

NEW SECTION. Sec. 28. (1) RCW 43.131.301 and 43.131.302 are each recodified as sections in chapter 18.51 RCW.

(2) RCW 43.131.303 and 43.131.304 are each recodified as sections in chapter 18.73 RCW.

(3) RCW 43.131.323 is recodified as a section in chapter 18.83 RCW.

(4) RCW 43.131.343 and 43.131.344 are each recodified as sections in chapter 43.31 RCW.

(5) RCW 43.131.351 and 43.131.352 are each recodified as sections in chapter 18.36A RCW.

(6) RCW 43.131.357 and 43.131.358 are each recodified as sections in chapter 18.19 RCW.

(7) RCW 43.131.359 and 43.131.360 are each recodified as sections in chapter 77.12 RCW.

(8) RCW 43.131.363 and 43.131.364 are each recodified as sections in chapter 43.240 RCW.

NEW SECTION. Sec. 29. Section 14, chapter 449, Laws of 1985 and RCW 84.26.140 are each repealed.

Passed the House March 5, 1990.

Passed the Senate March 1, 1990.

Approved by the Governor March 30, 1990.

Filed in Office of Secretary of State march 30, 1990.

CHAPTER 298

[Senate Bill No. 6408]

TRANSPORTATION BUDGET

AN ACT Relating to transportation appropriations; amending section 5, chapter 6, Laws of 1989 1st ex. sess. (uncodified); amending section 4, chapter 6, Laws of 1989 1st ex. sess. (uncodified); amending section 6, chapter 6, Laws of 1989 1st ex. sess. (uncodified); amending section 7, chapter 6, Laws of 1989 1st ex. sess. (uncodified); amending section 9, chapter 6, Laws of 1989 1st ex. sess. (uncodified); amending section 10, chapter 6, Laws of 1989 1st ex. sess. (uncodified); amending section 11, chapter 6, Laws of 1989 1st ex. sess. (uncodified); amending section 12, chapter 6, Laws of 1989 1st ex. sess. (uncodified); amending section 13, chapter 6, Laws of 1989 1st ex. sess. (uncodified); amending section 16, chapter 6, Laws of 1989 1st ex. sess. (uncodified); amending section 17, chapter 6, Laws of 1989 1st ex. sess. (uncodified); amending section 19, chapter 6, Laws of 1989 1st ex. sess. (uncodified); amending section 20, chapter 6, Laws of 1989 1st ex. sess. (uncodified); amending section 24, chapter 6, Laws of 1989 1st ex. sess. (uncodified); amending section 25, chapter 6, Laws of 1989 1st ex. sess. (uncodified); amending section 26, chapter 6, Laws of 1989 1st ex. sess. (uncodified); amending section 28, chapter 6, Laws of 1989 1st ex. sess. (uncodified); amending section 29, chapter 6, Laws of 1989 1st ex. sess. (uncodified); amending section 30, chapter 6, Laws of 1989 1st ex. sess. (uncodified); amending section 31, chapter 6, Laws of 1989 1st ex. sess. (uncodified); amending section 32, chapter 6, Laws of 1989 1st ex. sess. (uncodified); amending section 36, chapter 6, Laws of 1989 1st ex. sess. (uncodified); amending section 56, chapter 6, Laws of 1989 1st ex. sess. (uncodified); amending section 64, chapter 6, Laws of 1989 1st ex. sess. (uncodified); amending section 65, chapter 6, Laws of 1989 1st ex. sess. (uncodified); and amending section 504, chapter ... (ESSB 6358), Laws of 1990; adding new sections to chapter 6, Laws of 1989 1st ex. sess. (uncodified); adding a new chapter to Title 47 RCW; providing an expiration date; and declaring an emergency.

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

Sec. 1. Section 4, chapter 6, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE COUNTY ROAD ADMINISTRATION BOARD

<u>Motor Vehicle Fund—County Arterial Pres-</u>	
ervation Account	\$ 12,400,000
<u>Motor Vehicle Fund—Rural Arterial Trust</u>	
Account Appropriation	\$ ((24,155,072))
	<u>31,071,072</u>
Motor Vehicle Fund Appropriation	\$ ((999,551))
	<u>1,154,051</u>
Total Appropriation	\$ ((25,154,623))
	<u>44,625,123</u>

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

(1) \$28,050 of the motor vehicle fund—state appropriation is provided solely for one time costs associated with the county road administration board director's retirement.

(2) \$126,450 of the motor vehicle fund and \$16,000 of the rural arterial trust account is provided for costs associated with office relocation of the county road administration board.

Sec. 2. Section 5, chapter 6, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE TRANSPORTATION IMPROVEMENT BOARD

<u>Motor Vehicle Fund—Transportation Im-</u>	
provement Account	41,300,000
<u>Motor Vehicle Fund—Urban Arterial</u>	
Trust Account Appropriation	\$ 50,976,600
Total Appropriation	\$ 92,276,600

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

**Sec. 3. Section 6, chapter 6, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:*

FOR THE STATE PATROL—FIELD OPERATIONS BUREAU

General Fund Appropriation	\$ ((300,000))
	<u>300,600</u>
<u>General Fund—Public Safety Education Ac-</u>	
count Appropriation—State	\$ 1,000,000
<u>Motor Vehicle Fund—State Patrol Highway</u>	
Account Appropriation—State	\$ ((110,690,369))
	<u>110,054,369</u>

Motor Vehicle Fund—State Patrol Highway	
Account Appropriation—Federal	\$ 2,965,228
Motor Vehicle Fund Appropriation	\$ 392,989
Total Appropriation	\$ ((114,348,586))
	<u>114,713,186</u>

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

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

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

~~((4))~~ (3) \$300,000 from the state patrol highway account—state appropriation and \$300,000 from the general fund appropriation is appropriated solely for the investigation of vehicle license fraud. The Washington state patrol, department of revenue, and the office of financial management shall report semiannually beginning December 15, 1989, to the legislative transportation committee on the number of fraud cases investigated and their outcome.

~~((5))~~ (4) \$821,000 of the motor vehicle fund—state patrol highway account—state appropriation ~~((in this section includes \$1,571,000))~~ and \$1,000,000 of the public safety education account—state appropriation in this section is provided for the safety education program.

~~((6))~~ (5) The motor vehicle fund—state patrol highway account—state appropriation in this section includes \$591,630 for five tow truck inspectors.

~~((7))~~ (6) The motor vehicle fund—state patrol highway account—state appropriation includes \$591,120 for the Vehicle Identification Number Program and \$1,303,700 for 15 additional commercial vehicle officers.

