

CHAPTER 10

[Engrossed Substitute Senate Bill No. 6076]  
TRANSPORTATION BUDGET

AN ACT Relating to transportation appropriations; amending RCW 46.68.110 and 46.68.120; creating new sections; making appropriations and authorizing expenditures; 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, 1989.

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

Highway Safety Fund Appropriation—State . . . . .	\$	310,449
Highway Safety Fund Appropriation—Federal . . . . .	\$	4,190,574
Total Appropriation . . . . .	\$	4,501,023

NEW SECTION. Sec. 3. FOR THE RAIL DEVELOPMENT COMMISSION

Rail Development Account . . . . .	\$	300,000
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The appropriation in this section is subject to the following conditions and limitations: If House Bill No. 1034 is not enacted by July 1, 1987, the appropriation in this section shall be from the general fund.

NEW SECTION. Sec. 4. FOR THE BOARD OF PILOTAGE COMMISSIONERS

General Fund—Pilotage Account Appropriation . . . . .	\$	101,533
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NEW SECTION. Sec. 5. FOR THE COUNTY ROAD ADMINISTRATION BOARD

Motor Vehicle Fund—Rural Arterial Trust Account Appropriation . . . . .	\$	21,434,298
Motor Vehicle Fund Appropriation . . . . .	\$	942,041
Total Appropriation . . . . .	\$	22,376,339

NEW SECTION. Sec. 6. FOR THE URBAN ARTERIAL BOARD

Motor Vehicle Fund—Urban Arterial Trust Account Appropriation . . . . .	\$	61,487,000
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The appropriation includes \$40,000,000 from the proceeds of the sale of Series III Urban Arterial bonds provided for by RCW 47.26.420 through 47.26.427.

**NEW SECTION. Sec. 7. FOR THE STATE PATROL—FIELD OPERATIONS BUREAU**

Motor Vehicle Fund—State Patrol Highway		
Account Appropriation—State . . . . .	\$	94,005,256
Motor Vehicle Fund—State Patrol Highway		
Account Appropriation—Federal . . . . .	\$	2,733,175
Motor Vehicle Fund Appropriation . . . . .	\$	463,045
Total Appropriation . . . . .	\$	97,201,476

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

- (1) The appropriations in this section include \$675,000 for the sole purpose of providing additional commercial vehicle enforcement officers.
- (2) The appropriations in this section include \$498,664 for the sole purpose of providing twelve additional traffic troopers, effective January 1, 1989.

**NEW SECTION. Sec. 8. FOR THE STATE PATROL—SUPPORT SERVICES BUREAU**

Motor Vehicle Fund—State Patrol Highway		
Account Appropriation . . . . .	\$	41,564,153

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

- (1) \$4,310,000 is provided solely for implementation of the second phase of the patrol information collection system.
- (2) \$150,000 is provided solely for a study of and development of curriculum for a safety education program in consultation with the superintendent of public instruction and the traffic safety commission.
- (3) \$750,000 of the appropriation is provided solely for implementation of a safety education program and shall not be expended prior to July 1, 1988.
- (4) The appropriation in this section includes \$131,400 for the sole purpose of providing necessary staff to conduct required labor negotiations.

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

Motor Vehicle Fund Appropriation . . . . .	\$	37,125,323
Game Fund Appropriation . . . . .	\$	393,894
Total Appropriation . . . . .	\$	37,519,217

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

(1) \$5,005,000 of the motor vehicle fund appropriation is provided solely for the completion of the county auditor automation project.

(2) If Substitute House Bill No. 196 is not enacted by July 1, 1987, the motor vehicle fund appropriation shall be reduced by \$216,175.

(3) \$28,198 is provided for implementation of Engrossed House Bill No. 559 (chapter 175, Laws of 1987).

