e)(v) and (4), to statutorily authorized persons or entities purchasing a driving record abstract.

(5) The department when modernizing its computer systems must place personal and company data elements in separate data fields to allow the department to select discrete data elements when providing information or data to persons or entities outside the department. This requirement must be included as part of the systems design in the department's business and technology modernization. A person's photo, social security number, or medical information must not be made available through public disclosure or data being provided under RCW 46.12.630 or 46.12.635.

(6) Within existing resources and in consultation with the traffic safety commission, the Washington state patrol, and a representative of the insurance industry and the professional driving school association, the department must review options and make recommendations on strategies for addressing young and high-risk drivers. The recommendations must consider the findings of Washington state's strategic highway safety plan, Target Zero, and must include an analysis of expanding traffic safety education to eighteen to twenty-four year olds that have not taken a traffic safety course and drivers that have been convicted of high-risk behavior, such as driving under the influence of drugs and alcohol and reckless driving. An overview of the work conducted and the recommendations are due to the transportation committees of the legislature and the governor by December 31, 2015.

(7) \$57,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter 1, Laws of 2015 2nd sp. sess. (quick title service fees).

(8) \$283,000 of the highway safety account—state appropriation and \$33,000 of the ignition interlock device revolving account—state appropriation are provided solely for the implementation of chapter 3, Laws of 2015 2nd sp. sess. (impaired driving).

(9) \$4,000,000 of the motor vehicle account—state appropriation is provided solely for implementation of chapter 44, Laws of 2015 3rd sp. sess. (transportation revenue).

~~(10) ((\$335,000 of the highway safety account state appropriation is provided solely for the implementation of chapter . . . (Substitute House Bill No. 2942), Laws of 2016 or chapter . . . (Senate Bill No. 6591), Laws of 2016 (nondomiciled commercial drivers' licenses). If both chapter . . . (Substitute House Bill No. 2942), Laws of 2016 and chapter . . . (Senate Bill No. 6591), Laws of 2016 are not enacted by June 30, 2016, the amount provided in this subsection lapses.~~

~~(11) (\$2,421,000) \$1,421,000 of the highway safety account—state appropriation is provided solely for costs necessary to accommodate increased demand for enhanced drivers' licenses and enhanced identicards. The office of financial management shall place the entire amount provided in this subsection in unallotted status. The office of financial management may release portions of the funds when it determines that average wait times have increased by more than two minutes based on wait time and volume data provided by the department compared to average wait times and volume during the month of December 2015. The~~

department and the office of financial management shall evaluate the use of these funds on a monthly basis and periodically report to the transportation committees of the legislature on average wait times and volume data for enhanced drivers' licenses and enhanced identicards.

~~((12)) (11) \$43,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter . . . (Senate Bill No. 6200), Laws of 2016 (Washington's fish collection license plate). If chapter . . . (Senate Bill No. 6200), Laws of 2016 is not enacted by June 30, 2016, the amount provided in this subsection lapses.~~

~~((13)) (12) \$388,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter . . . (Engrossed Substitute House Bill No. 2700), Laws of 2016 (impaired driving). If chapter . . . (Engrossed Substitute House Bill No. 2700), Laws of 2016 is not enacted by June 30, 2016, the amount provided in this subsection lapses.~~

~~((14)) (13) \$29,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter . . . (Substitute Senate Bill No. 6254), Laws of 2016 (Purple Heart license plate). If chapter . . . (Substitute Senate Bill No. 6254), Laws of 2016 is not enacted by June 30, 2016, the amount provided in this subsection lapses.~~

~~((15)) (14) \$20,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter . . . (Engrossed Substitute House Bill No. 2778), Laws of 2016 (alternative fuel vehicles). If chapter . . . (Engrossed Substitute House Bill No. 2778), Laws of 2016 is not enacted by June 30, 2016, the amount provided in this subsection lapses.~~

**Sec. 909.** 2016 c 14 s 209 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—  
TOLL OPERATIONS AND MAINTENANCE—  
PROGRAM B**

High Occupancy Toll Lanes Operations Account—State  
Appropriation ((\$3,185,000))

\$3,175,000

Motor Vehicle Account—State Appropriation \$510,000

State Route Number 520 Corridor Account—State

Appropriation \$39,029,000

State Route Number 520 Civil Penalties Account—State

Appropriation \$6,008,000

Tacoma Narrows Toll Bridge Account—State

Appropriation \$26,636,000

Interstate 405 Express Toll Lanes Operations

Account—State Appropriation \$15,552,000

TOTAL APPROPRIATION \$90,920,000

\$90,910,000

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

(1) \$1,300,000 of the Tacoma Narrows toll bridge account—state appropriation and \$8,157,000 of the state route number 520 corridor account—state appropriation are provided solely for the purposes of addressing unforeseen operations and maintenance costs on the Tacoma Narrows bridge and the state route number 520 bridge, respectively. The office of financial management shall place the amounts provided in this section, which represent a portion of the required minimum fund balance under the policy of the state treasurer, in unallotted status. The office may release the funds only when it determines that all other funds designated for operations and maintenance purposes have been exhausted.

(2) \$4,778,000 of the state route number 520 civil penalties account—state appropriation and \$2,065,000 of the Tacoma Narrows toll bridge account—state appropriation are provided solely for expenditures related to the toll adjudication process. The department shall report on the civil penalty process to the

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office of financial management and the house of representatives and senate transportation committees by the end of each calendar quarter. The reports must include a summary table for each toll facility that includes: The number of notices of civil penalty issued; the number of recipients who pay before the notice becomes a penalty; the number of recipients who request a hearing and the number who do not respond; workload costs related to hearings; the cost and effectiveness of debt collection activities; and revenues generated from notices of civil penalty.

(3) The department shall make detailed quarterly expenditure reports available to the transportation commission and to the public on the department's web site using current department resources. The reports must include a summary of toll revenue by facility on all operating toll facilities and high occupancy toll lane systems, and an itemized depiction of the use of that revenue.

(4) \$3,100,000 of the Interstate 405 express toll lanes operations account—state appropriation, \$1,498,000 of the state route number 520 corridor account—state appropriation, and \$1,802,000 of the high occupancy toll lanes operations account—state appropriation are provided solely for the operation and maintenance of roadside toll collection systems. Due to underruns, the office of financial management shall place \$1,000,000 of the Interstate 405 express toll lanes operations account—state appropriation, \$360,000 of the state route number 520 corridor account—state appropriation, and \$1,000,000 of the high occupancy toll lanes operations account—state appropriation in unallotted status. The office of financial management may release portions of the funds if it determines operation and maintenance costs of the roadside toll collection systems exceed the allotted amounts.

(5) \$12,202,000 of the Interstate 405 express toll lanes operations account—state appropriation is provided solely for operational costs related to the express toll lane facility, including the customer service center vendor, transponders, credit card fees, printing and postage, rent, office supplies, telephone and communications equipment, computers, and vehicle operations. Within the amount provided in this subsection, the department must, to the greatest extent possible, without adding additional tolling gantries, continue to expand the length of the access and exit points to the express toll lanes, clarify signage and striping to eliminate confusion, and make other operational and customer service improvements to enhance the public's use of the toll facility. The office of financial management shall place \$5,371,000 of the amount provided in this subsection in unallotted status. The office of financial management may release funds to the department on a monthly basis beginning July 1, 2016; however, the amount to be released monthly must be calculated to address the department's projected expenditure need based on the previous month's actual expenditures, financial statement, actual toll transaction experience, and actual revenue collections for the Interstate 405 express toll lanes facility. Prior to releasing any funding from unallotted status, the office of financial management shall notify the joint transportation committee of the amount to be released and provide the documentation used in determining the amount.

(6) \$250,000 of the Interstate 405 express toll lanes operations account—state appropriation is provided solely for the identification and prioritization of projects that will help reduce congestion and provide added capacity on the Interstate 405 tolling corridor between state route number 522 and Interstate 5.

(7) The department must provide quarterly reports to the transportation committees of the legislature on the Interstate 405 express toll lane project performance measures listed in RCW 47.56.880(4). These reports must include:

(a) Information on the travel times and travel time reliability (at a minimum, average and 90th percentile travel times) maintained during peak and nonpeak periods in the express toll lanes and general purpose lanes for both the entire corridor and commonly made trips in the corridor including, but not limited to, northbound from Bellevue to Rose Hill, state route number 520 at NE 148th to Interstate 405 at state route number 522, Bellevue to Bothell (both NE 8th to state route number 522 and NE 8th to state route number 527), and a trip internal to the corridor (such as NE 85th to NE 160th) and similar southbound trips;

(b) A month-to-month comparison of travel times and travel time reliability for the entire corridor and commonly made trips in the corridor as specified in (a) of this subsection since implementation of the express toll lanes and, to the extent available, a comparison to the travel times and travel time reliability prior to implementation of the express toll lanes;

(c) Total express toll lane and total general purpose lane traffic volumes, as well as per lane traffic volumes for each type of lane (i) compared to total express toll lane and total general purpose lane traffic volumes, as well as per lane traffic volumes for each type of lane, on this segment of Interstate 405 prior to implementation of the express toll lanes and (ii) compared to total express toll lane and total general purpose lane traffic volumes, as well as per lane traffic volumes for each type of lane, from month to month since implementation of the express toll lanes; and

(d) Underlying congestion measurements, that is, speeds, that are being used to generate the summary graphs provided, to be made available in a digital file format.

(8) \$56,000 of the high occupancy toll lanes operations account—state appropriation, \$1,124,000 of the state route number 520 corridor account—state appropriation, and \$596,000 of the Tacoma Narrows toll bridge account—state appropriation are provided solely for the department to develop a request for proposal for a new tolling customer service center.

(a) The department must address the replacement of the Wave2Go ferry ticketing system that is reaching the end of its useful life by developing functional and technical requirements that integrate Washington state ferries ticketing into the new tolling division customer service center toll collection system. The department shall continue to report quarterly to the governor, legislature, and state auditor on: (i) The department's effort to mitigate risk to the state, (ii) the development of a request for proposal, and (iii) the overall progress towards procuring a new tolling customer service center.

(b) The department shall release a request for proposal for a new tolling customer service toll collection system by December 1, 2016.

(i) During the request for proposal development process and prior to its release, the office of financial management shall review the request for proposal for a new tolling customer service toll collection system to ensure the request for proposal:

- (A) Provides for the business needs of the state; and
- (B) Mitigates risk to the state.

(ii) During development of the request for proposal and prior to its release, the office of the chief information officer shall review the request for proposal for a new tolling customer service toll collection system to ensure the request for proposal:

- (A) Contains requirements that meet the security standards and policies of the office of the chief information officer; and
- (B) Is flexible and adaptable to advances in technology.

(c)(i) Prior to commencement of the new tolling customer service toll collection system implementation, the department shall submit a draft project management plan to the office of financial management and the office of the chief information

officer that includes a provision for independent verification and validation of contract deliverables from the successful bidder and a provision for quality assurance that includes reporting independently to the office of the chief information officer on an ongoing basis during system implementation;

(ii) The office of financial management and the office of the chief information officer shall review the draft project management plan to ensure that it contains adequate contract management and quality assurance measures.

(iii) The department shall submit the project management plan to the transportation committees of the legislature prior to the commencement of system implementation.

(9) The department shall make detailed quarterly reports to the governor and the transportation committees of the legislature on the following:

(a) The use of consultants in the tolling program, including the name of the contractor, the scope of work, the type of contract, timelines, deliverables, any new task orders, and any extensions to existing consultant contracts;

(b) The nonvendor costs of administering toll operations, including the costs of staffing the division, consultants and other personal service contracts required for technical oversight and management assistance, insurance, payments related to credit card processing, transponder purchases and inventory management, facility operations and maintenance, and other miscellaneous nonvendor costs; and

(c) The vendor-related costs of operating tolled facilities, including the costs of the customer service center, cash collections on the Tacoma Narrows bridge, electronic payment processing, and toll collection equipment maintenance, renewal, and replacement.

(10) \$5,000 of the motor vehicle account—state appropriation is provided solely for membership dues for the alliance for toll interoperability.

(11) \$1,230,000 of the state route number 520 civil penalties account—state appropriation and \$695,000 of the Tacoma Narrows toll bridge account—state appropriation are provided solely to implement chapter 292, Laws of 2015 (tolling customer service reform) to improve integration between the Good to Go! electronic tolling system with the pay-by-mail system through increased communication with customers and improvements to the Good to Go! web site allowing customers to manage all of their toll accounts regardless of method of payment. Within the amounts provided, the department must include in the request for proposals for a new customer service center the requirement that the new tolling customer service center link to the vehicle records system of the department of licensing to enable vehicle record updates that relate to tolling customer accounts to occur between the two systems seamlessly. The department must work with the department of licensing to develop the appropriate specifications to include in the request for proposals to allow the new tolling customer service center to link to the vehicle records system without cost to the department of licensing and report to the transportation committees of the legislature when the appropriate specifications have been completed. By June 30, 2017, the department shall report how many people with Good to Go! accounts were issued civil penalties for each toll facility and whether the number was reduced each fiscal year in the biennium. The department shall also report on the number of customer contacts that occur, number of civil penalties reduced or waived, the amount of the total civil penalties that are waived, and the number of customers that are referred to the administrative law judge process during the biennium.

**Sec. 910.** 2016 c 14 s 210 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—  
INFORMATION TECHNOLOGY—PROGRAM C**

Transportation Partnership Account—State		
Appropriation	\$1,460,000	
Motor Vehicle Account—State		Appropriation
		(((\$69,291,000))
		<u>\$69,281,000</u>
Multimodal Transportation Account—State		
Appropriation	\$2,883,000	
Transportation 2003 Account (Nickel Account)—State		
Appropriation	\$1,460,000	
Puget Sound Ferry Operations Account—State		
Appropriation	\$263,000	
<b>TOTAL APPROPRIATION</b>	<b>\$75,357,000</b>	
		<u>\$75,347,000</u>

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

(1) \$1,460,000 of the transportation partnership account—state appropriation and \$1,460,000 of the transportation 2003 account (nickel account)—state appropriation are provided solely for maintaining the department's project management reporting system.