*Sec. 3 was vetoed, see message at end of chapter.

NEW SECTION. Sec. 4. A new section is added to chapter 6, Laws of 1989 1st ex. sess. to read as follows:

\$250,000 is appropriated from the state patrol highway account—state to the field operations bureau of the Washington state patrol solely for aircraft replacement. Any user of Washington state patrol aircraft shall pay its pro rata share of all operating and maintenance costs including capitalization.

Sec. 5. Section 7, chapter 6, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE PATROL—SUPPORT SERVICES BUREAU

General Fund—State	\$	41,500
Motor Vehicle Fund—State Patrol Highway		
Account Appropriation	\$	((48,210,204))
		<u>48,470,304</u>
Total Appropriation	\$	<u>48,511,804</u>

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

(1) \$2,205,285 is provided solely for development of the third and final phase of the patrol information collection system. Authority to expend these funds is conditioned upon compliance with the requirements set forth in section 63, chapter 6, Laws of 1989 1st ex. sess.

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

(3) \$40,900 of the general fund—state appropriation is provided for the cost accounting project. If this appropriation is contained in the 1990 general fund omnibus appropriations act, the appropriation in this section shall lapse.

(4) The office of financial management and the Washington state patrol shall develop a specific proposal for establishing an equipment revolving account beginning with the 1991-93 biennium. The account shall, at a minimum, be used for the maintenance and replacement of all vehicles including pursuit cars, staff cars, vans, and trucks. The proposal shall assess the feasibility of including mainframe computer equipment and aircraft in the revolving account. The agencies shall report to the legislative transportation committee by August 1, 1990, on their recommendations on the establishment of the revolving account.

NEW SECTION. Sec. 6. A new section is added to chapter 6, Laws of 1989 1st ex. sess. to read as follows:

The moneys appropriated to the Washington state patrol in this act shall not be used for relocation of headquarters personnel currently housed within the general administration building.

Sec. 7. Section 9, chapter 6, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING—VEHICLE SERVICES

Motor Vehicle Fund Appropriation	\$	((32,607,339))
		<u>34,331,339</u>
General Fund—Wildlife Account Appropria-		
tion	\$	421,186
Total Appropriation	\$	((33,028,525))

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

(1) ~~\$(1,538,900)~~ 2,266,900 of the motor vehicle fund appropriation is provided solely for the completion of the county auditor automation project. Authority to expend these funds is conditioned upon compliance with the requirements set forth in section 63, chapter 6, Laws of 1989 1st ex. sess. It is the intent of the legislature that if by December 31, 1990, the Hewlett-Packard Company has not demonstrated the performance levels specified in the February 15, 1990, agreement between the department of licensing and the Hewlett-Packard Company (or in any amendments thereto mutually agreed to by the contracting parties), Hewlett-Packard shall at its sole cost and expense either:

(a) Provide to the department and install an additional system, capable of supporting two thousand two hundred transactions per hour and meeting the required response times, together with all necessary software to operate the system and integrate the system into CAAP; or

(b) Upgrade two or more of the four then-existing systems as necessary to achieve those performance standards.

(2) The department shall create an advisory committee to examine the current processes and costs for issuing vehicle titles, registrations, and other vehicle documentation. Membership on the committee shall include the director as chairperson and appropriate departmental personnel and representatives of county auditors, subagents, county executives, and county council members/commissioners. ~~By ((June 30, 1990))~~ January 10, 1991, the advisory committee shall report to the legislative transportation committee as follows: (a) An analysis of the costs and benefits accruing annually to county auditors and subagents as a result of vehicle licensing activities; (b) analysis and recommendations of an appropriate allocation of on-going operating and maintenance county auditor automation project costs among the department, county auditors, and subagents; (c) the committee, in consultation with the information systems division of the department, the office of financial management, and the department of information services shall address the issue of future system requirements and how the costs associated with such requirements should be shared between the department, county auditors, and subagents; and (d) an analysis of the costs and benefits associated with the alternative of having all vehicle licensing activities conducted solely within the department, and an analysis of other alternatives recommended by the advisory committee.

~~((4))~~ (3) \$374,656 of the motor vehicle fund appropriation is provided solely for the front license tab program.

~~((5))~~ (4) \$46,609 of the motor vehicle fund appropriation is provided solely for the implementation of Engrossed House Bill No. 1645, regulating the relationship between motor vehicle dealers and manufacturers.

(5) \$329,000 of the motor vehicle appropriation as provided solely for implementing the odometer disclosure act. If Substitute Senate Bill No. 6560 is not implemented by June 30, 1990, this appropriation is null and void.

(6) \$550,000 of the motor vehicle fund—state appropriation provided for in this section is for implementation of the comprehensive 1990 transportation revenue bill. Transfer of any portion of this appropriation to the information services division is permitted.

Sec. 8. Section 10, chapter 6, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING—DRIVER SERVICES

General Fund—Public Safety and Education	
Account Appropriation	\$ 3,412,942
Highway Safety Fund Appropriation	\$ ((35,321,479))
	<u>35,674,479</u>
Highway Safety Fund—Motorcycle Safety	
Education Account Appropriation	\$ 1,037,499
Total Appropriation	\$ ((39,771,920))
	<u>40,124,920</u>

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

(1) \$((557,870)) 700,870 of the highway safety fund appropriation is provided for establishing ((two)) three new driver license examining offices.

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

Sec. 9. Section 11, chapter 6, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING—MANAGEMENT OPERATIONS

General Fund—Wildlife Account Appropriation		\$ 7,238
<u>Highway Safety Fund—Motorcycle Safety</u>		
Education Account Appropriation	\$ 2,747	
Highway Safety Fund Appropriation	\$ ((7,027,608))	
	<u>7,160,684</u>	
Motor Vehicle Fund Appropriation	\$ ((3,378,999))	
	<u>3,570,519</u>	
General Fund—Public Safety and Education		
Account Appropriation	\$ ((611,678))	
	<u>623,975</u>	

General Fund—State	\$	55,000
Total Appropriation	\$	((11,025,523))
		<u>11,420,163</u>

\$55,000 of the general fund—state appropriation is provided solely for the cost allocation project. If this appropriation is contained in the 1990 general fund omnibus appropriation act, the appropriation in this section shall lapse.