**(4) \$1,474,488 is provided within the vehicle service appropriation for expansion of the curbstome program (chapter 241, Laws of 1986). No moneys may be expended beyond the funding source revenues.**

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

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

General Fund—Public Safety and Education

Account Appropriation . . . . .	\$	3,352,618
Highway Safety Fund Appropriation . . . . .	\$	30,866,231
Highway Safety Fund—Motorcycle Safety		
Education Account Appropriation . . . . .	\$	265,014
Total Appropriation . . . . .	\$	34,483,863

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

(1) If House Bill No. 196 is not enacted by July 1, 1987, the highway safety fund appropriation is reduced by \$72,686.

(2) The department shall participate in the establishment of uniform rules for all commercial drivers, including special rules for training and testing of hazardous material drivers in compliance with the federal motor carrier safety act of 1986.

(3) \$286,909 is appropriated from the highway safety fund appropriation to implement section 5 of Engrossed Substitute Senate Bill No. 5850, if enacted.

**(4) Revenues which accrue to the public safety and education account in the state treasury in excess of the March, 1987 forecast as approved by the economic and revenue forecast council shall be transferred to and deposited in the highway safety fund at the end of each fiscal year.**

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

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

Game Fund Appropriation . . . . .	\$	7,256
Highway Safety Fund Appropriation . . . . .	\$	6,619,625
Motor Vehicle Fund Appropriation . . . . .	\$	3,785,108
Total Appropriation . . . . .	\$	10,411,989

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

(1) Appropriated in this section is an amount necessary for the department of licensing and the legislative transportation committee to conduct an organizational study of the vehicle and drivers' services related activities of the department by a management consultant. This study shall consider and recommend changes necessary to implement cost centers necessary for management control and legislative oversight of the appropriations and expenditures of the department.

(2) In the collection of motor vehicle license fees and excise taxes, the department shall collect data in sufficient detail to ensure the correct allocation of revenues between the motor vehicle fund and other funds and to provide an accurate data base to support revenue forecasting. Such data shall include but not be limited to vehicle weight distributions corresponding to combined licensing fee revenues. If the department finds that it is not cost effective to achieve these objectives with the existing data collection and reporting system, it shall undertake a study to determine feasible alternatives. The department shall report the results of this study, including its recommended alternative, to the legislative transportation committee and the office of financial management not later than November, 1987 and obtain approval from the legislative transportation committee and the office of financial management prior to the implementation of any alternative.

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

Game Fund Appropriation . . . . .	\$	4,114
Highway Safety Fund Appropriation . . . . .	\$	4,985,809
Motor Vehicle Fund Appropriation . . . . .	\$	14,056,507
Total Appropriation . . . . .	\$	19,046,430

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

- (1) \$1,956,000, of which \$978,000 is from the motor vehicle fund appropriation and \$978,000 is from the highway safety fund appropriation is provided for the vehicle/driver integration project.
- (2) \$32,259 is provided for implementation of Engrossed House Bill No. 559 (chapter 175, Laws of 1987).
- (3) If House Bill No. 196 is not enacted by July 1, 1987, the motor vehicle fund appropriation is reduced by \$23,269.

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

Motor Vehicle Fund Appropriation . . . . .	\$	2,209,000
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**NEW SECTION. Sec. 14. FOR THE MARINE EMPLOYEES COMMISSION**

Ferry System Fund Appropriation . . . . .	\$	250,600
Motor Vehicle Fund—Puget Sound Ferry		
Operations Account Appropriation . . . . .	\$	107,400

Total Appropriation . . . . . \$ 358,000

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

(1) In the conduct of the commission's responsibility not specified in RCW 47.64.220, the legislature has determined that its requirement to appropriate all marine division operating expenditures necessitates certain advisory information. This advisory information pertains to the salary and benefit levels provided marine employees in relation to that level the marine employees commission recommends as appropriate. Such recommendations shall be submitted to the governor and legislature by September 1, 1988.

(2) No more than \$50,000 shall be used to employ a consulting authority in personnel survey procedures who shall evaluate existing salary survey limitations and procedures and who shall (a) develop revised procedures necessary to permit an expanded, viable survey, and (b) develop necessary statutory language changes to permit implementation of such recommended procedures. This study shall be submitted to the legislature and the governor prior to September 1, 1988. In the event the costs are less than \$50,000, such moneys shall revert to the respective funds.

