

of their illegal activity, it is an unrealistic burden on law enforcement to prove more than the fact that individuals were criminally involved and that the property was used or acquired by those illegal means.

I have not vetoed the sections related to changing the distribution of funds received for personal property which is forfeited. This part of the bill is contained in section 2(f).

With the exception of sections 1, 2(a) through (e) and (g) through (j), Engrossed Substitute Senate Bill No. 6316 is approved."

CHAPTER 283

[Engrossed Substitute House Bill No. 1701]

SUPPLEMENTAL TRANSPORTATION BUDGET

AN ACT Relating to transportation appropriations; amending section 3, chapter 10, Laws of 1987 1st ex. sess. (uncodified); amending section 7, chapter 10, Laws of 1987 1st ex. sess. (uncodified); amending section 10, chapter 10, Laws of 1987 1st ex. sess. (uncodified); amending section 17, chapter 10, Laws of 1987 1st ex. sess. (uncodified); amending section 18, chapter 10, Laws of 1987 1st ex. sess. (uncodified); amending section 19, chapter 10, Laws of 1987 1st ex. sess. (uncodified); amending section 20, chapter 10, Laws of 1987 1st ex. sess. (uncodified); amending section 22, chapter 10, Laws of 1987 1st ex. sess. (uncodified); amending section 23, chapter 10, Laws of 1987 1st ex. sess. (uncodified); amending section 24, chapter 10, Laws of 1987 1st ex. sess. (uncodified); amending section 25, chapter 10, Laws of 1987 1st ex. sess. (uncodified); amending section 26, chapter 10, Laws of 1987 1st ex. sess. (uncodified); amending section 27, chapter 10, Laws of 1987 1st ex. sess. (uncodified); amending section 28, chapter 10, Laws of 1987 1st ex. sess. (uncodified); amending section 29, chapter 10, Laws of 1987 1st ex. sess. (uncodified); amending section 30, chapter 10, Laws of 1987 1st ex. sess. (uncodified); amending section 39, chapter 10, Laws of 1987 1st ex. sess. (uncodified); adding new sections to chapter 10, Laws of 1987 1st ex. sess. (uncodified); creating new sections; repealing section 55, chapter 10, Laws of 1987 1st ex. sess. (uncodified); repealing section 56, chapter 10, Laws of 1987 1st ex. sess. (uncodified); making appropriations and authorizing expenditures; and declaring an emergency.

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

Sec. 1. Section 3, chapter 10, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE RAIL DEVELOPMENT COMMISSION

Rail Development Account Appropriation . . . . . \$ ((300,000))  
663,900

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:))

(1) \$55,000 of the appropriation is the state's share for a study to determine the ridership forecast and financial feasibility of a commuter rail demonstration project in the south corridor of the central Puget Sound region. The commission shall select the appropriate public/private agency to conduct the study and shall have oversight responsibility. State moneys shall be matched in an amount at least equal to the state's share by local jurisdictions.

(2) \$25,000 of the appropriation shall be used solely to provide matching funds for federal mass transportation administration (UMTA) discretionary grant moneys.

Sec. 2. Section 7, chapter 10, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

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))~~ 525,000 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.

(3) The appropriations in this section include \$150,000 for the sole purpose of creating a license fraud investigation team. If House Bill No. 1860 is not enacted by June 30, 1988, the state patrol highway account appropriation—state in this section shall be reduced by \$150,000.

Sec. 3. Section 10, chapter 10, Laws of 1987 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 . . . . .             | \$ | 3,352,618                 |
| Highway Safety Fund Appropriation . . . . . | \$ | <del>((30,866,231))</del> |
|                                             |    | <u>30,942,064</u>         |
| Highway Safety Fund—Motorcycle Safety       |    |                           |
| Education Account Appropriation . . . . .   | \$ | <del>((265,014))</del>    |
|                                             |    | <u>610,926</u>            |
| Total Appropriation . . . . .               | \$ | <del>((34,483,863))</del> |
|                                             |    | <u>34,905,608</u>         |

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) If House Bill No. 1660 is not enacted by June 30, 1988, the highway safety fund—motorcycle safety education account appropriation shall be reduced by \$39,300.

(5) If Engrossed Substitute Senate Bill No. 6410 is not enacted by June 30, 1988, the Highway Safety Fund Appropriation shall be reduced by \$38,135.

(6) If House Bill No. 1482 is not enacted by June 30, 1988, the Highway Safety Fund Appropriation shall be reduced by \$37,698.