Sec. 10. Section 12, chapter 6, Laws of 1989 1st ex. sess. (unclassified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING—INFORMATION SYSTEMS

General Fund—Wildlife Account Appropria- tion	\$	((4,041))
		<u>229,015</u>

General Fund—State	\$	14,000
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Highway Safety Fund—Motorcycle Safety

Education Account Appropriation	\$	700
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Highway Safety Fund Appropriation	\$	((4,815,059))
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3,639,012

Motor Vehicle Fund Appropriation	\$	((15,191,175))
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14,374,819

General Fund—Public Safety and Education Account Appropriation	\$	((390,162))
		<u>390,001</u>

Total Appropriation	\$	((20,400,437))
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18,647,547

\$14,000 of the general fund appropriation is provided solely for the revenue accounting feasibility study. If this appropriation is contained in the 1990 omnibus general fund appropriations act, the appropriation in this section shall lapse.

NEW SECTION. Sec. 11. A new section is added to chapter 6, Laws of 1989 1st ex. sess. to read as follows:

\$728,000, of which \$364,000 is from the motor vehicle fund and \$364,000 is from the highway safety fund, is appropriated to the information services division of the department of licensing and is provided solely for the development of a project feasibility study exclusively for the integration of driver and motor vehicle systems. The feasibility study provided for in this section shall study only alternative computer applications and hardware that are currently in use in other states. The plan shall be submitted to the legislative transportation committee, the office of financial management, and the department of information services, by February 1, 1991. Authority to expend these moneys is conditioned upon compliance

with the requirements set forth in section 63 of chapter 6, Laws of 1989 1st ex. sess.

Sec. 12. Section 13, chapter 6, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE LEGISLATIVE TRANSPORTATION COMMITTEE

High Capacity Transportation Account	\$	750,000
Motor Vehicle Fund Appropriation	\$	((2,525,000))
		<u>2,602,000</u>
Motor Vehicle Fund—State Patrol Highway		
Account Appropriation	\$	100,000
Total Appropriation	\$	((2,625,000))
		<u>3,452,000</u>

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

(1) ~~\$(50,000)~~ 127,000 of the motor vehicle fund appropriation, or as much thereof as is needed, is provided for a study of gasoline pricing and supply practices to be conducted in conjunction with the Washington state energy office. The state energy office shall create and maintain a data base on petroleum pricing.

(2) \$75,000 of the motor vehicle fund appropriation is provided solely for the study mandated in section 14 of chapter 6, Laws of 1989 1st ex. sess.

(3) The motor vehicle fund—state patrol highway account appropriation provided for in this section is for a survey of ~~((local))~~ law enforcement compensation and to develop a trooper deployment model.

(4) \$750,000 of the high capacity transportation account appropriation provided for in this section is for an independent comprehensive study of public transportation to address organization, efficiency, effectiveness, and funding. The study shall address, but not be limited to:

(a) The roles and benefits of transit and paratransit in various areas of the state;

(b) The effectiveness and efficiency of public transportation efforts including utilization, cost of service, growth management strategies, environmental factors, and financial support;

(c) A specific component addressing the unmet transportation needs of persons with disabilities, and elderly, minority, or other transportation-disadvantaged persons; and

(d) The state's role in public transportation including provision and coordination of transportation services for current and potential participants in state and/or federally supported programs, financing and oversight.

The study shall be completed by September 30, 1991, and the results, including any recommendations for changes to existing statutes, reported to

the legislative transportation committee, the governor, and the state transportation commission.

(5) From the appropriation provided for in section 26 of this act, a study is to be performed in conjunction with the office of financial management, the transportation commission, the department of transportation, public transportation agencies, and cities and counties on the programming and prioritization of transportation projects and services.

The study shall include, but not be limited to, analyses and recommendations regarding:

(a) Established state and local program priorities, prioritization processes, and their ability to address current transportation problems;

(b) State and local design and service standards;

(c) Investment in traffic management alternatives and other nonconstruction approaches; and

(d) Effective intermodal and interjurisdictional planning and coordination of programs.

The study shall be completed by September 1991.

(6) From the appropriation provided for in section 26 of this act, a cost responsibility study is to be performed in conjunction with the office of financial management, the transportation commission, the department of transportation, public transportation agencies, and cities and counties. The cost responsibility study shall include but not be limited to analysis and recommendations regarding:

(a) Damage to, use of, and benefit from the state's transportation systems;

(b) Whether the users and beneficiaries of the state's transportation systems are paying an appropriate share of the costs; and

(c) Alternative methods of cost recovery and taxation including user and beneficiary based methods.

The study shall be completed by July 1, 1992.

**NEW SECTION. Sec. 13. A new section is added to chapter 6, Laws of 1989 1st ex. sess. to read as follows:*

FOR THE AIR TRANSPORTATION COMMISSION

<i>General Fund—State</i>	\$	275,000
<i>Transportation Fund</i>	\$	275,000
<i>Total Appropriation</i>	\$	550,000

The appropriations in this section shall lapse if sections 40 through 44 of this act are not also enacted.

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

Sec. 14. Section 16, chapter 6, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE TRANSPORTATION COMMISSION

General Fund—Aeronautics Account Ap- propriation	\$	1,184
General Fund Appropriation	\$	2,269
Motor Vehicle Fund—Puget Sound Capital Construction Account Appropriation	\$	31,349
Motor Vehicle Fund—Puget Sound Ferry Operations Account Appropriation	\$	53,160
Motor Vehicle Fund Appropriation	\$	((425,024))
		<u>625,024</u>
Total Appropriation	\$	((512,986))
		<u>712,986</u>

\$200,000 of the motor vehicle fund appropriation is provided for an innovations unit. The staff of the unit shall include an expert in emerging transportation technologies. The transportation commission shall submit a report by January 1, 1991, to the legislative transportation committee showing a detailed organization and work plan for the unit, and projected expenditures for the 1991-93 biennium.

Sec. 15. Section 17, chapter 6, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY CONSTRUCTION—PROGRAM A

Motor Vehicle Fund Appropriation—State	\$	((124,000,000))
		<u>125,100,000</u>
Motor Vehicle Fund Appropriation—Federal	\$	80,000,000
Motor Vehicle Fund Appropriation—Local	\$	2,000,000
Total Appropriation	\$	((206,000,000))
		<u>207,100,000</u>

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

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

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

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

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

(5) \$250,000 of the motor vehicle fund—state appropriation is provided solely for advanced planning, in conjunction with state and local growth management efforts.

(6) The motor vehicle fund—state appropriation contains \$1,100,000 for preliminary engineering and geotechnical investigations for an alternate route to state route 4 between Longview and Cathlamet.