NEW SECTION. Sec. 15. FOR THE TRANSPORTATION COMMISSION

General Fund—Aeronautics Account Appropriation . . . . .	\$	1,019
General Fund Appropriation . . . . .	\$	1,651
Motor Vehicle Fund—Puget Sound Capital Construction Account Appropriation . . . . .	\$	23,633
Ferry System Fund Appropriation . . . . .	\$	34,065
Motor Vehicle Fund—Puget Sound Ferry Operations Account Appropriation . . . . .	\$	14,599
Motor Vehicle Fund Appropriation . . . . .	\$	419,130
Total Appropriation . . . . .	\$	494,097

NEW SECTION. Sec. 16. FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY CONSTRUCTION—PROGRAM A

Motor Vehicle Fund Appropriation—State . . . . .	\$	108,000,000
Motor Vehicle Fund Appropriation—Federal . . . . .	\$	80,000,000
Motor Vehicle Fund Appropriation—Local . . . . .	\$	2,000,000
Total Appropriation . . . . .	\$	190,000,000

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: PROVIDED, That none of the funds in this section may be used for a study of the possible widening of the Portage Bay Bridge.

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

Motor Vehicle Fund Appropriation—State . . . . .	\$	57,000,000
Motor Vehicle Fund Appropriation—Federal . . . . .	\$	509,000,000
Motor Vehicle Fund Appropriation—Local . . . . .	\$	4,000,000
Total Appropriation . . . . .	\$	570,000,000

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

(1) The motor vehicle fund—state appropriation of \$57,000,000 includes \$37,000,000 in proceeds from the sale of bonds authorized by RCW 47.10.790, for state matching funds for the construction of SR 90 from SR 5 to SR 405, and \$20,000,000 in proceeds from the sale of bonds authorized by RCW 47.10.801: PROVIDED, That the transportation commission may authorize the use of current revenues available to the department of transportation in lieu of bond proceeds for any part of the state appropriation.

(2) If federal discretionary funds are made available to the state, the motor vehicle fund—state appropriation is increased proportionally to provide matching state funds from the sale of bonds authorized by RCW 47.10.801 and 47.10.790 not to exceed \$10,000,000 and it is understood that the department shall seek unanticipated receipts for the federal portion.

(3) The department shall develop a design plan using federal discretionary funds made available under subsection (2) above to develop a design plan, prior to the completion of the I-90 project, that accommodates access to and from I-90 for those neighborhoods listed in the Washington State Transportation Commission Resolution No. 296; which design is consistent with the existing I-90 design and which can be constructed upon completion of the present I-90 project.

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

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

Motor Vehicle Fund Appropriation—State . . . . .	\$	106,000,000
Motor Vehicle Fund Appropriation—Local . . . . .	\$	2,000,000
Total Appropriation . . . . .	\$	108,000,000

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 in the

amount of \$106,000,000: PROVIDED, That the transportation commission in consultation with the legislative transportation committee may authorize the use of current revenues available to the department of transportation in lieu of bond proceeds for any part of the state appropriation.

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

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

It is the intent of the legislature that the maximum amount of state motor vehicle funds not required for other purposes be made available for category "C" program expenditures.

The department shall identify those amounts which may become available for category "C" expenditures due to underexpenditures of state motor vehicle fund appropriations at the close of the 1985-87 biennium, revenue projections which exceed current estimates, or cost savings due to efficiencies effected in other programs. Amounts so identified shall be included in the department's 1988 supplemental budget request for category "C" expenditures.

**NEW SECTION. Sec. 19. FOR THE DEPARTMENT OF TRANSPORTATION—CONSTRUCTION MANAGEMENT AND SUPPORT—PROGRAM D**

Motor Vehicle Fund Appropriation . . . . . \$ 35,168,228

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

(1) \$3,000,000 of the motor vehicle fund—state appropriation, or so much thereof as may be required, is provided to fund the study required by Senate Concurrent Resolution No. 130 adopted by the 1983 legislature and provided for under RCW 46.68.110 and 46.68.120 of city, county, and state highway needs in relation to current statutory distributions of motor vehicle fuel taxes, other state and local highway revenue sources, and alternatives for financing long-term highway needs, and for other studies.

