

released pursuant to an order of parole by the board of prison terms and paroles, or discharged from custody upon expiration of the sentence, or discharged from custody by order of a court of appropriate jurisdiction. Nothing in this section shall be construed to confer eligibility for any industrial insurance benefits to any inmate who is employed in class III or V of institutional industries as defined in RCW 72.09.100.

NEW SECTION. Sec. 8. Sections 1 through 6 of this act shall constitute a new chapter in Title 63 RCW.

NEW SECTION. Sec. 9. 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.

Passed the Senate May 9, 1983.
Passed the House May 6, 1983.
Approved by the Governor May 23, 1983.
Filed in Office of Secretary of State May 23, 1983.

CHAPTER 53

[Substitute House Bill No. 234]
TRANSPORTATION BUDGET

AN ACT Relating to transportation; making appropriations and authorizing expenditures for the operations and capital improvements of the state department of transportation, the transportation commission, the Washington state patrol, the traffic safety commission, the legislative transportation committee, the urban arterial board, the board of pilotage commissioners, the county road administration board, and the department of commerce and economic development for the period ending June 30, 1985; amending section 2, chapter 316, Laws of 1981 as amended by section 2, chapter 19, Laws of 1982 and RCW 47.10-.802; amending section 4, chapter 151, Laws of 1977 ex. sess. and RCW 47.01.041; amending section 6, chapter 151, Laws of 1977 ex. sess. as amended by section 1, chapter 59, Laws of 1981 and RCW 47.01.061; amending section 10, chapter 151, Laws of 1977 ex. sess. and RCW 47.01.101; amending section 7, chapter 173, Laws of 1963 as last amended by section 7, chapter 122, Laws of 1979 ex. sess. and RCW 47.05.070; and declaring an emergency.

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

NEW SECTION. Sec. 1. The transportation budget of the state is hereby adopted and, subject to the provisions hereinafter set forth, the several amounts hereinafter specified, or so much thereof as may be necessary to accomplish the purposes designated, are hereby appropriated from the several accounts and funds hereinafter named to the designated state agencies and offices for salaries, wages, and other expenses, for capital projects, and for other specified purposes, including the payment of any final judgments arising out of such activities, for the period ending June 30, 1985.

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

Highway Safety Fund Appropriation—State \$ 271,672

| | | |
|---|----|-----------|
| Highway Safety Fund Appropriation—Federal | \$ | 5,733,875 |
| Total Appropriation | \$ | 6,005,547 |

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

| | | |
|---|----|--------|
| General Fund—Pilotage Account Appropriation—State | \$ | 71,900 |
|---|----|--------|

The appropriation in this section is appropriated to carry out chapter 88.16 RCW.

NEW SECTION. Sec. 4. FOR THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

| | | |
|--|----|---------|
| Motor Vehicle Fund Appropriation | \$ | 514,276 |
|--|----|---------|

(1) The funds appropriated under this section may not be used for the matching funds program.

(2) The state auditor shall conduct a legal/fiscal audit of the expenditure of funds appropriated under this section to determine if the expenditures are consistent with the conditions and limitations of the motor vehicle fund. The audit shall be submitted to the legislative transportation committee by July 1, 1984. Until such audit is submitted to and approved by the legislative transportation committee, no new activities or projects beyond those actually funded during the 1981-83 biennium are authorized for expenditure from the motor vehicle fund.

NEW SECTION. Sec. 5. FOR THE COUNTY ROAD ADMINISTRATION BOARD

| | | |
|--|----|---------|
| Motor Vehicle Fund Appropriation—State | \$ | 284,502 |
|--|----|---------|

The county road administration board shall monitor expenditures by counties of county road levy revenues and shall report all expenditures of these revenues for other than road construction and maintenance purposes to the legislative transportation committee annually beginning January 1, 1984.

NEW SECTION. Sec. 6. FOR THE COUNTY ROAD ADMINISTRATION BOARD

| | | |
|---|----|------------|
| Motor Vehicle Fund—Rural Arterial Trust Account Appropriation—State | \$ | 12,500,000 |
|---|----|------------|

(1) The appropriation in this section is provided for implementing and administering the program of financial assistance to counties for the construction and improvement of county major and minor collectors in rural areas.