Sec. 16. Section 19, chapter 6, Laws of 1989 1st ex. sess (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY CONSTRUCTION—PROGRAM C

Motor Vehicle Fund Appropriation—State	\$	((34,750,000))
		<u>89,750,000</u>
Motor Vehicle Fund Appropriation—Local	\$	1,000,000
Total Appropriation	\$	((35,750,000))
		<u>90,750,000</u>

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

~~(2))~~ (2) The motor vehicle fund—state appropriation includes up to ~~\$(1,000,000)~~ 6,000,000 of bond proceeds carried forward from the 1987–89 biennium and \$33,000,000 of bond proceeds authorized in RCW 47.10-.801: PROVIDED, That the transportation commission may authorize the use of current revenues available to the department of transportation in lieu of bond proceeds for any part of the state appropriation.

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

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

(3) \$5,000,000 of the motor vehicle fund—state appropriation is provided solely for preliminary engineering and right of way acquisition for

state highway projects designated as special category C under RCW 47.05-.030 and chapter 46.68 RCW. The projects shall include the first avenue south bridge in Seattle, SR 18 from Auburn to I-90, and the north/south corridor in Spokane. It is the intent of the legislature that funding provided under the special category C program for the 1st avenue south bridge shall not be jeopardized by expenditures for any other special category C project.

~~((5))~~ (4) Nothing in this section precludes the department from completing engineering on projects when such engineering costs are being provided by local government or private sources.

Sec. 17. Section 20, chapter 6, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY MANAGEMENT AND FACILITIES—PROGRAM D

Motor Vehicle Fund Appropriation	\$	58,608,867
Motor Vehicle Fund—Transportation Capital		
Facilities Account Appropriation	\$	((1,000,000))
		<u>17,000,000</u>
Total Appropriation	\$	((59,608,867))
		<u>75,608,867</u>

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

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

(2) ~~((If House Bill No. 1467 is not enacted by June 30, 1989, the motor vehicle fund—transportation capital facilities account appropriation shall lapse, and the motor vehicle fund appropriation shall increase by \$1,000,000))~~ \$15,000,000 of the motor vehicle fund—transportation capital facilities account appropriation is provided solely for the acquisition of headquarters facilities for district 1 of the department and costs incidental thereto, together with all improvements and equipment required to make the facilities suitable for the department's use.

(3) \$1,000,000 of the motor vehicle fund—transportation capital facilities account appropriation is provided solely for the operation of the new district 1 headquarters facilities.

NEW SECTION. Sec. 18. A new section is added to chapter 6, Laws of 1989 1st ex. sess. to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—TRANSFER

Motor Vehicle Fund: For transfer to the Transportation Capital Facilities Account	\$	15,000,000
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The appropriation transfer in this section is provided as a loan to the transportation capital facilities account for the initial financing of the acquisition of headquarters facilities for district 1 of the department. This loan shall be repaid from proceeds from the sale of bonds authorized under chapter __, Laws of 1990 (Senate Bill No. 6897), without the necessity of further legislative appropriation: PROVIDED, That the amount of the transfer shall not exceed actual expenditures for the acquisition of the headquarters facilities and improvements and equipment required to make the facilities suitable for the department's use.

Sec. 19. Section 24, chapter 6, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—
NONINTERSTATE BRIDGES—PROGRAM H

Motor Vehicle Fund Appropriation—State	\$	((26,000,000))
		<u>26,637,000</u>
Motor Vehicle Fund Appropriation—Federal	\$	33,000,000
Motor Vehicle Fund Appropriation—Local	\$	1,000,000
Total Appropriation	\$	((60,000,000))
		<u>60,637,000</u>

The appropriations in this section are provided to preserve the structural and operating integrity of existing bridges. The appropriations in this section are subject to the following conditions and limitations:

(1) \$220,000 of the appropriation provided for in this section shall be used exclusively for the first avenue south bridge.

(2) \$125,000 of the motor vehicle fund—state appropriation is provided solely for a Longview bridge feasibility study which shall include soils investigation, alignment considerations, bridge alternate designs, and cost estimates.

(3) \$125,000 of the motor vehicle fund—state appropriation is provided solely for a feasibility study of the state route No. 99 bridge over the Skagit river between Mt. Vernon and Burlington, which shall include soils investigation, alignment considerations, bridge alternate designs, and cost estimates.

(4) \$387,000 of the motor vehicle fund—state appropriation is provided solely to fund the removal of the toll booths on the Spokane river toll bridge and for preliminary engineering work on the deck resurfacing of the Spokane river toll bridge.

Sec. 20. Section 25, chapter 6, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—HIGH-
WAY MAINTENANCE AND OPERATIONS—PROGRAM M

Motor Vehicle Fund Appropriation—State	\$	((191,946,680))
		<u>191,872,680</u>
Motor Vehicle Fund Appropriation—Local	\$	69,161
Total Appropriation	\$	((192,015,841))
		<u>191,941,841</u>

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

(1) \$1,500,000 of the motor vehicle fund—state appropriation is provided solely for snow and ice removal activities in excess of \$33,800,000. The excess moneys are to be matched with reprioritized maintenance funds of twenty-five percent of the total needed over \$33,800,000 until the \$1,500,000 is matched. The legislative transportation committee must be notified if the resulting total of \$35,800,000 is exceeded.

(2) If actual and projected expenditures for public damage repair exceed amounts presumed in the maintenance work plan as submitted in the budget request to the house of representatives and senate transportation committees, supplemental relief will be sought.

(3) ~~((If Engrossed House Bill No. 1502, adjusting vehicle permit fees, is enacted by June 30, 1989, the motor vehicle fund—state appropriation is reduced by \$164,000))~~ \$90,000 of the motor vehicle fund—state appropriation is provided solely for maintenance on the Spokane river bridge.