(2) The legislative transportation committee and the department of transportation shall conduct a review of the capital facilities needs study, which review shall be funded from the maintenance program appropriation. The results shall be presented to the 1988 legislature.

**NEW SECTION. Sec. 20. FOR THE DEPARTMENT OF TRANSPORTATION—AERONAUTICS—PROGRAM F**

General Fund—Aeronautics Account Appropriation—State . . . . .	\$	2,192,803
General Fund—Aeronautics Account Appropriation—Federal . . . . .	\$	862,725
Total Appropriation . . . . .	\$	3,055,528

The appropriations in this section are provided for management and support of the aeronautics division, state fund grants to local airports, development and maintenance of a state-wide airport system plan, maintenance of state-owned emergency airports, federal inspections, and the search and rescue program. The aeronautics account—state appropriation contains \$100,000 for transfer to the motor vehicle fund as the second of four installments in repayment of the \$407,430 advanced to pay the tort settlement in the case of Osibov vs. the state of Washington, Spokane county superior court, Cause No. 239168.

**NEW SECTION. Sec. 21. FOR THE DEPARTMENT OF TRANSPORTATION—SEARCH AND RESCUE—PROGRAM F**

General Fund—Search and Rescue Account Appropriation . . . . .	\$	110,000
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The appropriation in this section is provided for directing and conducting searches for missing, downed, overdue, or presumed downed general aviation aircraft; for safety and education activities necessary to insure safety of persons operating or using aircraft; and for the Washington wing civil air patrol in accordance with RCW 47.68.370.

**NEW SECTION. Sec. 22. FOR THE DEPARTMENT OF TRANSPORTATION—ECONOMIC TRAFFIC OPERATION IMPROVEMENTS AND SUPPORT—PROGRAM G**

Economic Development Account Appropriation . . . . .	\$	9,000,000
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The appropriation in this section is funded with the proceeds from the sale of bonds authorized by RCW 47.10.801 and is provided for improvements to the state highway system necessitated by planned economic development.

**NEW SECTION. Sec. 23. FOR THE DEPARTMENT OF TRANSPORTATION—BRIDGE REPLACEMENT AND REHABILITATION—PROGRAM H**

Motor Vehicle Fund Appropriation—State . . . . .	\$	23,000,000
Motor Vehicle Fund Appropriation—Federal . . . . .	\$	31,000,000
Motor Vehicle Fund Appropriation—Local . . . . .	\$	1,000,000
Total Appropriation . . . . .	\$	55,000,000

The appropriations in this section are provided to preserve the structural and operating integrity of existing state highway bridges.



**NEW SECTION. Sec. 24. FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY MAINTENANCE AND OPERATIONS—PROGRAM M**

Motor Vehicle Fund Appropriation . . . . . \$ 185,239,165

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

(1) The department may, after consultation with the legislative transportation committee, transfer motor vehicle funds budgeted for snow and ice control in this section to section 25 of this act to the extent that the plan is underrun.

(2) Appropriated in this section is an amount necessary for the legislative transportation committee and the department of transportation to conduct an independent study of the snow and ice control activity within the department.

**\*NEW SECTION. Sec. 25. FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY MANAGEMENT AND SUPPORT—PROGRAM P**

Motor Vehicle Fund Appropriation . . . . . \$ 15,875,977

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

(1) The department may, after consultation with the legislative transportation committee, transfer motor vehicle funds budgeted for highway inventories in this section to section 24 of this act to the extent that expenditures for snow and ice control budgeted in section 24 of this act exceeds the plan.

***(2) If the 1985–87 biennium ending highway stores and aggregates inventory is less than the amount budgeted, the department may increase the appropriation in this section by the amount of the difference.***

\*Sec. 25 was partially vetoed, see message at end of chapter.