(2) The appropriation in this section is contingent upon the enactment of Substitute House Bill No. 235 during the 1983 session of the legislature.

NEW SECTION. Sec. 7. FOR THE URBAN ARTERIAL BOARD

Motor Vehicle Fund—Urban Arterial Trust

Account Appropriation—State \$ 64,225,900

The appropriation in this section is provided for implementing and administering the program of financial assistance to cities and counties in urban areas for urban arterial highways, roads, and streets and is subject to the following conditions and limitations:

(1) The appropriation includes \$6,000,000 from the proceeds of the sale of first authorization bonds provided for by RCW 47.26.420 through 47.26.427.

(2) The appropriation includes \$50,000,000 from the proceeds of the sale of Series III Urban Arterial bonds provided for by RCW 47.26.420 through 47.26.427, contingent on the enactment of Substitute House Bill No. 235 during the 1983 session of the legislature.

(3) During the 1983–85 biennium, the urban arterial board shall not authorize any additional projects which in the board's judgment cannot be placed under contract for construction within eighteen months of authorization.

NEW SECTION. Sec. 8. FOR THE STATE PATROL
Motor Vehicle Fund—State Patrol Highway

Account Appropriation \$ 103,518,024
Highway Safety Fund Appropriation \$ 11,875
Total Appropriation \$ 103,529,899

The appropriations in this section are subject to the following condition or limitation: The highway safety fund appropriation in this section is provided for the vehicle equipment safety commission.

NEW SECTION. Sec. 9. FOR THE WASHINGTON STATE PATROL

(1) Provide funds to study the feasibility of co-location in a new facility with the department of emergency services. "MV, State Patrol Hiwy Acct," as used in this section, means the state patrol highway account in the motor vehicle fund.

| | Reappropriation | Appropriation |
|----------------------------|-----------------|---------------|
| MV, State Patrol Hiwy Acct | | 118,000 |
| Project | Estimated | Estimated |
| Costs | Costs | Total |
| Through | 7/1/85 and | Costs |
| 6/30/83 | Thereafter | |
| | 5,785,200 | 5,903,200 |

(2) To provide minor repairs and improvements to existing facilities.

Reappropriation Appropriation

| | | |
|----------------------------|------------|-----------|
| MV, State Patrol Hiwy Acct | | 262,600 |
| Project | Estimated | Estimated |
| Costs | Costs | Total |
| Through | 7/1/85 and | Costs |
| 6/30/83 | Thereafter | |
| | | 262,600 |

(3) To design, construct and equip a new weigh station and truck inspection facility at the southbound I-5 weight station at Bellingham.

| | | |
|----------------------------|-----------------|---------------|
| | Reappropriation | Appropriation |
| MV, State Patrol Hiwy Acct | | 462,700 |
| Project | Estimated | Estimated |
| Costs | Costs | Total |
| Through | 7/1/85 and | Costs |
| 6/30/83 | Thereafter | |
| | | 462,700 |

(4) To provide for maintenance and emergency repair projects to protect equipment and buildings.

| | | |
|----------------------------|-----------------|---------------|
| | Reappropriation | Appropriation |
| MV, State Patrol Hiwy Acct | | 65,000 |
| Project | Estimated | Estimated |
| Costs | Costs | Total |
| Through | 7/1/85 and | Costs |
| 6/30/83 | Thereafter | |
| | | 65,000 |

NEW SECTION. Sec. 10. FOR THE LEGISLATIVE TRANSPORTATION COMMITTEE

Motor Vehicle Fund Appropriation—State \$ 1,628,000

NEW SECTION. Sec. 11. FOR THE TRANSPORTATION COMMISSION

General Fund—Aeronautics Account Appropriation—State \$ 802

General Fund Appropriation—State \$ 1,771

Motor Vehicle Fund—Puget Sound Capital Construction Account Appropriation—State \$ 15,772

Motor Vehicle Fund—Puget Sound Ferry Operations Account Appropriation—State \$ 44,575

Motor Vehicle Fund Appropriation—State \$ 336,228

Total Appropriation \$ 399,148

The appropriations in this section are provided for the salaries, wages, and other expenses necessary for the operation of the transportation commission and commission staff.