Sec. 21. Section 26, chapter 6, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—SALES AND SERVICES TO OTHERS—PROGRAM R

Motor Vehicle Fund Appropriation—State	\$	((2,273,000))
		<u>2,023,000</u>
Motor Vehicle Fund Appropriation—Federal	\$	68,000,000
Motor Vehicle Fund Appropriation—Local	\$	6,869,000
Total Appropriation	\$	((77,142,000))
		<u>76,892,000</u>

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

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

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

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

Sec. 22. Section 28, chapter 6, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—PLANNING, RESEARCH, AND PUBLIC TRANSPORTATION—PROGRAM T

~~((For public transportation and rail programs:))~~

General Fund Appropriation—State	\$	((629,800))
		<u>779,800</u>
General Fund Appropriation—		
Federal/Local	\$	5,466,819
<u>High Capacity Transportation Account—</u>		
General Fund—State Appropriation	\$	4,603,000
((For planning and research:))		
Motor Vehicle Fund Appropriation—State	\$	((8,637,774))
		<u>10,357,774</u>
Motor Vehicle Fund Appropriation—Federal	\$	10,463,549
<u>Puget Sound Ferry Operations Account—</u>		
Motor Vehicle Fund—State Appropriation	\$	25,000
<u>Puget Sound Capital Construction Account—Motor Vehicle Fund—State</u>		
Appropriation	\$	25,000
<u>Transportation Fund</u>	\$	150,000
Total Appropriation	\$	((33,759,081))
		<u>31,870,942</u>

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

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

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

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

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

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

(a) ~~\$(6,801,793))~~ 3,400,000 or as much thereof as may be necessary may be expended to provide up to eighty percent matching assistance for regional ~~((passenger rail))~~ high capacity transportation planning efforts;

(b) ~~(\$500,000 or as much thereof as may be necessary))~~ Up to \$250,000 may be expended to determine ways of improving Amtrak service including coordination and planning efforts within the state;

(c) ~~\$(833,346))~~ 220,000 or as much thereof as may be necessary may be expended for ~~((passenger rail))~~ high capacity transportation program administration ~~((and for independent review of passenger rail plans));~~ ~~((and))~~

(d) ~~\$(426,000))~~ 233,000 or as much thereof as may be necessary may be expended for freight rail program administration~~((:));~~ and

(e) Up to five hundred thousand dollars is provided solely for the purpose of funding administration and activities of the high capacity transportation expert review panel appointed in 1989 by the chair of the legislative transportation committee, the governor, and the secretary of transportation.

(6) Up to \$150,000 of the general fund—state appropriation and \$150,000 of the transportation fund appropriation is provided solely for an update to the 1985 port system study. The study shall assess the state's transportation system as it relates to international trade and economic development. The study shall be managed by the Washington public ports association. The study shall be completed by December 31, 1990.

(7) \$20,000 of the motor vehicle fund—state appropriation is provided solely for a study of the Hood river toll bridge which shall include an analysis of the origin and destination of trips and traffic volumes.

(8) \$1,700,000 of the motor vehicle fund—state appropriation is provided for regional transportation planning as authorized by House Bill No. 2929. This appropriation shall be allocated as follows:

(a) A maximum total of \$341,250 will be allocated to lead planning agencies, based on \$8,750 per county for each county within a regional transportation planning organization;

(b) A maximum of \$1,258,750 will be allocated to lead planning agencies on a per capita basis; and

(c) \$100,000 for a discretionary grant program for special regional planning projects, to be administered by the department of transportation.

Any funds not allocated under subsection (a) or (b) of this subsection shall be available for the discretionary grant program under (c) of this subsection.

The appropriation provided for in this subsection shall lapse if House Bill No. 2929 is not enacted by June 30, 1990.

(9) Up to \$25,000 of the Puget Sound capital construction account appropriation and up to \$25,000 of the Puget Sound ferry operations account appropriation is provided to review the economic impact of the Anacortes/San Juan/Sydney route on the state of Washington, the San Juan islands, and surrounding communities, including the related impact on the future vessel acquisition plan. The study shall also determine the type and nature of the financial arrangement for a British Columbia terminal, if warranted. The findings and recommendations of such study shall be presented to the legislative transportation committee by December 1, 1990.

Sec. 23. Section 29, chapter 6, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—	
CHARGES FROM OTHER AGENCIES—PROGRAM U	
Motor Vehicle Fund Appropriation	\$ ((10,607,946))
	<u>10,898,946</u>

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

- (1) Archives and records management, \$((216,000)) 231,000;
- (2) Attorney general tort claims support, \$5,141,946;
- (3) Office of the state auditor audit services, \$((731,000)) 821,000;
- (4) Department of general administration facilities and services charges, \$((1,946,000)) 2,132,000; and
- (5) Department of personnel services, \$2,573,000.

Sec. 24. Section 30, chapter 6, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—MA-	
RINE CONSTRUCTION—PROGRAM W	
Motor Vehicle Fund—Puget Sound Capital	
Construction Account Appropriation—	
State	\$ ((98,930,400))
	<u>99,841,400</u>
Motor Vehicle Fund—Puget Sound Capital	
Construction Account Appropriation—	
Federal	\$ 14,200,000
Total Appropriation	\$ ((113,130,400))
	<u>114,041,400</u>

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

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

(2) The Puget Sound capital construction account—state appropriation in this section contains \$15,000,000 of state funds transferred as a loan from the Puget Sound ferry operations account. Repayment to the Puget Sound ferry operations account from the Puget Sound capital construction account shall begin in the 1993-95 biennium.

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

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

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

(6) Up to \$791,000 may be expended for passenger only terminal construction at Coleman dock in Seattle.

(7) \$120,000 of the Puget Sound capital construction account is provided solely for work at the Sidney terminal.

Sec. 25. Section 31, chapter 6, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—MARINE—PROGRAM X
Ferry System Fund Appropriation \$ ((+167,808,589))
176,651,729

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

(1) The appropriation is based on the budgeted expenditure of \$((+9,643,704)) 20,814,327 for vessel operating fuel in the 1989-91 biennium. If the actual cost of fuel is less than this budgeted amount, the excess

amount shall not be expended. If the actual cost exceeds this amount, the department shall request a supplemental appropriation.

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

(3) The appropriation contained in this section provides for the compensation of ferry employees, including increases. The expenditures for compensation paid to ferry employees during the 1989-91 biennium shall not exceed ~~\$(110,842,958))~~ 115,999,901 plus a dollar amount, as prescribed by the office of financial management, which is equal to any insurance benefit increase granted general government employees in excess of \$224.75 a month annualized per eligible marine employee multiplied by the number of eligible marine employees for the respective fiscal year, a dollar amount as prescribed by the office of financial management for salary increases during the 1989-91 biennium, and a dollar amount as prescribed by the office of financial management for costs associated with pension amortization charges and cost of living allowances. For the purposes of this section, the expenditures for compensation paid to ferry employees shall be limited to salaries and wages and employee benefits as defined in the office of financial management's policies, regulations, and procedures named under objects of expenditure "A" and "B" (7.2.6.2). Of the ~~\$(110,842,958))~~ 115,999,901 provided for compensation, plus the prescribed insurance benefit, pension, and salary increase dollar amount:

(a) The maximum dollar amount which shall be allocated from the governor's compensation salary appropriation is in addition to the appropriation contained in this section and may be used in conjunction with \$19,794 to increase compensation costs, effective January 1, 1990;

(b) The prescribed insurance benefit increase dollar amount which shall be allocated from the governor's compensation insurance benefits appropriation is in addition to the appropriation contained in this section and may be used in conjunction with \$40,046 to increase compensation costs, effective July 1, 1989;

(c) The maximum dollar amount which shall be allocated from the governor's compensation salary appropriation is in addition to the appropriation contained in this section and shall be used to maintain any 1989-90 compensation increase and may be used in conjunction with \$247,242 to increase compensation costs, effective January 1, 1991.