**NEW SECTION. Sec. 26. FOR THE DEPARTMENT OF TRANSPORTATION—COUNTY-CITY PROGRAM—PROGRAM R**

Motor Vehicle Fund Appropriation—State . . . . .	\$	1,450,000
Motor Vehicle Fund Appropriation—Federal . . . . .	\$	152,612,528
Motor Vehicle Fund Appropriation—Local . . . . .	\$	20,065,734
Total Appropriation . . . . .	\$	174,128,262

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

(1) The appropriations contain \$241,000 of state funds for expenditure in accordance with RCW 47.56.720 (Puget Island–Westport Ferry—Payments for operation and maintenance to Wahkiakum county). If Senate

Bill No. 5159 is enacted, the department may request a supplemental appropriation.

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

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

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

(5) The appropriations contain \$61,000,000 of federal funds and \$1,000,000 of local funds for location, design, right-of-way, and construction on state highways which is fully reimbursable: PROVIDED, That if the 1987 legislature fails to enact a fuel tax increase, no new contracts may be awarded for department of transportation project No. 42113H prior to approval by the legislative transportation committee.

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

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

**NEW SECTION. Sec. 27. FOR THE DEPARTMENT OF TRANSPORTATION—EXECUTIVE MANAGEMENT AND MANAGEMENT SERVICES—PROGRAM S**

General Fund—Aeronautics Account Approp-		
riation .....	\$	9,371
General Fund Appropriation .....	\$	15,194
Motor Vehicle Fund—Puget Sound Capital		
Construction Account Appropriation .....	\$	217,442
Motor Vehicle Fund—Puget Sound Ferry		
Operations Account Appropriation .....	\$	459,076
Motor Vehicle Fund Appropriation .....	\$	33,518,175
Ferry System Fund Appropriation .....	\$	1,071,178
Total Appropriation .....	\$	35,290,436

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

(1) For public transportation and rail programs:

General Fund Appropriation—State . . . . .	\$	576,698
General Fund Appropriation—Federal . . . . .	\$	3,767,602
General Fund Appropriation—Local . . . . .	\$	188,000
(2) For planning and research:		
Motor Vehicle Fund Appropriation—State . . . . .	\$	6,280,453
Motor Vehicle Fund Appropriation—Federal . . . . .	\$	10,802,000
Total Public Transportation and Planning Appropriation . . . . .		
	\$	21,614,753

The appropriations in this section are subject to the following conditions and limitations: The department of transportation may transfer up to \$5,000,000 from the motor vehicle fund—federal appropriation to the motor vehicle fund—state appropriation if federal funds are not available to fully fund the motor vehicle fund—federal appropriation in this section. 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 \$3,600,000 from the motor vehicle fund—state appropriation to the motor vehicle fund—federal appropriation.

**NEW SECTION. Sec. 29. FOR THE DEPARTMENT OF TRANSPORTATION—MARINE—PROGRAM W**

Motor Vehicle Fund—Puget Sound Capital Construction Account Reappropriation—State . . . . .	\$	3,500,000
Motor Vehicle Fund—Puget Sound Capital Construction Account Appropriation—State . . . . .	\$	61,750,831
Motor Vehicle Fund—Puget Sound Capital Construction Account Appropriation—Federal . . . . .	\$	8,500,000
Total Appropriation . . . . .		
	\$	73,750,831

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 appropriation of state funds from the Puget Sound capital construction account contains \$5,000,000 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.

(2) It is the intent of the legislature that the Puget Sound capital construction account appropriation is provided to carry out only the projects presented to the house of representatives and senate transportation committees in the department's 1987-1989 biennial budget request dated February 1987. The department shall revise this list of projects to reconcile the 1985-87 actual expenditures within sixty days of the beginning of the biennium.

(3) Prior to the expenditure of any funds budgeted for additional passenger-only vessels and related terminal modifications, the department of transportation shall obtain approval from the legislative transportation committee: PROVIDED, That the marine division shall make application for reimbursement from the federal urban mass transit administration.