(2) \$250,000 of the motor vehicle account—state appropriation is provided solely for the development of a timeline and funding plan for the labor system replacement project. As part of its 2017-2019 biennial budget submittal, and in coordination with the office of financial management and the office of the chief information officer, the department shall submit a timeline and funding plan for the labor system replacement project. The plan must identify a timeline and all one-time and ongoing costs for the integration of all headquarters, regional, and marine employees into the new labor system.

**Sec. 911.** 2016 c 14 s 211 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—  
FACILITY MAINTENANCE, OPERATIONS, AND  
CONSTRUCTION—PROGRAM D—OPERATING**

Motor Vehicle Account—State		Appropriation
		(((\$27,609,000))
		<u>\$27,592,000</u>
State Route Number 520 Corridor Account—State		
Appropriation	\$34,000	
<b>TOTAL APPROPRIATION</b>	<b>\$27,643,000</b>	
		<u>\$27,626,000</u>

**Sec. 912.** 2016 c 14 s 212 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—  
AVIATION—PROGRAM F**

Aeronautics Account—State		Appropriation
		(((\$8,628,000))
		<u>\$8,632,000</u>
Aeronautics Account—Federal		Appropriation
		(((\$4,100,000))
		<u>\$1,600,000</u>
Aeronautics Account—Private/Local		Appropriation
		\$60,000
<b>TOTAL APPROPRIATION</b>	<b>\$12,788,000</b>	
		<u>\$10,292,000</u>

The appropriations in this section are subject to the following conditions and limitations: \$4,557,000 of the aeronautics account—state appropriation is provided solely for airport investment studies and the airport aid grant program, which provides competitive grants to public airports for pavement, safety, maintenance, planning, and security.

**Sec. 913.** 2016 c 14 s 213 (uncodified) is amended to read as follows:

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**FOR THE DEPARTMENT OF TRANSPORTATION—  
PROGRAM DELIVERY MANAGEMENT AND  
SUPPORT—PROGRAM H**

Motor Vehicle Account—State	Appropriation
<del>(\$53,911,000)</del>	
<u>\$53,892,000</u>	
Motor Vehicle Account—Federal	Appropriation \$500,000
Multimodal Transportation Account—State	Appropriation \$250,000
<b>TOTAL APPROPRIATION</b>	<b>\$54,661,000</b>
<u>\$54,642,000</u>	

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

(1) The real estate services division of the department must recover the cost of its efforts from sale proceeds and fund additional future sales from those proceeds.

(2) The legislature recognizes that the trail known as the Rocky Reach Trail, and its extensions, serve to separate motor vehicle traffic from pedestrians and bicyclists, increasing motor vehicle safety on state route number 2 and the coincident section of state route number 97. Consistent with chapter 47.30 RCW and pursuant to RCW 47.12.080, the legislature declares that transferring portions of WSDOT Inventory Control (IC) No. 2-09-04686 containing the trail and associated buffer areas to the Washington state parks and recreation commission is consistent with the public interest. The legislature directs the department to transfer the property to the Washington state parks and recreation commission.

(a) The department must be paid fair market value for any portions of the transferred real property that is later abandoned, vacated, or ceases to be publicly maintained for trail purposes.

(b) Prior to completing the transfer in this subsection (2), the department must ensure that provisions are made to accommodate private and public utilities and any facilities that predate the department's acquisition of the property, at no cost to those entities. Prior to completing the transfer, the department shall also ensure that provisions, by fair market assessment, are made to accommodate other private and public utilities and any facilities that have been legally allowed by permit or other instrument.

(c) The department may sell any adjoining property that is not necessary to support the Rocky Reach Trail and adjacent buffer areas only after the transfer of trail-related property to the Washington state parks and recreation commission is complete. Adjoining property owners must be given the first opportunity to acquire such property that abuts their property, and applicable boundary line or other adjustments must be made to the legal descriptions for recording purposes.

(3) \$250,000 of the motor vehicle account—state appropriation is provided solely for training intended to retain a knowledgeable and competent core technical staff in the changing environment of highway project design and construction and to provide for the efficient and effective delivery and oversight of projects. The training must focus on the following areas:

(a) Training appropriate staff in regard to coordinating and administering projects with private sector designers and builders for projects delivered by the design-build construction process;

(b) Training on community engagement to provide project managers with the skills necessary to develop personal relations with the leaders of the affected community to blend project needs with the needs of the community, while providing fair treatment and involvement of community groups and individuals regarding elements of a project subject to environmental regulations, laws, and policies;

(c) Training for partnering and team building skills to avoid conflict and reduce construction claims that arise in contract administration; and

(d) Technical design training required in the fields of hydraulics, hydrology, and storm water abatement, and other fields in support of projects dealing with the fish passage program and highway runoff treatment.

**Sec. 914.** 2016 c 14 s 214 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—  
ECONOMIC PARTNERSHIPS—PROGRAM K**

Motor Vehicle Account—State	Appropriation
<del>(\$600,000)</del>	
<u>\$604,000</u>	
<del>(Electric Vehicle Charging Infrastructure Account—State Appropriation \$1,000,000</del>	
<del>TOTAL APPROPRIATION—\$1,600,000</del>	

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

~~((4))~~ The economic partnerships program must continue to explore retail partnerships at state-owned park and ride facilities, as authorized in RCW 47.04.295.

~~((3) \$1,000,000 of the electric vehicle charging infrastructure account—state appropriation is provided solely for the purpose of capitalizing the Washington electric vehicle infrastructure bank as provided in chapter 44, Laws of 2015 3rd sp. sess. (transportation revenue).))~~

**Sec. 915.** 2016 c 14 s 215 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—  
HIGHWAY MAINTENANCE—PROGRAM M**

Motor Vehicle Account—State	Appropriation
<del>(\$418,524,000)</del>	
<u>\$424,755,000</u>	
Motor Vehicle Account—Federal	Appropriation
<del>(\$7,000,000)</del>	
<u>\$12,000,000</u>	
Tacoma Narrows Toll Bridge Account—State	Appropriation \$1,235,000
State Route Number 520 Corridor Account—State	Appropriation \$4,448,000
<b>TOTAL APPROPRIATION</b>	<b>\$431,207,000</b>
<u>\$442,438,000</u>	

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

(1) ~~(\$6,091,000)~~ \$7,122,000 of the motor vehicle account—state appropriation is provided solely for utility fees assessed by local governments as authorized under RCW 90.03.525 for the mitigation of storm water runoff from state highways.

(2) \$4,448,000 of the state route number 520 corridor account—state appropriation is provided solely to maintain the state route number 520 floating bridge. These funds must be used in accordance with RCW 47.56.830(3).

(3) \$1,235,000 of the Tacoma Narrows toll bridge account—state appropriation is provided solely to maintain the new Tacoma Narrows bridge. These funds must be used in accordance with RCW 47.56.830(3).

(4) When regional transit authority construction activities are visible from a state highway, the department shall allow the regional transit authority to place safe and appropriate signage informing the public of the purpose of the construction activity.

(5) The department must make signage for low-height bridges a high priority.

(6) \$25,000 of the motor vehicle account—state appropriation is provided solely for the Northwest avalanche center for an

additional forecaster. However, the amount in this subsection is contingent on the state parks and recreation commission receiving funding for its portion of the Northwest avalanche center forecaster in the omnibus appropriations act. If this funding is not provided by June 30, 2016, the appropriation provided in this subsection lapses.

(7) \$1,000,000 of the motor vehicle account—state appropriation is provided solely for safety improvements and operations relating to homeless encampments along Interstate 5 between milepost 162 and milepost 165. The department shall coordinate the timing of the safety improvements with the city of Seattle and King county to ensure that a collaborative and comprehensive approach is taken to address emergency conditions in support of the city's transitional services.

(8) \$5,000,000 of the motor vehicle account—federal appropriation is provided solely for costs necessary to respond to federally reimbursable disasters. The office of financial management shall place the entire amount provided in this subsection in unallotted status. The office of financial management may release portions of the funds when it determines that a federally reimbursable disaster has occurred that requires maintenance funds.

(9) \$161,000 of the motor vehicle account—state appropriation is provided solely for electrical repairs on the Hood Canal bridge due to power surges that caused an electrical fire. The department shall continue to investigate the cause of the fire and pursue cost recovery from the company providing power at the time of the incident if it is determined the incident was the fault of the power company.

(10) \$5,000,000 of the motor vehicle account—state appropriation is provided solely for extraordinary snow and ice removal expenses and related road repair expenses incurred during the winter of 2016-17.

**Sec. 916.** 2016 c 14 s 216 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—OPERATING**

Connecting Washington Account—State	Appropriation	\$30,000
Motor Vehicle Account—State	Appropriation	<del>(\$57,622,000)</del> <u>\$57,504,000</u>
Motor Vehicle Account—Federal	Appropriation	\$2,050,000
Motor Vehicle Account—Private/Local	Appropriation	\$250,000
<b>TOTAL APPROPRIATION</b>	<b>\$59,952,000</b>	<b><u>\$59,834,000</u></b>

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

(1) \$6,000,000 of the motor vehicle account—state appropriation is provided solely for low-cost enhancements. The department shall give priority to low-cost enhancement projects that improve safety or provide congestion relief. The department shall prioritize low-cost enhancement projects on a statewide rather than regional basis. By September 1st of each even-numbered year, the department shall provide a report to the legislature listing all low-cost enhancement projects prioritized on a statewide rather than regional basis completed in the prior year.

(2) During the 2015-2017 fiscal biennium, the department shall continue a pilot program that expands private transportation providers' access to high occupancy vehicle lanes. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, the following vehicles must be authorized to use the reserved portion of the

highway if the vehicle has the capacity to carry eight or more passengers, regardless of the number of passengers in the vehicle: (a) Auto transportation company vehicles regulated under chapter 81.68 RCW; (b) passenger charter carrier vehicles regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; (c) private nonprofit transportation provider vehicles regulated under chapter 81.66 RCW; and (d) private employer transportation service vehicles. For purposes of this subsection, "private employer transportation service" means regularly scheduled, fixed-route transportation service that is offered by an employer for the benefit of its employees. Nothing in this subsection is intended to authorize the conversion of public infrastructure to private, for-profit purposes or to otherwise create an entitlement or other claim by private users to public infrastructure.

(3) The legislature recognizes that congestion is increasing on southbound Interstate 5 in Lynnwood, between the Lynnwood transit center and the Mountlake Terrace freeway station, and that allowing transit buses to operate on the shoulder would provide congestion relief and more reliable travel times. Therefore, the department shall, within existing resources, implement a transit bus shoulder operations pilot project on southbound Interstate 5 in Lynnwood, between the Lynnwood transit center and the Mountlake Terrace freeway station. The department shall make all necessary changes to handle the increased traffic and provide a ten-foot shoulder for the transit bypass.

(4) \$30,000 of the connecting Washington account—state appropriation is provided solely for the department to create and install motorist information sign panels for the Jerry Taylor Veterans Plaza in Sunnyside along the state-owned right-of-way near exits 63, 67, and 69 on Interstate 182 and on state route number 241 near the junction with Yakima Valley highway and to install supplemental directional signs as permitted by the affected local government and in accordance with the "Manual on Uniform Traffic Control Devices" and chapter 47.36 RCW.

(5) The department shall implement Senate Joint Memorial No. 8019 within existing resources if Senate Joint Memorial No. 8019 is enacted by the legislature by June 30, 2016, and the Washington state transportation commission takes action to name the facility per Senate Joint Memorial No. 8019 by June 30, 2017.

**Sec. 917.** 2016 c 14 s 217 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION MANAGEMENT AND SUPPORT—PROGRAM S**

Motor Vehicle Account—State	Appropriation	<del>(\$29,625,000)</del> <u>\$29,622,000</u>
Motor Vehicle Account—Federal	Appropriation	<del>(\$1,205,000)</del> <u>\$1,323,000</u>
Multimodal Transportation Account—State	Appropriation	\$1,131,000
<b>TOTAL APPROPRIATION</b>	<b>\$31,961,000</b>	<b><u>\$32,076,000</u></b>

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

(1) \$288,000 of the motor vehicle account—state appropriation is provided solely for enhanced disadvantaged business enterprise outreach to increase the pool of disadvantaged businesses available for department contracts and to collaborate with the department of labor and industries to recruit women and persons of color to participate in existing transportation apprenticeship programs. The department must submit a status report on disadvantaged business enterprise outreach and apprenticeship

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recruitment to the transportation committees of the legislature by November 15, 2015.

(2) \$3,000,000 of the motor vehicle account—state appropriation is provided solely for the headquarters communications office. Within the amount provided in this subsection, the department shall complete the web content management system and upgrade the department's web site.

(3) \$750,000 of the motor vehicle account—state appropriation is provided solely for a grant program that makes awards for the following: (a) Support for nonproject agencies, churches, and other entities to help provide outreach to populations underrepresented in the current apprenticeship programs; (b) preapprenticeship training; and (c) child care, transportation, and other supports that are needed to help women and minorities enter and succeed in apprenticeship. The department must report on grants that have been awarded and the amount of funds disbursed by December 1, 2016, and annually thereafter.

(4)(a) During the 2015-2017 fiscal biennium, the department may proceed with the pilot project selling commercial advertising, including product placement, on department web sites and social media. In addition, the department may sell a version of its mobile application(s) to users who desire to have access to application(s) without advertising.

(b) The department shall deposit all moneys received from the sale of advertisements on web site and mobile applications into the motor vehicle fund created in RCW 46.68.070.

(c) The department shall adopt standards for advertising, product placement, and other forms of commercial recognition that require the department to define and prohibit, at a minimum, the content containing any of the following characteristics, which is not permitted: (i) Obscene, indecent, or discriminatory content; (ii) political or public issue advocacy content; (iii) products, services, or other materials that are offensive, insulting, disparaging, or degrading; or (iv) products, services, or messages that are contrary to the public interest, including any advertisements that encourage or depict unsafe behaviors or encourage unsafe or prohibited driving activities. Alcohol, tobacco, and cannabis are included among the products prohibited.