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

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

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

(5) The appropriation in this section contains ~~\$(1,000,000)~~ 1,303,000 which shall be expended only to complete the marine division payroll/personnel integration project.

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

(7) \$130,000 of this appropriation is provided solely for rent and maintenance increases for terminal property at Sidney, British Columbia.

(8) The appropriation in this section provides for passenger only service between Bremerton and Seattle, and Vashon Island and Seattle.

Sec. 26. Section 32, chapter 6, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—STATE AID—PROGRAM Z

Motor Vehicle Fund Appropriation—State	\$	((6,456,591))
		<u>8,456,591</u>
Motor Vehicle Fund Appropriation—Federal	\$	106,615,693
Motor Vehicle Fund Appropriation—Local	\$	18,557,000
Total Appropriation	\$	((131,629,284))
		<u>133,629,284</u>

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

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

(3) ~~\$(3,000,000)~~ 5,000,000 of the motor vehicle fund—state appropriation, or as much thereof as may be required, is provided for studies that are mutually beneficial to cities, counties and the state department of transportation, including the continuation of the road jurisdiction study ~~((and))~~, the project cost evaluation methodology study, and the studies provided in section 12 (5) and (6) of this act.

Sec. 27. Section 36, chapter 6, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—FOR PAYMENT OF BELATED CLAIMS

Motor Vehicle Fund Appropriation	\$	((5,000,000))
		<u>3,000,000</u>
Puget Sound Ferry Operations Account Approp- riation	\$	100,000
Total Appropriation	\$	((5,100,000))
		<u>3,100,000</u>

Sec. 28. Section 56, chapter 6, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE PATROL

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

	Reappropriation	Appropriation
St Patrol Hiway Acct		((+100,000))
		<u>250,000</u>
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/91 and	Costs
6/30/89	Thereafter	
	24,000,000	24,000,000

The appropriation in this section includes \$150,000 for a feasibility study for the state patrol headquarters building. The scope of work is to include funding methodology, the maximum building density for the site and space utilization for the state patrol, department of transportation, and department of licensing for the property bounded by Maple Park, Jefferson, and 14th streets in the city of Olympia.

The study is to be coordinated by the Washington state patrol, in cooperation with the office of financial management, the department of general administration, and the legislative transportation committee.

Sec. 29. Section 64, chapter 6, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

By July 1, ((+1990)) 1991 the department of transportation shall take actions necessary to ensure that the safety requirements for work places in the state ferry system, whether within the navigable waters subject to the jurisdiction of the state of Washington or the United States, conform, at a minimum, with the employee safety and health regulations adopted by the department of labor and industries pursuant to chapter 49.17 RCW.

Sec. 30. Section 65, chapter 6, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

Effective June 1, 1991, counties with a population of 50,000 or more and cities with a population of 8,000 or more receiving moneys provided in this act shall have adopted a local comprehensive plan prior to the receipt of such funds. The plan shall include a coordinated system of growth planning and strategies and shall take into consideration any state and regional planning efforts, including but not limited to, the rail development commission report, road jurisdiction study, department of transportation policy plan, and the Washington state economic development board. Cities and towns must adopt a comprehensive plan under chapter 35.63 or 35A.63 RCW or under the authority of its charter where applicable. Counties must adopt a comprehensive plan under chapter 35.63 or 36.70 RCW or under the authority of its own charter where applicable. The plans adopted by cities, towns, and counties shall be submitted, upon adoption, to the office of financial management and the department of transportation.

NEW SECTION. Sec. 31. A new section is added to chapter 6, Laws of 1989 1st ex. sess. to read as follows:

FOR THE DEPARTMENT OF AGRICULTURE

\$100,000 is appropriated from the motor vehicle fund solely for the motor fuel quality testing program provided for in Engrossed Substitute House Bill No. 1450. If Engrossed Substitute House Bill No. 1450 is not enacted by June 30, 1990, the allocation provided for in this section shall lapse.

NEW SECTION. Sec. 32. A new section is added to chapter 6, Laws of 1989 1st ex. sess. to read as follows:

FOR THE TRAFFIC SAFETY COMMISSION

\$70,000 from the transportation fund is appropriated to the traffic safety commission for a state bicycle coordinator. If ESSB No. 6434 is not enacted by June 30, 1990, this appropriation shall lapse.

*NEW SECTION. Sec. 33. A new section is added to chapter 6, Laws of 1989 1st ex. sess. to read as follows:

\$3,000,000 is appropriated from the general fund—state appropriation to the department of ecology to be distributed to local air pollution control authorities based upon the pro rata share of vehicle registrations within the authority's boundaries.

The appropriations shall be used for (1) monitoring air quality to help determine transportation-caused contributions to carbon monoxide, particulates, ozone, and toxic air pollutants; (2) to support public health effects studies of transportation-caused pollution; (3) to create computer models to demonstrate transportation-caused air pollution effects and to formulate

possible solutions; (4) establish a program for phase two recovery of fuel vapors; (5) enhance computer capacity to deal with data acquisition and storage, modeling and analysis of pollutant sources, and maintenance and analysis of air pollution source inventories; and (6) expansion of technical assistance to the regulated community and governments in order to assist in compliance with air pollution standards and to reduce the impact of transportation-caused air pollution. In areas of inactive air pollution control authorities, the department shall receive the funds and act in place of the inactive authority.

*Sec. 33 was vetoed, see message at end of chapter.

NEW SECTION. Sec. 34. A new section is added to chapter 6, Laws of 1989 1st ex. sess. to read as follows:

FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, INCLUDING ONGOING BOND REGISTRATION AND TRANSFER CHARGES

Motor Vehicle Fund Appropriation \$ 2,200,000

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

(1) The sum of \$2,200,000, or as much thereof as may be necessary, is provided solely to retire or defease any outstanding bonds issued under RCW 47.56.711.

(2) This appropriation is not subject to the provisions of RCW 47.56.715.