(4) Expenditures for propulsion control systems shall be limited to two vessels.

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

**NEW SECTION. Sec. 30. FOR THE DEPARTMENT OF TRANSPORTATION—MARINE—PROGRAM X**

**Motor Vehicle Fund—Puget Sound Ferry**

Operations Account Appropriation . . . . .	\$	45,896,956
Ferry System Fund Appropriation . . . . .	\$	107,092,897
Total Appropriation . . . . .	\$	152,989,853

The appropriations in this section are provided for management and support of the marine transportation division of the department of transportation and for the operation and maintenance of the state ferry system.

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

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

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

(3) For the period from July 1, 1987, up to the actual implementation date of the 1987-89 biennial salary increase for employees under the jurisdiction of the state personnel board, none of the appropriations in this section may be expended to effect an increase in the hourly wage rates of ferry employees, as ferry employee is defined in RCW 47.64.011(5).

(4) The appropriation contained in this section provides for a compensation increase. The expenditures for compensation paid to ferry employees during the 1987-89 biennium shall not exceed \$105,210,000 and, for the purposes of this section, shall be limited to salaries and wages and employee benefits as defined in the office of financial management's policies, regulations, and procedures named under objects of expenditure "A" and "L" (7.2.6.2). Of the \$105,210,000 provided for compensation, a maximum of \$678,000 may be used to increase salary costs, effective January 1, 1988, for the 1987-88 fiscal year so that the June 30, 1988, hourly salary rate increase shall not exceed any average hourly salary rate increase granted during the 1987-88 fiscal year; and a maximum of \$2,145,000 may be used to increase salary costs, effective January 1, 1989, for the 1988-89 fiscal year so that the June 30, 1989, hourly salary rate increase shall not exceed any average hourly salary rate increase granted during the 1988-89 fiscal year.

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

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

**NEW SECTION.** Sec. 31. FOR THE DEPARTMENT OF TRANSPORTATION

General Fund Appropriation—Federal . . . . . \$ 600,000

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. 32. FOR THE DEPARTMENT OF TRANSPORTATION

Motor Vehicle Fund—RV Account Appropriation Transfer:

For transfer to the Motor Vehicle Fund . . . . . \$ 386,770

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.

NEW SECTION. Sec. 33. The department of transportation shall study and develop criteria regarding noise abatement. The department shall submit the results of its study and any recommended criteria and solutions to the legislative transportation committee on or before December 1, 1987.

NEW SECTION. Sec. 34. FOR THE DEPARTMENT OF TRANSPORTATION—FOR PAYMENT OF BELATED CLAIMS

Motor Vehicle Fund Appropriation . . . . . \$ 10,000,000

NEW SECTION. Sec. 35. FOR THE LEGISLATIVE TRANSPORTATION COMMITTEE—FOR PAYMENT OF BELATED CLAIMS

Motor Vehicle Fund Appropriation . . . . . \$ 100,000

NEW SECTION. Sec. 36. The department shall not plant Scotch Broom (*Cytisus Scotarius*) along highway rights of way. The department shall participate in its proportional share in any area-wide Scotch Broom eradication program sponsored by a public governmental agency.

Sec. 37. Section 46.68.110, chapter 12, Laws of 1961 as last amended by section 32, chapter 460, Laws of 1985 and RCW 46.68.110 are each amended to read as follows:

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

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

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

(3) From July 1, 1987, through June 30, 1989, thirty-three one-hundredths of one percent of such funds shall be deducted monthly, as such funds accrue, and set aside for the use of the department of transportation

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

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

Sec. 38. Section 46.68.120, chapter 12, Laws of 1961 as last amended by section 33, chapter 460, Laws of 1985 and RCW 46.68.120 are each amended to read as follows:

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

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

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

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

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

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

**NEW SECTION.** Sec. 39. 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. 40. The legislature recognizes the economic importance to the state of attracting new industrial development, and that the availability of transportation services is a significant factor in attracting such industries. The transportation commission and the department of transportation may consider these unique circumstances in determining priorities for capital expenditures.