Sec. 4. Section 17, chapter 10, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY CONSTRUCTION—PROGRAM B**

|                                                    |    |                            |
|----------------------------------------------------|----|----------------------------|
| Motor Vehicle Fund Appropriation—State . . . . .   | \$ | 57,000,000                 |
| Motor Vehicle Fund Appropriation—Federal . . . . . | \$ | <del>((509,000,000))</del> |
|                                                    |    | <u>497,000,000</u>         |
| Motor Vehicle Fund Appropriation—Local . . . . .   | \$ | 4,000,000                  |
| Total Appropriation . . . . .                      | \$ | <del>((570,000,000))</del> |
|                                                    |    | <u>558,000,000</u>         |

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.

Sec. 5. Section 18, chapter 10, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY CONSTRUCTION—PROGRAM C**

|                                                  |    |                            |                   |
|--------------------------------------------------|----|----------------------------|-------------------|
| Motor Vehicle Fund Appropriation—State . . . . . | \$ | <del>((106,000,000))</del> |                   |
|                                                  |    |                            | 93,455,000        |
| Motor Vehicle Fund Appropriation—Local . . . . . | \$ |                            | 2,000,000         |
| Total Appropriation . . . . .                    | \$ | <del>((108,000,000))</del> | <u>95,455,000</u> |

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. If Senate Bill No. 6464 is enacted, the motor vehicle fund—state appropriation shall be increased by \$13,000,000.

(1) 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))~~ 93,455,000; 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 department's category C preliminary engineering and right of way expenditures for unfunded list 4 projects shall not exceed \$12,000,000.

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. If additional moneys become available, deferred funded list 4 category "C" project contracts shall not be awarded by the department without prior consultation with the legislative transportation committee.

No moneys may be expended on list 5 category "C" projects in the 1987-89 biennium.

~~((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.))~~

(2) Notwithstanding subsection (1) of this section and to the extent that the motor vehicle fund—state receives additional revenues from the sale of department of transportation parcel number 32704447, \$455,000 of the motor vehicle fund appropriation—state is provided solely for the construction of a loop ramp as described under program item number 351216A in the transportation commission category "C" program file.

Sec. 6. Section 19, chapter 10, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—CONSTRUCTION MANAGEMENT AND SUPPORT—PROGRAM D**

Motor Vehicle Fund Appropriation . . . . . \$ ((35,168,228))  
34,866,222

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, including a study of the economic feasibility of constructing a bridge across the Port Orchard Passage and a study of the economic feasibility of constructing a bridge across the Columbia River to Oregon, both studies to be conducted jointly by the legislative transportation committee and the department of transportation.

(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.

(3) If funds are made available to the state through the sale of the Spokane street maintenance site in the city of Seattle, the motor vehicle fund appropriation—state shall be increased by the amount of such proceeds, not to exceed \$1,500,000, to be used for the construction of a maintenance facility on property owned by the department at Corson street in the city of Seattle.

Sec. 7. Section 20, chapter 10, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—AERONAUTICS—PROGRAM F**

|                                                                  |    |                  |
|------------------------------------------------------------------|----|------------------|
| General Fund—Aeronautics Account Appropriation—State . . . . .   | \$ | ((2,192,803))    |
|                                                                  |    | <u>2,377,803</u> |
| General Fund—Aeronautics Account Appropriation—Federal . . . . . | \$ | ((862,725))      |
|                                                                  |    | <u>902,460</u>   |
| Total Appropriation . . . . .                                    | \$ | ((3,055,528))    |
|                                                                  |    | <u>3,280,263</u> |

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.

Sec. 8. Section 22, chapter 10, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—ECONOMIC TRAFFIC OPERATION IMPROVEMENTS AND SUPPORT—PROGRAM G**

|                                                      |    |                  |
|------------------------------------------------------|----|------------------|
| Economic Development Account Appropriation . . . . . | \$ | ((9,000,000))    |
|                                                      |    | <u>3,000,000</u> |

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.