NEW SECTION. Sec. 12. FOR THE DEPARTMENT OF TRANSPORTATION—EXECUTIVE MANAGEMENT AND MANAGEMENT SERVICES—PROGRAM S

General Fund—Aeronautics Account Appropriation—State \$ 7,098
 General Fund Appropriation—State \$ 15,675
 Motor Vehicle Fund—Puget Sound Capital Construction Account Appropriation—State \$ 139,599
 Motor Vehicle Fund—Puget Sound Ferry Operations Account Appropriation—State \$ 394,546
 Motor Vehicle Fund Appropriation—State \$ 20,116,112
 Total Appropriation \$ 20,673,030

The appropriations in this section are provided for executive management, management services, and costs billed to the department of transportation by other agencies. \$584,000 of the motor vehicle fund—state appropriation is contingent on the enactment of Substitute House Bill No. 235 during the 1983 session of the legislature.

NEW SECTION. Sec. 13. FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY MANAGEMENT AND SUPPORT—PROGRAM P

Motor Vehicle Fund Appropriation—State \$ 12,558,638

The appropriation in this section is provided for the management and support of the highway programs, for any necessary increase in stores, for necessary pit and stockpile sites and write-off of obsolete stores, pits, and stockpiles. \$300,000 of the appropriation is contingent on the enactment of Substitute House Bill No. 235 during the 1983 session of the legislature.

NEW SECTION. Sec. 14. FOR THE DEPARTMENT OF TRANSPORTATION—CONSTRUCTION MANAGEMENT AND SUPPORT—PROGRAM D

Motor Vehicle Fund Appropriation—State \$ 19,621,769

The appropriation in this section is provided for the improvement and construction of buildings and other highway plant construction, for management and support of the highway construction programs, and for administrative support necessary to support cities and counties in obtaining federal aid. \$1,600,000 of the appropriation is contingent on the enactment of Substitute House Bill No. 235 during the 1983 session of the legislature.

NEW SECTION. Sec. 15. FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC TRANSPORTATION AND PLANNING—PROGRAM T

(1) For public transportation and rail programs:

| | | |
|--|----|-----------|
| General Fund Appropriation—State | \$ | 462,000 |
| General Fund Appropriation—Federal | \$ | 5,448,000 |
| General Fund Appropriation—Local | \$ | 198,000 |

(2) For planning and research:

| | | |
|---|-----------|-------------------|
| Motor Vehicle Fund Appropriation—State | \$ | 2,852,000 |
| Motor Vehicle Fund Appropriation—Federal | \$ | 10,085,000 |
| Total Public Transportation and Planning Appropriation | \$ | 19,045,000 |

The appropriations in this section are provided for the management and support of the public transportation and planning division, urban mass transportation administration programs, for rail programs, for state loans for formation of public transportation districts, for studies which support local public transportation programs, for maintenance of the state transportation plan, for highway planning and research by the department of transportation, and for research and studies approved by the department of transportation.

NEW SECTION. Sec. 16. FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC TRANSPORTATION AND PLANNING—PROGRAM T

| | | |
|--|----|---------|
| General Fund Appropriation—State | \$ | 200,000 |
|--|----|---------|

The reappropriation in this section is provided for the completion of studies authorized and funded by the consent order between Chevron USA and the United States department of energy.

***NEW SECTION. Sec. 17. FOR THE DEPARTMENT OF TRANSPORTATION—MARINE—PROGRAM W**

| | | |
|---|-----------|-------------------|
| Motor Vehicle Fund—Puget Sound Reserve Account Appropriation—State | \$ | 4,057,207 |
| Motor Vehicle Fund—Puget Sound Ferry Operations Account Appropriation—State | \$ | 45,000,000 |
| Motor Vehicle Fund—Puget Sound Capital Construction Account Appropriation—State | \$ | 42,113,000 |
| Motor Vehicle Fund—Puget Sound Capital Construction Account—Appropriation—Federal | \$ | 4,000,000 |
| Total Appropriation | \$ | 95,170,207 |

The appropriations in this section are provided for the management and support of the marine transportation division of the department of transportation and for the operation, maintenance, and capital improvements of the Washington state ferry system. \$15,265,000 of the motor vehicle fund—Puget Sound capital construction account—state appropriation is contingent upon the enactment of Substitute House Bill No. 235 during the 1983 session of the legislature. The appropriations are subject to the following conditions and limitations:

(1) The Puget Sound reserve account appropriation is provided to carry out RCW 47.60.420.