**\*NEW SECTION.** Sec. 41. *It is the intent of the legislature that the amounts assumed in this act as presented to the house of representatives and senate transportation committees for all revolving funds for services provided to the department of transportation, Washington state patrol, and department of licensing by other agencies, including the department of personnel service fund for personnel services, the legal services revolving fund for tort claim administration costs and other legal costs, the audit services revolving fund for audits, and the archives and records management account for archiving, storage and records management services, shall not be exceeded without prior approval of the legislative transportation committee.*

\*Sec. 41 was vetoed, see message at end of chapter.

**NEW SECTION.** Sec. 42. In addition to such other appropriations as are made by this act, there is hereby appropriated to the department of transportation from legally available bond proceeds in the respective construction or building accounts such amounts as are necessary to pay the expenses incurred by the state finance committee in the issuance and sale of the subject bonds.

**NEW SECTION.** Sec. 43. The legislature recognizes that actual receipts of motor fuel excise taxes payable in any given month have been delayed up to five days into the following month. House Bill No. 347 has been introduced to alleviate late collections and to facilitate receipts of motor fuel excise taxes in the periods when they are due. If House Bill No. 347 is not enacted, the legislature directs the department of licensing and the state treasurer to credit all motor fuel excise taxes collected during the first five working days in July 1987 to the 1985-87 fiscal biennium.

**NEW SECTION.** Sec. 44. As used in this act, "St Patrol Hiwy Acct" means the State Patrol Highway Account.

**NEW SECTION.** Sec. 45. FOR THE WASHINGTON STATE PATROL

Port of entry station: Bellingham (83-R-006)

Reappropriation      Appropriation



St Patrol Hiwy Acct	150,000	
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/89 and	Costs
6/30/87	Thereafter	
312,000		462,000

NEW SECTION. Sec. 46. FOR THE WASHINGTON STATE PATROL

State-wide: Minor works request (86-1-002)

	Reappropriation	Appropriation
St Patrol Hiway Acct		868,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/89 and	Costs
6/30/87	Thereafter	
525,000		1,393,000

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

State-wide: Contingency request (86-1-003)

	Reappropriation	Appropriation
St Patrol Hiway Acct		411,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/89 and	Costs
6/30/87	Thereafter	
166,000		577,000

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

Construct district headquarters facility: Spokane (88-2-009)

	Reappropriation	Appropriation
St Patrol Hiway Acct		2,391,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/89 and	Costs
6/30/87	Thereafter	
		2,391,000

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

Construct district headquarters facility: Wenatchee (88-2-007)

	Reappropriation	Appropriation
St Patrol Hiway Acct		1,761,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/89 and	Costs
6/30/87	Thereafter	
		1,761,000

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

Program through design development: Tacoma headquarters (88-2-015)

	Reappropriation	Appropriation
St Patrol Hiway Acct		53,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/89 and	Costs
6/30/87	Thereafter	
	2,333,000	2,386,000

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

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

	Reappropriation	Appropriation
St Patrol Hiway Acct		639,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/89 and	Costs
6/30/87	Thereafter	
		639,000

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

Program through design development: Everett headquarters (88-2-016)

Reappropriation      Appropriation

St Patrol Hiway Acct		53,000
Project Costs Through 6/30/87	Estimated Costs 7/1/89 and Thereafter	Estimated Total Costs
	2,333,000	2,386,000

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

Microwave repeater site: Quinault (89-2-017)

	Reappropriation	Appropriation
St Patrol Hiway Acct		219,000
Project Costs Through 6/30/87	Estimated Costs 7/1/89 and Thereafter	Estimated Total Costs
		219,000

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

Program through design development: Olympia headquarters (88-2-008)

	Reappropriation	Appropriation
St Patrol Hiway Acct		133,000
Project Costs Through 6/30/87	Estimated Costs 7/1/89 and Thereafter	Estimated Total Costs
	7,407,000	7,540,000

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

Relocate communications tower: Bellevue (88-1-012)