Sec. 9. Section 23, chapter 10, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—BRIDGE REPLACEMENT AND REHABILITATION—PROGRAM H**

|                                                |                   |
|------------------------------------------------|-------------------|
| Motor Vehicle Fund Appropriation—State .....   | \$ ((23,000,000)) |
|                                                | <u>22,500,000</u> |
| Motor Vehicle Fund Appropriation—Federal ..... | \$ ((31,000,000)) |
|                                                | <u>27,200,000</u> |
| Motor Vehicle Fund Appropriation—Local .....   | \$ 1,000,000      |
| Total Appropriation .....                      | \$ ((55,000,000)) |
|                                                | <u>50,700,000</u> |

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

Sec. 10. Section 24, chapter 10, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY MAINTENANCE AND OPERATIONS—PROGRAM M

|                                        |                    |
|----------------------------------------|--------------------|
| Motor Vehicle Fund Appropriation ..... | \$ ((185,239,165)) |
|                                        | <u>180,528,914</u> |

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.

Sec. 11. Section 25, chapter 10, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY MANAGEMENT AND SUPPORT—PROGRAM P

|                                        |                   |
|----------------------------------------|-------------------|
| Motor Vehicle Fund Appropriation ..... | \$ ((15,875,977)) |
|                                        | <u>16,055,451</u> |

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

((+)) 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.

Sec. 12. Section 26, chapter 10, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

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))    |
|                                                    |    | <u>151,612,528</u> |
| Motor Vehicle Fund Appropriation—Local . . . . .   | \$ | ((20,065,734))     |
|                                                    |    | <u>19,977,219</u>  |
| Total Appropriation . . . . .                      | \$ | ((174,128,262))    |
|                                                    |    | <u>173,039,747</u> |

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.

(8) The appropriations contain \$6,000,000 of federal funds for construction of defense access roads related to the Everett home port.



Sec. 13. Section 27, chapter 10, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—EXECUTIVE MANAGEMENT AND MANAGEMENT SERVICES—PROGRAM S**

|                                                                                     |    |                   |
|-------------------------------------------------------------------------------------|----|-------------------|
| General Fund—Aeronautics Account Appropriation . . . . .                            | \$ | 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))    |
|                                                                                     |    | <u>31,611,418</u> |
| Ferry System Fund Appropriation . . . . .                                           | \$ | 1,071,178         |
| Total Appropriation . . . . .                                                       | \$ | ((35,290,436))    |
|                                                                                     |    | <u>33,383,679</u> |

The appropriations in this section include \$100,000 for the implementation of the joint financial information systems to be utilized by the office of financial management, legislative evaluation and accountability committee, department of transportation, department of information systems, the committees on ways and means of the senate and house of representatives, and the legislative transportation committee.

Sec. 14. Section 28, chapter 10, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

**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))      |
|                                              |    | <u>570,284</u>   |
| General Fund Appropriation—Federal . . . . . | \$ | ((3,767,602))    |
|                                              |    | <u>3,758,745</u> |
| General Fund Appropriation—Local . . . . .   | \$ | 188,000          |

(2) For planning and research:

|                                                                  |    |                   |
|------------------------------------------------------------------|----|-------------------|
| Motor Vehicle Fund Appropriation—State . . . . .                 | \$ | ((6,280,453))     |
|                                                                  |    | <u>6,188,743</u>  |
| Motor Vehicle Fund Appropriation—Federal . . . . .               | \$ | ((10,802,000))    |
|                                                                  |    | <u>10,436,457</u> |
| Total Public Transportation and Planning Appropriation . . . . . | \$ | ((21,614,753))    |
|                                                                  |    | <u>21,142,229</u> |

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.

Sec. 15. Section 29, chapter 10, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

**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))    |
|                                                                                         |    | <u>67,000,831</u> |
| Motor Vehicle Fund—Puget Sound Capital Construction Account Appropriation—Federal ..... | \$ | 8,500,000         |
| Total Appropriation .....                                                               | \$ | ((73,750,831))    |
|                                                                                         |    | <u>79,000,831</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 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))~~ (3) Expenditures for propulsion control systems shall be limited to two vessels.

~~((5))~~ (4) The department of transportation shall provide the legislative transportation committee with a monthly report concerning the status of this program.

(5) \$5,000,000 of the Puget Sound capital construction account appropriation is provided for capacity improvements for two M.V. Issaquah class vessels through the addition of second car decks.

(6) \$250,000 of the appropriation is provided for improvements to the Anacortes parking facility.

Sec. 16. Section 30, chapter 10, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—MARINE—PROGRAM X

Motor Vehicle Fund—Puget Sound Ferry

|                                            |    |                            |
|--------------------------------------------|----|----------------------------|
| Operations Account Appropriation . . . . . | \$ | <del>((45,896,956))</del>  |
|                                            |    | <u>45,155,127</u>          |
| Ferry System Fund Appropriation . . . . .  | \$ | <del>((107,092,897))</del> |
|                                            |    | <u>105,361,963</u>         |
| Total Appropriation . . . . .              | \$ | <del>((152,989,853))</del> |
|                                            |    | <u>150,517,090</u>         |

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))~~ no increases in the hourly wage rates of ferry employees, as ferry employee is defined in RCW 47.64.011(5), shall be included in the base hourly wage rates used for future salary increase calculations.