NEW SECTION. Sec. 35. A new section is added to chapter 6, Laws of 1989 1st ex. sess. to read as follows:

(1) Any public agency including but not limited to transit agencies, cities, counties, and the state department of transportation, awarded contracts from counties for the construction of high occupancy vehicle lanes and related facilities shall use such moneys in addition to, and not as a substitute for, moneys currently used, or planned to be used, for high occupancy vehicle lanes by the public agency receiving the award.

It is the intent of the Washington state legislature that construction of high occupancy vehicle lanes and related facilities shall be prioritized as follows:

(a) To accelerate construction of high occupancy vehicle lanes on the interstate highway system, as well as related facilities;

(b) To finance or accelerate construction of high occupancy vehicle lanes on the noninterstate state highway system, as well as related facilities; and

(c) To finance construction of high occupancy vehicle lanes on local arterials, as well as related facilities.

(2) Cities, counties, transit agencies, and the state department of transportation having within their boundaries a portion of the existing or

planned high occupancy vehicle system as contained in the regional transportation plan, shall coordinate programming and operational decisions affecting the high occupancy vehicle system.

NEW SECTION. Sec. 36. A new section is added to chapter 6, Laws of 1989 1st ex. sess. to read as follows:

The department of transportation shall work toward implementing the recommendations of the governor's efficiency and accountability commission on activities relating to communication and additional public information resources and report their progress to the legislative transportation executive committee by June 30, 1990.

NEW SECTION. Sec. 37. A new section is added to chapter 6, Laws of 1989 1st ex. sess. to read as follows:

The new taxes distributed in section 103, chapter ... (ESSB No. 6358), Laws of 1990 shall be subject to the provisions in RCW 46.68.110 and 46.68.120.

Sec. 38. Section 504, chapter ... (ESSB 6358), Laws of 1990 (uncodified) is amended to read as follows:

(1) Sections 101 through 104, 115 through 117, 201 through 214, 405 through 411, and 503, chapter ... (ESSB 6358), Laws of 1990 are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect April 1, 1990.

(2) Sections 105 through 114, chapter ... (ESSB 6358), Laws of 1990 shall take effect September 1, 1990. The additional fees in sections 105 through 108, chapter ... (ESSB 6358), Laws of 1990 apply for all motor vehicle registrations that expire August 31, ((1992)) 1991, and thereafter.

(3) Sections 301 through 303 and 305 through 328, chapter ... (ESSB 6358), Laws of 1990 shall take effect September 1, 1990, and apply to the purchase of vehicle registrations that expire August 31, 1991, and thereafter.

(4) Section 304, chapter ... (ESSB 6358), Laws of 1990 shall take effect July 1, 1991, and apply to all vehicles registered for the first time with an expiration date of June 30, 1992, and thereafter.

(5) The director of licensing may immediately take such steps as are necessary to ensure that the sections of chapter ... (ESSB 6358), Laws of 1990 are implemented on their effective dates.

(6) Sections 401 through 404, chapter ... (ESSB 6358), Laws of 1990 shall take effect September 1, 1990, only if the bonds issued under RCW 47.56.711 for the Spokane river toll bridge have been retired or fully defeased, and shall become null and void if the bonds have not been retired or fully defeased on that date.

NEW SECTION. Sec. 39. The legislature finds that with the increase in air traffic operations, combined with the projections for the rapid expansion of these operations in both the short and the long term, concerns regarding the environmental, health, social, and economic impacts of air traffic are increasing as well. The legislature also finds that advancing Washington's position as a national and international trading leader is dependent upon the development of a highly competitive, state-wide passenger and cargo air transportation system. Therefore, there is an obvious need for improved coordination of local, federal, and state efforts to develop state-wide air transportation policies to promote continued economic development and to mitigate the negative impacts of air traffic on surrounding communities.

The legislature seeks to provide for the comprehensive examination of air transportation issues, taking into consideration the data and conclusions of appropriate air traffic studies, including but not limited to those currently underway by various public ports of Washington, local jurisdictions, the department of transportation, and the Puget Sound Council of Governments.

It is the intent of the legislature to establish an air transportation commission, made up of persons interested in and affected by air transportation.

NEW SECTION. Sec. 40. (1) The air transportation commission is created to carry out the functions of this chapter. The commission shall consist of twenty-two voting members.

(2) The governor shall appoint nineteen members to represent the following interests:

(a) Four city representatives, who shall be elected city officials, with at least one from a small city or town affected by air traffic problems and one from a large city that is a member of the regional airport system study;

(b) Four county representatives, who shall be elected county officials, with at least one from a small county affected by air traffic problems, and one from a large county that is a member of the regional airport system study;

(c) Two citizens to represent the private sector, with one from western Washington and one from eastern Washington;

(d) Three as representatives from the airline industry;

(e) Two as representatives of the ports, one of whom shall represent a port located in a county of one million population or more;

(f) The governor or a designee;

(g) A representative from the SeaTac noise mediation project;

(h) A representative from an eastern Washington metropolitan planning organization; and

(i) A representative from a western Washington metropolitan planning organization.

(3) The remaining three members shall be:

- (a) The secretary of transportation or a designee;
 - (b) The assistant secretary of the division of aeronautics of the department of transportation; and
 - (c) The director of the Washington state transportation center created by agreement between the University of Washington, Washington State University, and the department of transportation.
- (4) The chair of the legislative transportation committee shall appoint four members of the legislature to serve as nonvoting members of the commission.
- (5) The manager of the Seattle airports division, northwest region of the federal aviation administration shall serve as a nonvoting member.

NEW SECTION. Sec. 41. The commission shall conduct studies to determine Washington's long-range air transportation policy, including an assessment of intermodal needs, and to assess the impacts of increasing air traffic upon surrounding communities, including an evaluation of noise mitigation and surface transportation impacts at existing facilities, and the potential impact at new or expanded facilities.

The studies shall include, but are not limited to the following:

(1) The feasibility of acquiring the Stampede Pass rail line for use as a utility corridor, intermodal high speed transportation corridor or other transportation uses. The study shall include an examination of the ownership of the Stampede Pass rail line right of way and evaluate the advantages and disadvantages of preserving the Stampede Pass rail line corridor. It shall include interested public and private agencies when conducting the study. The commission shall encourage local communities and the private sector to financially participate in the study. The commission shall make a presentation of the feasibility findings to the legislative transportation committee on or before December 1, 1990.