	Reappropriation	Appropriation
St Patrol Hiway Acct		374,000
Project Costs Through	Estimated Costs 7/1/89 and	Estimated Total Costs

6/30/87

Thereafter

374,000

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

Headquarters facility: Olympia headquarters (88-2-001)

	Reappropriation	Appropriation
St Patrol Hiway Acct		7,500,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/89 and	Costs
6/30/87	Thereafter	
	4,000,000	11,500,000

The department of general administration and the Washington state patrol shall study alternative on-campus locations for the headquarters facility, including, but not limited to, the highways-licenses building and the feasibility of constructing a lease-option-to-purchase facility. The findings shall be presented to the legislative transportation committee by December 1, 1987, and no expenditures from the appropriation shall be made without prior approval of the legislative transportation committee and the state capitol committee.

NEW SECTION. Sec. 57. FOR THE STATE TREASURER—TRANSFER

Motor Vehicle Fund . . . . . \$ 8,000,000

The appropriation in this section is for transfer to the Puget Sound ferry operations account on August 1, 1987: PROVIDED, That the amount appropriated for transfer shall not exceed the amount of the unexpended balance in the Puget Sound ferry operations account on June 30, 1987, which is subject to transfer from the account pursuant to RCW 47.60.540(2). The amount transferred shall be reported to the legislative transportation committee.

NEW SECTION. Sec. 58. FOR THE DEPARTMENT OF TRANSPORTATION—TRANSFER

Motor Vehicle Fund—Highway Construction  
 Stabilization Account Transfer: For transfer to the Motor Vehicle Fund . . . . . \$ 30,000,000

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

NEW SECTION. Sec. 59. To the extent that the employer contributions for retirement, industrial insurance, and medical aid granted to state

general government employees through enactment of the omnibus state appropriations act are less than amounts assumed in the operating programs in this appropriations act, such portion of the appropriations shall be withheld and assigned to a reserve status pursuant to RCW 43.88.110(2). Specific amounts shall be assigned to a reserve status with the concurrence of the office of financial management and the legislative transportation committee.

**NEW SECTION.** Sec. 60. 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. 61. 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 Senate May 17, 1987.

Passed the House May 17, 1987.

Approved by the Governor June 12, 1987, with the exception of certain items which were vetoed.

Filed in Office of Secretary of State June 12, 1987.

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

"I am returning herewith, without my approval as to sections 9(4), 10(4), 25(2) and 41, Engrossed Substitute Senate Bill No. 6076, entitled:

"AN ACT Relating to transportation appropriations."

Section 9(4), Page 3, Curbstone Program

This section, while not prescriptive, allows for expansion of the "Curbstone" program. The numbers and language are contradictory in that the amount identified for expansion erroneously includes the base, while expenditures are limited to funding source revenues, which would not be sufficient to support the specified expansion.

Section 10(4), Page 4, Public Safety and Education Account Transfer

This section transfers funds out of the Public Safety and Education Account into the Highway Safety Fund. In recent years, the legislature has expressed a desire for an open process in determining the levels of appropriations to various agencies from the Public Safety and Education Account. This transfer circumvents that process by dedicating a portion of the revenues accrued to the Public Safety and Education Account to the Highway Safety Fund. Also, the amount developed in the March, 1987, forecast is less than the amount appropriated, which appears to be unintended and could result in the account being over-extended.

Section 25(2), Page 11, Increased Appropriation for Highway Stores

This section allows the Department of Transportation's appropriation to be increased by an unspecified amount. This is in violation of Article 8, section 4 of the Constitution because it fails to distinctly specify the amount of the appropriation.

Section 41, Page 20, Service Fund Charges

This section puts caps on revolving fund payments by the Washington State Patrol, the Department of Licensing and the Department of Transportation. The section

references assumed budgeted amounts for revolving funds which have not been established. This section creates an inconsistency relative to other state agencies in the matter of revolving fund charges.

With the exception of sections 9(4), 10(4), 25(2) and 41, Engrossed Substitute Senate Bill No. 6076 is approved."