Sec. 918. 2016 c 14 s 218 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—  
TRANSPORTATION PLANNING, DATA, AND  
RESEARCH—PROGRAM T**

Motor Vehicle Account—State	Appropriation
<del>(\$22,717,000)</del>	
<u>\$22,707,000</u>	
Motor Vehicle Account—Federal	Appropriation
<del>(\$26,342,000)</del>	
<u>\$30,529,000</u>	
Multimodal Transportation Account—State	Appropriation \$662,000
Multimodal Transportation Account—Federal	Appropriation \$2,809,000
Multimodal Transportation Account—Private/Local	Appropriation \$100,000
TOTAL APPROPRIATION	\$52,630,000
<u>\$56,807,000</u>	

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

(1) \$368,000 of the motor vehicle account—state appropriation is provided solely for the purchase of an economic impact model. The department shall work with appropriate local jurisdictions to improve consistency between existing and planned transportation demand models. The department shall report back to the

transportation committees of the legislature and the office of financial management by December 31, 2015, with any recommendations requiring legislative action.

(2) \$1,000,000 of the motor vehicle account—federal appropriation is provided solely for the corridor sketch program. Priority must be given to the state route number 522 corridor between Maltby and the Snohomish river bridge. Initial corridors must also include state route number 195, Interstate 5 between Bellingham and the vicinity of Mount Vernon, state route number 160 in the vicinity of Port Orchard, and state route number 28 in the vicinity of East Wenatchee.

(3) Within existing resources, the department shall conduct a traffic and access study of the intersection of the Interurban trail and state route number 104. Options to improve safety at this location must include consideration of a pedestrian and bike overcrossing.

(4)(a) The department must update the state freight mobility plan to comply with the requirements in section 70202 of the federal fixing America's surface transportation act. In updating the state freight mobility plan, the department must involve key freight stakeholders, such as representatives of public ports, the trucking industry, railroads, the marine industry, local governments and planning organizations, the Washington state freight advisory committee, and other freight stakeholders. The updated plan must delete any obsolete project references from the prioritized freight project list.

(b) The department, in conjunction with the stakeholder group, must provide a list of prioritized projects for consideration for funding in the 2017-2019 fiscal biennium. The prioritized list must have approval from all impacted stakeholders. The prioritized list must be submitted to the office of financial management and the transportation committees of the legislature by November 1, 2016.

(5) Within existing resources, the department must evaluate how light pollution from state highways and facilities can be minimized while still meeting appropriate safety standards. Additionally, the department must evaluate how budget savings can be achieved through different types of lighting. To the extent practicable, the department must conduct this work in conjunction with other ongoing study and corridor planning efforts.

~~((7))~~ (6) \$150,000 of the motor vehicle account—state appropriation is provided solely for a safety study of state route number 169 from Jones Road to Cedar Grove. The department must consider collision data and work with local stakeholders to make recommendations for safety improvements in the corridor. A report on the study is due to the transportation committees of the legislature by December 31, 2016.

Sec. 919. 2016 c 14 s 219 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—  
CHARGES FROM OTHER AGENCIES—PROGRAM U**

Motor Vehicle Account—State	Appropriation
<del>(\$74,666,000)</del>	
<u>\$77,036,000</u>	
Motor Vehicle Account—Federal	Appropriation \$500,000
Multimodal Transportation Account—State	Appropriation <del>(\$3,115,000)</del>
<u>\$3,213,000</u>	
TOTAL APPROPRIATION	\$78,281,000
<u>\$80,749,000</u>	

Sec. 920. 2016 c 14 s 220 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—  
PUBLIC TRANSPORTATION—PROGRAM V**

State Vehicle Parking Account—State Appropriation \$754,000  
 Regional Mobility Grant Program Account—State Appropriation (~~(\$74,976,000)~~) \$57,060,000  
 Rural Mobility Grant Program Account—State Appropriation \$20,438,000  
 Multimodal Transportation Account—State Appropriation (~~(\$72,930,000)~~) \$71,604,000  
 Multimodal Transportation Account—Federal Appropriation \$3,588,000  
 TOTAL APPROPRIATION \$172,686,000  
\$153,444,000

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

(1) \$41,250,000 of the multimodal transportation account—state appropriation is provided solely for a grant program for special needs transportation provided by transit agencies and nonprofit providers of transportation. Of this amount:

(a) \$8,750,000 of the multimodal transportation account—state appropriation is provided solely for grants to nonprofit providers of special needs transportation. Grants for nonprofit providers must be based on need, including the availability of other providers of service in the area, efforts to coordinate trips among providers and riders, and the cost effectiveness of trips provided.

(b) \$32,500,000 of the multimodal transportation account—state appropriation is provided solely for grants to transit agencies to transport persons with special transportation needs. To receive a grant, the transit agency must, to the greatest extent practicable, have a maintenance of effort for special needs transportation that is no less than the previous year's maintenance of effort for special needs transportation. Grants for transit agencies must be prorated based on the amount expended for demand response service and route deviated service in calendar year 2013 as reported in the "Summary of Public Transportation - 2013" published by the department of transportation. No transit agency may receive more than thirty percent of these distributions.

(2) \$20,438,000 of the rural mobility grant program account—state appropriation is provided solely for grants to aid small cities in rural areas as prescribed in RCW 47.66.100.

(3)(a) \$6,969,000 of the multimodal transportation account—state appropriation is provided solely for a vanpool grant program for: (i) Public transit agencies to add vanpools or replace vans; and (ii) incentives for employers to increase employee vanpool use. The grant program for public transit agencies will cover capital costs only; operating costs for public transit agencies are not eligible for funding under this grant program. Additional employees may not be hired from the funds provided in this section for the vanpool grant program, and supplanting of transit funds currently funding vanpools is not allowed. The department shall encourage grant applicants and recipients to leverage funds other than state funds.

(b) At least \$1,600,000 of the amount provided in this subsection must be used for vanpool grants in congested corridors.

(c) \$400,000 of the amount provided in this subsection is provided solely for the purchase of additional vans for use by vanpools serving or traveling through the Joint Base Lewis-McChord I-5 corridor between mile post 116 and 127.

(4) (~~(\$18,726,000)~~) \$13,010,000 of the regional mobility grant program account—state appropriation is reappropriated and provided solely for the regional mobility grant projects identified in LEAP Transportation Document (~~(2016-2)~~) 2017-2 ALL PROJECTS as developed (~~(March 7, 2016)~~) April 5, 2017, Program - Public Transportation Program (V).

(5)(a) (~~(\$56,250,000)~~) \$44,050,000 of the regional mobility grant program account—state appropriation is provided solely for the regional mobility grant projects identified in LEAP Transportation Document (~~(2016-2)~~) 2017-2 ALL PROJECTS as developed (~~(March 7, 2016)~~) April 5, 2017, Program - Public Transportation Program (V). The department shall review all projects receiving grant awards under this program at least semiannually to determine whether the projects are making satisfactory progress. Any project that has been awarded funds, but does not report activity on the project within one year of the grant award, must be reviewed by the department to determine whether the grant should be terminated. The department shall promptly close out grants when projects have been completed, and any remaining funds must be used only to fund projects identified in the LEAP transportation document referenced in this subsection. The department shall provide annual status reports on December 15, 2015, and December 15, 2016, to the office of financial management and the transportation committees of the legislature regarding the projects receiving the grants. It is the intent of the legislature to appropriate funds through the regional mobility grant program only for projects that will be completed on schedule. A grantee may not receive more than twenty-five percent of the amount appropriated in this subsection. The department shall not approve any increases or changes to the scope of a project for the purpose of a grantee expending remaining funds on an awarded grant.

(b) In order to be eligible to receive a grant under (a) of this subsection during the 2015-2017 fiscal biennium, a transit agency must establish a process for private transportation providers to apply for the use of park and ride facilities. For purposes of this subsection, (i) "private transportation provider" means: An auto transportation company regulated under chapter 81.68 RCW; a passenger charter carrier regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; a private nonprofit transportation provider regulated under chapter 81.66 RCW; or a private employer transportation service regularly scheduled, fixed-route transportation service that is offered by an employer for the benefit of its employees.

(6) Funds provided for the commute trip reduction (CTR) program may also be used for the growth and transportation efficiency center program.

(7) \$5,670,000 of the multimodal transportation account—state appropriation and \$754,000 of the state vehicle parking account—state appropriation are provided solely for CTR grants and activities.

(8) \$200,000 of the multimodal transportation account—state appropriation is contingent on the timely development of an annual report summarizing the status of public transportation systems as identified under RCW 35.58.2796.

(9)(a) \$1,000,000 of the multimodal transportation account—state appropriation is provided solely for the Everett connector service for Island and Skagit transit agencies. The amount provided in this subsection is contingent on Island Transit charging fares that achieve a farebox recovery ratio similar to comparable transit systems.

(b) The amount provided in (a) of this subsection must be held in unallotted status until the office of financial management determines that fares have been both adopted and implemented by Island Transit that achieve a farebox recovery ratio similar to comparable transit systems. Island Transit must notify the office of financial management when it has met the requirements of this subsection.

(10)(a) (~~(\$13,890,000)~~) \$12,565,000 of the multimodal transportation account—state appropriation is provided solely for

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~~connecting Washington transit projects identified in the LEAP transportation document ((2016 3 as developed March 7, 2016. Except as provided otherwise in this subsection, funds must first be used for projects that are identified as priority one projects. As additional funds become available or if a priority one project is delayed, funding must be provided to priority two projects. If a higher priority project is bypassed, it must be funded when the project is ready. The department must submit a report annually with its budget submittal that, at a minimum, includes information about the listed transit projects that have been funded and projects that have been bypassed, including an estimated time frame for when the bypassed project will be funded)) referenced in subsection (4) of this section.~~

(b) \$831,000 of the amount provided in (a) of this subsection is provided solely for Skagit transit system enhancements for expenditure in 2015-2017.

(c) \$2,300,000 of the amount provided in (a) of this subsection is provided solely for Island transit's tri-county connector service for expenditure in 2015-2017.

(d) It is the intent of the legislature to provide \$6,000,000 in the 2017-2019 fiscal biennium and \$6,000,000 in the 2019-2021 fiscal biennium for the Spokane Central city line, in addition to the 2015-2017 fiscal biennium funding provided in the LEAP transportation document identified in ~~((a) of this)~~ subsection (4) of this section. It is further the intent of the legislature to provide a total of \$10,000,000 over the 2017-2019 and 2019-2021 fiscal biennia for the Northgate transit center pedestrian bridge.

~~((e) Within existing resources, the public transportation program must develop recommendations regarding potential modifications to the process by which funding is provided to the projects listed in the LEAP transportation document identified in (a) of this subsection. These modifications should include, but are not limited to, options for accelerating the delivery of the listed projects and options for further prioritizing the listed projects. The department must submit a report regarding its recommendations to the transportation committees of the legislature by November 15, 2016.))~~

(11) \$1,000,000 of the multimodal transportation account—state appropriation is provided solely for transit coordination grants.

(12) Within the amounts provided in this section, the public transportation program must conduct a study of public transportation agencies in Washington that provide regional public transportation service outside the boundaries of the agency. The study must consider: (a) The cost to provide these existing regional services, the current source of funds for these services, and the applicable ridership data from these existing regional services; (b) the number of trips removed from the state highway system as a result of these regional services; (c) areas of the state highway system that do not have such regional service available; and (d) potential funding sources at the state level to support a portion of current and potential regional services. The public transportation program must provide a report on its findings and recommendations to the transportation committees of the legislature by November 15, 2016.

**Sec. 921.** 2016 c 14 s 221 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—MARINE—PROGRAM X**

Puget Sound Ferry Operations Account—State  
Appropriation ~~(((\$478,319,000))~~  
\$478,985,000

Puget Sound Ferry Operations Account—Federal  
Appropriation ~~(((\$5,908,000))~~  
\$5,156,000

Puget Sound Ferry Operations Account—Private/Local  
Appropriation \$121,000  
TOTAL APPROPRIATION \$484,348,000  
\$484,262,000

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

(1) The office of financial management budget instructions require agencies to recast enacted budgets into activities. The Washington state ferries shall include a greater level of detail in its 2015-2017 supplemental and 2017-2019 omnibus transportation appropriations act requests, as determined jointly by the office of financial management, the Washington state ferries, and the transportation committees of the legislature. This level of detail must include the administrative functions in the operating as well as capital programs.

(2) Until a reservation system is operational on the San Juan islands inter-island route, the department shall provide the same priority loading benefits on the San Juan islands inter-island route to home health care workers as are currently provided to patients traveling for purposes of receiving medical treatment.

(3) For the 2015-2017 fiscal biennium, the department may enter into a distributor controlled fuel hedging program and other methods of hedging approved by the fuel hedging committee.

(4) ~~(((\$78,306,000))~~ \$77,091,000 of the Puget Sound ferry operations account—state appropriation is provided solely for auto ferry vessel operating fuel in the 2015-2017 fiscal biennium, which reflect cost savings from a reduced biodiesel fuel requirement and, therefore, is contingent upon the enactment of section 701, c 10, Laws of 2015 1st sp. sess. The amount provided in this subsection represents the fuel budget for the purposes of calculating any ferry fare fuel surcharge.

(5) When purchasing uniforms that are required by collective bargaining agreements, the department shall contract with the lowest cost provider.

(6) During the 2015-2017 fiscal biennium, the department shall not operate a winter sailing schedule for a time period longer than twelve weeks.

(7) \$496,000 of the Puget Sound ferry operations account—state appropriation is provided solely for ferry terminal traffic control at the Fauntleroy ferry terminal. The department shall utilize existing contracts to provide a uniformed officer to assist with ferry terminal traffic control at the Fauntleroy ferry terminal.