(2) Recommendations to the legislature on future Washington state air transportation policy, including the expansion of existing and potential air carrier and reliever facilities and the siting of such new facilities, specifically taking into consideration intermodal needs. The commission shall consider the development of wayports in eastern Washington, taking into account similar developments in Japan and Germany, in order to reduce congestion resulting from rapid growth in the Puget Sound region. The commission shall examine high speed rail transportation systems, including but not limited to magnetic levitation trains, personal rapid transit systems, and complimentary transportation systems, using to the extent possible the existing rights of way along I-90, I-5, and the Stampede Pass rail corridor.

The commission shall submit findings and recommendations to the legislative transportation committee by December 1, 1994, with an interim report to be presented to the legislative transportation committee by December 1, 1992.

NEW SECTION. Sec. 42. The commission may contract with consultants to assist in any of the assigned studies. The commission shall seek federal funding in consultation with the department of transportation. Any federal funds received shall reduce the amount of state funds appropriated in section 13 of this act.

NEW SECTION. Sec. 43. The commission shall select a chair from among its membership and shall adopt rules related to its powers and duties under this chapter. Members of the commission shall be reimbursed for travel expenses as provided in RCW 43.03.050, 43.03.060, and 44.04.120, as appropriate. Members appointed by the governor shall be compensated in accordance with RCW 43.03.220. The commission has all powers necessary to carry out its duties as prescribed by this chapter. The commission shall be dissolved on June 30, 1995.

NEW SECTION. Sec. 44. The commission may employ staff as necessary to carry out this chapter. The department of transportation, the legislative transportation committee, and the Washington state transportation center may provide additional staff support for the commission. The legislative transportation committee must approve the commission's budget plan before the commission may spend funds.

NEW SECTION. Sec. 45. This chapter expires June 30, 1995.

NEW SECTION. Sec. 46. Sections 39 through 45 of this act constitute a new chapter in Title 47 RCW.

NEW SECTION. Sec. 47. 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. 48. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect immediately.

Passed the Senate March 8, 1990.

Passed the House March 7, 1990.

Approved by the Governor March 30, 1990, with the exception of certain items which were vetoed.

Filed in Office of Secretary of State March 30, 1990.

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

"I am returning herewith, without my approval as to sections 3, 13 and 33, Senate Bill No. 6408 entitled:

"AN ACT Relating to transportation appropriations."

Section 3 replaces \$750,000 of State Patrol Highway Account funds with an equal amount of Public Safety Education Account (PSEA) funds for the Safety Education program. Additionally, it appropriates \$250,000 of PSEA funds to enhance the Safety Education program. The Public Safety Education Account, already in precarious financial condition, has many beneficiaries, including the Crime Victims

Compensation program. With the lifting of the crime victim's medical cap, the future demands on this fund may exceed estimated revenues. The operating budget conference committee should appropriate \$250,000 of State Patrol Highway Account funds to enhance the Safety Education Program, including the Bicycle Awareness program.

Section 13 appropriates state general funds and transportation funds to the newly created Air Transportation Commission. While I can support the purpose and need for creating a statewide Air Transportation Commission, I question the use of state general funds because the mission of this commission, as described in this legislation, does not include the broader perspective necessary to justify the use of general funds. Therefore, I will ask the House and Senate fiscal committee chairs to provide start-up and study funding for the Commission out of transportation funds.

Section 33 appropriates \$3,000,000 General Fund - State to the Department of Ecology (DOE) for distribution to local air pollution control authorities for activities relating to transportation-caused air pollution.

I question whether the activities described in this section should be paid from the state general fund or more appropriately paid out of transportation funds, as the focus of the program addresses "transportation-caused air pollution."

An issue as important as air quality should not be approached in a piecemeal fashion. DOE is currently developing a comprehensive program and budget request to address air pollution as a priority in the 1991 legislative agenda. Vehicle emissions monitoring and compliance is but one component of a comprehensive air quality program. This program will be developed using the Department's Environment 2010 report which is due this June.

It is appropriate that the issue of additional funding for local air pollution control authorities be addressed next session in the context of an overall comprehensive plan, and for these reasons, I have vetoed this section.

With the exception of sections 3, 13, and 33, Senate Bill No. 6408 is approved."

CHAPTER 299

[Substitute Senate Bill No. 6417]

CAPITAL BUDGET

AN ACT Relating to the capital budget; authorizing certain projects; amending section 2, chapter 12, Laws of 1989 1st ex. sess. (uncodified); amending section 121, chapter 12, Laws of 1989 1st ex. sess. (uncodified); amending section 125, chapter 12, Laws of 1989 1st ex. sess. (uncodified); amending section 138, chapter 12, Laws of 1989 1st ex. sess. (uncodified); amending section 142, chapter 12, Laws of 1989 1st ex. sess. (uncodified); amending section 209, chapter 12, Laws of 1989 1st ex. sess. (uncodified); amending section 216, chapter 12, Laws of 1989 1st ex. sess. (uncodified); amending section 203, chapter 12, Laws of 1989 1st ex. sess. (uncodified); amending section 218, chapter 12, Laws of 1989 1st ex. sess. (uncodified); amending section 234, chapter 12, Laws of 1989 1st ex. sess. (uncodified); amending section 282, chapter 12, Laws of 1989 1st ex. sess. (uncodified); amending section 297, chapter 12, Laws of 1989 1st ex. sess. (uncodified); amending section 402, chapter 271, Laws of 1989 (uncodified); amending section 357, chapter 12, Laws of 1989 1st ex. sess. (uncodified); amending section 320, chapter 12, Laws of 1989 1st ex. sess. (uncodified); amending section 407, chapter 12, Laws of 1989 1st ex. sess. (uncodified); amending section 415, chapter 12, Laws of 1989 1st ex. sess. (uncodified); amending section 428, chapter 12, Laws of 1989 1st ex. sess. (uncodified); amending section 459, chapter 12, Laws of 1989 1st ex. sess. (uncodified); amending section 469, chapter 12, Laws of 1989 1st ex. sess. (uncodified); amending section 510, chapter 12, Laws of 1989 1st ex. sess. (uncodified); amending section 519, chapter 12, Laws of 1989 1st ex. sess. (uncodified); amending section 708, chapter 12, Laws of 1989 1st ex. sess. (uncodified); amending section 718, chapter 12, Laws of 1989 1st ex. sess. (uncodified); amending section 789, chapter 12, Laws of 1989 1st ex. sess. (uncodified); amending section 801, chapter 12, Laws of 1989 1st ex. sess. (uncodified); and amending section 812, chapter 12, Laws of 1989 1st ex. sess. (uncodified); adding new sections to chapter 12, Laws of 1989 1st ex. sess.