

purposes, or have commercial value. The lands must not have been previously used as a waste disposal site. Choice of the site must be made with the advice and approval of the board of natural resources.

NEW SECTION. Sec. 5. A new section is added to chapter 79.92 RCW to read as follows:

The harbor line commission shall modify harbor lines in Port Gardner Bay as necessary to facilitate the conveyance through exchange authorized in section 4 of this act.

NEW SECTION. Sec. 6. 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. 7. 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 March 11, 1987.

Passed the House April 20, 1987.

Approved by the Governor May 7, 1987.

Filed in Office of Secretary of State May 7, 1987.

CHAPTER 272

[Engrossed Substitute House Bill No. 611]

NAVY HOMEPORT IN EVERETT—HARBOR AREA TO REMAIN UNOBSTRUCTED—FUNDS APPROPRIATED TO OFFSET THE IMPACT OF THE HOMEPORT ON STATE RESPONSIBILITIES AND ACTIVITIES

AN ACT Relating to the fiscal impact of locating a Navy home port in Everett; creating a new section; making appropriations; and declaring an emergency.

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

NEW SECTION. Sec. 1. Whereas the federal government in 1986 authorized the construction of a Navy home port in Everett, Washington, it is therefore the intent of this act to provide funds to state agencies to offset the additional costs imposed by the construction of the port.

NEW SECTION. Sec. 2. It is the intent of the legislature that, except for periods of national emergency, the harbor area outside the U.S. Navy base will remain unobstructed for navigation and commerce in accordance with the Port of Everett/U.S. Navy memorandum of understanding pertaining to the construction and dredging operations at the Everett home port facility.

NEW SECTION. Sec. 3. (1) There is hereby appropriated to the office of financial management for the biennium beginning July 1, 1987, and ending June 30, 1989:

(a) Ten million, four hundred seventy thousand dollars from the general fund—state;

(b) One million, one hundred sixty-nine thousand dollars from the general fund—federal;

(c) Three hundred ninety-two thousand dollars from the state electrical license fund;

(d) Five hundred thirty-three thousand dollars from the state accident fund; and

(e) Five hundred thirty-three thousand dollars from the state medical aid fund.

(2) The appropriations in this section are provided solely for the purposes of this act and are subject to the following conditions and limitations:

(a) The appropriations in this section are provided solely for the increased demands for public services as a result of the development or construction of the Everett home port. No funds may be spent, except as may be necessary for planning and monitoring to meet the requirements of federal legislation authorizing the construction of the Everett home port, until the following conditions are met: (i) Actual construction or site preparation is started, and (ii) the federal government releases to be obligated, or expended, the \$43.5 million appropriated in federal fiscal year 1987 in section 2208 of the national defense authorization act for construction of the home port, and (iii) all required local, state, and federal permits for site construction, preparation, and dredging are obtained.

(b) The governor shall allocate funds to the superintendent of public instruction, the department of social and health services, the department of community development, the department of fisheries, the department of ecology, and the department of labor and industries. The governor shall allocate these appropriations to specific agencies based on increased agency operating expenditures and workload directly associated with the Everett home port. The governor may release to the specific agencies only the amount necessary to offset the directly incurred increased costs which have been documented by the agency.

(c) Any appropriation adjustments and actions that the governor has taken related to the Everett home port and pursuant to this appropriation shall be reported to the legislature on January 1, 1988, and January 1, 1989.

NEW SECTION. Sec. 4. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the House April 20, 1987.

Passed the Senate April 24, 1987.

Approved by the Governor May 7, 1987.

Filed in Office of Secretary of State May 7, 1987.