(8) \$1,551,000 of the Puget Sound ferry operations account—state appropriation is provided solely for improvements to the reservation system. The department shall actively encourage ferry reservation customers to use the online option for making and changing reservations and shall not use these funds for call center staff.

(9) \$30,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the marine division assistant secretary's designee to the board of pilotage commissioners, who serves as the board chair. As the agency chairing the board, the department shall direct the board chair, in his or her capacity as chair, to require that the report to the governor and chairs of the transportation committees required under RCW 88.16.035(1)(f) be filed by September 1, 2015, and annually thereafter, and that the report include the establishment of policies and procedures necessary to increase the diversity of pilots, trainees, and applicants, including a diversity action plan. The diversity action plan must articulate a comprehensive vision of the board's diversity goals and the steps it will take to reach those goals.

(10) ~~(((\$5,908,000))~~ \$5,156,000 of the Puget Sound ferry operations account—federal appropriation is provided solely for vessel maintenance.

(11) \$48,000 of the Puget Sound ferry operations account—state appropriation is provided solely for staff sufficient to allow passenger accessibility aboard the M/V Tokitae to the sun deck during daylight hours on Saturdays and Sundays of the summer sailing season.

**Sec. 922.** 2016 c 14 s 222 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—OPERATING**

Multimodal Transportation Account—State  
Appropriation (~~(\$59,473,000)~~)  
\$59,476,000

Multimodal Transportation Account—Private/Local  
Appropriation \$45,000

TOTAL APPROPRIATION \$59,518,000  
\$59,521,000

**Sec. 923.** 2016 c 14 s 223 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—OPERATING**

Motor Vehicle Account—State Appropriation  
(~~(\$9,324,000)~~)  
\$9,321,000

Motor Vehicle Account—Federal Appropriation  
\$2,567,000

Multiuse Roadway Safety Account—State Appropriation  
\$131,000

TOTAL APPROPRIATION \$12,022,000  
\$12,019,000

**TRANSPORTATION AGENCIES—CAPITAL**

**Sec. 1001.** 2016 c 14 s 301 (uncodified) is amended to read as follows:

**FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD**

Freight Mobility Investment Account—State  
Appropriation (~~(\$13,217,000)~~)  
\$5,281,000

Freight Mobility Multimodal Account—State  
Appropriation (~~(\$11,859,000)~~)  
\$3,315,000

Freight Mobility Multimodal Account—Private/Local  
Appropriation \$1,320,000

Highway Safety Account—State Appropriation  
(~~(\$2,765,000)~~)  
\$1,765,000

Motor Vehicle Account—State Appropriation \$83,000  
(~~(Motor Vehicle Account Federal Appropriation—\$3,250,000)~~)

TOTAL APPROPRIATION \$32,494,000  
\$11,764,000

**Sec. 1002.** 2016 c 14 s 302 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE PATROL**

State Patrol Highway Account—State Appropriation  
(~~(\$5,895,000)~~)  
\$5,815,000

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

(1) \$250,000 of the state patrol highway account—state appropriation is provided solely for unforeseen emergency repairs on facilities.

(2) \$560,000 of the state patrol highway account—state appropriation is provided solely for the replacement of the roofs of the Shelton academy multipurpose building, Tacoma district

office building, Kennewick detachment building, and Ridgefield and Plymouth weigh station buildings.

(3) \$150,000 of the state patrol highway account—state appropriation is provided solely for upgrades to scales at Goldendale required to meet current certification requirements.

(4) \$2,350,000 of the state patrol highway account—state appropriation is provided solely for funding to repair and replace the academy asphalt emergency vehicle operation course.

(5) \$500,000 of the state patrol highway account—state appropriation is provided solely for replacement of generators at Marysville, Baw Faw, Gardner, Pilot Rock, and Ridpath.

(6) \$150,000 of the state patrol highway account—state appropriation is provided solely for painting and caulking in several locations.

(7) \$350,000 of the state patrol highway account—state appropriation is provided solely for pavement preservation at the Wenatchee district office and the Spokane district office.

(8) \$700,000 of the state patrol highway account—state appropriation is provided solely for energy upgrades at two district offices and two detachments.

(9) \$300,000 of the state patrol highway account—state appropriation is provided solely for repair of the academy training tank.

(10) \$130,000 of the state patrol highway account—state appropriation is provided solely for communication site roof repair to reroof equipment shelters at radio communication sites statewide.

(11) \$275,000 of the state patrol highway account—state appropriation is provided solely for the replacement of the broadcast tower at the Steptoe Butte radio communications site.

(12) \$100,000 of the state patrol highway account—state appropriation is provided solely for the dry-pipe fire suppression system rebuild at the Marysville district office.

**Sec. 1003.** 2016 c 14 s 303 (uncodified) is amended to read as follows:

**FOR THE COUNTY ROAD ADMINISTRATION BOARD**

Rural Arterial Trust Account—State  
Appropriation (~~(\$56,094,000)~~)  
\$45,055,000

Motor Vehicle Account—State Appropriation  
\$10,706,000

County Arterial Preservation Account—State  
Appropriation \$32,344,000

TOTAL APPROPRIATION \$99,144,000  
\$88,105,000

**Sec. 1004.** 2016 c 14 s 304 (uncodified) is amended to read as follows:

**FOR THE TRANSPORTATION IMPROVEMENT BOARD**

Small City Pavement and Sidewalk Account—State  
Appropriation (~~(\$4,301,000)~~)  
\$2,551,000

Highway Safety Account—State Appropriation  
\$10,000,000

Transportation Improvement Account—State  
Appropriation (~~(\$249,988,000)~~)  
\$218,488,000

Multimodal Transportation Account—State  
Appropriation \$3,313,000

TOTAL APPROPRIATION \$267,602,000  
\$234,352,000

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

(1) The highway safety account—state appropriation is provided solely for:

(a) The arterial preservation program to help low tax-based, medium-sized cities preserve arterial pavements;

(b) The small city pavement program to help cities meet urgent preservation needs; and

(c) The small city low-energy street light retrofit demonstration program.

(2) \$3,313,000 of the multimodal transportation account—state appropriation is provided solely for the complete streets program.

**Sec. 1005.** 2016 c 14 s 305 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—FACILITIES—PROGRAM D—(DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)—CAPITAL**

Transportation Partnership Account—State  
Appropriation (~~(\$1,043,000)~~)  
\$1,044,000

Motor Vehicle	Account—State	Appropriation
		( <del>(\$7,276,000)</del> )
		<u>\$7,387,000</u>

Connecting Washington	Account—State	Appropriation
		( <del>(\$14,000,000)</del> )
		<u>\$4,847,000</u>

TOTAL APPROPRIATION \$22,319,000  
\$13,278,000

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

(1) (~~(\$1,043,000)~~) \$1,044,000 of the transportation partnership account—state appropriation is provided solely for completion of a new traffic management center in Shoreline, Washington. By September 30, 2015, the department shall report to the transportation committees of the legislature and the office of financial management on the resulting vacancy rate of the existing regional headquarters building in Shoreline, plans to consolidate department staff into the building, and the schedule for terminating the current lease of the Goldsmith building in Seattle, and provide an update on future plans to consolidate agency staff within the region.

(2) (~~(\$4,000,000)~~) \$934,000 of the connecting Washington account—state appropriation is provided solely for a new Olympic region maintenance and administration facility to be located on the department-owned site at the intersection of Marvin Road and 32nd Avenue. The property purchase was approved by the 2005 legislature for the site of the new Olympic region and the land was acquired by the department in August 2005. The department must work with the office of financial management's facilities oversight program to develop a revised predesign for a new Olympic region facility, with an estimated total cost of no more than forty million dollars. Priority must be given to accommodating the maintenance and operations functions of the Olympic region. The department must provide a copy of the revised predesign to the transportation committees of the legislature by December 2015.

(3) (~~(\$10,000,000)~~) \$3,913,000 of the connecting Washington account—state appropriation is provided solely for a new administration facility on Euclid Avenue in Wenatchee, Washington.

**Sec. 1006.** 2016 c 14 s 306 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—IMPROVEMENTS—PROGRAM I**

Multimodal Transportation Account—State  
Appropriation (~~(\$19,181,000)~~)  
\$19,176,000

Transportation Partnership Account—State  
Appropriation (~~(\$1,065,758,000)~~)

\$994,147,000

Motor Vehicle	Account—State	Appropriation
		( <del>(\$71,841,000)</del> )
		<u>\$72,890,000</u>

Motor Vehicle	Account—Federal	Appropriation
		( <del>(\$315,447,000)</del> )
		<u>\$293,164,000</u>

Motor Vehicle	Account—Private/Local	Appropriation
		( <del>(\$177,022,000)</del> )
		<u>\$186,360,000</u>

Transportation 2003 Account (Nickel Account)—State  
Appropriation (~~(\$79,064,000)~~)  
\$77,992,000

State Route Number 520 Corridor Account—State  
Appropriation (~~(\$368,121,000)~~)  
\$135,041,000

State Route Number 520 Corridor Account—Federal  
Appropriation \$104,801,000

State Route Number 520 Civil Penalties Account—  
State Appropriation \$14,000,000

Special Category C	Account—State	Appropriation
		( <del>(\$6,000,000)</del> )
		<u>\$5,855,000</u>

Interstate 405 Express Toll Lanes Operations  
Account—State Appropriation \$9,500,000

Connecting Washington	Account—State	Appropriation
		( <del>(\$229,425,000)</del> )
		<u>\$181,837,000</u>

TOTAL APPROPRIATION \$2,450,660,000  
\$2,094,763,000

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

(1) Except as provided otherwise in this section, the entire transportation 2003 account (nickel account) appropriation and the entire transportation partnership account appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document (~~(2016-4)~~) 2017-1 as developed (~~(March 7, 2016)~~) April 5, 2017, Program - Highway Improvements Program (I). However, limited transfers of specific line-item project appropriations may occur between projects for those amounts listed subject to the conditions and limitations in section 601 (~~(of this act)~~), chapter . . . (Senate Bill No. 5096), Laws of 2017.

(2) Except as provided otherwise in this section, the entire motor vehicle account—state appropriation and motor vehicle account—federal appropriation are provided solely for the projects and activities listed in LEAP Transportation Document (~~(2016-2 ALL PROJECTS)~~) 2017-2 ALL PROJECTS as developed (~~(March 7, 2016)~~) April 5, 2017, Program - Highway Improvements Program (I). Any federal funds gained through efficiencies, adjustments to the federal funds forecast, additional congressional action not related to a specific project or purpose, or the federal funds redistribution process must then be applied to highway and bridge preservation activities. However, no additional federal funds may be allocated to the I-5/Columbia River Crossing project (400506A).

(3) Within the motor vehicle account—state appropriation and motor vehicle account—federal appropriation, the department may transfer funds between programs I and P, except for funds that are otherwise restricted in this act.

(4) The transportation 2003 account (nickel account)—state appropriation includes up to (~~(\$79,064,000)~~) \$77,992,000 in proceeds from the sale of bonds authorized by RCW 47.10.861.

(5) The transportation partnership account—state appropriation includes up to \$546,857,000 in proceeds from the sale of bonds authorized in RCW 47.10.873.

(6) ~~(\$4,359,000)~~ \$4,360,000 of the motor vehicle account—state appropriation is provided solely for the I-5/JBLM Early Corridor Design project (300596S) to complete an environmental impact statement for a project that creates additional general purpose lanes on Interstate 5 in the Joint Base Lewis-McChord corridor. The design of this project must be high occupancy vehicle lane ready for a future connection to the Interstate 5 high occupancy vehicle lane system that currently terminates in Tacoma.

(7) ~~(\$267,071,000)~~ \$266,277,000 of the transportation partnership account—state appropriation, ~~(\$55,389,000)~~ \$55,390,000 of the motor vehicle account—federal appropriation, ~~(\$156,423,000)~~ \$166,423,000 of the motor vehicle account—private/local appropriation, ~~(\$45,400,000)~~ \$45,401,000 of the transportation 2003 account (nickel account)—state appropriation, and \$2,139,000 of the multimodal transportation account—state appropriation are provided solely for the SR 99/Alaskan Way Viaduct Replacement project (809936Z).

(8) \$17,000,000 of the multimodal transportation account—state appropriation and \$1,676,000 of the transportation partnership account—state appropriation are provided solely for transit mitigation for the SR 99/Viaduct Project - Construction Mitigation project (809940B). The transportation partnership account—state appropriation must be placed in unallotted status and may only be released by the office of financial management for unpaid invoices from the 2013-2015 fiscal biennium.

(9) Within existing resources, during the regular sessions of the legislature, the department of transportation shall participate in work sessions, before the transportation committees of the house of representatives and senate, on the Alaskan Way viaduct replacement project. These work sessions must include a report on current progress of the project, timelines for completion, outstanding claims, the financial status of the project, and any other information necessary for the legislature to maintain appropriate oversight of the project. The parties invited to present may include the department of transportation, the Seattle tunnel partners, and other appropriate stakeholders.

(10) ~~(\$22,191,000)~~ \$21,463,000 of the transportation partnership account—state appropriation, ~~(\$5,576,000)~~ \$6,342,000 of the transportation 2003 account (nickel account)—state appropriation, ~~(\$42,000)~~ \$37,000 of the multimodal transportation account—state appropriation, ~~(\$6,000,000)~~ \$5,855,000 of the special category C account—state appropriation, \$368,000 of the motor vehicle account—state appropriation, ~~(\$13,000)~~ \$14,000 of the motor vehicle account—private/local appropriation, and ~~(\$12,976,000)~~ \$12,696,000 of the motor vehicle account—federal appropriation are provided solely for the US 395/North Spokane Corridor project (600010A). Any future savings on the project must stay on the US 395/Interstate 90 corridor and be made available to the current phase of the North Spokane corridor project or any future phase of the project in 2015-2017.