(2) The Puget Sound ferry operations account appropriation is provided for the operation and maintenance of the Washington state ferries, supplementing revenues available from the Washington state ferry system. The Puget Sound ferry operations account appropriation includes \$22,400,000 transferred from the Puget Sound capital construction account in accordance with RCW 47.60.505. Upon enactment of Substitute House Bill No. 235, the amount transferred from the Puget Sound capital construction account shall be \$17,700,000.

(3) The Puget Sound capital construction account appropriation is 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 appropriation of state funds from the Puget Sound capital construction account contains \$27,600,000 of the proceeds from the sale of bonds authorized by RCW 47.60.560: PROVIDED, That the transportation commission in consultation with the legislative transportation committee may authorize the use of current revenues available to the Puget Sound capital construction account in lieu of bond proceeds for any part of the state appropriation. \$5,600,000 of these bond proceeds are contingent upon the enactment of Substitute House Bill No. 235 during the 1983 session of the legislature.

(4) The department of transportation may transfer any appropriation contained in this section, subject to the prior approval of the transportation commission.

(5) Effective May 1, 1983, the tolls on the Hood Canal bridge shall be reduced to \$2.00 for an automobile, pickup, van, or motor home licensed under 8,000 pounds gross weight. A book of twenty tickets for a one-way crossing by these vehicles shall be \$32.00. A book of ten tickets for one-way crossing by these vehicles available only to senior citizen purchasers of sixty-five years of age or older shall be \$16.00. The commission shall establish a thirty-day period within which all ticket books previously issued shall be redeemable.

*Sec. 17 was partially vetoed, see message at end of chapter.

NEW SECTION. Sec. 18. FOR THE DEPARTMENT OF TRANSPORTATION—AERONAUTICS—PROGRAM F

| | | |
|---|----|-----------|
| General Fund—Aeronautics Account Approp- riation—State | \$ | 1,786,000 |
| General Fund—Aeronautics Account Approp- riation—Federal | \$ | 95,500 |
| Total Appropriation | \$ | 1,881,500 |

The appropriations in this section are provided for management and support of the aeronautics division, state fund grants to local airports, development and maintenance of a state-wide airport system plan, maintenance of state-owned emergency airports, federal inspections, and the search and rescue program. \$584,000 of the general fund aeronautics account—state appropriation is contingent upon the enactment of Senate Bill No. 3211 during the 1983 session of the legislature.

NEW SECTION, Sec. 19. FOR THE DEPARTMENT OF TRANSPORTATION—SEARCH AND RESCUE—PROGRAM F
General Fund—Search and Rescue Account

| | | |
|-------------------------------|----|---------|
| Appropriation—State | \$ | 111,000 |
|-------------------------------|----|---------|

The appropriation in this section is provided for directing and conducting searches for missing, downed, overdue, or presumed downed general aviation aircraft; for safety and education activities necessary to insure safety of persons operating or using aircraft; and for the Washington wing civil air patrol in accordance with RCW 47.68.370.

NEW SECTION, Sec. 20. FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY MAINTENANCE AND OPERATIONS—PROGRAM M

| | | |
|--|----|-------------|
| Motor Vehicle Fund Appropriation—State | \$ | 150,294,367 |
| Motor Vehicle Fund Appropriation—Local | \$ | 3,119,000 |
| Total Appropriation | \$ | 153,413,367 |

The appropriations in this section are for the maintenance and operations of state highways, maintenance and operations of highway plants, and associated management and support.

NEW SECTION, Sec. 21. FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY CONSTRUCTION—PROGRAM A

| | | |
|---|----|-------------|
| Motor Vehicle Fund Appropriation—State | \$ | 106,100,000 |
| Motor Vehicle Fund Appropriation—Federal and Local | \$ | 118,700,000 |
| Total Appropriation | \$ | 224,800,000 |

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. \$45,100,000 of the motor vehicle fund—state appropriation is contingent upon enactment of Substitute House Bill No. 235 during the 1983 session of the legislature.