(4) The appropriation contained in this section provides for ~~((a))~~ the compensation of ferry employees, including increases. The expenditures for compensation paid to ferry employees during the 1987-89 biennium shall not exceed \$105,210,000 ~~((and,))~~ 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 \$167 a month annualized per eligible marine employee multiplied by the number of eligible marine employees for fiscal year 1989. 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 "L" (7.2.6.2). Of the \$105,210,000 provided for compensation, plus the prescribed insurance benefit increase dollar amount:

(a) A maximum of \$678,000 may be used to increase ((salary)) compensation 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));

(b) The prescribed insurance benefit increase dollar amount may be used to increase compensation costs, effective July 1, 1988;

(c) A maximum of \$2,145,000 shall be used to maintain any 1987-88 compensation increase and may be used to increase compensation costs, effective January 1, 1989.

In no event may the June 30, 1988, hourly salary rate increase exceed any average hourly salary rate increase granted during the 1987-88 fiscal year.

In no event may 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.

Sec. 17. Section 39, chapter 10, Laws of 1987 1st ex. sess. (uncodified) is amended to read as follows:

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. Negative cash balances also may result from the use of state funds to finance federal advance construction projects prior to conversion to federal funding. The legislature recognizes that the department of transportation may require interfund loans or other short-term financing to meet temporary seasonal cash requirements and additional cash requirements to fund federal advance construction projects.

NEW SECTION. Sec. 18. A new section is added to chapter 10, Laws of 1987 1st ex. sess. to read as follows:

The department of transportation is authorized to undertake federal advance construction projects under the provisions of 23 U.S.C. Sec. 115 in order to maintain progress in meeting approved highway construction and preservation objectives. The legislature recognizes that the use of state funds may be required to temporarily fund expenditures of the federal appropriations for the highway construction and preservation programs for federal advance construction projects prior to conversion to federal funding.

NEW SECTION. Sec. 19. A new section is added to chapter 10, Laws of 1987 1st ex. sess. to read as follows:

With respect to the department of transportation appropriations for highway construction in programs A, B, C, and H, it is recognized that expenditures for transit benefit projects are approximately \$150,000,000 of state and federal funds, of which significant portions pertain to construction on I-90. Transit benefit projects are those which construct or improve high-occupancy vehicle lanes, surveillance control and driver information systems, park-and-ride lots, flyer stops, and park-and-pool lots.

NEW SECTION. Sec. 20. A new section is added to chapter 10, Laws of 1987 1st ex. sess. to read as follows:

#### FOR THE WASHINGTON STATE PATROL

Dormitory facility at Washington State Patrol Training Academy (90-2-010)

|                                  | Reappropriation | Appropriation |
|----------------------------------|-----------------|---------------|
| Public Safety and Education Acct |                 | 673,000       |
| Project                          | Estimated       | Estimated     |
| Costs                            | Costs           | Total         |
| Through                          | 7/1/89 and      | Costs         |
| 6/30/87                          | Thereafter      |               |
|                                  |                 | 673,000       |

NEW SECTION. Sec. 21. A new section is added to chapter 10, Laws of 1987 1st ex. sess. to read as follows:

**FOR THE WASHINGTON STATE PATROL**

Emergency vehicle operation course: Phase II (91-3-011)

|                                  | Reappropriation | Appropriation |
|----------------------------------|-----------------|---------------|
| Public Safety and Education Acct |                 | 1,107,000     |
| Project                          | Estimated       | Estimated     |
| Costs                            | Costs           | Total         |
| Through                          | 7/1/89 and      | Costs         |
| 6/30/87                          | Thereafter      |               |
|                                  |                 | 1,107,000     |

NEW SECTION. Sec. 22. A new section is added to chapter 10, Laws of 1987 1st ex. sess. to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT**

|                                                            |    |         |
|------------------------------------------------------------|----|---------|
| Public Safety and Education Account Appropriation .....    | \$ | 75,000  |
| General Fund—State Appropriation .....                     | \$ | 15,000  |
| Public Safety and Education Account Transfer:              |    |         |
| For transfer to the trauma care system trust account ..... | \$ | 250,000 |
| General Fund—Aeronautics Account Appropriation—State ..... | \$ | 5,000   |
| Total Appropriation .....                                  | \$ | 345,000 |

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

(1) If House Bill No. 1713 is enacted, \$250,000 shall be transferred from the public safety and education account appropriation to the trauma care system trust account and is appropriated to implement the provisions of that bill. If House Bill No. 1713 is not enacted by June 30, 1988, the total appropriation shall be reduced by \$250,000.