(11) ~~(\$34,732,000)~~ (a) \$31,225,000 of the transportation partnership account—state appropriation, ~~(\$7,329,000)~~ \$6,274,000 of the transportation 2003 account (nickel account)—state appropriation, and \$56,000 of the motor vehicle account—private/local appropriation are provided solely for the I-405/Kirkland Vicinity Stage 2 - Widening project (8B11002). This project must be completed as soon as practicable as a design-build project. Any future savings on this project or other Interstate 405 corridor projects must stay on the Interstate 405 corridor and be made available to ~~(either)~~ the I-405/SR 167 Interchange - Direct Connector project (140504C) ~~((or))~~, the I-405 Renton to

Bellevue project (M00900R), or the I-405/SR 522 to I-5 Capacity Improvements project (L2000234) in the 2015-2017 fiscal biennium.

(b) \$3,500,000 of the transportation partnership account—state appropriation is provided solely for preliminary engineering for adding capacity on Interstate 405 between state route number 522 and Interstate 5. The funding is a transfer from the I-405/Kirkland Vicinity Stage 2 - Widening project due to savings, and will start an additional phase of this I-405 project.

(12)(a) The SR 520 Bridge Replacement and HOV project (8B11003) is supported over time from multiple sources, including a \$300,000,000 TIFIA loan, \$923,000,000 in Garvee bonds, toll revenues, state bonds, interest earnings, and other miscellaneous sources.

(b) The state route number 520 corridor account—state appropriation includes up to ~~(\$343,834,000)~~ \$110,910,000 in proceeds from the sale of bonds authorized in RCW 47.10.879 and 47.10.886.

(c) The state route number 520 corridor account—federal appropriation includes up to \$104,801,000 in proceeds from the sale of bonds authorized in RCW 47.10.879 and 47.10.886.

(d) ~~(\$126,937,000)~~ \$45,680,000 of the transportation partnership account—state appropriation, \$104,801,000 of the state route number 520 corridor account—federal appropriation, and ~~(\$368,121,000)~~ \$24,131,000 of the state route number 520 corridor account—state appropriation are provided solely for the SR 520 Bridge Replacement and HOV project (8B11003). ~~((Of the amounts appropriated in this subsection (12)(d), \$233,085,000 of the state route number 520 corridor account—state appropriation must be put into unallotted status and is subject to review by the office of financial management. The director of the office of financial management shall consult with the joint transportation committee prior to making a decision to allot these funds.))~~

(e) When developing the financial plan for the project, the department shall assume that all maintenance and operation costs for the new facility are to be covered by tolls collected on the toll facility and not by the motor vehicle account.

(13) \$14,000,000 of the state route number 520 civil penalties account—state appropriation is provided solely for the department to continue to work with the Seattle department of transportation in their joint planning, design, right-of-way acquisition, outreach, and operation of the remaining west side elements including, but not limited to, the Montlake lid, the bicycle/pedestrian path, the effective network of transit connections, and the Portage Bay bridge of the SR 520 Bridge Replacement and HOV project.

(14) \$1,056,000 of the motor vehicle account—federal appropriation and \$38,000 of the motor vehicle account—state appropriation are provided solely for the 31st Ave SW Overpass Widening and Improvement project (L1100048).

(15) The legislature finds that there are sixteen companies involved in wood preserving in the state that employ four hundred workers and have an annual payroll of fifteen million dollars. Prior to the department's switch to steel guardrails, ninety percent of the twenty-five hundred mile guardrail system was constructed of preserved wood and one hundred ten thousand wood guardrail posts were produced annually for state use. Moreover, the policy of using steel posts requires the state to use imported steel. Given these findings, where practicable, and until June 30, 2017, the department shall include the design option to use wood guardrail posts, in addition to steel posts, in new guardrail installations. The selection of posts must be consistent with the agency design manual policy that existed before December 2009.

(16) For urban corridors that are all or partially within a metropolitan planning organization boundary, for which the

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department has not initiated environmental review, and that require an environmental impact statement, at least one alternative must be consistent with the goals set out in RCW 47.01.440.

(17) The department shall itemize all future requests for the construction of buildings on a project list and submit them through the transportation executive information system as part of the department's 2016 budget submittal. It is the intent of the legislature that new facility construction must be transparent and not appropriated within larger highway construction projects.

(18) (~~(\$52,869,000)~~) \$44,742,000 of the motor vehicle account—federal appropriation, (~~(\$4,439,000)~~) \$4,381,000 of the motor vehicle account—state appropriation, and (~~(\$1,085,000)~~) \$529,000 of the motor vehicle account—private/local appropriation are provided solely for fish passage barrier and chronic deficiency improvements (0B14001).

(19) Any new advisory group that the department convenes during the 2015-2017 fiscal biennium must consider the interests of the entire state of Washington.

(20) Except as provided otherwise in this section, the entire connecting Washington account appropriation is provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document (~~(2016-1)~~) 2017-1 as developed (~~(March 7, 2016)~~) April 5, 2017, Program - Highway Improvements Program (I).

(21) It is the intent of the legislature that for the I-5 JBLM Corridor Improvements project (M00100R), the department shall actively pursue \$50,000,000 in federal funds to pay for this project to supplant state funds in the future. \$50,000,000 in connecting Washington account funding must be held in unallotted status during the 2021-2023 fiscal biennium. These funds may only be used after the department has provided notice to the office of financial management that it has exhausted all efforts to secure federal funds from the federal highway administration and the department of defense.

(22) Of the amounts allocated to the Puget Sound Gateway project (M00600R) in LEAP Transportation Document (~~(2016-1)~~) 2017-1 as developed (~~(March 7, 2016)~~) April 5, 2017, \$4,000,000 must be used to complete the bridge connection at 28th/24th Street over state route number 509 in the city of SeaTac. The bridge connection must be completed prior to other construction on the state route number 509 segment of the project.

(23) In making budget allocations to the Puget Sound Gateway project, the department shall implement the project's construction as a single corridor investment. The department shall develop a coordinated corridor construction and implementation plan for state route number 167 and state route number 509 in collaboration with affected stakeholders. Specific funding allocations must be based on where and when specific project segments are ready for construction to move forward and investments can be best optimized for timely project completion. Emphasis must be placed on avoiding gaps in fund expenditures for either project.

(24) It is the intent of the legislature that, for the I-5/North Lewis County Interchange project (L2000204), the department develop and design the project with the objective of significantly improving access to the industrially zoned properties in north Lewis county. The design must consider the county's process of investigating alternatives to improve such access from Interstate 5 that began in March 2015.

(25) (~~(\$1,500,000)~~) \$901,000 of the motor vehicle account—state appropriation is provided solely for the department to (~~(complete)~~) continue to work on an interchange justification report (IJR) for the U.S. 2 trestle, covering the state route number

204 and 20th Street interchanges at the end of the westbound structure.

(a) The department shall develop the IJR in close collaboration with affected local jurisdictions, including Snohomish county and the cities of Everett, Lake Stevens, Marysville, Snohomish, and Monroe.

(b) Within the amount provided for the IJR, the department must address public outreach and the overall operational approval of the IJR.

(c) The department shall complete the IJR and submit the final report to the governor and the transportation committees of the legislature by July 1, 2018.

(26)(a) The department must conduct outreach to local transit agencies during the planning process for highway construction projects led by the department.

(b) The department must develop process recommendations for best practices in minimizing impacts to transit and freight during project construction. A report on best practices must be submitted to the transportation committees of the legislature by December 1, 2016.

(27) The legislature finds that project efficiencies and savings may be gained by combining the I-5 Marine Drive project (I5OTC1A1) and the SR 529/I-5 Interchange project (N52900R). The department must deliver them as one project, the I-5 Peak Hour Use Lanes and Interchange Improvements project (L2000229), using a design-build approach.

(28) The legislature recognizes that the city of Mercer Island has unique access issues that require the use of Interstate 90 to leave the island and that this access may be impeded by the I-90/Two Way Transit and HOV Improvements project. The department must continue to work with the city of Mercer Island to address potential access solutions as the project nears completion.

(29) \$9,500,000 of the Interstate 405 express toll lanes operations account—state appropriation is provided solely for the I-405 NB Hard Shoulder Running – SR 527 to I-5 project (L1000163).

**Sec. 1007.** 2016 c 14 s 307 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—PRESERVATION—PROGRAM P**

Transportation Partnership Account—State			
Appropriation ( <del>(\$6,489,000)</del> )			
<u>\$6,434,000</u>			
Motor Vehicle	Account—State	Appropriation	
( <del>(\$70,908,000)</del> )			
<u>\$68,694,000</u>			
Motor Vehicle	Account—Federal	Appropriation	
( <del>(\$475,025,000)</del> )			
<u>\$525,688,000</u>			
Motor Vehicle	Account—Private/Local	Appropriation	
( <del>(\$8,647,000)</del> )			
<u>\$8,092,000</u>			
Transportation 2003 Account (Nickel Account)—State			
Appropriation ( <del>(\$28,032,000)</del> )			
<u>\$26,654,000</u>			
Tacoma Narrows Toll Bridge Account—State			
Appropriation ( <del>(\$4,564,000)</del> )			
<u>\$1,038,000</u>			
Recreational Vehicle	Account—State	Appropriation	
( <del>(\$2,194,000)</del> )			
<u>\$2,197,000</u>			
High Occupancy Toll Lanes Operations Account—State			
Appropriation \$1,000,000			
State Route Number 520 Corridor Account—State			

Appropriation (~~(\$1,730,000)~~)  
\$1,460,000  
 Connecting Washington Account—State Appropriation  
 (~~(\$79,963,000)~~)  
\$77,134,000  
 TOTAL APPROPRIATION \$678,552,000  
\$718,391,000

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

(1) Except as provided otherwise in this section, the entire transportation 2003 account (nickel account) appropriation and the entire transportation partnership account appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document (~~(2016-4)~~) 2017-1 as developed (~~(March 7, 2016)~~) April 5, 2017, Program - Highway Preservation Program (P). However, limited transfers of specific line-item project appropriations may occur between projects for those amounts listed subject to the conditions and limitations in section 601 (~~(of this act)~~), chapter . . . (Senate Bill No. 5096), Laws of 2017.

(2) Except as provided otherwise in this section, the entire motor vehicle account—state appropriation and motor vehicle account—federal appropriation are provided solely for the projects and activities listed in LEAP Transportation Document (~~(2016-2 ALL PROJECTS)~~) 2017-2 ALL PROJECTS as developed (~~(March 7, 2016)~~) April 5, 2017, Program - Highway Preservation Program (P). Any federal funds gained through efficiencies, adjustments to the federal funds forecast, additional congressional action not related to a specific project or purpose, or the federal funds redistribution process must then be applied to highway and bridge preservation activities. However, no additional federal funds may be allocated to the I-5/Columbia River Crossing project (400506A).

(3) Within the motor vehicle account—state appropriation and motor vehicle account—federal appropriation, the department may transfer funds between programs I and P, except for funds that are otherwise restricted in this act.

(4) The transportation 2003 account (nickel account)—state appropriation includes up to (~~(\$28,032,000)~~) \$26,654,000 in proceeds from the sale of bonds authorized in RCW 47.10.861.

(5) The department shall examine the use of electric arc furnace slag for use as an aggregate for new roads and paving projects in high traffic areas and report back to the legislature by December 1, 2015, on its current use in other areas of the country and any characteristics that can provide greater wear resistance and skid resistance in new pavement construction.

(6) (~~(\$38,142,000)~~) \$6,545,000 of the motor vehicle account—federal appropriation and (~~(\$858,000)~~) \$188,000 of the motor vehicle account—state appropriation are provided solely for the preservation of structurally deficient bridges or bridges that are at risk of becoming structurally deficient. These funds must be used widely around the state of Washington. The department shall provide a report that identifies the scope, cost, and benefit of each project funded in this subsection as part of its 2016 agency budget request.

(7) Except as provided otherwise in this section, the entire connecting Washington account appropriation in this section is provided solely for the projects and activities as listed in LEAP Transportation Document (~~(2016-4)~~) 2017-1 as developed (~~(March 7, 2016)~~) April 5, 2017, Program - Highway Preservation Program (P).

(8) It is the intent of the legislature that, with respect to the amounts provided for highway preservation from the connecting Washington account, the department consider the preservation and rehabilitation of concrete roadway on Interstate 5 from the

Canadian border to the Oregon border to be a priority within the preservation program.

(9) \$5,000,000 of the motor vehicle account—state appropriation is provided solely for extraordinary costs incurred from litigation awards, settlements, or dispute mitigation activities not eligible for funding from the self-insurance fund. The amount provided in this subsection must be held in unallotted status until the department submits a request to the office of financial management that includes documentation detailing litigation-related expenses. The office of financial management may release the funds only when it determines that all other funds designated for litigation awards, settlements, and dispute mitigation activities have been exhausted. No funds provided in this subsection may be expended on any legal fees related to the SR 99/Alaskan Way viaduct replacement project.

(10)(a) The department and the Washington state patrol must work collaboratively to develop a comprehensive plan for weigh station construction and preservation for the entire state. The plan must be submitted to the transportation committees of the legislature by January 1, 2017.

(b) As part of the 2017-2019 biennial budget submittal, the department and the Washington state patrol must jointly submit a prioritized list of weigh station projects for legislative approval.

(11) The department must consult with the Washington state patrol during the design phase of a department-led improvement or preservation project that could impact weigh station operations. The department must ensure that the designs of the projects do not prevent or interfere with weigh station operations.

**Sec. 1008.** 2016 c 14 s 308 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—CAPITAL**

Motor Vehicle Account—State	Appropriation
<del>(\$7,190,000)</del>	
<u>\$6,794,000</u>	
Motor Vehicle Account—Federal	Appropriation
<del>(\$7,567,000)</del>	
<u>\$6,716,000</u>	
Motor Vehicle Account—Private/Local	Appropriation
<del>(\$200,000)</del>	
<u>\$201,000</u>	
TOTAL APPROPRIATION	\$14,957,000
<u>\$13,711,000</u>	

The appropriations in this section are subject to the following conditions and limitations: The department shall set aside a sufficient portion of the motor vehicle account—state appropriation for federally selected competitive grants or congressional earmark projects that require matching state funds. State funds set aside as matching funds for federal projects must be accounted for in project 000005Q and remain in unallotted status until needed for those federal projects.