NEW SECTION, Sec. 22. FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY CONSTRUCTION—PROGRAM B

| | | |
|---|----|-------------|
| Motor Vehicle Fund Appropriation—State | \$ | 46,400,000 |
| Motor Vehicle Fund Appropriation—Federal and Local | \$ | 428,400,000 |
| Total Appropriation | \$ | 474,800,000 |

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

The motor vehicle fund state appropriation will be funded with the proceeds of the sale of bonds authorized in RCW 47.10.790 and 47.10.801: PROVIDED, That the transportation commission may authorized the use of current revenues available to the department of transportation in lieu of bond proceeds for any part of the state appropriation.

Sec. 23. Section 2, chapter 316, Laws of 1981 as amended by section 2, chapter 19, Laws of 1982 and RCW 47.10.802 are each amended to read as follows:

Upon request being made by the transportation commission, the state finance committee shall supervise and provide for the issuance, sale, and retirement of the bonds authorized by RCW 47.10.801 in accordance with chapter 39.42 RCW. The amount of such bonds issued and sold under RCW 47.10.801 through 47.10.809 in any biennium may not exceed the amount of a specific appropriation therefor. Such bonds may be sold from time to time in such amounts as may be necessary for the orderly progress of the state highway improvements specified in RCW 47.10.801. The amount of bonds issued and sold under RCW 47.10.801(1)(a) in any biennium shall not, except as provided in that section, exceed the amount required to match federal-aid interstate funds (~~(apportioned)~~) available to the state of Washington (~~(under 23 U.S.C. Sec. 104 and available for obligation)~~). The transportation commission shall give notice of its intent to sell bonds to the legislative transportation committee (~~(at least forty-five days)~~) before requesting the state finance committee to issue and sell bonds authorized by RCW 47.10.801(1)(a).

NEW SECTION, Sec. 24. FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY CONSTRUCTION—PROGRAM C

| | | |
|--|----|-------------|
| Motor Vehicle Fund Appropriation—State | \$ | 132,000,000 |
| Motor Vehicle Fund Appropriation—Local | \$ | 900,000 |
| Total Appropriation | \$ | 132,900,000 |

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

The motor vehicle fund state appropriation will be funded with the proceeds from the sale of bonds authorized in RCW 47.10.801: PROVIDED,

That the transportation commission in consultation with the legislative transportation committee may authorize the use of current revenues available to the department of transportation in lieu of bond proceeds for any part of the state appropriation.

\$32,000,000 of the motor vehicle fund—state appropriation is contingent upon enactment of Substitute House Bill No. 235 during the 1983 session of the legislature.

NEW SECTION. Sec. 25. FOR THE DEPARTMENT OF TRANSPORTATION—COUNTY-CITY PROGRAM—PROGRAM R

| | | |
|--|----|-------------|
| Motor Vehicle Fund Appropriation—State | \$ | 1,638,578 |
| Motor Vehicle Fund Appropriation—Federal | | |
| and Local | \$ | 129,629,300 |
| Total Appropriation | \$ | 131,267,878 |

The appropriations in this section are provided for the County-City Program—Program R. The appropriations are subject to the following conditions and limitations:

(1) The appropriations contain \$497,578 of state funds and \$89,553,342 of federal and local funds for reimbursable expenditures for the location, design, right of way, and construction on city streets and county roads and other nonstate highways, including the unexpended balance of state funds from the sale 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 and/or federal laws, and for expenditures through federal emergency relief acts.

(2) The appropriations contain \$241,000 of state funds and \$1,259,000 of local funds for reimbursable expenditures for maintenance on city streets, county roads, and other nonstate highways and for expenditures in accordance with RCW 47.56.720.

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

(4) The appropriations contain \$8,353,958 of local funds for miscellaneous sales and services to others.

(5) The appropriations contain \$463,000 of local funds for the ongoing maintenance of the east half of the Hood Canal bridge.

(6) Appropriation of \$30,000,000 federal funds for the construction of the West Seattle bridge and for federal-aid secondary funds is contained in this section.

NEW SECTION. Sec. 26. FOR THE DEPARTMENT OF TRANSPORTATION

General Fund Appropriation—Federal \$ 1,200,000

The appropriation in this section is provided for supportive services to on-the-job training programs for minority construction workers and for minority contractors' training programs: PROVIDED, That this appropriation shall be fully reimbursable from federal funds.

