

(8) Any municipality levying and collecting a tax under RCW 35.58-.273 which does not have an operating, public transit system or a contract for public transportation services in effect within one year from the initial effective date of the tax shall return to the state treasurer all motor vehicle excise taxes received under subsection (5) of this section.

NEW SECTION. Sec. 4. 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 July 1, 1987.

Passed the House April 26, 1987.

Passed the Senate April 26, 1987.

Approved by the Governor May 18, 1987.

Filed in Office of Secretary of State May 18, 1987.

CHAPTER 429

[Engrossed Substitute House Bill No. 1035]
RAIL DEVELOPMENT COMMISSION

AN ACT Relating to the rail development commission; creating new sections; declaring an emergency; and providing an effective date.

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

NEW SECTION. Sec. 1. The legislature finds that in many areas of the state, alternatives to highway transportation are necessary to adequately move the state's citizens and its commerce. In rural areas, continued rail-road abandonments have reduced the options for transportation of agricultural products and threaten the economic health of many areas of the state. While rail lines lie idle, increased volumes of truck traffic require significant improvement of rural public roads.

The legislature finds that in urban areas, ever-increasing volumes of traffic congest the highway system vital to the movement of people, goods, and services in metropolitan areas. Without relief, these arteries will no longer provide the mobility for which they were intended.

The legislature seeks to provide for a comprehensive examination of the rail freight issue and rail passenger service, particularly urban rail systems.

It is the intent of the legislature to establish a temporary commission, made up of persons interested in and affected by these rail issues. This commission shall make recommendations to the legislature regarding future Washington policy for rail freight and rail passenger service. It is further the intent that this commission should also address future use of rail corridors and rights of way in this state, as they relate to such services. In developing recommendations, the legislature desires that the commission use the numerous studies and plans on these subjects that have been completed.

NEW SECTION. Sec. 2. (1) The rail development commission is created to carry out the functions of this act. The commission shall consist of nineteen voting members.

(2) The governor shall appoint sixteen members, two from each Congressional district, to represent the following:

(a) Four as city representatives, who shall be elected city officials, with at least one from a small city or town affected by abandonment of rail freight service and one from a large city who was a member of the Puget Sound council of governments multicorridor steering committee;

(b) Four as county representatives, who shall be elected county officials, with at least one from a small county affected by abandonment of rail freight service and one from a large county who was a member of the Puget Sound council of governments multicorridor steering committee;

(c) Two citizens from Eastern Washington to represent the private sector;

(d) Two citizens from Western Washington to represent the private sector;

(e) One as representative of a railroad;

(f) One as representative of a labor organization that represents workers in the railroad industry;

(g) One as representative of the Washington public ports association; and

(h) One as representative of the Washington state transit association.

(3) The three remaining members shall be:

(a) The secretary of transportation or a designee;

(b) One additional representative of the department of transportation appointed by the secretary 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.

NEW SECTION. Sec. 3. The commission shall choose a chair from among its membership and shall adopt rules related to its powers and duties under this act. 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. Expenses of the commission shall be paid from the rail development account. The commission has all powers necessary to carry out its duties as prescribed by this act. The commission shall be dissolved on June 30, 1989.

NEW SECTION. Sec. 4. The commission may employ staff as necessary to carry out this act. The legislative transportation committee, the

Washington state transportation center, and the department of transportation may provide additional staff support for the commission. The legislative transportation committee must approve the commission's budget plan before the commission may expend funds.

NEW SECTION. Sec. 5. The commission shall study the following subjects:

(1) Rail freight systems, including:

(a) Funding levels necessary to address the state rail assistance account and loan programs for local rail efforts and to preserve essential rail freight corridors;

(b) Any institutional changes necessary to enhance state and local rail freight efforts; and

(2) Rail passenger systems, including:

(a) Light rail planning efforts and evaluation of institutional alternatives for constructing and operating any viable systems, and recommend preferred options;

(b) Recommended actions for interim steps and an appropriate timetable to develop such a future system including right of way preservation, environmental impact studies, preliminary engineering, and similar items;

(c) Long-term funding necessary for such systems and recommendations regarding sources to include a subsidy or fare-box ratios, or both;

(d) The role of Amtrak-type service or commuter service in rail passenger movements and the state and local relationship to such service;

(e) The future of high-speed rail transit, including the desirability of intercity corridor preservation.

NEW SECTION. Sec. 6. The commission shall report to the legislative transportation committee on the rail freight program by December 1, 1987. Recommendations on the remainder of study shall be submitted by December 1, 1988, with an interim report in December 1987, recommending items that need to be addressed more quickly.

NEW SECTION. Sec. 7. 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. 8. 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 June 25, 1987.

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