**Sec. 1009.** 2016 c 14 s 309 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—WASHINGTON STATE FERRIES CONSTRUCTION—PROGRAM W**

Puget Sound Capital Construction Account—State	Appropriation
<del>(\$57,764,000)</del>	
<u>\$57,037,000</u>	
Puget Sound Capital Construction Account—Federal	Appropriation
<del>(\$153,647,000)</del>	
<u>\$136,346,000</u>	
Puget Sound Capital Construction Account—Private/Local	Appropriation
\$3,730,000	
Transportation 2003 Account (Nickel Account)—State	Appropriation
\$122,089,000	

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Connecting Washington Account—State Appropriation  
 ((~~\$68,805,000~~))  
\$72,689,000  
 TOTAL APPROPRIATION \$406,035,000  
\$391,891,000

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

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed in LEAP Transportation Document ((2016-2)) 2017-2 ALL PROJECTS as developed ((~~March 7, 2016~~)) April 5, 2017, Program - Washington State Ferries Capital Program (W).

(2) \$90,545,000 of the transportation 2003 account (nickel account)—state appropriation is provided solely for the acquisition of a 144-car vessel (L1000063). The department shall use as much already procured equipment as practicable on the 144-car vessels.

(3) ((~~\$46,989,000~~)) \$26,742,000 of the Puget Sound capital construction account—federal appropriation, ((~~\$2,000,000~~)) \$5,884,000 of the connecting Washington account—state appropriation, \$562,000 of the transportation 2003 account (nickel account)—state appropriation, and ((~~\$490,000~~)) \$491,000 of the Puget Sound capital construction account—state appropriation are provided solely for the Mukilteo ferry terminal (952515P). It is the intent of the legislature, over the sixteen-year investment program, to provide ((~~\$155,000,000~~)) \$159,061,000 to complete the Mukilteo Terminal Replacement project (952515P). These funds are identified in the LEAP transportation document referenced in subsection (1) of this section. To the greatest extent practicable and within available resources, the department shall design the new terminal to be a net zero energy building. To achieve this goal, the department shall evaluate using highly energy efficient equipment and systems, and the most appropriate renewable energy systems for the needs and location of the terminal.

(4) \$7,000,000 of the Puget Sound capital construction account—state appropriation is provided solely for emergency capital repair costs (999910K). Funds may only be spent after approval by the office of financial management.

(5) Consistent with RCW 47.60.662, which requires the Washington state ferry system to collaborate with passenger-only ferry and transit providers to provide service at existing terminals, the department shall ensure that multimodal access, including for passenger-only ferries and transit service providers, is not precluded by any future terminal modifications.

(6) If the department pursues a conversion of the existing diesel powered Issaquah class fleet to a different fuel source or engine technology or the construction of a new vessel powered by a fuel source or engine technology that is not diesel powered, the department must use a design-build procurement process.

(7) Funding is included in the future biennia of the LEAP transportation document referenced in subsection (1) of this section for future vessel purchases. Given that the recent purchase of new vessels varies from the current long range plan, the department shall include in its updated long range plan revised estimates for new vessel costs, size, and purchase time frames. Additionally, the long range plan must include a vessel retirement schedule and associated reserve vessel policy recommendations.

(8) \$325,000 of the Puget Sound capital construction account—state appropriation is provided solely for the ferry system to participate in the development of one account-based system for customers of both the ferry system and tolling system. The current Wave2Go ferry ticketing system is reaching the end of its useful life and the department is expected to develop a

replacement account-based system as part of the new tolling division customer service center toll collection system.

(9) Within existing resources, the department must evaluate the feasibility of utilizing the federal EB-5 immigrant investor program for financing the construction of a safety of life at sea (SOLAS) certificated vessel for the Anacortes-Sidney ferry route. The department must establish a group that includes, but is not limited to, the department of commerce and entities or individuals experienced with vessel engineering and EB-5 financing for assistance in evaluating the applicability of the EB-5 immigrant investor program. The department must deliver a report containing the results of the evaluation to the transportation committees of the legislature and the office of financial management by December 1, 2015.

(10) It is the intent of the legislature, over the sixteen-year investment program, to provide ((~~\$316,000,000~~)) \$320,000,000 to complete the Seattle Terminal Replacement project (900010L), including: (a) Design work and selection of a preferred plan, (b) replacing timber pilings with pilings sufficient to support a selected terminal design, (c) replacing the timber portion of the dock with a new and reconfigured steel and concrete dock, and (d) other staging and construction work as the amount allows. These funds are identified in the LEAP transportation document referenced in subsection (1) of this section.

(11) It is the intent of the legislature, over the sixteen-year new investment program, to provide \$122,000,000 in state funds to complete the acquisition of a fourth 144-car vessel (L2000109). These funds are identified in the LEAP transportation document referenced in subsection (1) of this section.

(12) \$300,000 of the Puget Sound capital construction account—state appropriation is provided solely to issue a request for proposals and purchase pilot program customer counting equipment. By June 30, 2017, the department must report to the governor and the transportation committees of the legislature on the most effective way to count ferry passengers.

(13) ((~~\$1,430,000~~)) \$1,255,000 of the Puget Sound capital construction account—federal appropriation and ((~~\$1,366,000~~)) \$889,000 of the Puget Sound capital construction—state appropriation are provided solely for installation of security access control and video monitoring systems, and for enhancing wireless network capacity to handle higher security usage, increase connectivity between vessels and land-based facilities, and isolate the security portion of the network from regular business (project 998925A).

(14) The transportation 2003 account (nickel account)—state appropriation includes up to ((~~\$4,131,000~~)) \$41,131,000 in proceeds from the sale of bonds authorized in RCW 47.10.861.

**Sec. 1010.** 2016 c 14 s 310 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—CAPITAL**

Essential Rail Assistance Account—State  
 Appropriation \$1,459,000  
 Transportation Infrastructure Account—State  
 Appropriation \$7,154,000  
 Multimodal Transportation Account—State  
 Appropriation ((~~\$37,205,000~~))  
\$31,320,000  
 Multimodal Transportation Account—Federal  
 Appropriation ((~~\$492,217,000~~))  
\$491,591,000  
 TOTAL APPROPRIATION \$538,035,000  
\$531,524,000

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

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document ((~~2016-2~~) 2017-2 ALL PROJECTS as developed ((~~March 7, 2016~~) April 5, 2017, Program - Rail Program (Y).

(2) \$5,000,000 of the transportation infrastructure account—state appropriation is provided solely for new low-interest loans approved by the department through the freight rail investment bank (FRIB) program. The department shall issue FRIB program loans with a repayment period of no more than ten years, and charge only so much interest as is necessary to recoup the department's costs to administer the loans. For the 2015-2017 fiscal biennium, the department shall first award loans to 2015-2017 FRIB loan applicants in priority order, and then offer loans to 2015-2017 unsuccessful freight rail assistance program grant applicants, if eligible. If any funds remain in the FRIB program, the department may reopen the loan program and shall evaluate new applications in a manner consistent with past practices as specified in section 309, chapter 367, Laws of 2011. The department shall report annually to the transportation committees of the legislature and the office of financial management on all FRIB loans issued.

(3)(a) (~~(\$5,484,000)~~) \$5,354,000 of the multimodal transportation account—state appropriation, (~~(\$270,000)~~) \$345,000 of the essential rail assistance account—state appropriation, and (~~(\$455,000)~~) \$506,000 of the transportation infrastructure account—state appropriation are provided solely for (~~new~~) statewide emergent freight rail assistance projects identified in the LEAP transportation document referenced in subsection (1) of this section.

(b) Of the amounts provided in this subsection, \$367,000 of the transportation infrastructure account—state appropriation and \$1,100,000 of the multimodal transportation account—state appropriation are provided solely to reimburse Highline Grain, LLC for approved work completed on Palouse River and Coulee City (PCC) railroad track in Spokane county between the BNSF Railway Interchange at Cheney and Geiger Junction and must be administered in a manner consistent with freight rail assistance program projects. The value of the public benefit of this project is expected to meet or exceed the cost of this project in: Shipper savings on transportation costs; jobs saved in rail-dependent industries; and/or reduced future costs to repair wear and tear on state and local highways due to fewer annual truck trips (reduced vehicle miles traveled). The amounts provided in this subsection are not a commitment for future legislatures, but it is the legislature's intent that future legislatures will work to approve biennial appropriations until the full \$7,337,000 cost of this project is reimbursed.

(4) (~~(\$487,297,000)~~) \$487,163,000 of the multimodal transportation account—federal appropriation and (~~(\$13,679,000)~~) \$10,991,000 of the multimodal transportation account—state appropriation are provided solely for expenditures related to passenger high-speed rail grants. Except for the Mount Vernon project (P01101A), the multimodal transportation account—state funds reflect no more than one and one-half percent of the total project funds, and are provided solely for expenditures that are not eligible for federal reimbursement.

(5)(a) \$1,114,000 of the essential rail assistance account—state appropriation, \$766,000 of the multimodal transportation account—state appropriation, and \$68,000 of the transportation infrastructure account—state appropriation are provided solely for the purpose of the rehabilitation and maintenance of the Palouse river and Coulee City railroad line (F01111B).

(b) Expenditures from the essential rail assistance account—state in this subsection may not exceed the combined total of:

(i) Revenues deposited into the essential rail assistance account from leases and sale of property pursuant to RCW 47.76.290; and

(ii) Revenues transferred from the miscellaneous program account to the essential rail assistance account, pursuant to RCW 47.76.360, for the purpose of sustaining the grain train program by maintaining the Palouse river and Coulee City railroad.

(6) The department shall issue a call for projects for the freight rail assistance program, and shall evaluate the applications in a manner consistent with past practices as specified in section 309, chapter 367, Laws of 2011. By November 15, 2016, the department shall submit a prioritized list of recommended projects to the office of financial management and the transportation committees of the legislature.

**Sec. 1011.** 2016 c 14 s 311 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—  
LOCAL PROGRAMS—PROGRAM Z—CAPITAL**

Highway Infrastructure Account—State Appropriation  
\$790,000

Highway Infrastructure Account—Federal  
Appropriation \$503,000

Transportation Partnership Account—State  
Appropriation (~~(\$4,054,000)~~)  
\$2,911,000

Highway Safety Account—State Appropriation  
(~~(\$11,647,000)~~)

\$9,259,000

Motor Vehicle Account—State Appropriation  
(~~(\$1,271,000)~~)

\$1,171,000

Motor Vehicle Account—Federal Appropriation  
(~~(\$28,043,000)~~)

\$17,571,000

Multimodal Transportation Account—State  
Appropriation (~~(\$34,031,000)~~)

\$26,119,000

Connecting Washington Account—State Appropriation  
(~~(\$47,669,000)~~)

\$27,069,000

TOTAL APPROPRIATION \$128,008,000

\$85,393,000

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

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document ((~~2016-2~~) 2017-2 ALL PROJECTS as developed ((~~March 7, 2016~~) April 5, 2017, Program - Local Programs Program (Z).

(2) The amounts identified in the LEAP transportation document referenced under subsection (1) of this section for pedestrian safety/safe routes to school are as follows:

(a) (~~(\$20,653,000)~~) \$14,221,000 of the multimodal transportation account—state appropriation and (~~(\$3,579,000)~~) \$2,436,000 of the transportation partnership account—state appropriation are provided solely for pedestrian and bicycle safety program projects (project L2000188).

(b) (~~(\$11,400,000)~~) \$6,303,000 of the motor vehicle account—federal appropriation, (~~(\$1,750,000)~~) \$925,000 of the multimodal transportation account—state appropriation, and (~~(\$6,750,000)~~) \$4,690,000 of the highway safety account—state appropriation are provided solely for newly selected safe routes to school projects. (~~(\$8,782,000)~~) \$7,507,000 of the motor vehicle account—federal appropriation, (~~(\$124,000)~~) \$26,000 of the multimodal transportation account—state appropriation, and (~~(\$4,897,000)~~) \$4,569,000 of the highway safety account—state

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appropriation are reappropriated for safe routes to school projects selected in the previous biennia (project L2000189). The department may consider the special situations facing high-need areas, as defined by schools or project areas in which the percentage of the children eligible to receive free and reduced-price meals under the national school lunch program is equal to, or greater than, the state average as determined by the department, when evaluating project proposals against established funding criteria while ensuring continued compliance with federal eligibility requirements.

(3) The department shall submit a report to the transportation committees of the legislature by December 1, 2015, and December 1, 2016, on the status of projects funded as part of the pedestrian safety/safe routes to school grant program. The report must include, but is not limited to, a list of projects selected and a brief description of each project's status.

(4) \$500,000 of the motor vehicle account—state appropriation is provided solely for the Edmonds waterfront at-grade train crossings alternatives analysis project (L2000135). The department shall work with the city of Edmonds and provide a preliminary report of key findings to the transportation committees of the legislature and the office of financial management by December 1, 2015.