NEW SECTION. Sec. 27. FOR THE DEPARTMENT OF TRANSPORTATION

Motor Vehicle Fund—RV Account Appropriation Transfer—State:

For transfer to the Motor Vehicle Fund \$ 369,072

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

Sec. 28. Section 4, chapter 151, Laws of 1977 ex. sess. and RCW 47.01.041 are each amended to read as follows:

The executive head of the department of transportation shall be the secretary of transportation, who shall be appointed by the transportation commission, and shall be paid a salary to be fixed by the governor in accordance with the provisions of RCW 43.03.040. The secretary shall be an ex officio member of the commission without a vote. The secretary shall be the chief executive officer of the commission and be responsible (~~only~~) to it, and shall be guided by policies established by it. The secretary shall serve until removed by the commission, but only for incapacity, incompetence, neglect of duty, malfeasance in office, or failure to carry out the commission's policies. Before a motion for dismissal shall be acted on by the commission, the secretary shall be granted a hearing on formal written charges before the full commission. An action by the commission to remove the secretary shall be final.

Sec. 29. Section 6, chapter 151, Laws of 1977 ex. sess. as amended by section 1, chapter 59, Laws of 1981 and RCW 47.01.061 are each amended to read as follows:

The commission shall meet at such times as it deems advisable but at least once every month. It may adopt its own rules and regulations and may establish its own procedure. It shall act collectively in harmony with recorded resolutions or motions adopted by majority vote of at least four members. The commission may appoint an administrative secretary, and shall elect one of its members chairman for a term of one year. The chairman shall be able to vote on all matters before the commission.

The commission shall submit to each regular session of the legislature held in an odd-numbered year its own budget proposal necessary for the commission's operations separate from that proposed for the department. (~~Such proposal shall include the cost of such staff as the commission deems~~

~~necessary to fulfill its responsibilities in an independent manner. The budget proposal shall provide for planners, policy analysts, legal counsel, consultants, and technical and clerical personnel as needed, who shall be commission employees, shall be responsible to the commission and shall have no employment relation or affiliation with the department or the legislature:))~~

Each member of the commission shall receive compensation of sixty dollars per day for each day actually spent in the performance of duties, and actual necessary traveling and other expenses in going to, attending, and returning from meetings of the commission, and actual and necessary traveling and other expenses incurred in the discharge of such duties as may be requested by a majority vote of the commission or by the secretary of transportation, but in no event shall a commissioner be compensated in any year for more than one hundred twenty days, except the chairman of the commission who may be paid compensation for not more than one hundred fifty days. Service on the commission shall not be considered as service credit for the purposes of any public retirement system.

Sec. 30. Section 10, chapter 151, Laws of 1977 ex. sess. and RCW 47.01.101 are each amended to read as follows:

The secretary shall have the authority and it shall be his or her duty, subject to policy guidance from the commission:

(1) To serve as chief executive officer of the department with full administrative authority to direct all its activities;

(2) To organize the department as he or she may deem necessary to carry out the work and responsibilities of the department effectively;

(3) To designate and establish such transportation district or branch offices as may be necessary or convenient, and to appoint assistants and delegate any powers, duties, and functions to them or any officer or employee of the department as deemed necessary to administer the department efficiently;

(4) To direct and coordinate the programs of the various divisions of the department to assure that they achieve the greatest possible mutual benefit, produce a balanced overall effort, and eliminate unnecessary duplication of activity;

(5) To adopt all department rules (~~which~~) that are subject to the adoption procedures contained in the state administrative procedure act, except rules subject to adoption by the commission pursuant to statute;

(6) To maintain and safeguard the official records of the department, including the commission's recorded resolutions and orders;

(7) To provide full staff support to the commission to assist it in carrying out its functions, powers, and duties and to execute the policy established by the commission pursuant to its legislative authority;

(8) To execute and implement the biennial operating budget for the operation of the department in accordance with chapter 43.88 RCW and with legislative appropriation and, in such manner as prescribed therein, to make

and report to the commission and the legislature deviations from the planned biennial category A highway construction program necessary to adjust to unexpected delays or other unanticipated circumstances.

(9) To exercise all other powers and perform all other duties as are now or hereafter provided by law.

Sec. 31. Section 7, chapter 173, Laws of 1963 as last amended by section 7, chapter 122, Laws of 1979 ex. sess. and RCW 47.05.070 are each amended to read as follows:

~~((1))~~ The transportation commission shall approve and present to the governor and to the legislature prior to its convening, a recommended budget for the ensuing biennium. The biennial budget shall include details of proposed expenditures, and performance and public service criteria for construction, maintenance, and planning activities in consonance with the comprehensive six-year program and financial plan adopted under provisions of RCW 44.40.070 and 47.05.040 ~~((as now or hereafter amended))~~.

~~((2) Prior to October 1st of each odd-numbered year, the transportation commission shall prepare and adopt, and may thereafter revise from time to time, a biennial operating budget for all of its activities in conformity with legislative appropriations.))~~

NEW SECTION. Sec. 32. The motor vehicle fund revenues are received at a relatively even flow throughout the year. Expenditures exceed the revenue during the accelerated summer and fall highway construction season, creating a negative cash balance during the heavy construction season. The legislature recognizes that the department of transportation may require interfund loans or other short-term financing to meet temporary seasonal cash requirements.

NEW SECTION. Sec. 33. The department of transportation may, after consultation with the legislative transportation committee, transfer any motor vehicle fund appropriations contained in sections 12 through 14 of this act into sections 20, 21, and 24 of this act, and the motor vehicle fund appropriation contained in section 20 of this act may be transferred to sections 21 and 24 of this act for expenditure.

NEW SECTION. Sec. 34. It is the intent of the legislature that the amounts assumed in this act for all revolving funds for services provided by other agencies shall not be exceeded without the prior approval of the legislative transportation committee and the department of transportation.

NEW SECTION. Sec. 35. The legislature recognizes the economic importance to the state of attracting new environmentally suitable industrial development, and that the availability of transportation services is a significant factor in attracting such industries. The transportation commission and the department of transportation shall consider these unique circumstances in determining priorities for capital expenditures.

NEW SECTION. Sec. 36. 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. 37. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the House May 13, 1983.

Passed the Senate April 27, 1983.

Approved by the Governor May 23, 1983, with the exception of section 17(5), which was vetoed.

Filed in Office of Secretary of State May 23, 1983.

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

"I am returning herewith, without my approval as to section 17(5), Substitute House Bill No. 234, entitled:

"AN ACT Relating to transportation."

Section 17(5) is identical to Senate Bill No. 3991, which I vetoed on April 23, 1983. It would set statutory tolls for crossing the Hood Canal Bridge. The Transportation Commission has lowered the tolls for the Hood Canal Bridge to amounts identical to those contained in this subsection, which is therefore unnecessary.

With the exception of Section 17(5), which I have vetoed, Substitute House Bill No. 234 is approved."

CHAPTER 54

[Reengrossed Substitute House Bill No. 57]

CAPITAL IMPROVEMENTS—LEGISLATURE AND STATE AGENCIES— GENERAL OBLIGATION BONDS

AN ACT Relating to state government; providing for the acquisition, construction, remodeling, furnishing, and equipping of state buildings and facilities; providing for the financing thereof by the issuance of bonds; authorizing the issuance of bonds to fund appropriations for land acquisitions by the department of transportation, grants and loans by the department of commerce and economic development, and facilities of the department of corrections and other state agencies; amending section 1, chapter 128, Laws of 1975-'76 2nd ex. sess. as amended by section 1, chapter 246, Laws of 1979 ex. sess. and RCW 37.14.010; amending section 1, chapter 234, Laws of 1981 as amended by section 3, chapter 23, Laws of 1982 1st ex. sess. and RCW 43.83H.172; and adding new sections to chapter 43-.83 RCW.

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

NEW SECTION. Sec. 1. For the purpose of acquiring land and providing needed capital improvements consisting of the planning, acquisition, construction, remodeling, and furnishing, together with all improvements, enhancements, fixed equipment facilities of office buildings, parking facilities, and such other buildings, facilities, and utilities as are determined to be necessary to provide space including offices, committee rooms, hearing