(2) \$15,000 of the general fund—state appropriation and \$5,000 of the aeronautics account appropriation is provided for a joint office of financial

management/legislative transportation committee study of transportation vehicle and aircraft replacement programs.

(3) \$75,000 of the public safety and education account appropriation is provided to study the feasibility of and planning for the possible relocation of the criminal justice training center to the Washington State Patrol Academy at Shelton. The office of financial management shall report its findings and recommendations to the house and senate standing committees on transportation and ways and means on or before December 1, 1988.

NEW SECTION. Sec. 23. A new section is added to chapter 10, Laws of 1987 1st ex. sess. to read as follows:

No moneys from the motor vehicle fund or highway safety fund may be expended under chapter 10, Laws of 1987 1st ex. sess. as amended by this 1988 act for major relocation of the Washington state patrol or the department of licensing.

NEW SECTION. Sec. 24. The department of transportation and the county road administration board shall, by December 31, 1988, jointly provide the legislative transportation committee a report describing the current financial status of county-operated ferry systems. The report shall include recommendations regarding the appropriate level of state support for these transportation services and whether there is sufficient justification to consider transferring responsibilities for operating these systems to the Washington state department of transportation.

NEW SECTION. Sec. 25. The legislative transportation committee shall conduct a study of the impact of transportation tax exemptions on revenue.

***\*NEW SECTION. Sec. 26. A joint committee is created to study the state motor vehicle excise tax. The study shall include an historical review of the distribution of the tax revenues, the current distribution of the tax revenues, and an evaluation of the current and historical purposes of the tax revenue distributions. The joint committee shall report its findings, including any recommended changes to the motor vehicle excise tax, to the house and senate standing committees on transportation and ways and means by November 1, 1988.***

***The chairpersons of the house transportation committee, the senate transportation committee, the senate ways and means committee, and the house ways and means committee shall each appoint three of its members to serve on the joint committee. The directors of the office of financial management and the department of licensing and the secretary of transportation shall each appoint one employee of their respective departments to serve on the joint committee. The members of the joint committee shall elect a chairperson from the membership of the committee.***

***\*Sec. 27 was vetoed, see message at end of chapter.***

NEW SECTION. Sec. 27. Section 55, chapter 10, Laws of 1987 1st ex. sess. (uncodified) is repealed.

NEW SECTION. Sec. 28. Section 56, chapter 10, Laws of 1987 1st ex. sess. (uncodified) is repealed.

NEW SECTION. Sec. 29. 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. 30. 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 March 9, 1988.

Passed the Senate March 5, 1988.

Approved by the Governor March 24, 1988, with the exception of certain items which were vetoed.

Filed in Office of Secretary of State March 24, 1988.

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

"I am returning herewith, without my approval as to section 26, Engrossed Substitute House Bill No. 1701 entitled:

"AN ACT Relating to transportation appropriations."

This section creates a committee to study the state motor vehicle excise tax. The same provision was included in Substitute Senate Bill No. 6376, section 2, with the exception that the senate bill included an appropriate sunset date for the committee. I am vetoing this section in order to provide for clarity in the record and to avoid duplicative provisions in the statute.

With the exception of section 26, Engrossed Substitute House Bill No. 1701 is approved."

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## CHAPTER 284

[Engrossed Second Substitute Senate Bill No. 6235]

### WATER POLLUTION CONTROL FACILITIES—CAPITALIZATION GRANTS— WATER POLLUTION CONTROL REVOLVING FUND, AUTHORIZED USE

AN ACT Relating to allowing the state of Washington to receive capitalization grants from the federal government for the state revolving loan fund for financing water pollution control facilities and activities; adding a new chapter to Title 90 RCW; making an appropriation; and declaring an emergency.

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

NEW SECTION. Sec. 1. The long-range health and environmental goals for the state of Washington require the protection of the state's surface and underground waters for the health, safety, use, enjoyment, and economic benefit of its people. It is the purpose of this chapter to provide an