(5)(a) ~~(\$9,900,000)~~ \$9,343,000 of the multimodal transportation account—state appropriation is provided solely for bicycle and pedestrian projects listed in the LEAP transportation document ~~((2016-4 as developed March 7, 2016. Funds must first be used for projects that are identified as priority one projects. As additional funds become available or if a priority one project is delayed, funding must be provided to priority two projects and then to priority three projects. If a higher priority project is bypassed, it must be funded in the first round after the project is ready. If funds become available as a result of projects being removed from this list or completed under budget, the department may submit additional bicycle and pedestrian safety projects for consideration by the legislature. The department must submit a report annually with its budget submittal that, at a minimum, includes information about the listed bicycle and pedestrian projects that have been funded and projects that have been bypassed, including an estimated time frame for when the project will be funded.~~

~~(b) Within existing resources, the local programs division must develop recommendations regarding potential modifications to the process by which funding is provided to the projects listed in the LEAP transportation document identified in (a) of this subsection. These modifications should include, but are not limited to, options for accelerating delivery of the listed projects and options for further prioritizing the listed projects. The department must submit a report regarding its recommendations to the transportation committees of the legislature by November 15, 2016) referenced in subsection (1) of this section.~~

**TRANSFERS AND DISTRIBUTIONS**

**Sec. 1101.** 2016 c 14 s 401 (uncodified) is amended to read as follows:

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

Transportation Partnership Account—State  
Appropriation \$3,610,000  
Highway Bond Retirement Account—State

Appropriation ~~(((\$1,176,906,000))~~  
\$1,173,441,000  
Ferry Bond Retirement Account—State Appropriation  
~~(((\$29,230,000))~~  
\$29,231,000  
Transportation Improvement Board Bond Retirement  
Account—State Appropriation ~~(((\$16,129,000))~~  
\$16,080,000  
State Route Number 520 Corridor Account—State  
Appropriation \$559,000  
Nondebt-Limit Reimbursable Bond Retirement Account—  
State Appropriation ~~(((\$25,837,000))~~  
\$25,332,000  
Toll Facility Bond Retirement Account—State  
Appropriation ~~(((\$72,880,000))~~  
\$67,850,000  
Motor Vehicle Account—State Appropriation  
\$2,500,000  
Transportation 2003 Account (Nickel Account)—State  
Appropriation \$477,000  
TOTAL APPROPRIATION \$1,328,128,000  
\$1,319,080,000

The appropriations in this section are subject to the following conditions and limitations: \$2,500,000 of the motor vehicle account—state appropriation is provided solely for debt service payment and withholding for the Tacoma Narrows bridge, with the intent of forestalling the need for the Washington state transportation commission to raise toll rates for the Tacoma Narrows bridge for fiscal year 2017.

**Sec. 1102.** 2016 c 14 s 402 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND FISCAL AGENT CHARGES**

Transportation Partnership Account—State  
Appropriation \$697,000  
Transportation 2003 Account (Nickel Account)—State  
Appropriation \$87,000  
State Route Number 520 Corridor Account—State  
Appropriation \$134,000  
TOTAL APPROPRIATION \$784,000  
\$918,000

**Sec. 1103.** 2016 c 14 s 403 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT TO BE PAID BY STATUTORILY PRESCRIBED REVENUE**

Toll Facility Bond Retirement Account—Federal  
Appropriation ~~(((\$200,215,000))~~  
\$200,216,000  
~~((Toll Facility Bond Retirement Account—State—  
Appropriation \$12,009,000~~  
~~TOTAL APPROPRIATION—\$212,224,000~~

**Sec. 1104.** 2016 c 14 s 404 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION**

Motor Vehicle Account—State Appropriation: For  
motor vehicle fuel tax distributions to cities  
and counties ~~(((\$497,071,000))~~  
\$496,685,000

**Sec. 1105.** 2016 c 14 s 406 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER—TRANSFERS**

Motor Vehicle Account—State Appropriation: For motor vehicle fuel tax refunds and statutory transfers ((~~\$1,831,879,000~~))  
\$1,856,065,000

**Sec. 1106.** 2016 c 14 s 407 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF LICENSING—TRANSFERS**

Motor Vehicle Account—State Appropriation: For motor vehicle fuel tax refunds and transfers ((~~\$182,730,000~~))  
\$184,758,000

**Sec. 1107.** 2016 c 14 s 408 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER—ADMINISTRATIVE TRANSFERS**

- (1) Multimodal Transportation Account—State Appropriation: For transfer to the Puget Sound Ferry Operations Account—State \$10,000,000
- (2) Multimodal Transportation Account—State Appropriation: For transfer to the Puget Sound Capital Construction Account—State \$12,000,000
- (3) State Route Number 520 Civil Penalties Account—State Appropriation: For transfer to the State Route Number 520 Corridor Account—State ((~~\$1,631,000~~))  
\$1,630,000
- (4) Highway Safety Account—State Appropriation: For transfer to the State Patrol Highway Account—State \$20,000,000
- (5) Highway Safety Account—State Appropriation: For transfer to the Puget Sound Ferry Operations Account—State \$10,000,000
- (6) Tacoma Narrows Toll Bridge Account—State Appropriation: For transfer to the Motor Vehicle Account—State \$950,000
- (7) Motor Vehicle Account—State Appropriation: For transfer to the Puget Sound Capital Construction Account—State \$18,000,000
- (8) Rural Mobility Grant Program Account—State Appropriation: For transfer to the Multimodal Transportation Account—State \$3,000,000,
- (9) Motor Vehicle Account—State Appropriation: For transfer to the Puget Sound Ferry Operations Account—State \$10,000,000
- (10) State Patrol Highway Account—State Appropriation: For transfer to the Connecting Washington Account—State \$9,690,000
- (11) Transportation Partnership Account—State Appropriation: For transfer to the Connecting Washington Account—State \$4,998,000
- (12) Motor Vehicle Account—State Appropriation: For transfer to the Connecting Washington Account—State \$25,781,000
- (13) Puget Sound Ferry Operations Account—State Appropriation: For transfer to the Connecting Washington Account—State \$596,000
- (14) Transportation 2003 Account (Nickel Account)—State Appropriation: For transfer to the Connecting Washington Account—State \$2,270,000
- (15) Highway Safety Account—State Appropriation: For transfer to the Multimodal Transportation Account—State \$5,000,000

- (16) Motor Vehicle Account—State Appropriation: For transfer to the Freight Mobility Investment Account—State \$1,922,000
- (17) Motor Vehicle Account—State Appropriation: For transfer to the Transportation Improvement Account—State \$2,188,000
- (18) Motor Vehicle Account—State Appropriation: For transfer to the Rural Arterial Trust Account—State \$1,094,000
- (19) Motor Vehicle Account—State Appropriation: For transfer to the County Arterial Preservation Account—State \$1,094,000
- (20) Multimodal Transportation Account—State Appropriation: For transfer to the Freight Mobility Multimodal Account—State \$1,922,000
- (21) Multimodal Transportation Account—State Appropriation: For transfer to the Regional Mobility Grant Program Account—State \$6,250,000
- (22) Multimodal Transportation Account—State Appropriation: For transfer to the Rural Mobility Grant Program Account—State \$3,438,000
- (23) Multimodal Transportation Account—State Appropriation: For transfer to the Electric Vehicle Charging Infrastructure Account—State \$1,000,000
- (24) Capital Vessel Replacement Account—State Appropriation: For transfer to the Connecting Washington Account—State \$59,000,000
- (25) Multimodal Transportation Account—State Appropriation: For transfer to the Connecting Washington Account—State \$8,000,000
- (26) Multimodal Transportation Account—State Appropriation: For transfer to the Aeronautics Account—State ((~~\$250,000~~))  
\$550,000

**MISCELLANEOUS 2015-2017 FISCAL BIENNIUM**

**NEW SECTION. Sec. 1201.** A new section is added to 2016 c 14 (uncodified) to read as follows:

The appropriations to the department of transportation in chapter 14, Laws of 2016 and this act must be expended for the programs and in the amounts specified in this act. However, after May 1, 2017, unless specifically prohibited, the department may transfer state appropriations for the 2015-2017 fiscal biennium among operating programs after approval by the director of the office of financial management. However, the department shall not transfer state moneys that are provided solely for a specific purpose. The department shall not transfer funds, and the director of the office of financial management shall not approve the transfer, unless the transfer is consistent with the objective of conserving, to the maximum extent possible, the expenditure of state funds and not federal funds. The director of the office of financial management shall notify the appropriate transportation committees of the legislature before approving any allotment modifications or transfers under this section. The written notification must include a narrative explanation and justification of the changes, along with expenditures and allotments by program and appropriation, both before and after any allotment modifications or transfers.

**MISCELLANEOUS**

**NEW SECTION. Sec. 1301.** 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. 1302.** Except for sections 703 and 704 of this act, this act is necessary for the immediate preservation

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of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.

**NEW SECTION. Sec. 1303.** Section 703 of this act takes effect if chapter . . . (Senate Bill No. 5307), Laws of 2017 is enacted by June 30, 2017.

**NEW SECTION. Sec. 1304.** Section 704 of 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 takes effect July 1, 2017."

On page 1, line 1 of the title, after "appropriations;" strike the remainder of the title and insert "amending RCW 43.19.642, 46.61.5054, 46.68.030, 46.68.060, 46.68.280, 46.68.290, 46.68.325, 46.68.370, 47.29.170, 47.56.403, 47.56.876, 47.60.530, and 81.53.281; amending 2016 c 14 ss 102-104, 201-223, 301-311, 401-404, and 406-408 (uncodified); adding a new section to 2016 c 14 (uncodified); creating new sections; making appropriations and authorizing expenditures for capital improvements; providing an effective date; providing a contingent effective date; and declaring an emergency."

WITHDRAWAL OF AMENDMENT

On motion of Senator O'Ban and without objection, the following floor amendment no. 207 by Senators O'Ban and Rossi on page 11, line 32 to floor striking amendment no. 191 was withdrawn.

On page 11, after line 32 of the amendment, insert the following:

"(14) \$91,279,000 of the motor vehicle account—state appropriation and \$2,048,000 of the motor vehicle account—private/local appropriation are provided solely for motor vehicle-related activities, including the collection of motor vehicle excise taxes for a regional transit authority, and related call center support staff. Important reforms related to the collection of motor vehicle excise taxes for a regional transit authority are included in chapter . . . (Senate Bill No. 5893), Laws of 2017 (regional transit authority motor vehicle excise tax administration) affecting the department's workload and interaction with millions of vehicle owners. Therefore, if chapter . . . (Senate Bill No. 5893), Laws of 2017 is not enacted by June 30, 2017, the department may not contract with a regional transit authority to collect any motor vehicle excise taxes."

MOTION

Senator Liias moved that the following floor amendment no. 197 by Senator Liias be adopted:

On page 28, line 17 of the amendment, strike "\$79,846,000" and insert "\$80,346,000"

On page 28, line 20 of the amendment, strike "\$79,892,000" and insert "\$80,392,000"

On page 28, after line 20 of the amendment, insert the following:

"The appropriations in this section are subject to the following conditions and limitations: \$500,000 of the multimodal transportation account—state appropriation is provided solely for a consultant study of ultra high-speed ground transportation. The department may use the unanticipated receipt process to accept local contributions for this study. For purposes of this section, "ultra high-speed" means two hundred fifty miles per hour or more. The study must identify the costs and benefits of ultra high-

speed ground transportation along a north-south alignment in Washington state. The study must provide:

(1) An update to the high speed ground transportation study commissioned pursuant to chapter 231, Laws of 1991 and delivered to the governor and legislature on October 15, 1992;

(2) An analysis of an ultra high-speed ground transportation alignment between Vancouver, British Columbia and Portland, Oregon with stations in: Vancouver, British Columbia; Bellingham, Everett, Seattle, SeaTac, Tacoma, Olympia, and Vancouver, Washington; and Portland, Oregon, with an option to connect with an east-west alignment in Washington state and with a similar system in the state of California; and

(3) An analysis of the following key elements:

(a) Economic feasibility;

(b) Forecasted demand;

(c) Corridor identification;

(d) Land use and economic development and environmental implications;

(e) Compatibility with other regional transportation plans, including interfaces and impacts on other travel modes such as air transportation;

(f) Technological options for ultra high-speed ground transportation, both foreign and domestic;

(g) Required specifications for speed, safety, access, and frequency;

(h) Identification of existing highway or railroad rights-of-way that are suitable for ultra high-speed travel, including identification of additional rights-of-way that may be needed and the process for acquiring those rights-of-way;

(i) Institutional arrangements for carrying out detailed system planning, construction, and operations; and

(j) An analysis of potential financing mechanisms for an ultra high-speed travel system.

The department shall provide a report of its study findings to the governor and transportation committees of the legislature by December 15, 2017."

Senator Liias spoke in favor of adoption of the amendment to the striking amendment.

Senator King spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 197 by Senator Liias on page 28, line 17 to floor striking amendment no. 191.

The motion by Senator Liias did not carry and floor amendment no. 197 was not adopted by voice vote.

MOTION

Senator O'Ban moved that the following floor amendment no. 227 by Senator O'Ban be adopted:

On page 31, line 4 of the amendment, strike "\$570,992,000" and insert "\$510,992,000"

On page 31, line 19 of the amendment, strike "\$2,222,505,000" and insert "\$2,162,505,000"

On page 32, line 23 of the amendment, after "(8)" strike "\$159,407,000" and insert "\$99,407,000"

WITHDRAWAL OF AMENDMENT

On motion of Senator O'Ban and without objection, the following floor amendment no. 227 by Senator O'Ban on page 31, line 4 to floor striking amendment no. 191 was withdrawn.

On page 31, line 4 of the amendment, strike "\$570,992,000" and insert "\$510,992,000"

On page 31, line 19 of the amendment, strike "\$2,222,505,000" and insert "\$2,162,505,000"

On page 32, line 23 of the amendment, after "(8)" strike "\$159,407,000" and insert "\$99,407,000"

#### WITHDRAWAL OF AMENDMENT

On motion of Senator Keiser and without objection, the following floor amendment no. 219 by Senator Keiser on page 34, line 28 to floor striking amendment no. 191 was withdrawn.

On page 34, line 28 of the amendment, after "(20)" insert "(a)"  
On page 34, after line 37 of the amendment, insert the following:

"(b) The secretary of transportation must develop a memorandum of understanding with local project stakeholders that identifies a schedule for stakeholders to provide local matching funds for the Puget Sound Gateway project. Criteria for eligibility of local match includes matching funds and equivalent in-kind contributions including, but not limited to, land donations. Negotiations must also include consideration of lost local property tax value from land no longer needed but held over time by the department for extensions of these roadways as counting toward local matching funds. The memorandum of understanding must be finalized by January 1, 2018. The department must submit a copy of the memorandum of understanding to the transportation committees of the legislature and report regularly on the status of local match funding."

#### WITHDRAWAL OF AMENDMENT

On motion of Senator McCoy and without objection, the following floor amendment no. 194 by Senator McCoy on page 37, line 3 to floor striking amendment no. 191 was withdrawn.

On page 37, after line 3 of the amendment, insert the following:

"(29) It is the intent of the legislature that \$2,000,000 of connecting Washington account—state funds in the 2023-2025 fiscal biennium, \$8,900,000 of connecting Washington account—state funds in the 2025-2027 fiscal biennium, and \$10,200,000 of connecting Washington account—state funds in the 2027-2029 fiscal biennium for the I-5/Slater Road Interchange - Improvements project (L1000099) be moved to the 2019-2021, 2021-2023, and 2023-2025 fiscal biennia, respectively, as originally scheduled in the connecting Washington package of 2015 (chapter 43, Laws of 2015 3rd sp. sess.)."

#### MOTION

Senator Ericksen moved that the following floor amendment no. 198 by Senator Ericksen be adopted:

On page 37, after line 3 of the amendment, insert the following:

"(29) It is the intent of the legislature that the funding for the I-5/Slater Road Interchange - Improvements project (L1000099) be moved to a new I-5/Exit 274 Interchange project in Blaine, and changed accordingly on the list referenced in subsection (1) of this section. This new project would create a new southbound off-ramp on Interstate 5 at exit 274 onto Peace Portal Drive and a direct northbound connection to Blaine's industrial area from the existing northbound off-ramp by reconfiguring it to tie into Odell Street. It is further the intent of the legislature that \$2,000,000 of connecting Washington account—state funds in the 2023-2025

fiscal biennium, \$8,900,000 of connecting Washington account—state funds in the 2025-2027 fiscal biennium, and \$10,200,000 of connecting Washington account—state funds in the 2027-2029 fiscal biennium for the new I-5/Exit 274 Interchange project be moved to the 2019-2021, 2021-2023, and 2023-2025 fiscal biennia, respectively, as originally scheduled in the connecting Washington package of 2015 (chapter 43, Laws of 2015 3rd sp. sess.), for the I-5/Slater Road Interchange - Improvements project which it is replacing."

Senators Ericksen and King spoke in favor of adoption of the amendment to the striking amendment.

Senator Hobbs spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 198 by Senator Ericksen on page 37, line 3 to floor striking amendment no. 191.

The motion by Senator Ericksen carried and floor amendment no. 198 was adopted by voice vote.

#### MOTION

Senator Fortunato moved that the following floor amendment no. 206 by Senator Fortunato be adopted:

On page 37, after line 3 of the amendment, insert the following:

"(29) Among the options studied as part of the SR 410 Corridor Study project (L1000174), the department shall examine the mobility and safety benefits of replacing or expanding the White River bridge between Enumclaw and Buckley to four lanes and removing the trestle."

Senators Fortunato, King and Hobbs spoke in favor of adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 206 by Senator Fortunato on page 37, line 3 to floor striking amendment no. 191.

The motion by Senator Fortunato carried and floor amendment no. 206 was adopted by voice vote.

#### MOTION

Senator Padden moved that the following floor amendment no. 208 by Senators Padden and Baumgartner be adopted:

On page 45, line 3 of the amendment, strike "\$13,300,000" and insert "\$14,800,000"

On page 45, line 9 of the amendment, strike "\$268,090,000" and insert "\$269,590,000"

On page 47, after line 21 of the amendment, insert the following:

"(10) It is the intent of the legislature that \$1,500,000 of the motor vehicle account—state appropriation be provided solely for the Spokane Valley Barker/Trent Grade Separation project and that this project be added to the list identified in subsection (1) of this section."

Senators Padden and King spoke in favor of adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 208 by Senators Padden and Baumgartner on page 45, line 3 to floor striking amendment no. 191.

The motion by Senator Padden carried and floor amendment no. 208 was adopted by voice vote.

Senator McCoy moved that the following floor amendment no. 218 by Senator McCoy be adopted:

On page 49, after line 21 of the amendment, insert the following:

**"NEW SECTION. Sec. 315. PROJECT ADJUSTMENTS**

Any adjustments to LEAP Transportation Document 2017-1 as developed April 5, 2017, shall not occur until after the adjournment of the next regular legislative session."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Senator McCoy spoke in favor of adoption of the amendment to the striking amendment.

Senator King spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 218 by Senator McCoy on page 49, line 21 to floor striking amendment no. 191.

The motion by Senator McCoy did not carry and floor amendment no. 218 was not adopted by voice vote.

MOTION

Senator Hobbs moved that the following floor amendment no. 215 by Senators Hobbs and King be adopted:

On page 133, after line 6 of the amendment, insert the following:

"(15) The department shall submit a cost estimate to procure a fifth 144-car vessel to the governor and the transportation committees of the legislature by June 30, 2017. The estimate must include, but is not limited to, construction costs, estimated operating costs, and any potential savings from replacing a currently operating vessel with a fifth 144-car vessel."

Senators Hobbs and King spoke in favor of adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 215 by Senators Hobbs and King on page 133, line 6 to floor striking amendment no. 191.

The motion by Senator Hobbs carried and floor amendment no. 215 was adopted by voice vote.

The President declared the question before the Senate to be the adoption of floor striking amendment no. 191 by Senators King and Hobbs as amended to Senate Bill No. 5096.

The motion by Senator King carried and floor striking amendment no. 191 as amended was adopted by voice vote.

MOTION

On motion of Senator King, the rules were suspended, Engrossed Senate Bill No. 5096 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators King, Hobbs, Erickson and Liias spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5096.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5096 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Erickson, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Liias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo, Pearson, Pedersen, Ranker, Rivers, Rolfes, Rossi, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson and Zeiger

ENGROSSED SENATE BILL NO. 5096, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator King: "Well I would be remiss if I didn't thank all those involved with this budget. No one does this by themselves to say the least. And a great thank you to Senator Hobbs and Senator Sheldon and also to Senator Liias. We worked very hard and we worked very diligently and I would say all of us listened and all of us tried to find good honest solutions that kept moving this state forward. And that was our goal and I think this budget did it. I thank the body for their unanimous vote. And then I need to thank the staff who were out there, I don't know if they still are or not. Knowing them they probably wouldn't come out even if I went over there and begged them to do it. They are an amazing group of people. Hannah McCarty from the partisan staff, and Jackson Maynard. And then the nonpartisan staff, I can't thank them all enough for the job that they do and how they do it. They put up with a lot of questions. I know how many questions they got from me and I can imagine what it was like dealing with everyone else as we put this budget together. But they are an amazing group of people and I can't thank them enough for all their efforts. So thank you Mr. President and thank you to this body."

REMARKS BY THE PRESIDENT

President Habib: "And whether they are in the wings or watching on TVW or hopefully not and watching tomorrow, why don't we give a round of applause to the hard-working staff that put this budget together."

The Senate rose and recognized the work the staff of the Committee on Transportation and caucuses.

SECOND READING

SENATE BILL NO. 5819, by Senators King and Hobbs

Concerning the board of pilotage commissioners.

MOTION

On motion of Senator King, Substitute Senate Bill No. 5819 was substituted for Senate Bill No. 5819 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator King moved that the following floor amendment no. 131 by Senator King be adopted:

On page 2, line 37, after "(ii)" insert "Until July 1, 2023, impose on vessels requiring pilotage a sixteen dollar per pilotage assignment self-insurance premium surcharge, to be deposited into the pilotage account created in RCW 88.16.061 solely for the expenditure of self-insurance premiums;

(iii)"

On page 2, line 37, after "first" strike "one million" and insert "four hundred thousand"

The President declared the question before the Senate to be the adoption of floor amendment no. 131 by Senator King on page 2, line 37 to Substitute Senate Bill No. 5819.

The motion by Senator King carried and floor amendment no. 131 was adopted by voice vote.

MOTION

On motion of Senator King, the rules were suspended, Engrossed Substitute Senate Bill No. 5819 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators King and Hobbs spoke in favor of passage of the bill.

Senators Van De Wege, Chase and Conway spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5819.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5819 and the bill passed the Senate by the following vote: Yeas, 25; Nays, 24; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Baumgartner, Becker, Braun, Brown, Ericksen, Fain, Fortunato, Hawkins, Hobbs, Honeyford, King, Miloscia, O'Ban, Padden, Pearson, Rivers, Rossi, Schoesler, Sheldon, Short, Walsh, Warnick, Wilson and Zeiger

Voting nay: Senators Bailey, Billig, Carlyle, Chase, Cleveland, Conway, Darneille, Frockt, Hasegawa, Hunt, Keiser, Kuderer, Liias, McCoy, Mullet, Nelson, Palumbo, Pedersen, Ranker, Rolfes, Saldaña, Takko, Van De Wege and Wellman

ENGROSSED SUBSTITUTE SENATE BILL NO. 5819, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Fain, the Senate reverted to the fourth order of business.

MESSAGES FROM THE HOUSE

April 6, 2017

MR. PRESIDENT:  
The Speaker has signed:

HOUSE BILL NO. 1001,  
SUBSTITUTE HOUSE BILL NO. 1010,  
SUBSTITUTE HOUSE BILL NO. 1027,  
SUBSTITUTE HOUSE BILL NO. 1036,

SUBSTITUTE HOUSE BILL NO. 1176,  
SUBSTITUTE HOUSE BILL NO. 1189,  
SUBSTITUTE HOUSE BILL NO. 1199,  
SUBSTITUTE HOUSE BILL NO. 1235,  
ENGROSSED HOUSE BILL NO. 1248,  
SUBSTITUTE HOUSE BILL NO. 1257,  
HOUSE BILL NO. 1283,  
SUBSTITUTE HOUSE BILL NO. 1320,  
HOUSE BILL NO. 1329,  
SUBSTITUTE HOUSE BILL NO. 1369,  
HOUSE BILL NO. 1400,  
HOUSE BILL NO. 1401,  
SUBSTITUTE HOUSE BILL NO. 1411,  
SUBSTITUTE HOUSE BILL NO. 1420,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1431,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1489,  
SUBSTITUTE HOUSE BILL NO. 1515,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1531,  
HOUSE BILL NO. 1593,  
HOUSE BILL NO. 1615,  
HOUSE BILL NO. 1616,  
HOUSE BILL NO. 1629,  
ENGROSSED HOUSE BILL NO. 1654,  
HOUSE BILL NO. 1722,  
HOUSE BILL NO. 1732,  
HOUSE BILL NO. 1734,  
SUBSTITUTE HOUSE BILL NO. 1755,  
SUBSTITUTE HOUSE BILL NO. 1765,  
HOUSE BILL NO. 1832,  
SUBSTITUTE HOUSE BILL NO. 1905,  
ENGROSSED HOUSE BILL NO. 2073,

and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

April 6, 2017

MR. PRESIDENT:  
The House has passed:

SENATE BILL NO. 5382,  
SUBSTITUTE SENATE BILL NO. 5481,  
SENATE BILL NO. 5543,  
SUBSTITUTE SENATE BILL NO. 5573,  
SENATE BILL NO. 5649,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 5751,

and the same are herewith transmitted.

NONA SNELL, Deputy Chief Clerk

April 6, 2017

MR. PRESIDENT:  
The House has passed:

SENATE BILL NO. 5122,  
SENATE BILL NO. 5125,  
SENATE BILL NO. 5129,  
SENATE BILL NO. 5144,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 5256,  
SENATE BILL NO. 5270,  
SUBSTITUTE SENATE BILL NO. 5277,  
SENATE BILL NO. 5306,  
SUBSTITUTE SENATE BILL NO. 5356,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 5449,  
SENATE BILL NO. 5595,  
SENATE BILL NO. 5631,  
SUBSTITUTE SENATE BILL NO. 5675,  
ENGROSSED SENATE BILL NO. 5761,  
SENATE BILL NO. 5813,

EIGHTY EIGHTH DAY, APRIL 6, 2017  
and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

- HOUSE BILL NO. 1001,
- SUBSTITUTE HOUSE BILL NO. 1010,
- SUBSTITUTE HOUSE BILL NO. 1027,
- SUBSTITUTE HOUSE BILL NO. 1036,
- SUBSTITUTE HOUSE BILL NO. 1176,
- SUBSTITUTE HOUSE BILL NO. 1189,
- SUBSTITUTE HOUSE BILL NO. 1199,
- SUBSTITUTE HOUSE BILL NO. 1235,
- ENGROSSED HOUSE BILL NO. 1248,
- SUBSTITUTE HOUSE BILL NO. 1257,
- HOUSE BILL NO. 1283,
- SUBSTITUTE HOUSE BILL NO. 1320,
- HOUSE BILL NO. 1329,
- SUBSTITUTE HOUSE BILL NO. 1369,
- HOUSE BILL NO. 1400,
- HOUSE BILL NO. 1401,
- SUBSTITUTE HOUSE BILL NO. 1411,
- SUBSTITUTE HOUSE BILL NO. 1420,

- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1431,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1489,
- SUBSTITUTE HOUSE BILL NO. 1515,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1531,
- HOUSE BILL NO. 1593,
- HOUSE BILL NO. 1615,
- HOUSE BILL NO. 1616,
- HOUSE BILL NO. 1629,
- ENGROSSED HOUSE BILL NO. 1654,
- HOUSE BILL NO. 1722,
- HOUSE BILL NO. 1732,
- HOUSE BILL NO. 1734,
- SUBSTITUTE HOUSE BILL NO. 1755,
- SUBSTITUTE HOUSE BILL NO. 1765,
- HOUSE BILL NO. 1832,
- SUBSTITUTE HOUSE BILL NO. 1905,
- ENGROSSED HOUSE BILL NO. 2073.

MOTION

At 6:26 p.m., on motion of Senator Fain, the Senate adjourned until 10:00 o'clock a.m. Friday, April 7, 2017.

CYRUS HABIB, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate