

SIXTY SEVENTH LEGISLATURE - REGULAR SESSION

ONE HUNDRED FOURTH DAY

House Chamber, Olympia, Saturday, April 24, 2021

The House was called to order at 11:00 a.m. by the Speaker (Representative Lovick presiding). The Clerk called the roll and a quorum was present.

The Speaker (Representative Lovick presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Jacquelin Maycumber, 7th Legislative District.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the third order of business.

MESSAGE FROM THE SENATE

April 23, 2021

Mme. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5084,

and the same is herewith transmitted.

Sarah Bannister, Deputy Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 1585 by Representatives Graham and Jacobsen

AN ACT Relating to improving driver's education related to traffic stops in order to avoid inadvertent hostile confrontations; amending RCW 28A.220.035 and 46.82.420, adding a new section to chapter 46.82 RCW; creating new sections; and providing expiration dates.

Referred to Committee on Education.

HB 1586 by Representatives Pollet, Valdez, Ramos, Shewmake and Duerr

AN ACT Relating to disclosures by grassroots lobbyists; amending RCW 42.17A.640; and creating a new section.

Referred to Committee on State Government & Tribal Relations.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

**SUPPLEMENTAL
INTRODUCTION & FIRST READING**

ESSB 5084 by Senate Committee on Ways & Means (originally sponsored by Frockt, Mullet and C. Wilson)

AN ACT Relating to state general obligation bonds and related accounts; adding a new chapter to Title 43 RCW; and declaring an emergency.

There being no objection, ENGROSSED SUBSTITUTE SENATE BILL NO. 5084 was read the first time, and under suspension of the rules, was placed on the second reading calendar.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

ENGROSSED SENATE BILL NO. 5476, by Senators **Dhingra, Hasegawa, Hunt, Kuderer, Lovelett, Nguyen, Pedersen, Rivers, Robinson, Saldaña and Wellman**

Addressing the State v. Blake decision. (REVISED FOR ENGROSSED: Responding to the State v. Blake decision by addressing justice system responses and behavioral health prevention, treatment, and related services.)

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Appropriations was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 102, April 22, 2021).

With the consent of the House, amendments (753), (756) and (763) were withdrawn.

Representative Davis moved the adoption of amendment (765) to the committee amendment:

On page 1, beginning on line 3, strike all of section 1 and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 71.24 RCW to read as follows:

(1) The authority, in collaboration with the substance use recovery services advisory committee established in subsection (2) of this section, shall establish a substance use recovery services plan. The purpose of the plan is to implement measures to assist persons with substance use disorder in accessing outreach, treatment, and recovery support services that are low barrier, person centered, informed by people with lived experience, and culturally and linguistically appropriate. The plan must articulate the manner in which continual, rapid, and widespread access to a comprehensive continuum of care will be provided to all persons with substance use disorder.

(2)(a) The authority shall establish the substance use recovery services advisory committee to collaborate with the authority in the development and implementation of the substance use recovery services plan under this section. The authority must appoint members to the advisory committee who have relevant background related to the needs of persons with substance use disorder. The advisory committee shall be reflective of the community of individuals living with substance use disorder, including persons who are Black, indigenous, and persons of color, persons with co-occurring substance use disorders and mental health conditions, as well as persons who represent the unique needs of rural communities. The advisory committee shall be convened and chaired by the director of the authority, or the director's designee. In addition to the member from the authority, the advisory committee shall include:

(i) One member and one alternate from each of the two largest caucuses of the house of representatives, as appointed by the speaker of the house of representatives;

(ii) One member and one alternate from each of the two largest caucuses of the senate, as appointed by the president of the senate;

(iii) One representative of the governor's office;

(iv) At least one adult in recovery from substance use disorder who has experienced criminal legal consequences as a result of substance use;

(v) At least one youth in recovery from substance use disorder who has experienced criminal legal consequences as a result of substance use;

(vi) One expert from the addictions, drug, and alcohol institute at the University of Washington;

(vii) One outreach services provider;

(viii) One substance use disorder treatment provider;

(ix) One peer recovery services provider;

(x) One recovery housing provider;

(xi) One expert in serving persons with co-occurring substance use disorders and mental health conditions;

(xii) One expert in antiracism and equity in health care delivery systems;

(xiii) One employee who provides substance use disorder treatment or services as a member of a labor union representing workers in the behavioral health field;

(xiv) One representative of the association of Washington health plans;

(xv) One expert in diversion from the criminal legal system to community-based care for persons with substance use disorder;

(xvi) One representative of public defenders;

(xvii) One representative of prosecutors;

(xviii) One representative of sheriffs and police chiefs;

(xix) One representative of a federally recognized tribe; and

(xx) One representative of local governments.

(b) The advisory committee may create subcommittees with expanded participation.

(c) In its collaboration with the advisory committee to develop the substance use recovery services plan, the authority must give due consideration to the recommendations of the advisory committee. If the authority determines that any of the advisory committee's recommendations are not feasible to adopt and implement, the authority must notify the advisory committee and offer an explanation.

(d) The advisory committee must convene as necessary for the development of the substance use recovery services plan and to provide consultation and advice related to the development and adoption of rules to implement the plan. The advisory committee must convene to monitor implementation of the plan and advise the authority.

(3) The plan must consider:

(a) The points of intersection that persons with substance use disorder have with the health care, behavioral health, criminal, civil legal, and child welfare systems as well as the various locations in which persons with untreated substance use disorder congregate, including homeless encampments, motels, and casinos;

(b) New community-based care access points, including crisis stabilization services and the safe station model in partnership with fire departments;

(c) Current regional capacity for substance use disorder assessments, including capacity for persons with co-occurring substance use disorders and mental health conditions, each of the American society of addiction medicine levels of care, and recovery support services;

(d) Barriers to accessing the existing behavioral health system and recovery support services for persons with untreated substance use disorder, especially indigent youth and adult populations, persons with co-occurring substance use disorders and mental health conditions, and populations chronically exposed to criminal legal system responses, and possible innovations that could improve the quality and accessibility of care for those populations;

(e) Evidence-based, research-based, and promising treatment and recovery services appropriate for target populations, including persons with co-occurring substance use disorders and mental health conditions;

(f) Options for leveraging existing integrated managed care, medicaid waiver, American Indian or Alaska Native fee-for-service behavioral health benefits, and private insurance service capacity for substance use disorders, including but not limited to coordination with managed care organizations, behavioral health administrative

services organizations, the Washington health benefit exchange, accountable communities of health, and the office of the insurance commissioner;

(g) Framework and design assistance for jurisdictions to assist in compliance with the requirements of RCW 10.31.110 for diversion of individuals with complex or co-occurring behavioral health conditions to community-based care whenever possible and appropriate, and identifying resource gaps that impede jurisdictions in fully realizing the potential impact of this approach;

(h) The design of recovery navigator programs in section 2 of this act, including reporting requirements by behavioral health administrative services organizations to monitor the effectiveness of the programs and recommendations for program improvement;

(i) The proposal of a funding framework in which, over time, resources are shifted from punishment sectors to community-based care interventions such that community-based care becomes the primary strategy for addressing and resolving public order issues related to behavioral health conditions;

(j) Strategic grant making to community organizations to promote public understanding and eradicate stigma and prejudice against persons with substance use disorder by promoting hope, empathy, and recovery;

(k) Recommendations for diversion to community-based care for individuals with substance use disorders, including persons with co-occurring substance use disorders and mental health conditions, across all points of the sequential intercept model;

(l) Recommendations regarding the appropriate criminal legal system response, if any, to possession of controlled substances;

(m) Recommendations regarding the collection and reporting of data that identifies the number of persons law enforcement officers and prosecutors engage related to drug possession and disparities across geographic areas, race, ethnicity, gender, age, sexual orientation, and income. The recommendations shall include, but not be limited to, the number and rate of persons who are diverted from charges to recovery navigator services or other services, who receive services and what

type of services, who are charged with simple possession, and who are taken into custody; and

(n) The design of a mechanism for referring persons with substance use disorder or problematic behaviors resulting from substance use into the supportive services described in section 2 of this act.

(4) The plan and related rules adopted by the authority must give due consideration to persons with co-occurring substance use disorders and mental health conditions and the needs of youth. The plan must include the substance use outreach, treatment, and recovery services outlined in sections 2 through 4 of this act which must be available in or accessible by all jurisdictions. These services must be equitably distributed across urban and rural settings. If feasible and appropriate, service initiation shall be made available on demand through 24-hour, seven days a week peer recovery coach response, behavioral health walk-in centers, or other innovative rapid response models. These services must, at a minimum, incorporate the following principles: Establish low barriers to entry and reentry; improve the health and safety of the individual; reduce the harm of substance use and related activity for the public; include integrated and coordinated services; incorporate structural competency and antiracism; use noncoercive methods of engaging and retaining people in treatment and recovery services, including contingency management; consider the unique needs of rural communities; and have a focus on services that increase social determinants of health.

(5) In developing the plan, the authority shall:

(a) Align the components of the plan with previous and ongoing studies, plans, and reports, including the Washington state opioid overdose and response plan, published by the authority, the roadmap to recovery planning grant strategy being developed by the authority, and plans associated with federal block grants; and

(b) Coordinate its work with the efforts of the blue ribbon commission on the intersection of the criminal justice and behavioral health crisis systems and the crisis response improvement strategy committee established in chapter . . . ,

Laws of 2021 (Engrossed Second Substitute House Bill No. 1477).

(6) The authority must submit a preliminary report by December 1, 2021, regarding progress toward the substance use recovery services plan. The authority must submit the final substance use recovery services plan to the governor and the legislature by December 1, 2022. After submitting the plan, the authority shall adopt rules and enter into contracts with providers to implement the plan by December 1, 2023. In addition to seeking public comment under chapter 34.05 RCW, the authority must adopt rules in accordance with the recommendations of the substance use recovery services advisory committee as provided in subsection (2) of this section.

(7) In consultation with the substance use recovery services advisory committee, the authority must submit a report on the implementation of the substance use recovery services plan to the appropriate committees of the legislature and governor by December 1st of each year, beginning in 2023. This report shall include progress on the substance use disorder continuum of care, including availability of outreach, treatment, and recovery support services statewide.

(8) For the purposes of this section, "recovery support services" means a collection of resources that sustain long-term recovery from substance use disorder, including for persons with co-occurring substance use disorders and mental health conditions, recovery housing, permanent supportive housing, employment and education pathways, peer supports and recovery coaching, family education, technological recovery supports, transportation and child care assistance, and social connectedness.

(9) This section expires December 31, 2026."

On page 5, line 20, after "disorder" insert ", including for persons with co-occurring substance use disorders and mental health conditions,"

On page 5, at the beginning of line 35, strike "disorder" and insert "disorders, including persons with co-occurring substance use disorders and mental health conditions,"

On page 5, line 38, after "behalf of" strike "an individual with substance use disorder" and insert "persons with

substance use disorders, including persons with co-occurring substance use disorders and mental health conditions,"

On page 6, line 2, after "homeless" insert "persons, including those living unsheltered or in"

On page 7, line 23, after "Opioid" insert "use disorder"

On page 8, beginning on line 11, after "January 1," strike all material through "2022" on line 12 and insert "2023, and begin distributing grant funds by March 1, 2023"

On page 8, line 24, after "use" strike "disorder" and insert "disorders, including individuals with co-occurring substance use disorders and mental health conditions,"

On page 8, line 29, after "placement" insert ", including evidence-based supported employment program services"

On page 9, line 3, after "use" strike "disorder" and insert "disorders, including individuals with co-occurring substance use disorders and mental health conditions"

On page 9, line 7, after "regional" strike "access standards" and insert "expanded recovery plans"

On page 9, beginning on line 12, after "January 1," strike all material through "2022" on line 13 and insert "2023, and begin distributing grant funds by March 1, 2023"

On page 10, beginning on line 6, after "January 1," strike all material through "2022" on line 7 and insert "2024, and begin distributing grant funds by March 1, 2024"

On page 10, beginning on line 35, after "January 1," strike all material through "2022" on line 36 and insert "2024, and begin distributing grant funds by March 1, 2024"

On page 11, beginning on line 4, after "January 1," strike "2022" and insert "2024"

On page 11, line 23, after "to" strike "suffer from" and insert "have"

Representatives Davis and Mosbrucker spoke in favor of the adoption of the amendment to the committee amendment.

Amendment (765) to the committee amendment was adopted.

Representative Ormsby moved the adoption of amendment (761) to the committee amendment:

On page 6, line 8 of the striking amendment, after "require" insert ", subject to the availability of amounts appropriated for this specific purpose,"

On page 6, line 12 of the striking amendment, after "(3)" strike "The" and insert "Subject to the availability of amounts appropriated for this specific purpose, the"

On page 8, line 11 of the striking amendment, after "section" insert ", subject to the availability of amounts appropriated for this specific purpose,"

On page 9, line 12 of the striking amendment, after "section" insert ", subject to the availability of amounts appropriated for this specific purpose,"

On page 52, after line 29 of the striking amendment, insert the following

"NEW SECTION. Sec. 26. The appropriations in this section are provided to the health care authority community behavioral health program and are subject to the following conditions and limitations:

(1) The following sums, or so much thereof as may be necessary, are each appropriated: \$25,000,000 from the state general fund for the fiscal year ending June 30, 2022; and \$20,000,000 from the state general fund for the fiscal year ending June 30, 2023. The amounts in this subsection are provided solely for the authority to contract with behavioral health administrative service organizations to implement the statewide recovery navigator program established in section 2 of this act and for related technical assistance to support this implementation. This includes funding for recovery navigator teams to provide community-based outreach and case management services based on the law enforcement assisted diversion model and for technical assistance support from the law enforcement assisted diversion national support bureau.

(2) The following sums, or so much thereof as may be necessary, are each appropriated: \$1,673,000 from the state general fund for the fiscal year ending June 30, 2022; \$3,114,000 from the state general fund for the fiscal year ending

June 30, 2023; and \$3,890,000, from the general fund- federal account for the fiscal biennium ending June 30, 2023. The amounts in this subsection are provided solely for the authority to implement clubhouse services in every region of the state.

(3) The following sums, or so much thereof as may be necessary, are each appropriated: \$5,000,000 from the state general fund for the fiscal year ending June 30, 2022; and \$7,500,000 from the state general fund for the fiscal year ending June 30, 2023. The amounts in this subsection are provided solely for the authority to implement the homeless outreach stabilization team program, pursuant to section 5(1) of this act.

(4) The following sums, or so much thereof as may be necessary, are each appropriated: \$2,500,000 from the state general fund for the fiscal year ending June 30, 2022; and \$2,500,000 from the state general fund for the fiscal year ending June 30, 2023. The amounts in this subsection are provided solely for the authority to expand efforts to provide opioid use disorder medication in city, county, regional, and tribal jails.

(5) The following sums, or so much thereof as may be necessary, are each appropriated: \$500,000 from the state general fund for the fiscal year ending June 30, 2022; and \$500,000 from the state general fund for the fiscal year ending June 30, 2023. The amounts in this subsection are provided solely for the authority to expand opioid treatment network programs for people with co-occurring opioid and stimulant use disorder.

(6) The following sums, or so much thereof as may be necessary, are each appropriated: \$1,400,000 from the state general fund for the fiscal year ending June 30, 2022; and \$1,400,000 from the state general fund for the fiscal year ending June 30, 2023. The amounts in this subsection are provided solely for behavioral health administrative service organizations to develop regional recovery navigator program plans pursuant to section 2 of this act and to establish positions focusing on regional planning to improve access to and quality of regional behavioral health services with a focus on integrated care.

(7) The following sums, or so much thereof as may be necessary, are each appropriated: \$75,000 from the state

general fund for the fiscal year ending June 30, 2022; and \$75,000 from the state general fund for the fiscal year ending June 30, 2023. The amounts in this subsection are provided solely for the authority to contract with an organization with expertise in supporting efforts to increase access to and improve quality in recovery housing and recovery residences. This funding shall be used to increase recovery housing availability through partnership with private landlords, increase accreditation of recovery residences statewide, operate a grievance process for resolving challenges with recovery residences, and conduct a recovery capital outcomes assessment for individuals living in recovery residences.

(8) The following sums, or so much thereof as may be necessary, are each appropriated: \$500,000 from the state general fund for the fiscal year ending June 30, 2022; and \$500,000 from the state general fund for the fiscal year ending June 30, 2023. The amounts in this subsection are provided solely for the authority to provide short-term housing vouchers for individuals with substance use disorders.

(9) The following sums, or so much thereof as may be necessary, are each appropriated: \$250,000 from the state general fund for the fiscal year ending June 30, 2022; and \$250,000 from the state general fund for the fiscal year ending June 30, 2023. The amounts in this subsection are provided solely for the authority to issue grants for substance use disorder family navigator services.

(10) The following sums, or so much thereof as may be necessary, are each appropriated: \$200,000 from the state general fund for the fiscal year ending June 30, 2022; and \$200,000 from the state general fund for the fiscal year ending June 30, 2023. The amounts in this subsection are provided solely for the authority to convene and provide staff and contracted services support to the recovery oversight committee established in section 1 of this act.

(11) The following sums, or so much thereof as may be necessary, are each appropriated: \$2,565,000 from the state general fund for the fiscal year ending June 30, 2022; and \$2,565,000 from the state general fund for the fiscal year ending June 30, 2023. The amounts in

this subsection are provided solely for staff and contracted services support for the authority to develop and implement the recovery services plan established in section 1 of this act and to carry out other requirements of this act. Within these amounts, funding is provided for the authority to:

(a) Establish an occupational nurse consultant position within the authority to provide contract oversight, accountability, performance improvement activities, and to ensure Medicaid managed care organization plan compliance with provisions in law and contract related to care transitions work with local jails.

(b) Establish a position within the authority to create and oversee a program to initiate and support emergency department programs for inducing medications for patients with opioid use disorder paired with a referral to community-based outreach and case management programs.

NEW SECTION. **Sec. 27.** The appropriation in this section is provided to the administrative office of the courts and is subject to the following conditions and limitations:

The following sums, or so much thereof as may be necessary, are each appropriated: \$2,250,000 from the state general fund for the fiscal year ending June 30, 2022; and \$2,250,000 from the state general fund for the fiscal year ending June 30, 2023. The amounts in this subsection are provided solely to fund grants for therapeutic courts operated by municipalities and district courts. The administrative office of the courts must allocate grant funding based upon a formula established by the administrative office of the courts. The formula must distribute the grant funding equitably between those therapeutic courts located east of the crest of the Cascade mountains and those therapeutic courts located west of the crest of the Cascade mountains. Multiple jurisdictions served by a single municipal court or district court may apply for funds as a single entity. Local jurisdictions receiving grant funding for therapeutic courts must use funding to identify individuals before the courts with substance use disorders or other behavioral health needs and engage those individuals with community-based therapeutic interventions.

NEW SECTION. **Sec. 28.** The appropriation in this section is provided to the department of commerce and is subject to the following conditions and limitations:

The following sums, or so much thereof as may be necessary, are each appropriated: \$500,000 from the state general fund for the fiscal year ending June 30, 2022; and \$1,000,000 from the state general fund for the fiscal year ending June 30, 2023. The amounts in this subsection are provided solely for the department to provide grants for the operational costs of new staffed recovery residences which serve individuals with substance use disorders who require more support than a level 1 recovery residence.

NEW SECTION. **Sec. 29.** The appropriation in this section is provided to the criminal justice training commission and is subject to the following conditions and limitations:

The following sums, or so much thereof as may be necessary, are each appropriated: \$150,000 from the state general fund for the fiscal year ending June 30, 2022; and \$150,000 from the state general fund for the fiscal year ending June 30, 2023. The amounts in this subsection are provided solely for the commission to compensate trainer time to deliver the curriculum related to law enforcement interactions with persons with a substance use disorder pursuant to section 7 of this act."

Re-number the remaining sections consecutively and correct any internal references accordingly.

Representatives Ormsby, Mosbrucker, Barkis and Jacobsen spoke in favor of the adoption of the amendment to the committee amendment.

Amendment (761) to the committee amendment was adopted.

By the adoption of amendment (761), amendment (764) was ruled out of order.

Representative Caldier moved the adoption of amendment (760) to the committee amendment:

On page 11, after line 14 of the striking amendment, insert the following:

"Sec. 6. RCW 71.24.035 and 2020 c 256 s 202 are each amended to read as follows:

(1) The authority is designated as the state behavioral health authority which includes recognition as the single state authority for substance use disorders and state mental health authority.

(2) The director shall provide for public, client, tribal, and licensed or certified behavioral health agency participation in developing the state behavioral health program, developing related contracts, and any waiver request to the federal government under medicaid.

(3) The director shall provide for participation in developing the state behavioral health program for children and other underserved populations, by including representatives on any committee established to provide oversight to the state behavioral health program.

(4) The authority shall be designated as the behavioral health administrative services organization for a regional service area if a behavioral health administrative services organization fails to meet the authority's contracting requirements or refuses to exercise the responsibilities under its contract or state law, until such time as a new behavioral health administrative services organization is designated.

(5) The director shall:

(a) Assure that any behavioral health administrative services organization, managed care organization, or community behavioral health program provides medically necessary services to medicaid recipients consistent with the state's medicaid state plan or federal waiver authorities, and nonmedicaid services consistent with priorities established by the authority;

(b) Develop contracts in a manner to ensure an adequate network of inpatient services, evaluation and treatment services, and facilities under chapter 71.05 RCW to ensure access to treatment, resource management services, and community support services;

(c) Make contracts necessary or incidental to the performance of its duties and the execution of its powers, including managed care contracts for behavioral health services, contracts entered into under RCW 74.09.522, and

contracts with public and private agencies, organizations, and individuals to pay them for behavioral health services;

(d) Define administrative costs and ensure that the behavioral health administrative services organization does not exceed an administrative cost of ten percent of available funds;

(e) Establish, to the extent possible, a standardized auditing procedure which is designed to assure compliance with contractual agreements authorized by this chapter and minimizes paperwork requirements. The audit procedure shall focus on the outcomes of service as provided in RCW 71.24.435, 70.320.020, and 71.36.025;

(f) Develop and maintain an information system to be used by the state and behavioral health administrative services organizations and managed care organizations that includes a tracking method which allows the authority to identify behavioral health clients' participation in any behavioral health service or public program on an immediate basis. The information system shall not include individual patient's case history files. Confidentiality of client information and records shall be maintained as provided in this chapter and chapter 70.02 RCW;

(g) Monitor and audit behavioral health administrative services organizations as needed to assure compliance with contractual agreements authorized by this chapter;

(h) Monitor and audit access to behavioral health services for individuals eligible for medicaid who are not enrolled in a managed care organization;

(i) Adopt such rules as are necessary to implement the authority's responsibilities under this chapter;

(j) Administer or supervise the administration of the provisions relating to persons with substance use disorders and intoxicated persons of any state plan submitted for federal funding pursuant to federal health, welfare, or treatment legislation;

(k) Require the behavioral health administrative services organizations and the managed care organizations to develop agreements with tribal, city, and

county jails and the department of corrections to accept referrals for enrollment on behalf of a confined person, prior to the person's release;

(l) Require behavioral health administrative services organizations and managed care organizations, as applicable, to provide services as identified in RCW 71.05.585 to individuals committed for involuntary commitment under less restrictive alternative court orders when:

(i) The individual is enrolled in the medicaid program; or

(ii) The individual is not enrolled in medicaid, does not have other insurance which can pay for the services, and the behavioral health administrative services organization has adequate available resources to provide the services; ~~((and))~~

(m) Coordinate with the centers for medicare and medicaid services to provide that behavioral health aide services are eligible for federal funding of up to one hundred percent; and

(n) Assure that rates paid by managed care organizations and behavioral health administrative services organizations to community-based withdrawal management providers, other than secure withdrawal management and stabilization programs, who serve low-income individuals, including enrollees in medical assistance programs, at American society of addiction medicine placement criteria level 3.7 are paid at the rate that is the greater of 80 percent of the daily rate paid by medicare for the same service or 500 dollars, adjusted annually for inflation, per day.

(6) The director shall use available resources only for behavioral health administrative services organizations and managed care organizations, except:

(a) To the extent authorized, and in accordance with any priorities or conditions specified, in the biennial appropriations act; or

(b) To incentivize improved performance with respect to the client outcomes established in RCW 71.24.435, 70.320.020, and 71.36.025, integration of behavioral health and medical services at the clinical level, and improved care coordination for individuals with complex care needs.

(7) Each behavioral health administrative services organization, managed care organization, and licensed or certified behavioral health agency shall file with the secretary of the department of health or the director, on request, such data, statistics, schedules, and information as the secretary of the department of health or the director reasonably requires. A behavioral health administrative services organization, managed care organization, or licensed or certified behavioral health agency which, without good cause, fails to furnish any data, statistics, schedules, or information as requested, or files fraudulent reports thereof, may be subject to the contractual remedies in RCW 74.09.871 or may have its service provider certification or license revoked or suspended.

(8) The superior court may restrain any behavioral health administrative services organization, managed care organization, or service provider from operating without a contract, certification, or a license or any other violation of this section. The court may also review, pursuant to procedures contained in chapter 34.05 RCW, any denial, suspension, limitation, restriction, or revocation of certification or license, and grant other relief required to enforce the provisions of this chapter.

(9) Upon petition by the secretary of the department of health or the director, and after hearing held upon reasonable notice to the facility, the superior court may issue a warrant to an officer or employee of the secretary of the department of health or the director authorizing him or her to enter at reasonable times, and examine the records, books, and accounts of any behavioral health administrative services organization, managed care organization, or service provider refusing to consent to inspection or examination by the authority.

(10) Notwithstanding the existence or pursuit of any other remedy, the secretary of the department of health or the director may file an action for an injunction or other process against any person or governmental unit to restrain or prevent the establishment, conduct, or operation of a behavioral health administrative services organization, managed care organization, or service

provider without a contract, certification, or a license under this chapter.

(11) The authority shall distribute appropriated state and federal funds in accordance with any priorities, terms, or conditions specified in the appropriations act.

(12) The authority, in cooperation with the state congressional delegation, shall actively seek waivers of federal requirements and such modifications of federal regulations as are necessary to allow federal medicaid reimbursement for services provided by freestanding evaluation and treatment facilities licensed under chapter 71.12 RCW or certified under chapter 71.05 RCW. The authority shall periodically share the results of its efforts with the appropriate committees of the senate and the house of representatives.

(13) The authority may:

(a) Plan, establish, and maintain substance use disorder prevention and substance use disorder treatment programs as necessary or desirable;

(b) Coordinate its activities and cooperate with behavioral programs in this and other states, and make contracts and other joint or cooperative arrangements with state, tribal, local, or private agencies in this and other states for behavioral health services and for the common advancement of substance use disorder programs;

(c) Solicit and accept for use any gift of money or property made by will or otherwise, and any grant of money, services, or property from the federal government, the state, or any political subdivision thereof or any private source, and do all things necessary to cooperate with the federal government or any of its agencies in making an application for any grant;

(d) Keep records and engage in research and the gathering of relevant statistics; and

(e) Acquire, hold, or dispose of real property or any interest therein, and construct, lease, or otherwise provide substance use disorder treatment programs."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Correct the title.

Representative Caldier spoke in favor of the adoption of the amendment to the committee amendment.

Representative Cody spoke against the adoption of the amendment to the committee amendment.

Amendment (760) to the committee amendment was not adopted.

Representative Goodman moved the adoption of amendment (762) to the committee amendment:

On page 13, line 30, after "including" insert "persons with co-occurring substance use disorders and mental health conditions, and"

On page 13, beginning on line 33, after "by the" strike all material through "commission" on line 34 and insert "commission in collaboration with the University of Washington behavioral health institute"

On page 13, beginning on line 37, after "training, the" strike "behavioral health institute" and insert "commission"

On page 14, beginning on line 30, after "use" strike all material through "agency" on line 32 and insert "during in-service training"

On page 15, beginning on line 21, after "misdemeanor." strike all material through "treatment." on line 25 and insert "The prosecutor is encouraged to divert such cases for assessment, treatment, or other services."

On page 15, line 33, after "(2)" strike all material through "~~any~~) A" and insert "Except as provided in RCW 69.50.4014, any"

Beginning on page 15, line 36, after "(3)" strike all material through "treatment." on page 16, line 2 and insert "The prosecutor is encouraged to divert cases under this section for assessment, treatment, or other services."

On page 17, after line 3, insert the following:

"Sec. 10. RCW 69.50.4014 and 2015 2nd sp.s. c 4 s 505 are each amended to read as follows:

Except as provided in RCW 69.50.401(2)(c) or as otherwise authorized by this chapter, any person

found guilty of knowing possession of forty grams or less of marijuana is guilty of a misdemeanor. The prosecutor is encouraged to divert cases under this section for assessment, treatment, or other services."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 18, beginning on line 16, after "misdemeanor." strike all material through "treatment." on line 20 and insert "The prosecutor is encouraged to divert such cases for assessment, treatment, or other services."

On page 19, beginning on line 30, after "misdemeanor." strike all material through "treatment." on line 34 and insert "The prosecutor is encouraged to divert such cases for assessment, treatment, or other services."

On page 19, after line 34, insert the following:

"**NEW SECTION. Sec. 12.** A new section is added to chapter 10.31 RCW to read as follows:

(1) For all individuals who otherwise would be subject to arrest for possession of a counterfeit substance under RCW 69.50.4011, possession of a controlled substance under RCW 69.50.4013, possession of 40 grams or less of marijuana under RCW 69.50.4014, or possession of a legend drug under RCW 69.41.030(2)(b), in lieu of jail booking and referral to the prosecutor, law enforcement shall offer a referral to assessment and services available pursuant to RCW 10.31.110 or other program or entity responsible for receiving referrals in lieu of legal system involvement, which may include the recovery navigator program established under section 2 of this act.

(2) If law enforcement agency records reflect that an individual has been diverted to referral for assessment and services twice or more previously, officers may, but are not required to, make additional diversion efforts.

(3) Nothing in this section precludes prosecutors from diverting or declining to file any charges for possession offenses that are referred under RCW 69.50.4011, 69.50.4013, 69.50.4014, or 69.41.030(2)(b) in the exercise of their discretion."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Beginning on page 20, line 27, strike all of sections 13 through 17

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 31, at the beginning of line 10, strike all material through "~~(69.50.4014)~~" on line 11 and insert "E Possession of Marihuana < 40 grams E

(69.50.4014)"

On page 38, beginning on line 26, strike all of section 20

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 52, after line 11, insert the following:

"**Sec. 24.** RCW 10.64.110 and 1977 ex.s. c 259 s 1 are each amended to read as follows:

(1) Following June 15, 1977, except as provided in subsection (3) of this section, there shall be affixed to the original of every judgment and sentence of a felony conviction in every court in this state and every order adjudicating a juvenile to be a delinquent based upon conduct which would be a felony if committed by an adult, a fingerprint of the defendant or juvenile who is the subject of the order. When requested by the clerk of the court, the actual affixing of fingerprints shall be done by a representative of the office of the county sheriff.

(2) The clerk of the court shall attest that the fingerprints appearing on the judgment in sentence, order of adjudication of delinquency, or docket, is that of the individual who is the subject of the judgment or conviction, order, or docket entry.

(3) Amended judgment and sentences issued pursuant to State v. Blake, No. 96873-0 (Feb. 25, 2021), are exempt from the fingerprinting requirements in subsection (1) of this section when there are no additional offenses of conviction from the original judgment and sentence and the defendant is in custody in a correctional facility. In such cases, the amended judgment and sentence shall reference the original judgment and

sentence and the fingerprints affixed thereto."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 52, beginning on line 20, strike all of sections 25 and 26

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 52, line 33, after "Sections" strike "1 through 10, 12, 18, 19, 21 through 24, and 26" and insert "1 through 11 and 13 through 21"

On page 53, line 7, after "Sections" strike "8, 9, 11, 19, and 24" and insert "8 through 10, 12, 15, and 16"

On page 53, beginning on line 9, strike all of section 31

Renumber the remaining section consecutively and correct any internal references accordingly.

Representatives Goodman and Mosbrucker spoke in favor of the adoption of the amendment to the committee amendment.

Amendment (762) to the committee amendment was adopted.

Representative Walsh moved the adoption of amendment (767) to the committee amendment:

On page 15, line 20 of the striking amendment, after "is a" insert "gross"

On page 15, line 33 of the striking amendment, after "(2)" strike all material through "~~any~~) A" and insert "Except as provided in RCW 69.50.4014, any"

On page 15, line 35 of the striking amendment, after "~~RCW~~)" insert "gross"

On page 20, after line 26 of the striking amendment, strike all of sections 13 through 17

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 31, at the beginning of line 10 of the striking amendment, strike all material through "~~(69.50.4014)~~" on line 11 and insert "E Possession of Marihuana <40 grams E

69.50.4014"

On page 31, at the beginning of line 25 of the striking amendment, strike "~~(E)~~E Violation of Uniform Controlled "~~(E)~~E" and insert "~~(E)~~D Violation of Uniform Controlled "~~(E)~~D"

On page 38, after line 25 of the striking amendment, strike all of section 20

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 52, after line 19 of the striking amendment, strike all of section 25

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 52, beginning on line 30 of the striking amendment, strike all of section 26 and insert the following:

"Sec. 26. RCW 69.50.4014 and 2015 2nd sp.s. c 4 s 505 are each amended to read as follows:

Except as provided in RCW 69.50.401(2)(c) or as otherwise authorized by this chapter, any person found guilty of knowing possession of forty grams or less of marijuana is guilty of a misdemeanor. Where the case is legally sufficient, the prosecutor shall divert the case for treatment if the alleged violation is the person's first or second violation of this section. On a person's third and subsequent violation of this section, the prosecutor is encouraged to divert the case for treatment."

On page 53, after line 6 of the striking amendment, strike all of sections 30 and 31

Renumber the remaining section consecutively and correct any internal references accordingly.

Representatives Walsh, Sutherland, Jacobsen, Mosbrucker, Orcutt, Kraft and Dent spoke in favor of the adoption of the amendment to the committee amendment.

Representatives Hackney, Goodman and Taylor spoke against the adoption of the amendment to the committee amendment.

MOTION

On motion of Representative Griffey, Representative McEntire was excused.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (767) to the committee amendment and the amendment (767) was not adopted by the following vote: Yeas: 44; Nays: 53; Absent: 0; Excused: 1

Voting yea: Representatives Abbarno, Barkis, Boehnke, Caldier, Chambers, Chandler, Chapman, Chase, Corry, Dent, Dufault, Dye, Eslick, Gilday, Goehner, Graham, Griffey, Harris, Hoff, Jacobsen, Klicker, Klippert, Kraft, Kretz, MacEwen, Maycumber, McCaslin, Mosbrucker, Orcutt, Paul, Robertson, Rude, Rule, Schmick, Shewmake, Steele, Stokesbary, Sutherland, Vick, Volz, Walsh, Wilcox, Ybarra, and Young

Voting nay: Representatives Bateman, Berg, Bergquist, Berry, Bronoske, Callan, Chopp, Cody, Davis, Dolan, Duerr, Entenman, Fey, Fitzgibbon, Frame, Goodman, Gregoran, Hackney, Hansen, Harris-Talley, Jinkins, Johnson, J., Kirby, Kloba, Leavitt, Lekanoff, Lovick, Macri, Morgan, Ormsby, Ortiz-Self, Orwall, Peterson, Pollet, Ramel, Ramos, Riccelli, Ryu, Santos, Sells, Senn, Simmons, Slatter, Springer, Stonier, Sullivan, Taylor, Thai, Tharinger, Valdez, Walen, Wicks, and Wylie

Excused: Representative McEntire

Representative Caldier moved the adoption of amendment (759) to the committee amendment:

On page 52, after line 11 of the striking amendment, insert the following:

"**Sec. 24.** RCW 28B.77.070 and 2019 c 413 s 7029 are each amended to read as follows:

(1) The council shall identify budget priorities and levels of funding for higher education, including the two and four-year institutions of higher education and state financial aid programs. It is the intent of the legislature for the council to make budget recommendations for allocations for major policy changes in accordance with priorities set forth in the ten-year plan, but the legislature does not intend for the council to review and make recommendations on individual institutional budgets. It is the intent of the legislature that recommendations from the council prioritize funding needs for the overall system of higher education in accordance with priorities set forth in the ten-year plan. It is also the intent of the legislature that the council's recommendations take into consideration the total per-student funding at similar public institutions of higher education in the global challenge states.

(2) By December of each odd-numbered year, the council shall outline the council's fiscal priorities under the ten-year plan that it must distribute to the institutions, the state board for community and technical colleges, the office of financial management, and the joint higher education committee.

(a) Capital budget outlines for the two-year institutions shall be submitted to the office of financial management by August 15th of each even-numbered year, and shall include the prioritized ranking of the capital projects being requested, a description of each capital project, and the amount and fund source being requested.

(b) Capital budget outlines for the four-year institutions must be submitted to the office of financial management by August 15th of each even-numbered year, and must include: The institutions' priority ranking of the project; the capital budget category within which the project will be submitted to the office of financial management in accordance with RCW 43.88D.010; a description of each capital project; and the amount and fund source being requested.

(c) The prioritized outlines submitted to the office of financial management for two-year institutions and four-year institutions in subsection (2) of this section must prioritize major capital projects that will directly support degree programs related to mental health or substance use disorders.

~~((e))~~ (d) The office of financial management shall reference these reporting requirements in its budget instructions.

(3) The council shall submit recommendations on the operating budget priorities to support the ten-year plan to the office of financial management by October 1st each year, and to the legislature by January 1st each year.

(4) (a) The office of financial management shall develop one prioritized list of capital projects for the legislature to consider that includes all of the projects requested by the four-year institutions of higher education that were scored by the office of financial management pursuant to chapter 43.88D RCW, including projects that were previously scored but not funded. The prioritized list of capital projects shall be based on the following priorities in the following order:

(i) Office of financial management scores pursuant to chapter 43.88D RCW;

(ii) Preserving assets;

(iii) Degree production; and

(iv) Maximizing efficient use of instructional space.

(b) The office of financial management shall include all of the capital projects requested by the four-year institutions of higher education, except for the minor works projects, in the prioritized list of capital projects provided to the legislature.

(c) The form of the prioritized list for capital projects requested by the four-year institutions of higher education shall be provided as one list, ranked in priority order with the highest priority project ranked number "1" through the lowest priority project numbered last. The ranking for the prioritized list of capital projects may not:

(i) Include subpriorities;

(ii) Be organized by category;

(iii) Assume any state bond or building account biennial funding level to prioritize the list; or

(iv) Assume any specific share of projects by institution in the priority list.

(5) Institutions and the state board for community and technical colleges shall submit any supplemental capital budget requests and revisions to the office of financial management by November 1st and to the legislature by January 1st.

(6) For the 2017-2019 fiscal biennium and the 2019-2021 fiscal biennium, pursuant to subsection (4) of this section, the office of financial management may, but is not obligated to, develop one prioritized list of capital projects for the legislature to consider that includes all of the projects requested by the four-year institutions of higher education that were scored by the office of financial management pursuant to chapter 43.88D RCW, including projects that were previously scored but not funded.

Sec. 25. RCW 43.88D.010 and 2019 c 413 s 7032 are each amended to read as follows:

(1) By October 1st of each even-numbered year, the office of financial management shall complete an objective analysis and scoring of all capital budget projects proposed by the public four-year institutions of higher education and submit the results of the scoring process to the legislative fiscal committees and the four-year institutions. Each project must be reviewed and scored within one of the following categories, according to the project's principal purpose. Each project may be scored in only one category. The categories are:

(a) Access-related projects to accommodate enrollment growth at all campuses, at existing or new university centers, or through distance learning. Growth projects should provide significant additional student capacity. Proposed projects must demonstrate that they are based on solid enrollment demand projections, more cost-effectively provide enrollment access than alternatives such as university centers and distance learning, and make cost-effective use of existing and proposed new space;

(b) Projects that replace failing permanent buildings. Facilities that cannot be economically renovated are considered replacement projects. New space may be programmed for the same or a different use than the space being replaced and may include additions to improve access and enhance the relationship of program or support space;

(c) Projects that renovate facilities to restore building life and upgrade space to meet current program requirements. Renovation projects should represent a complete renovation of a total facility or an isolated wing of a facility. A reasonable renovation project should cost between sixty to eighty percent of current replacement value and restore the renovated area to at least twenty-five years of useful life. New space may be programmed for the same or a different use than the space being renovated and may include additions to improve access and enhance the relationship of program or support space;

(d) Major stand-alone campus infrastructure projects;

(e) Projects that promote economic growth and innovation through expanded research activity. The acquisition and

installation of specialized equipment is authorized under this category; and

(f) Other project categories as determined by the office of financial management in consultation with the legislative fiscal committees.

(2) The office of financial management, in consultation with the legislative fiscal committees, shall establish a scoring system and process for each four-year project category that is based on the framework used in the community and technical college system of prioritization. Staff from the state board for community and technical colleges and the four-year institutions shall provide technical assistance on the development of a scoring system and process.

(3) The office of financial management shall consult with the legislative fiscal committees in the scoring of four-year institution project proposals, and may also solicit participation by independent experts.

(a) For each four-year project category, the scoring system must, at a minimum, include an evaluation of enrollment trends, reasonableness of cost, the ability of the project to enhance specific strategic master plan goals, age and condition of the facility if applicable, and impact on space utilization.

(b) Each four-year project category may include projects at the predesign, design, or construction funding phase.

(c) To the extent possible, the objective analysis and scoring system of all capital budget projects shall occur within the context of any and all performance agreements between the office of financial management and the governing board of a public, four-year institution of higher education that aligns goals, priorities, desired outcomes, flexibility, institutional mission, accountability, and levels of resources.

(4) In evaluating and scoring four-year institution projects, the office of financial management shall ~~((take into consideration))~~: (a) Take into consideration project schedules that result in realistic, balanced, and predictable expenditure patterns over the ensuing three biennia(→); and (b) prioritize major capital projects that will directly support degree programs

related to mental health or substance use disorders.

(5) The office of financial management shall distribute common definitions, the scoring system, and other information required for the project proposal and scoring process as part of its biennial budget instructions. The office of financial management, in consultation with the legislative fiscal committees, shall develop common definitions that four-year institutions must use in developing their project proposals and lists under this section.

(6) In developing any scoring system for capital projects proposed by the four-year institutions, the office of financial management:

(a) Shall be provided with all required information by the four-year institutions as deemed necessary by the office of financial management;

(b) May utilize independent services to verify, sample, or evaluate information provided to the office of financial management by the four-year institutions; and

(c) Shall have full access to all data maintained by the joint legislative audit and review committee concerning the condition of higher education facilities.

(7) By August 1st of each even-numbered year each public four-year higher education institution shall prepare and submit prioritized lists of the individual projects proposed by the institution for the ensuing six-year period in each category. The lists must be submitted to the office of financial management and the legislative fiscal committees. The four-year institutions may aggregate minor works project proposals by primary purpose for ranking purposes. Proposed minor works projects must be prioritized within the aggregated proposal, and supporting documentation, including project descriptions and cost estimates, must be provided to the office of financial management and the legislative fiscal committees.

(8) For the 2017-2019 fiscal biennium and the 2019-2021 fiscal biennium, pursuant to subsection (1) of this section, by November 1, 2020, the office of financial management must score higher education capital project criteria with a rating scale that assesses how well a particular project satisfies those

criteria. The office of financial management may not use a rating scale that weighs the importance of those criteria.

(9) For the 2017-2019 fiscal biennium and the 2019-2021 fiscal biennium, pursuant to subsection (6)(a) of this section and in lieu of the requirements of subsection (7) of this section, by August 15, 2020, the institutions of higher education shall prepare and submit or resubmit to the office of financial management and the legislative fiscal committees:

(a) Individual project proposals developed pursuant to subsection (1) of this section;

(b) Individual project proposals scored in prior biennia pursuant to subsection (1) of this section; and

(c) A prioritized list of up to five project proposals submitted pursuant to (a) and (b) of this subsection."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 52, line 34 of the striking amendment, after "through" strike "24, and 26" and insert "23, 26, and 28"

On page 53, line 7 of the striking amendment, after "and" strike "24" and insert "26"

On page 53, line 9 of the striking amendment, after "and" strike "25" and insert "27"

POINT OF ORDER

Representative Stonier requested a scope and object ruling on amendment (759).

SPEAKER'S RULING

"The bill responds to the State v. Blake decision by addressing criminal penalties and diversion, establishing a substance use recovery services committee, and authorizing court commissioners to preside at hearings to resentence or vacate convictions.

Amendment (759) concerns the capital budget process for higher education institutions, a topic not addressed in the underlying bill.

The Speaker therefore finds and rules that the amendment is outside the scope and object of the bill.

The point of order is well taken."

By the adoption of amendment (762), amendment (755) was ruled out of order.

Representative Mosbrucker moved the adoption of amendment (766) to the committee amendment:

On page 1 of the striking amendment, strike all material after line 2 and insert the following:

"NEW SECTION. Sec. 25. The legislature finds that substance use disorder is a disease and should be treated using a public health, rather than a criminal justice-centered, approach. Existing laws criminalizing the possession of drugs have been ineffective in reducing drug use and preventing substance use disorder. These laws cause significant harm to individuals who use drugs by disrupting and further destabilizing their lives. It also contributes to an increased risk of death, the spread of infectious diseases, mass incarceration, the separation of families, and barriers to accessing housing, employment, and other vital services. Furthermore, even though research shows that drugs are used and sold at similar levels across all races, laws criminalizing the use of drugs have disproportionately impacted minority communities.

This act takes the important first step of reducing the crime of possession from a felony to a gross misdemeanor and institutes greater opportunities for treatment. In coordination with this act, the legislature intends to increase funding for programs that have a proven track record of assisting individuals to break free from substance use dependency. These programs include LEAD (law enforcement assisted diversion/let everyone advance with dignity program); HOST (homeless outreach stabilization transition teams); peer-run clubhouses; opioid treatment network; project for psychiatric outreach for the homeless; mobile opioid treatment grant; peer support programs; and family navigators.

The purpose of this act is to save lives and to help transform Washington's approach to drug use from one based on criminalization and stigma to one based on science and compassion.

PART I

POSSESSION AND USE OF CONTROLLED SUBSTANCES, COUNTERFEIT SUBSTANCES, AND LEGEND DRUGS

Sec. 26. RCW 69.50.4011 and 2003 c 53 s 332 are each amended to read as follows:

(1) Except as authorized by this chapter, it is unlawful for any person to create, deliver, or knowingly possess a counterfeit substance.

(2) ~~((Any))~~ Except as provided in subsection (3) of this section, any person who violates this section with respect to:

(a) A counterfeit substance classified in Schedule I or II which is a narcotic drug, or flunitrazepam classified in Schedule IV, is guilty of a class B felony and upon conviction may be imprisoned for not more than ten years, fined not more than twenty-five thousand dollars, or both;

(b) A counterfeit substance which is methamphetamine, is guilty of a class B felony and upon conviction may be imprisoned for not more than ten years, fined not more than twenty-five thousand dollars, or both;

(c) Any other counterfeit substance classified in Schedule I, II, or III, is guilty of a class C felony punishable according to chapter 9A.20 RCW;

(d) A counterfeit substance classified in Schedule IV, except flunitrazepam, is guilty of a class C felony punishable according to chapter 9A.20 RCW;

(e) A counterfeit substance classified in Schedule V, is guilty of a class C felony punishable according to chapter 9A.20 RCW.

(3) A violation of this section involving possession is a gross misdemeanor. Where a case is legally sufficient, the prosecutor shall divert the case for treatment if the alleged violation involving possession is the person's first or second violation. On a person's third and subsequent violation involving possession, the prosecutor is encouraged to divert the case for treatment.

Sec. 27. RCW 69.50.4013 and 2017 c 317 s 15 are each amended to read as follows:

(1) It is unlawful for any person to knowingly possess a controlled substance unless the substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of his or her professional practice, or except as otherwise authorized by this chapter.

(2) Except as provided in RCW 69.50.4014, any person who violates this section is guilty of a ~~((class C felony))~~ gross misdemeanor punishable under chapter 9A.20 RCW.

(3) Where a case is legally sufficient, the prosecutor shall divert the case for treatment if the alleged violation is the person's first or second violation of this section. On a person's third and subsequent violation of this section, the prosecutor is encouraged to divert the case for treatment.

(4)(a) The possession, by a person twenty-one years of age or older, of useable marijuana, marijuana concentrates, or marijuana-infused products in amounts that do not exceed those set forth in RCW 69.50.360(3) is not a violation of this section, this chapter, or any other provision of Washington state law.

(b) The possession of marijuana, useable marijuana, marijuana concentrates, and marijuana-infused products being physically transported or delivered within the state, in amounts not exceeding those that may be established under RCW 69.50.385(3), by a licensed employee of a common carrier when performing the duties authorized in accordance with RCW 69.50.382 and 69.50.385, is not a violation of this section, this chapter, or any other provision of Washington state law.

~~((4))~~ (5)(a) The delivery by a person twenty-one years of age or older to one or more persons twenty-one years of age or older, during a single twenty-four hour period, for noncommercial purposes and not conditioned upon or done in connection with the provision or receipt of financial consideration, of any of the following marijuana products, is not a violation of this section, this chapter, or any other provisions of Washington state law:

(i) One-half ounce of useable marijuana;

(ii) Eight ounces of marijuana-infused product in solid form;

(iii) Thirty-six ounces of marijuana-infused product in liquid form; or

(iv) Three and one-half grams of marijuana concentrates.

(b) The act of delivering marijuana or a marijuana product as authorized under

this subsection (~~((4))~~) (5) must meet one of the following requirements:

(i) The delivery must be done in a location outside of the view of general public and in a nonpublic place; or

(ii) The marijuana or marijuana product must be in the original packaging as purchased from the marijuana retailer.

~~((5))~~ (6) No person under twenty-one years of age may possess, manufacture, sell, or distribute marijuana, marijuana-infused products, or marijuana concentrates, regardless of THC concentration. This does not include qualifying patients with a valid authorization.

~~((6))~~ (7) The possession by a qualifying patient or designated provider of marijuana concentrates, useable marijuana, marijuana-infused products, or plants in accordance with chapter 69.51A RCW is not a violation of this section, this chapter, or any other provision of Washington state law.

Sec. 28. RCW 69.50.412 and 2019 c 64 s 22 are each amended to read as follows:

(1) It is unlawful for any person to use drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, or prepare (~~(, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body)~~) a controlled substance other than marijuana. Any person who violates this subsection is guilty of a misdemeanor.

(2) It is unlawful for any person to deliver, possess with intent to deliver, or manufacture with intent to deliver drug paraphernalia, knowing, or under circumstances where one reasonably should know, that it will be used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, or prepare (~~(, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body)~~) a controlled substance other than marijuana. Any person who violates this subsection is guilty of a misdemeanor.

(3) Any person eighteen years of age or over who violates subsection (2) of this section by delivering drug paraphernalia to a person under eighteen years of age who is at least three years

his or her junior is guilty of a gross misdemeanor.

(4) It is unlawful for any person to place in any newspaper, magazine, handbill, or other publication any advertisement, knowing, or under circumstances where one reasonably should know, that the purpose of the advertisement, in whole or in part, is to promote the sale of objects designed or intended for use as drug paraphernalia. Any person who violates this subsection is guilty of a misdemeanor.

(5) It is lawful for any person over the age of eighteen to possess sterile hypodermic syringes and needles for the purpose of reducing blood-borne diseases.

Sec. 29. RCW 69.41.030 and 2019 c 55 s 9 are each amended to read as follows:

(1) ~~((1))~~ Except as provided in subsection (2) of this section, it shall be unlawful for any person to sell, deliver, or knowingly possess any legend drug (~~(except)~~).

(2) The sale, delivery, or possession of a legend drug does not constitute a violation of this section upon the order or prescription of a physician under chapter 18.71 RCW, an osteopathic physician and surgeon under chapter 18.57 RCW, an optometrist licensed under chapter 18.53 RCW who is certified by the optometry board under RCW 18.53.010, a dentist under chapter 18.32 RCW, a podiatric physician and surgeon under chapter 18.22 RCW, a veterinarian under chapter 18.92 RCW, a commissioned medical or dental officer in the United States armed forces or public health service in the discharge of his or her official duties, a duly licensed physician or dentist employed by the veterans administration in the discharge of his or her official duties, a registered nurse or advanced registered nurse practitioner under chapter 18.79 RCW when authorized by the nursing care quality assurance commission, a pharmacist licensed under chapter 18.64 RCW to the extent permitted by drug therapy guidelines or protocols established under RCW 18.64.011 and authorized by the commission and approved by a practitioner authorized to prescribe drugs, an osteopathic physician assistant under chapter 18.57A RCW when authorized by the board of osteopathic medicine and surgery, a physician assistant under chapter 18.71A RCW when authorized by the

Washington medical commission, or any of the following professionals in any province of Canada that shares a common border with the state of Washington or in any state of the United States: A physician licensed to practice medicine and surgery or a physician licensed to practice osteopathic medicine and surgery, a dentist licensed to practice dentistry, a podiatric physician and surgeon licensed to practice podiatric medicine and surgery, a licensed advanced registered nurse practitioner, a licensed physician assistant, a licensed osteopathic physician assistant, or a veterinarian licensed to practice veterinary medicine: PROVIDED, HOWEVER, That the above provisions shall not apply to sale, delivery, or possession by drug wholesalers or drug manufacturers, or their agents or employees, or to any practitioner acting within the scope of his or her license, or to a common or contract carrier or warehouse operator, or any employee thereof, whose possession of any legend drug is in the usual course of business or employment: PROVIDED FURTHER, That nothing in this chapter or chapter 18.64 RCW shall prevent a family planning clinic that is under contract with the health care authority from selling, delivering, possessing, and dispensing commercially prepackaged oral contraceptives prescribed by authorized, licensed health care practitioners: PROVIDED FURTHER, That nothing in this chapter prohibits possession or delivery of legend drugs by an authorized collector or other person participating in the operation of a drug take-back program authorized in chapter 69.48 RCW.

~~((2))~~ (3)(a) A violation of this section involving the sale, delivery, or possession with intent to sell or deliver is a class B felony punishable according to chapter 9A.20 RCW.

(b) A violation of this section involving possession is a misdemeanor. Where a case is legally sufficient, the prosecutor shall divert the case for treatment if the alleged violation involving possession is the person's first or second violation. On a person's third and subsequent violation involving possession, the prosecutor is encouraged to divert the case for treatment.

Sec. 30. RCW 69.41.030 and 2020 c 80 s 41 are each amended to read as follows:

(1) ~~((1))~~ Except as provided in subsection (2) of this section, it shall be unlawful for any person to sell,

deliver, or knowingly possess any legend drug (~~((except))~~).

(2) The sale, delivery, or possession of a legend drug does not constitute a violation of this section upon the order or prescription of a physician under chapter 18.71 RCW, an osteopathic physician and surgeon under chapter 18.57 RCW, an optometrist licensed under chapter 18.53 RCW who is certified by the optometry board under RCW 18.53.010, a dentist under chapter 18.32 RCW, a podiatric physician and surgeon under chapter 18.22 RCW, a veterinarian under chapter 18.92 RCW, a commissioned medical or dental officer in the United States armed forces or public health service in the discharge of his or her official duties, a duly licensed physician or dentist employed by the veterans administration in the discharge of his or her official duties, a registered nurse or advanced registered nurse practitioner under chapter 18.79 RCW when authorized by the nursing care quality assurance commission, a pharmacist licensed under chapter 18.64 RCW to the extent permitted by drug therapy guidelines or protocols established under RCW 18.64.011 and authorized by the commission and approved by a practitioner authorized to prescribe drugs, a physician assistant under chapter 18.71A RCW when authorized by the Washington medical commission, or any of the following professionals in any province of Canada that shares a common border with the state of Washington or in any state of the United States: A physician licensed to practice medicine and surgery or a physician licensed to practice osteopathic medicine and surgery, a dentist licensed to practice dentistry, a podiatric physician and surgeon licensed to practice podiatric medicine and surgery, a licensed advanced registered nurse practitioner, a licensed physician assistant, or a veterinarian licensed to practice veterinary medicine: PROVIDED, HOWEVER, That the above provisions shall not apply to sale, delivery, or possession by drug wholesalers or drug manufacturers, or their agents or employees, or to any practitioner acting within the scope of his or her license, or to a common or contract carrier or warehouse operator, or any employee thereof, whose possession of any legend drug is in the usual course of business or employment: PROVIDED FURTHER, That nothing in this chapter or chapter 18.64 RCW shall prevent a family

planning clinic that is under contract with the health care authority from selling, delivering, possessing, and dispensing commercially prepackaged oral contraceptives prescribed by authorized, licensed health care practitioners: PROVIDED FURTHER, That nothing in this chapter prohibits possession or delivery of legend drugs by an authorized collector or other person participating in the operation of a drug take-back program authorized in chapter 69.48 RCW.

~~((2))~~ (3)(a) A violation of this section involving the sale, delivery, or possession with intent to sell or deliver is a class B felony punishable according to chapter 9A.20 RCW.

(b) A violation of this section involving possession is a misdemeanor. Where a case is legally sufficient, the prosecutor shall divert the case for treatment if the alleged violation involving possession is the person's first or second violation. On a person's third and subsequent violation involving possession, the prosecutor is encouraged to divert the case for treatment.

PART II

SUBSTANCE USE RECOVERY SERVICES ADVISORY COMMITTEE

NEW SECTION. **Sec. 31.** A new section is added to chapter 41.05 RCW to read as follows:

(1) The authority shall establish the substance use recovery services advisory committee to make recommendations for implementation of a substance use recovery services plan.

(2) The authority must, in consultation with the University of Washington department of psychiatry and behavioral sciences and an organization that represents the interests of people who have been directly impacted by substance use and the criminal legal system, appoint members to the advisory committee who have relevant background related to the needs of persons with substance use disorder. The membership of the advisory committee must include, but is not limited to, experts in the etiology and stabilization of substance use disorders, including expertise in medication-assisted treatment and other innovative medication therapies; experts in mental health and trauma and their comorbidity with substance use disorders; people who are currently using controlled substances outside the legal

authority of prescription or valid practitioner order; experts in the relationship between social determinants of health, including housing and substance use disorder; experts in drug user health and harm reduction; representatives of city and county governments; a representative of urban police chiefs; a representative of rural county sheriffs; a representative of the interests of rural communities; a representative of fire chiefs; experts in peer support services; experts in substance use disorder recovery support services; experts in diversion from the criminal legal system to community-based care for people with complex behavioral health needs; experts in reducing racial disparity in exposure to the criminal legal system; an academic researcher with an expertise in drug policy and program evaluation; a substance use disorder professional; a representative of public defenders; a representative of prosecutors; a representative of the criminal justice training commission; a nongovernmental immigration attorney with expertise in the immigration consequences of drug possession and use disorder; recovery housing providers; low-barrier housing providers; representatives of racial justice organizations, including organizations promoting antiracism and equity in health care; a representative of a local health jurisdiction with expertise in overdose prevention and harm reduction; representatives of the interests of tribes; at least three adults in recovery from substance use disorder, including individuals with previous contact with the criminal legal system due to substance use; at least three youths in recovery from substance use disorder, including youths with previous criminal legal system contact due to substance use; and at least three family members of persons with substance use disorder. The advisory committee shall be reflective of the community of individuals living with substance use disorder, including people who are Black, indigenous, and people of color, and individuals who can represent the unique needs of rural communities.

(3) The advisory committee must make recommendations and provide perspectives to the authority regarding:

(a) Reforms to state laws that align with the goal of treating substance use disorder as a disease, rather than a criminal behavior;

(b) Current regional capacity for existing public and private programs providing substance use disorder assessments, each of the American society of addiction medicine levels of care, and recovery support services;

(c) Barriers to accessing the existing health system for those populations chronically exposed to criminal legal system responses relating to complex behavioral health conditions and the consequences of trauma, and possible innovations that could reduce those barriers and improve the quality and accessibility of care for those populations;

(d) Evidence-based, research-based, and promising treatment and recovery services appropriate for target populations, to include, but not be limited to, field-based outreach and engagement, case management, mental and physical health care, contingency management, medication-assisted treatment and other innovative medication therapies, peer support services, family education, housing, job training and employment programs, and treatments that have not traditionally been covered by insurance;

(e) Workforce needs for the behavioral health services sector, including wage and retention challenges;

(f) Options for leveraging existing integrated managed care, medicaid waiver, American Indian or Alaska Native fee-for-service behavioral health benefits, and private insurance service capacity for substance use disorders, including but not limited to coordination with managed care organizations, behavioral health administrative services organizations, the Washington health benefit exchange, accountable communities of health, and the office of the insurance commissioner;

(g) Framework and design assistance for jurisdictions to assist in compliance with the requirements of RCW 10.31.110 for diversion of individuals with complex behavioral health conditions to community-based care whenever possible and appropriate, and identifying resource gaps that impede jurisdictions in fully realizing the potential impact of this approach;

(h) The design of a referral mechanism for referring people with substance use disorder or problematic behaviors resulting from drug use into the

supportive services described in this section, including intercepting individuals who likely would otherwise be referred into the criminal legal system, with the express intention of ensuring that decriminalization of possession of personal use amounts does not inadvertently contribute to increased racial disparity among those who continue to be exposed to the criminal legal system due to income instability and involvement in the illicit economy to meet basic needs;

(i) The establishment of regional programs to serve persons who are homeless and living with serious substance use disorders;

(j) The implementation of a comprehensive statewide substance misuse prevention effort;

(k) The establishment of a competitive grant process to broaden existing local community coalition efforts to prevent substance misuse by increasing protective factors and reducing risk factors;

(l) The establishment of programs that meet the needs of youth, including family support services;

(m) The establishment of programs that prioritize access to treatment and services for parents with substance use disorder who are involved with the state child welfare system;

(n) The design of ongoing qualitative and quantitative research about the types of services desired by people with substance use disorders and barriers they experience in accessing existing and recommended services; and

(o) Proposing a funding framework in which, over time, resources are shifted from punishment sectors to community-based care interventions such that community-based care becomes the primary strategy for addressing and resolving public order issues related to behavioral health conditions.

(4) The plan adopted by the authority must give due consideration to the needs of youth. The authority shall submit a summary report of the substance use

recovery services plan and recommended changes to the law to the appropriate committees of the legislature by October 1, 2022. The authority shall submit an interim report on the progress of the advisory committee to the appropriate committees of the legislature by December 1, 2021.

(5) This section expires December 31, 2023.

PART III

RESENTENCING AND RELEASE OF PERSONS IMPACTED BY STATE V. BLAKE

Sec. 32. RCW 2.24.010 and 2013 c 27 s 3 are each amended to read as follows:

(1) There may be appointed in each county or judicial district, by the judges of the superior court having jurisdiction therein, one or more court commissioners for said county or judicial district. Each such commissioner shall be a citizen of the United States and shall hold the office during the pleasure of the judges making the appointment.

(2)(a) There may be appointed (~~in counties with a population of more than four hundred thousand,~~) by the presiding judge of the superior court having jurisdiction (~~therein~~), one or more attorneys to act as criminal commissioners to assist the superior court in disposing of adult criminal cases. Such criminal commissioners shall have power, authority, and jurisdiction, concurrent with the superior court and the judges thereof, in adult criminal cases, to preside over arraignments, preliminary appearances, initial extradition hearings, and noncompliance proceedings pursuant to RCW 9.94A.6333 or 9.94B.040; accept pleas if authorized by local court rules; appoint counsel; make determinations of probable cause; set, amend, and review conditions of pretrial release; set bail; set trial and hearing dates; authorize continuances; accept waivers of the right to speedy trial; and authorize and issue search warrants and orders to intercept, monitor, or record wired or wireless telecommunications or for the installation of electronic taps or other devices to include, but not be limited to, vehicle global positioning system or other mobile tracking devices with all the powers conferred upon the judge of the superior court in such matters. Criminal commissioners also shall have the authority to conduct resentencing hearings and to vacate

convictions pursuant to State v. Blake, No. 96873-0 (Feb. 25, 2021).

(b) The county legislative authority must approve the creation of criminal commissioner positions.

Sec. 33. RCW 2.24.040 and 2009 c 28 s 1 are each amended to read as follows:

Such court commissioner shall have power, authority, and jurisdiction, concurrent with the superior court and the judge thereof, in the following particulars:

(1) To hear and determine all matters in probate, to make and issue all proper orders therein, and to issue citations in all cases where same are authorized by the probate statutes of this state.

(2) To grant and enter defaults and enter judgment thereon.

(3) To issue temporary restraining orders and temporary injunctions, and to fix and approve bonds thereon.

(4) To act as referee in all matters and actions referred to him or her by the superior court as such, with all the powers now conferred upon referees by law.

(5) To hear and determine all proceedings supplemental to execution, with all the powers conferred upon the judge of the superior court in such matters.

(6) To hear and determine all petitions for the adoption of children and for the dissolution of incorporations.

(7) To hear and determine all applications for the commitment of any person to the hospital for the insane, with all the powers of the superior court in such matters: PROVIDED, That in cases where a jury is demanded, same shall be referred to the superior court for trial.

(8) To hear and determine all complaints for the commitments of minors with all powers conferred upon the superior court in such matters.

(9) To hear and determine ex parte and uncontested civil matters of any nature.

(10) To grant adjournments, administer oaths, preserve order, compel attendance of witnesses, and to punish for contempts in the refusal to obey or the neglect of the court commissioner's lawful orders made in any matter before the court

commissioner as fully as the judge of the superior court.

(11) To take acknowledgments and proofs of deeds, mortgages and all other instruments requiring acknowledgment under the laws of this state, and to take affidavits and depositions in all cases.

(12) To provide an official seal, upon which shall be engraved the words "Court Commissioner," and the name of the county for which he or she may be appointed, and to authenticate his official acts therewith in all cases where same is necessary.

(13) To charge and collect, for his or her own use, the same fees for the official performance of official acts mentioned in subsections (4) and (11) of this section as are provided by law for referees and notaries public.

(14) To hear and determine small claims appeals as provided in chapter 12.36 RCW.

(15) In adult criminal cases, to preside over arraignments, preliminary appearances, initial extradition hearings, and noncompliance proceedings pursuant to RCW 9.94A.6333 or 9.94B.040; accept pleas if authorized by local court rules; appoint counsel; make determinations of probable cause; set, amend, and review conditions of pretrial release; set bail; set trial and hearing dates; authorize continuances; ~~(and)~~ accept waivers of the right to speedy trial; and conduct resentencing hearings and to vacate convictions pursuant to *State v. Blake*, No. 96873-0 (Feb. 25, 2021).

Sec. 34. RCW 9.94A.728 and 2018 c 166 s 2 are each amended to read as follows:

(1) No person serving a sentence imposed pursuant to this chapter and committed to the custody of the department shall leave the confines of the correctional facility or be released prior to the expiration of the sentence except as follows:

(a) An offender may earn early release time as authorized by RCW 9.94A.729;

(b) An offender may leave a correctional facility pursuant to an authorized furlough or leave of absence. In addition, offenders may leave a correctional facility when in the custody of a corrections officer or officers;

(c) (i) The secretary may authorize an extraordinary medical placement for an offender when all of the following conditions exist:

(A) The offender has a medical condition that is serious and is expected to require costly care or treatment;

(B) The offender poses a low risk to the community because he or she is currently physically incapacitated due to age or the medical condition or is expected to be so at the time of release; and

(C) It is expected that granting the extraordinary medical placement will result in a cost savings to the state.

(ii) An offender sentenced to death or to life imprisonment without the possibility of release or parole is not eligible for an extraordinary medical placement.

(iii) The secretary shall require electronic monitoring for all offenders in extraordinary medical placement unless the electronic monitoring equipment interferes with the function of the offender's medical equipment or results in the loss of funding for the offender's medical care, in which case, an alternative type of monitoring shall be utilized. The secretary shall specify who shall provide the monitoring services and the terms under which the monitoring shall be performed.

(iv) The secretary may revoke an extraordinary medical placement under this subsection (1)(c) at any time.

(v) Persistent offenders are not eligible for extraordinary medical placement;

(d) The governor, upon recommendation from the clemency and pardons board, may grant an extraordinary release for reasons of serious health problems, senility, advanced age, extraordinary meritorious acts, or other extraordinary circumstances;

(e) No more than the final twelve months of the offender's term of confinement may be served in partial confinement for aiding the offender with: Finding work as part of the work release program under chapter 72.65 RCW; or reestablishing himself or herself in the community as part of the parenting program in RCW 9.94A.6551. This is in addition to that period of earned early release time that may be exchanged for

partial confinement pursuant to RCW 9.94A.729(5) (d);

(f) No more than the final six months of the offender's term of confinement may be served in partial confinement as home detention as part of the graduated reentry program developed by the department under RCW 9.94A.733;

(g) The governor may pardon any offender;

(h) The department may release an offender from confinement any time within ten days before a release date calculated under this section;

(i) An offender may leave a correctional facility prior to completion of his or her sentence if the sentence has been reduced as provided in RCW 9.94A.870;

(j) Notwithstanding any other provisions of this section, an offender sentenced for a felony crime listed in RCW 9.94A.540 as subject to a mandatory minimum sentence of total confinement shall not be released from total confinement before the completion of the listed mandatory minimum sentence for that felony crime of conviction unless allowed under RCW 9.94A.540; and

(k) Any person convicted of one or more crimes committed prior to the person's eighteenth birthday may be released from confinement pursuant to RCW 9.94A.730.

(2) Notwithstanding any other provision of this section, an offender entitled to vacation of a conviction or the recalculation of his or her offender score pursuant to *State v. Blake*, No. 96873-0 (Feb. 25, 2021), may be released from confinement pursuant to a court order if the offender has already served a period of confinement that exceeds his or her new standard range. This provision does not create an independent right to release from confinement prior to resentencing.

(3) Offenders residing in a juvenile correctional facility placement pursuant to RCW 72.01.410(1) (a) are not subject to the limitations in this section.

NEW SECTION. Sec. 35. The *State v. Blake* reimbursement account is created in the state treasury. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for state and local government costs resulting from the supreme court's decision in *State v. Blake* and to

reimburse individuals for legal financial obligations paid in connection with sentences that have been invalidated as a result of the decision in *State v. Blake*.

PART IV

MISCELLANEOUS PROVISIONS

NEW SECTION. Sec. 36. Section 5 of this act expires July 1, 2022.

NEW SECTION. Sec. 37. Section 6 of this act takes effect July 1, 2022.

NEW SECTION. Sec. 38. Sections 1 through 5, and 7 through 11 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and take effect immediately.

Correct the title."

Representatives Mosbrucker, Sutherland and Caldier spoke in favor of the adoption of the amendment to the committee amendment.

Representatives Harris-Talley and Goodman spoke against the adoption of the amendment to the committee amendment.

Amendment (766) to the committee amendment was not adopted.

The committee amendment, as amended, was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill as amended by the House, was placed on final passage.

Representatives Davis, Klippert, Bateman, Taylor, Berg, Barkis, Harris-Talley, Dent, Goodman, Chambers and Mosbrucker spoke in favor of the passage of the bill.

Representatives Graham, Griffey, Walsh and Kraft spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5476, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5476, as amended by the House, and the bill passed the House by the following vote: Yeas, 80; Nays, 18; Absent, 0; Excused, 0.

Voting yea: Representatives Abbarno, Barkis, Bateman, Berg, Bergquist, Berry, Boehnke, Bronoske, Callan, Chambers, Chapman, Cody, Corry, Davis, Dent, Dolan,

Duerr, Dye, Entenman, Eslick, Fey, Fitzgibbon, Frame, Gilday, Goehner, Goodman, Gregerson, Griffey, Hackney, Hansen, Harris, Harris-Talley, Jacobsen, J. Johnson, Kirby, Klicker, Klippert, Kloba, Kretz, Leavitt, Lekanoff, Lovick, MacEwen, Maycumber, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Riccelli, Robertson, Rude, Rule, Ryu, Santos, Schmick, Sells, Senn, Shewmake, Slatter, Springer, Steele, Stonier, Sullivan, Taylor, Thai, Tharinger, Valdez, Volz, Walen, Wicks, Wylie, Ybarra and Mme. Speaker.

Voting nay: Representatives Caldier, Chandler, Chase, Chopp, Dufault, Graham, Hoff, Kraft, Macri, McCaslin, McEntire, Simmons, Stokesbary, Sutherland, Vick, Walsh, Wilcox and Young.

ENGROSSED SENATE BILL NO. 5476, as amended by the House, having received the necessary constitutional majority, was declared passed.

The Speaker assumed the chair.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5084, by Senate Committee on Ways & Means (originally sponsored by Frockt, Mullet and C. Wilson)

Concerning state general obligation bonds and related accounts.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Tharinger, Steele and Hackney spoke in favor of the passage of the bill.

Representative Kraft spoke against the passage of the bill.

The Speaker stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5084.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5084, and the bill passed the House by the following vote: Yeas, 96; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Representatives Abbarno, Barkis, Bateman, Berg, Bergquist, Berry, Boehnke, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Chopp, Cody, Corry, Davis, Dent, Dolan, Duerr, Dufault, Dye, Entenman, Eslick, Fey, Fitzgibbon, Frame, Gilday, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Hansen, Harris, Harris-Talley, Hoff, Jacobsen, J. Johnson, Kirby, Klicker, Klippert, Kloba, Kretz, Leavitt, Lekanoff, Lovick, MacEwen, Macri, Maycumber, McCaslin, McEntire, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Riccelli, Robertson, Rude, Rule, Ryu, Santos, Schmick, Sells, Senn, Shewmake, Simmons, Slatter,

Springer, Steele, Stokesbary, Stonier, Sullivan, Sutherland, Taylor, Thai, Tharinger, Valdez, Vick, Volz, Walen, Walsh, Wicks, Wilcox, Wylie, Ybarra, Young and Mme. Speaker.

Voting nay: Representatives Chase and Kraft.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5084, having received the necessary constitutional majority, was declared passed.

There being no objection, the House advanced to the seventh order of business.

THIRD READING MESSAGE FROM THE SENATE

April 23, 2021

Madame Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1080 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) A capital budget is hereby adopted and, subject to the provisions set forth in this act, the several dollar amounts hereinafter specified, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be incurred for capital projects during the period beginning with the effective date of this act and ending June 30, 2023, out of the several funds specified in this act.

(2) The definitions in this subsection apply throughout this act unless the context clearly requires otherwise.

(a) "Fiscal year 2022" or "FY 2022" means the period beginning July 1, 2021, and ending June 30, 2022.

(b) "Fiscal year 2023" or "FY 2023" means the period beginning July 1, 2022, and ending June 30, 2023.

(c) "Lapse" or "revert" means the amount shall return to an unappropriated status.

(d) "Provided solely" means the specified amount may be spent only for the specified purpose.

(3) Unless otherwise specifically authorized in this act, any portion of an amount provided solely for a specified purpose that is not expended subject to the specified conditions and limitations to fulfill the specified purpose shall lapse.

(4) The amounts shown under the headings "Prior Biennia," "Future Biennia," and "Total" in this act are for informational purposes only and do not constitute legislative approval of these amounts. "Prior biennia" typically refers to the immediate prior biennium for reappropriations, but may refer to multiple biennia in the case of specific projects. A "future biennia" amount is an estimate of what may be appropriated for the project or program in the 2023-2025 biennium and the following three biennia; an amount of zero does not necessarily constitute legislative intent to not provide funding for the project or program in the future.

(5) "Reappropriations" in this act are appropriations and, unless the context clearly provides otherwise, are subject to the relevant conditions and limitations applicable to appropriations. Reappropriations shall be limited to the unexpended balances remaining on June 30, 2021, from the 2019-2021 biennial appropriations for each project.

PART 1

GENERAL GOVERNMENT

NEW SECTION. Sec. 1001. FOR THE ADMINISTRATOR FOR THE COURTS

Trial Court Security Improvements (91000001)

Appropriation:

State Building Construction Account—
State \$750,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$750,000

NEW SECTION. Sec. 1002. FOR THE COURT OF APPEALS

Division III Roof Replacement and Maintenance (30000003)

Reappropriation:

State Building Construction Account—
State \$27,000

Prior Biennia (Expenditures)
\$235,000

Future Biennia (Projected Costs)
\$0

TOTAL \$262,000

NEW SECTION. Sec. 1003. FOR THE OFFICE OF THE SECRETARY OF STATE

Library-Archives Building (30000033)

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

(1) The reappropriation is subject to the provisions of section 1003, chapter 2, Laws of 2018.

(2) The secretary of state must enter into a financial contract for up to \$119,000,000, pursuant to section 7002(3) of this act.

Reappropriation:

State Building Construction Account—
State \$4,078,000

Prior Biennia (Expenditures)
\$1,222,000

Future Biennia (Projected Costs)
\$0

TOTAL \$5,300,000

NEW SECTION. Sec. 1004. FOR THE OFFICE OF THE SECRETARY OF STATE

State Archives Minor Works Projects (30000042)

Reappropriation:

State Building Construction Account—
State \$471,000

Prior Biennia (Expenditures)
\$102,000

Future Biennia (Projected Costs)
\$0

TOTAL \$573,000

NEW SECTION. Sec. 1005. FOR THE OFFICE OF THE SECRETARY OF STATE

WTBBL Security Improvements (30000043)

Appropriation:

Washington State Library Operations
Account—

Federal \$510,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$510,000

NEW SECTION. Sec. 1006. FOR THE OFFICE OF THE SECRETARY OF STATE

Archives Minor Works (30000044)

Appropriation:
 State Building Construction Account—
 State \$325,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs)
 \$0
 TOTAL \$325,000

NEW SECTION. Sec. 1007. FOR THE DEPARTMENT OF COMMERCE

Community Economic Revitalization Board (30000097)

Reappropriation:

Public Facility Construction Loan Revolving
 Account—State \$8,020,000
 Prior Biennia (Expenditures)
 \$10,000,000
 Future Biennia (Projected Costs)
 \$0
 TOTAL \$18,020,000

NEW SECTION. Sec. 1008. FOR THE DEPARTMENT OF COMMERCE

Public Works Assistance Account Program 2013 Loan List (30000184)

Reappropriation:

Public Works Assistance Account—State
 \$1,523,000
 Prior Biennia (Expenditures)
 \$32,378,000
 Future Biennia (Projected Costs)
 \$0
 TOTAL \$33,901,000

NEW SECTION. Sec. 1009. FOR THE DEPARTMENT OF COMMERCE

Clean Energy and Energy Freedom Program (30000726)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 6003, chapter 4, Laws of 2017 3rd sp. sess.

Reappropriation:

State Building Construction Account—
 State \$6,302,000
 State Taxable Building Construction Account—

State \$2,997,000
 Subtotal Reappropriation
 \$9,299,000
 Prior Biennia (Expenditures)
 \$31,101,000
 Future Biennia (Projected Costs)
 \$0
 TOTAL \$40,400,000

NEW SECTION. Sec. 1010. FOR THE DEPARTMENT OF COMMERCE

Building Communities Fund Program (30000803)

Reappropriation:

State Building Construction Account—
 State \$1,497,000
 Prior Biennia (Expenditures)
 \$18,168,000
 Future Biennia (Projected Costs)
 \$0
 TOTAL \$19,665,000

NEW SECTION. Sec. 1011. FOR THE DEPARTMENT OF COMMERCE

Housing Trust Fund Appropriation (30000833)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1005, chapter 35, Laws of 2016 sp. sess.

Reappropriation:

State Taxable Building Construction Account—
 State \$1,492,000
 Prior Biennia (Expenditures)
 \$78,508,000
 Future Biennia (Projected Costs)
 \$0
 TOTAL \$80,000,000

NEW SECTION. Sec. 1012. FOR THE DEPARTMENT OF COMMERCE

2015-17 Community Economic Revitalization Board Program (30000834)

Reappropriation:

Public Facility Construction Loan Revolving
 Account—State \$3,000,000

Prior Biennia (Expenditures)
\$7,600,000

Future Biennia (Projected Costs)
\$0

TOTAL \$10,600,000

NEW SECTION. Sec. 1013. FOR THE DEPARTMENT OF COMMERCE

Ultra-Efficient Affordable Housing Demonstration (30000836)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1006, chapter 35, Laws of 2016 sp. sess.

Reappropriation:

Washington Housing Trust Account—
State \$600,000

Prior Biennia (Expenditures)
\$1,900,000

Future Biennia (Projected Costs)
\$0

TOTAL \$2,500,000

NEW SECTION. Sec. 1014. FOR THE DEPARTMENT OF COMMERCE

2017 Local and Community Projects (30000846)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 6004, chapter 4, Laws of 2017 3rd sp. sess.

Reappropriation:

State Building Construction Account—
State \$1,750,000

Prior Biennia (Expenditures)
\$9,128,000

Future Biennia (Projected Costs)
\$0

TOTAL \$10,878,000

NEW SECTION. Sec. 1015. FOR THE DEPARTMENT OF COMMERCE

2017-19 Housing Trust Fund Program (30000872)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 6001, chapter 356, Laws of 2020.

Reappropriation:

State Building Construction Account—
State \$5,716,000

State Taxable Building Construction Account—

State \$24,810,000

Washington Housing Trust Account—
State \$1,578,000

Subtotal Reappropriation
\$32,104,000

Prior Biennia (Expenditures)
\$79,386,000

Future Biennia (Projected Costs)
\$0

TOTAL \$111,490,000

NEW SECTION. Sec. 1016. FOR THE DEPARTMENT OF COMMERCE

Economic Opportunity Grants (30000873)

Reappropriation:

Rural Washington Loan Account—State
\$1,000,000

Prior Biennia (Expenditures)
\$5,750,000

Future Biennia (Projected Costs)
\$0

TOTAL \$6,750,000

NEW SECTION. Sec. 1017. FOR THE DEPARTMENT OF COMMERCE

2017-19 Youth Recreational Facilities Grant Program (30000875)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1008, chapter 2, Laws of 2018.

Reappropriation:

State Building Construction Account—
State \$3,155,000

Prior Biennia (Expenditures)
\$3,752,000

Future Biennia (Projected Costs)
\$0

TOTAL \$6,907,000

NEW SECTION. Sec. 1018. FOR THE DEPARTMENT OF COMMERCE

2017-19 Building for the Arts Grant Program (30000877)

The reappropriation in this section is subject to the following conditions and

limitations: The reappropriation is subject to the provisions of section 1009, chapter 2, Laws of 2018.

Reappropriation:

State Building Construction Account—
State \$1,000,000

Prior Biennia (Expenditures)
\$11,000,000

Future Biennia (Projected Costs)
\$0

TOTAL \$12,000,000

NEW SECTION. Sec. 1019. FOR THE DEPARTMENT OF COMMERCE

Public Works Assistance Account
Construction Loans (30000878)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1019, chapter 413, Laws of 2019.

Reappropriation:

State Taxable Building Construction
Account—

State \$38,000,000

Prior Biennia (Expenditures)
\$39,220,000

Future Biennia (Projected Costs)
\$0

TOTAL \$77,220,000

NEW SECTION. Sec. 1020. FOR THE DEPARTMENT OF COMMERCE

Weatherization Plus Health Matchmaker
Program (30000879)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1014, chapter 298, Laws of 2018.

Reappropriation:

State Taxable Building Construction
Account—

State \$376,000

Prior Biennia (Expenditures)
\$23,124,000

Future Biennia (Projected Costs)
\$0

TOTAL \$23,500,000

NEW SECTION. Sec. 1021. FOR THE DEPARTMENT OF COMMERCE

Clean Energy Funds 3 (30000881)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 6006, chapter 413, Laws of 2019.

Reappropriation:

Energy Efficiency Account—State
\$5,362,000

State Building Construction Account—
State \$29,402,000

Subtotal Reappropriation
\$34,764,000

Prior Biennia (Expenditures)
\$11,336,000

Future Biennia (Projected Costs)
\$0

TOTAL \$46,100,000

NEW SECTION. Sec. 1022. FOR THE DEPARTMENT OF COMMERCE

Energy Efficiency and Solar Grants
(30000882)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 6007, chapter 413, Laws of 2019.

Reappropriation:

Energy Efficiency Account—State
\$4,448,000

State Building Construction Account—
State \$3,279,000

Subtotal Reappropriation
\$7,727,000

Prior Biennia (Expenditures)
\$3,273,000

Future Biennia (Projected Costs)
\$0

TOTAL \$11,000,000

NEW SECTION. Sec. 1023. FOR THE DEPARTMENT OF COMMERCE

2017-19 Building Communities Fund
Grant (30000883)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1015, chapter 2, Laws of 2018.

Reappropriation:

State Building Construction Account—
State \$1,700,000

Prior Biennia (Expenditures)
\$26,200,000

Future Biennia (Projected Costs)
\$0

TOTAL \$27,900,000

NEW SECTION. Sec. 1024. FOR THE DEPARTMENT OF COMMERCE

2018 Local and Community Projects
(40000005)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 6002, chapter 356, Laws of 2020.

Reappropriation:

State Building Construction Account—
State \$42,896,000

Prior Biennia (Expenditures)
\$87,441,000

Future Biennia (Projected Costs)
\$0

TOTAL \$130,337,000

NEW SECTION. Sec. 1025. FOR THE DEPARTMENT OF COMMERCE

Early Learning Facility Grants
(40000006)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 1005, chapter 298, Laws of 2018.

Reappropriation:

Early Learning Facilities Development
Account—

State \$999,000

Early Learning Facilities Revolving
Account—

State \$3,000,000

Subtotal Reappropriation
\$3,999,000

Prior Biennia (Expenditures)
\$11,501,000

Future Biennia (Projected Costs)
\$0

TOTAL \$15,500,000

NEW SECTION. Sec. 1026. FOR THE DEPARTMENT OF COMMERCE

Dental Clinic Capacity Grants
(40000007)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1002, chapter 356, Laws of 2020.

Reappropriation:

State Building Construction Account—
State \$2,000,000

Prior Biennia (Expenditures)
\$13,534,000

Future Biennia (Projected Costs)
\$0

TOTAL \$15,534,000

NEW SECTION. Sec. 1027. FOR THE DEPARTMENT OF COMMERCE

PWAA Preconstruction and Emergency
Loan Programs (40000009)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1027, chapter 413, Laws of 2019.

Reappropriation:

State Taxable Building Construction
Account—

State \$9,000,000

Prior Biennia (Expenditures)
\$10,000,000

Future Biennia (Projected Costs)
\$0

TOTAL \$19,000,000

NEW SECTION. Sec. 1028. FOR THE DEPARTMENT OF COMMERCE

Behavioral Health Community Capacity
(40000018)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 6004, chapter 413, Laws of 2019.

Reappropriation:

State Building Construction Account—
State \$30,000,000

Prior Biennia (Expenditures)
\$53,099,000

Future Biennia (Projected Costs)
\$0

TOTAL \$83,099,000

NEW SECTION. Sec. 1029. FOR THE DEPARTMENT OF COMMERCE

2019-21 Housing Trust Fund Program (40000036)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 1003, chapter 356, Laws of 2020.

Reappropriation:

State Building Construction Account—State \$22,388,000

State Taxable Building Construction Account—

State \$116,348,000

Subtotal Reappropriation \$138,736,000

Prior Biennia (Expenditures) \$34,014,000

Future Biennia (Projected Costs) \$0

TOTAL \$172,750,000

NEW SECTION. Sec. 1030. FOR THE DEPARTMENT OF COMMERCE

Public Works Board (40000038)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1020, chapter 356, Laws of 2020.

Reappropriation:

Public Works Assistance Account—State \$61,800,000

Prior Biennia (Expenditures) \$31,778,000

Future Biennia (Projected Costs) \$0

TOTAL \$93,578,000

NEW SECTION. Sec. 1031. FOR THE DEPARTMENT OF COMMERCE

2019-21 Building for the Arts Grant Program (40000039)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1032, chapter 413, Laws of 2019.

Reappropriation:

State Building Construction Account—State \$3,724,000

Prior Biennia (Expenditures) \$6,600,000

Future Biennia (Projected Costs) \$0

TOTAL \$10,324,000

NEW SECTION. Sec. 1032. FOR THE DEPARTMENT OF COMMERCE

2019-21 Community Economic Revitalization Board (40000040)

Reappropriation:

Public Facility Construction Loan Revolving

Account—State \$18,600,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$18,600,000

NEW SECTION. Sec. 1033. FOR THE DEPARTMENT OF COMMERCE

2019-21 Youth Recreational Facilities Grant Program (40000041)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1034, chapter 413, Laws of 2019.

Reappropriation:

State Building Construction Account—State \$4,238,000

Prior Biennia (Expenditures) \$1,642,000

Future Biennia (Projected Costs) \$0

TOTAL \$5,880,000

NEW SECTION. Sec. 1034. FOR THE DEPARTMENT OF COMMERCE

Clean Energy Transition 4 (40000042)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 1005, chapter 356, Laws of 2020.

Reappropriation:

State Building Construction Account—State \$20,881,000

State Taxable Building Construction
Account—

State	\$11,249,000	
Subtotal		Reappropriation
	\$32,130,000	
Prior	Biennia	(Expenditures)
		\$470,000
Future	Biennia	(Projected Costs)
		\$0
TOTAL	\$32,600,000	

NEW SECTION. Sec. 1035. FOR THE DEPARTMENT OF COMMERCE

2019-21 Building Communities Fund Program (40000043)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1036, chapter 413, Laws of 2019.

Reappropriation:

State Building Construction Account— State	\$20,000,000	
Prior	Biennia	(Expenditures)
		\$16,785,000
Future	Biennia	(Projected Costs)
		\$0
TOTAL	\$36,785,000	

NEW SECTION. Sec. 1036. FOR THE DEPARTMENT OF COMMERCE

2019-21 Early Learning Facilities (40000044)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 1006, chapter 356, Laws of 2020.

Reappropriation:

State Building Construction Account— State	\$8,000,000	
Early Learning Facilities Revolving Account—		
State	\$20,000,000	
Early Learning Facilities Development Account—		
State	\$1,500,000	
Subtotal		Reappropriation
	\$29,500,000	

Prior	Biennia	(Expenditures)
		\$5,520,000

Future	Biennia	(Projected Costs)
		\$0

TOTAL	\$35,020,000	
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NEW SECTION. Sec. 1037. FOR THE DEPARTMENT OF COMMERCE

2019-21 Weatherization (40000048)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1038, chapter 413, Laws of 2019.

Reappropriation:

State Building Construction Account— State	\$11,970,000	
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Prior	Biennia	(Expenditures)
		\$8,030,000

Future	Biennia	(Projected Costs)
		\$0

TOTAL	\$20,000,000	
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NEW SECTION. Sec. 1038. FOR THE DEPARTMENT OF COMMERCE

2019-21 Energy Efficiency and Solar Grants Program (40000049)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1023, chapter 356, Laws of 2020.

Reappropriation:

State Building Construction Account— State	\$12,362,000	
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Prior	Biennia	(Expenditures)
		\$138,000

Future	Biennia	(Projected Costs)
		\$0

TOTAL	\$12,500,000	
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NEW SECTION. Sec. 1039. FOR THE DEPARTMENT OF COMMERCE

Rural Rehabilitation Loan Program (40000052)

Reappropriation:

State Taxable Building Construction Account—		
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State	\$4,986,000	
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Prior	Biennia	(Expenditures)
		\$14,000

Future Biennia (Projected Costs)
\$0

TOTAL \$5,000,000

NEW SECTION. Sec. 1040. FOR THE DEPARTMENT OF COMMERCE

2019-21 Behavioral Health Capacity Grants (40000114)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1010, chapter 356, Laws of 2020.

Reappropriation:

State Building Construction Account—
State \$90,000,000

Prior Biennia (Expenditures)
\$36,151,000

Future Biennia (Projected Costs)
\$0

TOTAL \$126,151,000

NEW SECTION. Sec. 1041. FOR THE DEPARTMENT OF COMMERCE

2020 Local and Community Projects (40000116)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1011, chapter 356, Laws of 2020.

Reappropriation:

State Building Construction Account—
State \$94,196,000

Prior Biennia (Expenditures)
\$73,011,000

Future Biennia (Projected Costs)
\$0

TOTAL \$167,207,000

NEW SECTION. Sec. 1042. FOR THE DEPARTMENT OF COMMERCE

Washington Broadband Program (40000117)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1012, chapter 356, Laws of 2020.

Reappropriation:

Statewide Broadband Account—State
\$20,500,000

Prior Biennia (Expenditures)
\$1,050,000

Future Biennia (Projected Costs)
\$0

TOTAL \$21,550,000

NEW SECTION. Sec. 1043. FOR THE DEPARTMENT OF COMMERCE

2019-21 Behavioral Rehabilitation Services Capacity Grants (40000124)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1044, chapter 413, Laws of 2019.

Reappropriation:

State Building Construction Account—
State \$1,975,000

Prior Biennia (Expenditures)
\$25,000

Future Biennia (Projected Costs)
\$0

TOTAL \$2,000,000

NEW SECTION. Sec. 1044. FOR THE DEPARTMENT OF COMMERCE

Housing for Farmworkers (91000457)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1065, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Taxable Building Construction
Account—

State \$103,000

Prior Biennia (Expenditures)
\$26,947,000

Future Biennia (Projected Costs)
\$0

TOTAL \$27,050,000

NEW SECTION. Sec. 1045. FOR THE DEPARTMENT OF COMMERCE

Clean Energy and Energy Freedom Program (91000582)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1074, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—
State \$625,000

Prior	Biennia	(Expenditures)
\$35,369,000		

Future	Biennia	(Projected Costs)
\$0		

TOTAL \$35,994,000

NEW SECTION. Sec. 1046. FOR THE DEPARTMENT OF COMMERCE

CERB Administered Broadband Infrastructure (91000943)

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

(1) The appropriation and reappropriations are subject to the provisions of section 1008, chapter 298, Laws of 2018.

(2) The appropriations must be used for projects that use a technology-neutral approach in order to expand access at the lowest cost to the most unserved or underserved residents.

Reappropriation:

Public Works Assistance Account—State
\$3,450,000

State Taxable Building Construction Account—

State \$6,600,000

Subtotal	Reappropriation
\$10,050,000	

Appropriation:

Coronavirus Capital Projects Account—
Federal \$25,000,000

Prior	Biennia	(Expenditures)
\$3,400,000		

Future	Biennia	(Projected Costs)
\$0		

TOTAL \$38,450,000

NEW SECTION. Sec. 1047. FOR THE DEPARTMENT OF COMMERCE

2019 Local and Community Projects (91001157)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1017, chapter 356, Laws of 2020.

Reappropriation:

State Building Construction Account—
State \$9,000,000

Prior	Biennia	(Expenditures)
\$31,530,000		

Future	Biennia	(Projected Costs)
\$0		

TOTAL \$40,530,000

NEW SECTION. Sec. 1048. FOR THE DEPARTMENT OF COMMERCE

Library Capital Improvement Program (91001239)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1053, chapter 413, Laws of 2019.

Reappropriation:

State Building Construction Account—
State \$6,000,000

Prior	Biennia	(Expenditures)
\$6,838,000		

Future	Biennia	(Projected Costs)
\$0		

TOTAL \$12,838,000

NEW SECTION. Sec. 1049. FOR THE DEPARTMENT OF COMMERCE

Dental Capacity Grants (91001306)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1056, chapter 413, Laws of 2019.

Reappropriation:

State Building Construction Account—
State \$903,000

Prior	Biennia	(Expenditures)
\$675,000		

Future	Biennia	(Projected Costs)
\$0		

TOTAL \$1,578,000

NEW SECTION. Sec. 1050. FOR THE DEPARTMENT OF COMMERCE

Buy Clean, Buy Fair Washington Pilot (91001679)

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

(1) By June 15, 2021, the department must coordinate with the following projects: (a) University of Washington College of Engineering Interdisciplinary Education and Research Center (30000492); and (b) University of Washington UW Tacoma (20102002). The awarding authorities for these projects must collaborate with the University of Washington college of built environments to test proposed methods and availability of environmental product declarations and working condition information, as defined in subsection (3) of this section.

(2) The awarding authority shall require the successful bidder for a contract to submit the following information for at least 90 percent of the cost of each covered product used in the project:

- (a) Product quantity;
- (b) A current environmental product declaration;
- (c) Health certifications, if any, completed for the product;
- (d) Manufacturer name and location, including state or province and country;
- (e) Measures taken, if any, to promote the international labor organization's four fundamental principles and rights at work within the manufacturer supply chain;
- (f) Names and locations, including state or province and country, of the actual production facilities; and
- (g) Working condition information for the actual production facilities for all employees.

(3) For the purposes of this section:

- (a) "Actual production facilities" means the final manufacturing facility and the facilities at which production processes occur that contribute to 80 percent or more of the product's cradle-to-gate global warming potential, as reflected in the environmental product declaration.
- (b) "Awarding authority" means the University of Washington capital planning and portfolio management.
- (c) "Covered product" means structural concrete products, reinforcing steel products, structural steel products, and engineered wood products.

(d) "Environmental product declaration" means a supply chain specific type III environmental product declaration as defined by the international organization for standardization standard 14025 or similarly robust life-cycle assessment methods that have uniform standards in data collection consistent with the international organization for standardization standard 14025, industry acceptance, and integrity.

(e) "Health certification" means a health product declaration, as reported in accordance with the health product declaration open standard, and any product certification that includes health-related criteria.

(f) "International labor organization's four fundamental principles and rights at work" means: Effective abolition of child labor; elimination of discrimination in respect of employment and occupation; elimination of all forms of forced or compulsory labor; and freedom of association and the effective recognition of the right to collective bargaining.

(g) "Working condition information" means the:

- (i) Average number of employees by employment type: Full time, part time, and temporary;
- (ii) Average hourly wage, including all nondiscretionary wages and bonuses, by quartiles;
- (iii) Hours worked by weekly hour bands: One-19 hours, 20-29 hours, 30-39 hours, 40-49 hours, 50-59 hours, and 60 or more hours;
- (iv) Maximum number of hours that an employee can be required to work per week; and
- (v) Percent of employees covered by a collective bargaining agreement.

(4) The department shall include the information collected in this section in their report to the legislature, the case study analysis of environmental and labor reporting requirements for state funded construction projects required in section 129, chapter . . . , Laws of 2021 (House Bill No. 1094).

Appropriation:

State Building Construction Account—
State \$150,000

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$150,000

NEW SECTION. Sec. 1051. FOR THE DEPARTMENT OF COMMERCE

Projects for Jobs & Economic Development (92000151)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 1058, chapter 413, Laws of 2019.

Reappropriation:

Public Facility Construction Loan Revolving

Account—State \$97,000

State Building Construction Account—
State \$900,000

Subtotal	Reappropriation
\$997,000	

Prior Biennia (Expenditures)	\$35,640,000
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Future Biennia (Projected Costs)	\$0
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TOTAL	\$36,637,000
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NEW SECTION. Sec. 1052. FOR THE DEPARTMENT OF COMMERCE

Projects that Strengthen Communities & Quality of Life (92000230)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 6006, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—
State \$1,000,000

Prior Biennia (Expenditures)	\$31,088,000
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Future Biennia (Projected Costs)	\$0
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TOTAL	\$32,088,000
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NEW SECTION. Sec. 1053. FOR THE DEPARTMENT OF COMMERCE

Local & Community Projects 2016
(92000369)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 6009, chapter 413, Laws of 2019.

Reappropriation:

State Building Construction Account—
State \$11,000,000

Prior Biennia (Expenditures)	\$117,919,000
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Future Biennia (Projected Costs)	\$0
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TOTAL	\$128,919,000
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NEW SECTION. Sec. 1054. FOR THE DEPARTMENT OF COMMERCE

Disaster Emergency Response (92000377)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1009, chapter 35, Laws of 2016 sp. sess.

Reappropriation:

State Building Construction Account—
State \$24,000

Prior Biennia (Expenditures)	\$1,785,000
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Future Biennia (Projected Costs)	\$0
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TOTAL	\$1,809,000
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NEW SECTION. Sec. 1055. FOR THE DEPARTMENT OF COMMERCE

Seattle Vocational Institute
(40000136)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 1009, chapter 356, Laws of 2020.

Reappropriation:

State Building Construction Account—
State \$1,105,000

State Taxable Building Construction Account—

State	\$175,000
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Subtotal	Reappropriation
\$1,280,000	

Prior Biennia (Expenditures)
\$20,000

Future Biennia (Projected Costs)
\$0

TOTAL \$1,300,000

NEW SECTION. Sec. 1056. FOR THE DEPARTMENT OF COMMERCE

2021-23 Youth Recreational Facilities Grant Program (40000139)

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

(1) The appropriation is subject to the provisions of RCW 43.63A.135.

(2) Except as directed otherwise prior to the effective date of this section, the department may not expend the appropriation in this section unless and until the nonstate share of project costs have been either expended or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by this appropriation. This requirement does not apply to projects where a share of the appropriation is for design costs only.

(3) The appropriation is provided solely for the following list of projects:

Plus Delta After School Studios
\$16,000

Boys & Girls Club of Lewis County
\$14,000

Multicultural Child and Family Hope Center \$250,000

Coyote Central \$455,000

MLK Family Arts Mentoring & Enrichment Community Center \$15,000

Bellevue Boys & Girls Club
\$156,000

Northwest's Child \$16,000

Bainbridge Island Child Care Centers
\$200,000

Animals as Natural Therapy
\$33,000

Seattle JazzED \$1,837,000

Starfire Sports \$35,000

Whitewater Aquatics Management
\$62,000

Boys & Girls Club of Spokane County
\$600,000

Appropriation:

State Building Construction Account—
State \$3,689,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$3,689,000

NEW SECTION. Sec. 1057. FOR THE DEPARTMENT OF COMMERCE

2021-23 Early Learning Facilities-School Districts Grant (40000140)

The appropriation in this section is subject to the following conditions and limitations: \$4,719,000 of the Ruth Lecocq Kagi early learning facilities development account—state appropriation is provided solely for the following list of early learning facility projects in the following amounts:

Selah Robert Lince ELC and
Kindergarten—Phase 2 \$856,000

Pasco School District Lakeview ELC
\$200,000

Bethel Early Learning Center
\$856,000

Walla Walla Center for Children and
Families \$55,000

Bellingham Integrating Early Learning
into New

District Office \$456,000

Evergreen Burton ECE Center: Expanding
Access to

Quality Care \$667,000

Mount Baker Early Childhood Expansion
\$434,000

Soap Lake Elementary School Conversion
to Early

Learning Facility \$856,000

Ridgefield ELC—Phase 2 \$339,000

Appropriation:

Early Learning Facilities Development
Account—

State \$4,719,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$4,719,000

NEW SECTION. Sec. 1058. FOR THE DEPARTMENT OF COMMERCE

2021-23 Public Works Assistance Account-Construction (40000141)

Appropriation:

Public Works Assistance Account—State \$129,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$129,000,000

NEW SECTION. Sec. 1059. FOR THE DEPARTMENT OF COMMERCE

2021-23 Building Communities Fund Grant Program (40000142)

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

(1) The appropriation is subject to the provisions of RCW 43.63A.125.

(2) The department may not expend the appropriation in this section unless and until the nonstate share of project costs have been either expended or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by this appropriation. This requirement does not apply to projects where a share of the appropriation is for design costs only.

(3) \$29,896,000 of the appropriation is provided solely for the following list of projects:

Reliable Enterprises	\$21,000
Sauk-Suiattle Indian Tribe	\$175,000
Chief Seattle Club	\$1,407,000
YouthCare	\$1,563,000
Community Youth Services	\$203,000
Nisqually Indian Tribe	\$3,500,000
HealthPoint	\$3,029,000
NEW Health Programs Association	\$970,000
Rainier Valley Food Bank	\$770,000

Coastal Community Action Program \$2,990,000

NATIVE Project \$1,438,000

Eritrean Association in Greater Seattle \$514,000

White Center Community Development Association \$2,700,000

Lewis County Seniors \$300,000

Volunteers of America of Eastern Washington and Northern Idaho \$2,500,000

Ethiopian Community in Seattle \$745,000

Seven Acres Foundation \$2,500,000

Sea Mar Community Health \$1,700,000

Asian Pacific Cultural Center \$1,539,000

Sea Mar Community Health Centers \$1,332,000

(4) \$250,000 of the amount in this section is provided solely for the department to provide technical assistance to organizations interested in applying for the building communities fund grants.

Appropriation:

State Building Construction Account—State \$30,146,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$30,146,000

NEW SECTION. Sec. 1060. FOR THE DEPARTMENT OF COMMERCE

2021-23 Building for the Arts Grant Program (40000143)

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

(1) The appropriation is subject to the provisions of RCW 43.63A.750.

(2) Except as directed otherwise prior to the effective date of this section, the department may not expend the appropriation in this section unless and until the nonstate share of project costs have been either expended, or firmly committed, or both, in an amount sufficient to complete the project or a

distinct phase of the project that is useable to the public for the purpose intended by this appropriation. This requirement does not apply to projects where a share of the appropriation is for design costs only.

(3) The appropriation is provided solely for the following list of projects:

Port Angeles Waterfront Center dba Field Arts &

Events Hall \$2,000,000
 Path with Art \$1,757,000
 Classical 98.1 \$814,000
 Hands On Children's Museum \$1,600,000
 Orcas Center \$133,000

Village Theatre's Francis Gaudette Theatre \$257,000

Bellevue Arts Museum Capital Improvements 243,000

Cornish College of the Arts \$1,600,000

Roxy Bremerton Foundation \$269,000

Pilchuck Glass School \$135,000

Sequim City Band \$250,000

Washington Center for the Performing Arts \$1,464,000

Imagine Children's Museum \$31,000

Confederated Tribes of the Chehalis Reservation \$1,600,000

Seattle Symphony Orchestra \$418,000

Bainbridge Performing Arts \$1,600,000

Kirkland Arts Center \$220,000

Village Theatre's New Technical Studio Warehouse \$409,000

Mini Mart City Park \$200,000

Museum of Northwest Art \$500,000

Harlequin Productions \$500,000

Appropriation:

State Building Construction Account—State \$16,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$16,000,000

NEW SECTION. Sec. 1061. FOR THE DEPARTMENT OF COMMERCE

2021-23 CERB Capital Construction (40000144)

Appropriation:

Public Facility Construction Loan Revolving

Account—State \$10,000,000

State Taxable Building Construction Account—

State \$15,000,000

Subtotal Appropriation \$25,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$25,000,000

NEW SECTION. Sec. 1062. FOR THE DEPARTMENT OF COMMERCE

2021-23 Pacific Tower Capital Improvements (40000145)

Appropriation:

State Taxable Building Construction Account—

State \$1,165,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$7,815,000

TOTAL \$8,980,000

NEW SECTION. Sec. 1063. FOR THE DEPARTMENT OF COMMERCE

2021-23 Library Capital Improvement Program (LCIP) Grants (40000147)

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

(1) The appropriation in this section is provided solely for a local library capital improvement grant program for the following list of projects:

City of Colville \$264,000

Sno-Isle Regional Inter-County Libraries (Langley) \$700,000

Stevens County Rural Library District (Loon Lake) \$649,000

Stevens County Rural Library District
(Chewelah) \$90,000

North Olympic Library System (Sequim)
\$2,000,000

Spokane County Library District
(Spokane Valley) \$2,000,000

Jefferson County Rural Library
District (Port Hadlock) \$285,000

Stevens County Rural Library District
(Northport) \$50,000

North Central Regional Library
(Wenatchee) \$798,000

City of Seattle \$1,889,000

Pend Oreille County Library District
(Metaline Falls) \$40,000

Upper Skagit Library District
(Concrete) \$209,000

City of Cashmere \$14,000

Town of Coulee City \$760,000

Sno-Isle Regional Inter-County
Libraries (Darrington) \$250,000

Fort Vancouver Regional Library
Foundation (Woodland) \$2,000,000

City of Mount Vernon \$2,000,000

Sno-Isle Regional Inter-County
Libraries (Lake Stevens) \$1,100,000

Camas Library Improvements (Camas)
\$515,000

Ephrata Public Library (Ephrata)
\$91,000

Lake Stevens Early Learning Library
(Lake Stevens) \$2,000,000

(2) The department must establish a competitive process to solicit proposals for and prioritize projects whose primary objective is to assist libraries operated by governmental units, as defined in RCW 27.12.010, in acquiring, constructing, repairing, or rehabilitating facilities.

(3) The department must establish a committee to develop the grant program criteria and review proposals. The committee must be composed of five members as provided in this subsection. The committee must include: (a) A representative from the department of commerce; (b) a representative from the department of archaeology and historic preservation; (c) the state librarian; (d) a representative from a library district; and (e) a representative from a municipal library.

(4) The department must conduct a statewide solicitation of project applications. The department must evaluate and rank applications in consultation with the committee established in subsection (3) of this section, using objective criteria. The ranking of projects must prioritize library district facilities listed on a local, state, or federal register of historic places and those located in distressed or rural counties. The evaluation and ranking process must also include an examination of existing assets that applicants propose to apply to projects. Grant assistance under this section may not exceed 50 percent of the total cost of the project. The nonstate portion of the total project cost may include cash, the value of real property when acquired solely for the purpose of the project, and in-kind contributions.

(5) The department must submit a prioritized list of recommended projects to the governor and the legislature by October 1, 2022, for inclusion in the department of commerce's 2023-2025 biennial capital budget request. The list must include a description of each project, the amount of recommended state funding, and documentation of nonstate funds to be used for the project. Individual grants may not exceed \$2,000,000. The total amount of recommended state funding for the projects on a biennial project list may not exceed \$10,000,000.

(6) In contracts for grants authorized under this section, the department must include provisions that require that capital improvements be held by the grantee for a specified period of time appropriate to the amount of the grant and that facilities be used for the express purpose of the grant. If the grantee is found to be out of compliance with provisions of the contract, the grantee must repay to the state general fund the principal amount of the grant plus interest calculated at the rate of interest on state of Washington general obligation bonds issued on the date most close in time to the date of authorization of the grant.

(7) The department must assist grant recipients under this section to apply for applicable competitive federal grant funding and, upon receipt of any such funding, an equal amount of the state building construction account—state

appropriation must be placed in unallotted status.

Appropriation:

State Building Construction Account—
State \$17,704,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$30,000,000

TOTAL \$47,704,000

NEW SECTION. Sec. 1064. FOR THE DEPARTMENT OF COMMERCE

2021-23 Clean Energy V - Investing in Washington's Clean Energy (40000148)

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

(1) The appropriations in this section are provided solely for projects that provide a benefit to the public through development, demonstration, and deployment of clean energy technologies that save energy and reduce energy costs, reduce harmful air emissions, or increase energy independence for the state. Priority must be given to projects that benefit vulnerable populations and overburdened communities, including tribes and communities with high environmental or energy burdens.

(2) The 2021 state energy strategy must guide the department in the design of programs under this section, using an equity and environmental justice lens for program structure and participation. To the extent practicable, the department must prioritize projects that build upon Washington's existing strengths in communities, aerospace, maritime, information and communications technology (particularly data center infrastructure, artificial intelligence and machine learning), grid modernization, advanced materials, and decarbonizing the built environment.

(3) Subject to the availability of funds, the department must reconvene an advisory committee to support involvement of a broad range of stakeholders in the design and implementation of programs implemented under this section to encourage collaboration, leverage partners, and engage communities and organizations in improving the equitable distribution of benefits from the program.

(4) In soliciting and evaluating proposals, awarding contracts, and monitoring projects under this section, the department must:

(a) Ensure that competitive processes, rather than sole source contracting processes, are used to select all projects, except as otherwise noted in this section; and

(b) Conduct due diligence activities associated with the use of public funds including, but not limited to, oversight of the project selection process, project monitoring, and ensuring that all applications and contracts fully comply with all applicable laws including disclosure and conflict of interest statutes.

(5) During project solicitation periods for grants funded with this appropriation, the department must maintain a list of applicants by grant program that scored competitively but did not receive a grant award due to lack of available funding. These applicants must be considered for funding during future grant award cycles. If the department submits a 2022 supplemental budget request for this program, the request must include a list of prioritized projects by grant type.

(6)(a) Pursuant to chapter 42.52 RCW, the ethics in public service act, the department must require a project applicant to identify in application materials any state of Washington employees or former state employees employed by the firm or on the firm's governing board during the past 24 months. Application materials must identify the individual by name, the agency previously or currently employing the individual, job title or position held, and separation date. If it is determined by the department that a conflict of interest exists, the applicant may be disqualified from further consideration for award of funding.

(b) If the department finds, after due notice and examination, that there is a violation of chapter 42.52 RCW, or any similar statute involving a grantee who received funding under this section, either in procuring or performing under the grant, the department in its sole discretion may terminate the funding grant by written notice. If the grant is terminated, the department must reserve its right to pursue all available

remedies under law to address the violation.

(7) The requirements in subsections (4) and (6) of this section must be specified in funding agreements issued by the department.

(8) \$17,594,000 of the state building construction account—state appropriation is provided solely for grid modernization grants.

(a) (i) \$11,000,000 is provided solely for projects that: Advance community resilience, clean and renewable energy technologies and transmission and distribution control systems; support integration of renewable energy sources, deployment of distributed energy resources and sustainable microgrids; and support state decarbonization goals pursuant to the clean energy transformation act, including requirements placed upon retail electric utilities.

(ii) Projects must be implemented by community organizations, local governments, federally recognized tribal governments, or by public and private electrical utilities that serve retail customers in the state (retail electric utilities). Projects submitted by applicants other than retail electric utilities must demonstrate partnership with their load serving entity to apply. Priority must be given to:

(A) Projects that benefit vulnerable populations, including tribes and communities with high environmental or energy burden; and

(B) Projects that demonstrate partnerships between eligible applicants in applying for funding, including utilities, public and private sector research organizations, businesses, tribes, and nonprofit organizations.

(iii) The department shall develop a grant application process to competitively select projects for grant awards, to include scoring conducted by a group of qualified experts with application of criteria specified by the department. In development of the application criteria, the department shall, to the extent possible, develop program guidelines that encourage smaller utilities or consortia of small utilities to apply for funding. Where suitable, this may include funding for projects consisting solely of planning,

predesign and/or predevelopment activities.

(iv) Applications for grants must disclose all sources of public funds invested in a project.

(b) \$3,550,000 of the appropriation in this section is provided solely for a grant to the Public Utility District No. 1 of Lewis county for land acquisition and construction of the Winlock Industrial Park and South County Substation and Transmission facility, located on North Military Road in Winlock.

(c) \$3,044,000 of the appropriation in this section is provided solely for a grant to the Klickitat County Public Hospital District #1 for the Electrical Upgrade and Smart Grid project at the Klickitat Valley Health Hospital in Goldendale.

(9) \$10,830,000 of the state building construction account—state appropriation is provided solely for grants for strategic research and development for new and emerging clean energy technologies. These grants must be used to match federal or other nonstate funds to research, develop, and demonstrate clean energy technologies, focusing on areas that help develop technologies to meet the state's climate goals, offer opportunities for economic and job growth, and strengthen technology supply chains. The program may include, but is not limited to: Solar technologies, advanced bioenergy and biofuels, development of new earth abundant materials or lightweight materials, advanced energy storage, recycling energy system components, and new renewable energy and energy efficiency technologies.

(a) \$5,000,000 of the appropriation in this section is provided solely for competitive grants.

(b) \$4,800,000 of the appropriation in this section is provided solely for a grant to the Pacific Northwest National Laboratory for a renewable energy platform to support ocean energy research and development testbeds for the Marine and Coastal Research Laboratory in Sequim.

(c) \$1,030,000 of the appropriation in this section is provided solely for a grant to the Chelan County Public Utility District for the hydroelectric turbine

hub project at Rocky Reach dam near Wenatchee.

(10) (a) \$2,500,000 of the state taxable building construction account—state appropriation is provided solely as grants to nonprofit lenders to create a revolving loan fund to support the widespread use of proven energy efficiency and renewable energy technologies by households, or for the benefit of households, with high energy burden or environmental health risk now inhibited by lack of access to capital.

(b) The department shall provide grant funds to one or more competitively selected nonprofit lenders that must provide matching private capital and administer the loan fund. The department shall select the loan fund administrator or administrators through a competitive process, with scoring conducted by a group of qualified experts, applying criteria specified by the department.

(c) The department must establish guidelines that specify applicant eligibility, the screening process, and evaluation and selection criteria. The guidelines must be used by the nonprofit lenders.

(11) \$5,550,000 of the state building construction account—state appropriation is provided solely for grants to demonstrate innovative approaches to electrification of transportation systems.

(a) (i) \$3,000,000 of the appropriation is provided solely for competitive grants, prioritizing projects that:

(A) Demonstrate meaningful and enduring benefits to communities and populations disproportionately burdened by air pollution, climate change, or lack of transportation investments;

(B) Beneficially integrate load using behavioral, software, hardware, or other demand-side management technologies, such as demand response, time-of-use rates, or behavioral programming;

(C) Accelerate the transportation electrification market in Washington using market transformation principles; or

(D) Develop electric vehicle charging and hydrogen fueling infrastructure along highways, freeways, and other heavily trafficked corridors across the state to support long-distance travel.

(ii) Projects must be implemented by local governments, federally recognized tribal governments, by public and private electrical utilities that serve retail customers in the state, or state agencies. Eligible parties may partner with other public and private sector research organizations and businesses in applying for funding. The department shall consult and coordinate with the Washington state department of transportation on project selection and implementation. The department shall also coordinate with other state agencies that have other electrification programs, in order to determine to optimally accomplish each agency's respective policy and program goals.

(iii) Projects must be related to on-road end-uses and nonmaritime off-road uses.

(iv) Eligible technologies for these projects include, but are not limited to:

(A) Battery electric vehicle supply equipment;

(B) On-site generation or storage, where the technology directly supplies electricity to the electric vehicle supply equipment;

(C) Electric grid distribution system infrastructure upgrades, where the upgrade is needed as a result of the installed electric vehicle supply equipment;

(D) Hydrogen refueling station infrastructure that:

(I) Dispenses renewable hydrogen or hydrogen produced in Washington with electrolysis; and

(II) Aligns with the 2021 state energy strategy's recommended uses of hydrogen in the transportation sector.

(v) \$2,000,000 of the state building construction account—state appropriation is provided solely for federally recognized tribal governments and for local governments in rural communities, for projects aligning with the above objectives and addressing electric vehicle supply infrastructure gaps in rural communities.

(b) \$2,550,000 of the appropriation in this section is provided solely for a grant to the Lewis Public Transportation Benefit Area to construct a hydrogen fueling station that dispenses renewable hydrogen or hydrogen produced in

Washington with electrolysis for electric vehicles at Exit 74 on Interstate 5, near Chehalis.

(12) (a) \$10,000,000 of the state building construction account—state appropriation is provided solely for the purpose of building electrification projects that advance the goals of the 2021 state energy strategy to demonstrate grid-enabled, high-efficiency, all electric buildings.

(b) The program may include, but is not limited to: Shifting from fossil fuels to high-efficiency electric heat pumps and other electric equipment, control systems that enable grid integration or demand control, and on-site renewable generation and efficiency measures that significantly reduce building energy loads.

(c) Preference must be given to projects based on total greenhouse gas emissions reductions, accelerating the path to zero-energy, or that demonstrate early adoption of grid integration technology.

(d) Program funding may be administered to entities also receiving incentives provided according to RCW 19.27A.220 for buildings covered by the state energy performance standard, RCW 19.27A.210.

(e) \$5,000,000 of the appropriation in this section is provided solely for the purpose of supporting the transition of residential and commercial buildings away from fossil fuels through the installation of high-efficiency electric heat pumps and other electric equipment.

(13) \$4,924,000 of the state building construction account—state appropriation is provided solely for maritime electrification grants.

(a) \$4,450,000 of the appropriation in this section is provided solely for a grant to the Northwest Seaport Alliance to upgrade the reefer plug capacity at the Port of Seattle's Terminal 5, located in west Seattle.

(b) \$474,000 of the appropriation in this section is provided solely for a grant to the Skagit County Public Works Department for electric ferry charging infrastructure in Anacortes.

(14) \$4,900,000 of the state building construction account—state appropriation is provided solely for the department to develop targeted rural clean energy

innovation projects as provided in this subsection (14).

(a) \$150,000 of the appropriation is provided solely for the department to develop targeted rural clean energy strategies informed by rural community and business engagement, outreach, and research. The department must convene a rural energy work group to identify investments, programs, and policy changes that align with the 2021 state energy strategy and increase access to clean energy opportunities in rural communities and agricultural and forestry management practices. The group must identify existing federal funding opportunities and strategies to leverage these funds with state capital investment. By June 30, 2022, the department shall report recommendations and findings from the rural energy work group to the office of financial management, the governor, and the appropriate legislative committees and present a strategic plan for state rural clean energy investment.

(b) \$4,750,000 of the appropriation is provided solely for rural clean energy innovation grants.

(i) The department must award at least 40 percent of the funding to projects that enhance the viability of dairy digester bioenergy projects through advanced resource recovery systems that produce renewable natural gas and value-added biofertilizers, reduce greenhouse gas emissions, and improve soil health and air and water quality.

(ii) Grants may also be awarded to other clean energy innovation projects in rural communities, including, but not limited to, projects that enhance energy efficiency, demand response, energy storage, renewable energy, beneficial electrification, resilience, organic waste management, and biological carbon sequestration.

(iii) Grants may fund project predevelopment, research, and development, pilot projects, strategic implementation, field trials, and data dashboards and tools to inform rural project development.

(c) The department is encouraged to make 20 percent of the funds under (b) of this subsection (14) to tribal governments, designated subdivisions, and agencies.

(d) If a grant is awarded to purchase heating devices or systems, the agency must, whenever possible and most cost effective, select devices and systems that do not use fossil fuels.

Appropriation:

State Building Construction Account—
State \$53,798,000

State Taxable Building Construction
Account—

State \$2,500,000

Subtotal Appropriation \$56,298,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$100,000,000

TOTAL \$156,298,000

**NEW SECTION. Sec. 1065. FOR THE
DEPARTMENT OF COMMERCE**

2021-23 Energy Retrofits for Public
Buildings Grant Program (40000149)

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

(1) \$4,000,000 of the appropriation in
this section is provided solely for
grants to local governments, public
higher education institutions, school
districts, federally recognized tribal
governments, and state agencies for
operational cost savings improvements to
facilities and related projects that
result in energy and operational cost
savings.

(a) (i) \$3,000,000 of the appropriation
in this section is provided solely for
grants awarded in competitive rounds.

(ii) At least 20 percent of each
competitive grant round is designated for
award to eligible projects in small
cities or towns with a population of
5,000 or fewer residents.

(iii) In each competitive round, a
higher energy savings to investment ratio
must result in a higher project ranking.
Priority consideration must be given to
applicants that have not received grant
awards for this purpose in prior biennia.

(iv) The department must determine a
minimum match ratio to maximize the
leverage of nonstate funds.

(b) \$450,000 of the appropriation in
this section is provided solely for a
grant to Western Washington University

for the heating system conversion
feasibility study.

(c) \$550,000 of the appropriation in
this section is provided solely for a
grant to Whidbey Island Public Hospital
District for energy upgrades at
WhidbeyHealth Medical Center in
Coupeville.

(2) (a) \$1,000,000 of the appropriation
in this section is provided solely for
grants to be awarded in competitive
rounds to local governments, public
higher education institutions, school
districts, federally recognized tribal
governments, and state agencies for
projects that involve the purchase and
installation of solar energy systems,
including solar modules and inverters,
with a preference for products
manufactured in Washington.

(b) At least 20 percent of each
competitive grant round is designated for
award to eligible projects in small
cities or towns with a population of
5,000 or fewer residents.

(c) In each competitive round, a
higher energy savings to investment ratio
must result in a higher project ranking.
Priority consideration must be given to
applicants that have not received grant
awards for this purpose in prior biennia.

(d) The department must determine a
minimum match ratio to maximize the
leverage of nonstate funds.

(3) \$4,500,000 of the appropriation in
this section is provided solely for the
energy efficiency and environmental
performance improvements to minor works,
stand-alone, and emergency projects at
facilities owned by agencies named by the
state efficiency and environmental
performance office executive order 20-01
that repair or replace existing building
systems and reduce greenhouse gas
emissions from state operations,
including, but not limited to, HVAC,
lighting, insulation, windows, and other
mechanical systems. Eligibility for this
funding is dependent on an analysis using
the office of financial management's
life-cycle cost tool that compares
project design alternatives for initial
and long-term cost-effectiveness.
Assuming a reasonable return on
investment, the department shall provide
grants in the amount required to improve
the project's energy efficiency compared
to the original project request. Prior to
awarding funds, the department shall
submit to the office of financial

management a list of all proposed awards for review and approval.

(4) The department shall develop metrics that indicate the performance of energy efficiency efforts.

(5) \$457,000 of the appropriation provided in this section is provided solely for photovoltaic panels for the capitol campus child care center.

(6) If a grant is provided in subsection (1) or (3) of this section to purchase heating devices or systems, the agency must, whenever possible and most cost effective, select devices and systems that do not use fossil fuels.

Appropriation:

State Building Construction Account—
State \$9,957,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$9,957,000

NEW SECTION. Sec. 1066. FOR THE DEPARTMENT OF COMMERCE

2021-23 Weatherization Plus Health (40000150)

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

(1) \$5,000,000 of the appropriation in this section is provided solely for grants for the Washington State University energy extension community energy efficiency program (CEEP) to support homeowners, tenants, and small business owners in making sound energy efficiency investments by providing consumer education and marketing, workforce support through training and lead generation, and direct consumer incentives for upgrades to existing homes and small commercial buildings. This is the maximum amount the department may expend for this purpose.

(2) The department, in collaboration with the Washington State University, shall make recommendations to the appropriate committees of the legislature on strategies to expand and align the weatherization program and the rural rehabilitation loan program. The department shall report the recommendations to the appropriate committees of the legislature and the governor by November 1, 2022. The

recommendations must include strategies to:

(a) Recruit community energy efficiency program sponsors that are community-based organizations located in geographic areas of the state that have not received funding for low-income weatherization programs, targeting hard to reach market segments;

(b) Leverage funding from community energy efficiency program sponsors in an amount greater than or equal to the amount provided by the state through the weatherization program;

(c) Ensure that community energy efficiency program utility sponsors work with non-profit community-based organizations to deliver community energy efficiency program services; and

(d) Identify community energy efficiency program sponsors that support the conversion of space and water heating from fossil fuels to electricity, as part of a set of energy efficiency investments.

(3) If funding from this appropriation is used to purchase heating devices or systems, the agency shall, whenever possible and most cost effective, select devices and systems that do not use fossil fuels.

Appropriation:

State Building Construction Account—
State \$10,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$50,000,000

TOTAL \$60,000,000

NEW SECTION. Sec. 1067. FOR THE DEPARTMENT OF COMMERCE

2021-23 PWB Broadband Infrastructure (40000152)

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

The appropriations in this section are provided solely for the public works board broadband grant and loan program. Of the amounts appropriated in this section:

(1) \$14,000,000 of the statewide broadband account—state appropriation in this section is provided solely for loans and administrative expenses related to

implementation of the broadband program; and

(2) \$46,000,000 of the coronavirus capital projects account—federal appropriation in this section is provided solely for grants and administrative expenses related to implementation of the broadband program.

(3) The appropriations must be used for projects that use a technology-neutral approach in order to expand access at the lowest cost to the most unserved or underserved residents.

Appropriation:

Coronavirus Capital Projects Account—Federal	\$46,000,000
Statewide Broadband Account—State	\$14,000,000
Subtotal Appropriation	\$60,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$120,000,000
TOTAL	\$180,000,000

NEW SECTION. Sec. 1068. FOR THE DEPARTMENT OF COMMERCE

2021-23 Housing Trust Fund Investment in Affordable Housing (40000153)

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

(1) \$129,903,000 of the state taxable building construction account—state appropriation and \$20,000,000 of the state building construction account—state appropriation are provided solely for production and preservation of affordable housing projects that serve and benefit low-income and special needs populations including, but not limited to, people with chronic mental illness, people with developmental disabilities, farmworkers, people who are homeless, and people in need of permanent supportive housing. The department shall strive to allocate at least 30 percent of these funds to projects located in rural areas of the state, as defined by the department.

(a) In addition to the definition of "first-time home buyer" in RCW 43.185A.010, for the purposes of awarding homeownership projects during the 2021-2023 fiscal biennium "first-time home buyer" also includes:

(i) A single parent who has only owned a home with a former spouse while married;

(ii) An individual who is a displaced homemaker as defined in 24 C.F.R. Sec. 93.2 as it existed on the effective date of this section, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section, and who has only owned a home with a spouse;

(iii) An individual who has only owned a principal residence not permanently affixed to a permanent foundation in accordance with applicable regulations; or

(iv) An individual who has only owned a property that is discerned by a licensed building inspector as being uninhabitable.

(b) \$5,000,000 of the appropriation provided in this subsection (1) is provided solely for housing that serves people with developmental disabilities;

(c) (i) \$20,000,000 of the appropriation in this subsection (1) is provided solely for housing preservation grants or loans to be awarded competitively.

(ii) The funds may be provided for major building improvements, preservation, and system replacements, necessary for the existing housing trust fund portfolio to maintain long-term viability. The department must require a capital needs assessment be provided prior to contract execution. Funds may not be used to add or expand the capacity of the property.

(iii) To allocate preservation funds, the department must review applications and evaluate projects based on the following criteria:

(A) The age of the property, with priority given to buildings that are more than 15 years old;

(B) The population served, with priority given to projects with at least 50 percent of the housing units being occupied by families and individuals at or below 50 percent area median income;

(C) The degree to which the applicant demonstrates that the improvements will result in a reduction of operating or utilities costs, or both;

(D) The potential for additional years added to the affordability period of the property; and

(E) Other criteria that the department considers necessary to achieve the purpose of this program.

(2) \$10,000,000 of the state building construction account—state appropriation is provided solely for grant awards for the development of community housing and cottage communities to shelter individuals or households experiencing homelessness.

(a) \$8,775,000 of the state building construction account—state appropriation is provided solely for competitive grant awards. This funding must be awarded to projects that develop a minimum of four individual structures in the same location. Individual structures must contain insulation, electricity, overhead lights, and heating. Kitchens and bathrooms may be contained within the individual structures or offered as a separate facility that is shared with the community. When evaluating applications for this grant program, the department must prioritize projects that demonstrate:

(i) The availability of land to locate the community;

(ii) A strong readiness to proceed to construction;

(iii) A longer term of commitment to maintain the community;

(iv) A commitment by the applicant to provide, directly or through a formal partnership, case management and employment support services to the tenants;

(v) Access to employment centers, health care providers, and other services; and

(vi) A community engagement strategy.

(b) \$1,225,000 of the state building construction account—state appropriation is provided solely for Eagle Haven Cottage Village located in Bellingham.

(3)(a) \$11,500,000 of the state taxable building construction account—state appropriation is provided solely for the following list of projects:

Bellwether Affordable Housing
(Seattle) \$4,000,000

Didgwalic Transitional Housing
(Anacortes) \$4,500,000

Redondo Heights TOD (Federal Way)
\$3,000,000

(b) \$3,497,000 of the state building construction account—state appropriation is provided solely for the following list of projects:

Habitat for Humanity (North Bend)
\$250,000

Manette Affordable Housing Project
(Bremerton) \$515,000

OlyCAP Port Townsend Affordable
Housing and Child

(Port Townsend) \$412,000

Shelton Young Adult Transitional
Housing (Shelton) \$515,000

Willapa Center (Raymond)
\$1,805,000

(4) In evaluating projects in this section, the department must give preference for applications based on some or all of the criteria in RCW 43.185.070(5).

(5) The appropriations in this section are subject to the following reporting requirements:

(a) By June 30, 2023, the department must report on its website the following for every previous funding cycle: The number of homeownership and multifamily rental projects funded by housing trust fund moneys; the percentage of housing trust fund investments made to homeownership and multifamily rental projects; and the total number of households being served at up to 80 percent of the area median income, up to 50 percent of the area median income, and up to 30 percent of the area median income, for both homeownership and multifamily rental projects.

(b) Beginning December 1, 2021, and continuing annually, the department must provide the legislature with a report of its final cost data for each project under this section. Such cost data must, at a minimum, include total development cost per unit for each project completed within the past year, descriptive statistics such as average and median per unit costs, regional cost variation, and other costs that the department deems necessary to improve cost controls and enhance understanding of development costs. The department must coordinate

with the housing finance commission to identify relevant development costs data and ensure that the measures are consistent across relevant agencies.

(6) \$100,000 of the state building construction account—state appropriation is provided solely for the department of social and health services to complete a study of the community-based housing needs of adults with intellectual and developmental disabilities. The department of social and health services shall collaborate with appropriate stakeholders and the department in completing this study and the study shall:

(a) Estimate the number of adults with intellectual and developmental disabilities who are facing housing insecurity;

(b) Make recommendations for how to improve housing stability for adults with intellectual and developmental disabilities who are facing housing insecurity;

(c) Make recommendations for how to increase the capacity of developers to support increasing the supply of housing that meets the needs of the intellectual and developmental disabilities population; and

(d) Be submitted to the appropriate committees of the legislature no later than December 1, 2022.

(7) The legislature finds that there are insufficient data sources to identify adults with intellectual and developmental disabilities facing housing insecurity in Washington state and that the absence of reliable data limits the ability for the legislature to make informed decisions that will improve the outcomes of these individuals. The legislature further finds that reliable, current information about the unmet housing needs of this population will position Washington state to leverage community-based partnerships and funding to establish greater housing choice and increased community integration of individuals with intellectual and developmental disabilities.

Appropriation:

State Building Construction Account—
State \$33,597,000

State Taxable Building Construction
Account—

State	\$141,403,000
Subtotal Appropriation	\$175,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$620,000,000
TOTAL	\$795,000,000

NEW SECTION. Sec. 1069. FOR THE DEPARTMENT OF COMMERCE

2021-23 Behavioral Health Community Capacity Grants (40000219)

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

(1) The appropriation in this section is provided solely for the department to issue grants to community hospitals or other community providers to expand and establish new capacity for behavioral health services in communities. The department must consult an advisory group consisting of representatives from the department of social and health services, the health care authority, one representative from a managed care organization, one representative from an accountable care organization, and one representative from the association of county human services. Amounts provided in this section may be used for construction and equipment costs associated with establishment of the facilities. The department may approve funding for the acquisition of a facility if the project will result in increased behavioral health capacity. Amounts provided in this section may not be used for operating costs associated with the treatment of patients using these services.

(2) The department must establish criteria for the issuance of the grants, which must include:

(a) Evidence that the application was developed in collaboration with one or more regional behavioral health entities that administer the purchasing of services;

(b) Evidence that the applicant has assessed and would meet gaps in geographical behavioral health services needs in their region;

(c) Evidence that the applicant is able to meet applicable licensing and certification requirements in the facility that will be used to provide services;

(d) A commitment by applicants to serve persons who are publicly funded and persons detained under the involuntary treatment act under chapter 71.05 RCW;

(e) A commitment by the applicant to maintain and operate the beds or facility for a time period commensurate to the state investment, but for at least a 15-year period;

(f) The date upon which structural modifications or construction would begin and the anticipated date of completion of the project;

(g) A detailed estimate of the costs associated with opening the beds;

(h) A financial plan demonstrating the ability to maintain and operate the facility; and

(i) The applicant's commitment to work with local courts and prosecutors to ensure that prosecutors and courts in the area served by the hospital or facility will be available to conduct involuntary commitment hearings and proceedings under chapter 71.05 RCW.

(3) In awarding funding for projects in subsection (5) of this section, the department, in consultation with the advisory group established in subsection (1) of this section, must strive for geographic distribution and allocate funding based on population and service needs of an area. The department must consider current services available, anticipated services available based on projects underway, and the service delivery needs of an area.

(4) The department must prioritize projects that increase capacity in unserved and underserved areas of the state.

(5) \$71,400,000 of the appropriation in this section is provided solely for a competitive process for each category listed and is subject to the criteria in subsections (1), (2), (3), and (4) of this section:

(a) \$11,600,000 of the appropriation in this section is provided solely for at least six enhanced service facilities for long-term placement of patients discharged or diverted from the state psychiatric hospitals and that are not subject to federal funding restrictions that apply to institutions of mental diseases;

(b) \$10,000,000 of the appropriation in this section is provided solely for enhanced adult residential care facilities for long-term placements of dementia discharged or diverted from the state psychiatric hospitals and are not subject to federal funding restrictions that apply to institutions of mental diseases;

(c) \$2,000,000 of the appropriation in this section is provided solely for at least one facility with secure withdrawal management and stabilization treatment beds that are not subject to federal funding restrictions that apply to institutions of mental diseases;

(d) \$2,000,000 of the appropriation in this section is provided solely for at least one crisis triage and stabilization facility that is not subject to federal funding restrictions that apply to institutions of mental diseases;

(e) \$12,000,000 of the appropriation in this section is provided solely for two 16-bed crisis triage and stabilization facilities in the King county region, one within the city of Seattle and one in south King county, consistent with the settlement agreement in *A.B. by and through Trueblood, et al., v. DSHS, et al.*, No. 15-35462, and that are not subject to federal funding restrictions that apply to institutions of mental disease;

(f) \$2,000,000 of the appropriation in this section is provided solely for at least two mental health peer respite centers that are not subject to federal funding restrictions that apply to institutions of mental diseases. No more than one mental health peer respite center should be funded in each of the nine regions;

(g) \$18,000,000 of the appropriation in this section is provided solely for the department to provide grants to community hospitals, freestanding evaluation and treatment providers, or freestanding psychiatric hospitals to develop capacity for beds to serve individuals on 90-day or 180-day civil commitments as an alternative to treatment in the state hospitals. In awarding this funding, the department must coordinate with the department of social and health services, the health care authority, and the department of health and must only select facilities that meet the following conditions:

(i) The funding must be used to increase capacity related to serving individuals who will be transitioned from or diverted from the state hospitals;

(ii) The facility is not subject to federal funding restrictions that apply to institutions of mental diseases;

(iii) The provider has submitted a proposal for operating the facility to the health care authority;

(iv) The provider has demonstrated to the department of health and the health care authority that it is able to meet the applicable licensing and certification requirements for the facility that will be used to provide services; and

(v) The health care authority has confirmed that it intends to contract with the facility for operating costs within funds provided in the operating budget for these purposes;

(h) \$2,400,000 of the appropriation in this section is provided solely for competitive community behavioral health grants to address regional needs;

(i) \$9,400,000 of the appropriation in this section is provided solely for at least three intensive behavioral health treatment facilities for long-term placement of behavioral health patients with complex needs and that are not subject to federal funding restrictions that apply to institutions of mental diseases; and

(j) \$2,000,000 of the appropriation in this section is provided solely for grants to community providers to increase behavioral health services and capacity for children and minor youth including, but not limited to, services for substance use disorder treatment, sexual assault and traumatic stress, anxiety, or depression, and interventions for children exhibiting aggressive or depressive behaviors in facilities that are not subject to federal funding restrictions. Consideration must be given to programs that incorporate outreach and treatment for youth dealing with mental health or social isolation issues.

(6) (a) \$15,648,000 of the appropriation in this section is provided solely for the following list of projects and is subject to the criteria in subsection (1) of this section:

Astria Toppenish Hospital (Toppenish)
\$1,648,000

Compass Health Broadway (Everett)
\$14,000,000

(b) \$8,116,000 of the appropriation in this section is provided solely for the following list of projects and is subject to the criteria in subsection (1) of this section, except that the following projects are not required to establish new capacity:

Family Solutions (Vancouver)
\$2,050,000

Renovation Youth Evaluation &
Treatment Facility
(Bremerton) \$316,000

Sound Enhanced Services Facility
(Auburn) \$3,000,000

Three Rivers Behavioral Health
Recovery Center
(Kennewick) \$2,750,000

(7) The department must notify all applicants that they may be required to have a construction review performed by the department of health.

(8) To accommodate the emergent need for behavioral health services, the department and the department of health, in collaboration with the health care authority and the department of social and health services, must establish a concurrent and expedited process to assist grant applicants in meeting any applicable regulatory requirements necessary to operate inpatient psychiatric beds, freestanding evaluation and treatment facilities, enhanced services facilities, triage facilities, crisis stabilization facilities, or secure detoxification/secure withdrawal management and stabilization facilities.

(9) The department must strive to allocate all of the amounts appropriated within subsection (5) of this section in the manner prescribed. However, if upon review of applications, the department determines, in consultation with the advisory group established in subsection (1) of this section, that there are not adequate suitable projects in a category of projects under subsection (5) of this section, the department may allocate funds to other behavioral health capacity project categories within subsection (5) of this section, prioritizing projects under subsections (5) (a), (g), and (i) of

this section. Underserved areas of the state may also be considered.

(10) The department must provide a progress report by November 1, 2022. The report must include:

(a) The total number of applications and amount of funding requested;

(b) A list and description of the projects approved for funding including state funding, total project cost, services anticipated to be provided, bed capacity, and anticipated completion date; and

(c) A status report of projects that received funding in prior funding rounds, including details about the project completion and the date the facility began providing services.

Appropriation:

State Building Construction Account—
State \$95,164,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$120,000,000

TOTAL \$215,164,000

NEW SECTION. Sec. 1070. FOR THE DEPARTMENT OF COMMERCE

2019-21 Housing Trust Fund Investment from Operating (40000220)

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

(1) (a) \$37,651,000 of the appropriation in this section is provided solely for production and preservation of affordable housing.

(b) In evaluating projects in this subsection (1), the department must give preference for applications based on some or all of the criteria in RCW 43.185.070(5).

(c) The appropriations in this subsection are subject to the reporting requirements in section 1029 (3) and (4), chapter 413, Laws of 2019.

(2) (a) \$9,790,000 of the appropriation in this section is provided solely for the preservation of affordable multifamily housing at risk of losing affordability due to expiration of use restrictions that otherwise require affordability including, but not limited to, United States department of agriculture funded multifamily housing.

(b) Within the amount provided in this subsection (2), the department must implement the necessary procedures to enable rapid commitment of funds on a first-come, first-served basis to qualifying project proposals that satisfy the goal of long-term preservation of Washington's affordable multifamily housing stock, particularly in rural areas of the state.

(c) The department must adhere to the following award terms and procedures for the rapid response program created under (b) of this subsection:

(i) The funding is not subject to the 90-day application periods in RCW 43.185.070 or 43.185A.050.

(ii) Awards must be in the form of a recoverable grant with a 40-year low-income housing covenant on the land.

(iii) If a capital needs assessment is required, the department must work with the applicant to ensure that this does not create an unnecessary impediment to rapidly accessing these funds.

(iv) Awards may be used for acquisition or for acquisition and rehabilitation of properties to preserve the affordable housing units beyond existing use restrictions and keep them in Washington's housing portfolio.

(v) No single award may exceed \$2,500,000, although the department must consider waivers of this award cap if an applicant demonstrates sufficient need.

(vi) The award limit in (c) (v) of this subsection (2) may only be applied to the use of awards provided under this subsection. The amount awarded under this subsection may not be calculated in award limitations for other housing trust fund awards.

(vii) If the department receives simultaneous applications for funding under this program, proposals that provide the greatest public benefit, as defined by the department, must be prioritized. For purposes of this subsection (2) (c) (vii), "greatest public benefit" includes, but is not limited to:

(A) The number of units that will be preserved;

(B) Whether the project has federally funded rental assistance tied to it;

(C) The scarcity of the affordable housing applied for compared to the number of available affordable housing

units in the same geographic location;
and

(D) The program's established funding priorities under RCW 43.185.070(5).

(d) The appropriations in this subsection are subject to the reporting requirements in section 1029 (3)(b) and (4)(b), chapter 413, Laws of 2019.

Appropriation:

Washington Housing Trust Account—
State \$47,441,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$47,441,000

**NEW SECTION. Sec. 1071. FOR THE
DEPARTMENT OF COMMERCE**

2021-23 Rapid Capital Housing
Acquisition (40000222)

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

(1) Except as provided in subsections (7) through (9) of this section, the appropriation in this section is provided solely for the department to issue competitive financial assistance to eligible organizations under RCW 43.185A.040 to acquire or rent real property for a rapid conversion into enhanced emergency shelters, permanent supportive housing, transitional housing, permanent housing, youth housing, drop-in center, or shelter for extremely low-income people, as well as individuals, families, unaccompanied youth, and young people experiencing sheltered and unsheltered homelessness. Amounts provided in this section may be also used for renovation and building update costs associated with establishment of the acquired or rented facilities. For youth housing, drop-in centers, and shelter projects, renovation of existing properties is an allowable activity. The department may only approve funding for projects resulting in increased shelter or housing capacity. Amounts provided in this section may not be used for operating or maintenance costs associated with providing housing, supportive services, or debt service.

(2) Funds may also be used for permanent financing for real estate acquired using other short term

acquisition sources. To expand availability of permanent housing, financing of acquisition of unoccupied multifamily housing is a priority. Funds must also be provided specifically for the city of Seattle to move people experiencing unsheltered homelessness into safe spaces, including, but not limited to, tiny homes, hotels, enhanced emergency shelters, or other rapid housing alternatives.

(3) While emphasizing the rapid deployment of the amounts appropriated under this section to alleviate the immediate crisis of homelessness throughout the state, the department shall establish criteria for the issuance of the grants, which may include provisions that require that capital improvements be held by the grantee for a specified period of time appropriate to the amount of the grant, during which time the property must be used for the express purpose of the grant. If the grantee is found to be out of compliance with provisions of the contract, the grantee shall repay to the state general fund the principal amount of the grant plus interest calculated at the rate of interest on state of Washington general obligation bonds issued on the date most close in time to the date of authorization of the grant. The criteria must include:

(a) The date upon which structural modifications or construction would begin and the anticipated date of completion of the project;

(b) A detailed estimate of the costs associated with the acquisition and any updates or improvements necessary to make the property habitable for its intended use;

(c) A detailed estimate of the costs associated with opening the beds or units; and

(d) A financial plan demonstrating the ability to maintain and operate the property and support its intended tenants throughout the end of the grant contract.

(4) The department must provide a progress report on its website by December 1, 2022. The report must include:

(a) The total number of applications and amount of funding requested; and

(b) A list and description of the projects approved for funding including

state funding, total project cost, services anticipated to be provided, housing units, and anticipated completion date.

(5) The funding provided under this section is not subject to the 90-day application periods in RCW 43.185.070 or 43.185A.050. The department of commerce shall dispense funds to the city of Seattle and other qualifying applicants within 45 days of receipt of documentation from the applicant for qualifying uses and execution of any necessary contracts with the department in order to effect the purpose of rapid deployment of funds under this section.

(6) If the department receives simultaneous applications for funding under this program, proposals that reach the greatest public benefit, as defined by the department, must be prioritized. For purposes of this subsection (6), "greatest public benefit" must include, but is not limited to:

(a) The greatest number of accommodations or increased shelter capacity that will benefit extremely low-income people, as well as individuals, families, and youth experiencing homelessness.

(b) Whether the project has federally funded rental assistance tied to it;

(c) The scarcity of the affordable housing or shelter capacity applied for compared to the number of available affordable housing units or shelter capacity in the same geographic location; and

(d) The program's established funding priorities under RCW 43.185.070(5).

(7) \$900,000 of the state building construction account—state appropriation in this section is provided solely for the public building conversion pilot program. The pilot program must be implemented in Grays Harbor county in collaboration with Community House on Broadway, in partnership with CORE Health.

(a) The appropriation may be used only for costs related to rehabilitation, retrofitting, and conversion of the publicly owned building for use as housing for homeless persons.

(b) The appropriation may not be used for staffing or maintaining buildings converted to housing for homeless persons. Costs for staffing and

maintenance must be borne by the county or the contractor.

(c) In the contract for the pilot program, the department shall include provisions that require that capital improvements be held by the grantee for a specified period of time appropriate to the amount of the grant and that facilities be used for the express purpose of the grant. If the grantee is found to be out of compliance with provisions of the contract, the grantee shall repay to the state general fund the principal amount of the grant plus interest calculated at the rate of interest on state of Washington general obligation bonds issued most closely to the date of authorization of the grant.

(d) The pilot program should help inform the development of a public building conversion grant program to encourage counties to convert unused, publicly owned buildings into housing for homeless persons. The department must report to the office of financial management and fiscal committees of the legislature by November 1, 2022, regarding the establishment of the pilot program and any recommendations related to implementation of a public building conversion grant program.

(8) \$17,800,000 of the state building construction account—state appropriation is provided solely for the following list of projects:

\$5,000,000 for the Tacoma Housing Authority affordable housing acquisition;

\$4,000,000 for the Keiro nursing home acquisition in Seattle;

\$1,500,000 for the Parkland/Spanaway homeless shelter;

\$300,000 for the Concord apartments acquisition in Seattle;

\$2,000,000 for the Eastgate supportive housing in Bellevue; and

\$5,000,000 for the City of Seattle for the acquisition of the Clay Apartments in partnership with a low-income housing provider.

(9) (a) \$7,903,000 of the coronavirus capital projects account—federal appropriation is provided solely for the following list of youth housing projects identified by the office of homeless youth protection and prevention programs:

FYRE's Village: Housing Stability for Young Adults

(Omak) \$3,350,000

NWYS Young Adult Shelter Services (Bellingham) \$438,000

OlyCap Pfeiffer House (Port Townsend) \$127,000

Ryan's House for Youth Campus (Coupeville) \$1,015,000

Shelton Young Adult Transitional Housing (Shelton) \$773,000

Volunteers of America Crosswalk 2.0 (Spokane) \$2,200,000

(b) If funding provided in (a) of this subsection needs to be reallocated, the department shall consult with the office of homeless youth prevention and protection programs to identify other eligible youth housing projects.

Appropriation:

State Building Construction Account—State \$90,000,000

Coronavirus Capital Projects Account—Federal \$30,435,000

Subtotal Appropriation \$120,435,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$120,435,000

NEW SECTION. Sec. 1072. FOR THE DEPARTMENT OF COMMERCE

Continuing Affordability in Current Housing (91001659)

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

\$10,000,000 of the appropriation in this section is provided solely for the preservation of affordable multifamily housing at risk of losing affordability due to expiration of use restrictions that otherwise require affordability including, but not limited to, United States department of agriculture funded multifamily housing.

(1) Within the amount provided in this section, the department must implement necessary procedures to enable rapid commitment of funds on a first-come, first-served basis to qualifying project proposals that satisfy the goal of long-term preservation of Washington's

affordable multifamily housing stock, particularly in rural areas of the state.

(2) The department must adhere to the following award terms and procedures for the rapid response program created under this section:

(a) The funding is not subject to the 90-day application periods in RCW 43.185.070 or 43.185A.050.

(b) Awards must be in the form of a recoverable grant with a 40-year low-income housing covenant on the land.

(c) If a capital needs assessment is required, the department must work with the applicant to ensure that this does not create an unnecessary impediment to rapidly accessing these funds.

(d) Awards may be used for acquisition or for acquisition and rehabilitation of properties to preserve the affordable housing units beyond existing use restrictions and keep them in Washington's housing portfolio.

(e) No single award may exceed \$2,500,000, although the department must consider waivers of this award cap if an applicant demonstrates sufficient need.

(f) The award limit in (e) of this subsection (2) may only be applied to the use of awards provided under this section. The amount awarded under this section may not be calculated in award limitations for other housing trust fund awards.

(g) If the department receives simultaneous applications for funding under this program, proposals that reach the greatest public benefit, as defined by the department, must be prioritized.

(3) For purposes of this section, "greatest public benefit" includes, but is not limited to:

(a) The number of units that will be preserved;

(b) Whether the project has federally funded rental assistance tied to it;

(c) The scarcity of the affordable housing applied for compared to the number of available affordable housing units in the same geographic location; and

(d) The program's established funding priorities under RCW 43.185.070(5).

Appropriation:

State Building Construction Account—
State \$10,000,000

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$10,000,000

NEW SECTION. Sec. 1073. FOR THE DEPARTMENT OF COMMERCE

2021-23 Rural Rehabilitation Loan Program (40000223)

Appropriation:

State Taxable Building Construction Account—

State	\$5,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,000,000

NEW SECTION. Sec. 1074. FOR THE DEPARTMENT OF COMMERCE

Grants for Affordable Housing Development Connections (91001685)

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

(1) The appropriation in this section is provided solely for grants to local governments and public utility districts for system development charges and utility improvements for new affordable housing projects that serve and benefit low-income households. Where applicable, the extension must be consistent with the approved comprehensive plans under the growth management act and must be within the established boundaries of the urban growth area.

(2) \$7,600,000 of the state building construction account—state appropriation and \$16,300,000 of the coronavirus state fiscal recovery fund—federal appropriation in this section are provided solely for grants to local governments or public utilities located within a jurisdiction that imposed a sales and use tax under RCW 82.14.530(1)(a)(ii), 82.14.530(1)(b)(i)(B), 82.14.540, or 84.52.105.

(3) \$10,700,000 of the coronavirus state fiscal recovery fund—federal appropriation in this section is provided

solely for grants to local governments or public utilities located within:

(a) A city or county with a population of 150,000 or less; and

(b) A jurisdiction that imposed a sales and use tax under RCW 82.14.530(1)(a)(ii) or 82.14.530(1)(b)(i)(B).

(4) The department shall coordinate with the office of financial management and the governor's office to develop a process for project submittal, project selection criteria, review, and monitoring, and tracking the housing development projects that receive affordable housing development connections grants under this section. To be eligible for funding under this section, an applicant must demonstrate, at minimum:

(a) That affordable housing development will begin construction within 24 months of the grant award; and

(b) A strong probability of serving the original target group or income level for a period of at least 25 years.

(5) \$1,700,000 of the state building construction account—state appropriation in this section is provided solely for the Port Townsend Utility Connection Project.

(6) \$5,700,000 of the state building construction account—state appropriation in this section is provided solely for the Chelan municipal airport extension.

(7) To ensure compliance with conditions of the federal coronavirus state fiscal recovery fund, all expenditures from the coronavirus state fiscal recovery account—federal appropriation in this section must be incurred by December 31, 2024.

(8) For purposes of this section, the following definitions apply.

(a) "Affordable housing" and has the same meaning as in RCW 43.185A.010.

(b) "Low-income household" has the same meaning as in RCW 43.185A.010.

(c) "System development charges" means charges for new drinking water, wastewater, or stormwater connections when a local government or public utility has waived standard fees normally applied to developers for connection charges on affordable housing projects.

(d) "Utility improvements" means drinking water, wastewater, or stormwater utility improvements.

Appropriation:

Coronavirus State Fiscal Recovery Account—

Federal \$27,000,000

State Building Construction Account—
State \$15,000,000

Subtotal Appropriation \$42,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$42,000,000

NEW SECTION. Sec. 1075. FOR THE DEPARTMENT OF COMMERCE

2022 Local & Community Projects (40000230)

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

(1) The department may not expend the appropriation in this section unless and until the nonstate share of project costs have been either expended or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by the legislature. This requirement does not apply to projects where a share of the appropriation is for design costs only.

(2) Prior to receiving funds, project recipients must demonstrate that the project site is under control for a minimum of 10 years, either through ownership or a long-term lease. This requirement does not apply to appropriations for preconstruction activities or appropriations in which the sole purpose is to purchase real property that does not include a construction or renovation component.

(3) Projects funded in this section may be required to comply with Washington's high-performance building standards as required by chapter 39.35D RCW.

(4) Project funds are available on a reimbursement basis only, and may not be advanced under any circumstances.

(5) In contracts for grants authorized under this section, the department must include provisions that require that capital improvements be held by the grantee for a specified period of time appropriate to the amount of the grant and that facilities be used for the express purpose of the grant. If the grantee is found to be out of compliance with provisions of the contract, the grantee shall repay to the state general fund the principal amount of the grant plus interest calculated at the rate of interest on state of Washington general obligation bonds issued most closely to the date of authorization of the grant.

(6) Projects funded in this section, including those that are owned and operated by nonprofit organizations, are generally required to pay state prevailing wages.

(7) The department must comply with the requirements set forth in executive order 21-02 and must consult with the department of archaeology and historic preservation and affected tribes on the potential effects of these projects on cultural resources and historic properties. Consultation with the department of archaeology and historic preservation and affected tribes must be initiated before project funds are made available.

(8)(a) The appropriation is provided solely for the following list of projects:

Adams County Property/Evidence Processing Facility

(Othello) \$900,000

Amara 29 Acre Opportunity in Pierce County (Tacoma) \$246,000

American Lake Park ADA Improvement Project (Lakewood) \$258,000

American Legion Building Renovation (Goldendale) \$262,000

American Legion Veterans Housing & Resource Ctr (Raymond) \$88,000

Arlington Innovation Center (Arlington) \$372,000

Ashley House (Spokane) \$552,000

Aurora Commons Acquisition (Seattle) \$2,500,000

Ballinger Park - Hall Creek Restoration

(Mountlake Terrace) \$824,000

Battle Ground HealthCare Free Clinic
Relocation

(Battle Ground) \$1,000,000

Bellevue High School Automotive
Dynamometer Install

(Bellevue) \$277,000

Bigelow House Museum Preservation
(Olympia) \$52,000

BIPOC Artist Installation at Kraken
Training Center

(Seattle) \$155,000

Brewery Park Visitor Center (Tumwater)
\$1,200,000

Bridges To Home (Shoreline)
\$2,000,000

Camp Kilworth - YMCA Day
Camp/Environmental Educ

(Federal Way) \$1,030,000

Campus Towers Roofing Project
(Longview) \$301,000

Capitol Theatre Curtains/Soft Goods
Replacement (Yakima) \$250,000

Central Klickitat County Parks
Improvements (Goldendale) \$25,000

Chehalis Centralia Steam Locomotive
Repair/Restore

(Chehalis) \$123,000

Children's Village Neurodevelopmental
Center Expansion

(Yakima) \$750,000

City of Wenatchee Community Center
(Wenatchee) \$2,500,000

Civic Park Mika's Playground (Edmonds)
\$258,000

Clallam Joint Emergency Services (Port
Angeles) \$1,200,000

Class A Biosolids Dryer (Yelm)
\$850,000

Clemans View Park (Naches)
\$442,000

Coastal Community Action Program
Service Ctr (Aberdeen) \$500,000

Communications Tower (Ocean Shores)
\$77,000

Community Action Resource and Training
Center (Omak) \$400,000

Community Multi-Use Center (Carnation)
\$1,030,000

Cornforth Campbell Demolition &
Infrastructure

(Puyallup) \$330,000

Coulee City Medical Clinic (Coulee
City) \$846,000

Coulon North Water Walk Repair and
Enhancement

(Renton) \$1,339,000

Coupeville Boys & Girls Club
(Coupeville) \$1,030,000

Cow Skull Creek and Rushingwater Creek
Acclimation Ponds

(Orting) \$690,000

Craft Beverage Lab & Instrumentation
(Tumwater) \$773,000

Cross Park Trail and Picnic Shelter
(Tacoma) \$206,000

CSML Food Bank Facility (Moses Lake)
\$1,900,000

Cultural Anchor Village (Tukwila)
\$1,500,000

Curran House Museum (University Place)
\$85,000

Dawson Place Facilities (Everett)
\$258,000

Day/Night House Exhibit Rebuild -
Design Phase

(Seattle) \$300,000

Daybreak Star Indian Cultural Center
(Seattle) \$2,600,000

Delridge Wetland Park (Seattle)
\$244,000

Des Moines North Marina Bulkhead
Replacement Ph II

(Des Moines) \$2,000,000

Doris Morrison Learning Center
(Greenacres) \$1,030,000

Downtown Puyallup Redevelopment
Infrastructure

(Puyallup) \$257,000

Downtown Revitalization (Blaine)
\$500,000

Duffy's Pond Pathway Completion
(Kennewick) \$38,000

Early Learning Facility Project for
Licensed Childcare

(Hoquiam) \$721,000

East County Family Resource Center Renovation (Washougal) \$721,000	Green Lake Community Boathouse (Seattle) \$100,000
Edmonds Marsh Restoration (Edmonds) \$258,000	Grounds Improvement Proposal (Ritzville) \$150,000
Edmonds Waterfront Center (Edmonds) \$250,000	Health Care Kiosk Deployment (Federal Way) \$75,000
Ejido Farm Project (Everson) \$200,000	Historic Downtown Chelan Infrastructure Predesign (Chelan) \$150,000
Ellensburg Masonic Temple (Ellensburg) \$258,000	Immigrant and Refugee Community Hub (Tukwila) \$960,000
Ellensburg Rodeo Grandstands (Ellensburg) \$1,500,000	Island County Criminal Justice Renovation (Coupeville) \$600,000
Ephrata Rec Center Upgrade (Ephrata) \$621,000	IT3 Discovery Center (Ridgefield) \$1,350,000
Esther's Home (Pasco) \$1,000,000	Japanese Gulch Daylighting (Mukilteo) \$206,000
Ethiopian Community Affordable Housing (Seattle) \$3,000,000	Jim Kaemingk Sr. Trail (Lynden) \$200,000
Extruded Curb Improvements (Kirkland) \$515,000	Joya Child & Family Development Center (Spokane) \$1,200,000
Family Engagement Center (Seattle) \$1,030,000	JV Memorial Pool Roof (Oak Harbor) \$250,000
Felts Field Gateway Project (Spokane) \$400,000	Kitsap Lake Park Renovation & Accessibility (Bremerton) \$258,000
Ferry County Airport Runway Lighting System (Republic) \$450,000	Kittitas Valley Healthcare Laboratory Services Reno (Ellensburg) \$397,000
Flag Plaza Redevelopment (Kennewick) \$46,000	La Center City Hall Improvements (La Center) \$1,236,000
FOE Meeting and Dance Hall (Puyallup) \$77,000	Lake Lawrence Fire Station (Yelm) \$515,000
Fourth Plain Community Commons (Vancouver) \$1,236,000	Lake Sacajawea Renovation Project (Longview) \$900,000
Franklin Pierce Farm Agricultural Resource Center (Tacoma) \$3,900,000	Lake Stevens Civic Center Phase 3 (Lake Stevens) \$2,100,000
Frontier Park - Goat Barn Roof (Graham) \$89,000	Lakefront Property Acquisition (Lake Forest Park) \$432,000
Frontier Park-Horse Arena Cover (Graham) \$1,811,000	LASA Client Services Center (Lakewood) \$515,000
Garfield Pool Upgrade (Garfield) \$500,000	Leavenworth Ski Hill ADA Restroom (Leavenworth) \$52,000
Gas Station Park Improvements (Tacoma) \$515,000	Lewis County Public Safety Radio Infrastructure (Chehalis) \$129,000
Gold Mountain Communications Zone - Upgraded Telecomm (Bremerton) \$835,000	Lewis County Youth Services Renovation and Addition (Chehalis) \$824,000
Granger Historical Society Museum (Granger) \$300,000	

LGBTQ-Affirming Senior Center (Seattle) \$1,030,000	Next Chapter Morgan Shelter (Tacoma) \$16,000
Links to Opportunity (Tacoma) \$2,000,000	NJROTC/NNDC Program Peninsula School District (Gig Harbor) \$170,000
Little League Field Improvement (Federal Way) \$200,000	North Bend Depot Rehab (North Bend) \$151,000
Longview Hospice Care Center Renovation (Longview) \$765,000	North Clear Zone Land Acquisition (Lakewood) \$1,400,000
Lopez Island Swim Center (Lopez Island) \$245,000	North Creek Trail (Bothell) \$618,000
Lynnwood Neighborhood Center (Lynnwood) \$500,000	North Seattle Boys & Girls Club Safety Upgrades (Seattle) \$361,000
Maddie's Place (Spokane) \$644,000	Northwest Kidney Centers Clinic (Port Angeles) \$900,000
Madrona Day Treatment School (Bremerton) \$321,000	Ocean Beach Medical Group - Ilwaco Clinic (Ilwaco) \$309,000
Magnuson Park Hangar 2 (Seattle) \$1,130,000	Panther Lake Community Park (Kent) \$2,000,000
Main Street Phase 2 (Mountlake Terrace) \$1,200,000	Patterson Park Preservation & Upgrade (Republic) \$300,000
Mariner Community Campus (Everett) \$1,670,000	Pedestrian Overcrossing Replacement (Kalama) \$2,250,000
Martin Luther King Center Improvements (Pasco) \$1,000,000	Perfect Passage (Tonasket) \$1,698,000
Mary's Place Shelter Renovation (Burien) \$352,000	Perry Technical Institute Auditorium Renovation (Yakima) \$1,550,000
Marysville Trail Connector (Marysville) \$515,000	Peter Kirk Community Center Roof and Retrofitted Emerg (Kirkland) \$773,000
Mason County Veterans Memorial Hall Refurbishment (Shelton) \$62,000	Phase 1 Master Plan - COVID Mitigation (Lake Stevens) \$103,000
McKinney Center Renovations (Seattle) \$1,000,000	Phase 1 of Trails Plan Improvements (Issaquah) \$251,000
Meadowglen Community Park (Spokane) \$77,000	Planning & Upgrades Edmonds Boys & Girls Club (Edmonds) \$200,000
Medical Examiner's Facility Upgrades (Spokane) \$600,000	Point Hudson Breakwater (Port Townsend) \$1,000,000
Miller Park (Yakima) \$642,000	Police Station Renovations - City of Duvall (Duvall) \$107,000
MLK Community Center Roof Replacement (Spokane) \$1,380,000	Port of Olympia Marine Center (Olympia) \$250,000
Moses Lake Business Incubator (Moses Lake) \$1,313,000	Port of Vancouver Waterfront T1 Building Demo/Deconst (Vancouver) \$1,000,000
Mountain Rescue Center (North Bend) \$222,000	
Nelson Dam Removal Project (Naches) \$1,325,000	
New Ground Kirkland (Kirkland) \$258,000	

Port Susan Trail (Stanwood)	Seattle Kraken Multisport Courts (Seattle)
\$742,000	\$103,000
Port Townsend Affordable Housing Development	Selah-Moxee Irrigation District (Moxee)
(Port Townsend) \$1,400,000	\$300,000
Proclaim Liberty Affordable Housing (Spokane)	Seminary Hill Natural and Heritage Trail Project (Centralia)
\$2,000,000	\$52,000
Project Chairlift: Lifting Up Washington State Chair 1	Sheffield Trail (Fife) \$1,030,000
(Mead) \$750,000	Shipley Senior Center (Sequim) \$463,000
Pts of Ilwaco/Chinook Nav Infrastructure	Shoreline Parks Restrooms (Shoreline) \$412,000
(Ilwaco & Chinook) \$634,000	SIHB Thunderbird Treatment Center (Seattle) \$309,000
Public Pavilion for Shoreline Park (Shoreline) \$361,000	Silver Crest Park (Mill Creek) \$90,000
Puyallup Recreation Center (Puyallup) \$1,030,000	Skabob House Cultural Center Art Studio (Skokomish) \$500,000
Puyallup Valley Cultural Heritage Center (Puyallup) \$335,000	Skagit County Morgue (Mount Vernon) \$139,000
Rainier View Covered Court (Sumner) \$245,000	Sky Valley Teen Center (Sultan) \$773,000
Ramstead Regional Park (Everson) \$1,500,000	Snohomish County Food and Farming Center (Everett) \$2,550,000
Redmond Senior and Community Center (Redmond) \$1,250,000	Snoqualmie Valley Youth Activity Center (North Bend) \$361,000
Redondo Fishing Pier (Des Moines) \$900,000	Soap Lake City Hall Reactivation (Soap Lake) \$157,000
Replacement Hospice House (Richland) \$900,000	SoCo Park (Covington) \$1,300,000
Resource Center Planning (Pasco) \$250,000	South Bend School Multi-Use Field Upgrades (South Bend) \$361,000
Ridgefield I-5 Pedestrian Screen (Ridgefield) \$335,000	South Kitsap Community Events Center (Port Orchard) \$1,236,000
Ridgefield YMCA (Ridgefield) \$258,000	South Kitsap HS Phys Ed Support (Port Orchard) \$15,000
Ridgetop DNR Trust Land Purchase (Silverdale) \$2,050,000	Southwest Washington Grain Project (Chehalis) \$1,750,000
Ritzville Downtown Improvements (Ritzville) \$105,000	Spokane Public Radio (Spokane) \$1,000,000
Sargent Oyster House Restoration (Allyn) \$344,000	Spokane Valley Boys & Girls Club (Spokane Valley) \$1,030,000
School Based Health Care Clinic (Tacoma) \$750,000	Spokane Valley Fairgrounds Exhibition Center (Spokane Valley) \$750,000
SE 168th St. Bike Lanes/Safe Crossings (Renton) \$500,000	Sprinker Recreation Center Outdoor Improvements (Tacoma) \$400,000
Seattle Aquarium Expansion (Seattle) \$2,000,000	

Squire's Landing Park Waterfront & Open Space Access Pr
(Kenmore) \$927,000

Steilacoom Tribal Cultural Center (Steilacoom) \$814,000

Stonehenge Memorial Public Restroom Project (Maryhill) \$129,000

Sultan Basin Park Design (Sultan) \$26,000

Sumas Sidewalks and Trails (Sumas) \$75,000

Teaching & Commercial Kitchen (Kent) \$515,000

The Campaign for Wesley Des Moines (Des Moines) \$500,000

The Eli's Park Project (Seattle) \$900,000

The Ethiopian Village (Seattle) \$515,000

The Hilltop (Tacoma) \$1,545,000

The Landing (Redmond) \$258,000

The Millworks (Bellingham) \$1,000,000

The Podium (Spokane) \$774,000

The Way Station (Bellingham) \$4,050,000

Therapeutic Play Spaces (Spokane) \$108,000

Tiny Homes (Seattle) \$2,000,000

Together Center (Redmond) \$1,030,000

Toppenish Junior Livestock Facility Planning (Toppenish) \$21,000

Trails End Community Meeting Space (Tumwater) \$155,000

Treatment Plant Remodel (Duvall) \$742,000

Turf Field Lighting (Yakima) \$500,000

Turning Pointe Youth Advocacy Addition (Shelton) \$82,000

Twisp Civic Center (Twisp) \$1,500,000

United Way of King County Building Restoration
(Seattle) \$566,000

University Heights Center Renovation (Seattle) \$595,000

Upper Kittitas County Medic One - Station 99 (Cle Elum) \$784,000

Vaughn Library Hall Restoration (Vaughn) \$103,000

Wards Lake Park Improvement Project (Lakewood) \$258,000

Water Efficiency Improvements (Royal City) \$193,000

Wenas Creek Screening, Passage Engineering Design
(Selah) \$150,000

West Biddle Lake Dam Restoration (Vancouver) \$1,881,000

Whatcom County Integrated Public Safety Radio System
(Bellingham) \$400,000

Woodland Scott Hill Park & Sports Complex (Woodland) \$600,000

Yakima County Fire Communications Radio Repeaters
(Yakima) \$103,000

Yakima Valley Fair (Grandview) \$235,000

Yelm Senior Center Repairs (Yelm) \$36,000

Youth Resource Center (Federal Way) \$82,000

(b) The funding for the Magnuson Park Historic Hanger 2 (Seattle) project is contingent on the contribution of at least \$6,000,000 for the Magnuson Park Center For Excellence. If the Magnuson Park Center For Excellence has not certified to the department of commerce that the project has secured at least \$6,000,000 in total funding for the capital phase of the project by July 31, 2022, the funds in this subsection (8) (b) shall lapse. The lapse date of July 31, 2022, must be extended to the same extent that the city of Seattle grants an extension, if any, beyond that date for the same project, provided that no further extension may be granted past July 31, 2023. The Magnuson Park Center For Excellence must ensure that the long-term lease with Seattle Parks and Recreation stipulates meaningful public benefits that prioritize low-income, black, indigenous, and people of color youth and families of the Magnuson park and neighborhood and Northeast Seattle. The lease must include provisions to proactively recruit and provide no-cost

access to the residents as well as the creation of a scholarship fund dedicated to the residents for the center's events and programming. Additional public benefits to improve accessibility for Magnuson Park residents must be considered in the lease negotiations.

Appropriation:

State Building Construction Account—
State \$160,910,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$160,910,000

NEW SECTION. Sec. 1076. FOR THE DEPARTMENT OF COMMERCE

2021 Local and Community Projects
(40000130)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1013, chapter 356, Laws of 2020.

Reappropriation:

State Building Construction Account—
State \$23,419,000

Prior Biennia (Expenditures)
\$9,253,000

Future Biennia (Projected Costs)
\$0

TOTAL \$32,672,000

NEW SECTION. Sec. 1077. FOR THE DEPARTMENT OF COMMERCE

2021-23 Landlord Mitigation Account
(40000224)

The appropriation in this section is subject to the following conditions and limitations: \$5,000,000 of the appropriation in this section must be deposited in the landlord mitigation program account.

Appropriation:

State Taxable Building Construction
Account—

State \$5,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$5,000,000

NEW SECTION. Sec. 1078. FOR THE DEPARTMENT OF COMMERCE

Rapid Response Community Preservation
Pilot Program (91001278)

Reappropriation:

State Building Construction Account—
State \$1,518,000

Prior Biennia (Expenditures)
\$482,000

Future Biennia (Projected Costs)
\$0

TOTAL \$2,000,000

NEW SECTION. Sec. 1079. FOR THE DEPARTMENT OF COMMERCE

Port Hadlock Wastewater Facility
Project (91001545)

Reappropriation:

Public Works Assistance Account—State
\$900,000

Prior Biennia (Expenditures)
\$522,000

Future Biennia (Projected Costs)
\$0

TOTAL \$1,422,000

NEW SECTION. Sec. 1080. FOR THE DEPARTMENT OF COMMERCE

Pacific Hospital Preservation and
Development Plan (91001544)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1021, chapter 356, Laws of 2020.

Reappropriation:

State Building Construction Account—
State \$48,000

Prior Biennia (Expenditures) \$2,000

Future Biennia (Projected Costs)
\$0

TOTAL \$50,000

NEW SECTION. Sec. 1081. FOR THE DEPARTMENT OF COMMERCE

2021-23 Dental Capacity Grants
(91001660)

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

(1) Funding provided in this section must be used for the construction and equipment directly associated with dental facilities. The funding provided in this section is for projects that are maintained for at least a 10-year period and provide capacity to address unmet patient need and increase efficiency in dental access.

(2) \$5,355,000 of the amount provided in this section is provided solely for the following list of projects:

Dental Expansion for Maple Street Clinic (Spokane)	\$309,000
HealthPoint (Auburn)	\$721,000
HealthPoint (Renton)	\$309,000
ICHS Holly Park (Seattle)	\$106,000
ICHS International District (Seattle)	\$106,000
International Community Health Services (Bellevue)	\$106,000
International Community Health Services (Shoreline)	\$106,000
NEW Health CHC Dental Expansion (Newport)	\$1,900,000
Peninsula Community Health Services (Gig Harbor)	\$490,000
Sea Mar Community Health Center (Kent)	\$1,042,000
Yakima Valley Farm Workers Clinic (Kennewick)	\$1,030,000

Appropriation:

State Building Construction Account—State	\$6,225,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$6,225,000

NEW SECTION. Sec. 1082. FOR THE DEPARTMENT OF COMMERCE

Substance Use Disorder Recovery Housing (91001675)

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

(1) The appropriation in this section is provided solely for an agreement with Catholic Community Services/Catholic Housing Services to fund a master planning process for the development of

a family-centered drug treatment and housing program in western Washington that supports families staying together while they recover from addiction and rebuild their lives. Housing developers, service providers, and other stakeholders must be included in this master planning process.

(2) The master planning process under this section must model the project to be developed after Rising Strong in Spokane and must include units for families that are experiencing substance use disorder and that are involved in the child welfare system. The site must include living quarters for families, space for services, play areas for children, and space for child care. The program services located at the site must include, but are not limited to, case management, counseling, substance use disorder treatment, and parenting skills classes. The site must be located in King County, or located near King county, to provide services to families in the western area of the state.

(3) The master plan developed under this section must be submitted to the appropriate committees of the legislature by December 31, 2021.

Appropriation:

State Building Construction Account—State	\$150,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$150,000

NEW SECTION. Sec. 1083. FOR THE DEPARTMENT OF COMMERCE

2021-23 Early Learning Facilities (91001677)

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

(1) \$1,089,000 of the state building construction account—state appropriation in this section is provided solely for the following list of early learning facility projects in the following amounts:

Monroe ECEAP Facility (Monroe)	\$361,000
Petah Villages Outdoor Preschool (Renton)	\$370,000

Site Study and Predesign for Two ECEAP Classrooms

(Spokane) \$40,000

Willapa Center (Raymond)
\$318,000

(2) \$23,911,000 of the Ruth Lecocq Kagi early learning facilities development account—state appropriation in this section is provided solely for the early learning facility grant and loan program, subject to the provisions of RCW 43.31.573 through 43.31.583 and 43.84.092, to provide state assistance for designing, constructing, purchasing, expanding, or modernizing public or private early learning education facilities for eligible organizations. Up to four percent of the funding in this subsection may be used by the department of children, youth, and families to provide technical assistance to early learning providers interested in applying for the early learning facility grant or loan program.

(3)(a) \$7,500,000 of the Ruth Lecocq Kagi early learning facilities revolving account—state appropriation in this section is provided solely for the Washington early learning loan fund. Up to four percent of the funding in this appropriation may be used by the contractor to provide technical assistance to early learning providers interested in applying for the early learning facility grant or loan program.

(b) In addition to the reporting requirements in RCW 43.31.573(5), the department must require the contractor to include the following information in the annual reports due to the department:

(i) Audited financial statements or reports independently verified by an accountant showing operating costs, including a clear delineation of the operating costs incurred due to administering grants and loans under this subsection (3);

(ii) Independently verified information regarding the interest rates and terms of all loans provided to early learning facilities under this subsection (3);

(iii) Independently verified or audited information showing all private matching dollars, public matching dollars, and revenues received by the contractor from the repayment of loans, clearly delineating revenues received

from the repayment of loans provided under this subsection (3); and

(iv) A forward-looking financial plan that projects the timing and public funding level at which the Washington early learning loan fund will become self-sustaining and will no longer need state matching dollars to provide loans to early learning facilities. The plan must include scenarios based upon a range of state investment in the fund.

(4) The department of children, youth, and families must develop methodology to identify, at the school district boundary level, the geographic locations of where early childhood education and assistance program slots are needed to meet the entitlement specified in RCW 43.216.556. This methodology must be linked to the caseload forecast produced by the caseload forecast council and must include estimates of the number of slots needed at each school district. This methodology must inform any early learning facilities needs assessment conducted by the department and the department of children, youth, and families. This methodology must be included as part of the budget submittal documentation required by RCW 43.88.030.

(5) When prioritizing areas with the highest unmet need for early childhood education and assistance program slots, the committee of early learning experts convened by the department pursuant to RCW 43.31.581 must first consider those areas at risk of not meeting the entitlement specified in RCW 43.216.556.

(6) The department must track the number of slots being renovated separately from the number of slots being constructed and, within these categories, must track the number of slots separately by program for the working connections child care program and the early childhood education and assistance program.

(7) When prioritizing applications for projects pursuant to RCW 43.31.581, the department must award priority points to applications from a rural county or from extreme child care deserts as defined by the department of children, youth, and families.

(8) The department shall, in consultation with the department of children, youth, and families, prepare a report to the office of financial management and the fiscal committees of the legislature regarding the

geographical diversity of early learning facilities grants. The report must be submitted by December 1, 2022, and must provide the following information:

(a) Geographical disbursement of school district early learning grants, early learning facilities grants to eligible organizations, and early learning loans or grants provided by a nongovernmental private-public partnership contracted by the department, including type of grant, size of award, number of early childhood education and assistance program or working connections child care program slots added, and any other information that the department deems relevant;

(b) Disbursement of early learning grants or loans to providers in rural and nonrural counties, including type of grant, size of award, number of early childhood education and assistance program or working connections child care program slots added, and any other information that the department deems relevant; and

(c) Disbursement of early learning grants or loans to providers by type of provider, including school district, child care center, licensed family home, or other, including type of grant, size of award, number of early childhood education and assistance program or working connections child care program slots added, and any other information that the department deems relevant.

Appropriation:

State Building Construction Account—
State \$1,089,000

Early Learning Facilities Revolving
Account—

State \$7,500,000

Early Learning Facilities Development
Account—

State \$23,911,000

Subtotal Appropriation \$32,500,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$32,500,000

**NEW SECTION. Sec. 1084. FOR THE
DEPARTMENT OF COMMERCE**

Food Banks (91001690)

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

(1) The department may not expend the appropriation in this section unless and until the nonstate share of project costs have been either expended or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by the legislature. This requirement does not apply to projects where a share of the appropriation is for design costs only.

(2) Prior to receiving funds, project recipients must demonstrate that the project site is under control for a minimum of 10 years, either through ownership or a long-term lease. This requirement does not apply to appropriations for preconstruction activities or appropriations in which the sole purpose is to purchase real property that does not include a construction or renovation component.

(3) Projects funded in this section may be required to comply with Washington's high-performance building standards as required by chapter 39.35D RCW.

(4) Project funds are available on a reimbursement basis only, and may not be advanced under any circumstances.

(5) In contracts for grants authorized under this section, the department must include provisions that require that capital improvements be held by the grantee for a specified period of time appropriate to the amount of the grant and that facilities be used for the express purpose of the grant. If the grantee is found to be out of compliance with provisions of the contract, the grantee shall repay to the state general fund the principal amount of the grant plus interest calculated at the rate of interest on state of Washington general obligation bonds issued most closely to the date of authorization of the grant.

(6) Projects funded in this section, including those that are owned and operated by nonprofit organizations, are generally required to pay state prevailing wages.

(7) The department must comply with the requirements set forth in executive order 21-02 and must consult with the department of archaeology and historic

preservation and affected tribes on the potential effects of these projects on cultural resources and historic properties. Consultation with the department of archaeology and historic preservation and affected tribes must be initiated before project funds are made available.

(8) The appropriation in this section is provided solely for the following list of projects:

FISH Community Food Bank and Food Pantry

(Ellensburg) \$1,545,000

Gig Harbor Peninsula FISH New Facility

Construction (Gig Harbor)
\$2,050,000

Hunger Solution Center Cold Storage Expansion

(Seattle) \$827,000

Issaquah Food Bank Expansion
(Issaquah) \$1,030,000

La Center Community Center Repairs and Improvements (La Center)
\$515,000

Port Angeles Food Bank (Port Angeles)
\$1,050,000

Puyallup Food Bank Capital Campaign
(Puyallup) \$257,000

White Center Food Bank Relocation
(Seattle) \$1,030,000

Appropriation:

State Building Construction Account—
State \$8,304,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$8,304,000

NEW SECTION. Sec. 1085. FOR THE DEPARTMENT OF COMMERCE

Infrastructure Projects (91001687)

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

(1) The department may not expend the appropriation in this section unless and until the nonstate share of project costs have been either expended or firmly committed, or both, in an amount sufficient to complete the project or a

distinct phase of the project that is useable to the public for the purpose intended by the legislature. This requirement does not apply to projects where a share of the appropriation is for design costs only.

(2) Prior to receiving funds, project recipients must demonstrate that the project site is under control for a minimum of 10 years, either through ownership or a long-term lease. This requirement does not apply to appropriations for preconstruction activities or appropriations in which the sole purpose is to purchase real property that does not include a construction or renovation component.

(3) Projects funded in this section may be required to comply with Washington's high-performance building standards as required by chapter 39.35D RCW.

(4) Project funds are available on a reimbursement basis only, and may not be advanced under any circumstances.

(5) In contracts for grants authorized under this section, the department must include provisions that require that capital improvements be held by the grantee for a specified period of time appropriate to the amount of the grant and that facilities be used for the express purpose of the grant. If the grantee is found to be out of compliance with provisions of the contract, the grantee shall repay to the state general fund the principal amount of the grant plus interest calculated at the rate of interest on state of Washington general obligation bonds issued most closely to the date of authorization of the grant.

(6) Projects funded in this section, including those that are owned and operated by nonprofit organizations, are generally required to pay state prevailing wages.

(7) The department must comply with the requirements set forth in executive order 21-02 and must consult with the department of archaeology and historic preservation and affected tribes on the potential effects of these projects on cultural resources and historic properties. Consultation with the department of archaeology and historic preservation and affected tribes must be initiated before project funds are made available.

(8) To ensure compliance with conditions of the federal coronavirus state fiscal recovery fund, all expenditures of amounts appropriated in this section must be incurred by December 31, 2024.

(9) The appropriation in this section is provided solely for the following list of projects:

Airway Heights Water Resources Replacement (Airway Heights) \$14,950,000

Anderson Road Project Design (Chelan) \$258,000

Belfair Water Reclamation Facility (Belfair) \$500,000

Boat Haven Stormwater Improvement (Port Townsend) \$2,050,000

Centralia School District - Gemini & LTE (Centralia) \$1,529,000

Cheney Purple Pipe Project (Cheney) \$11,050,000

City of Fircrest Water Meter Replacement (Fircrest) \$171,000

City of Ilwaco - Drinking Water Source Protection (Ilwaco) \$721,000

Crusher Canyon Sewer Line (Selah) \$1,000,000

Dryden Wastewater Improvement Project (Dryden) \$1,030,000

Fall City Waste Management System (Fall City) \$6,500,000

Fry Creek Pump Station (Aberdeen) \$8,975,000

Index Phased Water Line Replacement (Index) \$1,351,000

Lacamas Lake Management Plan (Camas) \$155,000

Leach Creek Interceptor Extension (University Place) \$2,100,000

Louis Thompson Road Tightline (Sammamish) \$3,000,000

Malaga Industrial Park Waterline Extension (Malaga) \$1,545,000

Malden USDA Water (Malden) \$247,000

Mill Creek Flood Control Channel (Walla Walla) \$1,545,000

NE 92nd Avenue Pump Station & Force Main (Battle Ground) \$2,050,000

New Well for the Community of Peshastin (Peshastin) \$1,100,000

Omak Water Reservoir (Omak) \$4,300,000

Othello Water Conservation System (Othello) \$515,000

Packwood Sewer System (Packwood) \$8,050,000

PFAS Treatment at City of DuPont Water Wells (DuPont) \$5,950,000

Port Hadlock Wastewater Facility (Port Hadlock) \$20,175,000

Port of Mattawa Wastewater Infrastructure (Mattawa) \$618,000

Reservoir No. 2, Water Supply & Distribution (Bridgeport) \$3,200,000

Shelton: Well 1 Water Main (Shelton) \$2,050,000

Skamania County Well Installation (Stevenson) \$52,000

Vader Wastewater Treatment Plant Improvements (Vader) \$1,850,000

Wallula Dodd Water System Ph2 (Wallula) \$2,050,000

Wanapum Indian Village Fiber infrastructure Project (Mattawa) \$155,000

Water Main Infrastructure Extension Project (George) \$155,000

WWTP Reclaimed Water (Shelton) \$2,050,000

Appropriation:

Coronavirus State Fiscal Recovery Account—

Federal \$112,997,000

Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs)
 \$0
 TOTAL \$112,997,000

**NEW SECTION. Sec. 1086. FOR THE
 DEPARTMENT OF COMMERCE**

2021-23 Broadband Office (92000953)

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

(1)(a) The appropriations in this section are provided solely to the statewide broadband office for qualifying broadband infrastructure projects.

(b) Unless otherwise stated, eligible applicants for grants awarded under subsections (2) and (3) of this section are:

(i) Local governments, including ports and public utility districts;

(ii) Federally recognized tribes;

(iii) Nonprofit organizations;

(iv) Nonprofit cooperative organizations; and

(v) Multiparty entities comprised of a combination of public entity members or private entity members. A multiparty entity cannot be solely comprised of private entities.

(c) Projects receiving grants under this section must:

(i) Demonstrate that the project site is under the applicant's control for a minimum of 25 years, either through ownership or a long-term lease; and

(ii) Commit to using the infrastructure funded by the grant for the purposes of providing broadband connectivity for a minimum of 25 years.

(d) Unless otherwise stated, priority must be given to projects:

(i) Located in unserved areas of the state, which for the purposes of this section means areas of Washington in which households and businesses lack access to broadband service of speeds at a minimum of 100 megabits per second download and at a minimum 20 megabits per second upload;

(ii) Located in geographic areas of greatest priority for the deployment of

broadband infrastructure to achieve the state's broadband goals, as provided in RCW 43.330.536, identified with department and board mapping tools; or

(iii) That construct last mile infrastructure, as defined in RCW 43.330.530.

(e) Unless otherwise stated, appropriations may not be used for projects where a broadband provider currently provides, or has begun construction to provide, broadband service to end users in the proposed project area at speeds equal to or greater than the state speed goals provided in RCW 43.330.536.

(f) The appropriations must be used for projects that use a technology-neutral approach in order to expand access at the lowest cost to the most unserved or underserved residents.

(g)(i) The statewide broadband office must act as fiscal agent for the grants authorized in subsections (2) and (3) of this section.

(ii) No more than 1.5 percent of the funds appropriated for the program may be expended by the statewide broadband office for administration purposes.

(2)(a) \$50,000,000 of the state building construction account—state appropriation is provided solely to the statewide broadband office to award as grants to eligible applicants as match funds to leverage federal broadband infrastructure program funding.

(b)(i) For the purposes of this subsection (2), "state broadband infrastructure funders" are the state broadband office, the public works board, and the community economic revitalization board.

(ii) The statewide broadband office must develop a project evaluation process to assist in coordination among state broadband infrastructure funders to maximize opportunities to leverage federal funding and ensure efficient state investment. The project evaluation process must help determine whether a project is a strong candidate for a known federal funding opportunity and if a project can be packaged as part of a regional or other coordinated federal grant proposal. The state broadband infrastructure funders are encouraged to enter into a memorandum of understanding outlining how coordination will take

place so that the process can help with a coordinated funding strategy across these entities.

(3) (a) \$260,003,000 of the coronavirus state fiscal recovery fund—federal appropriation and \$16,000,000 of the coronavirus capital projects account—federal appropriation are provided solely for grants to eligible applicants for qualifying broadband infrastructure projects.

(b) (i) Projects that receive grant funding under this subsection (3) must be eligible for funds under section 9901 of the American rescue plan act.

(ii) To ensure compliance with conditions of the federal coronavirus state fiscal recovery fund, all expenditures of amounts appropriated in this subsection (3) must be incurred by December 31, 2024.

(c) (i) \$5,000,000 of the appropriation in this subsection is provided for broadband equity and affordability grants.

(ii) Grants must be provided to eligible applicants located in areas:

(A) With existing broadband service with speeds at a minimum of 100 megabits per second download and at a minimum 20 megabits per second upload; and

(B) Where the state broadband office, in consultation with the department of equity, determine that access to existing broadband service is not affordable or equitable.

(iii) Eligible applicants for grants awarded under this subsection (3) (c) are:

(A) Local governments, including ports and public utility districts;

(B) Federally recognized tribes;

(C) Public school districts;

(D) Nonprofit organizations; and

(E) Multiparty entities comprised of public entity members to fund broadband deployment.

(d) \$258,000 of the coronavirus capital projects account—federal appropriation in this subsection is provided solely for the Precision Agriculture and Broadband pilot project.

(4) By January 30, 2022, and January 30, 2023, the statewide broadband office must develop and submit a report

regarding the grants established in subsections (2) and (3) of this section to the office of financial management and appropriate fiscal committees of the legislature. The report must include:

(a) The total number of applications and amount of funding requested;

(b) A list and description of projects approved for grant funding in the preceding fiscal year;

(c) The total amount of grant funding that was disbursed during the preceding fiscal year;

(d) The total amount of funds obligated and timing of when the funds were obligated in the preceding fiscal year; and

(e) For projects funded in the prior biennium, the outcomes achieved by the approved projects.

(5) For eligible applicants providing service outside of their jurisdictional boundary, no more than three percent of the award amount may be expended for administration purposes.

Appropriation:

State Building Construction Account—
State \$50,000,000

Coronavirus State Fiscal Recovery
Account—

Federal \$260,003,000

Coronavirus Capital Projects Account—
Federal \$16,000,000

Subtotal Appropriation \$326,003,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$326,003,000

**NEW SECTION. Sec. 1087. FOR THE
DEPARTMENT OF COMMERCE**

2021-23 Community Relief (92000957)

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

(1) \$500,000 of the state taxable building construction account—state appropriation is provided solely for the department to contract with the Communities of Concern Commission for development of a list of community-led capital projects that serve underserved communities. Eligible expenses include

costs incurred by the Communities of Concern Commission in conducting outreach, developing an application process, providing technical assistance, assisting project proponents with project readiness, and assisting the department with identifying barriers faced in accessing capital grant programs. The department must present the list prepared by the Communities of Concern Commission to the fiscal committees of the legislature for consideration for funding in the 2022 supplemental capital budget with the list of identified projects. \$2,500,000 of the appropriation in this subsection (1) shall remain in unallotted status for purposes of legislative review of the joint list prepared by the Communities of Concern Commission and the department until the legislature appropriates funds for these projects in the budget process. The legislature retains the right to review and consider all such funding as it does with other requests for project funding. The intent of the legislature is to only provide funding in the 2021-2023 fiscal biennium in order to inform the department's comprehensive equity review required in the operating budget and allow the opportunity for the department to implement the steps necessary to improve equitable delivery of all of their capital grant programs. The department must submit an interim report to the legislature by December 31, 2021, on the barriers identified and lessons learned through projects identified through this section and in section 1093 of this act and the connection to the equity review required in the operating budget.

(2)(a) The appropriation is provided solely for the following list of projects:

?al?al (means "Home" in Lushootseed)
(Seattle) \$900,000

Asberry Historic Home Site Acquisition
(Tacoma) \$919,000

Be'er Sheva Park Improvements and
Shoreline Restoration
(Seattle) \$500,000

Cham Community Center (CCC) (Seattle)
\$515,000

Communities of Concern Commission
(Seattle) \$3,000,000

Elevate Youngstown Capital Project
(Seattle) \$515,000

Feast Collective Capital Request
(Spokane) \$103,000

Feeding Change Campaign (Seattle)
\$1,000,000

Khmer Community Center & Cultural Hub
(Seattle) \$309,000

Neighborhood House Early Learning
Facilities (Seattle) \$2,050,000

Shiloh Baptist Housing Development
Project (Tacoma) \$2,100,000

Skyway Resource Center Renovation
Project (Seattle) \$400,000

Wadajir Residences & Souq (Tukwila)
\$1,339,000

(b) For the Asberry Historic Home Site Acquisition, the department must work with the department of archaeology and historic preservation and the grantee to develop a historic preservation easement. The easement must be held through the department of archaeology and historic preservation and must be placed on the title in perpetuity.

Appropriation:

State Building Construction Account—
State \$13,150,000

State Taxable Building Construction
Account—

State \$500,000

Subtotal Appropriation \$13,650,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$13,650,000

**NEW SECTION. Sec. 1088. FOR THE
DEPARTMENT OF COMMERCE**

Reimann Roads, Telecomm and Utility
Relocation (Pasco) (92001004)

The appropriation in this section is subject to the following conditions and limitations: The department shall not release funds to reimburse the port of Pasco for infrastructure development at the Reimann industrial park unless the port has signed an agreement with a large-scale food processor. If the port has not signed an agreement for use of the Reimann industrial park by December 31, 2022, the amount provided in this section shall lapse.

Appropriation:

State Building Construction Account—
State \$7,500,000

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$7,500,000

NEW SECTION. Sec. 1089. FOR THE DEPARTMENT OF COMMERCE

Child Care Minor Renovation Grants
(92001109)

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

\$10,000,000 of the appropriation is provided solely for the department to provide grants to child care providers for minor renovations and small capital purchases and projects. The grants are intended to support child care providers so that they may maintain operations or expand operations during and after the COVID-19 public health emergency.

(1) The department shall collaborate with the department of children, youth, and families to conduct outreach to licensed family homes to ensure they are made aware of the grant opportunity.

(2) The department shall give priority to projects that make minor renovations without adding capacity and are therefore ineligible for the early learning facilities program.

(3) All grants provided in this section must be awarded by September 30, 2022.

(4) Of the amounts provided in this section, no more than four percent may be retained by the department for administrative purposes.

Appropriation:

General Fund—Federal	\$10,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$10,000,000

NEW SECTION. Sec. 1090. FOR THE DEPARTMENT OF COMMERCE

Increasing Housing Inventory
(92001122)

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

(1) (a) The appropriation in this section is provided solely for grants to cities to facilitate transit-oriented development and may be used to pay for the costs associated with the preparation of state environmental policy act environmental impact statements, planned action ordinances, subarea plans, costs associated with the use of other tools under the state environmental policy act, and the costs of local code adoption and implementation of such efforts.

(b) Grant awards may only fund efforts that address environmental impacts and consequences, alternatives, and mitigation measures in sufficient detail to allow the analysis to be adopted in whole or in part by applicants for development permits within the geographic area analyzed in the plan.

(2) The department shall prioritize applications for grants to facilitate transit-oriented development that maximize the following policy objectives in the area covered by a proposal:

(a) The total number of housing units authorized for new development;

(b) The proximity and quality of transit access in the area;

(c) Plans that authorize up to six stories of building height;

(d) Plans that authorize ground floor retail with housing above;

(e) Plans in areas that minimize or eliminate on-site parking requirements;

(f) Existence or establishment of incentive zoning, mandatory affordability, or other tools to promote low-income housing in the area;

(g) Plans that include dedicated policies to support public or nonprofit funded low-income or workforce housing; and

(h) Plans designed to maximize and increase the variety of allowable housing types and expected sale or rental rates.

(3) For purposes of this section, "transit access" includes walkable access to:

(a) Light rail and other fixed guideway rail systems;

(b) Bus rapid transit;

(c) High frequency bus service; or

(d) Park and ride lots.

Appropriation:

State Building Construction Account—
State \$2,500,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$2,500,000

**NEW SECTION. Sec. 1091. FOR THE
DEPARTMENT OF COMMERCE**

Enhanced Shelter Capacity Grants
(92000939)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1022, chapter 356, Laws of 2020.

Reappropriation:

State Building Construction Account—
State \$6,318,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$6,318,000

**NEW SECTION. Sec. 1092. FOR THE
DEPARTMENT OF COMMERCE**

Work, Education, Health Monitoring
Projects (91001686)

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

(1) The department may not expend the appropriation in this section unless and until the nonstate share of project costs have been either expended or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by the legislature. This requirement does not apply to projects where a share of the appropriation is for design costs only.

(2) Prior to receiving funds, project recipients must demonstrate that the project site is under control for a minimum of 10 years, either through ownership or a long-term lease. This requirement does not apply to appropriations for preconstruction activities or appropriations in which the sole purpose is to purchase real property that does not include a construction or renovation component.

(3) Projects funded in this section may be required to comply with Washington's high-performance building standards as required by chapter 39.35D RCW.

(4) Project funds are available on a reimbursement basis only, and may not be advanced under any circumstances.

(5) In contracts for grants authorized under this section, the department must include provisions that require that capital improvements be held by the grantee for a specified period of time appropriate to the amount of the grant and that facilities be used for the express purpose of the grant. If the grantee is found to be out of compliance with provisions of the contract, the grantee shall repay to the state general fund the principal amount of the grant plus interest calculated at the rate of interest on state of Washington general obligation bonds issued most closely to the date of authorization of the grant.

(6) Projects funded in this section, including those that are owned and operated by nonprofit organizations, are generally required to pay state prevailing wages.

(7) The department must comply with the requirements set forth in executive order 21-02 and must consult with the department of archaeology and historic preservation and affected tribes on the potential effects of these projects on cultural resources and historic properties. Consultation with the department of archaeology and historic preservation and affected tribes must be initiated before project funds are made available.

(8) \$926,000 of the coronavirus capital projects account—federal appropriation is provided solely for the following list of projects:

Camp Waskowitz Restrooms (North Bend)
\$250,000

Mary's Place Burien Shelter COVID
Updates

(Seattle) \$550,000

Nordic Heritage Museum HVAC Renovation
(Seattle) \$26,000

Sherwood COVID Mitigation (Lake
Stevens) \$100,000

Appropriation:

Coronavirus Capital Projects Account—
Federal \$926,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$926,000

NEW SECTION. Sec. 1093. FOR THE DEPARTMENT OF COMMERCE

Capital Grant Program Equity
(91001688)

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

The appropriation in this section is provided solely for the department to provide planning, technical assistance, and predesign grants for projects that would directly benefit populations and communities that have been historically underserved by capital grant policies and programs. It is the intent of the legislature that these grants be available for: (1) Early action on, and in response to, the comprehensive equity review required of the department during the 2021-2023 fiscal biennium; and (2) for reduction of barriers to participation in capital grant programs administered by the department due to race, ethnicity, religion, income, geography, disability, or educational attainment. In awarding grants under this section, the department shall prioritize applications that would directly benefit racially diverse neighborhoods within dense urban areas and small, rural communities where these grants would redress historic and systemic barriers to these communities' participation in capital grant programs. In ranking and sizing grants directly benefiting these groups, the department shall also consider the financial capacity of the applicant and of the community that the grant would benefit. The intent of the legislature is to only provide funding in the 2021-2023 fiscal biennium in order to inform the department's comprehensive equity review required in the operating budget and allow the opportunity for the department to implement the steps necessary to improve equitable delivery of all of their capital grant programs.

Appropriation:

State Building Construction Account—
State \$5,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$5,000,000

NEW SECTION. Sec. 1094. FOR THE DEPARTMENT OF COMMERCE

Early Learning COVID-19 Renovation Grants (91001681)

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

(1) \$8,500,000 of the coronavirus capital projects account—federal appropriation is provided solely for the Washington early learning loan fund to provide grants to early learning facilities for emergency renovation and remodeling changes in response to the public health emergency with respect to the coronavirus disease.

(2) The grants may not be used for operating expenditures, but must be used for capital needs to:

(a) Support increased social distancing requirements;

(b) Support increased health and safety measures;

(c) Provide increased outdoor space; or

(d) Increase or preserve early learning slots within a facility or community.

(3) Grant recipients must meet the requirements in RCW 43.31.575.

(4) Up to four percent of the funding in this appropriation may be used by the contractor to provide technical assistance to early learning providers interested in applying for the early learning facility grant or loan program.

Appropriation:

Coronavirus Capital Projects Account—
Federal \$8,500,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$8,500,000

NEW SECTION. Sec. 1095. FOR THE OFFICE OF FINANCIAL MANAGEMENT

Cowlitz River Dredging (20082856)

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

limitations: The appropriation in this section is provided solely for the office of financial management to acquire land and rights of way along the Cowlitz river for the United States army corps of engineers to dredge. The land is necessary for dredged material deposit sites for the Mt. St. Helen's flood protection project.

Reappropriation:

State Building Construction Account—
State \$800,000

Appropriation:

State Building Construction Account—
State \$1,200,000

Prior Biennia (Expenditures)
\$700,000

Future Biennia (Projected Costs)
\$0

TOTAL \$2,700,000

NEW SECTION. Sec. 1096. FOR THE OFFICE OF FINANCIAL MANAGEMENT

Oversight of State Facilities
(30000039)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the office of financial management to cover staffing costs of the facilities oversight team.

Appropriation:

Thurston County Capital Facilities—
State \$2,610,000

Prior Biennia (Expenditures)
\$4,769,000

Future Biennia (Projected Costs)
\$10,440,000

TOTAL \$17,819,000

NEW SECTION. Sec. 1097. FOR THE OFFICE OF FINANCIAL MANAGEMENT

OFM Capital Budget Staff (30000040)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the office of financial management to cover staffing costs of the capital budget team.

Appropriation:

Thurston County Capital Facilities—
State \$1,315,000

Prior Biennia (Expenditures)
\$2,469,000

Future Biennia (Projected Costs)
\$5,260,000

TOTAL \$9,044,000

NEW SECTION. Sec. 1098. FOR THE OFFICE OF FINANCIAL MANAGEMENT

Emergency Repairs (30000041)

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

(1) Emergency repair funding is provided solely to address unexpected building or grounds failures that will impact public health and safety and the day-to-day operations of the facility. To be eligible for funds from the emergency repair pool, a request letter for emergency funding signed by the affected agency director must be submitted to the office of financial management and the appropriate legislative fiscal committees. The request must include a statement describing the health and safety hazard and impacts to facility operations, the possible cause, the proposed scope of emergency repair work and related cost estimate, and identification of other funding that may be applied to the project.

(2) For emergencies occurring during a legislative session, an agency must notify the legislative fiscal committees before requesting emergency funds from the office of financial management.

(3) The office of financial management must notify the legislative evaluation and accountability program committee and the legislative fiscal committees as emergency projects are approved for funding and include what funded level was approved.

(4) The office of financial management must report quarterly, beginning October 1, 2021, on the funding approved by agency and by emergency to the fiscal committees of the legislature.

Appropriation:

State Building Construction Account—
State \$4,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$16,000,000

TOTAL \$20,000,000

NEW SECTION. **Sec. 1099.** **FOR THE**
OFFICE OF FINANCIAL MANAGEMENT

Construction Cost Assessment
(40000002)

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

(1) The appropriation in this section is provided solely for the office of financial management to review the existing formulas for state agency cost estimating to ensure they accurately reflect project costs for standard and alternative public works project delivery. The scope of the review must include, at a minimum, construction cost escalation, project management fees, the architectural and engineering fee schedule, consultant extra services, and project contingencies. The office of financial management shall confer with legislative staff, agencies with public works contracting authority, and the capital projects advisory review board on the scope and elements of the review.

(2) Before implementing the recommendations, the office of financial management shall report to the senate ways and means committee and the house capital budget committee by May 31, 2022, on recommended changes to the cost estimating methodology as a result of the construction cost assessment and the potential impact to future agency capital budget requests. A preliminary report must be submitted by January 31, 2022.

Appropriation:

Thurston County Capital Facilities—
State \$300,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$300,000

NEW SECTION. **Sec. 1100.** **FOR THE**
OFFICE OF FINANCIAL MANAGEMENT

Fircrest School Land Use Assessment
(92000035)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is provided solely for a contract with the independent consultant that conducted the land use assessment to assist the department of social and health services in their land use negotiations with the city of Shoreline.

Reappropriation:

State Building Construction Account—
State \$211,000

Prior Biennia (Expenditures)
\$289,000

Future Biennia (Projected Costs)
\$0

TOTAL \$500,000

NEW SECTION. **Sec. 1101.** **FOR THE**
DEPARTMENT OF ENTERPRISE SERVICES

Capitol Lake Long-Term Management
Planning (30000740)

The appropriations in this section are subject to the following conditions and limitations: The appropriations and reappropriation are subject to the provisions of section 1026, chapter 356, Laws of 2020.

Reappropriation:

General Fund—Private/Local
\$156,000

State Building Construction Account—
State \$1,663,000

Subtotal Reappropriation
\$1,819,000

Appropriation:

State Building Construction Account—
State \$715,000

Prior Biennia (Expenditures)
\$4,165,000

Future Biennia (Projected Costs)
\$0

TOTAL \$6,699,000

NEW SECTION. **Sec. 1102.** **FOR THE**
DEPARTMENT OF ENTERPRISE SERVICES

Elevator Modernization (30000786)

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

(1) The reappropriation is subject to the provisions of section 1075, chapter 413, Laws of 2019.

(2) The appropriation is provided solely for elevator modernizations. The funding is to modernize one elevator, which must be selected and prioritized based on safety and security.

Reappropriation:

State Building Construction Account—
State \$2,102,000

Appropriation:

Thurston County Capital Facilities
Account—State \$1,300,000

Prior Biennia (Expenditures)
\$989,000

Future Biennia (Projected Costs)
\$0

TOTAL \$4,391,000

**NEW SECTION. Sec. 1103. FOR THE
DEPARTMENT OF ENTERPRISE SERVICES**

Campus Physical Security & Safety
Improvements (30000812)

Reappropriation:

Capitol Building Construction
Account—State \$1,462,000

State Building Construction Account—
State \$2,500,000

Thurston County Capital Facilities
Account—State \$1,710,000

Subtotal Reappropriation
\$5,672,000

Prior Biennia (Expenditures)
\$604,000

Future Biennia (Projected Costs)
\$0

TOTAL \$6,276,000

**NEW SECTION. Sec. 1104. FOR THE
DEPARTMENT OF ENTERPRISE SERVICES**

Statewide Minor Works - Preservation
Projects (30000825)

Reappropriation:

State Building Construction Account—
State \$170,000

Prior Biennia (Expenditures)
\$3,416,000

Future Biennia (Projected Costs)
\$0

TOTAL \$3,586,000

**NEW SECTION. Sec. 1105. FOR THE
DEPARTMENT OF ENTERPRISE SERVICES**

Facility Professional Services:
Staffing (40000225)

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

(1) The appropriations in this section
are provided solely for architectural and
engineering services to manage public
works contracting for all state
facilities pursuant to RCW 43.19.450.

(2) At the end of each fiscal year,
the department must report to the office
of financial management and the fiscal
committees of the legislature on
performance, including the following:

(a) The number of projects managed by
each manager by fiscal year;

(b) The number of projects managed by
each manager compared to the prior fiscal
year by the same manager;

(c) The number of project predesigns
completed on time, reported by project,
by fiscal year, by manager, and in total;

(d) The number of project designs
completed on time, reported by project,
by fiscal year, by manager, and in total;

(e) The number of project
constructions completed on time,
reported by project, by fiscal year, by
manager, and in total;

(f) Projects that were not completed
on schedule, how many months delayed they
were, and the reasons for the delays;

(g) The number and cost of the change
orders and the reason for each change
order;

(h) The number of facility
professional staff by classification
assigned by project to include the
budget, actual staffing used, and the
number of vacancies by classification;
and

(i) A list of the interagency
agreements executed with state agencies
during the 2021-2023 fiscal biennium to
provide staff support to state agencies
that is over and above the allocation
provided in this section. The list must
include the agency, the amount of dollars
by fiscal year, and the rationale for the
additional service.

(3) At least twice per year, the
department shall convene a group of
private sector architects, contractors,
state agency facilities personnel, and
legislative fiscal staff to share, at a
minimum, information on high performance
methods, ideas, operating and
maintenance issues, and costs. The
facilities personnel must be from the
community and technical colleges, the
four-year institutions of higher

education, and any other state agencies that have recently completed a new building or are currently in the design or construction phase.

Appropriation:

State Building Construction Account—
State \$20,215,000

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$60,000,000
TOTAL	\$80,215,000

NEW SECTION. Sec. 1106. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Legislative Building Exterior
Preservation Cleaning (40000033)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1083(1), chapter 413, Laws of 2019.

Reappropriation:

State Building Construction Account—
State \$1,470,000

Prior Biennia (Expenditures)	\$1,930,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,400,000

NEW SECTION. Sec. 1107. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

2019-21 Statewide Minor Works -
Programmatic Projects (40000141)

Reappropriation:

State Building Construction Account—
State \$481,000

Prior Biennia (Expenditures)	\$15,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$496,000

NEW SECTION. Sec. 1108. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

SEEP: EVSE at State Facilities
(40000161)

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

(1) The reappropriation is provided solely for electric vehicle service

equipment infrastructure on the capitol campus to accommodate charging station installation. The electric vehicle charging equipment works toward state efficiency and environmental performance and the department must prioritize locations to complete work by June 30, 2022.

(2) The department must report where the equipment was installed, by address, in fiscal year 2020, fiscal year 2021, and where it will be installed in fiscal years 2022 and 2023, to the fiscal committees of the legislature by June 30, 2023.

Reappropriation:

Thurston County Capital Facilities—
State \$285,000

Prior Biennia (Expenditures)	\$215,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$500,000

NEW SECTION. Sec. 1109. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

21-31 Statewide Minor Works -
Preservation (40000180)

Appropriation:

State Building Construction Account—
State \$887,000

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$11,442,000
TOTAL	\$12,329,000

NEW SECTION. Sec. 1110. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Capitol Campus Security & Safety
Enhancements (40000226)

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

(1) \$1,155,000 of the state building construction account—state appropriation is provided solely for security improvements to exterior doors. The exterior doors must be prioritized based on safety and security. The department must keep senate and house security informed and must coordinate on plans and schedule with them for, at least, west capitol campus.

(2) \$1,885,000 of the state building construction account—state appropriation is provided solely for security improvements to the fencing, gates, and bollards surrounding the executive residence.

(3) \$2,017,000 of the state building construction account—state appropriation is provided solely for security improvements to the video surveillance and lighting surrounding the executive residence.

(4) \$1,000,000 of the state building construction account—state appropriation is provided solely for vehicle access control and must be used only for:

(a) A hydraulic wedge barrier on Sid Snyder; and

(b) A hydraulic wedge barrier on Water Street.

Appropriation:

State Building Construction Account—
State \$6,057,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$6,057,000

NEW SECTION. Sec. 1111. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Legislative Campus Modernization
(92000020)

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

(1) The reappropriations are subject to the provisions of section 6024 of this act.

(2) The department must consult with the senate facilities and operations committee or its designee(s) and the house of representatives executive rules committee or its designee(s) at least every other month.

(3) \$11,585,000 of the Thurston county capital facilities account—state appropriation is provided solely for the global legislative campus modernization subproject, which includes, but is not limited to, modular building leases or purchases and associated costs, site development work on campus to include Columbia street, stakeholder outreach, and historic mitigation for the project.

(4) \$69,037,000 of the amount provided in this section is provided solely for Irv Newhouse building replacement design and construction on opportunity site six.

(a) The department must:

(i) Have a design contractor selected by September 1, 2021;

(ii) Start design validation by October 1, 2021; and

(iii) Start design by December 1, 2021.

(b) The design and construction must result in:

(i) A high performance building that meets net-zero-ready energy standards, with an energy use intensity of no greater than 35;

(ii) Sufficient program space required to support senate offices and support functions;

(iii) A building façade similar to the American neoclassical style with a base, shaft, and capitol expression focus with some relief expressed in modern construction methods to include adding more detailing and depth to the exterior so that it will fit with existing legislative buildings on west capitol campus, like the John Cherberg building;

(iv) Member offices of similar size as member offices in the John A. Cherberg building;

(v) Demolition of the buildings located on opportunity site six;

(vi) Consultation with the leadership of the senate, or their designee(s), at least every month, effective July 1, 2021; and

(vii) Ensure the subproject meets legislative intent to complete design by April 30, 2023, and start construction by September 1, 2023.

(5) \$8,538,000 of the amount provided in this section is provided solely for Pritchard building design. The design contractor must be selected by January 1, 2023, and the design must result in:

(a) A high performance building that meets net-zero-ready energy standards, with an energy use intensity of no greater than 35;

(b) Sufficient program space required to support house of representatives offices and support functions; and

(c) Additional office space necessary to offset house of representatives members and staff office space that may be eliminated in the renovation of the third and fourth floors of the John L. O'Brien building.

(6) All appropriations must be coded and tracked as separate discrete subprojects in the agency financial reporting system.

(7) The state capitol committee, in consultation with capitol campus design advisory committee, may review architectural design proposals for continuity with the 2006 master plan for the capitol of the state of Washington and 2009 west capitol campus historic landscape preservation and vegetation management plan. As part of planning efforts, the state capitol committee may conduct a review of current design criteria and standards.

(8) The Irv Newhouse building replacement and Pritchard building designs should include an analysis of comprehensive impacts to the campus and the surrounding neighborhood, an evaluation of future workforce projections and an analysis of traffic impacts, parking needs, visual buffers, and campus aesthetics. The designs should include a public engagement process including the capitol campus design advisory committee and state capitol committee.

(9) \$180,000 of the appropriation in this section is provided solely for the department to conduct a preservation study of the Pritchard building as a continuation of the predesign in section 6024 of this act. The study must include an analysis of seismic, geotechnical, building codes, constructability, and costs associated with renovation and expansion of the Pritchard building to accommodate tenant space needs. The department shall contract with a third-party historic preservation specialist to ensure the study is in compliance with the secretary of the interior's standards and any other applicable standards for historic rehabilitation. The study must include a public engagement process including the capitol campus design advisory committee and state capitol committee. The study is subject to review and approval by the state capitol committee by March 31, 2022, to inform the design of a renovation, expansion, or replacement of the Pritchard building.

(10) The department may sell by auction the Ayers and Carlyon houses, known as the press houses, separate and apart from the underlying land, subject to the following conditions:

(a) The purchaser, at its sole cost and expense, must remove the houses by December 31, 2021;

(b) The state is not responsible for any costs or expenses associated with the sale, removal, or relocation of the buildings from opportunity site six; and

(c) Any sale proceeds must be deposited into the Thurston county capital facilities account.

(11) Implementation of subsections (7) through (10) of this section is not intended to delay the design and construction of any of the subprojects included in the legislative campus modernization project.

Reappropriation:

State Building Construction Account—
State \$9,900,000

Appropriation:

State Building Construction Account—
State \$67,855,000

Thurston County Capital Facilities
Account—State

\$11,585,000

Subtotal Appropriation \$79,440,000

Prior Biennia (Expenditures)
\$596,000

Future Biennia (Projected Costs)
\$90,812,000

TOTAL \$180,748,000

**NEW SECTION. Sec. 1112. FOR THE
DEPARTMENT OF ENTERPRISE SERVICES**

Legislative Building Cleaning
(92000028)

The appropriations in this section are subject to the following conditions and limitations: The appropriation and reappropriation are subject to the provisions of section 1091, chapter 413, Laws of 2019. The funding provided in the 2021-2023 fiscal biennium must be used for the John A. Cherberg building.

Reappropriation:

State Building Construction Account—
State \$987,000

Appropriation:

Thurston County Capital Facilities
Account—State
\$1,593,000
Prior Biennia (Expenditures)
\$513,000
Future Biennia (Projected Costs)
\$7,537,000
TOTAL \$10,630,000

NEW SECTION. Sec. 1113. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Insurance Commissioner Office Building
Predesign (92000029)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1028, chapter 356, Laws of 2020.

Reappropriation:

Insurance Commissioner's Regulatory
Account—
State \$14,000
Prior Biennia (Expenditures)
\$286,000
Future Biennia (Projected Costs)
\$0
TOTAL \$300,000

NEW SECTION. Sec. 1114. FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Temple of Justice HVAC, Lighting &
Water Systems (92000040)

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

(1)(a) To assist in funding this project, the department must work with the office of financial management to access federal funding for the total project cost.

(b) If the agency receives more than \$26,000,000 in federal funds, an amount of the state building construction account—state appropriation equal to the additional federal funds must be placed in unallotted status.

(c) For purposes of this subsection, "additional federal funds" means the difference between the total amount of federal funds received under (a) of this subsection and \$26,000,000.

(2) The department must:

(a) Submit the final predesign to the office of financial management by June 1, 2021;

(b) Submit the final energy services proposal to the senate ways and means committee and the house capital budget committee prior to the department starting the design phase; and

(c) Start design by August 31, 2021.

Appropriation:

State Building Construction Account—
State \$4,000,000

Coronavirus Capital Projects Account—
Federal \$26,000,000

Subtotal Appropriation \$30,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$30,000,000

NEW SECTION. Sec. 1115. FOR THE MILITARY DEPARTMENT

Joint Force Readiness Center:
Replacement (30000591)

Appropriation:

State Building Construction Account—
State \$300,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$43,485,000

TOTAL \$43,785,000

NEW SECTION. Sec. 1116. FOR THE MILITARY DEPARTMENT

King County Area Readiness Center
(30000592)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation in this section is provided solely to acquire land in King county for a readiness center and to complete a predesign. The predesign must include identification of water supply mitigation that may be used to offset water supply impacts to the city of North Bend that would result from the water use of the future readiness center. If the department has not signed a purchase and sale agreement by June 30, 2023, the amounts provided in this section shall lapse. The department must work to secure federal funding to cover

a portion of the costs for design and construction.

Reappropriation:

State Building Construction Account—
State \$7,030,000

Prior Biennia (Expenditures)
\$25,000

Future Biennia (Projected Costs)
\$100,500,000

TOTAL \$107,555,000

**NEW SECTION. Sec. 1117. FOR THE
MILITARY DEPARTMENT**

Tactical Unmanned Aircraft System
(TUAS) (30000596)

Appropriation:

General Fund—Federal \$14,800,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$14,800,000

**NEW SECTION. Sec. 1118. FOR THE
MILITARY DEPARTMENT**

Tri-Cities Readiness Center (30000808)

Reappropriation:

General Fund—Federal \$10,500,000

State Building Construction Account—
State \$3,200,000

Subtotal Reappropriation
\$13,700,000

Prior Biennia (Expenditures)
\$3,464,000

Future Biennia (Projected Costs)
\$0

TOTAL \$17,164,000

**NEW SECTION. Sec. 1119. FOR THE
MILITARY DEPARTMENT**

Kent Readiness Center (30000917)

Reappropriation:

General Fund—Federal \$4,150,000

State Building Construction Account—
State \$380,000

Subtotal Reappropriation
\$4,530,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$4,530,000

**NEW SECTION. Sec. 1120. FOR THE
MILITARY DEPARTMENT**

Snohomish Readiness Center (30000930)

Appropriation:

General Fund—Federal \$3,562,000

State Building Construction Account—
State \$1,188,000

Subtotal Appropriation \$4,750,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$4,750,000

**NEW SECTION. Sec. 1121. FOR THE
MILITARY DEPARTMENT**

Anacortes Readiness Center Major
Renovation (40000004)

Reappropriation:

Military Department Capital Account—
State \$75,000

Appropriation:

General Fund—Federal \$3,551,000

State Building Construction Account—
State \$3,551,000

Subtotal Appropriation \$7,102,000

Prior Biennia (Expenditures)
\$75,000

Future Biennia (Projected Costs)
\$0

TOTAL \$7,252,000

**NEW SECTION. Sec. 1122. FOR THE
MILITARY DEPARTMENT**

Minor Works Preservation 2019-21
Biennium (40000036)

Reappropriation:

General Fund—Federal \$4,400,000

State Building Construction Account—
State \$2,100,000

Subtotal Reappropriation
\$6,500,000

Prior Biennia (Expenditures)
\$1,336,000

Future Biennia (Projected Costs)
\$0

TOTAL \$7,836,000

**NEW SECTION. Sec. 1123. FOR THE
MILITARY DEPARTMENT**

Minor Works Program 2019-21 Biennium
(40000037)

Reappropriation:

General Fund—Federal \$20,000,000

State Building Construction Account—
State \$2,200,000

Military Department Capital Account—
State \$109,000

Subtotal Reappropriation
\$22,309,000

Prior Biennia (Expenditures)
\$691,000

Future Biennia (Projected Costs)
\$0

TOTAL \$23,000,000

**NEW SECTION. Sec. 1124. FOR THE
MILITARY DEPARTMENT**

Camp Murray Soldiers Memorial Park
(40000062)

Reappropriation:

Military Department Capital Account—
State \$500,000

Prior Biennia (Expenditures)
\$56,000

Future Biennia (Projected Costs)
\$0

TOTAL \$556,000

**NEW SECTION. Sec. 1125. FOR THE
MILITARY DEPARTMENT**

Stryker Canopies Kent Site (40000073)

Reappropriation:

General Fund—Federal \$3,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$3,000,000

**NEW SECTION. Sec. 1126. FOR THE
MILITARY DEPARTMENT**

Stryker Canopies Bremerton Site
(40000077)

Reappropriation:

General Fund—Federal \$1,500,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$1,500,000

**NEW SECTION. Sec. 1127. FOR THE
MILITARY DEPARTMENT**

Montesano Field Maintenance Shop (FMS)
Addition (40000095)

Reappropriation:

General Fund—Federal \$3,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$3,000,000

**NEW SECTION. Sec. 1128. FOR THE
MILITARY DEPARTMENT**

Field Maintenance Shop Addition—Sedro
Woolley FMS (40000104)

Appropriation:

General Fund—Federal \$1,376,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$1,376,000

**NEW SECTION. Sec. 1129. FOR THE
MILITARY DEPARTMENT**

Minor Works Program 21-23 Biennium
(40000185)

Appropriation:

General Fund—Federal \$6,382,000

State Building Construction Account—
State \$2,280,000

Subtotal Appropriation \$8,662,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$8,662,000

**NEW SECTION. Sec. 1130. FOR THE
MILITARY DEPARTMENT**

Minor Works Preservation 2021-23
Biennium (40000188)

Appropriation:

General Fund—Federal \$7,180,000

State Building Construction Account—
State \$2,352,000

Subtotal Appropriation \$9,532,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$9,532,000

**NEW SECTION. Sec. 1131. FOR THE
MILITARY DEPARTMENT**

Camp Murray Bldg. 20 Roof Top Unit
Upgrade (40000189)

Appropriation:

State Building Construction Account—
State \$313,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$1,200,000

TOTAL \$1,513,000

**NEW SECTION. Sec. 1132. FOR THE
MILITARY DEPARTMENT**

Camp Murray Bldg 47 and 48 Barracks
Replacement (40000190)

Appropriation:

General Fund—Federal \$2,147,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$2,147,000

**NEW SECTION. Sec. 1133. FOR THE
MILITARY DEPARTMENT**

Camp Murray Bldg 65 Barracks
Replacement (40000191)

Appropriation:

General Fund—Federal \$2,236,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$2,236,000

**NEW SECTION. Sec. 1134. FOR THE
MILITARY DEPARTMENT**

Ephrata Field Maintenance Shop
Addition (40000193)

Appropriation:

General Fund—Federal \$1,194,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$1,194,000

**NEW SECTION. Sec. 1135. FOR THE
MILITARY DEPARTMENT**

JBLM Non-Organizational (POV) Parking
Expansion (40000196)

Appropriation:

General Fund—Federal \$1,245,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$1,245,000

**NEW SECTION. Sec. 1136. FOR THE
MILITARY DEPARTMENT**

YTC Dining Facility: Transient
Training (40000197)

Appropriation:

General Fund—Federal \$486,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$5,000,000

TOTAL \$5,486,000

**NEW SECTION. Sec. 1137. FOR THE
MILITARY DEPARTMENT**

Olympia Armory Transfer (91000011)

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

The appropriation in this section must
be deposited in the military department
capital account to facilitate the
transfer of the Olympia Armory to the
city of Olympia. The military department
must transfer the Olympia Armory to the
city of Olympia for use as a community
asset dedicated to using the arts to
support community development, arts
education, and economic development
initiatives for a minimum of 10 years. By
May 30, 2023, the department must reach
a memorandum of understanding to transfer
the property for these purposes at no
cost to the city, except for the city's
assumption of closing costs. The
memorandum must be reported to the house
of representatives capital budget
committee, the senate ways and means
committee, and the governor's office by
June 30, 2023.

Appropriation:

State Building Construction Account—
State \$2,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$2,000,000

**NEW SECTION. Sec. 1138. FOR THE
DEPARTMENT OF ARCHAEOLOGY AND HISTORIC
PRESERVATION**

Rehabilitation of Beverly Bridge
(30000022)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 1111, chapter 413, Laws of 2019.

Reappropriation:

General Fund—Private/Local
\$429,000

State Building Construction Account—
State \$4,740,000

Subtotal Reappropriation
\$5,169,000

Prior Biennia (Expenditures)
\$406,000

Future Biennia (Projected Costs)
\$0

TOTAL \$5,575,000

**NEW SECTION. Sec. 1139. FOR THE
DEPARTMENT OF ARCHAEOLOGY AND HISTORIC
PRESERVATION**

2019-21 Historic County Courthouse
Grants Program (30000023)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1112, chapter 413, Laws of 2019.

Reappropriation:

State Building Construction Account—
State \$1,035,000

Prior Biennia (Expenditures)
\$84,000

Future Biennia (Projected Costs)
\$0

TOTAL \$1,119,000

**NEW SECTION. Sec. 1140. FOR THE
DEPARTMENT OF ARCHAEOLOGY AND HISTORIC
PRESERVATION**

2019-21 Heritage Barn Preservation
Program (30000024)

Reappropriation:

State Building Construction Account—
State \$383,000

Prior Biennia (Expenditures)
\$62,000

Future Biennia (Projected Costs)
\$0

TOTAL \$445,000

**NEW SECTION. Sec. 1141. FOR THE
DEPARTMENT OF ARCHAEOLOGY AND HISTORIC
PRESERVATION**

2019-21 Historic Cemetery Grant
Program (40000001)

Reappropriation:

State Building Construction Account—
State \$340,000

Prior Biennia (Expenditures)
\$175,000

Future Biennia (Projected Costs)
\$0

TOTAL \$515,000

**NEW SECTION. Sec. 1142. FOR THE
DEPARTMENT OF ARCHAEOLOGY AND HISTORIC
PRESERVATION**

Ebey's National Historic Reserve
(40000003)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1115, chapter 413, Laws of 2019.

Reappropriation:

State Building Construction Account—
State \$655,000

Appropriation:

State Building Construction Account—
State \$320,000

Prior Biennia (Expenditures)
\$345,000

Future Biennia (Projected Costs)
\$0

TOTAL \$1,320,000

**NEW SECTION. Sec. 1143. FOR THE
DEPARTMENT OF ARCHAEOLOGY AND HISTORIC
PRESERVATION**

21-23 Heritage Barn Grants (40000005)

Appropriation:

State Building Construction Account—
State \$1,000,000

Prior Biennia (Expenditures) \$0
Future Biennia (Projected Costs)
\$4,000,000
TOTAL \$5,000,000

**NEW SECTION. Sec. 1144. FOR THE
DEPARTMENT OF ARCHAEOLOGY AND HISTORIC
PRESERVATION**

21-23 Historic County Courthouse
Rehabilitation Program (40000006)

The appropriation in this section is
provided solely for the following list of
projects:

Okanogan \$265,000
Walla Walla \$1,197,000
Lewis \$400,000

Appropriation:

State Building Construction Account—
State \$1,862,000

Prior Biennia (Expenditures) \$0
Future Biennia (Projected Costs)
\$8,000,000
TOTAL \$9,862,000

**NEW SECTION. Sec. 1145. FOR THE
DEPARTMENT OF ARCHAEOLOGY AND HISTORIC
PRESERVATION**

21-23 Historic Cemetery Grant Program
(40000007)

Appropriation:

State Building Construction Account—
State \$300,000

Prior Biennia (Expenditures) \$0
Future Biennia (Projected Costs)
\$2,060,000
TOTAL \$2,360,000

**NEW SECTION. Sec. 1146. FOR THE
DEPARTMENT OF ARCHAEOLOGY AND HISTORIC
PRESERVATION**

21-23 Historic Theater Capital Grant
Program (40000012)

The appropriations in this section are
subject to the following conditions and
limitations: The funding in this section
is intended to fund activities that
preserve the historic character of
theaters and not maintenance and upkeep.

Appropriation:

State Building Construction Account—
State \$300,000

Prior Biennia (Expenditures) \$0
Future Biennia (Projected Costs)
\$2,060,000
TOTAL \$2,360,000

PART 2**HUMAN SERVICES**

**NEW SECTION. Sec. 2001. FOR THE
CRIMINAL JUSTICE TRAINING COMMISSION**

Training Facility Capital and
Functional Needs Assessment (91000002)

The reappropriation in this section is
subject to the following conditions and
limitations: The reappropriation is
subject to the provisions of section
2002, chapter 356, Laws of 2020.

Reappropriation:

State Building Construction Account—
State \$200,000

Prior Biennia (Expenditures) \$0
Future Biennia (Projected Costs)
\$0
TOTAL \$200,000

**NEW SECTION. Sec. 2002. FOR THE
DEPARTMENT OF LABOR AND INDUSTRIES**

L&I HQ Elevators (30000018)

Reappropriation:

Accident Account—State \$425,000
Medical Aid Account—State
\$425,000
Subtotal Reappropriation
\$850,000

Prior Biennia (Expenditures)
\$3,084,000

Future Biennia (Projected Costs)
\$0

TOTAL \$3,934,000

**NEW SECTION. Sec. 2003. FOR THE
DEPARTMENT OF LABOR AND INDUSTRIES**

Minor Works Preservation Projects
(30000035)

Appropriation:

Accident Account—State \$1,075,000

Medical Aid Account—State
\$1,072,000

Subtotal Appropriation \$2,147,000

Prior Biennia (Expenditures)
\$2,483,000

Future Biennia (Projected Costs)
\$7,842,000

TOTAL \$12,472,000

NEW SECTION. Sec. 2004. FOR THE DEPARTMENT OF LABOR AND INDUSTRIES

Modernize Lab and Training Facility
(30000043)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 2005, chapter 413, Laws of 2019.

Reappropriation:

Accident Account—State \$42,478,000

Medical Aid Account—State
\$7,496,000

Subtotal Reappropriation
\$49,974,000

Prior Biennia (Expenditures)
\$3,229,000

Future Biennia (Projected Costs)
\$0

TOTAL \$53,203,000

NEW SECTION. Sec. 2005. FOR THE DEPARTMENT OF LABOR AND INDUSTRIES

Air Handler Retrofit and Cooling Tower Replacement (30000059)

Appropriation:

Accident Account—State \$2,369,000

Medical Aid Account—State
\$2,369,000

Subtotal Appropriation \$4,738,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$4,738,000

NEW SECTION. Sec. 2006. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital New Kitchen and Commissary Building (20081319)

The reappropriation in this section is subject to the following conditions and

limitations: The reappropriation is subject to the provisions of section 2003, chapter 2, Laws of 2018.

Reappropriation:

State Building Construction Account—
State \$2,358,000

Prior Biennia (Expenditures)
\$27,832,000

Future Biennia (Projected Costs)
\$0

TOTAL \$30,190,000

NEW SECTION. Sec. 2007. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Special Commitment Center: Kitchen & Dining Room Upgrades (20081506)

Reappropriation:

State Building Construction Account—
State \$848,000

Prior Biennia (Expenditures)
\$152,000

Future Biennia (Projected Costs)
\$0

TOTAL \$1,000,000

NEW SECTION. Sec. 2008. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Fircrest School-Back-Up Power & Electrical Feeders (30000415)

Reappropriation:

State Building Construction Account—
State \$2,029,000

Prior Biennia (Expenditures)
\$3,171,000

Future Biennia (Projected Costs)
\$0

TOTAL \$5,200,000

NEW SECTION. Sec. 2009. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Eastern State Hospital: New Boiler Plant (30000468)

Reappropriation:

State Building Construction Account—
State \$12,032,000

Prior Biennia (Expenditures)
\$1,297,000

Future Biennia (Projected Costs)
\$0

TOTAL \$13,329,000

NEW SECTION. Sec. 2010. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Minor Works Preservation Projects:
Statewide (30002235)

Reappropriation:

State Building Construction Account—
State \$3,575,000

Prior Biennia (Expenditures)
\$23,110,000

Future Biennia (Projected Costs)
\$0

TOTAL \$26,685,000

NEW SECTION. Sec. 2011. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Rainier School - Multiple Buildings:
Roofing Replacement & Repairs (30002752)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 2005, chapter 356, Laws of 2020.

Reappropriation:

State Building Construction Account—
State \$1,908,000

Prior Biennia (Expenditures)
\$722,000

Future Biennia (Projected Costs)
\$0

TOTAL \$2,630,000

NEW SECTION. Sec. 2012. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Fircrest School-Nursing Facilities:
Replacement (30002755)

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

(1) It is the intent of the legislature to further the recommendations of the December 2019 report from the William D. Rucklshaus center to redesign the intermediate care facility of the Fircrest Residential Habilitation Center to function as short-term crisis stabilization and intervention. It is also the intent of the legislature to concentrate the footprint of the Fircrest Residential Habilitation Center on the northern portion of the property. As a result, \$7,750,000 of the appropriation in this section is provided solely for design of a 120-bed nursing facility.

(2) \$2,243,000 of the appropriation is provided solely to relocate the adult training program to a different location on the Fircrest Rehabilitation Center campus. The department must consider the proposal to redesign the facility as a short-term crisis stabilization and intervention when devising options for relocation of the adult training program and submit a report of these options to the legislature no later than December 1, 2022.

(3) The department must seek input from individuals with intellectual and developmental disabilities, including the residents at Fircrest and their families or guardians, in design of a nursing facility.

Appropriation:

State Building Construction Account—
State \$9,993,000

Prior Biennia (Expenditures)
\$242,000

Future Biennia (Projected Costs)
\$0

TOTAL \$10,235,000

NEW SECTION. Sec. 2013. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Lakeland Village: Code Required Campus
Infrastructure Upgrades (30002238)

Reappropriation:

State Building Construction Account—
State \$5,143,000

Prior Biennia (Expenditures)
\$6,057,000

Future Biennia (Projected Costs)
\$0

TOTAL \$11,200,000

NEW SECTION. Sec. 2014. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Eastern State Hospital-Westlake: New
HVAC DDC Controls (30002759)

Reappropriation:

State Building Construction Account—
State \$1,227,000

Appropriation:

Coronavirus Capital Projects Account—
Federal \$1,450,000

Prior Biennia (Expenditures)
\$1,173,000

Future Biennia (Projected Costs)
\$0

TOTAL \$3,850,000

NEW SECTION. Sec. 2015. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital-Forensic Services: Two Wards Addition (30002765)

Reappropriation:

State Building Construction Account—
State \$23,572,000

Prior Biennia (Expenditures)
\$6,928,000

Future Biennia (Projected Costs)
\$0

TOTAL \$30,500,000

NEW SECTION. Sec. 2016. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

DOC/DSHS McNeil Island-
Infrastructure: Repairs & Upgrades
(30003211)

Reappropriation:

State Building Construction Account—
State \$1,234,000

Prior Biennia (Expenditures)
\$36,000

Future Biennia (Projected Costs)
\$0

TOTAL \$1,270,000

NEW SECTION. Sec. 2017. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

DOC/DSHS McNeil Island-
Infrastructure: Water System Replacement
(30003213)

Reappropriation:

State Building Construction Account—
State \$1,535,000

Prior Biennia (Expenditures)
\$973,000

Future Biennia (Projected Costs)
\$0

TOTAL \$2,508,000

NEW SECTION. Sec. 2018. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Child Study and Treatment Center: CLIP Capacity (30003324)

Reappropriation:

State Building Construction Account—
State \$4,064,000

Prior Biennia (Expenditures)
\$8,880,000

Future Biennia (Projected Costs)
\$0

TOTAL \$12,944,000

NEW SECTION. Sec. 2019. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Special Commitment Center-King County SCTF: Expansion (30003564)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 2010, chapter 298, Laws of 2018.

Reappropriation:

State Building Construction Account—
State \$227,000

Prior Biennia (Expenditures)
\$2,383,000

Future Biennia (Projected Costs)
\$0

TOTAL \$2,610,000

NEW SECTION. Sec. 2020. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

State Psychiatric Hospitals:
Compliance with Federal Requirements
(30003569)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 2015, chapter 2, Laws of 2018.

Reappropriation:

State Building Construction Account—
State \$322,000

Prior Biennia (Expenditures)
\$1,678,000

Future Biennia (Projected Costs)
\$0

TOTAL \$2,000,000

NEW SECTION. Sec. 2021. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital: Master Plan Update (30003571)

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

subject to the provisions of section 2016, chapter 2, Laws of 2018.

Reappropriation:

Charitable, Educational, Penal, and Reformatory

Institutions	Account—State	
\$154,000		
Prior	Biennia	(Expenditures)
\$371,000		
Future	Biennia	(Projected Costs)
\$0		
TOTAL	\$525,000	

NEW SECTION. Sec. 2022. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Yakima Valley School-Multiple Buildings: Safety Improvements (30003573)

Reappropriation:

State Building Construction Account—State	\$975,000	
Prior	Biennia	(Expenditures)
\$900,000		
Future	Biennia	(Projected Costs)
\$0		
TOTAL	\$1,875,000	

NEW SECTION. Sec. 2023. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Special Commitment Center-Community Facilities: New Capacity (30003577)

The appropriations in this section are subject to the following conditions and limitations: The department must consult with the communities that are potential sites for these facilities.

Reappropriation:

Charitable, Educational, Penal, and Reformatory

Institutions	Account—State	
\$388,000		
Appropriation:		
State Building Construction Account—State	\$6,000,000	
Prior	Biennia	(Expenditures)
\$112,000		
Future	Biennia	(Projected Costs)
\$7,000,000		
TOTAL	\$13,500,000	

NEW SECTION. Sec. 2024. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital-East Campus: New Security Fence (30003578)

Reappropriation:

State Building Construction Account—State	\$479,000	
Prior	Biennia	(Expenditures)
\$1,241,000		
Future	Biennia	(Projected Costs)
\$0		
TOTAL	\$1,720,000	

NEW SECTION. Sec. 2025. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital-Multiple Buildings: Fire Suppression (30003579)

Reappropriation:

State Building Construction Account—State	\$105,000	
Prior	Biennia	(Expenditures)
\$895,000		
Future	Biennia	(Projected Costs)
\$0		
TOTAL	\$1,000,000	

NEW SECTION. Sec. 2026. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital-Multiple Buildings: Elevator Modernization (30003582)

Reappropriation:

State Building Construction Account—State	\$4,821,000	
Prior	Biennia	(Expenditures)
\$279,000		
Future	Biennia	(Projected Costs)
\$0		
TOTAL	\$5,100,000	

NEW SECTION. Sec. 2027. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital-Multiple Buildings: Windows Security (30003585)

Reappropriation:

State Building Construction Account—State	\$446,000	
Prior	Biennia	(Expenditures)
\$2,104,000		

Future Biennia (Projected Costs)
\$10,000,000

TOTAL \$12,550,000

NEW SECTION. Sec. 2028. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Fircrest School: Campus Master Plan & Rezone (30003601)

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

(1) The appropriations are subject to the provisions of section 2012, chapter 298, Laws of 2018.

(2) The department shall collaborate with the city of Shoreline on the future siting of three 16-bed behavioral health facilities on the northeast corner of the campus and a 120-bed nursing facility on the northwest portion of the campus.

(3) The department shall collaborate with the city to rezone portions of the Fircrest campus that are under used and not necessary for department operations, including the southwest corner, for long-term, revenue-generating opportunities.

Reappropriation:

Charitable, Educational, Penal, and Reformatory

Institutions Account—State
\$102,000

Appropriation:

Charitable, Educational, Penal, and Reformatory

Institutions Account—State
\$125,000

Prior Biennia (Expenditures)
\$98,000

Future Biennia (Projected Costs)
\$0

TOTAL \$325,000

NEW SECTION. Sec. 2029. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital-Forensic Services: Roofing Replacement (30003603)

Reappropriation:

State Building Construction Account—State \$487,000

Prior Biennia (Expenditures)
\$1,468,000

Future Biennia (Projected Costs)
\$0

TOTAL \$1,955,000

NEW SECTION. Sec. 2030. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Eastern State Hospital: Emergency Electrical System Upgrades (30003616)

Reappropriation:

State Building Construction Account—State \$876,000

Appropriation:

State Building Construction Account—State \$1,055,000

Prior Biennia (Expenditures)
\$124,000

Future Biennia (Projected Costs)
\$0

TOTAL \$2,055,000

NEW SECTION. Sec. 2031. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Behavioral Health: Compliance with Systems Improvement Agreement (30003849)

Reappropriation:

State Building Construction Account—State \$265,000

Prior Biennia (Expenditures)
\$8,635,000

Future Biennia (Projected Costs)
\$0

TOTAL \$8,900,000

NEW SECTION. Sec. 2032. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital: Wards Renovations for Forensic Services (40000026)

Reappropriation:

State Building Construction Account—State \$1,770,000

Prior Biennia (Expenditures)
\$8,790,000

Future Biennia (Projected Costs)
\$0

TOTAL \$10,560,000

NEW SECTION. Sec. 2033. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Minor Works Preservation Projects: Statewide 2019-21 (40000381)

Reappropriation:

Charitable, Educational, Penal, and Reformatory

Institutions Account—State
\$1,333,000

State Building Construction Account—
State \$10,043,000

Subtotal Reappropriation
\$11,376,000

Prior Biennia (Expenditures)
\$3,674,000

Future Biennia (Projected Costs)
\$0

TOTAL \$15,050,000

NEW SECTION. Sec. 2034. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Minor Works Program Projects:
Statewide 2019-21 (40000382)

Reappropriation:

Charitable, Educational, Penal, and Reformatory

Institutions Account—State
\$825,000

State Building Construction Account—
State \$1,649,000

Subtotal Reappropriation
\$2,474,000

Prior Biennia (Expenditures)
\$281,000

Future Biennia (Projected Costs)
\$0

TOTAL \$2,755,000

NEW SECTION. Sec. 2035. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital-Multiple
Buildings: Fire Doors Replacement
(40000392)

Reappropriation:

State Building Construction Account—
State \$5,046,000

Prior Biennia (Expenditures)
\$54,000

Future Biennia (Projected Costs)
\$0

TOTAL \$5,100,000

NEW SECTION. Sec. 2036. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

DSHS & DCYF Fire Alarms (91000066)

The appropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions section 2009, chapter 356, Laws of 2020.

Reappropriation:

State Building Construction Account—
State \$10,777,000

Appropriation:

State Building Construction Account—
State \$5,000,000

Prior Biennia (Expenditures)
\$1,042,000

Future Biennia (Projected Costs)
\$0

TOTAL \$16,819,000

NEW SECTION. Sec. 2037. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital: New Forensic Hospital (91000067)

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

(1) The reappropriation is subject to the provisions of section 2040, chapter 413, Laws of 2019.

(2) The department must complete the design funded in this section in a manner that will consider ways to reduce costs associated with the construction of the new forensic hospital.

Reappropriation:

State Building Construction Account—
State \$2,000

Appropriation:

State Building Construction Account—
State \$51,000,000

Prior Biennia (Expenditures)
\$998,000

Future Biennia (Projected Costs)
\$560,163,000

TOTAL \$612,163,000

NEW SECTION. Sec. 2038. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Eastern State Hospital Elevators
(91000068)

Reappropriation:

Charitable, Educational, Penal, and Reformatory

Institutions	Account—State	
\$2,395,000		
Prior Biennia	(Expenditures)	
\$305,000		
Future Biennia	(Projected Costs)	
\$0		
TOTAL		\$2,700,000

NEW SECTION. Sec. 2039. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Special Commitment Center: Strategic Master Plan (40000394)

Appropriation:

Charitable, Educational, Penal, and Reformatory

Institutions	Account—State	
\$250,000		
Prior Biennia	(Expenditures)	\$0
Future Biennia	(Projected Costs)	\$0
TOTAL		\$250,000

NEW SECTION. Sec. 2040. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Eastern State Hospital-Eastlake & Westlake: Fire & Smoke Controls (40000404)

Reappropriation:

State Building Construction Account—State \$1,933,000

Prior Biennia	(Expenditures)	\$117,000
Future Biennia	(Projected Costs)	\$0
TOTAL		\$2,050,000

NEW SECTION. Sec. 2041. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Eastern State Hospital-Westlake: Fire Stops (40000405)

Reappropriation:

State Building Construction Account—State \$1,991,000

Prior Biennia	(Expenditures)	\$139,000
Future Biennia	(Projected Costs)	\$0
TOTAL		\$2,130,000

NEW SECTION. Sec. 2042. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Child Study and Treatment Center-Ketron: LSA Expansion (40000411)

Appropriation:

State Building Construction Account—State \$1,618,000

Prior Biennia	(Expenditures)	\$0
Future Biennia	(Projected Costs)	\$0
TOTAL		\$1,618,000

NEW SECTION. Sec. 2043. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Special Commitment Center-Fire House: Electrical Upgrades (40000422)

Reappropriation:

State Building Construction Account—State \$1,112,000

Prior Biennia	(Expenditures)	\$423,000
Future Biennia	(Projected Costs)	\$0
TOTAL		\$1,535,000

NEW SECTION. Sec. 2044. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Eastern State Hospital-EL & WL: HVAC Compliance & Monitoring (40000492)

Reappropriation:

State Building Construction Account—State \$1,816,000

Prior Biennia	(Expenditures)	\$99,000
Future Biennia	(Projected Costs)	\$0
TOTAL		\$1,915,000

NEW SECTION. Sec. 2045. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Maple Lane-Columbia Cottage: Behavioral Health Expansion (40000567)

Appropriation:

State Building Construction Account—State \$5,000,000

Prior Biennia	(Expenditures)	\$0
Future Biennia	(Projected Costs)	\$0
TOTAL		\$5,000,000

NEW SECTION. Sec. 2046. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Minor Works Program Projects:
Statewide 2021-23 (40000569)

The appropriation in this section is subject to the following conditions and limitations: \$250,000 of the appropriation in this section is provided solely for the department to complete a comprehensive review and plan of the water system on the Fircrest campus.

Appropriation:

State Building Construction Account—
State \$2,755,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$13,750,000

TOTAL \$16,505,000

NEW SECTION. Sec. 2047. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Minor Works Preservation Projects:
Statewide 2021-23 (40000571)

Appropriation:

State Building Construction Account—
State \$6,950,000

Charitable, Educational, Penal, and Reformatory

Institutions Account—State
\$1,845,000

Subtotal Appropriation \$8,795,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$21,000,000

TOTAL \$29,795,000

NEW SECTION. Sec. 2048. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Transitional Care Center—Main Building: Patient Rooms Cooling (40000574)

Appropriation:

Coronavirus Capital Projects Account—
Federal \$2,335,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$2,335,000

NEW SECTION. Sec. 2049. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Statewide-Behavioral Health: Patient Safety Improvements 2021-23 (40000578)

Appropriation:

State Building Construction Account—
State \$7,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$28,000,000

TOTAL \$35,000,000

NEW SECTION. Sec. 2050. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital—Building 29: Roofing Replacement (40000589)

Appropriation:

State Building Construction Account—
State \$2,285,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$2,285,000

NEW SECTION. Sec. 2051. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital—Building 27: Roofing Replacement (40000888)

Appropriation:

State Building Construction Account—
State \$1,200,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$1,200,000

NEW SECTION. Sec. 2052. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

ESH and WSH—All Wards: Patient Safety Improvements (91000019)

Reappropriation:

State Building Construction Account—
State \$8,076,000

Prior Biennia (Expenditures)
\$10,593,000

Future Biennia (Projected Costs)
\$40,000,000

TOTAL \$58,669,000

NEW SECTION. Sec. 2053. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital & CSTC Power Upgrades (91000070)

Reappropriation:

State Building Construction Account—
State \$2,081,000

Prior Biennia (Expenditures)
\$219,000

Future Biennia (Projected Costs)
\$0

TOTAL \$2,300,000

NEW SECTION. Sec. 2054. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

BH: State Owned, Mixed Use Community Civil 48-Bed Capacity (91000074)

Reappropriation:

State Building Construction Account—
State \$168,000

Prior Biennia (Expenditures)
\$182,000

Future Biennia (Projected Costs)
\$55,274,000

TOTAL \$55,624,000

NEW SECTION. Sec. 2055. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

BH: State Operated Community Civil 16-Bed Capacity (91000075)

Reappropriation:

State Building Construction Account—
State \$4,131,000

Appropriation:

State Building Construction Account—
State \$15,190,000

Prior Biennia (Expenditures)
\$869,000

Future Biennia (Projected Costs)
\$0

TOTAL \$20,190,000

NEW SECTION. Sec. 2056. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

BH: State Owned, Mixed Use Community Civil 48-Bed Capacity (91000077)

The appropriations in this section are subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 2054, chapter 413, Laws of 2019.

Reappropriation:

State Building Construction Account—
State \$18,235,000

Appropriation:

State Building Construction Account—
State \$37,700,000

Prior Biennia (Expenditures)
\$1,765,000

Future Biennia (Projected Costs)
\$0

TOTAL \$57,700,000

NEW SECTION. Sec. 2057. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Rainier School-Pats E,C Cottage Cooling Upgrades (91000078)

Reappropriation:

State Building Construction Account—
State \$1,362,000

Prior Biennia (Expenditures)
\$6,638,000

Future Biennia (Projected Costs)
\$0

TOTAL \$8,000,000

NEW SECTION. Sec. 2058. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Western State Hospital Treatment & Recovery Center (91000080)

Reappropriation:

State Building Construction Account—
State \$7,464,000

Appropriation:

State Building Construction Account—
State \$16,600,000

Prior Biennia (Expenditures)
\$536,000

Future Biennia (Projected Costs)
\$0

TOTAL \$24,600,000

NEW SECTION. Sec. 2059. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Community Nursing Care Homes (92000042)

(1) It is the intent of the legislature to further the recommendations of the December 2019 report from the William D. Ruckleshaus center to redesign intermediate care facilities of the residential habilitation centers to function as short-term crisis

stabilization and intervention by constructing smaller, nursing care homes in community settings to care for individuals with intellectual and developmental disabilities.

(2) \$300,000 of the appropriation in this section is provided solely to complete a redesign of community nursing care homes to provide nursing facility level of care to individuals with intellectual and developmental disabilities. The redesign must include options for four or five individual facilities with a minimum of four beds in each and for an individual facility with a minimum of 30 beds.

(3) The department shall provide recommendations for where these community nursing care homes should be located geographically in the state and an analysis of the costs associated with operating these homes. The department shall submit a report of this information to the governor and the appropriate committees of the legislature no later than December 1, 2021.

Appropriation:

State Building Construction Account—
State \$300,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$300,000

NEW SECTION. Sec. 2060. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Residential Habilitation Center Land Management (92000044)

The appropriation in this section is subject to the following conditions and limitations: The department shall hire one full-time employee with expertise in land management and development to manage the lands of the residential habilitation centers including, but not limited to, the long-term, revenue generating opportunities for underused portions of the Fircrest Residential Habilitation Center. It is the intent of the legislature that this position will maximize the earning potential of the lands to fund services for those with intellectual and developmental disabilities.

Appropriation:

Charitable, Educational, Penal, and Reformatory

Institutions Account—State
\$150,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$150,000

NEW SECTION. Sec. 2061. FOR THE DEPARTMENT OF HEALTH

Newborn Screening Wing Addition (30000301)

Reappropriation:

State Building Construction Account—
State \$900,000

Prior Biennia (Expenditures)
\$4,734,000

Future Biennia (Projected Costs)
\$0

TOTAL \$5,634,000

NEW SECTION. Sec. 2062. FOR THE DEPARTMENT OF HEALTH

Drinking Water Preconstruction Loans (30000334)

Reappropriation:

Drinking Water Assistance Account—
State \$5,115,000

Prior Biennia (Expenditures)
\$585,000

Future Biennia (Projected Costs)
\$0

TOTAL \$5,700,000

NEW SECTION. Sec. 2063. FOR THE DEPARTMENT OF HEALTH

Public Health Lab South Laboratory Addition (30000379)

Appropriation:

Coronavirus Capital Projects Account—
Federal \$4,933,000

Prior Biennia (Expenditures)
\$196,000

Future Biennia (Projected Costs)
\$66,519,000

TOTAL \$71,648,000

NEW SECTION. Sec. 2064. FOR THE DEPARTMENT OF HEALTH

New Central Boiler Plant (30000381)

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

limitations: The department must submit a preliminary predesign to the office of financial management and the appropriate legislative committees by December 31, 2021. Appropriations for design and construction may not be expended or encumbered until the office of financial management has reviewed and approved the department's predesign.

Appropriation:

State Building Construction Account—
State \$12,725,000

Prior Biennia (Expenditures)
\$540,000

Future Biennia (Projected Costs)
\$0

TOTAL \$13,265,000

NEW SECTION. Sec. 2065. FOR THE DEPARTMENT OF HEALTH

Drinking Water Construction Loans
(30000409)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 2034, chapter 2, Laws of 2018.

Reappropriation:

Drinking Water Assistance Account—
State \$38,529,000

Prior Biennia (Expenditures)
\$69,609,000

Future Biennia (Projected Costs)
\$0

TOTAL \$108,138,000

NEW SECTION. Sec. 2066. FOR THE DEPARTMENT OF HEALTH

Drinking Water System Repairs and Consolidation (40000006)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 2035, chapter 2, Laws of 2018.

Reappropriation:

State Building Construction Account—
State \$1,000,000

Prior Biennia (Expenditures)
\$2,858,000

Future Biennia (Projected Costs)
\$0

TOTAL \$3,858,000

NEW SECTION. Sec. 2067. FOR THE DEPARTMENT OF HEALTH

Othello Water Supply and Storage
(40000008)

Reappropriation:

State Building Construction Account—
State \$965,000

Prior Biennia (Expenditures)
\$585,000

Future Biennia (Projected Costs)
\$0

TOTAL \$1,550,000

NEW SECTION. Sec. 2068. FOR THE DEPARTMENT OF HEALTH

2019-21 Drinking Water Assistance Program (40000025)

Reappropriation:

Drinking Water Assistance Account—
Federal \$31,000,000

Prior Biennia (Expenditures)
\$4,000,000

Future Biennia (Projected Costs)
\$0

TOTAL \$35,000,000

NEW SECTION. Sec. 2069. FOR THE DEPARTMENT OF HEALTH

2019-21 Drinking Water System Repairs and Consolidation (40000027)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 2068, chapter 413, Laws of 2019.

Reappropriation:

State Building Construction Account—
State \$750,000

Prior Biennia (Expenditures)
\$21,000

Future Biennia (Projected Costs)
\$0

TOTAL \$771,000

NEW SECTION. Sec. 2070. FOR THE DEPARTMENT OF HEALTH

Small & Disadvantaged Communities DW
(40000031)

Appropriation:

General Fund—Federal \$743,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs)
 \$0
 TOTAL \$743,000

NEW SECTION. Sec. 2071. FOR THE DEPARTMENT OF HEALTH

E-wing Remodel to a Molecular Laboratory (40000032)

Appropriation:

Coronavirus Capital Projects Account—
 Federal \$216,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs)
 \$14,179,000
 TOTAL \$14,395,000

NEW SECTION. Sec. 2072. FOR THE DEPARTMENT OF HEALTH

Replace Air Handling Unit (AHU) in A/Q-wings (40000034)

Appropriation:

Coronavirus Capital Projects Account—
 Federal \$1,894,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs)
 \$0
 TOTAL \$1,894,000

NEW SECTION. Sec. 2073. FOR THE DEPARTMENT OF HEALTH

Minor Works - Facility Preservation (40000037)

Appropriation:

State Building Construction Account—
 State \$460,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs)
 \$0
 TOTAL \$460,000

NEW SECTION. Sec. 2074. FOR THE DEPARTMENT OF HEALTH

Minor Works - Facility Program (40000038)

Appropriation:

State Building Construction Account—
 State \$554,000
 Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
 \$0
 TOTAL \$554,000

NEW SECTION. Sec. 2075. FOR THE DEPARTMENT OF HEALTH

2021-23 Drinking Water Assistance Program (40000049)

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

(1) For projects involving repair, replacement, or improvement of a clean water infrastructure facility or other public works facility for which an investment grade efficiency audit is reasonably obtainable, the department must require as a contract condition that the project sponsor undertake an investment grade efficiency audit. The project sponsor may finance the costs of the audit as part of its drinking water state revolving fund program loan.

(2) The department must encourage local government use of federally funded drinking water infrastructure programs operated by the United States department of agriculture rural development.

Appropriation:

Drinking Water Assistance Account—
 Federal \$34,000,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs)
 \$0
 TOTAL \$34,000,000

NEW SECTION. Sec. 2076. FOR THE DEPARTMENT OF HEALTH

2021-23 Drinking Water Construction Loans - State Match (40000051)

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

(1) For projects involving repair, replacement, or improvement of a clean water infrastructure facility or other public works facility for which an investment grade efficiency audit is reasonably obtainable, the department of health must require as a contract condition that the project sponsor undertake an investment grade efficiency audit. The project sponsor may finance the costs of the audit as part of its drinking water state revolving fund program loan.

(2) The department must encourage local government use of federally funded drinking water infrastructure programs operated by the United States department of agriculture rural development.

Appropriation:

Drinking Water Assistance Account—
State \$11,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$11,000,000

NEW SECTION. Sec. 2077. FOR THE DEPARTMENT OF HEALTH

Lakewood Water District PFAS Treatment Facility (40000052)

Appropriation:

State Building Construction Account—
State \$5,569,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$5,569,000

NEW SECTION. Sec. 2078. FOR THE DEPARTMENT OF VETERANS AFFAIRS

Washington Veterans Home: Bldg 6 & 7 Demo and Grounds Improvement (30000002)

Reappropriation:

State Building Construction Account—
State \$2,585,000

Prior Biennia (Expenditures)
\$317,000

Future Biennia (Projected Costs)
\$0

TOTAL \$2,902,000

NEW SECTION. Sec. 2079. FOR THE DEPARTMENT OF VETERANS AFFAIRS

Minor Works Facilities Preservation (30000094)

Reappropriation:

State Building Construction Account—
State \$755,000

Model Toxics Control Capital Account—
State \$200,000

Subtotal Reappropriation
\$955,000

Prior Biennia (Expenditures)
\$4,339,000

Future Biennia (Projected Costs)
\$14,960,000

TOTAL \$20,254,000

NEW SECTION. Sec. 2080. FOR THE DEPARTMENT OF VETERANS AFFAIRS

WVH HVAC Retrofit (40000006)

Reappropriation:

State Building Construction Account—
State \$250,000

Prior Biennia (Expenditures)
\$162,000

Future Biennia (Projected Costs)
\$0

TOTAL \$412,000

NEW SECTION. Sec. 2081. FOR THE DEPARTMENT OF VETERANS AFFAIRS

WSH - Life Safety Grant (40000013)

Reappropriation:

General Fund—Federal \$325,000

State Building Construction Account—
State \$175,000

Subtotal Reappropriation
\$500,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$500,000

NEW SECTION. Sec. 2082. FOR THE DEPARTMENT OF VETERANS AFFAIRS

DVA ARPA Federal Funds & State Match (91000013)

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

(1) The department is granted federal expenditure authority in anticipation of the receipt of federal competitive grant funding for which it is eligible to apply under section 8004 of the American rescue plan act of 2021, P.L. 117-2.

(2) Funding appropriated in this section must be used for projects in the following priority order:

(a) The WVH HVAC Retrofit project (40000006); and

(b) Minor works projects that meet the requirements set forth in section 8004 of the American rescue plan act of 2021, P.L. 117-2.

(3) The state building construction account—state appropriation in this section must be used as state match funds to leverage the federal funding described in subsection (1) of this section. Any amount that exceeds the level of state match funds required to maximize the federal funding opportunity must be placed in unallotted status.

Appropriation:

General Fund—Federal \$24,515,000

State Building Construction Account—
State \$8,584,000

Subtotal Appropriation \$33,099,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$33,099,000

NEW SECTION. Sec. 2083. FOR THE DEPARTMENT OF VETERANS AFFAIRS

Extended Care Facilities Construction Grants (92000001)

Appropriation:

General Fund—Federal \$13,133,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$13,133,000

NEW SECTION. Sec. 2084. FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES

Echo Glen-Housing Unit: Acute Mental Health Unit (30002736)

Reappropriation:

State Building Construction Account—
State \$7,000,000

Prior Biennia (Expenditures)
\$2,600,000

Future Biennia (Projected Costs)
\$0

TOTAL \$9,600,000

NEW SECTION. Sec. 2085. FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES

Green Hill School-Recreation Building: Replacement (30003237)

Appropriation:

State Building Construction Account—
State \$29,962,000

Prior Biennia (Expenditures)
\$1,800,000

Future Biennia (Projected Costs)
\$0

TOTAL \$31,762,000

NEW SECTION. Sec. 2086. FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES

Minor Works Preservation Projects: Statewide 2019-21 (40000400)

Reappropriation:

State Building Construction Account—
State \$750,000

Prior Biennia (Expenditures)
\$2,250,000

Future Biennia (Projected Costs)
\$0

TOTAL \$3,000,000

NEW SECTION. Sec. 2087. FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES

Minor Works Preservation Projects - SW 2021-23 (40000532)

Appropriation:

Charitable, Educational, Penal, and Reformatory

Institutions Account—State
\$761,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$761,000

NEW SECTION. Sec. 2088. FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES

Purchase Authority - Touchstone Group Home (40000533)

Appropriation:

State Building Construction Account—
State \$800,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$800,000

NEW SECTION. Sec. 2089. FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES

Green Hill School - Baker North Remodel (40000534)

Appropriation:

State Building Construction Account—
State \$6,624,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$6,624,000

NEW SECTION. Sec. 2090. FOR THE DEPARTMENT OF CORRECTIONS

MCC: WSR Perimeter Wall Renovation (30000117)

Reappropriation:

State Building Construction Account—
State \$200,000

Appropriation:

State Building Construction Account—
State \$1,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$10,063,000

TOTAL \$11,263,000

NEW SECTION. Sec. 2091. FOR THE DEPARTMENT OF CORRECTIONS

CBCC: Boiler Replacement (30000130)

Reappropriation:

State Building Construction Account—
State \$7,000,000

Prior Biennia (Expenditures)
\$624,000

Future Biennia (Projected Costs)
\$0

TOTAL \$7,624,000

NEW SECTION. Sec. 2092. FOR THE DEPARTMENT OF CORRECTIONS

Washington Corrections Center: Transformers and Switches (30000143)

Reappropriation:

State Building Construction Account—
State \$16,435,000

Prior Biennia (Expenditures)
\$4,010,000

Future Biennia (Projected Costs)
\$0

TOTAL \$20,445,000

NEW SECTION. Sec. 2093. FOR THE DEPARTMENT OF CORRECTIONS

WCC: Replace Roofs (30000654)

Reappropriation:

State Building Construction Account—
State \$500,000

Prior Biennia (Expenditures)
\$3,719,000

Future Biennia (Projected Costs)
\$0

TOTAL \$4,219,000

NEW SECTION. Sec. 2094. FOR THE DEPARTMENT OF CORRECTIONS

MCC: TRU Roof Programs and Recreation Building (30000738)

Appropriation:

State Building Construction Account—
State \$5,996,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$5,996,000

NEW SECTION. Sec. 2095. FOR THE DEPARTMENT OF CORRECTIONS

MCC: TRU Support Building HVAC Replacement (40000379)

Appropriation:

Coronavirus Capital Projects Account—
Federal \$4,646,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$4,646,000

NEW SECTION. Sec. 2096. FOR THE DEPARTMENT OF CORRECTIONS

WCC: Support Buildings Roof Replacement (40000380)

Appropriation:

State Building Construction Account—
State \$7,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$9,427,000

TOTAL \$16,427,000

**NEW SECTION. Sec. 2097. FOR THE
DEPARTMENT OF CORRECTIONS**

SW IMU Recreation Yard Improvement
(30001123)

Reappropriation:

State Building Construction Account—
State \$900,000

Appropriation:

State Building Construction Account—
State \$1,500,000

Prior Biennia (Expenditures)
\$600,000

Future Biennia (Projected Costs)
\$1,532,000

TOTAL \$4,532,000

**NEW SECTION. Sec. 2098. FOR THE
DEPARTMENT OF CORRECTIONS**

CRCC Security Electronics Network
Renovation (30001124)

Reappropriation:

State Building Construction Account—
State \$4,000,000

Prior Biennia (Expenditures)
\$2,000,000

Future Biennia (Projected Costs)
\$0

TOTAL \$6,000,000

**NEW SECTION. Sec. 2099. FOR THE
DEPARTMENT OF CORRECTIONS**

WCC: Reclaimed Water Line (40000058)

Reappropriation:

State Building Construction Account—
State \$1,871,000

Prior Biennia (Expenditures)
\$116,000

Future Biennia (Projected Costs)
\$0

TOTAL \$1,987,000

**NEW SECTION. Sec. 2100. FOR THE
DEPARTMENT OF CORRECTIONS**

MCC: WSR Clinic Roof Replacement
(40000180)

Reappropriation:

State Building Construction Account—
State \$825,000

Appropriation:

State Building Construction Account—
State \$8,508,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$9,333,000

**NEW SECTION. Sec. 2101. FOR THE
DEPARTMENT OF CORRECTIONS**

MCC: SOU and TRU - Domestic Water and
HVAC Piping System (40000246)

The appropriation in this section is
subject to the following conditions and
limitations: The reappropriation is
subject to the provisions of section
2026, chapter 356, Laws of 2020.

Reappropriation:

State Building Construction Account—
State \$300,000

Appropriation:

State Building Construction Account—
State \$2,729,000

Prior Biennia (Expenditures)
\$100,000

Future Biennia (Projected Costs)
\$18,922,000

TOTAL \$22,051,000

**NEW SECTION. Sec. 2102. FOR THE
DEPARTMENT OF CORRECTIONS**

Minor Works - Preservation Projects
(40000254)

Appropriation:

State Building Construction Account—
State \$11,800,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$60,833,000

TOTAL \$72,633,000

**NEW SECTION. Sec. 2103. FOR THE
DEPARTMENT OF CORRECTIONS**

LCC: Boiler Replacement (40000255)

Appropriation:

State Building Construction Account—
State \$1,300,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$3,695,000

TOTAL \$4,995,000

**NEW SECTION. Sec. 2104. FOR THE
DEPARTMENT OF CORRECTIONS**

MCC: Sewer System HABU (Highest and
Best Use) (40000185)

The reappropriation in this section is
subject to the following conditions and
limitations: The reappropriation is
subject to the provisions of section
2103, chapter 413, Laws of 2019.

Reappropriation:

State Building Construction Account—
State \$500,000

Prior Biennia (Expenditures)
\$300,000

Future Biennia (Projected Costs)
\$0

TOTAL \$800,000

**NEW SECTION. Sec. 2105. FOR THE
DEPARTMENT OF CORRECTIONS**

Minor Works - Preservation Projects
(40000187)

Reappropriation:

State Building Construction Account—
State \$3,500,000

Prior Biennia (Expenditures)
\$2,973,000

Future Biennia (Projected Costs)
\$0

TOTAL \$6,473,000

**NEW SECTION. Sec. 2106. FOR THE
DEPARTMENT OF CORRECTIONS**

WSP: Unit Six Roof Replacement
(92000037)

Reappropriation:

State Building Construction Account—
State \$650,000

Prior Biennia (Expenditures)
\$277,000

Future Biennia (Projected Costs)
\$0

TOTAL \$927,000

**NEW SECTION. Sec. 2107. FOR THE
DEPARTMENT OF CORRECTIONS**

WCCW: AC for MSU (92000039)

Reappropriation:

State Building Construction Account—
State \$1,250,000

Prior Biennia (Expenditures)
\$46,000

Future Biennia (Projected Costs)
\$0

TOTAL \$1,296,000

PART 3

NATURAL RESOURCES

**NEW SECTION. Sec. 3001. FOR THE
DEPARTMENT OF ECOLOGY**

Water Supply Facilities (19742006)

Reappropriation:

State and Local Improvements Revolving
Account—

Water Supply Facilities—State
\$295,000

Prior Biennia (Expenditures)
\$15,116,000

Future Biennia (Projected Costs)
\$0

TOTAL \$15,411,000

**NEW SECTION. Sec. 3002. FOR THE
DEPARTMENT OF ECOLOGY**

Low-Level Nuclear Waste Disposal
Trench Closure (19972012)

The reappropriation in this section is
subject to the following conditions and
limitations: The reappropriation is
subject to the provisions of section
3002, chapter 3, Laws of 2015 3rd sp.
sess.

Reappropriation:

Site Closure Account—State
\$8,472,000

Prior Biennia (Expenditures)
\$4,930,000

Future Biennia (Projected Costs)
\$0

TOTAL \$13,402,000

**NEW SECTION. Sec. 3003. FOR THE
DEPARTMENT OF ECOLOGY**

Twin Lake Aquifer Recharge Project
(20042951)

Reappropriation:

State Building Construction Account—
State \$146,000

Prior Biennia (Expenditures)
\$604,000

Future Biennia (Projected Costs)
\$0

TOTAL \$750,000

**NEW SECTION. Sec. 3004. FOR THE
DEPARTMENT OF ECOLOGY**

Quad Cities Water Right Mitigation
(20052852)

Reappropriation:

State Building Construction Account—
State \$115,000

Prior Biennia (Expenditures)
\$1,484,000

Future Biennia (Projected Costs)
\$0

TOTAL \$1,599,000

**NEW SECTION. Sec. 3005. FOR THE
DEPARTMENT OF ECOLOGY**

Transfer of Water Rights for Cabin
Owners (20081951)

Reappropriation:

State Building Construction Account—
State \$57,000

Prior Biennia (Expenditures)
\$393,000

Future Biennia (Projected Costs)
\$0

TOTAL \$450,000

**NEW SECTION. Sec. 3006. FOR THE
DEPARTMENT OF ECOLOGY**

Watershed Plan Implementation and Flow
Achievement (30000028)

Reappropriation:

State Building Construction Account—
State \$115,000

Prior Biennia (Expenditures)
\$5,881,000

Future Biennia (Projected Costs)
\$0

TOTAL \$5,996,000

**NEW SECTION. Sec. 3007. FOR THE
DEPARTMENT OF ECOLOGY**

Remedial Action Grant Program
(30000039)

The reappropriation in this section is
subject to the following conditions and
limitations: The reappropriation is
subject to the provisions of section
3006, chapter 36, Laws of 2010 1st sp.
sess.

Reappropriation:

Model Toxics Control Capital Account—
State \$2,715,000

Prior Biennia (Expenditures)
\$72,394,000

Future Biennia (Projected Costs)
\$0

TOTAL \$75,109,000

**NEW SECTION. Sec. 3008. FOR THE
DEPARTMENT OF ECOLOGY**

Clean Up Toxics Sites - Puget Sound
(30000144)

The reappropriation in this section is
subject to the following conditions and
limitations: The reappropriation is
subject to the provisions of section
3021, chapter 48, Laws of 2011 1st sp.
sess. and section 3002, chapter 35, Laws
of 2016 sp. sess.

Reappropriation:

Model Toxics Control Capital Account—
State \$317,000

Prior Biennia (Expenditures)
\$38,717,000

Future Biennia (Projected Costs)
\$0

TOTAL \$39,034,000

**NEW SECTION. Sec. 3009. FOR THE
DEPARTMENT OF ECOLOGY**

Watershed Plan Implementation and Flow
Achievement (30000213)

The reappropriation in this section is
subject to the following conditions and
limitations: The reappropriation is
subject to the provisions of section
3030, chapter 49, Laws of 2011 1st sp.
sess.

Reappropriation:

State Building Construction Account—
State \$87,000

Prior Biennia (Expenditures)
\$7,913,000

Future Biennia (Projected Costs)
\$0

TOTAL \$8,000,000

NEW SECTION. Sec. 3010. FOR THE DEPARTMENT OF ECOLOGY

Remedial Action Grant Program
(30000216)

Reappropriation:

Model Toxics Control Capital Account—
State \$17,040,000

Prior Biennia (Expenditures)
\$45,824,000

Future Biennia (Projected Costs)
\$0

TOTAL \$62,864,000

NEW SECTION. Sec. 3011. FOR THE DEPARTMENT OF ECOLOGY

Clean Up Toxics Sites - Puget Sound
(30000265)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3005, chapter 35, Laws of 2016 sp. sess.

Reappropriation:

Model Toxics Control Capital Account—
State \$160,000

Prior Biennia (Expenditures)
\$15,042,000

Future Biennia (Projected Costs)
\$0

TOTAL \$15,202,000

NEW SECTION. Sec. 3012. FOR THE DEPARTMENT OF ECOLOGY

ASARCO - Tacoma Smelter Plume and
Mines (30000280)

Reappropriation:

Cleanup Settlement Account—State
\$2,835,000

Prior Biennia (Expenditures)
\$17,812,000

Future Biennia (Projected Costs)
\$0

TOTAL \$20,647,000

NEW SECTION. Sec. 3013. FOR THE DEPARTMENT OF ECOLOGY

Padilla Bay Federal Capital Projects
(30000282)

Reappropriation:

General Fund—Federal \$91,000

Prior Biennia (Expenditures)
\$709,000

Future Biennia (Projected Costs)
\$0

TOTAL \$800,000

NEW SECTION. Sec. 3014. FOR THE DEPARTMENT OF ECOLOGY

Watershed Plan Implementation and Flow
Achievement (30000331)

Reappropriation:

State Building Construction Account—
State \$2,013,000

Prior Biennia (Expenditures)
\$7,987,000

Future Biennia (Projected Costs)
\$0

TOTAL \$10,000,000

NEW SECTION. Sec. 3015. FOR THE DEPARTMENT OF ECOLOGY

Dungeness Water Supply & Mitigation
(30000333)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3082, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—
State \$639,000

Prior Biennia (Expenditures)
\$1,411,000

Future Biennia (Projected Costs)
\$0

TOTAL \$2,050,000

NEW SECTION. Sec. 3016. FOR THE DEPARTMENT OF ECOLOGY

ASARCO Cleanup (30000334)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3020, chapter 413, Laws of 2019.

Reappropriation:

Cleanup Settlement Account—State
\$1,273,000

Prior Biennia (Expenditures)
\$34,987,000

Future Biennia (Projected Costs)
\$0

TOTAL \$36,260,000

NEW SECTION. Sec. 3017. FOR THE DEPARTMENT OF ECOLOGY

Padilla Bay Federal Capital Projects -
Programmatic (30000335)

Reappropriation:

General Fund—Federal \$500,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$500,000

NEW SECTION. Sec. 3018. FOR THE DEPARTMENT OF ECOLOGY

Clean Up Toxics Sites - Puget Sound
(30000337)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3007, chapter 35, Laws of 2016 sp. sess.

Reappropriation:

Model Toxics Control Capital Account—
State \$1,071,000

Prior Biennia (Expenditures)
\$23,984,000

Future Biennia (Projected Costs)
\$0

TOTAL \$25,055,000

NEW SECTION. Sec. 3019. FOR THE DEPARTMENT OF ECOLOGY

Remedial Action Grants (30000374)

Reappropriation:

Model Toxics Control Capital Account—
State \$9,357,000

Prior Biennia (Expenditures)
\$53,180,000

Future Biennia (Projected Costs)
\$0

TOTAL \$62,537,000

NEW SECTION. Sec. 3020. FOR THE DEPARTMENT OF ECOLOGY

Centennial Clean Water Program
(30000427)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3009, chapter 35, Laws of 2016 sp. sess.

Reappropriation:

Model Toxics Control Capital Account—
State \$1,627,000

State Building Construction Account—
State \$543,000

Subtotal Reappropriation
\$2,170,000

Prior Biennia (Expenditures)
\$20,330,000

Future Biennia (Projected Costs)
\$0

TOTAL \$22,500,000

NEW SECTION. Sec. 3021. FOR THE DEPARTMENT OF ECOLOGY

Eastern Washington Clean Sites
Initiative (30000432)

Reappropriation:

Model Toxics Control Capital Account—
State \$7,444,000

Prior Biennia (Expenditures)
\$2,456,000

Future Biennia (Projected Costs)
\$0

TOTAL \$9,900,000

NEW SECTION. Sec. 3022. FOR THE DEPARTMENT OF ECOLOGY

Remedial Action Grants (30000458)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3011, chapter 35, Laws of 2016 sp. sess.

Reappropriation:

Model Toxics Control Capital Account—
State \$8,711,000

State Building Construction Account—
State \$14,081,000

Subtotal Reappropriation
\$22,792,000

Prior Biennia (Expenditures)
\$29,955,000

Future Biennia (Projected Costs)
\$0

TOTAL \$52,747,000

NEW SECTION. Sec. 3023. FOR THE DEPARTMENT OF ECOLOGY

Leaking Tank Model Remedies (30000490)

Reappropriation:

Model Toxics Control Capital Account—State \$280,000

Prior Biennia (Expenditures)
\$1,720,000

Future Biennia (Projected Costs)
\$0

TOTAL \$2,000,000

NEW SECTION. Sec. 3024. FOR THE DEPARTMENT OF ECOLOGY

Stormwater Financial Assistance Program (30000535)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3012, chapter 35, Laws of 2016 sp. sess.

Reappropriation:

Model Toxics Control Stormwater Account—State \$22,444,000

Prior Biennia (Expenditures)
\$8,757,000

Future Biennia (Projected Costs)
\$0

TOTAL \$31,201,000

NEW SECTION. Sec. 3025. FOR THE DEPARTMENT OF ECOLOGY

Coastal Wetlands Federal Funds (30000536)

Reappropriation:

General Fund—Federal \$3,962,000

Prior Biennia (Expenditures)
\$6,038,000

Future Biennia (Projected Costs)
\$0

TOTAL \$10,000,000

NEW SECTION. Sec. 3026. FOR THE DEPARTMENT OF ECOLOGY

Floodplains by Design (30000537)

Reappropriation:

State Building Construction Account—State \$10,094,000

Prior Biennia (Expenditures)
\$25,466,000

Future Biennia (Projected Costs)
\$0

TOTAL \$35,560,000

NEW SECTION. Sec. 3027. FOR THE DEPARTMENT OF ECOLOGY

ASARCO Cleanup (30000538)

Reappropriation:

Cleanup Settlement Account—State \$1,982,000

Prior Biennia (Expenditures)
\$10,164,000

Future Biennia (Projected Costs)
\$0

TOTAL \$12,146,000

NEW SECTION. Sec. 3028. FOR THE DEPARTMENT OF ECOLOGY

Cleanup Toxics Sites - Puget Sound (30000542)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3013, chapter 35, Laws of 2016 sp. sess.

Reappropriation:

Model Toxics Control Capital Account—State \$6,379,000

Prior Biennia (Expenditures)
\$8,002,000

Future Biennia (Projected Costs)
\$0

TOTAL \$14,381,000

NEW SECTION. Sec. 3029. FOR THE DEPARTMENT OF ECOLOGY

Columbia River Water Supply Development Program (30000588)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3068, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

Columbia River Basin Water Supply Revenue

Recovery Account—State \$1,313,000

Prior Biennia (Expenditures)
\$17,687,000

Future Biennia (Projected Costs)
\$0

TOTAL \$19,000,000

NEW SECTION. Sec. 3030. FOR THE DEPARTMENT OF ECOLOGY

Sunnyside Valley Irrigation District
Water Conservation (30000589)

Reappropriation:

State Building Construction Account—
State \$1,129,000

Prior Biennia (Expenditures)
\$1,926,000

Future Biennia (Projected Costs)
\$0

TOTAL \$3,055,000

NEW SECTION. Sec. 3031. FOR THE DEPARTMENT OF ECOLOGY

Yakima River Basin Water Supply
(30000590)

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

(1) The reappropriations are subject to the provisions of section 3070, chapter 3, Laws of 2015 3rd sp. sess., except as provided in subsection (2) of this section.

(2) (a) \$3,250,000 of the appropriation in this section is provided solely for the acquisition of real property in lower Kittitas county known as the Eaton Ranch property by the state through the department of enterprise services on behalf of the department. This appropriation is provided to fund the closing, project, and transaction costs related to the acquisition of the property. The departments must expedite the review and execution of the transaction by June 30, 2022. It is the intent of the legislature that the state hold the property until a transfer to the United States bureau of reclamation for the purposes of construction of a water supply reservoir in accordance with the Yakima Basin integrated plan, or until such purpose is declared by the bureau no longer feasible.

(b) The legislature recognizes and declares that the acquisition of a portion of the Eaton Ranch for the construction of a water supply reservoir

in accordance with the goals and objectives of the Yakima Basin integrated plan is a unique circumstance and the Eaton Ranch property offers special and essential features that are expected to yield broad public benefit to the state. It is the intent of the legislature that the department provide the necessary funding through subsequent funding requests to maintain and principally operate the land for grazing of livestock with the local conservation district, or an equivalent organization, until a transfer of the property to the United States bureau of reclamation.

Reappropriation:

State Taxable Building Construction
Account—

State \$3,564,000

Prior Biennia (Expenditures)
\$26,436,000

Future Biennia (Projected Costs)
\$0

TOTAL \$30,000,000

NEW SECTION. Sec. 3032. FOR THE DEPARTMENT OF ECOLOGY

Watershed Plan Implementation and Flow
Achievement (30000591)

Reappropriation:

State Building Construction Account—
State \$889,000

Prior Biennia (Expenditures)
\$4,111,000

Future Biennia (Projected Costs)
\$0

TOTAL \$5,000,000

NEW SECTION. Sec. 3033. FOR THE DEPARTMENT OF ECOLOGY

ASARCO Cleanup (30000670)

Reappropriation:

Cleanup Settlement Account—State
\$17,621,000

Prior Biennia (Expenditures)
\$11,139,000

Future Biennia (Projected Costs)
\$0

TOTAL \$28,760,000

NEW SECTION. Sec. 3034. FOR THE DEPARTMENT OF ECOLOGY

Waste Tire Pile Cleanup and Prevention
(30000672)

Reappropriation:

Waste Tire Removal Account—State
\$47,000

Prior Biennia (Expenditures)
\$953,000

Future Biennia (Projected Costs)
\$0

TOTAL \$1,000,000

NEW SECTION. Sec. 3035. FOR THE DEPARTMENT OF ECOLOGY

Sunnyside Valley Irrigation District
Water Conservation (30000673)

Reappropriation:

State Building Construction Account—
State \$2,657,000

Prior Biennia (Expenditures)
\$2,027,000

Future Biennia (Projected Costs)
\$0

TOTAL \$4,684,000

NEW SECTION. Sec. 3036. FOR THE DEPARTMENT OF ECOLOGY

2015-17 Restored Eastern Washington
Clean Sites Initiative (30000704)

Reappropriation:

State Building Construction Account—
State \$2,342,000

Prior Biennia (Expenditures)
\$94,000

Future Biennia (Projected Costs)
\$0

TOTAL \$2,436,000

NEW SECTION. Sec. 3037. FOR THE DEPARTMENT OF ECOLOGY

2017-19 Centennial Clean Water Program
(30000705)

The reappropriation in this section is
subject to the following conditions and
limitations: The reappropriation is
subject to the provisions of section
3009, chapter 2, Laws of 2018.

Reappropriation:

State Building Construction Account—
State \$17,403,000

Prior Biennia (Expenditures)
\$17,597,000

Future Biennia (Projected Costs)
\$0

TOTAL \$35,000,000

NEW SECTION. Sec. 3038. FOR THE DEPARTMENT OF ECOLOGY

Floodplains by Design 2017-19
(30000706)

Reappropriation:

State Building Construction Account—
State \$24,036,000

Prior Biennia (Expenditures)
\$11,428,000

Future Biennia (Projected Costs)
\$0

TOTAL \$35,464,000

NEW SECTION. Sec. 3039. FOR THE DEPARTMENT OF ECOLOGY

2017-19 Remedial Action Grants
(30000707)

Reappropriation:

Model Toxics Control Capital Account—
State \$3,261,000

Prior Biennia (Expenditures)
\$2,616,000

Future Biennia (Projected Costs)
\$0

TOTAL \$5,877,000

NEW SECTION. Sec. 3040. FOR THE DEPARTMENT OF ECOLOGY

Swift Creek Natural Asbestos Flood
Control and Cleanup (30000708)

The appropriations in this section are
subject to the following conditions and
limitations: The reappropriation is
subject to the provisions of section
3011, chapter 2, Laws of 2018.

Reappropriation:

State Building Construction Account—
State \$1,688,000

Appropriation:

State Building Construction Account—
State \$2,041,000

Prior Biennia (Expenditures)
\$4,712,000

Future Biennia (Projected Costs)
\$35,400,000

TOTAL \$43,841,000

NEW SECTION. Sec. 3041. FOR THE DEPARTMENT OF ECOLOGY

Water Pollution Control Revolving Program (30000710)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3013, chapter 2, Laws of 2018.

Reappropriation:

Water Pollution Control Revolving Fund—State \$160,000,000

Prior Biennia (Expenditures) \$50,000,000

Future Biennia (Projected Costs) \$0

TOTAL \$210,000,000

NEW SECTION. Sec. 3042. FOR THE DEPARTMENT OF ECOLOGY

Columbia River Water Supply Development Program (30000712)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3006, chapter 298, Laws of 2018.

Reappropriation:

Columbia River Basin Water Supply Development

Account—State \$9,152,000

Columbia River Basin Water Supply Revenue

Recovery Account—State \$2,000,000

State Building Construction Account—State \$6,569,000

Subtotal Reappropriation \$17,721,000

Prior Biennia (Expenditures) \$16,079,000

Future Biennia (Projected Costs) \$0

TOTAL \$33,800,000

NEW SECTION. Sec. 3043. FOR THE DEPARTMENT OF ECOLOGY

Watershed Plan Implementation and Flow Achievement (30000714)

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

subject to the provisions of section 3017, chapter 2, Laws of 2018.

Reappropriation:

State Building Construction Account—State \$3,907,000

Prior Biennia (Expenditures) \$1,093,000

Future Biennia (Projected Costs) \$0

TOTAL \$5,000,000

NEW SECTION. Sec. 3044. FOR THE DEPARTMENT OF ECOLOGY

Water Irrigation Efficiencies Program (30000740)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3007, chapter 298, Laws of 2018.

Reappropriation:

State Building Construction Account—State \$2,233,000

Prior Biennia (Expenditures) \$4,267,000

Future Biennia (Projected Costs) \$0

TOTAL \$6,500,000

NEW SECTION. Sec. 3045. FOR THE DEPARTMENT OF ECOLOGY

Eastern Regional Office Improvements and Stormwater Treatment (30000741)

Reappropriation:

State Building Construction Account—State \$1,503,000

Prior Biennia (Expenditures) \$2,383,000

Future Biennia (Projected Costs) \$0

TOTAL \$3,886,000

NEW SECTION. Sec. 3046. FOR THE DEPARTMENT OF ECOLOGY

2017-19 Eastern Washington Clean Sites Initiative (30000742)

Reappropriation:

Model Toxics Control Capital Account—State \$1,740,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$1,740,000

NEW SECTION. Sec. 3047. FOR THE DEPARTMENT OF ECOLOGY

2017-19 Clean Up Toxic Sites - Puget Sound (30000749)

Reappropriation:

Model Toxics Control Capital Account—State \$155,000

Prior Biennia (Expenditures)
\$2,027,000

Future Biennia (Projected Costs)
\$0

TOTAL \$2,182,000

NEW SECTION. Sec. 3048. FOR THE DEPARTMENT OF ECOLOGY

2015-17 Restored Clean Up Toxic Sites - Puget Sound (30000763)

Reappropriation:

State Building Construction Account—State \$2,155,000

Prior Biennia (Expenditures)
\$3,085,000

Future Biennia (Projected Costs)
\$0

TOTAL \$5,240,000

NEW SECTION. Sec. 3049. FOR THE DEPARTMENT OF ECOLOGY

2017-19 Stormwater Financial Assistance Program (30000796)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriation are subject to the provisions of section 3005, chapter 298, Laws of 2018.

Reappropriation:

Model Toxics Control Stormwater Account—State \$10,673,000

State Building Construction Account—State \$23,149,000

Subtotal Reappropriation
\$33,822,000

Prior Biennia (Expenditures)
\$2,578,000

Future Biennia (Projected Costs)
\$0

TOTAL \$36,400,000

NEW SECTION. Sec. 3050. FOR THE DEPARTMENT OF ECOLOGY

2015-17 Restored Stormwater Financial Assistance (30000797)

Reappropriation:

State Building Construction Account—State \$21,257,000

Prior Biennia (Expenditures)
\$8,843,000

Future Biennia (Projected Costs)
\$0

TOTAL \$30,100,000

NEW SECTION. Sec. 3051. FOR THE DEPARTMENT OF ECOLOGY

Catastrophic Flood Relief (40000006)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3023, chapter 2, Laws of 2018.

Reappropriation:

General Fund—Federal \$10,000,000

Prior Biennia (Expenditures)
\$50,000,000

Future Biennia (Projected Costs)
\$0

TOTAL \$60,000,000

NEW SECTION. Sec. 3052. FOR THE DEPARTMENT OF ECOLOGY

VW Settlement Funded Projects (40000018)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3008, chapter 298, Laws of 2018.

Reappropriation:

General Fund—Private/Local
\$109,662,000

Prior Biennia (Expenditures)
\$3,038,000

Future Biennia (Projected Costs)
\$0

TOTAL \$112,700,000

NEW SECTION. Sec. 3053. FOR THE DEPARTMENT OF ECOLOGY

Reduce Air Pollution from Transit/Sch. Buses/State-Owned Vehicles (40000109)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3019, chapter 356, Laws of 2020.

Reappropriation:

Air Pollution Control Account—State
\$16,099,000

Prior Biennia (Expenditures)
\$12,301,000

Future Biennia (Projected Costs)
\$0

TOTAL \$28,400,000

NEW SECTION. Sec. 3054. FOR THE DEPARTMENT OF ECOLOGY

2019-21 Water Pollution Control Revolving Program (40000110)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3074, chapter 413, Laws of 2019.

Reappropriation:

Water Pollution Control Revolving Fund—State \$148,000,000

Water Pollution Control Revolving Fund—Federal \$53,837,000

Subtotal Reappropriation
\$201,837,000

Prior Biennia (Expenditures)
\$2,163,000

Future Biennia (Projected Costs)
\$0

TOTAL \$204,000,000

NEW SECTION. Sec. 3055. FOR THE DEPARTMENT OF ECOLOGY

2019-21 Sunnyside Valley Irrigation District Water Conservation (40000111)

Reappropriation:

State Building Construction Account—State \$4,197,000

Prior Biennia (Expenditures)
\$37,000

Future Biennia (Projected Costs)
\$0

TOTAL \$4,234,000

NEW SECTION. Sec. 3056. FOR THE DEPARTMENT OF ECOLOGY

2019-21 ASARCO Cleanup (40000114)

Reappropriation:

Cleanup Settlement Account—State
\$6,800,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$6,800,000

NEW SECTION. Sec. 3057. FOR THE DEPARTMENT OF ECOLOGY

2019-21 Reducing Toxic Diesel Emissions (40000115)

Reappropriation:

Air Pollution Control Account—State
\$668,000

Prior Biennia (Expenditures)
\$332,000

Future Biennia (Projected Costs)
\$0

TOTAL \$1,000,000

NEW SECTION. Sec. 3058. FOR THE DEPARTMENT OF ECOLOGY

2019-21 Centennial Clean Water Program (40000116)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3074, chapter 413, Laws of 2019.

Reappropriation:

State Building Construction Account—State \$25,010,000

Prior Biennia (Expenditures)
\$4,990,000

Future Biennia (Projected Costs)
\$0

TOTAL \$30,000,000

NEW SECTION. Sec. 3059. FOR THE DEPARTMENT OF ECOLOGY

2019-21 Eastern Washington Clean Sites Initiative (40000117)

Reappropriation:

Model Toxics Control Capital Account—State \$12,108,000

Prior Biennia (Expenditures) \$2,000

Future Biennia (Projected Costs)
\$0

TOTAL \$12,110,000

NEW SECTION. **Sec. 3060.** **FOR THE**
DEPARTMENT OF ECOLOGY

2019-21 Reducing Toxic Wood Stove
Emissions (40000126)

Reappropriation:

Air Pollution Control Account—State
\$590,000

Prior Biennia (Expenditures)
\$1,910,000

Future Biennia (Projected Costs)
\$0

TOTAL \$2,500,000

NEW SECTION. **Sec. 3061.** **FOR THE**
DEPARTMENT OF ECOLOGY

Padilla Bay Federal Capital Projects
(40000127)

Reappropriation:

General Fund—Federal \$500,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$500,000

NEW SECTION. **Sec. 3062.** **FOR THE**
DEPARTMENT OF ECOLOGY

Mercury Switch Removal (40000128)

Reappropriation:

Model Toxics Control Capital Account—
State \$186,000

Prior Biennia (Expenditures)
\$64,000

Future Biennia (Projected Costs)
\$0

TOTAL \$250,000

NEW SECTION. **Sec. 3063.** **FOR THE**
DEPARTMENT OF ECOLOGY

2019-21 Floodplains by Design
(40000129)

Reappropriation:

State Building Construction Account—
State \$46,163,000

Prior Biennia (Expenditures)
\$4,237,000

Future Biennia (Projected Costs)
\$0

TOTAL \$50,400,000

NEW SECTION. **Sec. 3064.** **FOR THE**
DEPARTMENT OF ECOLOGY

2019-21 Clean Up Toxics Sites - Puget
Sound (40000130)

The reappropriation in this section is
subject to the following conditions and
limitations: The reappropriation is
subject to the provisions of section
3080, chapter 413, Laws of 2019.

Reappropriation:

Model Toxics Control Capital Account—
State \$12,415,000

Prior Biennia (Expenditures)
\$352,000

Future Biennia (Projected Costs)
\$0

TOTAL \$12,767,000

NEW SECTION. **Sec. 3065.** **FOR THE**
DEPARTMENT OF ECOLOGY

2019-21 Stormwater Financial
Assistance Program (40000144)

The reappropriation in this section is
subject to the following conditions and
limitations: The reappropriation is
subject to the provisions of section
3020, chapter 356, Laws of 2020.

Reappropriation:

Model Toxics Control Stormwater
Account—State \$44,617,000

Prior Biennia (Expenditures)
\$4,389,000

Future Biennia (Projected Costs)
\$0

TOTAL \$49,006,000

NEW SECTION. **Sec. 3066.** **FOR THE**
DEPARTMENT OF ECOLOGY

2015 Drought Authority (40000146)

Reappropriation:

State Drought Preparedness Account—
State \$669,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$669,000

NEW SECTION. **Sec. 3067.** **FOR THE**
DEPARTMENT OF ECOLOGY

Waste Tire Pile Cleanup and Prevention
(40000147)

Reappropriation:

Waste Tire Removal Account—State
\$369,000

Prior Biennia (Expenditures)
\$631,000

Future Biennia (Projected Costs)
\$0

TOTAL \$1,000,000

NEW SECTION. Sec. 3068. FOR THE DEPARTMENT OF ECOLOGY

Lacey HQ Roof Replacement (40000148)

Reappropriation:

State Building Construction Account—
State \$2,947,000

Prior Biennia (Expenditures)
\$142,000

Future Biennia (Projected Costs)
\$0

TOTAL \$3,089,000

NEW SECTION. Sec. 3069. FOR THE DEPARTMENT OF ECOLOGY

Healthy Housing Remediation Program
(40000149)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3085, chapter 413, Laws of 2019.

Reappropriation:

Model Toxics Control Capital Account—
State \$5,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$5,000,000

NEW SECTION. Sec. 3070. FOR THE DEPARTMENT OF ECOLOGY

2019-21 Columbia River Water Supply Development Program (40000152)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3087, chapter 413, Laws of 2019.

Reappropriation:

Columbia River Basin Water Supply Revenue

Recovery Account—State \$2,400,000

State Building Construction Account—
State \$22,970,000

State Taxable Building Construction Account—

State \$10,500,000

Subtotal Reappropriation
\$35,870,000

Prior Biennia (Expenditures)
\$4,130,000

Future Biennia (Projected Costs)
\$0

TOTAL \$40,000,000

NEW SECTION. Sec. 3071. FOR THE DEPARTMENT OF ECOLOGY

2019-21 Streamflow Restoration Program
(40000177)

Reappropriation:

Watershed Restoration and Enhancement Bond

Account—State \$31,504,000

Prior Biennia (Expenditures)
\$8,496,000

Future Biennia (Projected Costs)
\$0

TOTAL \$40,000,000

NEW SECTION. Sec. 3072. FOR THE DEPARTMENT OF ECOLOGY

2019-21 Yakima River Basin Water Supply (40000179)

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

(1) \$3,250,000 of the appropriation in this section is provided solely for the acquisition of real property in lower Kittitas county known as the Eaton Ranch property by the state through the department of enterprise services on behalf of the department. This appropriation is provided to fund the closing, project, and transaction costs related to the acquisition of the property. The departments must expedite the review and execution of the transaction by June 30, 2022. It is the intent of the legislature that the state hold the property until a transfer to the United States bureau of reclamation for the purposes of construction of a water supply reservoir in accordance with the Yakima Basin integrated plan, or until

such purpose is declared by the bureau no longer feasible.

(2) The legislature recognizes and declares that the acquisition of a portion of the Eaton Ranch for the construction of a water supply reservoir in accordance with the goals and objectives of the Yakima Basin integrated plan is a unique circumstance and the Eaton Ranch property offers special and essential features that are expected to yield broad public benefit to the state. It is the intent of the legislature that the department provide the necessary funding through subsequent funding requests to maintain and principally operate the land for grazing of livestock with the local conservation district, or an equivalent organization, until a transfer of the property to the United States bureau of reclamation.

Reappropriation:

State Building Construction Account—
State \$26,212,000

Prior Biennia (Expenditures)
\$13,788,000

Future Biennia (Projected Costs)
\$0

TOTAL \$40,000,000

NEW SECTION. Sec. 3073. FOR THE DEPARTMENT OF ECOLOGY

Zosel Dam Preservation (40000193)

Reappropriation:

State Building Construction Account—
State \$137,000

Prior Biennia (Expenditures)
\$80,000

Future Biennia (Projected Costs)
\$0

TOTAL \$217,000

NEW SECTION. Sec. 3074. FOR THE DEPARTMENT OF ECOLOGY

2019-21 Protect Investments in Cleanup Remedies (40000194)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3091, chapter 413, Laws of 2019.

Reappropriation:

Model Toxics Control Capital Account—
State \$6,918,000

Prior Biennia (Expenditures)
\$1,286,000

Future Biennia (Projected Costs)
\$0

TOTAL \$8,204,000

NEW SECTION. Sec. 3075. FOR THE DEPARTMENT OF ECOLOGY

Lacey HQ Facility Preservation Project—Minor Works (40000207)

Reappropriation:

State Building Construction Account—
State \$193,000

Prior Biennia (Expenditures)
\$57,000

Future Biennia (Projected Costs)
\$0

TOTAL \$250,000

NEW SECTION. Sec. 3076. FOR THE DEPARTMENT OF ECOLOGY

2019-21 Chehalis Basin Strategy (40000209)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3023, chapter 356, Laws of 2020.

Reappropriation:

State Building Construction Account—
State \$62,458,000

Prior Biennia (Expenditures)
\$11,449,000

Future Biennia (Projected Costs)
\$0

TOTAL \$73,907,000

NEW SECTION. Sec. 3077. FOR THE DEPARTMENT OF ECOLOGY

Chemical Action Plan Implementation (40000210)

Reappropriation:

Model Toxics Control Capital Account—
State \$1,883,000

Prior Biennia (Expenditures)
\$1,821,000

Future Biennia (Projected Costs)
\$0

TOTAL \$3,704,000

NEW SECTION. Sec. 3078. FOR THE DEPARTMENT OF ECOLOGY

2019-21 Remedial Action Grants
(40000211)

Reappropriation:

Model Toxics Control Capital Account—
State \$46,763,000

Prior Biennia (Expenditures)
\$3,201,000

Future Biennia (Projected Costs)
\$0

TOTAL \$49,964,000

**NEW SECTION. Sec. 3079. FOR THE
DEPARTMENT OF ECOLOGY**

2020 Eastern Washington Clean Sites
Initiative (40000286)

Reappropriation:

Model Toxics Control Capital Account—
State \$1,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$1,000,000

**NEW SECTION. Sec. 3080. FOR THE
DEPARTMENT OF ECOLOGY**

2020 Remedial Action Grants (40000288)

Reappropriation:

Model Toxics Control Capital Account—
State \$32,645,000

Prior Biennia (Expenditures)
\$11,000

Future Biennia (Projected Costs)
\$0

TOTAL \$32,656,000

**NEW SECTION. Sec. 3081. FOR THE
DEPARTMENT OF ECOLOGY**

2021-23 ASARCO Everett Smelter Plume
Cleanup (40000303)

Appropriation:

Model Toxics Control Capital Account—
State \$10,814,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$16,722,000

TOTAL \$27,536,000

**NEW SECTION. Sec. 3082. FOR THE
DEPARTMENT OF ECOLOGY**

2021-23 Remedial Action Grant Program
(40000304)

The appropriation in this section is subject to the following conditions and limitations: During the 2021-2023 fiscal biennium, the department must work with the Port of Everett to develop an extended grant agreement for the Port Weyerhaeuser Mill A project located in Everett harbor, in preparation of the department's 2023-2025 biennial capital budget request for remedial action grant program funding.

Appropriation:

Model Toxics Control Capital Account—
State \$71,194,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$264,800,000

TOTAL \$335,994,000

**NEW SECTION. Sec. 3083. FOR THE
DEPARTMENT OF ECOLOGY**

2021-23 Stormwater Financial
Assistance Program (40000336)

Appropriation:

Model Toxics Control Stormwater
Account—State \$75,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$280,000,000

TOTAL \$355,000,000

**NEW SECTION. Sec. 3084. FOR THE
DEPARTMENT OF ECOLOGY**

2021-23 Water Pollution Control
Revolving Program (40000337)

Appropriation:

Water Pollution Control Revolving
Fund—State \$225,000,000

Water Pollution Control Revolving
Fund—Federal \$75,000,000

Subtotal Appropriation \$300,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$1,200,000,000

TOTAL \$1,500,000,000

**NEW SECTION. Sec. 3085. FOR THE
DEPARTMENT OF ECOLOGY**

2021-23 Waste Tire Pile Cleanup and
Prevention (40000338)

Appropriation:

Waste Tire Removal Account—State
\$1,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$4,000,000

TOTAL \$5,000,000

NEW SECTION. Sec. 3086. FOR THE DEPARTMENT OF ECOLOGY

2021-23 State Match - Water Pollution Control Revolving Program (40000339)

Appropriation:

Water Pollution Control Revolving Fund—State \$15,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$60,000,000

TOTAL \$75,000,000

NEW SECTION. Sec. 3087. FOR THE DEPARTMENT OF ECOLOGY

2021-23 Eastern Washington Clean Sites Initiative (40000340)

Appropriation:

Model Toxics Control Capital Account—State \$20,820,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$40,000,000

TOTAL \$60,820,000

NEW SECTION. Sec. 3088. FOR THE DEPARTMENT OF ECOLOGY

2021-23 Clean Up Toxic Sites - Puget Sound (40000346)

Appropriation:

Model Toxics Control Capital Account—State \$5,808,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$40,000,000

TOTAL \$45,808,000

NEW SECTION. Sec. 3089. FOR THE DEPARTMENT OF ECOLOGY

2021-23 Centennial Clean Water Program (40000359)

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

(1) For projects involving repair, replacement, or improvement of a clean water infrastructure facility or other public works facility for which an investment grade efficiency audit is reasonably obtainable, the department must require as a contract condition that the project sponsor undertake an investment grade efficiency audit. The project sponsor may finance the costs of the audit as part of its centennial program grant.

(2) The department must encourage local government use of federally funded clean water infrastructure programs operated by the United States department of agriculture rural development.

Appropriation:

Model Toxics Control Capital Account—State \$40,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$160,000,000

TOTAL \$200,000,000

NEW SECTION. Sec. 3090. FOR THE DEPARTMENT OF ECOLOGY

2021-23 Protect Investments in Cleanup Remedies (40000360)

Appropriation:

Model Toxics Control Capital Account—State \$11,093,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$40,000,000

TOTAL \$51,093,000

NEW SECTION. Sec. 3091. FOR THE DEPARTMENT OF ECOLOGY

2021-23 Reducing Toxic Wood Stove Emissions (40000371)

The appropriation in this section is subject to the following conditions and limitations: Whenever possible and most cost effective, the agency and local air agency partners must select home heating devices that are certified by the United States environmental protection agency or do not use natural gas to replace noncompliant devices.

Appropriation:

Model Toxics Control Capital Account—
State \$3,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$16,000,000

TOTAL \$19,000,000

**NEW SECTION. Sec. 3092. FOR THE
DEPARTMENT OF ECOLOGY**

2021-23 Freshwater Aquatic Invasive
Plants Grant Program (40000375)

Appropriation:

Freshwater Aquatic Weeds Account—
State \$1,700,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$6,800,000

TOTAL \$8,500,000

**NEW SECTION. Sec. 3093. FOR THE
DEPARTMENT OF ECOLOGY**

2021-23 Freshwater Algae Grant Program
(40000376)

Appropriation:

Aquatic Algae Control Account—State
\$730,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$3,000,000

TOTAL \$3,730,000

**NEW SECTION. Sec. 3094. FOR THE
DEPARTMENT OF ECOLOGY**

2021-23 Healthy Housing Remediation
Program (40000378)

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

(1) (a) \$10,161,000 of the
appropriation in this section is provided
solely for the department to establish
and administer a program to:

(i) Provide grants or other public
funding to persons intending to remediate
contaminated real property for
development of affordable housing, as
defined in RCW 43.185A.010. The grants or
public funding may only be used for:

(A) Integrated planning to fund
studies and other activities necessary to
facilitate the acquisition, remediation,
and adaptive reuse of known or suspected

contaminated real property for
affordable housing development,
including:

(I) The activities specified under RCW
70A.305.190(5)(d); and

(II) Entry into development agreements
pursuant to RCW 36.70B.170, 36.70B.180,
and 36.70B.190 to accelerate the
development of the contaminated real
property into affordable housing; and

(B) Remediation of contaminated real
property for affordable housing
development; or

(ii) Remediate contaminated real
property where a person intends to
develop affordable housing, as defined in
RCW 43.185A.010.

(b) When evaluating projects under
this section, the department must consult
with the department of commerce and
consider at a minimum:

(i) The ability of the project to
expedite the cleanup and reuse of the
contaminated real property for
affordable housing development;

(ii) The extent to which the project
leverages other public or private funding
for the cleanup and reuse of the
contaminated real property for
affordable housing development;

(iii) The suitability of the real
property for affordable housing based on
the threat posed by the contamination to
human health;

(iv) Whether the work to be funded is
ready to proceed and be completed; and

(v) The distribution of funding
throughout the state and among public and
private entities.

(c) Any remediation of contaminated
real property funded under this section
must be performed:

(i) Under an agreed order or consent
decree issued under chapter 70A.305 RCW
or by the department; and

(ii) In accordance with the rules
established under chapter 70A.305 RCW.

(d) Real property remediated under
this section must be restricted to
affordable housing use for a period of no
less than 30 years.

(i) To ensure that real property
remediated under this section is used for
affordable housing, the department may

file a lien against the real property pursuant to RCW 70A.305.060, require the person to record an interest in the real property in accordance with RCW 64.04.130, or use other means deemed by the department to be no less protective of the affordable housing use and interests of the department.

(ii) Any person who refuses, without sufficient cause, to comply with this subsection is subject to enforcement pursuant to any agreement or chapter 70A.305 RCW for the repayment, with interest, of funds provided or expended by the department under this section.

(2) \$750,000 of the appropriation in this section is provided solely to mitigate soil contamination of toxic substances to enable the development of affordable housing, at the former University of Washington Mount Baker site, located at 2901 27th Ave South in Seattle and consisting of approximately four acres of land.

Appropriation:

Model Toxics Control Capital Account—
State \$10,911,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$40,000,000

TOTAL \$50,911,000

NEW SECTION. Sec. 3095. FOR THE DEPARTMENT OF ECOLOGY

2021-23 ASARCO Tacoma Smelter Plume Cleanup (40000386)

Appropriation:

Cleanup Settlement Account—State
\$3,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$17,200,000

TOTAL \$20,200,000

NEW SECTION. Sec. 3096. FOR THE DEPARTMENT OF ECOLOGY

2021-23 Chehalis Basin Strategy (40000387)

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

(1) \$33,050,000 of the appropriation in this section is for board-approved projects to protect and restore aquatic

species habitat, including construction and property acquisition; preconstruction and acquisition planning and project development, feasibility, design, environmental review, and permitting; postconstruction and acquisition monitoring and adaptive management; and engagement of state agencies, tribes, conservation partners, landowners, and other parties.

(2) \$33,050,000 of the appropriation in this section is for board-approved projects to reduce flood damage, including construction and property acquisition; preconstruction and acquisition project planning and development, feasibility, design, environmental review, and permitting; and engagement of state agencies, tribes, project sponsors, landowners, and other parties.

(3) \$3,900,000 of the appropriation in this section is for the operations of the office of Chehalis Basin and Chehalis Basin board to oversee the development, implementation, and amendment of the Chehalis Basin strategy. Oversight operations include, but are not limited to: Providing financial accountability, project management, and board meeting administration and facilitation.

(4) Specific projects must be approved by at least six of the seven voting members of the Chehalis Basin Board. The Chehalis Basin Board has the discretion to reallocate the funding between subsections (1), (2), and (3) of this section if needed to meet the objectives of this appropriation and approved by at least six of the seven voting members of the board. However, \$3,900,000 is the maximum amount the department may expend for the purposes of subsection (3) of this section.

(5) Up to 1.5 percent of the appropriation in this section may be used by the recreation and conservation office to administer contracts associated with the subprojects funded through this section. Contract administration includes, but is not limited to: Drafting and amending contracts, reviewing and approving invoices, tracking expenditures, and performing field inspections to assess project status when conducting similar assessments related to other agency contracts in the same geographic area.

Appropriation:

State Building Construction Account—
State \$70,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$240,000,000

TOTAL \$310,000,000

NEW SECTION. Sec. 3097. FOR THE DEPARTMENT OF ECOLOGY

2021-23 Coastal Wetlands Federal Funds
(40000388)

Appropriation:

General Fund—Federal \$8,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$32,000,000

TOTAL \$40,000,000

NEW SECTION. Sec. 3098. FOR THE DEPARTMENT OF ECOLOGY

2021-23 Floodplains by Design
(40000389)

Appropriation:

State Building Construction Account—
State \$50,908,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$280,000,000

TOTAL \$330,908,000

NEW SECTION. Sec. 3099. FOR THE DEPARTMENT OF ECOLOGY

2021-23 Reducing Diesel GHG & Toxic
Emissions (40000390)

Appropriation:

Model Toxics Control Capital Account—
State \$15,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$60,000,000

TOTAL \$75,000,000

NEW SECTION. Sec. 3100. FOR THE DEPARTMENT OF ECOLOGY

2021-23 Sunnyside Valley Irrigation
District Water Conservation (40000391)

Appropriation:

State Building Construction Account—
State \$4,281,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$17,124,000

TOTAL \$21,405,000

NEW SECTION. Sec. 3101. FOR THE DEPARTMENT OF ECOLOGY

2021-23 Puget Sound Nutrient Reduction
Grant Program (40000396)

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

The department must use the following
criteria to evaluate and prioritize
eligible municipalities to receive grant
funding under this section:

(1) Location of wastewater treatment
facility, prioritizing facilities that
are not located within a city with a
population of 760,000 or more, as
reported by the office of financial
management pursuant to RCW 43.62.030;

(2) Age of wastewater treatment
facility, prioritizing the oldest
eligible facilities; and

(3) Immediacy of need for grant
funding to avoid system failure and
higher magnitude of contamination.

Appropriation:

State Building Construction Account—
State \$9,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$36,000,000

TOTAL \$45,000,000

NEW SECTION. Sec. 3102. FOR THE DEPARTMENT OF ECOLOGY

2021-23 Streamflow Restoration Program
(40000397)

Appropriation:

Watershed Restoration and Enhancement
Bond

Account—State \$40,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$160,000,000

TOTAL \$200,000,000

NEW SECTION. Sec. 3103. FOR THE DEPARTMENT OF ECOLOGY

2021-23 Columbia River Water Supply
Development Program (40000399)

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

(1) \$16,000,000 of the appropriation is provided solely to assist in planning, designing, engineering, development coordination, and construction of pump stations or other improvements at the EL 79.2 or associated stations serving the same area that expand the delivery systems of the Odessa groundwater replacement project, sufficient to irrigate at least 13,000 acres. Within amounts appropriated in this subsection:

(a) \$400,000 may be provided to assist the Grant county conservation district in applying for support from the United States department of agriculture-natural resource conservation service to secure federal funding for surface water delivery systems on the Columbia Basin Project.

(b) \$150,000 may be used for improvements at EL 85, including radial arm gates.

(2) \$5,000,000 of the appropriation is provided solely for the continued development and building of the EL 22.1 surface water irrigation system including a canal pump station, an electrical power substation, booster pump stations, and a large diameter full-sized pipeline sufficient to irrigate 16,000 acres.

(3) The east Columbia basin irrigation district may only be allowed to make any administrative charges sufficient to administer the state grants, not to exceed one percent of amounts provided to them within this appropriation, with the requirement to report administrative expenditures to the office of Columbia river annually.

Appropriation:

Columbia River Basin Water Supply Revenue

Recovery Account—State \$1,500,000

State Building Construction Account—State \$43,500,000

Subtotal Appropriation \$45,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$160,000,000

TOTAL \$205,000,000

NEW SECTION. **Sec. 3104. FOR THE DEPARTMENT OF ECOLOGY**

2021-23 Yakima River Basin Water Supply (40000422)

Appropriation:

State Building Construction Account—State \$42,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$168,000,000

TOTAL \$210,000,000

NEW SECTION. **Sec. 3105. FOR THE DEPARTMENT OF ECOLOGY**

2021-23 Product Replacement Program (40000436)

Appropriation:

Model Toxics Control Capital Account—State \$6,500,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$26,000,000

TOTAL \$32,500,000

NEW SECTION. **Sec. 3106. FOR THE DEPARTMENT OF ECOLOGY**

Water Availability (91000343)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3011, chapter 298, Laws of 2018.

Reappropriation:

Watershed Restoration and Enhancement Bond

Account—State \$7,943,000

Prior Biennia (Expenditures) \$5,657,000

Future Biennia (Projected Costs) \$0

TOTAL \$13,600,000

NEW SECTION. **Sec. 3107. FOR THE DEPARTMENT OF ECOLOGY**

Skagit Water (91000347)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3012, chapter 298, Laws of 2018.

Reappropriation:

State Building Construction Account—
State \$2,290,000

Prior Biennia (Expenditures)
\$210,000

Future Biennia (Projected Costs)
\$0

TOTAL \$2,500,000

NEW SECTION. Sec. 3108. FOR THE DEPARTMENT OF ECOLOGY

PFAS Pilot Project (91000359)

The appropriations in this section are subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3103, chapter 413, Laws of 2019.

Reappropriation:

State Building Construction Account—
State \$400,000

Appropriation:

State Building Construction Account—
State \$750,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$1,150,000

NEW SECTION. Sec. 3109. FOR THE DEPARTMENT OF ECOLOGY

Storm Water Improvements (92000076)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3028, chapter 2, Laws of 2018.

Reappropriation:

State Building Construction Account—
State \$29,293,000

Prior Biennia (Expenditures)
\$67,673,000

Future Biennia (Projected Costs)
\$0

TOTAL \$96,966,000

NEW SECTION. Sec. 3110. FOR THE DEPARTMENT OF ECOLOGY

Drought Response (92000142)

Reappropriation:

State Drought Preparedness Account—
State \$1,215,000

Prior Biennia (Expenditures)
\$5,508,000

Future Biennia (Projected Costs)
\$0

TOTAL \$6,723,000

NEW SECTION. Sec. 3111. FOR THE DEPARTMENT OF ECOLOGY

Port of Tacoma Arkema/Dunlap Mound
(92000158)

Reappropriation:

State Building Construction Account—
State \$727,000

Prior Biennia (Expenditures)
\$2,173,000

Future Biennia (Projected Costs)
\$0

TOTAL \$2,900,000

NEW SECTION. Sec. 3112. FOR THE DEPARTMENT OF ECOLOGY

2021-23 Water Banking (91000373)

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

(1)(a) The appropriations in this section are provided solely for the department to administer a pilot grant program for water banking strategies to meet local water needs.

(b) \$2,000,000 is provided solely for qualified applicants located within the Methow River Basin.

(2)(a) Grant awards may only be used for:

(i) Development of water banks in rural counties as defined in RCW 82.14.370(5);

(ii) Acquisition of water rights appropriate for use in a water bank including all costs necessary to evaluate the water right for eligibility for its intended use; and

(iii) Activities necessary to facilitate the creation of a water bank.

(b) For applicants located outside of the Methow River Basin, grant awards may only be used for the development of water banks in rural counties that have the headwaters of a major watershed within their borders and only for water banking

strategies within the county of origin. For purposes of this section, "major watershed" has the same meaning as shoreline of statewide significance in RCW 90.58.030(2)(f)(v)(A) and (B).

(3) Grant awards may not exceed \$2,000,000 per applicant.

(4) For the purposes of a grant pursuant to this section, a water bank must meet water needs, which include, but are not limited to, agricultural use and instream flow for fish and wildlife. The water bank must preserve water rights for use in the county of origin and for permanent instream flows for fish and wildlife through the primary and secondary reaches of the water right.

(5) To be eligible to receive a grant under this section, an applicant must:

(a) Be a public entity or a participant in a public-private partnership with a public entity;

(b) Exhibit sufficient expertise and capacity to develop and maintain a water bank consistent with the purposes of this appropriation;

(c) Secure a valid interest to purchase a water right;

(d) Show that the water rights appear to be adequate for the intended use; and

(e) Agree to have one-third of any water right purchased with the funds appropriated under this section to have its purpose of use changed permanently to instream flow benefiting fish and wildlife.

Appropriation:

State Building Construction Account—
State \$5,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$5,000,000

NEW SECTION. Sec. 3113. FOR THE DEPARTMENT OF ECOLOGY

Pier 63 Creosote Removal (92000193)

Appropriation:

Model Toxics Control Capital Account—
State \$1,500,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$1,500,000

NEW SECTION. Sec. 3114. FOR THE POLLUTION LIABILITY INSURANCE PROGRAM

Underground Storage Tank Capital Program Demonstration and Design (30000001)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3085, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

Pollution Liability Insurance Program Trust

Account—State \$228,000

Prior Biennia (Expenditures) \$1,572,000

Future Biennia (Projected Costs) \$0

TOTAL \$1,800,000

NEW SECTION. Sec. 3115. FOR THE POLLUTION LIABILITY INSURANCE PROGRAM

Underground Storage Tank Capital Financial Assistance Program (30000002)

Reappropriation:

PLIA Underground Storage Tank Revolving Account—

State \$1,638,000

Prior Biennia (Expenditures) \$6,318,000

Future Biennia (Projected Costs) \$0

TOTAL \$7,956,000

NEW SECTION. Sec. 3116. FOR THE POLLUTION LIABILITY INSURANCE PROGRAM

Leaking Tank Model Remedies (30000669)

Reappropriation:

State Building Construction Account—
State \$639,000

Prior Biennia (Expenditures) \$467,000

Future Biennia (Projected Costs) \$0

TOTAL \$1,106,000

NEW SECTION. Sec. 3117. FOR THE POLLUTION LIABILITY INSURANCE PROGRAM

Underground Storage Tank Capital
 Financing Assistance Pgm 2019-21
 (30000702)

Reappropriation:

Pollution Liability Insurance Agency
 Underground

Storage Tank Revolving Account—State
 \$11,650,000

Prior Biennia (Expenditures)
 \$850,000

Future Biennia (Projected Costs)
 \$0

TOTAL \$12,500,000

NEW SECTION. Sec. 3118. FOR THE POLLUTION LIABILITY INSURANCE PROGRAM

2019-21 Leaking Tank Model Remedies
 Activity (30000703)

Reappropriation:

Pollution Liability Insurance Program
 Trust

Account—State \$732,000

Appropriation:

Pollution Liability Insurance Program
 Trust

Account—State \$263,000

Prior Biennia (Expenditures)
 \$32,000

Future Biennia (Projected Costs)
 \$1,052,000

TOTAL \$2,079,000

NEW SECTION. Sec. 3119. FOR THE POLLUTION LIABILITY INSURANCE PROGRAM

Heating Oil Capital Financing
 Assistance Program (30000704)

The reappropriation in this section is
 subject to the following conditions and
 limitations: The reappropriation is
 subject to the provisions of section
 3026, chapter 356, Laws of 2020.

Reappropriation:

PLIA Underground Storage Tank
 Revolving Account—

State \$4,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
 \$0

TOTAL \$4,000,000

NEW SECTION. Sec. 3120. FOR THE POLLUTION LIABILITY INSURANCE PROGRAM

2021-23 Underground Storage Tank
 Capital Financial Assistance Pgm
 (30000705)

Appropriation:

PLIA Underground Storage Tank
 Revolving Account—

State \$12,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
 \$48,000,000

TOTAL \$60,000,000

NEW SECTION. Sec. 3121. FOR THE POLLUTION LIABILITY INSURANCE PROGRAM

2021-23 Heating Oil Capital Financing
 Assistance Program (30000706)

Appropriation:

PLIA Underground Storage Tank
 Revolving Account—

State \$8,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
 \$32,000,000

TOTAL \$40,000,000

NEW SECTION. Sec. 3122. FOR THE POLLUTION LIABILITY INSURANCE PROGRAM

Underground Storage Tank Capital
 Financial Assistance Pgm 2017-19
 (92000001)

Reappropriation:

PLIA Underground Storage Tank
 Revolving Account—

State \$10,330,000

Prior Biennia (Expenditures)
 \$2,370,000

Future Biennia (Projected Costs)
 \$0

TOTAL \$12,700,000

NEW SECTION. Sec. 3123. FOR THE STATE PARKS AND RECREATION COMMISSION

Fort Flagler - Welcome Center
 Replacement (30000097)

Appropriation:

State Building Construction Account—
 State \$1,446,000

Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs)
 \$0
 TOTAL \$1,446,000

**NEW SECTION. Sec. 3124. FOR THE STATE
 PARKS AND RECREATION COMMISSION**

Fort Simcoe - Historic Officers
 Quarters Renovation (30000155)

Reappropriation:

State Building Construction Account—
 State \$208,000

Prior Biennia (Expenditures)
 \$84,000

Future Biennia (Projected Costs)
 \$0

TOTAL \$292,000

**NEW SECTION. Sec. 3125. FOR THE STATE
 PARKS AND RECREATION COMMISSION**

Sun Lakes State Park: Dry Falls
 Campground Renovation (30000305)

Reappropriation:

State Building Construction Account—
 State \$305,000

Prior Biennia (Expenditures)
 \$97,000

Future Biennia (Projected Costs)
 \$0

TOTAL \$402,000

**NEW SECTION. Sec. 3126. FOR THE STATE
 PARKS AND RECREATION COMMISSION**

Lake Chelan State Park Moorage Dock
 Pile Replacement (30000416)

Reappropriation:

State Building Construction Account—
 State \$821,000

Prior Biennia (Expenditures)
 \$1,023,000

Future Biennia (Projected Costs)
 \$0

TOTAL \$1,844,000

**NEW SECTION. Sec. 3127. FOR THE STATE
 PARKS AND RECREATION COMMISSION**

Willapa Hills Trail Develop Safe
 Multi-Use Trail Crossing at SR 6
 (30000519)

Reappropriation:

State Building Construction Account—
 State \$4,902,000

Prior Biennia (Expenditures)
 \$481,000

Future Biennia (Projected Costs)
 \$0

TOTAL \$5,383,000

**NEW SECTION. Sec. 3128. FOR THE STATE
 PARKS AND RECREATION COMMISSION**

Schafer Relocate Campground (30000532)

Reappropriation:

State Building Construction Account—
 State \$3,978,000

Prior Biennia (Expenditures)
 \$788,000

Future Biennia (Projected Costs)
 \$0

TOTAL \$4,766,000

**NEW SECTION. Sec. 3129. FOR THE STATE
 PARKS AND RECREATION COMMISSION**

Steamboat Rock Build Dunes Campground
 (30000729)

Reappropriation:

State Building Construction Account—
 State \$200,000

Prior Biennia (Expenditures)
 \$4,137,000

Future Biennia (Projected Costs)
 \$0

TOTAL \$4,337,000

**NEW SECTION. Sec. 3130. FOR THE STATE
 PARKS AND RECREATION COMMISSION**

Kopachuck Day Use Development
 (30000820)

Reappropriation:

State Building Construction Account—
 State \$4,914,000

Prior Biennia (Expenditures)
 \$1,024,000

Future Biennia (Projected Costs)
 \$0

TOTAL \$5,938,000

**NEW SECTION. Sec. 3131. FOR THE STATE
 PARKS AND RECREATION COMMISSION**

Local Grant Authority (30000857)

Appropriation:

Parks Renewal and Stewardship
Account—

Private/Local	\$2,000,000	
Prior Biennia (Expenditures)	\$4,516,000	
Future Biennia (Projected Costs)	\$8,000,000	
TOTAL	\$14,516,000	

**NEW SECTION. Sec. 3132. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Federal Grant Authority (30000858)

Appropriation:

General Fund—Federal	\$750,000	
Prior Biennia (Expenditures)	\$1,900,000	
Future Biennia (Projected Costs)	\$3,000,000	
TOTAL	\$5,650,000	

**NEW SECTION. Sec. 3133. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Lake Sammamish Dock Grant Match
(30000872)

Reappropriation:

State Building Construction Account—
State \$938,000

Prior Biennia (Expenditures)	\$142,000	
Future Biennia (Projected Costs)	\$0	
TOTAL	\$1,080,000	

**NEW SECTION. Sec. 3134. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Birch Bay - Repair Failing Bridge
(30000876)

Reappropriation:

State Building Construction Account—
State \$55,000

Prior Biennia (Expenditures)	\$193,000	
Future Biennia (Projected Costs)	\$0	
TOTAL	\$248,000	

**NEW SECTION. Sec. 3135. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Fort Worden - Pier & Marine Learning
Center Improve or Replace (30000950)

Reappropriation:

State Building Construction Account—
State \$26,000

Prior Biennia (Expenditures)	\$708,000	
Future Biennia (Projected Costs)	\$11,016,000	
TOTAL	\$11,750,000	

**NEW SECTION. Sec. 3136. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Field Spring Replace Failed Sewage
Syst & Non-ADA Comfort Station (30000951)

Reappropriation:

State Building Construction Account—
State \$1,023,000

Prior Biennia (Expenditures)	\$245,000	
Future Biennia (Projected Costs)	\$0	
TOTAL	\$1,268,000	

**NEW SECTION. Sec. 3137. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Mount Spokane - Maintenance Facility
Relocation from Harms Way (30000959)

Reappropriation:

State Building Construction Account—
State \$1,834,000

Prior Biennia (Expenditures)	\$607,000	
Future Biennia (Projected Costs)	\$0	
TOTAL	\$2,441,000	

**NEW SECTION. Sec. 3138. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Parkland Acquisition (30000976)

Appropriation:

Parkland Acquisition Account—State
\$2,000,000

Prior Biennia (Expenditures)	\$2,245,000	
Future Biennia (Projected Costs)	\$8,000,000	
TOTAL	\$12,245,000	

**NEW SECTION. Sec. 3139. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Minor Works - Facilities and
Infrastructure (30000978)

Reappropriation:

State Building Construction Account—
State \$338,000

Prior Biennia (Expenditures)
\$4,253,000

Future Biennia (Projected Costs)
\$0

TOTAL \$4,591,000

**NEW SECTION. Sec. 3140. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Penrose Point Sewer Improvements
(30000981)

Reappropriation:

State Building Construction Account—
State \$629,000

Prior Biennia (Expenditures)
\$110,000

Future Biennia (Projected Costs)
\$0

TOTAL \$739,000

**NEW SECTION. Sec. 3141. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Palouse Falls Day Use Area Renovation
(30000983)

Reappropriation:

State Building Construction Account—
State \$217,000

Prior Biennia (Expenditures) \$3,000

Future Biennia (Projected Costs)
\$0

TOTAL \$220,000

**NEW SECTION. Sec. 3142. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Lake Sammamish Sunset Beach Picnic
Area (30000984)

Reappropriation:

State Building Construction Account—
State \$2,383,000

Prior Biennia (Expenditures)
\$377,000

Future Biennia (Projected Costs)
\$0

TOTAL \$2,760,000

**NEW SECTION. Sec. 3143. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Statewide Water System Renovation
(30001016)

Reappropriation:

State Building Construction Account—
State \$103,000

Prior Biennia (Expenditures)
\$397,000

Future Biennia (Projected Costs)
\$0

TOTAL \$500,000

**NEW SECTION. Sec. 3144. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Statewide Electrical System Renovation
(30001018)

Reappropriation:

State Building Construction Account—
State \$100,000

Prior Biennia (Expenditures)
\$629,000

Future Biennia (Projected Costs)
\$0

TOTAL \$729,000

**NEW SECTION. Sec. 3145. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Statewide New Park (30001019)

Reappropriation:

State Building Construction Account—
State \$256,000

Prior Biennia (Expenditures)
\$57,000

Future Biennia (Projected Costs)
\$0

TOTAL \$313,000

**NEW SECTION. Sec. 3146. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Steptoe Butte Road Improvements
(30001076)

Reappropriation:

State Building Construction Account—
State \$178,000

Prior Biennia (Expenditures)
\$288,000

Future Biennia (Projected Costs)
\$0

TOTAL \$466,000

**NEW SECTION. Sec. 3147. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Statewide Fish Barrier Removal
(40000010)

Reappropriation:

State Building Construction Account—
State \$1,605,000

Prior Biennia (Expenditures)
\$300,000

Future Biennia (Projected Costs)
\$0

TOTAL \$1,905,000

**NEW SECTION. Sec. 3148. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Statewide Electric Vehicle Charging
Stations (40000016)

Reappropriation:

State Building Construction Account—
State \$175,000

Prior Biennia (Expenditures)
\$25,000

Future Biennia (Projected Costs)
\$0

TOTAL \$200,000

**NEW SECTION. Sec. 3149. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Preservation Minor Works 2019-21
(40000151)

Reappropriation:

State Building Construction Account—
State \$1,139,000

Prior Biennia (Expenditures)
\$3,308,000

Future Biennia (Projected Costs)
\$0

TOTAL \$4,447,000

**NEW SECTION. Sec. 3150. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Nisqually New Full Service Park
(40000153)

Reappropriation:

State Building Construction Account—
State \$2,788,000

Appropriation:

State Building Construction Account—
State \$11,126,000

Prior Biennia (Expenditures)
\$1,069,000

Future Biennia (Projected Costs)
\$20,945,000

TOTAL \$35,928,000

**NEW SECTION. Sec. 3151. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Palouse to Cascade Trail - Crab Creek
Trestle Replacement (40000162)

Reappropriation:

State Building Construction Account—
State \$79,000

Prior Biennia (Expenditures)
\$171,000

Future Biennia (Projected Costs)
\$0

TOTAL \$250,000

**NEW SECTION. Sec. 3152. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Fort Flagler Historic Theater
Restoration (40000188)

Appropriation:

State Building Construction Account—
State \$196,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$1,030,000

TOTAL \$1,226,000

**NEW SECTION. Sec. 3153. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Nisqually Day Use Improvements
(40000202)

Appropriation:

State Building Construction Account—
State \$383,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$16,828,000

TOTAL \$17,211,000

**NEW SECTION. Sec. 3154. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Saint Edward Maintenance Facility
(40000218)

Appropriation:

State Building Construction Account—
State \$2,199,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$2,199,000

**NEW SECTION. Sec. 3155. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Minor Works - Preservation 2021-23
(40000364)

Appropriation:

State Building Construction Account—
State \$7,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$7,000,000

**NEW SECTION. Sec. 3156. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Minor Works - Program 2021-23
(40000365)

Appropriation:

State Building Construction Account—
State \$1,936,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$1,936,000

**NEW SECTION. Sec. 3157. FOR THE STATE
PARKS AND RECREATION COMMISSION**

2021-23 Recreational Marine Sewage
Disposal Program (CVA) (40000366)

Appropriation:

General Fund—Federal \$2,600,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$10,400,000

TOTAL \$13,000,000

**NEW SECTION. Sec. 3158. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Forest Health & Hazard Reduction 2021-
23 (40000371)

Appropriation:

State Building Construction Account—
State \$800,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$800,000

**NEW SECTION. Sec. 3159. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Comfort Station Pilot Project
(91000433)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3043, chapter 298, Laws of 2018.

Reappropriation:

State Building Construction Account—
State \$54,000

Prior Biennia (Expenditures)
\$1,113,000

Future Biennia (Projected Costs)
\$0

TOTAL \$1,167,000

**NEW SECTION. Sec. 3160. FOR THE STATE
PARKS AND RECREATION COMMISSION**

Fort Flagler Campground Road
Relocation (91000434)

Appropriation:

State Building Construction Account—
State \$660,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$660,000

**NEW SECTION. Sec. 3161. FOR THE STATE
PARKS AND RECREATION COMMISSION**

State Parks Capital Preservation Pool
(92000014)

Reappropriation:

State Building Construction Account—
State \$11,239,000

Prior Biennia (Expenditures)
\$19,761,000

Future Biennia (Projected Costs)
\$0

TOTAL \$31,000,000

**NEW SECTION. Sec. 3162. FOR THE STATE
PARKS AND RECREATION COMMISSION**

St. Edward Environmental Education and
Research Center (92000016)

Reappropriation:

State Building Construction Account—
State \$264,000

Prior Biennia (Expenditures)
\$486,000

Future Biennia (Projected Costs)
\$0

TOTAL \$750,000

**NEW SECTION. Sec. 3163. FOR THE STATE
PARKS AND RECREATION COMMISSION**

2021-23 State Parks Capital
Preservation Pool (92000017)

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

(1) The appropriation in this section is provided solely for a pool of eligible projects owned by the state parks and recreation commission.

(2) The following projects are the only projects eligible for funding in this section:

- (a) Larrabee Water System Replacement;
- (b) Cape Disappointment - Welcome Center and Entrance Improvements;
- (c) Blake Island Marine Facilities Improvements;
- (d) Cape Disappointment: Campground Access Road Culverts;
- (e) Twenty-Five Mile Creek - Replace Moorage Floats;
- (f) Maryhill Parkwide Septic System Overhaul;
- (g) Palouse to Cascade Trail - Crab Creek Trestle Replacement;
- (h) Mount Spokane - Maintenance Facility Relocation from Harms Way;
- (i) Sun Lakes Replace Primary Lift Station;
- (j) Lyons Ferry Campground Reestablishment;
- (k) Pearrygin Lake West Campground Development;
- (l) Palouse Falls Day Use Area Renovation;
- (m) Birch Bay - Repair Failing Bridge;
- (n) Centennial Trail Paving Repair and Overlay;
- (o) Deception Pass - Bowman Bay Pier Replacement;
- (p) Ike Kinswa: Main Campground Loop Utility Upgrades;
- (q) South Whidbey - Campground to Day Use Conversion;

(r) Wallace Falls Water System Replacement;

(s) Willapa Hills Trail: Bridge 48 and Trail Relocation;

(t) Statewide - Facility & Infrastructure Backlog Reduction 2021-23;

(u) Statewide - ADA Compliance 2021-23;

(v) Statewide - Code/Regulatory Compliance 2021-23;

(w) Statewide - Marine Facilities Rehabilitation 2021-23;

(x) Palouse to Cascades Trail - Repair Trestles and Trail Access;

(y) Electrical, Water and Sewer Infrastructure Preservation 2021-23;

(z) Statewide Park Paving Projects 2021-23;

(aa) Statewide Park Comfort Station Replacements 2021-23;

(bb) Wallace Falls Parking Expansion;

(cc) Lake Wenatchee-Pedestrian Bridge; and

(dd) Twanoh-Shoreline Restoration.

(3) The commission shall report to the governor and the appropriate committees of the legislature the list of projects with funding levels, allotments, and schedules for the projects in this section by January 1, 2022.

Appropriation:

State Building Construction Account—
State \$39,500,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$39,500,000

**NEW SECTION. Sec. 3164. FOR THE
RECREATION AND CONSERVATION OFFICE**

Washington Wildlife Recreation Grants
(30000139)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is provided solely for the list of projects in LEAP capital document No. 2011-3A, developed May 24, 2011.

Reappropriation:

Outdoor Recreation Account—State
 \$637,000
 Prior Biennia (Expenditures)
 \$41,363,000
 Future Biennia (Projected Costs)
 \$0
 TOTAL \$42,000,000

NEW SECTION. Sec. 3165. FOR THE RECREATION AND CONSERVATION OFFICE

Washington Wildlife Recreation Grants (30000205)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3161, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

Farm and Forest Account—State
 \$616,000
 Habitat Conservation Account—State
 \$132,000
 Outdoor Recreation Account—State
 \$2,189,000
 Riparian Protection Account—State
 \$470,000
 Subtotal Reappropriation
 \$3,407,000
 Prior Biennia (Expenditures)
 \$61,593,000
 Future Biennia (Projected Costs)
 \$0
 TOTAL \$65,000,000

NEW SECTION. Sec. 3166. FOR THE RECREATION AND CONSERVATION OFFICE

Salmon Recovery Funding Board Programs (30000206)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3162, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

General Fund—Federal \$5,334,000
 Prior Biennia (Expenditures)
 \$55,768,000
 Future Biennia (Projected Costs)
 \$0

TOTAL \$61,102,000

NEW SECTION. Sec. 3167. FOR THE RECREATION AND CONSERVATION OFFICE

Aquatic Lands Enhancement Account (30000210)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation in this section is provided solely for the list of projects in LEAP capital document No. 2013-2B, developed April 10, 2013.

Reappropriation:

Aquatic Lands Enhancement Account—State \$124,000
 Prior Biennia (Expenditures)
 \$5,876,000
 Future Biennia (Projected Costs)
 \$0
 TOTAL \$6,000,000

NEW SECTION. Sec. 3168. FOR THE RECREATION AND CONSERVATION OFFICE

Puget Sound Acquisition and Restoration (30000211)

Reappropriation:

State Building Construction Account—State \$903,000
 Prior Biennia (Expenditures)
 \$69,097,000
 Future Biennia (Projected Costs)
 \$0
 TOTAL \$70,000,000

NEW SECTION. Sec. 3169. FOR THE RECREATION AND CONSERVATION OFFICE

Puget Sound Estuary and Salmon Restoration Program (30000212)

Reappropriation:

State Building Construction Account—State \$226,000
 Prior Biennia (Expenditures)
 \$9,774,000
 Future Biennia (Projected Costs)
 \$0
 TOTAL \$10,000,000

NEW SECTION. Sec. 3170. FOR THE RECREATION AND CONSERVATION OFFICE

Land and Water Conservation (30000216)

Reappropriation:

General Fund—Federal \$495,000
 Prior Biennia (Expenditures) \$3,505,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$4,000,000

NEW SECTION. Sec. 3171. FOR THE RECREATION AND CONSERVATION OFFICE

Washington Wildlife Recreation Grants (30000220)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations in this section are provided solely for the list of projects in LEAP capital document No. 2015-1, developed June 30, 2015.

Reappropriation:

Farm and Forest Account—State \$1,181,000
 Habitat Conservation Account—State \$2,910,000
 Outdoor Recreation Account—State \$3,268,000
 Riparian Protection Account—State \$1,345,000
 Subtotal Reappropriation \$8,704,000
 Prior Biennia (Expenditures) \$46,619,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$55,323,000

NEW SECTION. Sec. 3172. FOR THE RECREATION AND CONSERVATION OFFICE

Salmon Recovery Funding Board Programs (30000221)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3164, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

General Fund—Federal \$515,000
 State Building Construction Account—State \$1,778,000
 Subtotal Reappropriation \$2,293,000

Prior Biennia (Expenditures) \$64,052,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$66,345,000

NEW SECTION. Sec. 3173. FOR THE RECREATION AND CONSERVATION OFFICE

Boating Facilities Program (30000222)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3024, chapter 35, Laws of 2016 sp. sess.

Reappropriation:

Recreation Resources Account—State \$49,000
 Prior Biennia (Expenditures) \$14,161,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$14,210,000

NEW SECTION. Sec. 3174. FOR THE RECREATION AND CONSERVATION OFFICE

Nonhighway Off-Road Vehicle Activities (30000223)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3025, chapter 35, Laws of 2016 sp. sess.

Reappropriation:

NOVA Program Account—State \$344,000
 Prior Biennia (Expenditures) \$11,481,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$11,825,000

NEW SECTION. Sec. 3175. FOR THE RECREATION AND CONSERVATION OFFICE

Youth Athletic Facilities (30000224)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3167, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—
State \$1,296,000

Prior Biennia (Expenditures)
\$10,024,000

Future Biennia (Projected Costs)
\$0

TOTAL \$11,320,000

**NEW SECTION. Sec. 3176. FOR THE
RECREATION AND CONSERVATION OFFICE**

Aquatic Lands Enhancement Account
(30000225)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation in this section is provided solely for the list of projects in LEAP capital document No. 2015-2, developed June 30, 2015.

Reappropriation:

Aquatic Lands Enhancement Account—
State \$268,000

Prior Biennia (Expenditures)
\$5,001,000

Future Biennia (Projected Costs)
\$0

TOTAL \$5,269,000

**NEW SECTION. Sec. 3177. FOR THE
RECREATION AND CONSERVATION OFFICE**

Puget Sound Acquisition and
Restoration (30000226)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3169, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—
State \$1,792,000

Prior Biennia (Expenditures)
\$35,208,000

Future Biennia (Projected Costs)
\$0

TOTAL \$37,000,000

**NEW SECTION. Sec. 3178. FOR THE
RECREATION AND CONSERVATION OFFICE**

Puget Sound Estuary and Salmon
Restoration Program (30000227)

Reappropriation:

State Building Construction Account—
State \$82,000

Prior Biennia (Expenditures)
\$7,918,000

Future Biennia (Projected Costs)
\$0

TOTAL \$8,000,000

**NEW SECTION. Sec. 3179. FOR THE
RECREATION AND CONSERVATION OFFICE**

Firearms and Archery Range Recreation
(30000228)

Reappropriation:

Firearms Range Account—State
\$41,000

Prior Biennia (Expenditures)
\$428,000

Future Biennia (Projected Costs)
\$0

TOTAL \$469,000

**NEW SECTION. Sec. 3180. FOR THE
RECREATION AND CONSERVATION OFFICE**

Recreational Trails Program (30000229)

Reappropriation:

General Fund—Federal \$607,000

Prior Biennia (Expenditures)
\$3,980,000

Future Biennia (Projected Costs)
\$0

TOTAL \$4,587,000

**NEW SECTION. Sec. 3181. FOR THE
RECREATION AND CONSERVATION OFFICE**

Boating Infrastructure Grants
(30000230)

Reappropriation:

General Fund—Federal \$632,000

Prior Biennia (Expenditures)
\$1,207,000

Future Biennia (Projected Costs)
\$0

TOTAL \$1,839,000

**NEW SECTION. Sec. 3182. FOR THE
RECREATION AND CONSERVATION OFFICE**

Land and Water Conservation (30000231)

Reappropriation:

General Fund—Federal \$474,000

Prior Biennia (Expenditures)
\$3,317,000

Future Biennia (Projected Costs)
\$0

TOTAL \$3,791,000

NEW SECTION. Sec. 3183. FOR THE RECREATION AND CONSERVATION OFFICE

Family Forest Fish Passage Program
(30000233)

Reappropriation:

State Building Construction Account—
State \$160,000

Prior Biennia (Expenditures)
\$4,840,000

Future Biennia (Projected Costs)
\$0

TOTAL \$5,000,000

NEW SECTION. Sec. 3184. FOR THE RECREATION AND CONSERVATION OFFICE

Salmon Recovery Funding Board Programs
(30000408)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3070, chapter 2, Laws of 2018.

Reappropriation:

General Fund—Federal \$32,369,000

State Building Construction Account—
State \$1,642,000

Subtotal Reappropriation
\$34,011,000

Prior Biennia (Expenditures)
\$32,202,000

Future Biennia (Projected Costs)
\$0

TOTAL \$66,213,000

NEW SECTION. Sec. 3185. FOR THE RECREATION AND CONSERVATION OFFICE

2017-19 Washington Wildlife Recreation
Grants (30000409)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations in this section are provided solely for the list of projects in LEAP capital document No. 2017-42, developed July 20, 2017, and LEAP capital document No. 2018-6H, developed January 3, 2018.

Reappropriation:

Farm and Forest Account—State
\$5,860,000

Habitat Conservation Account—State
\$12,592,000

Outdoor Recreation Account—State
\$12,474,000

Subtotal Reappropriation
\$30,926,000

Prior Biennia (Expenditures)
\$49,074,000

Future Biennia (Projected Costs)
\$0

TOTAL \$80,000,000

NEW SECTION. Sec. 3186. FOR THE RECREATION AND CONSERVATION OFFICE

Boating Facilities Program (30000410)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3072, chapter 2, Laws of 2018.

Reappropriation:

Recreation Resources Account—State
\$5,902,000

Prior Biennia (Expenditures)
\$11,273,000

Future Biennia (Projected Costs)
\$0

TOTAL \$17,175,000

NEW SECTION. Sec. 3187. FOR THE RECREATION AND CONSERVATION OFFICE

Nonhighway Off-Road Vehicle Activities
(30000411)

Reappropriation:

NOVA Program Account—State
\$895,000

Prior Biennia (Expenditures)
\$12,300,000

Future Biennia (Projected Costs)
\$0

TOTAL \$13,195,000

NEW SECTION. Sec. 3188. FOR THE RECREATION AND CONSERVATION OFFICE

Youth Athletic Facilities (30000412)

Reappropriation:

State Building Construction Account—
State \$1,302,000

Prior	Biennia	(Expenditures)
\$2,775,000		
Future	Biennia	(Projected Costs)
\$0		
TOTAL	\$4,077,000	

NEW SECTION. Sec. 3189. FOR THE RECREATION AND CONSERVATION OFFICE

Aquatic Lands Enhancement Account (30000413)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations in this section are provided solely for the list of projects in LEAP capital document No. 2018-9H, developed March 5, 2018.

Reappropriation:

Aquatic Lands Enhancement Account—
State \$884,000

State Building Construction Account—
State \$2,732,000

Subtotal	Reappropriation	
\$3,616,000		
Prior	Biennia	(Expenditures)
\$8,669,000		
Future	Biennia	(Projected Costs)
\$0		
TOTAL	\$12,285,000	

NEW SECTION. Sec. 3190. FOR THE RECREATION AND CONSERVATION OFFICE

Puget Sound Acquisition and Restoration (30000414)

Reappropriation:

State Building Construction Account—
State \$16,640,000

Prior	Biennia	(Expenditures)
\$23,360,000		
Future	Biennia	(Projected Costs)
\$0		
TOTAL	\$40,000,000	

NEW SECTION. Sec. 3191. FOR THE RECREATION AND CONSERVATION OFFICE

Puget Sound Estuary and Salmon Restoration Program (30000415)

Reappropriation:

State Building Construction Account—
State \$3,020,000

Prior Biennia (Expenditures)
\$4,980,000

Future Biennia (Projected Costs)
\$0

TOTAL \$8,000,000

NEW SECTION. Sec. 3192. FOR THE RECREATION AND CONSERVATION OFFICE

Firearms and Archery Range Recreation (30000416)

Reappropriation:

Firearms Range Account—State
\$561,000

Prior Biennia (Expenditures)
\$252,000

Future Biennia (Projected Costs)
\$0

TOTAL \$813,000

NEW SECTION. Sec. 3193. FOR THE RECREATION AND CONSERVATION OFFICE

Recreational Trails Program (30000417)

Reappropriation:

General Fund—Federal \$253,000

Prior Biennia (Expenditures)
\$4,747,000

Future Biennia (Projected Costs)
\$0

TOTAL \$5,000,000

NEW SECTION. Sec. 3194. FOR THE RECREATION AND CONSERVATION OFFICE

Land and Water Conservation (30000419)

Reappropriation:

General Fund—Federal \$835,000

Prior Biennia (Expenditures)
\$3,127,000

Future Biennia (Projected Costs)
\$0

TOTAL \$3,962,000

NEW SECTION. Sec. 3195. FOR THE RECREATION AND CONSERVATION OFFICE

Washington Coastal Restoration Initiative (30000420)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3082, chapter 2, Laws of 2018.

Reappropriation:

State Building Construction Account—
State \$5,769,000

Prior Biennia (Expenditures)
\$6,731,000

Future Biennia (Projected Costs)
\$0

TOTAL \$12,500,000

**NEW SECTION. Sec. 3196. FOR THE
RECREATION AND CONSERVATION OFFICE**

Family Forest Fish Passage Program
(40000001)

Reappropriation:

State Building Construction Account—
State \$106,000

Prior Biennia (Expenditures)
\$4,894,000

Future Biennia (Projected Costs)
\$0

TOTAL \$5,000,000

**NEW SECTION. Sec. 3197. FOR THE
RECREATION AND CONSERVATION OFFICE**

2019-21 - Washington Wildlife
Recreation Grants (40000002)

The reappropriations in this section
are subject to the following conditions
and limitations: The reappropriations
are subject to the provisions of section
3200, chapter 413, Laws of 2019.

Reappropriation:

Farm and Forest Account—State
\$6,880,000

Habitat Conservation Account—State
\$20,349,000

Outdoor Recreation Account—State
\$28,025,000

Subtotal Reappropriation
\$55,254,000

Prior Biennia (Expenditures)
\$29,746,000

Future Biennia (Projected Costs)
\$0

TOTAL \$85,000,000

**NEW SECTION. Sec. 3198. FOR THE
RECREATION AND CONSERVATION OFFICE**

2019-21 - Salmon Recovery Funding
Board Programs (40000004)

The reappropriations in this section
are subject to the following conditions

and limitations: The reappropriations
are subject to the provisions of section
3201, chapter 413, Laws of 2019.

Reappropriation:

General Fund—Federal \$41,394,000

State Building Construction Account—
State \$17,918,000

Subtotal Reappropriation
\$59,312,000

Prior Biennia (Expenditures)
\$15,688,000

Future Biennia (Projected Costs)
\$0

TOTAL \$75,000,000

**NEW SECTION. Sec. 3199. FOR THE
RECREATION AND CONSERVATION OFFICE**

2019-21 - Boating Facilities Program
(40000005)

Reappropriation:

Recreation Resources Account—State
\$14,494,000

Prior Biennia (Expenditures)
\$3,378,000

Future Biennia (Projected Costs)
\$0

TOTAL \$17,872,000

**NEW SECTION. Sec. 3200. FOR THE
RECREATION AND CONSERVATION OFFICE**

2019-21 - Nonhighway Off-Road Vehicle
Activities (40000006)

Reappropriation:

NOVA Program Account—State
\$8,031,000

Prior Biennia (Expenditures)
\$3,380,000

Future Biennia (Projected Costs)
\$0

TOTAL \$11,411,000

**NEW SECTION. Sec. 3201. FOR THE
RECREATION AND CONSERVATION OFFICE**

2019-21 - Youth Athletic Facilities
(40000007)

The reappropriation in this section is
subject to the following conditions and
limitations: The amounts reappropriated
in this section may be awarded only to
projects approved by the legislature, as
identified in LEAP capital documents No.
2020-467-HSBA, developed February 25,

2020, and No. 2020-467-HB, developed February 14, 2020.

Reappropriation:

State Building Construction Account—
State \$7,597,000

Prior Biennia (Expenditures)
\$4,403,000

Future Biennia (Projected Costs)
\$0

TOTAL \$12,000,000

NEW SECTION. Sec. 3202. FOR THE RECREATION AND CONSERVATION OFFICE

2019-21 - Aquatic Lands Enhancement Account (40000008)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation in this section is provided solely for the list of projects identified in LEAP capital document No. 2019-6H, developed April 27, 2019.

Reappropriation:

State Building Construction Account—
State \$6,044,000

Prior Biennia (Expenditures)
\$556,000

Future Biennia (Projected Costs)
\$0

TOTAL \$6,600,000

NEW SECTION. Sec. 3203. FOR THE RECREATION AND CONSERVATION OFFICE

2021-23 - Outdoor Recreation Equity (40000049)

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

(1) \$2,325,000 of the appropriation in this section is provided solely for the recreation and conservation office to provide planning, technical assistance, and predesign grants for projects that would directly benefit populations and communities that lack access to outdoor recreation facilities and resources. It is the intent of the legislature that these grants be available for: (a) Early action on, and in response to, the comprehensive equity review required of the recreation and conservation office during the 2021-2023 fiscal biennium; and (b) for reduction of barriers to participation in recreation and conservation office grant programs due to

race, ethnicity, religion, income, geography, disability, and educational attainment. In awarding grants under this subsection, the recreation and conservation office shall prioritize applications that would directly benefit racially diverse neighborhoods within dense urban areas and small, rural communities where these grants would increase access to outdoor recreation facilities and resources by reducing access gaps. In ranking and sizing grants directly benefiting these groups, the recreation and conservation office shall also consider the financial capacity of the applicant and of the community that the grant would benefit.

(2) \$1,500,000 of the appropriation in this section is provided solely for the Trust for Public Lands' Metro Parks/Tacoma Schools Green Schoolyards Pilot, for projects at the following six schools: (a) Helen B. Stafford Elementary School; (b) Jennie Reed Elementary School; (c) Mann Elementary School; (d) Whitman Elementary School; (e) IDEA (Industrial Design, Engineering and Art) School; and (f) Larchmont Elementary School.

(3) \$100,000 of the appropriation in this section is provided solely for the Trust for Public Lands' East Wenatchee Eastmont Park District/9th Street Park project.

(4) \$75,000 of the appropriation in this section is provided solely for the Trust for Public Lands to develop a statewide open space/recreation equity assessment tool to accomplish the following: (a) Expand the assessment tool outside of the Central Puget Sound region; and (b) to provide neighborhood data on open space and recreational access throughout Washington.

Appropriation:

State Building Construction Account—
State \$4,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$4,000,000

NEW SECTION. Sec. 3204. FOR THE RECREATION AND CONSERVATION OFFICE

2019-21 - Puget Sound Acquisition and Restoration (40000009)

Reappropriation:

State Building Construction Account—
State \$32,525,000

Prior Biennia (Expenditures)
\$16,982,000

Future Biennia (Projected Costs)
\$0

TOTAL \$49,507,000

**NEW SECTION. Sec. 3205. FOR THE
RECREATION AND CONSERVATION OFFICE**

2019-21 - Puget Sound Estuary and
Salmon Restoration Program (40000010)

Reappropriation:

State Building Construction Account—
State \$6,947,000

Prior Biennia (Expenditures)
\$3,053,000

Future Biennia (Projected Costs)
\$0

TOTAL \$10,000,000

**NEW SECTION. Sec. 3206. FOR THE
RECREATION AND CONSERVATION OFFICE**

2019-21 - Washington Coastal
Restoration Initiative (40000011)

The reappropriation in this section is
subject to the following conditions and
limitations: The reappropriation is
subject to the provisions of section
3208, chapter 413, Laws of 2019.

Reappropriation:

State Building Construction Account—
State \$10,000,000

Prior Biennia (Expenditures)
\$2,086,000

Future Biennia (Projected Costs)
\$0

TOTAL \$12,086,000

**NEW SECTION. Sec. 3207. FOR THE
RECREATION AND CONSERVATION OFFICE**

2019-21 - Brian Abbott Fish Barrier
Removal Board (40000012)

The reappropriation in this section is
subject to the following conditions and
limitations: The reappropriation is
subject to the provisions of section
3209, chapter 413, Laws of 2019.

Reappropriation:

State Building Construction Account—
State \$19,822,000

Prior Biennia (Expenditures)
\$6,669,000

Future Biennia (Projected Costs)
\$0

TOTAL \$26,491,000

**NEW SECTION. Sec. 3208. FOR THE
RECREATION AND CONSERVATION OFFICE**

2019-21 - Firearms and Archery Range
(40000013)

Reappropriation:

Firearms Range Account—State
\$510,000

Prior Biennia (Expenditures)
\$225,000

Future Biennia (Projected Costs)
\$0

TOTAL \$735,000

**NEW SECTION. Sec. 3209. FOR THE
RECREATION AND CONSERVATION OFFICE**

2019-21 - Recreational Trails Program
(40000014)

Reappropriation:

General Fund—Federal \$4,224,000

Prior Biennia (Expenditures)
\$776,000

Future Biennia (Projected Costs)
\$0

TOTAL \$5,000,000

**NEW SECTION. Sec. 3210. FOR THE
RECREATION AND CONSERVATION OFFICE**

2019-21 - Boating Infrastructure
Grants (40000015)

Reappropriation:

General Fund—Federal \$2,181,000

Prior Biennia (Expenditures)
\$19,000

Future Biennia (Projected Costs)
\$0

TOTAL \$2,200,000

**NEW SECTION. Sec. 3211. FOR THE
RECREATION AND CONSERVATION OFFICE**

2019-21 - Land and Water Conservation
Fund (40000016)

Reappropriation:

General Fund—Federal \$4,072,000

Prior	Biennia	(Expenditures)	
			\$1,928,000
Future	Biennia	(Projected Costs)	
			\$0
TOTAL			\$6,000,000

NEW SECTION. Sec. 3212. FOR THE RECREATION AND CONSERVATION OFFICE

2019-21 Family Forest Fish Passage Program (40000017)

Reappropriation:

State Building Construction Account—State \$3,767,000

Prior	Biennia	(Expenditures)	
			\$1,233,000
Future	Biennia	(Projected Costs)	
			\$0
TOTAL			\$5,000,000

NEW SECTION. Sec. 3213. FOR THE RECREATION AND CONSERVATION OFFICE

2021-23 - Washington Wildlife Recreation Grants (40000019)

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are provided solely for the list of projects identified in LEAP capital document No. 2021-42, developed April 15, 2021.

Appropriation:

Farm and Forest	Account—State	
		\$10,000,000
Habitat Conservation	Account—State	
		\$45,000,000
Outdoor Recreation	Account—State	
		\$45,000,000
Subtotal Appropriation		\$100,000,000
Prior Biennia (Expenditures)		\$0
Future Biennia (Projected Costs)		\$480,000,000
TOTAL		\$580,000,000

NEW SECTION. Sec. 3214. FOR THE RECREATION AND CONSERVATION OFFICE

2021-23 - Salmon Recovery Funding Board Programs (40000021)

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

(1) \$2,400,000 of the state building construction account—state appropriation

is provided solely to maintain the lead entity program as described in chapter 77.85 RCW.

(2) \$640,000 of the state building construction account—state appropriation is provided solely for regional fisheries enhancement groups created in RCW 77.95.060.

Appropriation:

General Fund—Federal \$50,000,000

State Building Construction Account—State \$30,000,000

Subtotal Appropriation \$80,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$400,000,000

TOTAL \$480,000,000

NEW SECTION. Sec. 3215. FOR THE RECREATION AND CONSERVATION OFFICE

2021-23 - Boating Facilities Program (40000023)

Appropriation:

Recreation Resources Account—State \$14,950,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$60,000,000

TOTAL \$74,950,000

NEW SECTION. Sec. 3216. FOR THE RECREATION AND CONSERVATION OFFICE

2021-23 - Nonhighway Off-Road Vehicle Activities (40000025)

Appropriation:

NOVA Program Account—State \$10,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$40,000,000

TOTAL \$50,000,000

NEW SECTION. Sec. 3217. FOR THE RECREATION AND CONSERVATION OFFICE

2021-23 - Youth Athletic Facilities (40000027)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for projects approved by the legislature, as

identified in LEAP capital document No. RCO-2-HB-2021, developed April 15, 2021.

Appropriation:

State Building Construction Account—
State \$11,227,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$44,908,000

TOTAL \$56,135,000

NEW SECTION. Sec. 3218. FOR THE RECREATION AND CONSERVATION OFFICE

2021-23 - Aquatic Lands Enhancement Account (40000029)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for projects approved by the legislature, as identified in LEAP capital document No. RCO-3.1-HB-2021, developed April 15, 2021.

Appropriation:

State Building Construction Account—
State \$9,100,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$36,400,000

TOTAL \$45,500,000

NEW SECTION. Sec. 3219. FOR THE RECREATION AND CONSERVATION OFFICE

2021-23 - Puget Sound Acquisition and Restoration (40000031)

Appropriation:

State Building Construction Account—
State \$52,807,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$219,800,000

TOTAL \$272,607,000

NEW SECTION. Sec. 3220. FOR THE RECREATION AND CONSERVATION OFFICE

2021-23 - Washington Coastal Restoration Initiative (40000033)

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

(1) The board may retain a portion of the funds appropriated in this section for the administration of the grants. The

portion of the funds retained for administration may not exceed 4.12 percent of the appropriation.

(2) The appropriation in this section is provided solely for projects approved by the legislature, as identified in LEAP capital document No. RCO-4-HB-2021, developed April 15, 2021.

Appropriation:

State Building Construction Account—
State \$10,313,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$60,000,000

TOTAL \$70,313,000

NEW SECTION. Sec. 3221. FOR THE RECREATION AND CONSERVATION OFFICE

2021-23 - Brian Abbott Fish Barrier Removal Board (40000035)

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

(1) The appropriation in this section is provided solely for projects approved by the legislature, as identified in LEAP capital document No. RCO-5-HB-2021, developed April 15, 2021.

(2) The recreation and conservation funding board may retain a portion of the funds appropriated in this section for the administration of the grants. The portion of the funds retained for administration may not exceed three percent of the appropriation.

(3) The department of fish and wildlife may retain a portion of the funds appropriated in this section for the Brian Abbott fish barrier removal board for technical assistance in developing projects for consideration. The portion of the funds retained for technical assistance may not exceed 4.12 percent of the appropriation.

Appropriation:

State Building Construction Account—
State \$26,795,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$107,180,000

TOTAL \$133,975,000

NEW SECTION. Sec. 3222. FOR THE RECREATION AND CONSERVATION OFFICE

2021-23 - Firearms and Archery Range
(40000037)

Appropriation:

Firearms Range Account—State
\$630,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$2,520,000

TOTAL \$3,150,000

NEW SECTION. Sec. 3223. FOR THE RECREATION AND CONSERVATION OFFICE

2021-23 - Recreational Trails Program
(40000039)

Appropriation:

General Fund—Federal \$5,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$15,000,000

TOTAL \$20,000,000

NEW SECTION. Sec. 3224. FOR THE RECREATION AND CONSERVATION OFFICE

2021-23 - Boating Infrastructure
Grants (40000041)

Appropriation:

General Fund—Federal \$2,200,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$6,600,000

TOTAL \$8,800,000

NEW SECTION. Sec. 3225. FOR THE RECREATION AND CONSERVATION OFFICE

2021-23 - Land and Water Conservation
Fund (40000043)

Appropriation:

General Fund—Federal \$20,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$80,000,000

TOTAL \$100,000,000

NEW SECTION. Sec. 3226. FOR THE RECREATION AND CONSERVATION OFFICE

2021-23 - Puget Sound Estuary and
Salmon Restoration Program (40000045)

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

(1) The amounts appropriated in this section are provided solely for projects approved by the legislature, as identified in LEAP capital document No. RCO-7.1-HB-2021, developed April 15, 2021.

(2) Moneys from the appropriation in this section may not be expended for the Elwha Estuary Conservation and Restoration subproject.

Appropriation:

State Building Construction Account—
State \$15,708,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$80,000,000

TOTAL \$95,708,000

NEW SECTION. Sec. 3227. FOR THE RECREATION AND CONSERVATION OFFICE

2021-23 - Community Forest Grant
Program (40000047)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the list of projects identified in LEAP capital document No. 2021-25, developed April 15, 2021. The office may retain up to four percent of the appropriation for administrative costs, including costs for activities related to this section.

Appropriation:

State Building Construction Account—
State \$16,299,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$65,196,000

TOTAL \$81,495,000

NEW SECTION. Sec. 3228. FOR THE RECREATION AND CONSERVATION OFFICE

2021-23 - Family Forest Fish Passage
Program (40000050)

Appropriation:

State Building Construction Account—
State \$5,957,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$24,000,000

TOTAL \$29,957,000

NEW SECTION. **Sec. 3229. FOR THE
RECREATION AND CONSERVATION OFFICE**

Coastal Restoration Grants (91000448)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3177, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—
State \$152,000

Prior Biennia (Expenditures)
\$11,033,000

Future Biennia (Projected Costs)
\$0

TOTAL \$11,185,000

NEW SECTION. **Sec. 3230. FOR THE
RECREATION AND CONSERVATION OFFICE**

Upper Quinault River Restoration
Project (91000958)

Reappropriation:

State Building Construction Account—
State \$1,359,000

Appropriation:

State Building Construction Account—
State \$1,000,000

Prior Biennia (Expenditures)
\$641,000

Future Biennia (Projected Costs)
\$0

TOTAL \$3,000,000

NEW SECTION. **Sec. 3231. FOR THE
RECREATION AND CONSERVATION OFFICE**

Brian Abbott Fish Passage Barrier
Removal Board (91000566)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3085, chapter 2, Laws of 2018.

Reappropriation:

State Building Construction Account—
State \$3,198,000

Prior Biennia (Expenditures)
\$16,549,000

Future Biennia (Projected Costs)
\$0

TOTAL \$19,747,000

NEW SECTION. **Sec. 3232. FOR THE
RECREATION AND CONSERVATION OFFICE**

Recreation & Conservation Office
Recreation Grants (92000131)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3049, chapter 356, Laws of 2020.

Reappropriation:

Outdoor Recreation Account—State
\$132,000

State Building Construction Account—
State \$5,859,000

Subtotal Reappropriation
\$5,991,000

Prior Biennia (Expenditures)
\$28,790,000

Future Biennia (Projected Costs)
\$0

TOTAL \$34,781,000

NEW SECTION. **Sec. 3233. FOR THE
RECREATION AND CONSERVATION OFFICE**

2019-21 Community Forest Pilot
(92000447)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3219, chapter 413, Laws of 2019.

Reappropriation:

State Building Construction Account—
State \$675,000

Prior Biennia (Expenditures)
\$250,000

Future Biennia (Projected Costs)
\$0

TOTAL \$925,000

NEW SECTION. **Sec. 3234. FOR THE
RECREATION AND CONSERVATION OFFICE**

Statewide Multi-modal Trails Database
(92000448)

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

(1) The appropriation is provided solely for the recreation and conservation office to develop an official statewide database of paved and unpaved multimodal trails that displays

a network of local, regional, and statewide trails that connect, or have the potential of connecting, to provide transportation alternatives that are available to public access. In developing the database and trails network, the office must use and build upon trails work done by Washington state parks and recreation commission and local and regional governments and the active transportation plan developed by the department of transportation. The office should consider the inventorying and mapping efforts already undertaken by nonprofit and private organizations provided that the office deems the information meets their needs for data standards and integrity and the trails are understood to be open and available for use by the public.

(2) Using the existing spatial data collected under subsection (1) of this section, the office must maintain a statewide network of public recreational and commuter routes to facilitate the stewardship of a statewide trails system. The network of trails and the trails database must be developed in a manner that allows the office to update data on a regular basis in consultation and collaboration with other state agencies, cities, counties, parks and recreation districts, regional governments, and private and nonprofit organizations.

Appropriation:

State Building Construction Account—
State \$200,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$200,000

NEW SECTION. Sec. 3235. FOR THE STATE CONSERVATION COMMISSION

Match for Federal RCPP Program
(30000017)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3033, chapter 35, Laws of 2016 sp. sess.

Reappropriation:

General Fund—Federal \$1,492,000

Prior Biennia (Expenditures)
\$5,724,000

Future Biennia (Projected Costs)
\$0

TOTAL \$7,216,000

NEW SECTION. Sec. 3236. FOR THE STATE CONSERVATION COMMISSION

2019-21 Improve Shellfish Growing Areas (40000004)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3221, chapter 413, Laws of 2019.

Reappropriation:

State Building Construction Account—
State \$1,970,000

Prior Biennia (Expenditures)
\$2,030,000

Future Biennia (Projected Costs)
\$0

TOTAL \$4,000,000

NEW SECTION. Sec. 3237. FOR THE STATE CONSERVATION COMMISSION

2019-21 Natural Resource Investments (40000005)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3222, chapter 413, Laws of 2019.

Reappropriation:

State Building Construction Account—
State \$2,367,000

Prior Biennia (Expenditures)
\$1,633,000

Future Biennia (Projected Costs)
\$0

TOTAL \$4,000,000

NEW SECTION. Sec. 3238. FOR THE STATE CONSERVATION COMMISSION

2019-21 Match for Federal RCPP (40000006)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3051, chapter 356, Laws of 2020.

Reappropriation:

State Building Construction Account—
State \$5,123,000

Prior Biennia (Expenditures)	
\$1,126,000	
Future Biennia (Projected Costs)	
\$0	
TOTAL	\$6,249,000

NEW SECTION. Sec. 3239. FOR THE STATE CONSERVATION COMMISSION

2019-21 Water Irrigation Efficiencies Program (40000009)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3224, chapter 413, Laws of 2019.

Reappropriation:

State Building Construction Account—State \$3,880,000

Prior Biennia (Expenditures)	
\$120,000	
Future Biennia (Projected Costs)	
\$0	
TOTAL	\$4,000,000

NEW SECTION. Sec. 3240. FOR THE STATE CONSERVATION COMMISSION

2019-21 CREP PIP Loan Program (40000010)

Reappropriation:

Conservation Assistance Revolving Account—State \$100,000

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$100,000

NEW SECTION. Sec. 3241. FOR THE STATE CONSERVATION COMMISSION

2021-23 Conservation Reserve Enhancement Program (CREP) (40000013)

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

(1) \$2,000,000 of the appropriation is provided solely for technical assistance to private landowners.

(2) \$250,000 of the appropriation is provided solely for a targeted riparian buffer incentive project (Mount Vernon).

Appropriation:

State Building Construction Account—State \$4,000,000

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$26,000,000
TOTAL	\$30,000,000

NEW SECTION. Sec. 3242. FOR THE STATE CONSERVATION COMMISSION

2021-23 Water Irrigation Efficiencies Program (40000014)

Appropriation:

State Building Construction Account—State \$2,000,000

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$16,000,000
TOTAL	\$18,000,000

NEW SECTION. Sec. 3243. FOR THE STATE CONSERVATION COMMISSION

2021-23 Conservation Reserve Enhancement Program (CREP) PIP Loan (40000015)

Appropriation:

Conservation Assistance Revolving Account—State \$160,000

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$160,000

NEW SECTION. Sec. 3244. FOR THE STATE CONSERVATION COMMISSION

2021-23 Natural Resource Investment for the Economy & Environment (40000016)

The appropriation in this section is subject to the following conditions and limitations: Up to five percent of the appropriation provided may be used by the conservation commission to acquire services of licensed engineers for project development, predesign and design services, and construction oversight for projects.

Appropriation:

State Building Construction Account—State \$4,000,000

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$20,000,000
TOTAL	\$24,000,000

NEW SECTION. Sec. 3245. FOR THE STATE CONSERVATION COMMISSION

2021-23 Regional Conservation Partnership Program (RCP) Match (40000017)

Appropriation:

State Building Construction Account—State \$7,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$22,500,000

TOTAL \$29,500,000

NEW SECTION. Sec. 3246. FOR THE STATE CONSERVATION COMMISSION

2021-23 Improve Shellfish Growing Areas (40000018)

The appropriation in this section is subject to the following conditions and limitations: Up to five percent of the appropriation provided may be used by the conservation commission to acquire services of licensed engineers for project development, predesign and design services, and construction oversight for shellfish projects.

Appropriation:

State Building Construction Account—State \$3,500,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$16,000,000

TOTAL \$19,500,000

NEW SECTION. Sec. 3247. FOR THE STATE CONSERVATION COMMISSION

CREP Riparian Cost Share - State Match 2017-19 (91000009)

Reappropriation:

State Building Construction Account—State \$1,553,000

Prior Biennia (Expenditures) \$1,047,000

Future Biennia (Projected Costs) \$0

TOTAL \$2,600,000

NEW SECTION. Sec. 3248. FOR THE STATE CONSERVATION COMMISSION

2019-21 CREP Riparian Contract Funding (91000015)

Reappropriation:

State Building Construction Account—State \$629,000

Prior Biennia (Expenditures) \$1,271,000

Future Biennia (Projected Costs) \$0

TOTAL \$1,900,000

NEW SECTION. Sec. 3249. FOR THE STATE CONSERVATION COMMISSION

2019-21 CREP Riparian Cost Share - State Match (91000017)

Reappropriation:

State Building Construction Account—State \$1,800,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$1,800,000

NEW SECTION. Sec. 3250. FOR THE STATE CONSERVATION COMMISSION

Conservation Commission Ranch & Farmland Preservation Projects (92000004)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3230, chapter 413, Laws of 2019.

Reappropriation:

State Building Construction Account—State \$4,662,000

Prior Biennia (Expenditures) \$2,860,000

Future Biennia (Projected Costs) \$0

TOTAL \$7,522,000

NEW SECTION. Sec. 3251. FOR THE STATE CONSERVATION COMMISSION

Natural Resource Investment for the Economy & Environment 2017-19 (92000011)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3090, chapter 2, Laws of 2018.

Reappropriation:

General Fund—Federal \$1,000,000

Prior Biennia (Expenditures) \$4,000,000

Future Biennia (Projected Costs)
\$0

TOTAL \$5,000,000

NEW SECTION. Sec. 3252. FOR THE STATE CONSERVATION COMMISSION

Match for Federal RCPP Program 2017-19 (92000013)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3053, chapter 298, Laws of 2018.

Reappropriation:

State Building Construction Account—State \$3,033,000

Prior Biennia (Expenditures)
\$967,000

Future Biennia (Projected Costs)
\$0

TOTAL \$4,000,000

NEW SECTION. Sec. 3253. FOR THE STATE CONSERVATION COMMISSION

CREP PIP Loan Program 2017-19 (92000014)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 6019, chapter 413, Laws of 2019.

Reappropriation:

Conservation Assistance Revolving Account—State \$350,000

Prior Biennia (Expenditures)
\$50,000

Future Biennia (Projected Costs)
\$0

TOTAL \$400,000

NEW SECTION. Sec. 3254. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Deschutes Watershed Center (20062008)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3063, chapter 356, Laws of 2020.

Reappropriation:

State Building Construction Account—State \$2,387,000

Prior Biennia (Expenditures)
\$13,108,000

Future Biennia (Projected Costs)
\$36,000,000

TOTAL \$51,495,000

NEW SECTION. Sec. 3255. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Migratory Waterfowl Habitat (20082045)

Reappropriation:

Limited Fish and Wildlife Account—State \$350,000

Appropriation:

Limited Fish and Wildlife Account—State \$600,000

Prior Biennia (Expenditures)
\$1,923,000

Future Biennia (Projected Costs)
\$1,800,000

TOTAL \$4,673,000

NEW SECTION. Sec. 3256. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Mitigation Projects and Dedicated Funding (20082048)

Reappropriation:

General Fund—Federal \$7,000,000

General Fund—Private/Local
\$1,767,000

Special Wildlife Account—Federal
\$1,953,000

Special Wildlife Account—Private/Local \$1,800,000

Limited Fish and Wildlife Account—State \$400,000

Subtotal Reappropriation
\$12,920,000

Appropriation:

General Fund—Federal \$10,000,000

General Fund—Private/Local
\$1,000,000

Special Wildlife Account—Federal
\$1,000,000

Special Wildlife Account—Private/Local \$1,000,000

Limited Fish and Wildlife Account—State \$500,000

Subtotal Appropriation \$13,500,000

Prior Biennia (Expenditures)
\$85,801,000

Future Biennia (Projected Costs)
\$63,000,000

TOTAL \$175,221,000

NEW SECTION. Sec. 3257. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Eells Spring Hatchery Renovation (30000214)

Reappropriation:

State Building Construction Account—
State \$789,000

Prior Biennia (Expenditures)
\$704,000

Future Biennia (Projected Costs)
\$0

TOTAL \$1,493,000

NEW SECTION. Sec. 3258. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Samish Hatchery Intakes (30000276)

Reappropriation:

State Building Construction Account—
State \$4,500,000

Prior Biennia (Expenditures)
\$4,232,000

Future Biennia (Projected Costs)
\$0

TOTAL \$8,732,000

NEW SECTION. Sec. 3259. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Minter Hatchery Intakes (30000277)

Reappropriation:

State Building Construction Account—
State \$7,833,000

Prior Biennia (Expenditures)
\$1,078,000

Future Biennia (Projected Costs)
\$0

TOTAL \$8,911,000

NEW SECTION. Sec. 3260. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Wooten Wildlife Area Improve Flood Plain (30000481)

Reappropriation:

General Fund—Federal \$500,000

State Building Construction Account—
State \$750,000

Subtotal Reappropriation
\$1,250,000

Prior Biennia (Expenditures)
\$9,450,000

Future Biennia (Projected Costs)
\$17,006,000

TOTAL \$27,706,000

NEW SECTION. Sec. 3261. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Wallace River Hatchery - Replace Intakes and Ponds (30000660)

Reappropriation:

State Building Construction Account—
State \$12,280,000

Appropriation:

State Building Construction Account—
State \$1,500,000

Prior Biennia (Expenditures)
\$1,525,000

Future Biennia (Projected Costs)
\$12,333,000

TOTAL \$27,638,000

NEW SECTION. Sec. 3262. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Soos Creek Hatchery Renovation (30000661)

Reappropriation:

State Building Construction Account—
State \$1,400,000

Appropriation:

State Building Construction Account—
State \$3,695,000

Prior Biennia (Expenditures)
\$14,946,000

Future Biennia (Projected Costs)
\$0

TOTAL \$20,041,000

NEW SECTION. Sec. 3263. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Cooperative Elk Damage Fencing (30000662)

The appropriations in this section are subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3243, chapter 413, Laws of 2019.

Reappropriation:

State Building Construction Account—
State \$300,000

Appropriation:

State Building Construction Account—
State \$1,200,000

Prior	Biennia	(Expenditures)	
			\$2,100,000
Future	Biennia	(Projected Costs)	
			\$3,600,000
TOTAL			\$7,200,000

NEW SECTION. Sec. 3264. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Spokane Hatchery Renovation (30000663)

Appropriation:

State Building Construction Account—
State \$2,800,000

Prior	Biennia	(Expenditures)	\$0
Future	Biennia	(Projected Costs)	
			\$18,735,000
TOTAL			\$21,535,000

NEW SECTION. Sec. 3265. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Edmonds Pier Renovation (30000664)

Reappropriation:

State Building Construction Account—
State \$146,000

Prior	Biennia	(Expenditures)	
			\$654,000
Future	Biennia	(Projected Costs)	
			\$0
TOTAL			\$800,000

NEW SECTION. Sec. 3266. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Hazard Fuel Reductions, Forest Health and Ecosystem Improvement (30000665)

Reappropriation:

State Building Construction Account—
State \$1,130,000

Appropriation:

Forest Resiliency Account—State
\$6,000,000

Prior	Biennia	(Expenditures)	
			\$5,870,000
Future	Biennia	(Projected Costs)	
			\$24,000,000

TOTAL \$37,000,000

NEW SECTION. Sec. 3267. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Naselle Hatchery Renovation (30000671)

Reappropriation:

State Building Construction Account—
State \$2,600,000

Appropriation:

State Building Construction Account—
State \$15,000,000

Prior	Biennia	(Expenditures)	
			\$5,532,000
Future	Biennia	(Projected Costs)	
			\$9,753,000
TOTAL			\$32,885,000

NEW SECTION. Sec. 3268. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Eells Springs Production Shift (30000723)

Reappropriation:

State Building Construction Account—
State \$500,000

Prior	Biennia	(Expenditures)	
			\$3,570,000
Future	Biennia	(Projected Costs)	
			\$0
TOTAL			\$4,070,000

NEW SECTION. Sec. 3269. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Minor Works Preservation (30000756)

Reappropriation:

State Building Construction Account—
State \$600,000

Prior	Biennia	(Expenditures)	
			\$8,900,000
Future	Biennia	(Projected Costs)	
			\$0
TOTAL			\$9,500,000

NEW SECTION. Sec. 3270. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Minor Works - Programmatic (30000782)

Reappropriation:

State Building Construction Account—
State \$265,000

Prior	Biennia	(Expenditures)	
			\$2,560,000

Future Biennia (Projected Costs)
 \$0

TOTAL \$2,825,000

NEW SECTION. Sec. 3271. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Snow Creek Reconstruct Facility (30000826)

The appropriations in this section are subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3057, chapter 356, Laws of 2020.

Reappropriation:

State Building Construction Account—State \$70,000

Appropriation:

State Building Construction Account—State \$900,000

Prior Biennia (Expenditures) \$166,000

Future Biennia (Projected Costs) \$7,060,000

TOTAL \$8,196,000

NEW SECTION. Sec. 3272. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Forks Creek Hatchery - Renovate Intake and Diversion (30000827)

Reappropriation:

State Building Construction Account—State \$2,420,000

Appropriation:

State Building Construction Account—State \$511,000

Prior Biennia (Expenditures) \$3,441,000

Future Biennia (Projected Costs) \$0

TOTAL \$6,372,000

NEW SECTION. Sec. 3273. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Hurd Creek - Relocate Facilities out of Floodplain (30000830)

Reappropriation:

State Building Construction Account—State \$200,000

Appropriation:

State Building Construction Account—State \$11,894,000

Prior Biennia (Expenditures) \$577,000

Future Biennia (Projected Costs) \$0

TOTAL \$12,671,000

NEW SECTION. Sec. 3274. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Dungeness Hatchery - Replace Main Intake (30000844)

Reappropriation:

State Building Construction Account—State \$300,000

Prior Biennia (Expenditures) \$3,606,000

Future Biennia (Projected Costs) \$0

TOTAL \$3,906,000

NEW SECTION. Sec. 3275. FOR THE DEPARTMENT OF FISH AND WILDLIFE

PSNERP Match (30000846)

Reappropriation:

General Fund—Federal \$5,754,000

State Building Construction Account—State \$2,750,000

Subtotal Reappropriation \$8,504,000

Appropriation:

General Fund—Federal \$34,809,000

Prior Biennia (Expenditures) \$774,000

Future Biennia (Projected Costs) \$461,662,000

TOTAL \$505,749,000

NEW SECTION. Sec. 3276. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Kalama Falls Hatchery Replace Raceways and PA System (30000848)

Reappropriation:

State Building Construction Account—State \$519,000

Prior Biennia (Expenditures) \$297,000

Future Biennia (Projected Costs) \$0

TOTAL \$816,000

NEW SECTION. Sec. 3277. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Wiley Slough Dike Raising (40000004)

Reappropriation:

State Building Construction Account—
State \$900,000

Appropriation:

State Building Construction Account—
State \$5,481,000

Prior	Biennia	(Expenditures)
	\$72,000	
Future	Biennia	(Projected Costs)
	\$0	

TOTAL \$6,453,000

NEW SECTION. Sec. 3278. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Scatter Creek Wildlife Area Fire Damage (40000005)

Reappropriation:

State Building Construction Account—
State \$550,000

Prior	Biennia	(Expenditures)
	\$781,000	
Future	Biennia	(Projected Costs)
	\$0	

TOTAL \$1,331,000

NEW SECTION. Sec. 3279. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Minor Works Preservation 2019-21 (40000007)

Reappropriation:

State Building Construction Account—
State \$2,400,000

Prior	Biennia	(Expenditures)
	\$5,630,000	
Future	Biennia	(Projected Costs)
	\$0	

TOTAL \$8,030,000

NEW SECTION. Sec. 3280. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Minor Works Programmatic 2019-21 (40000008)

Reappropriation:

State Building Construction Account—
State \$1,750,000

Prior	Biennia	(Expenditures)
	\$677,000	
Future	Biennia	(Projected Costs)
	\$0	

TOTAL \$2,427,000

NEW SECTION. Sec. 3281. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Toutle River Fish Collection Facility - Match (40000021)

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

(1) The reappropriation in this section is provided solely for the department to purchase easements as part of sediment abatement.

(2) The appropriation in this section is provided solely for project obligations related to modular housing replacement.

Reappropriation:

State Building Construction Account—
State \$6,371,000

Appropriation:

State Building Construction Account—
State \$239,000

Prior	Biennia	(Expenditures)
	\$404,000	
Future	Biennia	(Projected Costs)
	\$4,312,000	

TOTAL \$11,326,000

NEW SECTION. Sec. 3282. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Elochoman Hatchery Demolition and Restoration (40000024)

Reappropriation:

General Fund—Federal	\$250,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0

TOTAL \$250,000

NEW SECTION. Sec. 3283. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Snohomish County Wildlife Rehabilitation Facility (PAWS) (40000025)

Reappropriation:

State Building Construction Account—
State \$2,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$2,000,000

**NEW SECTION. Sec. 3284. FOR THE
DEPARTMENT OF FISH AND WILDLIFE**

Region 1 Office - Construct Secure
Storage (40000087)

Reappropriation:

State Building Construction Account—
State \$57,000

Prior Biennia (Expenditures)
\$93,000

Future Biennia (Projected Costs)
\$0

TOTAL \$150,000

**NEW SECTION. Sec. 3285. FOR THE
DEPARTMENT OF FISH AND WILDLIFE**

Minor Works Preservation 21-23
(40000089)

Appropriation:

State Building Construction Account—
State \$8,990,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$8,990,000

**NEW SECTION. Sec. 3286. FOR THE
DEPARTMENT OF FISH AND WILDLIFE**

Minor Works Program 21-23 (40000092)

Appropriation:

State Building Construction Account—
State \$2,928,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$2,928,000

**NEW SECTION. Sec. 3287. FOR THE
DEPARTMENT OF FISH AND WILDLIFE**

SRKW - New Cowlitz River Hatchery
(40000145)

Appropriation:

State Building Construction Account—
State \$300,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$38,486,000

TOTAL \$38,786,000

**NEW SECTION. Sec. 3288. FOR THE
DEPARTMENT OF FISH AND WILDLIFE**

SRKW - Kendall Creek Hatchery
Modifications (40000146)

Appropriation:

State Building Construction Account—
State \$4,317,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$4,317,000

**NEW SECTION. Sec. 3289. FOR THE
DEPARTMENT OF FISH AND WILDLIFE**

SRKW - Sol Duc Hatchery Modifications
(40000147)

Appropriation:

State Building Construction Account—
State \$200,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$6,697,000

TOTAL \$6,897,000

**NEW SECTION. Sec. 3290. FOR THE
DEPARTMENT OF FISH AND WILDLIFE**

SRKW - Voights Creek Hatchery
Modifications (40000148)

Appropriation:

State Building Construction Account—
State \$3,551,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$3,551,000

**NEW SECTION. Sec. 3291. FOR THE
DEPARTMENT OF FISH AND WILDLIFE**

Lake Rufus Woods Fishing Access
(91000151)

Reappropriation:

State Building Construction Account—
State \$347,000

Prior Biennia (Expenditures)
\$2,653,000

Future Biennia (Projected Costs)
\$0

TOTAL \$3,000,000

NEW SECTION. Sec. 3292. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Leque Island Highway 532 Road Protection (92000019)

Reappropriation:

State Building Construction Account—
State \$160,000

Prior Biennia (Expenditures)
\$520,000

Future Biennia (Projected Costs)
\$0

TOTAL \$680,000

NEW SECTION. Sec. 3293. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Naches Rearing Ponds (92000049)

Appropriation:

State Building Construction Account—
State \$600,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$600,000

NEW SECTION. Sec. 3294. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Shrubsteppe and Rangeland Cooperative Wildlife Fencing (92000050)

The appropriation in this section is subject to the following conditions and limitations: The department shall collaborate with landowners affected by wildfire in shrubsteppe habitat and provide funding to public and private landowners to rebuild wildlife-friendly fences in impacted and prioritized areas.

Appropriation:

State Building Construction Account—
State \$1,500,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$1,500,000

NEW SECTION. Sec. 3295. FOR THE DEPARTMENT OF NATURAL RESOURCES

Port Angeles Storm Water Repair (40000015)

Appropriation:

Model Toxics Control Stormwater
Account—State \$1,020,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$1,020,000

NEW SECTION. Sec. 3296. FOR THE DEPARTMENT OF NATURAL RESOURCES

Airway Heights Facility Replacement (40000025)

Appropriation:

State Building Construction Account—
State \$4,200,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$4,200,000

NEW SECTION. Sec. 3297. FOR THE DEPARTMENT OF NATURAL RESOURCES

2021-23 State Forest Land Replacement (40000085)

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

(1)(a) The appropriation is provided solely to the department to transfer from state forestland status to natural resources conservation area status certain state forestlands in counties with:

(i) A population of 25,000 or fewer; and

(ii) Risks of timber harvest deferrals greater than 30 years due to the presence of wildlife species listed as endangered or threatened under the federal endangered species act.

(b) This appropriation must be used equally for the transfer of qualifying state forestlands in the qualifying counties.

(2) Property transferred under this section must be appraised and transferred at fair market value, without consideration of management or regulatory encumbrances associated with wildlife species listed under the federal endangered species act. The value of the timber and other valuable materials transferred must be distributed as provided in RCW 79.64.110. The value of

the land transferred must be deposited in the park land trust revolving account and be used solely to buy replacement state forestland, consistent with RCW 79.22.060.

(3) Prior to or concurrent with conveyance of these properties, the department shall execute and record a real property instrument that dedicates the transferred properties to the purposes identified in subsection (1) of this section. Transfer agreements for properties identified in subsection (1) of this section must include terms that restrict the use of the property to the intended purpose.

(4) The department and applicable counties shall work in good faith to carry out the intent of this section. The department shall identify eligible properties for transfer, consistent with subsections (1) and (2) of this section, in consultation with the applicable counties, and may not execute any property transfers that are not in the statewide interest of either the state forest trust or the natural resources conservation area program.

Appropriation:

State Building Construction Account—
State \$4,500,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$4,500,000

NEW SECTION. Sec. 3298. FOR THE DEPARTMENT OF NATURAL RESOURCES

2021-23 Structurally Deficient Bridges
(40000086)

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

The appropriation in this section is provided solely for the following projects: (a) The Naked Falls/Stebbins Creek bridge replacement in Skamania county; (b) the Shale Creek bridge repair in Jefferson county; and (c) the Coal Creek bridge replacement in Clallam county.

Appropriation:

State Building Construction Account—
State \$1,050,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$10,000,000

TOTAL \$11,050,000

NEW SECTION. Sec. 3299. FOR THE DEPARTMENT OF NATURAL RESOURCES

2021-23 Sustainable Recreation
(40000088)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for projects approved by the legislature, as identified in LEAP capital document No. DNR-2.1-HB-2021, developed April 19, 2021.

Appropriation:

State Building Construction Account—
State \$3,248,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$3,248,000

NEW SECTION. Sec. 3300. FOR THE DEPARTMENT OF NATURAL RESOURCES

2021-23 Trust Land Replacement
(40000089)

Appropriation:

Community and Technical College Forest Reserve

Account—State \$1,000,000

Natural Resources Real Property Replacement

Account—State \$30,000,000

Resource Management Cost Account—
State \$30,000,000

Subtotal Appropriation \$61,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$244,000,000

TOTAL \$305,000,000

NEW SECTION. Sec. 3301. FOR THE DEPARTMENT OF NATURAL RESOURCES

2021-23 Forest Legacy (40000090)

Appropriation:

General Fund—Federal \$17,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$68,000,000

TOTAL \$85,000,000

NEW SECTION. Sec. 3302. FOR THE DEPARTMENT OF NATURAL RESOURCES

2021-23 Land Acquisition Grants
(40000091)

Appropriation:

General Fund—Federal \$10,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$40,000,000

TOTAL \$50,000,000

NEW SECTION. Sec. 3303. FOR THE DEPARTMENT OF NATURAL RESOURCES

2021-23 Road Maintenance and
Abandonment Planning (40000092)

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

(1) Except as provided for under subsection (2) of this section, the appropriation in this section is provided solely for projects approved by the legislature, as identified in LEAP capital document No. DNR-3-HB-2021, developed April 15, 2021.

(2) The department may fund road maintenance and abandonment planning projects not listed in the LEAP capital document under subsection (1) of this section in either of the following instances: (a) If there is excess appropriation authority remaining after completion of all of the listed projects; or (b) if there is a documented public safety or operational concern at a different road maintenance and abandonment planning project location that the department determines is urgent. The department may not use the funding provided in this section for a study.

Appropriation:

State Building Construction Account—
State \$1,878,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$10,000,000

TOTAL \$11,878,000

NEW SECTION. Sec. 3304. FOR THE DEPARTMENT OF NATURAL RESOURCES

2021-23 Natural Areas Facilities
Preservation and Access (40000093)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for projects approved by the legislature, as identified in LEAP capital document No. DNR-4.1-HB-2021, developed April 19, 2021.

Appropriation:

State Building Construction Account—
State \$4,005,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$4,005,000

NEW SECTION. Sec. 3305. FOR THE DEPARTMENT OF NATURAL RESOURCES

Omak Consolidation, Expansion and
Relocation (40000033)

Reappropriation:

State Building Construction Account—
State \$107,000

Prior Biennia (Expenditures) \$1,000

Future Biennia (Projected Costs)
\$0

TOTAL \$108,000

NEW SECTION. Sec. 3306. FOR THE DEPARTMENT OF NATURAL RESOURCES

Trust Land Transfer Program (40000034)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3281, chapter 413, Laws of 2019.

Reappropriation:

State Building Construction Account—
State \$1,675,000

Prior Biennia (Expenditures)
\$4,725,000

Future Biennia (Projected Costs)
\$0

TOTAL \$6,400,000

NEW SECTION. Sec. 3307. FOR THE DEPARTMENT OF NATURAL RESOURCES

Road Maintenance and Abandonment Plan
(RMAP) (40000037)

Reappropriation:

State Building Construction Account—
State \$2,184,000

Prior	Biennia	(Expenditures)
\$1,582,000		
Future	Biennia	(Projected Costs)
\$0		
TOTAL	\$3,766,000	

NEW SECTION. Sec. 3308. FOR THE DEPARTMENT OF NATURAL RESOURCES

Teanaway (40000038)

Reappropriation:

State Building Construction Account—
State \$1,220,000

Prior	Biennia	(Expenditures)
\$636,000		

Future	Biennia	(Projected Costs)
\$0		

TOTAL \$1,856,000

NEW SECTION. Sec. 3309. FOR THE DEPARTMENT OF NATURAL RESOURCES

Land Acquisition Grants (40000039)

Reappropriation:

General Fund—Federal \$5,000,000

Prior	Biennia	(Expenditures)
\$13,000,000		

Future	Biennia	(Projected Costs)
\$0		

TOTAL \$18,000,000

NEW SECTION. Sec. 3310. FOR THE DEPARTMENT OF NATURAL RESOURCES

Sunshine Mine (40000042)

Reappropriation:

Model Toxics Control Capital Account—
State \$115,000

Prior	Biennia	(Expenditures)
\$15,000		

Future	Biennia	(Projected Costs)
\$0		

TOTAL \$130,000

NEW SECTION. Sec. 3311. FOR THE DEPARTMENT OF NATURAL RESOURCES

Sustainable Recreation (40000044)

Reappropriation:

State Building Construction Account—
State \$155,000

Prior	Biennia	(Expenditures)
\$1,705,000		

Future	Biennia	(Projected Costs)
\$0		

TOTAL \$1,860,000

NEW SECTION. Sec. 3312. FOR THE DEPARTMENT OF NATURAL RESOURCES

Forest Legacy 2019-21 (40000045)

Reappropriation:

General Fund—Federal \$7,750,000

Prior	Biennia	(Expenditures)
\$7,250,000		

Future	Biennia	(Projected Costs)
\$0		

TOTAL \$15,000,000

NEW SECTION. Sec. 3313. FOR THE DEPARTMENT OF NATURAL RESOURCES

Natural Areas Facilities 2019-21
(40000046)

Reappropriation:

State Building Construction Account—
State \$295,000

Prior	Biennia	(Expenditures)
\$1,705,000		

Future	Biennia	(Projected Costs)
\$0		

TOTAL \$2,000,000

NEW SECTION. Sec. 3314. FOR THE DEPARTMENT OF NATURAL RESOURCES

Forest Hazard Reduction (40000049)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3292, chapter 413, Laws of 2019.

Reappropriation:

State Building Construction Account—
State \$5,979,000

Prior	Biennia	(Expenditures)
\$8,221,000		

Future	Biennia	(Projected Costs)
\$0		

TOTAL \$14,200,000

NEW SECTION. Sec. 3315. FOR THE DEPARTMENT OF NATURAL RESOURCES

Large Vessel Removals (40000051)

Reappropriation:

State Building Construction Account—
State \$300,000

Prior Biennia (Expenditures)
\$2,200,000

Future Biennia (Projected Costs)
\$0

TOTAL \$2,500,000

**NEW SECTION. Sec. 3316. FOR THE
DEPARTMENT OF NATURAL RESOURCES**

Forest Riparian Easement Program
(FREP) (40000052)

Reappropriation:

State Building Construction Account—
State \$600,000

Prior Biennia (Expenditures)
\$2,900,000

Future Biennia (Projected Costs)
\$0

TOTAL \$3,500,000

**NEW SECTION. Sec. 3317. FOR THE
DEPARTMENT OF NATURAL RESOURCES**

Grouse Ridge Fish Barriers & RMAP
Compliance (40000056)

Reappropriation:

State Building Construction Account—
State \$3,210,000

Appropriation:

State Building Construction Account—
State \$1,730,000

Prior Biennia (Expenditures)
\$35,000

Future Biennia (Projected Costs)
\$0

TOTAL \$4,975,000

**NEW SECTION. Sec. 3318. FOR THE
DEPARTMENT OF NATURAL RESOURCES**

Emergent Environmental Mitigation
Projects (40000058)

Appropriation:

Model Toxics Control Capital Account—
State \$790,000

Prior Biennia (Expenditures)
\$320,000

Future Biennia (Projected Costs)
\$0

TOTAL \$1,110,000

**NEW SECTION. Sec. 3319. FOR THE
DEPARTMENT OF NATURAL RESOURCES**

2021-23 Minor Works Preservation
(40000070)

The appropriation in this section is
subject to the following conditions and
limitations: \$205,000 of the
appropriation in this section is provided
solely for communication site
preservation and repairs.

Appropriation:

State Building Construction Account—
State \$2,183,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$2,183,000

**NEW SECTION. Sec. 3320. FOR THE
DEPARTMENT OF NATURAL RESOURCES**

2021-23 Minor Works Programmatic
(40000071)

Appropriation:

State Building Construction Account—
State \$1,370,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$1,370,000

**NEW SECTION. Sec. 3321. FOR THE
DEPARTMENT OF NATURAL RESOURCES**

Longview Fire Station Purchase
(40000072)

Appropriation:

State Building Construction Account—
State \$995,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$995,000

**NEW SECTION. Sec. 3322. FOR THE
DEPARTMENT OF NATURAL RESOURCES**

Webster Nursery Seed Plant Replacement
(40000073)

Appropriation:

State Building Construction Account—
State \$220,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$3,000,000

TOTAL \$3,220,000

NEW SECTION. Sec. 3323. FOR THE DEPARTMENT OF NATURAL RESOURCES

2021-23 Community Forests (40000074)

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

(1) \$100,000 of the appropriation in this section is provided solely for grazing infrastructure projects in Teanaway Community Forest.

(2) \$100,000 of the appropriation in this section is provided solely for wetland improvement projects in Teanaway Community Forest.

Appropriation:

State Building Construction Account—
State \$200,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$200,000

NEW SECTION. Sec. 3324. FOR THE DEPARTMENT OF NATURAL RESOURCES

2021-23 Derelict Vessel Removal Program (40000075)

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are provided solely for removing high priority abandoned and derelict vessels in Washington's waters, including The Hero in Pacific county.

Appropriation:

State Building Construction Account—
State \$2,250,000

Derelict Vessel Removal Account—State
\$750,000

Subtotal Appropriation \$3,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$3,000,000

NEW SECTION. Sec. 3325. FOR THE DEPARTMENT OF NATURAL RESOURCES

2021-23 Forestry Riparian Easement Program (40000077)

Appropriation:

State Building Construction Account—
State \$6,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$35,257,000

TOTAL \$41,257,000

NEW SECTION. Sec. 3326. FOR THE DEPARTMENT OF NATURAL RESOURCES

2021-23 Puget Sound Corps (40000079)

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

(1) \$3,200,000 of the appropriation in this section is provided solely for state land recreation, natural areas, aquatics, resource protection, and urban forestry projects statewide.

(2) \$800,000 of the appropriation in this section is provided solely for implementing projects to remove invasive and noxious weeds and creosote-treated wood and to revegetate riparian zones in the Snohomish watershed pursuant to the departments' salmon strategy.

Appropriation:

State Building Construction Account—
State \$4,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$32,000,000

TOTAL \$36,000,000

NEW SECTION. Sec. 3327. FOR THE DEPARTMENT OF NATURAL RESOURCES

2021-23 Rivers and Habitat Open Space Program (40000081)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for projects approved by the legislature, as identified in LEAP capital document No. DNR-7-HB-2021, developed April 15, 2021. An amount not to exceed \$14,000 is provided solely for the program's administrative costs.

Appropriation:

State Building Construction Account—
State \$1,419,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$24,400,000

TOTAL \$25,819,000

**NEW SECTION. Sec. 3328. FOR THE
DEPARTMENT OF NATURAL RESOURCES**

Rural Broadband Investment (40000082)

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

(1) \$600,000 of the appropriation in this section is provided solely for installation of new communication towers at Ellis Peak, Striped Peak, and Paradise Peak.

(2) \$400,000 of the appropriation in this section is provided solely for communication tower upgrades at Blyn Mountain and Capitol Peak.

(3) \$20,000 of the appropriation in this section is provided solely for a new generator in Okanogan county.

(4) \$5,000 of the appropriation in this section is provided solely for a utility connection project in Clallam county.

Appropriation:

Coronavirus Capital Projects Account—
Federal \$2,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$2,000,000

**NEW SECTION. Sec. 3329. FOR THE
DEPARTMENT OF NATURAL RESOURCES**

2021-23 School Seismic Safety
(40000083)

Appropriation:

State Building Construction Account—
State \$590,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$1,770,000

TOTAL \$2,360,000

**NEW SECTION. Sec. 3330. FOR THE
DEPARTMENT OF NATURAL RESOURCES**

Port of Willapa Harbor Energy
Innovation District Grant (91000099)

Reappropriation:

State Building Construction Account—
State \$1,400,000

Prior Biennia (Expenditures)
\$100,000

Future Biennia (Projected Costs)
\$0

TOTAL \$1,500,000

**NEW SECTION. Sec. 3331. FOR THE
DEPARTMENT OF NATURAL RESOURCES**

Administrative Site/Minor Works Pool
(92000034)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3303, chapter 413, Laws of 2019.

Reappropriation:

State Building Construction Account—
State \$500,000

Prior Biennia (Expenditures)
\$8,800,000

Future Biennia (Projected Costs)
\$0

TOTAL \$9,300,000

**NEW SECTION. Sec. 3332. FOR THE
DEPARTMENT OF NATURAL RESOURCES**

DNR and Camp Colman Collaboration
(92000037)

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

(1) \$100,000 is provided solely for the department to contract with a third party facilitator for the purpose of collaborating with the YMCA of greater Seattle, Camp Colman, on finding solutions for maintaining a high-quality camp experience while establishing a barrier free passage for migrating fish species at Whiteman cove.

(2) \$500,000 is provided solely for the department to grant to the YMCA of greater Seattle to retain expertise to scope, plan, and advance the future of the Camp Colman experience given the restoration of the Whiteman cove estuary. The planning process should be inclusive of tribal input, with an open invitation for their participation, and must include department technical experts, participation from the departments of ecology and fish and wildlife, and any other resources needed. The plan should

include a vision for how the cove can be returned to a fully functioning estuary, benefiting native flora and fauna, as well as serve as an environmental outdoor educational opportunity that will serve youth and families, especially those from historically marginalized and underrepresented communities, and include educational opportunities for youth and families to learn of native cultural heritage unique and specific to the natural and human history of the site. The plan must identify specific projects and estimated costs, given estuary restoration, for physical improvements for the camp, such as water access structures or swimming facilities, with recommendations for funding. The department, on behalf of the YMCA, must submit the plan in a report to the fiscal committees of the legislature by December 31, 2021.

(3) \$300,000 is provided solely for the department to design the fish blockage removal and predesign enhancements for a new bridge and roadway across Whiteman cove that are part of the fish blockage removal project and necessary as part of maintaining the route as access to the camp. The predesign must take into consideration the means to maintain continuous road access to Camp Colman for campers and camp staff without disruption, ensure the continuation, mitigation and innovation of Camp Colman's recreational, water safety, and environmental education programs in the salt water estuary, and maintain the critical outdoor experiences for historically marginalized and underrepresented communities.

Appropriation:

State Building Construction Account—
State \$900,000

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$900,000

NEW SECTION. Sec. 3333. FOR THE DEPARTMENT OF NATURAL RESOURCES

Trust Land Transfer Stakeholder Report (92000038)

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

(1) The department of natural resources shall convene a work group of trust land beneficiaries and stakeholders to develop a recommended process for the way trust land transfer proposals are developed and implemented. Consideration should be made for increasing the income value of the trusts, limiting impacts to trust lands not being considered for transfer, conservation value of lands that are a potential candidate for transfer, and use of the land bank for securing repositioned land that would result from any transferred projects, and any other items necessary for a well-supported program. The department must report and make recommendations for the establishment of a new trust land transfer program to the fiscal committees of the legislature by December 1, 2021.

(2) For the 2021-2023 fiscal biennium, the department may not trade, transfer, or sell any valuable material from the four parcels that comprised the proposed trust land transfer parcels in 2019-21, known as Blakely Island, Devils Lake, Eglon, and Morning Star.

Appropriation:

State Building Construction Account—
State \$75,000

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$75,000

NEW SECTION. Sec. 3334. FOR THE DEPARTMENT OF AGRICULTURE

2019-21 Grants to Improve Safety and Access at Fairs (92000004)

Reappropriation:

State Building Construction Account—
State \$190,000

Prior Biennia (Expenditures)	\$1,810,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,000,000

NEW SECTION. Sec. 3335. FOR THE DEPARTMENT OF AGRICULTURE

2021-23 WA State Fairs Health and Safety Grants (92000005)

Appropriation:

State Building Construction Account—
State \$8,005,000

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$8,005,000

PART 4**TRANSPORTATION****NEW SECTION. Sec. 4001. FOR THE WASHINGTON STATE PATROL**

FTA Emergency Power Generator Replacement (30000171)

Appropriation:

State Building Construction Account—
State \$875,000

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$875,000

NEW SECTION. Sec. 4002. FOR THE WASHINGTON STATE PATROL

FTA Minor Works and Repairs (40000031)

Appropriation:

State Building Construction Account—
State \$225,000

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$1,250,000
TOTAL	\$1,475,000

NEW SECTION. Sec. 4003. FOR THE WASHINGTON STATE PATROL

FTA - Student Dormitory HVAC (40000034)

Appropriation:

State Building Construction Account—
State \$325,000

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$325,000

NEW SECTION. Sec. 4004. FOR THE DEPARTMENT OF TRANSPORTATION

2021-23 Aviation Revitalization Loans (40000002)

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

limitations: The appropriation in this section must be deposited in the public use general aviation airport loan revolving account.

Appropriation:

Public Works Assistance Account—State
\$5,000,000

Prior Biennia (Expenditures)	\$0
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Future Biennia (Projected Costs)	\$0
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TOTAL	\$5,000,000
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PART 5**EDUCATION****NEW SECTION. Sec. 5001. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

2011-13 School Construction Assistance Program (30000071)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5003, chapter 48, Laws of 2011 1st sp. sess.

Reappropriation:

Common School Construction Account—
State \$66,000

Prior Biennia (Expenditures)	\$529,837,000
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Future Biennia (Projected Costs)	\$0
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TOTAL	\$529,903,000
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NEW SECTION. Sec. 5002. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2013-15 School Construction Assistance Program - Maintenance (30000145)

Reappropriation:

State Building Construction Account—
State \$1,529,000

Prior Biennia (Expenditures)	\$385,701,000
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Future Biennia (Projected Costs)	\$0
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TOTAL	\$387,230,000
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NEW SECTION. Sec. 5003. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2015-17 School Construction Assistance Program (30000169)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5013, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

Common School Construction Account—
State \$6,617,000

Prior	Biennia	(Expenditures)
\$639,008,000		

Future	Biennia	(Projected Costs)
\$0		

TOTAL	\$645,625,000
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NEW SECTION. Sec. 5004. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Emergency Repairs and Equal Access Grants for K-12 Public Schools (30000182)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 5001, chapter 2, Laws of 2018.

Reappropriation:

State Building Construction Account—
State \$184,000

Common School Construction Account—
State \$372,000

Subtotal	Reappropriation
\$556,000	

Prior	Biennia	(Expenditures)
\$5,444,000		

Future	Biennia	(Projected Costs)
\$0		

TOTAL	\$6,000,000
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NEW SECTION. Sec. 5005. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Skill Centers - Minor Works (30000187)

Reappropriation:

School Construction and Skill Centers Building

Account—Bonds—State	\$521,000
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Prior	Biennia	(Expenditures)
\$2,479,000		

Future	Biennia	(Projected Costs)
\$0		

TOTAL	\$3,000,000
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NEW SECTION. Sec. 5006. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Tri-Tech Skill Center - Core Growth (30000197)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5004, chapter 2, Laws of 2018.

Reappropriation:

State Building Construction Account—
State \$415,000

Prior	Biennia	(Expenditures)
\$10,392,000		

Future	Biennia	(Projected Costs)
\$0		

TOTAL	\$10,807,000
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NEW SECTION. Sec. 5007. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

STEM Classrooms and Labs (30000203)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5005, chapter 2, Laws of 2018.

Reappropriation:

State Building Construction Account—
State \$961,000

Prior	Biennia	(Expenditures)
\$12,039,000		

Future	Biennia	(Projected Costs)
\$0		

TOTAL	\$13,000,000
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NEW SECTION. Sec. 5008. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2017-19 School Construction Assistance Program (40000003)

The appropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 5003, chapter 298, Laws of 2018.

Reappropriation:

Common School Construction Account—
State \$66,055,000

Appropriation:

State Building Construction Account—
State \$71,446,000

Prior	Biennia	(Expenditures)
\$811,249,000		

Future Biennia (Projected Costs)
\$0

TOTAL \$948,750,000

NEW SECTION. Sec. 5009. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2019-21 School Construction Assistance Program - Maintenance Lvl (40000013)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to provisions of section 5002, chapter 356, Laws of 2020.

Reappropriation:

State Building Construction Account—State \$612,878,000

Common School Construction Account—State \$185,462,000

Subtotal Reappropriation
\$798,340,000

Prior Biennia (Expenditures)
\$224,878,000

Future Biennia (Projected Costs)
\$0

TOTAL \$1,023,218,000

NEW SECTION. Sec. 5010. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

West Sound Technical Skills Center Modernization (40000015)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to provisions of section 5002, chapter 356, Laws of 2020.

Reappropriation:

State Building Construction Account—State \$274,000

Prior Biennia (Expenditures)
\$226,000

Future Biennia (Projected Costs)
\$0

TOTAL \$500,000

NEW SECTION. Sec. 5011. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

School District Health and Safety 2019-21 (40000019)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 5016, chapter 413, Laws of 2019.

Reappropriation:

State Building Construction Account—State \$842,000

Common School Construction Account—State \$366,000

Subtotal Reappropriation
\$1,208,000

Prior Biennia (Expenditures)
\$4,792,000

Future Biennia (Projected Costs)
\$0

TOTAL \$6,000,000

NEW SECTION. Sec. 5012. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Healthy Kids / Healthy Schools 2019-21 (40000021)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5017, chapter 413, Laws of 2019.

Reappropriation:

Common School Construction Account—State \$1,120,000

Prior Biennia (Expenditures)
\$2,130,000

Future Biennia (Projected Costs)
\$0

TOTAL \$3,250,000

NEW SECTION. Sec. 5013. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Skills Centers Minor Works (40000023)

Reappropriation:

State Building Construction Account—State \$1,205,000

Prior Biennia (Expenditures)
\$1,795,000

Future Biennia (Projected Costs)
\$0

TOTAL \$3,000,000

NEW SECTION. Sec. 5014. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2019-21 Career Preparation and Launch Equipment Grants (40000032)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5019, chapter 413, Laws of 2019.

Reappropriation:

Common School Construction Account—
State \$104,000

Prior Biennia (Expenditures)
\$896,000

Future Biennia (Projected Costs)
\$0

TOTAL \$1,000,000

NEW SECTION. Sec. 5015. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2021-23 School Construction Assistance Program (40000034)

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

(1) \$727,780,000 of the appropriation in this section is provided solely for school construction assistance grants for qualifying public school construction projects.

(2) \$2,836,000 of the appropriation in this section is provided solely for study and survey grants and for completing inventory and building condition assessments for public school districts every six years.

Appropriation:

State Building Construction Account—
State \$702,657,000

Common School Construction Account—
State \$24,959,000

Common School Construction Account—
Federal \$3,000,000

Subtotal Appropriation \$730,616,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$3,899,490,000

TOTAL \$4,630,106,000

NEW SECTION. Sec. 5016. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2021-23 Healthy Kids-Healthy Schools: Physical Health & Nutrition (91000464)

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

(1) The office of the superintendent of public instruction shall develop criteria for funding specific projects that are consistent with the healthiest next generation priorities. The criteria

must include, but are not limited to, the following:

(a) Districts may apply for grants, but no single district may receive more than \$200,000 of the appropriation for grants awarded under this section;

(b) Any district receiving funding provided in this section must demonstrate a consistent commitment to addressing school facilities' needs; and

(c) Applicants with a high percentage of students who are eligible and enrolled in the free and reduced-price meals program may be prioritized.

(2) The appropriation in this section is provided solely for grants to school districts for the purchase of equipment or to make repairs to existing equipment that is related to improving:

(a) Children's physical health, and may include, but is not limited to, fitness playground equipment, covered play areas, and physical education equipment or related structures or renovation; and

(b) Children's nutrition, and may include, but is not limited to, garden related structures and greenhouses to provide students access to fresh produce, and kitchen equipment or upgrades.

Appropriation:

Common School Construction Account—
State \$3,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$3,000,000

NEW SECTION. Sec. 5017. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

K-12 Capital Programs Administration (40000038)

Appropriation:

Common School Construction Account—
State \$4,282,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$4,282,000

NEW SECTION. Sec. 5018. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2021-23 Small District and Tribal Compact Schools Modernization (40000039)

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

(1) \$3,000,000 of the state building construction account—state appropriation in this section is provided solely for a modernization grant to the Mount Adams school district to complete the replacement of Harrah Elementary School.

(2) (a) \$21,795,000 of the state building construction account—state appropriation and \$12,000,000 of the coronavirus capital projects account—federal appropriation in this section are provided solely for modernization grants for small school districts with total enrollments of 1,000 students or less with significant building system deficiencies and limited financial capacity as approved by the superintendent of public instruction's small district modernization grant advisory committee.

(b) The superintendent of public instruction must submit a list of small school district modernization projects, as prioritized by the advisory committee, to the legislature by January 15, 2023. The list must include: (i) A description of the project; (ii) the proposed state funding level, not to exceed \$5,000,000; (iii) estimated total project costs; and (iv) local funding resources.

(3) \$1,100,000 of the state building construction account—state appropriation in this section is provided solely for planning grants for small school districts with enrollments of 1,000 students or less interested in seeking modernization grants. The superintendent of public instruction may prioritize planning grants for school districts with the most serious building deficiencies and the most limited financial capacity. Planning grants may not exceed \$50,000 per district. Planning grants may only be awarded to school districts with an estimated total project cost of \$5,000,000 or less.

(4) (a) \$4,218,000 of the state building construction account—state appropriation in this section is provided solely for planning grants and modernization grants to state tribal compact schools. The superintendent may prioritize planning grants for state

tribal compact schools with the most serious building deficiencies and the most limited financial capacity.

(b) The superintendent of public instruction must submit a prioritized list of state-tribal compact school modernization projects to the legislature by January 15, 2023. The list must include: (i) A description of the project; (ii) the planning grant amount; and (iii) estimated total project costs.

(5) The appropriated funds in this section may be awarded only to projects approved by the legislature, as identified in LEAP capital document No. OSPI-1.1-CD-2021, developed April 15, 2021.

Appropriation:

State Building Construction Account—
State \$30,113,000

Coronavirus Capital Projects Account—
Federal \$12,000,000

Subtotal Appropriation \$42,113,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$290,592,000

TOTAL \$332,705,000

NEW SECTION. Sec. 5019. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2021-23 Skills Centers Minor Works (40000040)

The appropriations in this section are subject to the following conditions and limitations: In addition to the conditions and limitations specified in section 7019 of this act, no skill center shall receive funding for more than two minor works projects within the 2021-2023 fiscal biennium.

Appropriation:

State Building Construction Account—
State \$1,556,000

Coronavirus Capital Projects Account—
Federal \$1,832,000

Subtotal Appropriation \$3,388,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$3,388,000

NEW SECTION. Sec. 5020. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Pierce County Skills Center -
Evergreen Building Modernization
(40000048)

Appropriation:

State Building Construction Account—
State \$9,830,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$9,830,000

**NEW SECTION. Sec. 5021. FOR THE
SUPERINTENDENT OF PUBLIC INSTRUCTION**

Seattle Public Schools Skills Center -
Rainier Beach High School (40000050)

Appropriation:

State Building Construction Account—
State \$300,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$300,000

**NEW SECTION. Sec. 5022. FOR THE
SUPERINTENDENT OF PUBLIC INSTRUCTION**

Puget Sound Skills Center Preservation
(40000051)

Appropriation:

State Building Construction Account—
State \$1,024,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$1,024,000

**NEW SECTION. Sec. 5023. FOR THE
SUPERINTENDENT OF PUBLIC INSTRUCTION**

2021-23 School District Health and
Safety (40000052)

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

(1) \$643,000 of the common school
construction account—state
appropriation and \$1,357,000 of the state
building construction account—state
appropriation in this section are
provided solely for emergency repair
grants to address unexpected and imminent
health and safety hazards at K-12 public
schools, including skill centers, that
will impact the day-to-day operations of

the school facility, and this is the
maximum amount that may be spent for this
purpose. For emergency repair grants
only, an emergency declaration must be
signed by the school district board of
directors and submitted to the
superintendent of public instruction for
consideration. The emergency declaration
must include a description of the
imminent health and safety hazard, the
possible cause, the proposed scope of
emergency repair work and related cost
estimate, and identification of local
funding to be applied to the project.
Grants of emergency repair moneys must be
conditioned upon the written commitment
and plan of the school district board of
directors to repay the grant with any
insurance payments or other judgments
that may be awarded, if applicable.

(2) \$965,000 of the common school
construction account—state
appropriation, \$2,035,000 of the state
building construction account—state
appropriation, and \$1,193,000 of the
coronavirus capital projects account—
federal appropriation in this section are
provided solely for urgent repair grants
to address nonrecurring urgent small
repair projects at K-12 public schools,
excluding skill centers, that could
impact the health and safety of students
and staff if not completed, and this is
the maximum amount that may be spent for
this purpose. The office of the
superintendent of public instruction,
after consulting with maintenance and
operations administrators of school
districts, shall develop criteria and
assurances for providing funding for
specific projects through a competitive
grant program. The criteria and
assurances must include, but are not
limited to, the following: (a) Limiting
school districts to one grant, not to
exceed \$200,000, per three-year period;
(b) prioritizing applications based on
limited school district financial
resources for the project; and (c)
requiring any district receiving funding
provided in this section to demonstrate
a consistent commitment to addressing
school facility needs. The grant
applications must include a
comprehensive description of the health
and safety issues to be addressed, a
detailed description of the remedy,
including a detailed cost estimate of the
repair or replacement work to be
performed, and identification of local
funding, if any, which will be applied to
the project. Grants may be used for, but

are not limited to: Repair or replacement of failing building systems, abatement of potentially hazardous materials, and safety-related structural improvements.

(3) \$322,000 of the common school construction account—state appropriation and \$678,000 of the state building construction account—state appropriation in this section are provided solely for equal access grants for facility repairs and alterations at K-12 public schools, including skills centers, to improve compliance with the Americans with disabilities act and individuals with disabilities education act, and this is the maximum amount that may be spent for this purpose. The office of the superintendent of public instruction shall develop criteria and assurances for providing funding for specific projects through a competitive grant program. The criteria and assurances must include, but are not limited to, the following: (a) Limiting districts to one grant, not to exceed \$100,000, per three-year period; (b) prioritizing applications based on limited school district financial resources for the project; and (c) requiring recipient districts to demonstrate a consistent commitment to addressing school facility needs. The grant applications must include a description of the Americans with disabilities act or individuals with disabilities education act compliance deficiency, a comprehensive description of the facility accessibility issues to be addressed, a detailed description of the remedy including a detailed cost estimate of the repair or replacement work to be performed, and identification of local funding, if any, which will be applied to the project. Priority for grant funding must be given to school districts that demonstrate a lack of capital resources to address the compliance deficiencies outlined in the grant application.

(4) The superintendent of public instruction must notify the office of financial management, the legislative evaluation and accountability program committee, the house capital budget committee, and the senate ways and means committee as projects described in subsection (1) of this section are approved for funding.

Appropriation:

Coronavirus Capital Projects Account—
Federal \$1,193,000

Common School Construction Account—
State \$1,930,000

State Building Construction Account—
State \$4,070,000

Subtotal Appropriation \$7,193,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$52,000,000

TOTAL \$59,193,000

NEW SECTION. Sec. 5024. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2021-23 School Seismic Safety Retrofit Program (40000054)

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

(1) \$2,000,000 of the appropriation in this section is provided solely for school seismic safety retrofit planning grants to school districts. The superintendent of public instruction shall prioritize planning grants for school districts with the most significant building deficiencies and the greatest seismic risks as determined by the most recent geological data and building engineering assessments, beginning with facilities classified as very high risk.

(2) \$38,000,000 of the appropriation in this section is provided solely for school seismic safety retrofit grants to school districts for seismic retrofits and seismic safety related improvements of school buildings used for the instruction of students in kindergarten through 12th grade. The superintendent of public instruction must prioritize school seismic safety retrofit grants for school districts with the most significant building deficiencies and the greatest seismic risks as determined by the school seismic safety retrofit planning grants established in subsection (1) of this section, beginning with facilities classified as very high risk.

(3) In the development of school seismic safety retrofit projects, the superintendent of public instruction shall consider the following: (a) Prioritizing student instructional spaces and facilities that improve communities' emergency response

capacity, including school gymnasiums and school facilities that are capable of providing space for emergency shelter and response coordination; (b) the financial capacity of low property value school districts in the sizing of grant awards; (c) facilities' seismic needs in light of the useful life of the facilities; and (d) the extent to which the cost of the proposed seismic improvements are less than the estimated costs of facility replacement or new construction.

Appropriation:

State Building Construction Account—
State \$40,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$160,000,000

TOTAL \$200,000,000

NEW SECTION. Sec. 5025. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2021-23 Career Preparation and Launch Grants (40000056)

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

(1) The appropriation in this section is provided solely for the superintendent of public instruction to provide competitive grants to school districts to purchase and install career and technical education equipment that expands career connected learning and work-integrated learning opportunities.

(2) The office of the superintendent of public instruction, after consulting with school districts and the workforce training and education coordinating board, shall develop criteria and assurances for providing funding and outcomes for specific projects through a competitive grant program to stay within the appropriation level provided in this section consistent with the following priorities. The criteria must include, but are not limited to, the following:

(a) Districts or schools must demonstrate that the request provides necessary equipment to deliver career and technical education; and

(b) Applicants with a high percentage of students who are eligible and enrolled in the free and reduced-price meals program must be prioritized.

(3) No single district may receive more than \$150,000 of the appropriation.

Appropriation:

Common School Construction Account—
State \$2,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$2,000,000

NEW SECTION. Sec. 5026. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Career and Technical Education Equipment Grants (91000408)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5005, chapter 298, Laws of 2018.

Reappropriation:

Common School Construction Account—
State \$29,000

Prior Biennia (Expenditures)
\$971,000

Future Biennia (Projected Costs)
\$0

TOTAL \$1,000,000

NEW SECTION. Sec. 5027. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2021-23 Healthy Kids-Healthy Schools: Remediation of Lead (91000465)

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

(1) Except as provided for under subsection (2) of this section, the appropriations in this section are provided solely for grants to school districts, charter schools, and state-tribal education compact schools for the replacement of lead-contaminated pipes, drinking water fixtures, and the purchase of water filters, including the labor costs of remediation design, installation, and construction. The amount provided to charter schools and state-tribal education compact schools for lead remediation costs in this section may not exceed \$100,000 and must be provided from the state building construction account—state appropriation in this section.

(2) \$128,000 of the state building construction account—state appropriation in this section is provided solely for the office of the superintendent of public instruction to enter into a contract, and for the administrative costs of that contract, for the following purposes: To study, estimate, and provide future common and charter school lead-contaminated drinking water remediation and mitigation costs associated with complying with codified lead remediation standards for these schools. The remediation cost estimates developed through this study must rely on a representative sample of schools from the most recent three-year period that have been tested for lead contamination using independent testing and department of health testing. The remediation costs considered in this study and the representative sample may include: (a) Technical assistance; (b) design; (c) parts and hardware; (d) labor; (e) contract administration for the predesign, design, and remediation phases; and (f) project management. Mitigation actions, treatments, and costs may also be considered in the study, along with other cost categories, as deemed relevant by the office of the superintendent of public instruction. The data collected and studied under this section should be representative of large, medium, and small school districts, as categorized by the Washington State School Directors' Association. Costs must be reported separately in appropriate categories to facilitate understanding of the data collected and studied.

(3) The office of the superintendent of public instruction shall consult with stakeholders and legislative fiscal staff regarding the development of the study and the development of a request for proposal under this section. The results of this study, including cost estimates, must be provided to the governor and the appropriate fiscal committees of the legislature by November 1, 2021.

Appropriation:

Common School Construction Account—
State \$270,000

State Building Construction Account—
State \$3,328,000

Subtotal Appropriation \$3,598,000

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,598,000

NEW SECTION. Sec. 5028. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Green Schools: Stormwater Infrastructure Projects (91000466)

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

(1) The appropriation in this section is provided solely for a contract with a statewide community-based organization with experience planning and developing green stormwater infrastructure and related educational programs on public school properties. The organization awarded funding under this section must use this funding solely for green stormwater infrastructure projects on public school properties.

(2) The organization selected under subsection (1) of this section must use geographic analysis to identify green stormwater infrastructure project locations based on the opportunity to reduce stormwater runoff.

(3) To qualify for a project under this section, schools must be eligible for financial assistance under Title I of the Elementary and Secondary Education Act, as amended by the Every Student Succeeds Act. The organization selected under subsection (1) of this section must prioritize schools with high percentages of students eligible for the free and reduced-price meals program that also serve diverse student populations.

(4) Stormwater infrastructure projects under this section should aim to: (a) Provide equity of opportunity in high-need communities; and (b) engage students in conjunction with K-12 STEM education programs aligned with the Washington state science and learning standards.

Appropriation:

Common School Construction Account—
State \$300,000

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$300,000

NEW SECTION. **Sec. 5029. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Puget Sound Skills Center (92000007)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5021, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—
State \$3,000

Prior Biennia (Expenditures)
\$20,930,000

Future Biennia (Projected Costs)
\$0

TOTAL \$20,933,000

NEW SECTION. **Sec. 5030. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

K-3 Class-size Reduction Grants
(92000039)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5023, chapter 413, Laws of 2019.

Reappropriation:

State Building Construction Account—
State \$19,654,000

Prior Biennia (Expenditures)
\$214,846,000

Future Biennia (Projected Costs)
\$0

TOTAL \$234,500,000

NEW SECTION. **Sec. 5031. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Small Rural District Modernization
Grants (92000040)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5008, chapter 298, Laws of 2018.

Reappropriation:

State Building Construction Account—
State \$1,867,000

Prior Biennia (Expenditures)
\$39,133,000

Future Biennia (Projected Costs)
\$0

TOTAL \$41,000,000

NEW SECTION. **Sec. 5032. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Distressed Schools (92000041)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5004, chapter 356, Laws of 2020.

Reappropriation:

State Building Construction Account—
State \$28,861,000

Prior Biennia (Expenditures)
\$16,625,000

Future Biennia (Projected Costs)
\$0

TOTAL \$45,486,000

NEW SECTION. **Sec. 5033. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Everett Pathways to Medical Education
(92000123)

Reappropriation:

State Building Construction Account—
State \$513,000

Prior Biennia (Expenditures)
\$1,487,000

Future Biennia (Projected Costs)
\$0

TOTAL \$2,000,000

NEW SECTION. **Sec. 5034. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

2019-21 Small District Modernization
Grants (92000139)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5003, chapter 356, Laws of 2020.

Reappropriation:

State Building Construction Account—
State \$6,190,000

Prior Biennia (Expenditures)
\$17,193,000

Future Biennia (Projected Costs)
\$0

TOTAL \$23,383,000

NEW SECTION. **Sec. 5035. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

2019-21 STEM Grants (92000140)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5029, chapter 413, Laws of 2019.

Reappropriation:

State Building Construction Account—
State \$6,660,000

Prior Biennia (Expenditures)
\$1,040,000

Future Biennia (Projected Costs)
\$0

TOTAL \$7,700,000

NEW SECTION. Sec. 5036. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2019-21 Distressed Schools (92000142)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5005, chapter 356, Laws of 2020.

Reappropriation:

State Building Construction Account—
State \$23,356,000

Prior Biennia (Expenditures)
\$2,581,000

Future Biennia (Projected Costs)
\$0

TOTAL \$25,937,000

NEW SECTION. Sec. 5037. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2021-23 Agricultural Science in
Schools Grant to FFA Foundation
(92000916)

Appropriation:

Common School Construction Account—
State \$2,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$2,000,000

NEW SECTION. Sec. 5038. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2021-23 Distressed Schools (92000917)

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

(1) \$7,000,000 of the appropriation in this section is provided solely for a 12-classroom addition at Green Lake Elementary School in Seattle public schools.

(2) \$940,000 of the appropriation in this section is provided solely for the Healthy Schools pilot to reduce exposure to air pollution and improve air quality in schools.

(3) \$772,000 of the appropriation in this section is provided solely for a school-based health center at Spanaway Middle School.

Appropriation:

State Building Construction Account—
State \$8,712,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$8,712,000

NEW SECTION. Sec. 5039. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2019-21 School Seismic Safety Retrofit Program (92000148)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5006, chapter 356, Laws of 2020.

Reappropriation:

State Building Construction Account—
State \$13,190,000

Prior Biennia (Expenditures)
\$50,000

Future Biennia (Projected Costs)
\$0

TOTAL \$13,240,000

NEW SECTION. Sec. 5040. FOR THE UNIVERSITY OF WASHINGTON

UW Tacoma (20102002)

The appropriations in this section are subject to the following conditions and limitations: The appropriation is subject to the provisions of section 5036, chapter 413, Laws of 2019.

Reappropriation:

University of Washington Building
Account—State \$700,000

Appropriation:

State Building Construction Account—
State \$36,000,000

Prior Biennia (Expenditures)
\$3,800,000

Future Biennia (Projected Costs)
\$0

TOTAL \$40,500,000

**NEW SECTION. Sec. 5041. FOR THE
UNIVERSITY OF WASHINGTON**

UW Bothell (30000378)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5037, chapter 413, Laws of 2019.

Reappropriation:

State Building Construction Account—
State \$70,000,000

Prior Biennia (Expenditures)
\$9,438,000

Future Biennia (Projected Costs)
\$0

TOTAL \$79,438,000

**NEW SECTION. Sec. 5042. FOR THE
UNIVERSITY OF WASHINGTON**

Health Sciences Education - T-Wing
Renovation/Addition (30000486)

Reappropriation:

State Building Construction Account—
State \$24,000,000

University of Washington Building
Account—State \$2,000,000

Subtotal Reappropriation
\$26,000,000

Prior Biennia (Expenditures)
\$44,623,000

Future Biennia (Projected Costs)
\$0

TOTAL \$70,623,000

**NEW SECTION. Sec. 5043. FOR THE
UNIVERSITY OF WASHINGTON**

College of Engineering
Interdisciplinary/Education Research Ctr
(30000492)

Reappropriation:

University of Washington Building
Account—State \$3,000,000

Appropriation:

State Building Construction Account—
State \$45,400,000

Prior Biennia (Expenditures)
\$1,600,000

Future Biennia (Projected Costs)
\$0

TOTAL \$50,000,000

**NEW SECTION. Sec. 5044. FOR THE
UNIVERSITY OF WASHINGTON**

UW Major Infrastructure (30000808)

Reappropriation:

University of Washington Building
Account—State \$7,000,000

Appropriation:

University of Washington Building
Account—State \$8,000,000

Prior Biennia (Expenditures)
\$25,500,000

Future Biennia (Projected Costs)
\$34,300,000

TOTAL \$74,800,000

**NEW SECTION. Sec. 5045. FOR THE
UNIVERSITY OF WASHINGTON**

2019-21 Minor Works - Preservation
(40000004)

Reappropriation:

University of Washington Building
Account—State \$8,200,000

Prior Biennia (Expenditures)
\$35,266,000

Future Biennia (Projected Costs)
\$0

TOTAL \$43,466,000

**NEW SECTION. Sec. 5046. FOR THE
UNIVERSITY OF WASHINGTON**

Behavioral Health Teaching Facility
(40000038)

The appropriations in this section are subject to the following conditions and limitations: The appropriations are subject to the provisions of section 6042 of this act.

Reappropriation:

State Building Construction Account—
State \$6,000,000

Appropriation:

State Building Construction Account—
State \$200,750,000

Prior Biennia (Expenditures)
\$27,250,000

Future Biennia (Projected Costs)
\$0

TOTAL \$234,000,000

**NEW SECTION. Sec. 5047. FOR THE
UNIVERSITY OF WASHINGTON**

Magnuson Health Sciences Phase II -
Renovation/Replacement (40000049)

Reappropriation:

State Building Construction Account—
State \$1,000,000

Appropriation:

State Building Construction Account—
State \$5,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$58,000,000

TOTAL \$64,000,000

**NEW SECTION. Sec. 5048. FOR THE
UNIVERSITY OF WASHINGTON**

UW Seattle - Asset Preservation (Minor
Works) 21-23 (40000050)

Appropriation:

UW Building Account—State
\$35,685,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$97,533,000

TOTAL \$133,218,000

**NEW SECTION. Sec. 5049. FOR THE
UNIVERSITY OF WASHINGTON**

UW Bothell - Asset Preservation (Minor
Works) 2021-23 (40000070)

Appropriation:

UW Building Account—State
\$3,638,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$20,200,000

TOTAL \$23,838,000

**NEW SECTION. Sec. 5050. FOR THE
UNIVERSITY OF WASHINGTON**

UW Tacoma - Asset Preservation (Minor
Works) 2021-23 (40000072)

Appropriation:

UW Building Account—State
\$2,677,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$14,861,000

TOTAL \$17,538,000

**NEW SECTION. Sec. 5051. FOR THE
UNIVERSITY OF WASHINGTON**

Ctr for Advanced Materials and Clean
Energy Research Test Beds (91000016)

Reappropriation:

State Building Construction Account—
State \$15,000,000

Prior Biennia (Expenditures)
\$13,988,000

Future Biennia (Projected Costs)
\$0

TOTAL \$28,988,000

**NEW SECTION. Sec. 5052. FOR THE
UNIVERSITY OF WASHINGTON**

Preventive Facility Maintenance and
Building System Repairs (91000019)

Appropriation:

UW Building Account—State
\$25,825,000

Prior Biennia (Expenditures)
\$25,825,000

Future Biennia (Projected Costs)
\$103,300,000

TOTAL \$154,950,000

**NEW SECTION. Sec. 5053. FOR THE
UNIVERSITY OF WASHINGTON**

Power Plant (91000026)

Appropriation:

University of Washington Building
Account—State \$10,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$10,000,000

**NEW SECTION. Sec. 5054. FOR THE
UNIVERSITY OF WASHINGTON**

UW Tacoma Campus Soil Remediation
(92000002)

Reappropriation:

Model Toxics Control Capital Account—
State \$600,000

Appropriation:

Model Toxics Control Capital Account—
State \$2,000,000

Prior Biennia (Expenditures)
\$7,658,000

Future Biennia (Projected Costs)
\$8,000,000

TOTAL \$18,258,000

**NEW SECTION. Sec. 5055. FOR THE
UNIVERSITY OF WASHINGTON**

University of Washington Medical
Center Northwest Campus Behavioral
Health Renovation (91000027)

The appropriation in this section is
subject to the following conditions and
limitations: The appropriation is
provided solely for the renovation of
existing geriatric psychiatric beds
within the Northwest Campus of the
University of Washington Medical Center,
including predesign, design costs,
enabling projects, and early work
packages. The renovation design must
include fourteen adult psychiatric beds.

Appropriation:

State Building Construction Account—
State \$2,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$13,000,000

TOTAL \$15,000,000

**NEW SECTION. Sec. 5056. FOR
WASHINGTON STATE UNIVERSITY**

WSU Vancouver - Life Sciences Building
(30000840)

Reappropriation:

State Building Construction Account—
State \$1,100,000

Appropriation:

State Building Construction Account—
State \$52,600,000

Prior Biennia (Expenditures)
\$3,400,000

Future Biennia (Projected Costs)
\$0

TOTAL \$57,100,000

**NEW SECTION. Sec. 5057. FOR
WASHINGTON STATE UNIVERSITY**

WSU Tri-Cities - Academic Building
(30001190)

Reappropriation:

State Building Construction Account—
State \$750,000

Prior Biennia (Expenditures)
\$29,650,000

Future Biennia (Projected Costs)
\$0

TOTAL \$30,400,000

**NEW SECTION. Sec. 5058. FOR
WASHINGTON STATE UNIVERSITY**

Global Animal Health Building
(30001322)

Reappropriation:

State Building Construction Account—
State \$2,500,000

Prior Biennia (Expenditures)
\$56,900,000

Future Biennia (Projected Costs)
\$0

TOTAL \$59,400,000

**NEW SECTION. Sec. 5059. FOR
WASHINGTON STATE UNIVERSITY**

Washington State University Pullman -
STEM Teaching Labs (30001326)

Appropriation:

State Building Construction Account—
State \$2,500,000

Prior Biennia (Expenditures)
\$1,000,000

Future Biennia (Projected Costs)
\$7,400,000

TOTAL \$10,900,000

**NEW SECTION. Sec. 5060. FOR
WASHINGTON STATE UNIVERSITY**

Everett Real Estate Acquisition
(40000006)

Reappropriation:

Washington State University Building
Account—

State \$10,000,000

Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs)
 \$0
 TOTAL \$10,000,000

**NEW SECTION. Sec. 5061. FOR
 WASHINGTON STATE UNIVERSITY**

Minor Capital Preservation (MCR):
 2019-21 (40000011)

Reappropriation:

Washington State University Building
 Account—

State \$1,000,000
 Prior Biennia (Expenditures)
 \$20,400,000
 Future Biennia (Projected Costs)
 \$0
 TOTAL \$21,400,000

**NEW SECTION. Sec. 5062. FOR
 WASHINGTON STATE UNIVERSITY**

Spokane-Biomedical and Health Sc
 Building Ph II (40000012)

Appropriation:

State Building Construction Account—
 State \$15,000,000

Prior Biennia (Expenditures)
 \$500,000
 Future Biennia (Projected Costs)
 \$75,000,000
 TOTAL \$90,500,000

**NEW SECTION. Sec. 5063. FOR
 WASHINGTON STATE UNIVERSITY**

Minor Capital Preservation (MCR):
 2021-23 (40000145)

Appropriation:

Washington State University Building
 Account—

State \$27,793,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs)
 \$142,500,000
 TOTAL \$170,293,000

**NEW SECTION. Sec. 5064. FOR
 WASHINGTON STATE UNIVERSITY**

Minor Capital Program (MCI & Omnibus
 Equip): 2021-23 (40000212)

Appropriation:

Washington State University Building
 Account—

State \$6,400,000
 Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
 \$40,000,000

TOTAL \$46,400,000

**NEW SECTION. Sec. 5065. FOR
 WASHINGTON STATE UNIVERSITY**

Johnson Hall Replacement (40000271)

The appropriation in this section is
 subject to the following conditions and
 limitations: The appropriation in this
 section may only be used for project
 expenses directly related to the
 demolition of Johnson Hall and site
 preparation work necessary to prepare for
 a new plant biosciences building for
 which design and construction funding is
 provided by the United States department
 of agriculture.

Appropriation:

State Building Construction Account—
 State \$8,000,000

Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs)
 \$0
 TOTAL \$8,000,000

**NEW SECTION. Sec. 5066. FOR
 WASHINGTON STATE UNIVERSITY**

Campus Fire Protection and Domestic
 Water Reservoir (40000272)

Appropriation:

State Building Construction Account—
 State \$8,000,000

Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs)
 \$0
 TOTAL \$8,000,000

**NEW SECTION. Sec. 5067. FOR
 WASHINGTON STATE UNIVERSITY**

Clark Hall Research Lab Renovation
 (40000274)

Appropriation:

Washington State University Building
 Account—

State \$4,900,000
 Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$4,900,000

NEW SECTION. Sec. 5068. FOR WASHINGTON STATE UNIVERSITY

Pullman Sciences Building (40000284)

Appropriation:

State Building Construction Account—
State \$500,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$53,000,000

TOTAL \$53,500,000

NEW SECTION. Sec. 5069. FOR WASHINGTON STATE UNIVERSITY

Preventive Facility Maintenance and
Building System Repairs (91000037)

Appropriation:

Washington State University Building
Account—

State \$10,115,000

Prior Biennia (Expenditures)
\$10,115,000

Future Biennia (Projected Costs)
\$40,460,000

TOTAL \$60,690,000

NEW SECTION. Sec. 5070. FOR EASTERN WASHINGTON UNIVERSITY

Interdisciplinary Science Center
(30000001)

Reappropriation:

State Building Construction Account—
State \$3,000,000

Prior Biennia (Expenditures)
\$69,200,000

Future Biennia (Projected Costs)
\$0

TOTAL \$72,200,000

NEW SECTION. Sec. 5071. FOR EASTERN WASHINGTON UNIVERSITY

Science Renovation (30000507)

Reappropriation:

State Building Construction Account—
State \$6,000,000

Appropriation:

State Building Construction Account—
State \$45,000,000

Prior Biennia (Expenditures)
\$2,287,000

Future Biennia (Projected Costs)
\$45,500,000

TOTAL \$98,787,000

NEW SECTION. Sec. 5072. FOR EASTERN WASHINGTON UNIVERSITY

Minor Works: Preservation 2019-21
(40000011)

Reappropriation:

Eastern Washington University Capital
Projects

Account—State \$3,866,000

Prior Biennia (Expenditures)
\$2,634,000

Future Biennia (Projected Costs)
\$26,000,000

TOTAL \$32,500,000

NEW SECTION. Sec. 5073. FOR EASTERN WASHINGTON UNIVERSITY

Minor Works: Program 2019-21
(40000015)

Reappropriation:

Eastern Washington University Capital
Projects

Account—State \$161,000

Prior Biennia (Expenditures)
\$2,339,000

Future Biennia (Projected Costs)
\$10,000,000

TOTAL \$12,500,000

NEW SECTION. Sec. 5074. FOR EASTERN WASHINGTON UNIVERSITY

Infrastructure Renewal II (40000016)

Reappropriation:

State Building Construction Account—
State \$11,000,000

Prior Biennia (Expenditures)
\$4,000,000

Future Biennia (Projected Costs)
\$0

TOTAL \$15,000,000

NEW SECTION. Sec. 5075. FOR EASTERN WASHINGTON UNIVERSITY

Albers Court Improvements (40000036)

Reappropriation:

State Building Construction Account—
State \$4,000,000

Prior Biennia (Expenditures)
\$953,000

Future Biennia (Projected Costs)
\$0

TOTAL \$4,953,000

**NEW SECTION. Sec. 5076. FOR EASTERN
WASHINGTON UNIVERSITY**

Infrastructure Renewal III (40000070)

Appropriation:

State Building Construction Account—
State \$10,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$25,518,000

TOTAL \$35,518,000

**NEW SECTION. Sec. 5077. FOR EASTERN
WASHINGTON UNIVERSITY**

Lucy Covington Center (40000071)

Appropriation:

Eastern Washington University Capital
Projects

Account—State \$300,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$18,500,000

TOTAL \$18,800,000

**NEW SECTION. Sec. 5078. FOR EASTERN
WASHINGTON UNIVERSITY**

Minor Works: Preservation 2021-23
(40000107)

Appropriation:

Eastern Washington University Capital
Projects

Account—State \$3,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$3,000,000

**NEW SECTION. Sec. 5079. FOR EASTERN
WASHINGTON UNIVERSITY**

Preventative Maintenance/Backlog
Reduction 2021-23 (40000108)

Appropriation:

Eastern Washington University Capital
Projects

Account—State \$2,217,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$2,217,000

**NEW SECTION. Sec. 5080. FOR EASTERN
WASHINGTON UNIVERSITY**

Minor Works: Program 2021-23
(40000110)

Appropriation:

Eastern Washington University Capital
Projects

Account—State \$1,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$1,000,000

**NEW SECTION. Sec. 5081. FOR CENTRAL
WASHINGTON UNIVERSITY**

Nutrition Science (30000456)

Reappropriation:

State Building Construction Account—
State \$17,500,000

Prior Biennia (Expenditures)
\$42,080,000

Future Biennia (Projected Costs)
\$0

TOTAL \$59,580,000

**NEW SECTION. Sec. 5082. FOR CENTRAL
WASHINGTON UNIVERSITY**

Minor Works Program: 2019-21
(40000007)

Reappropriation:

Central Washington University Capital
Projects

Account—State \$80,000

Prior Biennia (Expenditures)
\$920,000

Future Biennia (Projected Costs)
\$0

TOTAL \$1,000,000

NEW SECTION. Sec. 5083. FOR CENTRAL WASHINGTON UNIVERSITY

Health Education (40000009)

Reappropriation:

State Building Construction Account—
State \$1,800,000

Appropriation:

State Building Construction Account—
State \$55,505,000Prior Biennia (Expenditures)
\$3,200,000Future Biennia (Projected Costs)
\$0

TOTAL \$60,505,000

NEW SECTION. Sec. 5084. FOR CENTRAL WASHINGTON UNIVERSITYMinor Works Preservation: 2019-21
(40000041)

Reappropriation:

Central Washington University Capital
Projects

Account—State \$790,000

State Building Construction Account—
State \$210,000Subtotal Reappropriation
\$1,000,000Prior Biennia (Expenditures)
\$6,000,000Future Biennia (Projected Costs)
\$28,000,000

TOTAL \$35,000,000

NEW SECTION. Sec. 5085. FOR CENTRAL WASHINGTON UNIVERSITYCampus Security Enhancements
(40000074)

Reappropriation:

Central Washington University Capital
Projects

Account—State \$250,000

Prior Biennia (Expenditures)
\$2,213,000Future Biennia (Projected Costs)
\$0

TOTAL \$2,463,000

NEW SECTION. Sec. 5086. FOR CENTRAL WASHINGTON UNIVERSITY

Chiller Addition (40000075)

Appropriation:

State Building Construction Account—
State \$3,189,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$3,189,000

NEW SECTION. Sec. 5087. FOR CENTRAL WASHINGTON UNIVERSITYHumanities & Social Science Complex
(40000081)

Appropriation:

State Building Construction Account—
State \$5,205,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$63,846,000

TOTAL \$69,051,000

NEW SECTION. Sec. 5088. FOR CENTRAL WASHINGTON UNIVERSITYMinor Works Preservation 2021 - 2023
(40000083)

Appropriation:

Central Washington University Capital
Projects

Account—State \$6,499,000

State Building Construction Account—
State \$962,000

Subtotal Appropriation \$7,461,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$25,995,000

TOTAL \$33,456,000

NEW SECTION. Sec. 5089. FOR CENTRAL WASHINGTON UNIVERSITYMinor Works Program 2021 - 2023
(40000084)

Appropriation:

Central Washington University Capital
Projects

Account—State \$1,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$16,000,000

TOTAL \$17,000,000
NEW SECTION. Sec. 5090. FOR CENTRAL WASHINGTON UNIVERSITY

Preventative Facility Maintenance/Backlog Reduction 2021-23 (40000115)

Appropriation:

Central Washington University Capital Projects

Account—State \$2,422,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$9,688,000

TOTAL \$12,110,000

NEW SECTION. Sec. 5091. FOR THE EVERGREEN STATE COLLEGE

Seminar I Renovation (30000125)

Appropriation:

State Building Construction Account—State \$3,000,000

Prior Biennia (Expenditures) \$212,000

Future Biennia (Projected Costs) \$24,300,000

TOTAL \$27,512,000

NEW SECTION. Sec. 5092. FOR THE EVERGREEN STATE COLLEGE

Preventative Facility Maintenance and Building System Repairs (30000612)

Appropriation:

The Evergreen State College Capital Projects

Account—State \$880,000
 Prior Biennia (Expenditures) \$1,613,000

Future Biennia (Projected Costs) \$7,900,000

TOTAL \$10,393,000

NEW SECTION. Sec. 5093. FOR THE EVERGREEN STATE COLLEGE

Minor Works Preservation (40000034)

Appropriation:

The Evergreen State College Capital Projects

Account—State \$3,580,000

State Building Construction Account—State \$1,945,000

Subtotal Appropriation \$5,525,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$77,500,000

TOTAL \$83,025,000

NEW SECTION. Sec. 5094. FOR THE EVERGREEN STATE COLLEGE

Lab II HVAC Upgrades (40000047)

Appropriation:

Coronavirus Capital Projects Account—Federal \$4,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$4,000,000

NEW SECTION. Sec. 5095. FOR THE EVERGREEN STATE COLLEGE

Minor Works: Program 2021-23 (40000077)

Appropriation:

The Evergreen State College Capital Projects

Account—State \$500,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$500,000

NEW SECTION. Sec. 5096. FOR THE EVERGREEN STATE COLLEGE

Minor Works - Preservation: 2019-21 (91000031)

Reappropriation:

The Evergreen State College Capital Projects

Account—State \$900,000

Prior Biennia (Expenditures) \$4,966,000

Future Biennia (Projected Costs) \$0

TOTAL \$5,866,000

NEW SECTION. Sec. 5097. FOR THE EVERGREEN STATE COLLEGE

Minor Works Program: 2019-21 (91000033)

Reappropriation:
 The Evergreen State College Capital
 Projects
 Account—State \$900,000
 Prior Biennia (Expenditures)
 \$600,000
 Future Biennia (Projected Costs)
 \$0
 TOTAL \$1,500,000

NEW SECTION. Sec. 5098. FOR WESTERN WASHINGTON UNIVERSITY

Access Control Security Upgrades
 (30000604)

Appropriation:

State Building Construction Account—
 State \$1,500,000

Western Washington University Capital
 Projects

Account—State \$515,000
 Subtotal Appropriation \$2,015,000
 Prior Biennia (Expenditures)
 \$1,500,000
 Future Biennia (Projected Costs)
 \$9,185,000
 TOTAL \$12,700,000

NEW SECTION. Sec. 5099. FOR WESTERN WASHINGTON UNIVERSITY

Sciences Building Addition &
 Renovation (30000768)

Reappropriation:

State Building Construction Account—
 State \$30,987,000

Prior Biennia (Expenditures)
 \$35,013,000
 Future Biennia (Projected Costs)
 \$0
 TOTAL \$66,000,000

NEW SECTION. Sec. 5100. FOR WESTERN WASHINGTON UNIVERSITY

2019-21 Classroom & Lab Upgrades
 (30000869)

Reappropriation:

State Building Construction Account—
 State \$400,000

Western Washington University Capital
 Projects

Account—State \$42,000
 Subtotal Reappropriation
 \$442,000
 Prior Biennia (Expenditures)
 \$2,558,000
 Future Biennia (Projected Costs)
 \$0
 TOTAL \$3,000,000

NEW SECTION. Sec. 5101. FOR WESTERN WASHINGTON UNIVERSITY

Electrical Engineering/Computer
 Science Building (30000872)

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

(1) The reappropriation is subject to
 the provisions of section 5089, chapter
 413, Laws of 2019.

(2) The University may pursue the
 living building challenge petal
 certification for this project instead of
 the LEED silver certification required by
 RCW 39.35D.030.

Reappropriation:

State Building Construction Account—
 State \$500,000

Appropriation:

State Building Construction Account—
 State \$51,000,000

Prior Biennia (Expenditures)
 \$1,500,000
 Future Biennia (Projected Costs)
 \$0
 TOTAL \$53,000,000

NEW SECTION. Sec. 5102. FOR WESTERN WASHINGTON UNIVERSITY

Minor Works - Preservation: 2019-21
 (30000873)

Reappropriation:

Western Washington University Capital
 Projects

Account—State \$3,500,000
 Prior Biennia (Expenditures)
 \$3,346,000
 Future Biennia (Projected Costs)
 \$0
 TOTAL \$6,846,000

NEW SECTION. Sec. 5103. FOR WESTERN WASHINGTON UNIVERSITY

Minor Works - Program: 2019-21
(30000885)

Reappropriation:

Western Washington University Capital
Projects

Account—State \$700,000

Prior Biennia (Expenditures)
\$300,000

Future Biennia (Projected Costs)
\$0

TOTAL \$1,000,000

NEW SECTION. Sec. 5104. FOR WESTERN WASHINGTON UNIVERSITY

2021-23 Classroom & Lab Upgrades
(30000911)

Appropriation:

State Building Construction Account—
State \$2,500,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$10,500,000

TOTAL \$13,000,000

NEW SECTION. Sec. 5105. FOR WESTERN WASHINGTON UNIVERSITY

Coast Salish Longhouse (30000912)

The appropriation in this section is subject to the following conditions and limitations: Any amount of the total project costs in excess of \$4,500,000 must be paid for from private funds.

Appropriation:

State Building Construction Account—
State \$3,000,000

Western Washington University Capital
Projects

Account—State \$1,500,000

Subtotal Appropriation \$4,500,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$4,500,000

NEW SECTION. Sec. 5106. FOR WESTERN WASHINGTON UNIVERSITY

Minor Works - Preservation 2021-23
(30000915)

Appropriation:

Western Washington University Capital
Projects

Account—State \$4,800,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$69,710,000

TOTAL \$74,510,000

NEW SECTION. Sec. 5107. FOR WESTERN WASHINGTON UNIVERSITY

Minor Works - Program 2021-2023
(30000918)

Appropriation:

Western Washington University Capital
Projects

Account—State \$1,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$7,000,000

TOTAL \$8,000,000

NEW SECTION. Sec. 5108. FOR WESTERN WASHINGTON UNIVERSITY

Student Development and Success Center
(30000919)

Appropriation:

Western Washington University Capital
Projects

Account—State \$225,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$30,200,000

TOTAL \$30,425,000

NEW SECTION. Sec. 5109. FOR WESTERN WASHINGTON UNIVERSITY

Preventive Facility Maintenance and
Building System Repairs (91000010)

Appropriation:

Western Washington University Capital
Projects

Account—State \$3,614,000

Prior Biennia (Expenditures)
\$3,614,000

Future Biennia (Projected Costs)
\$14,456,000

TOTAL \$21,684,000

NEW SECTION. **Sec. 5110. FOR THE
WASHINGTON STATE HISTORICAL SOCIETY**

Minor Works - Preservation (30000288)

Reappropriation:

State Building Construction Account—
State \$150,000

Prior	Biennia	(Expenditures)
\$3,350,000		

Future	Biennia	(Projected Costs)
\$0		

TOTAL \$3,500,000

NEW SECTION. **Sec. 5111. FOR THE
WASHINGTON STATE HISTORICAL SOCIETY**

Heritage Capital Grants Projects
(30000297)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5054, chapter 2, Laws of 2018.

Reappropriation:

State Building Construction Account—
State \$1,800,000

Prior	Biennia	(Expenditures)
\$7,186,000		

Future	Biennia	(Projected Costs)
\$0		

TOTAL \$8,986,000

NEW SECTION. **Sec. 5112. FOR THE
WASHINGTON STATE HISTORICAL SOCIETY**

Heritage Capital Grant Projects: 2019-
21 (40000014)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5020, chapter 356, Laws of 2020.

Reappropriation:

State Building Construction Account—
State \$4,400,000

Prior	Biennia	(Expenditures)
\$4,777,000		

Future	Biennia	(Projected Costs)
\$0		

TOTAL \$9,177,000

NEW SECTION. **Sec. 5113. FOR THE
WASHINGTON STATE HISTORICAL SOCIETY**

Minor Works - Preservation: 2019-21
(40000086)

Reappropriation:

State Building Construction Account—
State \$700,000

Prior	Biennia	(Expenditures)
\$1,908,000		

Future	Biennia	(Projected Costs)
\$0		

TOTAL \$2,608,000

NEW SECTION. **Sec. 5114. FOR THE
WASHINGTON STATE HISTORICAL SOCIETY**

Heritage Capital Grant Projects 2021-
2023 (40000099)

Appropriation:

State Building Construction Account—
State \$8,816,000

Prior	Biennia	(Expenditures)	\$0
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Future	Biennia	(Projected Costs)
\$0		

TOTAL \$8,816,000

NEW SECTION. **Sec. 5115. FOR THE
WASHINGTON STATE HISTORICAL SOCIETY**

Preservation - Minor Works 2021-23
(40000136)

Appropriation:

State Building Construction Account—
State \$2,500,000

Prior	Biennia	(Expenditures)	\$0
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Future	Biennia	(Projected Costs)
\$8,298,000		

TOTAL \$10,798,000

NEW SECTION. **Sec. 5116. FOR THE
WASHINGTON STATE HISTORICAL SOCIETY**

Great Hall Core Exhibit Renewal
(40000145)

Appropriation:

State Building Construction Account—
State \$1,326,000

Prior	Biennia	(Expenditures)	\$0
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Future	Biennia	(Projected Costs)
\$3,564,000		

TOTAL \$4,890,000

NEW SECTION. **Sec. 5117. FOR THE
WASHINGTON STATE HISTORICAL SOCIETY**

Black History Commemoration (91000008)

The reappropriation in this section is subject to the following conditions and

limitations: The reappropriation is subject to the provisions of section 5022, chapter 356, Laws of 2020.

Reappropriation:

State Building Construction Account—
State \$75,000

Prior Biennia (Expenditures)
\$25,000

Future Biennia (Projected Costs)
\$0

TOTAL \$100,000

**NEW SECTION. Sec. 5118. FOR THE
EASTERN WASHINGTON STATE HISTORICAL
SOCIETY**

Campbell and Carriage House Repairs
and Restoration (40000017)

Reappropriation:

State Building Construction Account—
State \$618,000

Appropriation:

State Building Construction Account—
State \$956,000

Prior Biennia (Expenditures)
\$382,000

Future Biennia (Projected Costs)
\$0

TOTAL \$1,956,000

**NEW SECTION. Sec. 5119. FOR THE
EASTERN WASHINGTON STATE HISTORICAL
SOCIETY**

Minor Works - Preservation: 2019-21
(40000026)

Reappropriation:

State Building Construction Account—
State \$692,000

Prior Biennia (Expenditures)
\$867,000

Future Biennia (Projected Costs)
\$0

TOTAL \$1,559,000

**NEW SECTION. Sec. 5120. FOR THE
EASTERN WASHINGTON STATE HISTORICAL
SOCIETY**

Minor Works: Preservation 2021-23
(40000041)

Appropriation:

State Building Construction Account—
State \$778,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$778,000

**NEW SECTION. Sec. 5121. FOR THE
EASTERN WASHINGTON STATE HISTORICAL
SOCIETY**

Minor Works: Program 2021-23
(40000048)

Appropriation:

State Building Construction Account—
State \$75,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$75,000

**NEW SECTION. Sec. 5122. FOR THE
COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Olympic College: College Instruction
Center (30000122)

Reappropriation:

State Building Construction Account—
State \$63,000

Prior Biennia (Expenditures)
\$50,077,000

Future Biennia (Projected Costs)
\$0

TOTAL \$50,140,000

**NEW SECTION. Sec. 5123. FOR THE
COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Grays Harbor College: Student Services
and Instructional Building (30000127)

Reappropriation:

State Building Construction Account—
State \$2,201,000

Appropriation:

State Building Construction Account—
State \$44,026,000

Prior Biennia (Expenditures)
\$1,950,000

Future Biennia (Projected Costs)
\$0

TOTAL \$48,177,000

**NEW SECTION. Sec. 5124. FOR THE
COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

North Seattle Community College:
Technology Building Renewal (30000129)

The reappropriation in this section is subject to the following conditions and limitations: All remaining work on this project must be completed by June 30, 2023.

Reappropriation:

State Building Construction Account—
State \$93,000

Prior Biennia (Expenditures)
\$25,326,000

Future Biennia (Projected Costs)
\$0

TOTAL \$25,419,000

NEW SECTION. Sec. 5125. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Clark College: North County Satellite (30000135)

Reappropriation:

State Building Construction Account—
State \$5,287,000

Appropriation:

State Building Construction Account—
State \$53,230,000

Prior Biennia (Expenditures)
\$401,000

Future Biennia (Projected Costs)
\$0

TOTAL \$58,918,000

NEW SECTION. Sec. 5126. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Everett Community College: Learning Resource Center (30000136)

Reappropriation:

State Building Construction Account—
State \$1,283,000

Appropriation:

State Building Construction Account—
State \$48,084,000

Prior Biennia (Expenditures)
\$2,732,000

Future Biennia (Projected Costs)
\$0

TOTAL \$52,099,000

NEW SECTION. Sec. 5127. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Edmonds Community College: Science, Engineering, Technology Bldg (30000137)

Reappropriation:

State Building Construction Account—
State \$124,000

Prior Biennia (Expenditures)
\$46,953,000

Future Biennia (Projected Costs)
\$0

TOTAL \$47,077,000

NEW SECTION. Sec. 5128. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Whatcom Community College: Learning Commons (30000138)

Reappropriation:

State Building Construction Account—
State \$5,790,000

Prior Biennia (Expenditures)
\$30,984,000

Future Biennia (Projected Costs)
\$0

TOTAL \$36,774,000

NEW SECTION. Sec. 5129. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Big Bend: Professional-Technical Education Center (30000981)

Reappropriation:

State Building Construction Account—
State \$48,000

Prior Biennia (Expenditures)
\$37,338,000

Future Biennia (Projected Costs)
\$0

TOTAL \$37,386,000

NEW SECTION. Sec. 5130. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Spokane: Main Building South Wing Renovation (30000982)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5025, chapter 298, Laws of 2018.

Reappropriation:

State Building Construction Account—
State \$657,000

Prior Biennia (Expenditures)
\$27,849,000

Future Biennia (Projected Costs)
\$0

TOTAL \$28,506,000

NEW SECTION. Sec. 5131. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Highline: Health and Life Sciences (30000983)

Reappropriation:

State Building Construction Account—
State \$845,000

Prior Biennia (Expenditures)
\$26,308,000

Future Biennia (Projected Costs)
\$0

TOTAL \$27,153,000

NEW SECTION. Sec. 5132. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Wenatchee Valley: Wells Hall Replacement (30000985)

Reappropriation:

State Building Construction Account—
State \$12,327,000

Prior Biennia (Expenditures)
\$20,044,000

Future Biennia (Projected Costs)
\$0

TOTAL \$32,371,000

NEW SECTION. Sec. 5133. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Olympic: Shop Building Renovation (30000986)

Reappropriation:

State Building Construction Account—
State \$8,421,000

Prior Biennia (Expenditures)
\$184,000

Future Biennia (Projected Costs)
\$0

TOTAL \$8,605,000

NEW SECTION. Sec. 5134. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Pierce Fort Steilacoom: Cascade Building Renovation - Phase 3 (30000987)

Reappropriation:

State Building Construction Account—
State \$31,138,000

Prior Biennia (Expenditures)
\$3,962,000

Future Biennia (Projected Costs)
\$0

TOTAL \$35,100,000

NEW SECTION. Sec. 5135. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

South Seattle: Automotive Technology Renovation and Expansion (30000988)

Reappropriation:

State Building Construction Account—
State \$13,043,000

Prior Biennia (Expenditures)
\$12,834,000

Future Biennia (Projected Costs)
\$0

TOTAL \$25,877,000

NEW SECTION. Sec. 5136. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Bates: Medical Mile Health Science Center (30000989)

Reappropriation:

State Building Construction Account—
State \$19,702,000

Prior Biennia (Expenditures)
\$24,364,000

Future Biennia (Projected Costs)
\$0

TOTAL \$44,066,000

NEW SECTION. Sec. 5137. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Shoreline: Allied Health, Science & Manufacturing Replacement (30000990)

Reappropriation:

State Building Construction Account—
State \$106,000

Appropriation:

State Building Construction Account—
State \$43,848,000

Prior Biennia (Expenditures)
\$3,486,000

Future Biennia (Projected Costs)
\$0

TOTAL \$47,440,000

NEW SECTION. Sec. 5138. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

North Seattle Library Building Renovation (30001451)

Reappropriation:

State Building Construction Account—
State \$759,000

Appropriation:

State Building Construction Account—
State \$30,519,000

Prior Biennia (Expenditures)
\$2,689,000

Future Biennia (Projected Costs)
\$0

TOTAL \$33,967,000

**NEW SECTION. Sec. 5139. FOR THE
COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Walla Walla Science and Technology
Building Replacement (30001452)

Reappropriation:

State Building Construction Account—
State \$343,000

Appropriation:

State Building Construction Account—
State \$9,483,000

Prior Biennia (Expenditures)
\$813,000

Future Biennia (Projected Costs)
\$0

TOTAL \$10,639,000

**NEW SECTION. Sec. 5140. FOR THE
COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Spokane Falls: Fine and Applied Arts
Replacement (30001458)

The appropriations in this section are
subject to the following conditions and
limitations: The reappropriation is
subject to the provisions of section
5027, chapter 356, Laws of 2020.

Reappropriation:

State Building Construction Account—
State \$19,354,000

Appropriation:

State Building Construction Account—
State \$19,342,000

Prior Biennia (Expenditures)
\$3,473,000

Future Biennia (Projected Costs)
\$0

TOTAL \$42,169,000

**NEW SECTION. Sec. 5141. FOR THE
COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Lake Washington: Center for Design
(40000102)

Reappropriation:

State Building Construction Account—
State \$2,492,000

Prior Biennia (Expenditures)
\$668,000

Future Biennia (Projected Costs)
\$0

TOTAL \$3,160,000

**NEW SECTION. Sec. 5142. FOR THE
COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Wenatchee: Center for Technical
Education and Innovation (40000198)

Appropriation:

State Building Construction Account—
State \$3,266,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$41,557,000

TOTAL \$44,823,000

**NEW SECTION. Sec. 5143. FOR THE
COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Olympic Innovation and Technology
Learning Center (40000103)

Reappropriation:

State Building Construction Account—
State \$2,552,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$2,552,000

**NEW SECTION. Sec. 5144. FOR THE
COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Tacoma: Center for Innovative Learning
and Engagement (40000104)

Appropriation:

State Building Construction Account—
State \$2,992,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$30,239,000

TOTAL \$33,231,000

**NEW SECTION. Sec. 5145. FOR THE
COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Lower Columbia: Center for Vocational and Transitional Studies (40000106)

Appropriation:

State Building Construction Account—
State \$3,206,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$31,805,000

TOTAL \$35,011,000

NEW SECTION. Sec. 5146. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Spokane: Apprenticeship Center (40000107)

Appropriation:

State Building Construction Account—
State \$3,368,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$30,674,000

TOTAL \$34,042,000

NEW SECTION. Sec. 5147. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Centralia: Teacher Education and Family Development Center (40000109)

Appropriation:

State Building Construction Account—
State \$2,268,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$8,787,000

TOTAL \$11,055,000

NEW SECTION. Sec. 5148. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Skagit: Library/Culinary Arts Building (40000110)

Appropriation:

State Building Construction Account—
State \$2,257,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$22,757,000

TOTAL \$25,014,000

NEW SECTION. Sec. 5149. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Minor Works - Program (40000112)

Reappropriation:

State Building Construction Account—
State \$4,057,000

Prior Biennia (Expenditures)
\$35,784,000

Future Biennia (Projected Costs)
\$0

TOTAL \$39,841,000

NEW SECTION. Sec. 5150. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Edmonds: Triton Learning Commons (40000114)

Appropriation:

State Building Construction Account—
State \$3,656,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$34,709,000

TOTAL \$38,365,000

NEW SECTION. Sec. 5151. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Bates: Fire Service Training Center (40000130)

Reappropriation:

State Building Construction Account—
State \$2,559,000

Prior Biennia (Expenditures)
\$243,000

Future Biennia (Projected Costs)
\$0

TOTAL \$2,802,000

NEW SECTION. Sec. 5152. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Bellevue: Center for Transdisciplinary Learning and Innovation (40000168)

Reappropriation:

State Building Construction Account—
State \$2,630,000

Appropriation:

State Building Construction Account—
State \$39,942,000

Prior Biennia (Expenditures)
\$209,000

Future Biennia (Projected Costs)
\$0

TOTAL \$42,781,000

NEW SECTION. Sec. 5153. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Facility Repairs (40000169)
 Reappropriation:
 Community and Technical College
 Capital Projects
 Account—State \$2,826,000
 State Building Construction Account—
 State \$2,627,000
 Subtotal Reappropriation
 \$5,453,000
 Prior Biennia (Expenditures)
 \$33,074,000
 Future Biennia (Projected Costs)
 \$0
 TOTAL \$38,527,000

**NEW SECTION. Sec. 5154. FOR THE
 COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Roof Repairs (40000171)
 Reappropriation:
 Community and Technical College
 Capital Projects
 Account—State \$2,252,000
 Prior Biennia (Expenditures)
 \$13,000,000
 Future Biennia (Projected Costs)
 \$0
 TOTAL \$15,252,000

**NEW SECTION. Sec. 5155. FOR THE
 COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Site Repairs (40000173)
 Reappropriation:
 State Building Construction Account—
 State \$752,000
 Prior Biennia (Expenditures)
 \$2,558,000
 Future Biennia (Projected Costs)
 \$0
 TOTAL \$3,310,000

**NEW SECTION. Sec. 5156. FOR THE
 COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Everett: Baker Hall Replacement
 (40000190)
 Reappropriation:
 State Building Construction Account—
 State \$212,000
 Prior Biennia (Expenditures)
 \$63,000

Future Biennia (Projected Costs)
 \$0
 TOTAL \$275,000

**NEW SECTION. Sec. 5157. FOR THE
 COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Renton: Health Sciences Center
 (40000204)
 Appropriation:
 State Building Construction Account—
 State \$3,997,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs)
 \$43,937,000
 TOTAL \$47,934,000

**NEW SECTION. Sec. 5158. FOR THE
 COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Shoreline: STE(A)M Education Center
 (40000214)
 Appropriation:
 State Building Construction Account—
 State \$3,039,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs)
 \$31,961,000
 TOTAL \$35,000,000

**NEW SECTION. Sec. 5159. FOR THE
 COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Cascadia: CC5 Gateway building
 (40000222)
 Appropriation:
 State Building Construction Account—
 State \$3,096,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs)
 \$33,486,000
 TOTAL \$36,582,000

**NEW SECTION. Sec. 5160. FOR THE
 COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Minor Works - Preservation (40000258)
 Reappropriation:
 Community and Technical College
 Capital Projects
 Account—State \$1,522,000
 Prior Biennia (Expenditures)
 \$22,217,000

Future Biennia (Projected Costs) \$0

TOTAL \$23,739,000

NEW SECTION. Sec. 5161. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Pierce Puyallup: STEM Building (40000293)

Reappropriation:

State Building Construction Account—State \$3,069,000

Appropriation:

State Building Construction Account—State \$38,600,000

Prior Biennia (Expenditures) \$300,000

Future Biennia (Projected Costs) \$0

TOTAL \$41,969,000

NEW SECTION. Sec. 5162. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Minor Repairs - Facility (40000308)

Appropriation:

State Building Construction Account—State \$32,466,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$32,466,000

NEW SECTION. Sec. 5163. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Preventive Facility Maintenance and Building System Repairs (40000320)

Appropriation:

Community and Technical College Capital Projects

Account—State \$22,800,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$91,200,000

TOTAL \$114,000,000

NEW SECTION. Sec. 5164. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Minor Works - Preservation (40000321)

Appropriation:

Community and Technical College Capital Projects

Account—State \$26,113,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$26,113,000

NEW SECTION. Sec. 5165. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Minor Repairs - Roof (40000361)

Appropriation:

Community and Technical College Capital Projects

Account—State \$8,087,000

State Building Construction Account—State \$3,771,000

Subtotal Appropriation \$11,858,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$11,858,000

NEW SECTION. Sec. 5166. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Minor Works - Site (40000409)

Appropriation:

State Building Construction Account—State \$3,163,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$3,163,000

NEW SECTION. Sec. 5167. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

2021-23 Career Preparation and Launch Grants (40000515)

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

(1) This appropriation is provided solely for the state board for community and technical colleges to provide competitive grants to community and technical colleges to purchase and install equipment that expands career-connected learning opportunities.

(2) The state board for community and technical colleges shall develop common criteria for providing competitive grant funding and outcomes for specific projects.

Appropriation:

State Building Construction Account—
State \$5,000,000

Prior Biennia (Expenditures) \$0
Future Biennia (Projected Costs)
\$0
TOTAL \$5,000,000

**NEW SECTION. Sec. 5168. FOR THE
COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Minor Works - Infrastructure and
Program (92000035)

Appropriation:

State Building Construction Account—
State \$40,000,000

Prior Biennia (Expenditures) \$0
Future Biennia (Projected Costs)
\$0
TOTAL \$40,000,000

**NEW SECTION. Sec. 5169. FOR THE
WASHINGTON STATE ARTS COMMISSION**

Creative Districts Capital
Construction Projects (30000002)

Appropriation:

State Building Construction Account—
State \$412,000

Prior Biennia (Expenditures) \$0
Future Biennia (Projected Costs)
\$0
TOTAL \$412,000

**NEW SECTION. Sec. 5170. FOR THE
WASHINGTON STATE ARTS COMMISSION**

Yakima Sun Dome Reflectors (92000002)

Appropriation:

State Building Construction Account—
State \$508,000

Prior Biennia (Expenditures)
\$80,000
Future Biennia (Projected Costs)
\$0
TOTAL \$588,000

**NEW SECTION. Sec. 5171. FOR THE STATE
SCHOOL FOR THE BLIND**

Independent Living Skills Center
(30000107)

Reappropriation:

State Building Construction Account—
State \$700,000

Appropriation:

State Building Construction Account—
State \$7,636,000

Prior Biennia (Expenditures)
\$662,000

Future Biennia (Projected Costs)
\$0

TOTAL \$8,998,000

**NEW SECTION. Sec. 5172. FOR THE STATE
SCHOOL FOR THE BLIND**

Minor Works: Campus Preservation 2019-
21 (40000004)

Reappropriation:

State Building Construction Account—
State \$200,000

Prior Biennia (Expenditures)
\$455,000

Future Biennia (Projected Costs)
\$0

TOTAL \$655,000

**NEW SECTION. Sec. 5173. FOR THE STATE
SCHOOL FOR THE BLIND**

21-23 Campus Preservation (40000015)

Appropriation:

State Building Construction Account—
State \$475,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL \$475,000

**NEW SECTION. Sec. 5174. FOR THE
WASHINGTON CENTER FOR DEAF AND HARD OF
HEARING YOUTH**

Academic and Physical Education
Building (30000036)

Reappropriation:

State Building Construction Account—
State \$5,000,000

Appropriation:

State Building Construction Account—
State \$49,439,000

Prior Biennia (Expenditures)
\$637,000

Future Biennia (Projected Costs)
\$0

TOTAL \$55,076,000

NEW SECTION. Sec. 5175. FOR THE WASHINGTON CENTER FOR DEAF AND HARD OF HEARING YOUTH

Minor Works: Preservation 2021-23 (30000047)

Appropriation:

State Building Construction Account—State \$245,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$245,000

PART 6

Sec. 6001. 2019 c 413 s 1007 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Public Works Assistance Account Program 2013 Loan List (30000184)

Reappropriation:

Public Works Assistance Account—State (~~(\$11,000,000)~~)

\$6,760,000

Prior Biennia (Expenditures) \$27,141,000

Future Biennia (Projected Costs) \$0

TOTAL (~~(\$38,141,000)~~)

\$33,901,000

Sec. 6002. 2019 c 413 s 1010 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Housing Trust Fund Appropriation (30000833)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 1005, chapter 35, Laws of 2016 sp. sess. and section 6008 of this act.

Reappropriation:

State Taxable Building Construction Account—State (~~(\$10,406,000)~~)

\$8,906,000

Washington Housing Trust Account—State \$278,000

Subtotal Reappropriation (~~(\$10,684,000)~~)

\$9,184,000

Prior Biennia (Expenditures) \$70,816,000

Future Biennia (Projected Costs) \$0

TOTAL (~~(\$81,500,000)~~)

\$80,000,000

Sec. 6003. 2019 c 413 s 1014 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

2017 Local and Community Projects (30000846)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 6004, chapter 4, Laws of 2017 3rd sp. sess.

Reappropriation:

State Building Construction Account—State (~~(\$3,000,000)~~)

\$2,515,000

Prior Biennia (Expenditures) \$8,363,000

Future Biennia (Projected Costs) \$0

TOTAL (~~(\$11,363,000)~~)

\$10,878,000

Sec. 6004. 2020 c 356 s 6002 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

2018 Local and Community Projects (40000005)

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

(1) The reappropriation is subject to the provisions of section 6003 of this act, except that (~~no funding~~):

(a) Funding may not be directed to the Puyallup Meeker Mansion Public Plaza;

(b) Funding may not be provided for the NeighborCare Health project; and

(c) \$3,000,000 of the reappropriation in this section is provided solely for the Sea Mar Community Health Center project.

(2) The Interbay public development advisory committee shall provide a report to the legislature and office of the governor with recommendations by November 15, 2019. The Interbay advisory committee's recommendations must include recommendations regarding the structure, composition, and scope of authority of any subsequent state public development authority that may be established to implement the recommendations of the Interbay advisory committee.

(3) The Interbay public development advisory committee terminates June 30, 2020.

Reappropriation:

State Building Construction Account—
State (~~(\$90,642,000)~~)

\$90,538,000

Prior Biennia (Expenditures)
\$39,799,000

Future Biennia (Projected Costs)
\$0

TOTAL (~~(\$130,441,000)~~)

\$130,337,000

Sec. 6005. 2020 c 356 s 1003 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

2019-21 Housing Trust Fund Program (40000036)

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

(1) \$132,666,000 of the state taxable building construction account—state appropriation, \$44,084,000 of the state building construction account—state appropriation are provided solely for production and preservation of affordable housing. Of the amounts in this subsection:

(a) \$35,000,000 of the appropriation is provided solely for housing projects that provide supportive housing and case-management services to persons with chronic mental illness. When evaluating applications for this population, the department must prioritize low-income

supportive housing unit proposals that show:

(i) Evidence that the application was developed in collaboration with one or more health care entities that provide behavioral health care services to individuals eligible for the housing provided under this subsection;

(ii) A commitment by the applicant to provide, directly or through a formal partnership, necessary treatment and supportive services to the tenants and maintain the beds or housing units for at least a forty-year period;

(iii) Readiness to begin structural modifications or construction resulting in a fast project completion;

(iv) Program requirements that adhere to the key elements of permanent supportive housing programs including choice in housing and living arrangements, functional separation of housing and services, community integration, rights of tenancy, and voluntary recovery-focused services; and

(v) To achieve geographic distribution, the department must prioritize projects in rural areas as defined by the department per RCW 43.185.050 and unserved communities with the goal of maximizing the investment and increasing the number of supportive housing units in rural, unserved communities.

(b) \$10,000,000 of the appropriation in this section is provided solely for competitive grant awards for modular housing which includes high quality affordable housing projects that will quickly move people from homelessness into secure housing and are significantly less expensive to construct than traditional housing. These funds must be awarded to projects with a total project development cost per housing unit of less than \$200,000, excluding the value of land, off-site infrastructure costs, and any capitalized reserves, compliant with the Americans with disabilities act, and with a commitment by the applicant to maintain the housing units for at least a fifty year period.

(c) \$10,000,000 of the appropriation in this section is provided solely for a state match or state matches on private contributions that fund the production and preservation of affordable housing. Awards must be made using a competitive process. If any funding remains

unallocated after the first fiscal year during the 2019-2021 fiscal biennium, the department may allocate the remaining funding through its annual competitive process for affordable housing projects that serve and benefit low-income and special needs populations in need of housing.

(d) (i) \$10,000,000 of the appropriation in this section is provided solely for housing preservation grants or loans to be awarded competitively.

(ii) The funds may be provided for major building improvements, preservation, and system replacements, necessary for the existing housing trust fund portfolio to maintain long-term viability. The department must require a capital needs assessment to be provided prior to contract execution. Funds may not be used to add or expand the capacity of the property.

(iii) To allocate preservation funds, the department must review applications and evaluate projects based on the following criteria:

(A) The age of the property, with priority given to buildings that are more than fifteen years old;

(B) The population served, with priority given to projects with at least 50 percent of the housing units being occupied by families and individuals at or below 50 percent area median income;

(C) The degree to which the applicant demonstrates that the improvements will result in a reduction of operating or utilities costs, or both;

(D) The potential for additional years added to the affordability period of the property; and

(E) Other criteria that the department considers necessary to achieve the purpose of this program.

(e) (i) \$7,000,000 of the appropriation in this section is provided solely for loans or grants to design and construct ultra-high energy efficient affordable housing projects.

(ii) To receive funding, a project must provide a life-cycle cost analysis report to the department and must demonstrate energy-saving and renewable energy systems either designed to reach net-zero energy use after housing is fully occupied or designed to achieve the most recent building standard of the

passive house institute US as of the effective date of this section.

(iii) The department must consider, at a minimum and in any order, the following factors in assigning a numerical ranking to a project:

(A) Whether the proposed design has demonstrated that the project will achieve either net-zero energy use when fully occupied or will achieve the most recent building standard of the passive house institute US as of the effective date of this section;

(B) The life-cycle cost of the project;

(C) That the project demonstrates a design, use of materials, and construction process that can be replicated by the Washington building industry;

(D) The extent to which the project leverages nonstate funds;

(E) The extent to which the project is ready to proceed to construction;

(F) Whether the project promotes sustainable use of resources and environmental quality;

(G) Whether the project is being well managed to fund maintenance and capital depreciation;

(H) Reduction of housing and utilities carbon footprint; and

(I) Other criteria that the department considers necessary to achieve the purpose of this program.

(iv) The department must monitor and track the results of the housing projects that receive ultra-high energy efficiency funding under this section.

(f) (~~(\$44,084,000)~~) \$40,084,000 of the appropriation in this section is provided solely for the following list of housing projects:

Bellwether	Housing	(Seattle)
	\$6,000,000	

Capitol Hill	Housing	Broadway
(Seattle)	\$6,000,000	

~~((Crosswalk Teen Shelter and Transitional Housing~~

~~Project (Spokane) \$1,000,000~~

~~Ethiopian Community Affordable Housing (Seattle) \$3,000,000)~~

FFC New Construction (Statewide)
\$1,384,000

FUSION Emergency Housing for Homeless Families

(Federal Way) \$3,000,000

Highland Village (Airway Heights)
\$5,500,000

Home At Last (Tacoma) \$2,250,000

Interfaith Works Shelter (Olympia)
\$3,000,000

Pateros Gardens (Pateros)
\$1,400,000

SCIDpda North Lot (Seattle)
\$9,000,000

Tenny Creek Assisted Living
(Vancouver) \$1,750,000

THA Arlington Drive (Tacoma)
\$800,000

(g) \$6,000,000 of the appropriation for Capitol Hill Housing Broadway (Seattle) in (f) of this subsection is provided solely for the purchase of the three south annex properties. The state board for community and technical colleges must transfer the three south annex properties located at 1500 Broadway, 1534 Broadway, and 909 East Pine street in Seattle to Capitol Hill Housing to provide services and housing for homeless youth or young adults at the 1500 Broadway and 909 East Pine street properties for a minimum of fifty years. The transfer agreement between the state board for community and technical colleges and Capitol Hill Housing must specify a mutually agreed transfer date and require Capitol Hill Housing to cover any closing costs with a total purchase price of nine million dollars for the three properties. The contract between the department and Capitol Hill Housing must:

(i) Provide that Capitol Hill Housing is responsible for maintaining and securing the 1500 Broadway and 909 East Pine properties until the site is redeveloped;

(ii) Specify that, if Capitol Hill Housing does not construct at least seventy affordable housing units on the site by 2028, this funding must be fully repaid to the state or the land must revert back to the state; and

(iii) Require that Capitol Hill Housing transfer the 1534 Broadway

property to YouthCare Service Center for the purpose of developing a youth community center.

(h) \$5,000,000 of the state taxable building construction account—state appropriation is provided solely for competitive grant awards for the development of community housing and cottage communities to shelter individuals or households experiencing homelessness. This funding must be awarded to projects that develop a minimum of four individual structures in the same location. Individual structures must contain insulation, electricity, overhead lights, and heating. Kitchens and bathrooms may be contained within the individual structures or offered as a separate facility that is shared with the community. When evaluating applications for this grant program, the department must prioritize projects that demonstrate:

(i) The availability of land to locate the community;

(ii) A strong readiness to proceed to construction;

(iii) A longer term of commitment to maintain the community;

(iv) A commitment by the applicant to provide, directly or through a formal partnership, case management and employment support services to the tenants;

(v) Access to employment centers, health care providers and other services; and

(vi) A community engagement strategy.

(i) \$55,666,000 of the appropriation in this section is provided solely for affordable housing projects that serve and benefit low-income and special needs populations in need of housing. Of the amounts appropriated in this subsection, the department must allocate the funds as follows:

(i) \$5,000,000 of the appropriation in this section is provided solely for housing for veterans;

(ii) \$3,616,000 of the appropriation in this section is provided solely for housing that serves people with developmental disabilities;

(iii) \$5,000,000 of the appropriation in this section is provided solely for

housing that serves people who are employed as farmworkers; and

(iv) (A) \$5,000,000 of the appropriation in this section is provided solely for housing projects that benefit homeownership.

(B) During the 2019-2021 fiscal biennium, the department must use a separate application form for applications to provide homeownership opportunities and evaluate homeownership project applications as allowed under chapter 43.185A RCW.

(C) In addition to the definition of "first-time home buyer" in RCW 43.185A.010, for the purposes of awarding homeownership projects during the 2019-2021 fiscal biennium "first time home buyer" also includes:

(I) A single parent who has only owned a home with a former spouse while married;

(II) An individual who is a displaced homemaker as defined in 24 C.F.R. Sec. 93.2 as it existed on the effective date of this section, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section, and has only owned a home with a spouse;

(III) An individual who has only owned a principal residence not permanently affixed to a permanent foundation in accordance with applicable regulations; or

(IV) An individual who has only owned a property that is discerned by a licensed building inspector as being uninhabitable.

(2) In evaluating projects in this section, the department must give preference for applications based on some or all of the criteria in RCW 43.185.070 (5).

(3) (a) The department must strive to allocate all of the amounts appropriated in this section within the 2019-2021 fiscal biennium in the manner prescribed in subsection (1) of this section. However, if upon review of applications the department determines there are not adequate suitable projects in a category, the department may allocate funds to projects serving other low-income and special needs populations, provided those projects are located in an area with an identified need for the type of housing proposed.

(b) By June 30, 2021, the department must report on its web site the following for every previous funding cycle: The number of homeownership and multifamily rental projects funded by housing trust fund moneys; the percentage of housing trust fund investments made to homeownership and multifamily rental projects; and the total number of households being served at up to eighty percent of the area median income, up to fifty percent of the area median income, and up to thirty percent of the area median income, for both homeownership and multifamily rental projects.

(4) (a) The department, in cooperation with the housing finance commission, must develop and implement a process for the collection of certified final development cost data from each grant or loan recipient under this section. The department must use this data as part of its cost containment policy.

(b) Beginning December 1, 2019, and continuing annually, the department must provide the legislature with a report of its final cost data for each project under this section. Such cost data must, at a minimum, include total development cost per unit for each project completed within the past year, descriptive statistics such as average and median per unit costs, regional cost variation, and other costs that the department deems necessary to improve cost controls and enhance understanding of development costs. The department must coordinate with the housing finance commission to identify relevant development costs data and ensure that the measures are consistent across relevant agencies.

Appropriation:

State Building Construction Account—	
State ((\$44,084,000))	
	<u>\$40,084,000</u>
State Taxable Building Construction	
Account—State	\$132,666,000
Subtotal	Appropriation
	(\$176,750,000)
	<u>\$172,750,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$480,000,000
TOTAL	(\$656,750,000)
	<u>\$652,750,000</u>

Sec. 6006. 2020 c 356 s 1006 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

2019-21 Early Learning Facilities (40000044)

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

(1) \$300,000 of the state building construction account—state appropriation is provided solely for the department of children, youth, and families to provide technical assistance to the department for the early learning facilities grants in this section.

(2) \$9,062,000 of the state building construction account—state appropriation is provided solely for the following list of early learning facility projects in the following amounts:

Proclaim Liberty Early Learning Facility \$1,000,000

Roosevelt Child Care Center \$1,500,000

City of Monroe, Boys & Girls Club ECEAP Facility \$1,000,000

Family Support Center Olympia \$600,000

Centralia-Chehalis Early Learning Conversion

Project \$3,000,000

((Club Discovery Early Learning \$100,000))

Anacortes Family Center ((~~\$309,000~~) \$409,000)

Boys & Girls Club Daycare \$773,000

Issaquah School District Early Learning Center \$155,000

Opportunity Council Early Learning Central Kitchen \$52,000

Samish Longhouse Early Learning Center Expansion \$273,000

Triumph Treatment Services Child Care \$300,000

(3) ((~~\$4,186,000~~) \$3,410,000) of the early learning facilities development account—state appropriation in this section is provided solely for the following list of early learning facility projects for school districts, subject to

the provisions of RCW 43.31.573 through 43.31.583 and 43.84.092, in the following amounts:

Toppenish School District \$111,000

Manson School District \$400,000

Kettle Falls School District \$395,000

North Thurston School District \$324,000

Ellensburg School District \$800,000

Everett School District ((~~\$800,000~~) \$24,000)

Tukwila School District \$196,000

Richland School District \$800,000

Lake Quinalt School District \$360,000

(4) The remaining portion of the appropriation in this section is provided solely for early learning facility grants and loans subject to the provisions of RCW 43.31.573 through 43.31.583 and 43.84.092 to provide state assistance for designing, constructing, purchasing, expanding, or modernizing public or private early learning education facilities for eligible organizations.

(5) The department of children, youth, and families must develop methodology to identify, at the school district boundary level, the geographic locations of where early childhood education and assistance program slots are needed to meet the entitlement specified in RCW 43.216.556. This methodology must be linked to the caseload forecast produced by the caseload forecast council and must include estimates of the number of slots needed at each school district. This methodology must inform any early learning facilities needs assessment conducted by the department of commerce and the department of children, youth, and families. This methodology must be included as part of the budget submittal documentation required by RCW 43.88.030.

(6) When prioritizing areas with the highest unmet need for early childhood education and assistance program slots, the committee of early learning experts convened by the department of commerce pursuant to RCW 43.31.581 must first consider those areas at risk of not

meeting the entitlement in accordance with RCW 43.216.556.

(7) The department of commerce must track the number of slots being renovated separately from the number of slots being constructed and, within these categories, must track the number of slots separately by program for the working connections child care program and the early childhood education and assistance program.

(8) When prioritizing applications for projects, pursuant to subsection (4) of this section, within the boundaries of a regional transit authority in a county that has received distributions or appropriations under RCW 43.79.520, the department must give priority to applications for which at least ten percent of the total project cost is supported by those distributions or appropriations.

(9) The department, in consultation with the office of the superintendent of public instruction and the department of children, youth, and families must identify buildings in the inventory and condition of schools database that are no longer included in the inventory of K-12 instructional space for purposes of calculating school construction assistance pursuant to chapter 28A.515 RCW, but that could be repurposed as early learning facilities and made available to eligible organizations. The department must report its findings and the list of buildings identified in this section to the office of financial management and the appropriate fiscal committees of the legislature by January 15, 2020.

Appropriation:

State Building Construction Account—	
State	\$9,362,000
Early Learning Facilities Revolving	
Account—State	\$22,248,000
Early Learning Facilities Development	
Account—State	(\$4,186,000)
	<u>\$3,410,000</u>
Subtotal	Appropriation
	(\$35,796,000)
	<u>\$35,020,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	
	\$80,000,000

TOTAL ~~(\$115,796,000)~~

\$115,020,000

Sec. 6007. 2020 c 356 s 1011 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

2020 Local and Community Projects (40000116)

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

(1) The department shall not expend the appropriation in this section unless and until the nonstate share of project costs have been either expended or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by the legislature. This requirement does not apply to projects where a share of the appropriation is for design costs only.

(2) Prior to receiving funds, project recipients must demonstrate that the project site is under control for a minimum of ten years, either through ownership or a long-term lease. This requirement does not apply to appropriations for preconstruction activities or appropriations in which the sole purpose is to purchase real property that does not include a construction or renovation component.

(3) Projects funded in this section may be required to comply with Washington's high performance building standards as required by chapter 39.35D RCW.

(4) Project funds are available on a reimbursement basis only, and shall not be advanced under any circumstances.

(5) In contracts for grants authorized under this section the department shall include provisions which require that capital improvements be held by the grantee for a specified period of time appropriate to the amount of the grant and that facilities be used for the express purpose of the grant. If the grantee is found to be out of compliance with provisions of the contract, the grantee shall repay to the state general fund the principal amount of the grant plus interest calculated at the rate of interest on state of Washington general

obligation bonds issued most closely to the date of authorization of the grant.

(6) Projects funded in this section, including those that are owned and operated by nonprofit organizations, are generally required to pay state prevailing wages.

(7) The appropriation is provided solely for the following list of projects:

Palmer "Home" in Lushootseed (Seattle)
\$947,000

4th Ave. Street Enhancement (White Center)
\$670,000

Abigail Stuart House (Olympia)
\$250,000

Aging in PACE Washington (AiPACE) (Seattle) (~~(\$1,500,000)~~) \$5,000,000

Airport Utility Extension (Pullman)
\$1,626,000

Aquatic and Recreation Center (King County)
\$1,050,000

Arivva Community Center (Tacoma)
\$1,000,000

Arlington B&G Club Parking Safety (Arlington)
\$530,000

Asotin Masonic Lodge (Asotin)
(~~(\$62,000)~~) \$82,000

Auburn Arts & Culture Center (Auburn)
\$500,000

Audubon Center (Sequim) \$1,000,000

B&GC of Olympic Peninsula (Port Angeles)
\$500,000

B&GC of Thurston County (Lacey)
\$98,000

Ballard Food Bank (Seattle)
\$750,000

Beacon Center Renovation (Tacoma)
\$1,000,000

Bellevue HERO House (Bellevue)
\$46,000

Benton Co. Museum Building Improvements (Prosser)
\$103,000

Big Brothers Big Sisters Learning Lab (Olympia)
\$56,000

Blue Mountain Action Council Comm. Services Center
(Walla Walla) \$1,000,000

Bothell Downtown Revitalization (Bothell)
\$1,500,000

Bowers Field Airport (Ellensburg)
\$275,000

Boys & Girls Club of Thurston Co. Upgrades (Rochester)
\$31,000

Boys & Girls Club Roof and Flooring Repairs (Federal Way)
\$319,000

Breeze Creek Culvert Replacement/East 4th St. Widening
(La Center) \$1,500,000

Browns Park Project (Spokane Valley)
\$536,000

Buffalo Soldiers' Museum (Seattle)
\$200,000

Camas Washougal Nature Play Area (Washougal) \$103,000

Campus Towers (Longview)
\$228,000

Carbonado Water Source Protection Acquisition
(Carbonado) \$1,500,000

Carl Maxey Center (Spokane)
\$350,000

Carlisle Lake Park Improvements (Onalaska) \$213,000

Carlyle Housing Facility Upgrades (Spokane) \$400,000

Cathlamet Pioneer Center Restoration (Cathlamet) \$165,000

Centerville Fire Dept. (Centerville)
\$216,000

Centerville Grange (Centerville)
\$90,000

Central Stage Theatre of County Kitsap (Silverdale) \$964,000

Centralia Fox Theater (Centralia)
\$1,000,000

Chehalis River Bridge Ped Safety Lighting Ph2 (Aberdeen) \$323,000

Cheney Reclaimed Water Project (Cheney) \$2,000,000

Chief Kitsap Education and Community Resource Center
(Poulsbo) \$1,000,000

Chief Leschi Schools Facilities & Safety Project
(Puyallup) \$250,000

Chief Leschi Schools Safety & Security (Puyallup) \$250,000

Clymer Museum Remodel Ph2 (Ellensburg) \$258,000	Expanding on Excellence Capital Campaign (White Salmon) \$500,000
Colfax Pantry Building (Colfax) \$247,000	Family Education and Support Services (Tumwater) \$500,000
Community Services of Moses Lake Food Bank Facility (Moses Lake) \$2,000,000	Felts Field Gateway Improvement Phase 1 (Spokane) \$100,000
Conconully Community Services Complex (Conconully) \$515,000	Fennel Creek Trailhead (Bonney Lake) \$258,000
Cosmopolis Elem. Energy & Safety (Cosmopolis) \$206,000	Filipino Hall Renovation (Wapato) \$63,000
Coulee City Medical Clinic (Coulee City) \$150,000	Fircrest Pool (Fircrest) \$1,000,000
Curran House Museum (University Place) \$43,000	FISH Food Bank (Ellensburg) \$772,000
Dakota Homestead (Seattle) \$155,000	Fishtrap Creek Habitat Improvement (Lynden) \$258,000
Dawson Park Improvements (Tacoma) \$515,000	Flood Plain Stabilization, Habitat Enhancement (Kent) \$1,000,000
Dayton Pump Station (Edmonds) \$515,000	Food Lifeline (Seattle) \$1,004,000
Downtown Park Gateway (Bellevue) \$1,030,000	Foothills Trail Extension (Wilkeson) \$500,000
Dungeness River Audubon Center Expansion (Sequim) \$500,000	Fort Steilacoom Park Artificial Turf Infields (Lakewood) \$1,015,000
East Blaine Infrastructure (Blaine) \$500,000	Fourth Plain Community Commons (Vancouver) \$800,000
Ejido Community Farm (Whatcom) \$250,000	Garfield Co. Hospital HVAC (Pomeroy) \$250,000
El Centro de la Raza Federal Way Office (Federal Way) \$1,000,000	Gateway Center (Grays Harbor) \$500,000
Enumclaw Aquatic Center (Enumclaw) \$258,000	Gene Coulon Memorial Beach Park Play Equipment Upgrade (Renton) \$618,000
Enumclaw Expo Center Roof (Enumclaw) \$250,000	George Community Hall Roof (George) \$201,000
Everett TOD Study (Everett) \$200,000	George Davis Creek Fish Passage Project (Sammamish) \$515,000
Everett YMCA (Everett) \$1,000,000	Gig Harbor Food Bank (Gig Harbor) \$180,000
Evergreen High School Health Center (Vancouver) \$388,000	Goldendale Airport (Goldendale) \$550,000
Evergreen Speedway Capital Improvement (Monroe) \$150,000	Granger Historical Museum Construction (Granger) \$150,000
Excelsior Integrated Care Ctr. Sports Court (Spokane) \$266,000	Granite Falls Police Dept. Renovation Project (Granite Falls) \$412,000
Excelsior Roof & Gym Repair (Spokane) \$263,000	
Excelsior Vocational Education Space (Spokane) \$164,000	

Grays Harbor and Willapa Bay Sedimentation (Grays Harbor) \$464,000	Index Water System Design (Index) \$23,000
Grays Harbor YMCA (Grays Harbor) \$293,000	Infrastructure for Economic Development (Port Townsend) \$675,000
Greater Maple Valley Veterans Memorial (Maple Valley) \$102,000	Innovative Health Care Learning Center Phase 1 (Yakima) \$500,000
Green Bridges, Healthy Communities; Aurora Bridge I-5 (Seattle) \$1,500,000	Interactive Educ. Enh./Friends Issaquah Hatchery (Issaquah) \$113,000
Greenwood Cemetery Restoration (Centralia) \$402,000	Intersection Improvements Juanita Dr. (Kirkland) \$750,000
Greenwood Cemetery Safety Upgrades (Centralia) \$91,000	Japanese American Exclusion Memorial (Bainbridge Island) \$155,000
HealthPoint (Tukwila) \$1,000,000	Japanese Gulch Daylight Project (Mukilteo) \$400,000
HealthPoint Dental Expansion (SeaTac) \$1,545,000	Keller House and Carriage House Paint Restoration (Colville) \$45,000
Heritage Senior Housing (Chelan) \$52,000	Key Kirkland Sidewalk Repairs (Kirkland) \$537,000
High Dune Trail & Conservation Project (Ocean Shores) \$140,000	Key Peninsula Elder Community (Gig Harbor) \$1,000,000
Historic Downtown Chelan Revitalization (Chelan) \$52,000	Ki-Be School Parking Lot Improvements (Benton City) \$268,000
Historic Olympic Stadium Preservation Project (Hoquiam) \$515,000	Kitsap Conservation Study (Kitsap) \$51,000
Historical Museum & Community Center Roof Replacement (Washtucna) \$24,000	Kittitas Valley Event Center (Ellensburg) \$206,000
Historical Society Energy Upgrades (Anderson Island) \$14,000	Klickitat Co. Sheriff Office Training Bldg. (Goldendale) \$335,000
Hoh Tribe Broadband (Grays Harbor) \$129,000	KNKX Radio Studio (Tacoma) \$824,000
Horseshoe Lake ADA Upgrades (Woodland) \$82,000	Lacey Veterans Services Hub Facility Renovation (Lacey) \$2,000,000
Housing Needs Study (Statewide) \$200,000	Lake Chelan Community Center (Lake Chelan) \$250,000
Howard Bowen Event Complex (Sumas) \$1,712,000	Lake Chelan Water Supply (Wenatchee) \$464,000
Howe Farm Water Service (Port Orchard) \$52,000	Lake City Community Center Replacement (Seattle) \$2,000,000
ICHS Bellevue Clinic Renovation Project (Bellevue) \$1,600,000	Lake Stevens Civic Center Phase II (Lake Stevens) \$1,000,000
Illahee Preserve's Lost Continent Acquisition (Bremerton) \$335,000	Lake Sylvia State Park Pavilion (Montesano) \$250,000
Imagine Children's Museum Expansion and Renovation (Everett) \$2,000,000	Lake Wilderness Park Improvements (Maple Valley) \$200,000
	Land Use & Infrastructure Subarea Plan (Mill Creek) \$300,000

Larson Gallery Renovation (Yakima) \$875,000	Mt. Adams School District Athletic Fields (Harrah) \$242,000
Leffler Park (Manson) \$265,000	Mt. Peak Fire Lookout Tower (Enumclaw) \$381,000
Legacy in Motion (Puyallup) \$1,750,000	Mt. Spokane SP Ski Lift (Mead) \$750,000
Legacy Site Utility Infrastructure (Maple Valley) \$154,000	Mukilteo Promenade (Mukilteo) \$500,000
Lewis Co. CHS Pediatric Clinic (Centralia) \$84,000	Museum Storage Building (Steilacoom) \$72,000
Little Badger Mountain Trailhead (Richland) \$464,000	Naches Fire/Rescue, Yakima Co. #3 (Naches) \$200,000
Little Mountain Road Pipeline and Booster Station (Mount Vernon) \$1,300,000	Naselle HS Music/Vocational Wing (Naselle) \$258,000
Long Beach Police Department (Long Beach) \$705,000	Naselle Primary Care Clinic (Naselle) \$216,000
Lopez Island Swim Center (Lopez Island) \$1,000,000	Naselle SD Flooring (Naselle) \$237,000
((Lummi Hatchery Project (San Juan) \$1,000,000))	NCRA Maint. Bldg., Parking Lot, Event Space (Castle Rock) \$283,000
Mabton City Park (Mabton) \$54,000	NEW Health Programs, Colville Dental Clinic (Colville) \$1,250,000
Main Street Redevelopment Project - Phase 2 (University Place) \$985,000	Newman Lake Flood Control Zone District (Newman Lake) \$415,000
Mariner Community Campus (Everett) \$2,250,000	North Elliott Bay Public Dock; Marine Transit Terminal (Seattle) \$1,750,000
Mary's Place (Burien) \$2,050,000	Northaven Affordable Senior Housing Campus (Seattle) \$1,000,000
Marymount Museum/Spana-Park Senior Center (Spanaway) \$1,000,000	Northshore Senior Center Rehabilitation Project (Bothell) \$500,000
McChord Airfield North Clear Zone (Lakewood) \$500,000	Northwest African American Museum (Seattle) \$500,000
McCormick Woods Sewer Lift #2 Improvements (Port Orchard) \$800,000	Northwest Native Canoe Center (Seattle) \$986,000
Melanie Dressel Park (Tacoma) \$500,000	NW School of Wooden Boatbuilding (Port Hadlock) \$464,000
Mercer Is/Aubrey Davis Park Trail Upgrade (Mercer Island) \$500,000	Oak Harbor Marina (Oak Harbor) \$400,000
Missing & Murdered Indigenous Women Memorial (Toppenish) \$49,000	Oakville SD Kitchen Renovation (Oakville) \$517,000
Monroe B&G Club ADA Improvements (Monroe) \$464,000	Oddfellows Ellensburg Bldg. Restoration (Ellensburg) \$267,000
Mountlake Terrace Main Street (Mountlake Terrace) \$750,000	Opening Doors - Permanent Supportive Housing Facility (Bremerton) \$750,000
Mt. Adams Comm. Forest, Klickitat Canyon Rim Purchase (Glenwood) \$400,000	Orting City Hall and Police Station (Orting) \$600,000

Orting Ped Evac Crossing (Orting) \$103,000	Quincy Hospital (Quincy) \$300,000
Othello Regional Water (Othello) \$425,000	Quincy Square on 4th (Bremerton) \$206,000
Outdoors for All (Seattle) \$1,000,000	Recreation Park Renovation (Chehalis) \$258,000
Pacific Co. Fairgrounds Roof (Menlo) \$210,000	Redmond Pool (Redmond) \$1,000,000
Packwood FEMA Floodplain Study (Packwood) \$637,000	<u>Rehabilitating Fort Worden's Historic Warehouses</u> \$712,000
Pasco Farmers Market & Park (Pasco) \$154,000	Renton Trail Connector (Renton) \$500,000
Pendergast Regional Park Phase II (Bremerton) \$50,000	Richmond Highland Recreation Center Repairs (Shoreline) \$500,000
Peninsula Community Health Service Dental Mobile (Bremerton) \$340,000	Rise Together White Center Project (King County) \$1,000,000
PenMet - Cushman Trail Enhancements (Gig Harbor) \$52,000	Ritzville Business & Entrepreneurship Center (Ritzville) \$350,000
PenMet Community Rec Center (Gig Harbor) \$173,000	Rosalia Sewer Improvements (Rosalia) \$500,000
Pet Overpopulation Prevention Vet Clinic Building (West Richland) \$300,000	Roslyn Downtown Assoc. (Roslyn) \$480,000
Pine Garden Apartment Roof (Shelton) \$46,000	Roslyn Housing Project (Roslyn) \$2,000,000
Pioneer Park Fountain (Walla Walla) \$9,000	Royal Park & Rec Ctr. (Royal City) \$250,000
Pomeroy Booster Pumping Station (Pomeroy) \$112,000	Sargent Oyster House Maritime Museum (Allyn) \$218,000
Port of Everett (Everett) \$300,000	Schmid Ballfields Ph3 (Washougal) \$584,000
Port of Ilwaco Boatyard Modernization (Ilwaco) \$545,000	Scott Hill Park & Sports Complex (Woodland) \$500,000
Port of Willapa Harbor Dredging Support Boat (Tokeland) \$180,000	Sea Mar Community Health Centers Tumwater Dental (Olympia) \$170,000
Poulsbo Historical Society (Poulsbo) \$400,000	Seaport Landing (Aberdeen) \$404,000
Prairie View Schoolhouse Community Center (Waverly) \$57,000	Seattle Aquarium (Seattle) \$1,000,000
Protect Sewer Plant from Erosion (Ocean Shores) \$155,000	Seattle Goodwill (Seattle) \$2,000,000
Puyallup Culvert Replacement (Puyallup) \$515,000	Seattle Indian Health Board (Seattle) \$1,000,000
Puyallup Street Frontage Improvement (Puyallup) \$258,000	Sewage Lagoon Decommissioning (Concrete) \$255,000
Puyallup VFW Kitchen Renovation (Puyallup) \$52,000	Shelton Civic Center Parking Lot (Shelton) \$283,000
	Shoreline Maintenance Facility - Brightwater Site

(Shoreline) \$500,000	Sunnyside Yakima Valley-TEC Welding Program (Yakima) \$26,000
Skabob House Cultural Center (Shelton) \$350,000	Sunset Multi-Service & Career Development Center (Renton) \$1,000,000
Skagit County Sheriff Radios (Skagit) \$1,000,000	SW WA Dance Center (Chehalis) \$62,000
Skamania Courthouse Plaza (Stevenson) \$150,000	SW WA Fairgrounds (Chehalis) \$103,000
<u>Skookum Creek Hatchery Project (Acme) \$1,000,000</u>	SW Washington Regional Agriculture & Innovation Park (Tenino) \$1,500,000
Snohomish Carnegie Project (Snohomish) \$500,000	Swede Hall Renovation (Rochester) \$196,000
((Snohomish County Sheriff's Office South Precinct (Snohomish) \$1,000,000))	Tacoma Community House (Tacoma) \$413,000
Snohomish Fire District #26 Communications Project (Gold Bar) \$27,000	Tam O'Shanter Park Circulation & Parking Phase 2 (Kelso) \$1,030,000
Snoqualmie Early Learning Center (Snoqualmie) \$500,000	Tehaleh Slopes Bike Trail (Bonney Lake) \$309,000
Snoqualmie Valley Youth Activities Center (North Bend) \$412,000	Tenino City Hall Renovation (Tenino) \$515,000
South Fork Snoqualmie Levee Setback Project (North Bend) \$250,000	Terminal 1 Waterfront Development (Vancouver) \$4,700,000
SOZO Sports Indoor Arena (Yakima) \$600,000	The AMP: Aids Memorial Pathway (Seattle) \$600,000
Spokane Sportsplex (Spokane) \$1,000,000	The Morck Hotel (Aberdeen) \$500,000
Springbrook Park Expansion & Clover Creek Restoration (Lakewood) \$773,000	Toledo Sewer & Water (Toledo) \$469,000
SR 503 Ped/Bike Ph1&2 (Woodland) \$235,000	Tonasket Senior Citizen Ctr. (Tonasket) \$33,000
SR 530 "Oso" Slide Memorial (Arlington) \$300,000	Town Center to Burke Gilman Trail Connector (Lake Forest Park) \$500,000
Stan and Joan Cross Park (Tacoma) \$500,000	Tukwila Village Food Hall (Tukwila) \$400,000
Starfire Sports STEM (Tukwila) \$250,000	Twin Springs Park (Kenmore) \$155,000
Stevens Co. Disaster Response Communications (Colville) \$500,000	Twisp Civic Building & EOC (Twisp) \$1,288,000
Sultan Water Treatment Plant Design (Sultan) \$246,000	United Way of Pierce County HVAC (Tacoma) \$206,000
Sumas History Themed Playground and Water Park (Sumas) \$288,000	University Place Arts (University Place) \$34,000
Sunnyside Airport Hangar Maintenance Facility (Sunnyside) \$750,000	Vertical Evacuation (Ocean Shores) \$500,000

Veterans Memorial Museum (Chehalis)
\$123,000

Veterans Supportive Housing (Yakima)
\$2,500,000

VOA Lynnwood Center (Lynnwood)
\$1,050,000

Volunteer Park Amphitheater (Seattle)
\$500,000

West Kelso Affordable Housing &
Community Facility Study
(Kelso) \$258,000

WA Poison Control IT (Seattle)
\$151,000

Waitsburg Taggart Road Waterline
(Waitsburg) \$456,000

Walla Walla Dodd Water System Improvement
(Walla Walla) \$1,000,000

Wapato Creek Restoration (Fife)
\$258,000

Warren Ave. Playfield (Bremerton)
\$206,000

Washington Park Boat Launch Storm
Damage (Anacortes) \$200,000

Wesley Homes (Des Moines)
\$2,000,000

Westport Dredge Material Use
(Westport) \$250,000

Whidbey Is. B&G Coupeville
(Coupeville) \$849,000

Whidbey Is. B&G Oak Harbor (Oak
Harbor) \$743,000

Wilkeson Water Protection (Wilkeson)
\$36,000

Willapa BH - Long Beach Safety
Improvement Project
(Long Beach) \$225,000

William Shore Memorial Pool (Port
Angeles) \$840,000

Wing Luke Museum Homestead Home
(Seattle) \$500,000

Wisdom Ridge Business Park
(Ridgefield) \$2,000,000

Yakima Co. Veterans Dental Facility
(Yakima) \$469,000

Yakima Valley Fair & Rodeo Multi-Use
Facility
(Grandview) \$200,000

Yelm Business Incubator Serving
Thurston/Pierce
Counties (Yelm) \$200,000

Yelm Water Tower (Yelm) \$303,000

YMCA Childcare Center Tenant
Improvements (Woodinville) \$1,000,000

(8) \$400,000 of the appropriation in this section is provided solely to the city of Oak Harbor to enhance the fiscal sustainability and revenue generation of the city-owned marina through feasibility work, planning, development, and acquisition.

(9) \$200,000 of the appropriation in this section is provided solely for the department to contract for a study regarding both available and needed affordable housing for farmworkers and Native Americans in Washington state. The study must include data to inform policies related to affordable housing for farmworkers and Native Americans and supplement the housing assessment conducted by the affordable housing advisory board created in chapter 43.185B RCW.

(10) \$200,000 of the appropriation in this section is provided solely for a grant to the Tacoma buffalo soldiers' museum to conduct a feasibility study for the rehabilitation of building 734, the band barracks at Fort Lawton in Discovery park. The study will provide an assessment of general conditions of building 734 and cost estimates for a comprehensive rehabilitation of the building to meet current building codes including, but not limited to heating, ventilation, air conditioning, and mechanical systems, seismic retrofits, and compliance with the Americans with disabilities act.

(11) \$1,300,000 of the appropriation in this section is provided solely for a grant to the Skagit public utility district for the Little Mountain Road pipeline and booster station. \$1,000,000 of these funds are provided solely for the design phase of the project; \$150,000 of these funds are provided solely for land acquisition; and \$150,000 of these funds are provided solely to the district for a public outreach effort to solicit input on the project from residents and rate payers.

(12) \$1,500,000 of the appropriation in this section is provided solely for

preconstruction activities by Aging in PACE (AiPACE) (Seattle).

(13) \$2,000,000 of the appropriation in this section for Roslyn Housing Project is provided solely for a grant to enable Forterra NW, or a wholly-owned subsidiary of Forterra NW, to begin work on a community development project in the city of Roslyn that includes housing, commercial, retail, or governmental uses. The work must include phased preacquisition due diligence, land acquisition or predevelopment engineering, design, testing, and permitting activities, including work done by both the appropriation recipient and third parties retained by the recipient.

(14) \$200,000 of the appropriation in this section is provided solely for a feasibility study to locate the Buffalo Soldiers Museum at Fort Lawton in Seattle. Approval of a memorandum of understanding regarding the feasibility study must involve the city of Seattle and the Buffalo Soldiers Museum. The department may not impose any additional requirements on the feasibility study.

Appropriation:

State Building Construction Account—
State (~~(\$163,011,000)~~)

\$167,207,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL (~~(\$163,011,000)~~)

\$167,207,000

Sec. 6008. 2020 c 356 s 1013 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

2021 Local and Community Projects
(40000130)

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

(1) The department may not expend the appropriation in this section unless and until the nonstate share of project costs have been either expended or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by the legislature. This

requirement does not apply to projects where a share of the appropriation is for design costs only.

(2) Prior to receiving funds, project recipients must demonstrate that the project site is under control for a minimum of ten years, either through ownership or a long-term lease. This requirement does not apply to appropriations for preconstruction activities or appropriations in which the sole purpose is to purchase real property that does not include a construction or renovation component.

(3) Projects funded in this section may be required to comply with Washington's high performance building standards as required by chapter 39.35D RCW.

(4) Project funds are available on a reimbursement basis only, and may not be advanced under any circumstances.

(5) In contracts for grants authorized under this section, the department must include provisions that require that capital improvements be held by the grantee for a specified period of time appropriate to the amount of the grant and that facilities be used for the express purpose of the grant. If the grantee is found to be out of compliance with provisions of the contract, the grantee shall repay to the state general fund the principal amount of the grant plus interest calculated at the rate of interest on state of Washington general obligation bonds issued most closely to the date of authorization of the grant.

(6) Projects funded in this section, including those that are owned and operated by nonprofit organizations, are generally required to pay state prevailing wages.

(7) The appropriation is provided solely for the following list of projects:

Al Chief Seattle Club (Seattle)
\$200,000

92nd Ave. Sewer Ext. (Battle Ground)
\$258,000

Academy Smokestack Preservation
(Vancouver) \$103,000

African Refugee & Immigrant Housing
(Tukwila) \$200,000

AG Tour Train Ride (Reardan)
\$125,000

Algona Wetland Preserve and Trail (Algona) \$50,000	Community Hub Public Safety Initiative (Walla Walla) \$200,000
Anderson Island Historical Society (Anderson Island) \$10,000	Community Pedestrian Safety (Tukwila) \$100,000
Anderson Road Infrastructure (Chelan) \$258,000	Community Youth Services Renovation (Olympia) \$155,000
Ashley House (Shoreline) \$100,000	Conconully Fire & Rescue (Riverside) \$179,000
Asotin County Library Meeting Space (Clarkston) \$13,000	Creative Districts (Statewide) \$200,000
ASUW Shell House (WWI Hanger/Canoe House) (Seattle) \$100,000	<u>Crosswalk Teen Shelter (Spokane)</u> <u>\$2,500,000</u>
Auburn Family YMCA (Auburn) \$128,000	Doris Morrison Environmental Learning Center (Greenacres) \$500,000
Ballard P-Patch (Seattle) \$258,000	Downtown Pasco Revitalization (Pasco) \$350,000
Ballinger Park-Hall Creek Restoration (Mountlake Terrace) \$200,000	Edmonds Carbon Recovery (Edmonds) \$250,000
Bellevue Parks Changing Tables (Bellevue) \$100,000	EL 79.2 Distribution System Design (Othello) \$175,000
Bethel High School Pierce College Annex Campus (Graham) \$300,000	El Centro de la Raza (Seattle) \$2,000,000
Brewery Park Visitor Center (Tumwater) \$50,000	Emergency Lockdown Shelter for Outdoor Preschool (various) \$24,000
Brewing Malting & Distilling System (Tumwater) \$112,000	Emergency Shelter Project (Skykomish) \$20,000
Bridgeport Irrigation (Brewster) \$70,000	Emergency Structural Repairs 1902 Van Marter Building (Lind) \$25,000
Cathlamet Pioneer Center Restoration (Cathlamet) \$55,000	Everett Recovery Cafe Renovation Project (Everett) \$200,000
Centralia Chehalis Steam Train Repair (Chehalis) \$154,000	Federal Way Little League Fields (Federal Way) \$50,000
Centro Cultural Mexicano (Redmond) \$80,000	Federal Way Safety Cameras (Federal Way) \$103,000
City of Fircrest Meter Replacement (Fircrest) \$200,000	Field Arts and Events Hall (Port Angeles) \$1,500,000
Columbia Dance Down Payment for Building Purchase (Vancouver) \$100,000	Filipino Community Center (Seattle) \$1,000,000
Columbia Heritage Museum Repairs (Ilwaco) \$150,000	Filipino-American Community Center (Bremerton) \$165,000
Communities of Concern Commission (Statewide) \$250,000	Five Mile Roundabout Art Project (Spokane) \$25,000
Community House on Broadway Kitchen Upgrades (Longview) \$41,000	Fort Worden PDA - Sage Arts & Ed Center (Port Townsend) \$560,000

Franklin Pierce Farm ARC (Tacoma) \$1,070,000	LGBTQ Senior Center (Seattle) \$500,000
Fusion Housing (Federal Way) \$62,000	Lions Club Community Ctr. Generator (Lyle) \$5,000
George Schmid Ball Field #3 and Lighting Phase 3 (Washougal) \$200,000	Longview Police Dept. New Office (Longview) \$250,000
Gig Harbor Community Campus (Gig Harbor) \$52,000	Lower Yakima River Restoration (Richland) \$258,000
Gig Harbor Peninsula FISH (Gig Harbor) \$250,000	Magnuson Park Center for Excellence Building 2 (Seattle) \$78,000
Grant Co. Fairgrounds Lighting (Moses Lake) \$290,000	Mason Co./Shelton YMCA (Shelton) \$750,000
Harlequin State Theater (Olympia) \$88,000	Mini Mart City Park (Seattle) \$200,000
Hilltop Housing (Tacoma) \$500,000	Morrow Manor (Poulsbo) \$250,000
Home At Last (Tacoma) \$200,000	Mount Zion Housing (Seattle) \$250,000
If You Could Save Just One (Spokane) \$100,000	Mukilteo Solar Panels (Mukilteo) \$40,000
Index Water Line Replacement and Repair (Index) \$105,000	New Arcadia (Auburn) \$100,000
Institute for Community Leadership (Kent) \$46,000	New Beginnings House (Puyallup) \$150,000
Islands' Oil Spill Association (Friday Harbor) \$232,000	Non-motorized Bridge at Bothell Landing (Bothell) \$155,000
Jefferson County Food Preservation (Port Ludlow) \$5,000	Our Lady of Fatima Community Ctr. (Moses Lake) \$128,000
King County (Emergency Training Facility) <u>Raging River Quarry Property</u> (Fall City) \$1,000,000	Pataha Flour Mill Elevator (Pomeroy) (\$40,000) <u>\$256,000</u>
Kingston Coffee Oasis (Kingston) \$150,000	Pete's Pool Ball Field Renovation (Enumclaw) \$77,000
Kitsap Humane Society (Silverdale) \$500,000	Pike Place Market Public Access (Seattle) \$50,000
Klickitat Co. Domestic Violence Shelter (Goldendale) \$250,000	Point Wilson Lighthouse (Port Townsend) \$60,000
Lacey Food Bank (Lacey) \$193,000	Port Angeles Boys and Girls Club (Port Angeles) \$400,000
Lake Stevens Early Learning Library (Lake Stevens) \$150,000	Port of Quincy Intermodal Terminal Infrastructure (Quincy) \$100,000
Lake WA Loop Trail Bicycle Safety Improvements (Kenmore) \$200,000	Port Susan Trail (Stanwood) \$200,000
Lakebay Marina Acquisition & Preservation (Lakebay) \$100,000	Puyallup Food Bank Facility Expansion (Puyallup) \$217,000
Levee Repair (Starbuck) \$50,000	Puyallup VFW Orting Civil War Medal of Honor Monument (Orting) \$7,000
Levee Repair (Waitsburg) \$100,000	

Ramstead Regional Park (Everson) \$200,000	Snoqualmie Valley Shelter Service Resource
REACH Literacy Center (Lacey) \$50,000	(Snoqualmie) \$200,000
Redondo Fishing Pier (Des Moines) \$350,000	South Yakima Conservation District Groundwater Mgmt
Renewable Hydrogen Production Pilot (East Wenatchee) \$250,000	(Yakima) \$45,000
Replacement Hospice House (Richland) \$200,000	Spokane Sportsplex (Spokane) \$200,000
Restroom Renovation (Ilwaco) \$35,000	Spokane Valley Museum (Spokane Valley) \$70,000
Ridgefield Library Building Project (Ridgefield) \$500,000	Star Park Shelter (Ferndale) \$180,000
Roy Water Tower (Roy) \$26,000	Stevens Elementary Solar Panels (Seattle) \$120,000
S. Kitsap HS NJROTC Equipment (Port Orchard) \$24,000	Sullivan Park Waterline Installation (Spokane Valley) \$130,000
Safety Driven Replacement (Lake Stevens) \$125,000	Thurston Boys and Girls Club (Lacey) \$50,000
Salvation Army Community Resource Center (Yakima) \$200,000	Trail Lighting - Cross Kirkland Corridor (Kirkland) \$200,000
Sargent Oyster House Restoration (Allyn) \$10,000	Transitions TLC Transitional Housing Renovations
Satsop Business Park (Elma) \$155,000	(Spokane) \$100,000
School and Transit Connector Sidewalk (Kirkland) \$120,000	Vashon Food Bank Site Relocation (Vashon) \$36,000
School District & Comm Emergency Preparedness Center	Vashon Youth and Family Services (Vashon) \$86,000
(Carbonado) \$200,000	WA Poison Center Emergency Response to COVID-19 (Seattle) \$124,000
((Shelton Mason County YMCA (Shelton) \$200,000))	Waikiki Springs Nature Preserve (Spokane) \$1,548,000
Shore Aquatic Center Expansion (Port Angeles) \$200,000	Washington State Horse Park and Covered Arena
Sign Reinstallation at Maplewood Elementary (Puyallup) \$5,000	(Ellensburg) \$375,000
Skagit Pump Station Modernization Design	Wenatchee Valley Museum & Cultural Ctr. (Wenatchee) \$283,000
(Mount Vernon) \$52,000	West Biddle Lake Dam Restoration (Vancouver) \$412,000
Sky Valley Emergency Generators (Sultan) \$75,000	William Shore Pool (Port Angeles) \$500,000
Sky Valley Teen Center (Sultan) \$103,000	<u>Wishkah Road Flood Levee (Grays Harbor County) \$186,000</u>
Sno Valley Kiosk (North Bend) \$20,000	Yakima County Care Campus Conversion Project (Yakima) \$275,000
Snohomish Boys and Girls Club (Snohomish) \$125,000	Yelm Lions Club Cabin Renovation (Yelm) \$207,000

(8) It is the intent of the legislature that future applications for state

funding for the ASUW Shell House be made through competitive grant programs.

(9) The Creative Districts program funded in this section shall be administered by the Washington state arts commission. The commission is authorized to use up to three percent of the funds to administer the program.

(10) Funds provided in this section for the Crosswalk Teen Shelter project are for preconstruction activities, including acquisition. Any remaining funds may be used for construction as long as the balance of nonstate funds needed to complete the project are firmly committed.

Appropriation:

State Building Construction Account—
State (~~(\$29,970,000)~~)
\$32,672,000
Prior Biennia (Expenditures) \$0
Future Biennia (Projected Costs)
\$0
TOTAL (~~(\$29,970,000)~~)
\$32,672,000

Sec. 6009. 2020 c 356 s 1009 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Seattle Vocational Institute (40000136)

It is the intent of the legislature that this funding be provided for the Seattle Vocational Institute no later than June 30, 2021, once the community preservation and development authority has selected board members and the title of the Seattle Vocational Institute building has been transferred to the board.

Appropriation:

State Building Construction Account—
State (~~(\$1,300,000)~~)
\$1,125,000
State Taxable Building Construction Account—State \$175,000
Subtotal Appropriation \$1,300,000
Prior Biennia (Expenditures) \$0
Future Biennia (Projected Costs)
\$0

TOTAL \$1,300,000

Sec. 6010. 2019 c 413 s 1023 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

2017-19 Building Communities Fund Grant (30000883)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1015, chapter 2, Laws of 2018, except that no funding may be directed to the Aging in PACE project.

Reappropriation:

State Building Construction Account—
State (~~(\$18,500,000)~~)
\$15,500,000
Prior Biennia (Expenditures)
\$12,400,000
Future Biennia (Projected Costs)
\$0
TOTAL (~~(\$30,900,000)~~)
\$27,900,000

Sec. 6011. 2019 c 413 s 1032 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

2019-21 Building for the Arts Grant Program (40000039)

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

(1) The appropriation is subject to the provisions of RCW 43.63A.750.

(2) Except as directed otherwise prior to the effective date of this section, the department may not expend the appropriation in this section unless and until the nonstate share of project costs have been either expended, or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by this appropriation. This requirement does not apply to projects where a share of the appropriation is for design costs only.

(3) The appropriation is provided solely for the following list of projects:

Seattle Theatre Group \$310,000
 Music Center of the Northwest \$300,000
 Seattle Symphony Orchestra \$912,000
 Broadway Center for the Performing Arts \$586,000
 Bainbridge Artisan Resource Network \$1,057,000
 Nordic Heritage Museum Foundation \$2,000,000
 Imagine Children's Museum \$2,000,000
 Seattle Opera \$526,000
 KidsQuest Children's Museum \$816,000
 ((Central Stage Theatre of County Kitsap \$964,000))
 Roxy Bremerton Foundation \$51,000
 Port Angeles Waterfront Center \$1,112,000
 ((Rehabilitating Fort Worden's Historic Warehouses \$712,000))
 Sea Mar Museum of Chicano/a Latino/a Culture \$654,000

Appropriation:

State Building Construction Account—State ((~~\$12,000,000~~))
\$10,324,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$48,000,000
 TOTAL ((~~\$60,000,000~~))
\$58,324,000

Sec. 6012. 2019 c 413 s 1056 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Dental Capacity Grants (91001306)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for the following list of projects:

Bethel Dental Clinic \$500,000
 Columbia County Dental ((~~\$250,000~~)) \$353,000

Skagit Valley College WDTEP \$550,000
 Vancouver Dental \$175,000
 Appropriation:
 State Building Construction Account—State ((~~\$1,475,000~~))
\$1,578,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$0
 TOTAL ((~~\$1,475,000~~))
\$1,578,000

Sec. 6013. 2019 c 413 s 1058 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Projects for Jobs & Economic Development (92000151)

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

(1) Except as provided in subsection (2) of this section, the reappropriations are subject to the provisions of section 1077, chapter 19, Laws of 2013 2nd sp. sess.

(2) \$1,000,000 of the reappropriation, not to exceed the amount remaining from the original appropriation, originally for the South Kirkland TOD/Cross Kirkland Corridor, may be used for the pedestrian crossing project at Kirkland Avenue and Lake Street.

Reappropriation:

Public Facility Construction Loan Revolving
 Account—State ((~~\$3,000,000~~))
\$2,528,000

State Building Construction Account—State \$1,000,000

Subtotal Reappropriation ((~~\$4,000,000~~))
\$3,528,000

Prior Biennia (Expenditures) \$33,109,000
 Future Biennia (Projected Costs) \$0
 TOTAL ((~~\$37,109,000~~))

\$36,637,000

Sec. 6014. 2019 c 413 s 1060 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Projects that Strengthen Communities & Quality of Life (92000230)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 6006, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—
State \$1,400,000

~~((Appropriation:~~

~~Model Toxics Control Capital Account—
State \$40,000))~~

Prior Biennia (Expenditures)
\$30,688,000

Future Biennia (Projected Costs)
\$0

TOTAL ~~((~~\$32,128,000~~))~~

\$32,088,000

Sec. 6015. 2019 c 413 s 1012 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Energy Efficiency and Solar Grants (30000835)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1035, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—
State ~~((~~\$2,000,000~~))~~

\$597,000

Prior Biennia (Expenditures)
\$23,000,000

Future Biennia (Projected Costs)
\$0

TOTAL ~~((~~\$25,000,000~~))~~

\$23,597,000

Sec. 6016. 2019 c 413 s 1064 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Behavioral Rehabilitation Services Capacity Grants (92000611)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1015, chapter 298, Laws of 2018.

Reappropriation:

State Building Construction Account—
State ~~((~~\$2,000,000~~))~~

\$1,719,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL ~~((~~\$2,000,000~~))~~

\$1,719,000

Sec. 6017. 2019 c 413 s 1066 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Palouse to Cascades Trail Facilitation (92000833)

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

(1) The appropriation in this section is provided solely for the department of commerce to contract for facilitation and mediation of ownership, development, and use conflicts along the Palouse to Cascades trail in Adams and Whitman counties. The contractor shall convene a process that will make recommendations to the legislature by January 15, 2020. The parties to the facilitation shall include, but are not limited to: The state parks and recreation commission, the farm bureau, the department of natural resources, recreational trail user groups, local governments adjacent to the trail, and landowners adjacent to the trail.

(2) The recreation and conservation office shall not release funding for the following project on Washington wildlife and recreation program LEAP capital document No. 2019-5H: Palouse to Cascades Connection Malden and Rosalia, until July 1, 2020.

Appropriation:

State Building Construction Account—
State (~~(\$150,000)~~)

\$134,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL (~~(\$150,000)~~)

\$134,000

Sec. 6018. 2020 c 356 s 1022
(uncodified) is amended to read as
follows:

FOR THE DEPARTMENT OF COMMERCE

Enhanced Shelter Capacity Grants
(92000939)

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

(1) \$7,818,000 of the appropriation in
this section is provided solely for a
homeless shelter grant program for the
following list of shelter projects:

Auburn Resource Center (Auburn)
\$1,500,000

Community House (Longview)
\$206,000

~~((Crosswalk Teen Shelter (Spokane)
\$1,500,000))~~

Harbor Hope Center Home for Girls (Gig
Harbor) \$294,000

Noah's Ark Homeless Shelter (Wapato)
\$100,000

Positive Adolescent Dev (PAD)
Emergency Housing

(Bellingham) \$206,000

Rod's House Mixed Use Facility
(Yakima) \$2,000,000

ROOTS Young Adult Shelter (Seattle)
\$1,500,000

Snoqualmie Valley Resource Center
(Snoqualmie) \$206,000

St. Vincent de Paul Cold Weather
Shelter (Renton) \$206,000

YMCA Oasis Teen Shelter (Mount Vernon)
\$100,000

(2) In contracts for grants authorized
under this section, the department of
commerce must follow the guidelines and
compliance requirements in the Housing

Trust Fund program, including provisions
that require that capital improvements be
held by the grantee for a specified
period of time appropriate to the amount
of the grant and that facilities be used
for the express purpose of the grant. If
the grantee is found to be out of
compliance with provisions of the
contract, the grantee must repay to the
state general fund the principal amount
of the grant plus interest calculated at
the rate of interest on state of
Washington general obligation bonds
issued on the date most close in time to
the date of authorization of the grant.

Appropriation:

State Building Construction Account—
State (~~(\$7,818,000)~~)

\$6,318,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL (~~(\$7,818,000)~~)

\$6,318,000

Sec. 6019. 2019 c 413 s 1061
(uncodified) is amended to read as
follows:

FOR THE DEPARTMENT OF COMMERCE

Community Behavioral Health Beds -
Acute & Residential (92000344)

The reappropriation in this section is
subject to the following conditions and
limitations: The reappropriation is
subject to the provisions of section
1007, chapter 35, Laws of 2016 sp. sess.

Reappropriation:

State Building Construction Account—
State (~~(\$5,000,000)~~)

\$4,515,000

Prior Biennia (Expenditures)
\$39,399,000

Future Biennia (Projected Costs)
\$0

TOTAL (~~(\$44,399,000)~~)

\$43,914,000

Sec. 6020. 2019 c 413 s 1074
(uncodified) is amended to read as
follows:

FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Transportation Building Preservation
(30000777)

Reappropriation:

Capitol Building Construction
Account—State (~~(\$3,925,000)~~)

\$1,725,000

Prior Biennia (Expenditures)
\$57,000

Future Biennia (Projected Costs)
\$0

TOTAL (~~(\$3,982,000)~~)

\$1,782,000

Sec. 6021. 2019 c 413 s 1076
(uncodified) is amended to read as
follows:

**FOR THE DEPARTMENT OF ENTERPRISE
SERVICES**

Legislative Building Systems
Rehabilitation (30000791)

Reappropriation:

Capitol Building Construction
Account—State (~~(\$150,000)~~)

\$33,000

Prior Biennia (Expenditures)
\$843,000

Future Biennia (Projected Costs)
\$0

TOTAL (~~(\$993,000)~~)

\$876,000

Sec. 6022. 2019 c 413 s 1079
(uncodified) is amended to read as
follows:

**FOR THE DEPARTMENT OF ENTERPRISE
SERVICES**

Building Envelope Repairs (30000829)

Reappropriation:

Capitol Building Construction
Account—State (~~(\$2,537,000)~~)

\$2,010,000

State Building Construction Account—
State \$2,167,000

Subtotal Reappropriation
(~~(\$4,704,000)~~)

\$4,177,000

Prior Biennia (Expenditures)
\$518,000

Future Biennia (Projected Costs)
\$0

TOTAL (~~(\$5,222,000)~~)

\$4,695,000

Sec. 6023. 2019 c 413 s 1077
(uncodified) is amended to read as
follows:

**FOR THE DEPARTMENT OF ENTERPRISE
SERVICES**

Campus Physical Security & Safety
Improvements (30000812)

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

(1) \$1,508,000 (~~(is)~~) of the capitol
building construction account—state
appropriation, \$1,000,000 of the
Thurston county capital facilities
account—state appropriation, and
\$1,018,000 of the state building
construction account—state
appropriation are provided solely for the
security improvements of distributed
antenna system in the natural resource
building, columbia, plaza, and
department of transportation parking
garages.

(2) The reappropriations are subject
to the provisions of section 1025,
chapter 298, Laws of 2018.

(3) The temporary security fencing on
the capital campus must be removed by May
31, 2021, unless the Washington state
patrol notifies the legislative leaders
by May 15, 2021, and the majority and
minority leaders of the senate and the
speaker and the minority leader of the
house of representatives concur that the
Washington state patrol security
assessment determines that the fence is
unable to be removed.

Reappropriation:

State Building Construction Account—
State \$1,625,000

Thurston County Capital Facilities
Account—State \$710,000

Subtotal Reappropriation
\$2,335,000

Appropriation:

Capitol Building Construction
Account—State \$1,508,000

State Building Construction Account—
State \$1,018,000

<u>Thurston County Capital Facilities</u>		
<u>Account—State</u>		<u>\$1,000,000</u>
<u>Subtotal Appropriation</u>		<u>\$3,526,000</u>
Prior	Biennia	(Expenditures)
\$415,000		
Future	Biennia	(Projected Costs)
\$0		
TOTAL		((\$4,258,000))
		<u>\$6,276,000</u>

Sec. 6024. 2020 c 356 s 1027 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Legislative Campus Modernization (92000020)

(1) The reappropriation in this section is subject to the following conditions and limitations: The final predesign for legislative campus modernization must be submitted to the office of financial management and legislative fiscal committees by ~~((September 1, 2020))~~ February 5, 2020. The department must consult with the senate facilities and operations committee or their designee(s) and the house of representatives executive rules committee or their designee(s) during the development of and prior to finalizing and submitting the final predesign ~~((on September 1, 2020))~~.

(a) With respect to the Irv Newhouse building replacement on opportunity site six, the final predesign must include demolition of buildings on opportunity site six ~~((with the exception of the visitor center))~~. The predesign must include details and costs for temporary office space on Capitol Campus, for which modular space is an option, to be used at least during the construction of the building for Irv Newhouse occupants. The predesign must also consider an additional floor for the Irv Newhouse building, and this component of predesign must not delay nor impact the final predesign deliverable date. The predesign must assume the following:

(i) Necessary program space required to support senate offices and support functions;

(ii) A building facade similar to ~~((the American neoclassical style of existing legislative buildings on Capitol Campus))~~ the American

neoclassical style with a base, shaft, and capitol expression focus with some relief expressed in modern construction methods to include adding more detailing and depth to the exterior so that it will fit with existing legislative buildings on west capitol campus, like the John Cherberg building;

(iii) Member offices of similar size as member offices in the John A. Cherberg building;

(iv) Design and construction of a high performance building that meets net-zero-ready energy standards, with an energy use intensity of no greater than thirty-five;

(v) Building construction that ~~((must))~~ may be procured using a performance-based contracting method, such as design-build, and ~~((must))~~ may include an energy performance guarantee comparing actual performance data with the energy design target;

(vi) Temporary office space on Capitol Campus, for which modular space is an option, to be used during the construction of the building. Maximizing efficient use of modular space with Pritchard renovation or replacement must be considered;

~~((vii) Demolition of the buildings ((not including the visitor center)) located on opportunity site six ((Demolition costs must not exceed six hundred thousand dollars)); and~~

(viii) At least bimonthly consultation with the senate facilities and operations committee or their designee(s).

(b) With respect to the Pritchard building replacement or renovation, and renovation of the third and fourth floors of the John L. O'Brien building, the predesign must assume the following:

(i) The necessary program space required to support house of representatives offices and support functions;

(ii) Building construction that ~~((must))~~ may be procured using a performance-based contracting method, such as design-build, and ~~((must))~~ may include an energy performance guarantee comparing actual performance data with the energy design target;

(iii) Design and construction that meets net-zero-ready energy standards,

with an energy use intensity of no greater than thirty-five;

(iv) The detail and cost of temporary office space on Capitol Campus, for which modular space is an option, to be used during the construction of the buildings for state employed occupants of any impacted building. Maximizing efficient use of modular space with the Newhouse replacement must be considered; and

(v) At least bimonthly consultation with the leadership of the house of representatives, the chief clerk of the house of representatives, or their designee(s), and tenants of any impacted buildings.

(c) The legislative campus modernization predesign must assume:

(i) Preference for the completion of construction of the Irv Newhouse building before the renovation or replacement of the Pritchard building and before the renovation of the third and fourth floors of the John L. O'Brien building;

(ii) The amount of parking on the capitol campus (~~remains the same or increases~~) may not result in a loss greater than 60 parking spots as a result of the legislative campus modernization construction projects; and

(iii) Options for relocation of the occupants of impacted buildings that are not employed by the state to alternative locations (~~, including, but not limited to, the visitor center~~).

(d) The legislative campus modernization predesign must include an analysis of comparative costs and benefits of locations for needed space, to include the following considerations:

(i) An additional floor added to the Irv Newhouse building replacement, and this component of design must not delay nor impact the final predesign deliverable date;

(ii) Additional space added to the Pritchard replacement or renovation; and

(iii) (~~The impact to options to maintain, or increase, the amount of parking on Capitol Campus; and~~

~~(iv))~~ Space needed for legislative support agencies.

(e) The final predesign must include an analysis of the relative costs and benefits of designing and constructing the projects authorized under this

section under a single contract or individual subproject contracts, based on an evaluation of, at least, the following criteria:

(i) The interdependency and interaction of the design and construction phases of the subprojects;

(ii) Subproject phasing and sequencing, including the timing and utilization of modular temporary office space on Capitol Campus during the construction phases;

(iii) Potential cost efficiencies under each subproject;

(iv) Provide an evaluation for the most efficient and effective contracting method for subproject delivery, including design-bid-build, general contractor/construction manager, and design-build for each subproject; and

(v) Other collateral impacts.

(f) The department must have a check-in meeting by October 1, 2020, with the administrative office of the senate, the administrative office of the house of representatives, and the legislative capital budget leads. This check-in meeting must be after the predesign is submitted to the office of financial management and legislative fiscal committees.

(2) The appropriations in this section are subject to the following conditions and limitations: The new appropriations must be coded and tracked as separate discreet subprojects in the agency financial reporting system.

(a) \$3,370,000 of the appropriation is provided solely for the Irv Newhouse building replacement, and the appropriation in this subsection (2)(a) is provided solely for design and construction of the Irv Newhouse building replacement for the senate, located on opportunity site six. The design must assume:

(i) Necessary program space required to support senate offices and support functions;

(ii) A building facade similar to ((the American neoclassical style of existing legislative buildings on Capitol Campus)) the American neoclassical style with a base, shaft, and capitol expression focus with some relief expressed in modern construction methods to include adding more detailing

and depth to the exterior so that it will fit with existing legislative buildings on west capitol campus, like the John Cherberg building;

(iii) Member offices of similar size as member offices in the John A. Cherberg building;

(iv) Design and construction of a high performance building that meets net-zero-ready energy standards, with an energy use intensity of no greater than thirty-five;

(v) Building construction that ~~((must))~~ may be procured using a performance-based contracting method, such as design-build, and ~~((must))~~ may include an energy performance guarantee comparing actual performance data with the energy design target;

(vi) Temporary office space on Capitol Campus, for which modular space is an option, to be used during the construction of the building. Maximizing efficient use of modular space with Pritchard renovation must be considered;

~~(vii) Demolition of the buildings ~~((not including the visitor center))~~ located on opportunity site six ~~((Demolition costs must not exceed six hundred thousand dollars))~~;~~

(viii) At least bimonthly consultation with the leadership of the senate, or their designee(s), and Irv Newhouse tenants; and

~~(ix) ~~((Procurement of the design solution))~~ Design contract selection will be completed by ~~((February))~~ September 1, 2021, for the Irv Newhouse building replacement.~~

(b) \$6,530,000 of the appropriation is provided solely for the Pritchard building replacement or renovation ~~((and the renovation of the third and fourth floors of the John L. O'Brien building))~~. The appropriation in this subsection is provided solely for the design and construction and assumes:

(i) The necessary program space required to support house of representatives offices and support functions;

(ii) Additional office space necessary to offset house of representatives members and staff office space that may be eliminated in the renovation of the third and fourth floors of the John L. O'Brien building;

(iii) Design and construction of a high performance building that meets net-zero-ready energy standards, with an energy use intensity of no greater than thirty-five;

(iv) Building construction that ~~((must))~~ may be procured using a performance-based contracting method, such as design-build, and ~~((must))~~ may include an energy performance guarantee comparing actual performance data with the energy design target;

(v) Temporary office space on Capitol Campus, for which modular space is an option, to be used during the construction of the building. Maximizing efficient use of modular space with Newhouse replacement must be considered; and

(vi) At least bimonthly consultation with the leadership of the house of representatives, the chief clerk of the house of representatives, or their designee(s), and tenants of any impacted building.

~~(c) ~~(((\$100,000))~~ \$146,000 of the appropriation is provided solely for the completion of predesign efforts as described in subsection (1) of this section.~~

(3) The department may sell by auction the Ayers and Carlyon houses, known as the press houses, separate and apart from the underlying land, subject to the following conditions:

(a) The purchaser, at its sole cost and expense, must remove the houses by December 31, 2021;

(b) The state is not responsible for any costs or expenses associated with the sale, removal, or relocation of the buildings from opportunity site six; and

(c) Any sale proceeds must be deposited into the Thurston county capital facilities account.

(4) Implementation of subsection (3) of this section is not intended to delay the design and construction of any of the subprojects included in the legislative campus modernization project.

Reappropriation:

State Building Construction Account—
State \$256,000

Appropriation:

State Building Construction Account—
State (~~(\$10,000,000)~~)

\$10,046,000

Prior Biennia (Expenditures)
\$194,000

Future Biennia (Projected Costs)
\$89,000,000

TOTAL (~~(\$99,450,000)~~)

\$99,496,000

Sec. 6025. 2019 c 413 s 4002
(uncodified) is amended to read as
follows:

FOR THE WASHINGTON STATE PATROL

FTA Burn Building - Structural Repairs
(30000256)

Appropriation:

Fire Service Training Account—State
(~~(\$750,000)~~)

\$550,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL (~~(\$750,000)~~)

\$550,000

Sec. 6026. 2019 c 413 s 4004
(uncodified) is amended to read as
follows:

FOR THE WASHINGTON STATE PATROL

High Throughput DNA Laboratory
(40000002)

The appropriation in this section is
subject to the following conditions and
limitations: (~~(\$277,000)~~) \$247,000 is
provided solely for renovations to the
crime lab.

Appropriation:

State Building Construction Account—
State (~~(\$277,000)~~)

\$247,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL (~~(\$277,000)~~)

\$247,000

Sec. 6027. 2019 c 413 s 1097
(uncodified) is amended to read as
follows:

FOR THE MILITARY DEPARTMENT

Minor Works Program 2017-19 Biennium
(30000812)

Reappropriation:

General Fund—Federal
(~~(\$20,395,000)~~)

\$1,395,000

Military Department Capital Account—
State \$75,000

State Building Construction Account—
State (~~(\$1,814,000)~~)

\$1,614,000

Subtotal Reappropriation
(~~(\$22,284,000)~~)

\$3,084,000

Prior Biennia (Expenditures)
\$2,413,000

Future Biennia (Projected Costs)
\$0

TOTAL (~~(\$24,697,000)~~)

\$5,497,000

Sec. 6028. 2019 c 413 s 1098
(uncodified) is amended to read as
follows:

FOR THE MILITARY DEPARTMENT

Centralia Readiness Center (30000818)

Reappropriation:

General Fund—Federal \$2,289,000

State Building Construction Account—
State \$2,287,000

Subtotal Reappropriation
\$4,576,000

Appropriation:

General Fund—Federal
(~~(\$2,000,000)~~)

\$3,200,000

Prior Biennia (Expenditures)
\$174,000

Future Biennia (Projected Costs)
\$0

TOTAL (~~(\$6,750,000)~~)

\$7,950,000

Sec. 6029. 2019 c 413 s 2088
(uncodified) is amended to read as
follows:

FOR THE DEPARTMENT OF CORRECTIONS

WCC: Replace Roofs (30000654)

Reappropriation:

State Building Construction Account—
State \$675,000

Appropriation:

State Building Construction Account—
State (~~(\$4,540,000)~~)\$3,040,000Prior Biennia (Expenditures)
\$1,595,000Future Biennia (Projected Costs)
\$0TOTAL (~~(\$6,810,000)~~)\$5,310,000**Sec. 6030.** 2019 c 413 s 2089
(uncodified) is amended to read as
follows:**FOR THE DEPARTMENT OF CORRECTIONS**CBCC: Replace Fire Alarm System
(30000748)

Reappropriation:

State Building Construction Account—
State \$180,000

Appropriation:

State Building Construction Account—
State (~~(\$5,284,000)~~)\$4,284,000Prior Biennia (Expenditures)
\$175,000Future Biennia (Projected Costs)
\$0TOTAL (~~(\$5,639,000)~~)\$4,639,000**Sec. 6031.** 2019 c 413 s 3020
(uncodified) is amended to read as
follows:**FOR THE DEPARTMENT OF ECOLOGY**

ASARCO Cleanup (30000334)

~~((The reappropriation in this section is subject to the following conditions and limitations: \$400,000 of the reappropriation is provided solely for the city of Tacoma to reimburse for clean up and remediation of the former Ruston Way tunnel, including costs that occurred prior to June 30, 2019.))~~

Reappropriation:

Cleanup Settlement Account—State
(~~(\$2,095,000)~~)\$1,695,000Prior Biennia (Expenditures)
\$34,565,000Future Biennia (Projected Costs)
\$0TOTAL (~~(\$36,660,000)~~)\$36,260,000**Sec. 6032.** 2019 c 413 s 3091
(uncodified) is amended to read as
follows:**FOR THE DEPARTMENT OF ECOLOGY**2019-21 Protect Investments in Cleanup
Remedies (40000194)

The appropriation in this section is subject to the following conditions and limitations: (~~(\$2,260,000)~~) \$827,000 of the model toxics control capital account appropriation is provided solely for reimbursing the Lakewood water district for costs for the Ponders drinking water treatment system, including costs incurred prior to July 1, 2019.

Appropriation:

Model Toxics Control Capital Account—
State (~~(\$9,637,000)~~)\$8,204,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$40,000,000TOTAL (~~(\$49,637,000)~~)\$48,204,000**Sec. 6033.** 2020 c 356 s 3025
(uncodified) is amended to read as
follows:**FOR THE DEPARTMENT OF ECOLOGY**Clean Up Toxics Sites - Puget Sound
(91000032)

Appropriation:

Model Toxics Control Capital Account—
State (~~(\$179,000)~~)\$38,000Prior Biennia (Expenditures)
\$9,091,000Future Biennia (Projected Costs)
\$0

TOTAL (~~(\$9,270,000)~~)

\$9,129,000

Sec. 6034. 2019 c 413 s 3278 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES

Pasco Local Improvement District (40000019)

Appropriation:

State Building Construction Account—State (~~(\$4,000,000)~~)

\$2,894,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL (~~(\$4,000,000)~~)

\$2,894,000

Sec. 6035. 2019 c 413 s 3301 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES

Fircrest Property (91000103)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for the following purposes:

(1) The department must, in consultation with the office of financial management and the department of social and health services, develop recommendations for future use of underutilized portions of the Fircrest School campus, including the southeast and southwest corners. Recommendations must include options for developing affordable housing and public open space on underutilized portions of the Fircrest School campus and any specific statutory language necessary to implement these recommendations. Recommendations must consider: (a) Current zoning restrictions; (b) current use; (c) current ownership; (d) current revenue generating capacity; (e) any specific statutory language necessary to implement these recommendations; and (f) any legal constraints.

(2) The department must submit a report to the appropriate committees of the legislature by December 31, 2019.

Appropriation:

Charitable, Educational, Penal, Reformatory,

Institutional Account—State (~~(\$250,000)~~)

\$8,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL (~~(\$250,000)~~)

\$8,000

Sec. 6036. 2019 c 413 s 3217 (uncodified) is amended to read as follows:

FOR THE RECREATION AND CONSERVATION OFFICE

Upper Quinault River Restoration (~~(Phase 3 (WCRI) (910000958))~~) Project (91000958)

Appropriation:

State Building Construction Account—State \$2,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$2,000,000

Sec. 6037. 2019 c 413 s 3235 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISH AND WILDLIFE

Migratory Waterfowl Habitat (20082045)

Reappropriation:

State Wildlife Account—State (~~(\$500,000)~~)

\$285,000

Appropriation:

State Wildlife Account—State \$600,000

Prior Biennia (Expenditures) \$1,388,000

Future Biennia (Projected Costs) \$1,800,000

TOTAL (~~(\$4,288,000)~~)

\$4,073,000

Sec. 6038. 2020 c 356 s 3062 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISH AND WILDLIFE

(1) Nothing in this section alters the obligation set forth in the permanent injunction, including the compliance deadline, entered on March 29, 2013, in *United States v. Washington*, sub-proceeding 01-1 (Culverts), or the guidelines for compliance within the specified timeline with the permanent injunction as developed by the state agencies during the implementation process.

(2) Nothing in this section creates an obligation on the part of the state to provide funding for corrections for nonstate-owned culverts. Nothing in this section precludes the state from providing funding for corrections for nonstate-owned culverts.

(3) In order to provide recommendations, the Brian Abbott fish barrier removal board must develop a comprehensive statewide culvert remediation plan that works in conjunction with the state approach and that fully satisfies the requirements of the *United States v. Washington* permanent injunction and makes both local and state funding recommendations for additional nonstate barrier corrections across state culvert correction programs that maximize the fisheries habitat gain and other benefits to prey available for southern resident killer whale and salmon recovery.

(4) The comprehensive statewide culvert remediation plan must be consistent with the principles and requirements of the *United States v. Washington* permanent injunction and RCW 77.95.180 and must achieve coordinated investment strategy goals of permanent injunction compliance and the following additional resource benefits. The Brian Abbott fish barrier removal board chair, representing the board and the appropriate department of fish and wildlife executive management, shall consult with tribes to develop a watershed approach. Provided it is consistent with the *United States v. Washington* permanent injunction, prioritization of barrier corrections must be developed on a watershed basis and must maximize the following resource priorities:

(a) Stocks that are listed as threatened or endangered under the federal endangered species act;

(b) Stocks that contribute to protection and recovery of southern resident orca whales;

(c) Critical stocks of anadromous fish that limit or prevent harvest of anadromous fish, as identified in the Pacific salmon treaty; and

(d) Weak stocks of anadromous fish that limit or prevent harvest of anadromous fish, as determined in North of Cape Falcon process.

(5) The comprehensive statewide culvert remediation plan must include recommendations on methods and procedures for state agencies and local governments to complete and maintain accurate barrier inventories. This plan must also allow for efficient bundling of projects to minimize disruption to the public due to construction as well as adjustments in response to obstacles and opportunities encountered during delivery.

(6) The Brian Abbott fish barrier removal board must also:

(a) Provide to the office of financial management and the fiscal committees of the legislature its recommendation as to statutory or policy changes, or budget needs for the board or state capital budget programs, for better implementation and coordination among the state's culvert correction programs by (~~January 15, 2021~~) June 30, 2021; and

(b) Develop a plan to seek and maximize the chances of success of significant federal investment in the comprehensive statewide culvert remediation plan.

(7) It is the intent of the legislature that, in developing future budgets, state agencies administering state culvert correction programs will recommend, to the maximum extent possible, funding in their culvert correction programs for correction of barriers that are part of the comprehensive statewide culvert remediation plan developed by the Brian Abbott fish barrier removal board under this section.

(8) By November 1, 2020, and March 1, 2021, the Brian Abbott fish barrier removal board and the department of transportation must provide updates on the development of the statewide culvert

remediation plan to the office of financial management and the legislative fiscal committees. The first update must include a project timeline and plan to ensure that all agencies with culvert correction programs are involved in the creation of the comprehensive plan.

(9) Prior to presenting the comprehensive statewide culvert remediation plan, the Brian Abbott fish barrier removal board must present the status of the plan to the annual Washington state and Western Washington treaty tribes fish passage barrier repair progress and coordination meeting. The board must submit the comprehensive statewide culvert remediation plan and the process by which it will be adaptively managed over time to the governor and the legislative fiscal committees by (~~January 15, 2021~~) June 30, 2021.

Sec. 6039. 2019 c 413 s 5011 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2017-19 School Construction Assistance Program (40000003)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 5003, chapter 298, Laws of 2018.

Reappropriation:

State Building Construction Account—
State (~~(\$475,282,000)~~)

\$493,020,000

Common School Construction Account—
State (~~(\$255,948,000)~~)

\$238,210,000

Subtotal Reappropriation
\$731,230,000

Prior Biennia (Expenditures)
\$217,520,000

Future Biennia (Projected Costs)
\$0

TOTAL \$948,750,000

Sec. 6040. 2020 c 356 s 5002 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2019-21 School Construction Assistance Program - Maintenance Level (40000013)

The appropriations in this section are subject to the following conditions and limitations: \$1,005,000 of the common school construction account—state appropriation is provided solely for study and survey grants and for completing inventory and building condition assessments for public school districts every six years.

Appropriation:

State Building Construction Account—
State (~~(\$851,208,000)~~)

\$833,470,000

Common School Construction Account—
State \$185,908,000

Common School Construction Account—
Federal \$3,840,000

Subtotal Appropriation
(~~(\$1,040,956,000)~~)

\$1,023,218,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$4,870,192,000

TOTAL (~~(\$5,911,148,000)~~)

\$5,893,410,000

Sec. 6041. 2019 c 413 s 5020 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

STEM Pilot Program (91000402)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5005, chapter 35, Laws of 2016 sp. sess.

Reappropriation:

State Building Construction Account—
State (~~(\$3,046,000)~~)

\$2,956,000

Prior Biennia (Expenditures)
\$9,454,000

Future Biennia (Projected Costs)
\$0

TOTAL (~~(\$12,500,000)~~)

\$12,410,000

Sec. 6042. 2020 c 356 s 5011 (uncodified) is amended to read as follows:

FOR THE UNIVERSITY OF WASHINGTON

Behavioral Health Teaching Facility (40000038)

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

(1)(a) The appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1593 (behavioral health teaching facility). The appropriation provided may be used for predesign, siting, design costs, enabling projects, ~~((and))~~ early work packages, and construction, equipment, furnishings, and completion. ~~((If the bill is not enacted by June 30, 2019, the amount provided in this section shall lapse.))~~

(b) The university must submit the predesign to the appropriate legislative committees by February 1, 2020.

(2) The behavioral health teaching facility must provide a minimum of ~~((fifty))~~ 75 long-term civil commitment beds, ~~((fifty geriatric/voluntary))~~ 25 geriatric and adult psychiatric beds, and fifty licensed medical/surgery beds, ~~((with the capacity))~~ available to treat medical and surgical problems for patients ~~((with))~~ who also have a psychiatric ~~((diagnoses))~~ diagnosis and/or substance use ~~((disorders))~~ disorder diagnosis. The University should maximize the use of these medical/surgery beds for patients with psychiatric diagnoses or substance use disorders to the extent practicable. The project construction must also include construction of a 24/7 telehealth consultation program within the facility.

Appropriation:

State Building Construction Account—
State \$33,250,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$191,250,000

TOTAL \$224,500,000

Sec. 6043. 2019 c 413 s 5047 (uncodified) is amended to read as follows:

FOR THE UNIVERSITY OF WASHINGTON

Behavioral Health Institute at Harborview Medical Center ~~((910000025))~~ (91000025)

Appropriation:

State Building Construction Account—
State ~~((500,000))~~

\$469,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)
\$0

TOTAL ~~((500,000))~~

\$469,000

NEW SECTION. Sec. 6044. The following acts or parts of acts are each repealed:

- (1) 2019 c 413 s 1004 (uncodified);
- (2) 2019 c 413 s 1107 (uncodified);
- (3) 2019 c 413 s 1108 (uncodified);
- (4) 2019 c 413 s 1109 (uncodified); and
- (5) 2019 c 413 s 2034 (uncodified).

PART 7

MISCELLANEOUS PROVISIONS

NEW SECTION. Sec. 7001. RCW 43.88.031 requires the disclosure of the estimated debt service costs associated with new capital bond appropriations. The estimated debt service costs for the appropriations contained in this act are \$46,768,901 for the 2021-2023 biennium, \$314,662,796 for the 2023-2025 biennium, and \$447,088,148 for the 2025-2027 biennium.

NEW SECTION. Sec. 7002. ACQUISITION OF PROPERTIES AND FACILITIES THROUGH FINANCIAL CONTRACTS. (1) The following agencies may enter into financial contracts, paid from any funds of an agency, appropriated or nonappropriated, for the purposes indicated and in not more than the principal amounts indicated, plus financing expenses and required reserves pursuant to chapter 39.94 RCW. When securing properties under this section, agencies shall use the most economical financial contract option available, including long-term leases, lease-purchase agreements, lease-development with option to purchase agreements or financial contracts using certificates of participation. Expenditures made by an agency for one of the indicated purposes before the issue date of the authorized financial contract and any certificates of participation

therein are intended to be reimbursed from proceeds of the financial contract and any certificates of participation therein to the extent provided in the agency's financing plan approved by the state finance committee.

(2) Those noninstructional facilities of higher education institutions authorized in this section to enter into financial contracts are not eligible for state funded maintenance and operations. Instructional space that is available for regularly scheduled classes for academic transfer, basic skills, and workforce training programs may be eligible for state funded maintenance and operations.

(3) Secretary of state: Enter into a financing contract for up to \$119,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to construct a new library-archives building.

(4) Washington state patrol: Enter into a financing contract for up to \$7,706,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to construct a burn building for live fire training.

(5) Department of social and health services: Enter into a financing contract for up to \$115,700,000 plus costs and financing expenses and required reserves pursuant to chapter 39.94 RCW to construct a nursing facility on the fircrest residential habilitation center campus. The department may contract to lease develop or lease purchase the facility. Before entering into a contract, the department must consult with the office of financial management and the office of the state treasurer. Should the department of social and health services choose to use a financing contract that does not provide for the issuance of certificates of participation, the financing contract shall be subject to approval by the state finance committee as required by RCW 39.94.010. In approving a financing contract not providing for the use of certificates of participation, the state finance committee should be reasonably certain that the contract is excluded from the computation of indebtedness, particularly that the contract is not backed by the full faith and credit of the state and the legislature is expressly not obligated to appropriate funds to make payments. For purposes of this subsection, "financing contract" includes but is not limited to a

certificate of participation and tax exempt financing similar to that authorized in RCW 47.79.140.

(6) Community and technical colleges:

(a) Enter into a financing contract on behalf of Grays Harbor College for up to \$3,200,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to construct a student services and instructional building.

(b) Enter into a financing contract on behalf of Shoreline Community College for up to \$3,128,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to construct an allied health, science, and manufacturing replacement building.

(c) Enter into a financing contract on behalf of South Puget Sound Community College for up to \$5,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to renovate a health education building.

(d) Enter into a financing contract on behalf of Bates Technical College for up to \$1,350,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to purchase land and facilities.

(7) The department of ecology: Submit a financing contract proposal to fully fund the Lacey headquarters parking garage preservation project, including financing expenses and required reserves pursuant to chapter 39.94 RCW, in the department's 2022 supplemental capital budget request.

NEW SECTION. Sec. 7003. (1) To ensure that major construction projects are carried out in accordance with legislative and executive intent, agencies must complete a predesign for state construction projects with a total anticipated cost in excess of \$5,000,000, or \$10,000,000 for higher education institutions. "Total anticipated cost" means the sum of the anticipated cost of the predesign, design, and construction phases of the project.

(2) Appropriations for design may not be expended or encumbered until the office of financial management has reviewed and approved the agency's predesign.

(3) The predesign must explore at least three project alternatives. These alternatives must be both distinctly different and viable solutions to the

issue being addressed. The chosen alternative should be the most reasonable and cost-effective solution. The predesign document must include, but not be limited to, program, site, and cost analysis, and an analysis of the life-cycle costs of the alternatives explored, in accordance with the predesign manual adopted by the office of financial management.

(4) The office of financial management may make an exception to the predesign requirements in this section after notifying the legislative fiscal committees and waiting ten days for comment by the legislature regarding the proposed exception.

(5) If House Bill No. 1023 (predesign) is enacted by June 30, 2021 this section is null and void.

NEW SECTION. Sec. 7004. (1) To ensure that major construction projects are carried out in accordance with legislative and executive intent, agencies must complete a predesign for state construction projects with a total anticipated cost in excess of \$10,000,000. For purposes of this section, "total anticipated cost" means the sum of the anticipated cost of the predesign, design, and construction phases of the project.

(2) Appropriations for design may not be expended or encumbered until the office of financial management has reviewed and approved the agency's predesign.

(3) The predesign must explore at least three project alternatives. These alternatives must be both distinctly different and viable solutions to the issue being addressed. The chosen alternative should be the most reasonable and cost-effective solution. The predesign document must include, but not be limited to, program, site, and cost analysis, and an analysis of the life-cycle costs of the alternatives explored, in accordance with the predesign manual adopted by the office of financial management.

(4) For projects exceeding the \$10,000,000 predesign threshold established in this section, the office of financial management may make an exception to some or all of the predesign requirements in this section. The office of financial management shall report any exception to the fiscal committees of the legislature:

(a) A description of the major capital project for which the predesign waiver is made;

(b) An explanation of the reason for the waiver; and

(c) A rough order of magnitude cost estimate for the project's design and construction.

(5) In deliberations related to submitting an exception under this section, the office of financial management shall consider the following factors:

(a) Whether there is any determination to be made regarding the site of the project;

(b) Whether there is any determination to be made regarding whether the project will involve renovation, new construction, or both;

(c) Whether, within six years of submitting the request for funding, the agency has completed, or initiated the construction of, a substantially similar project;

(d) Whether there is any anticipated change to the project's program or the services to be delivered at the facility;

(e) Whether the requesting agency indicates that the project may not require some or all of the predesign requirements in this section due to a lack of complexity; and

(f) Whether any other factors related to project complexity or risk, as determined by the office of financial management, could reduce the need for, or scope of, a predesign.

(6) If under this section, some or all predesign requirements are waived, the office of financial management may instead propose a professional project cost estimate instead of a request for predesign funding.

(7) If House Bill No. 1023 (predesign) is not enacted by June 30, 2021, this section is null and void.

NEW SECTION. Sec. 7005. (1) The legislature finds that use of life-cycle cost analysis will aid public entities, architects, engineers, and contractors in making design and construction decisions that positively impact both the initial construction cost and the ongoing operating and maintenance cost of a project. To ensure that the total cost of

a project is accounted for and the most reasonable and cost efficient design is used, agencies shall develop life-cycle costs for any construction project over \$10,000,000. The life-cycle costs must represent the present value sum of capital costs, installation costs, operating costs, and maintenance costs over the life expectancy of the project. The legislature further finds the most effective approach to the life-cycle cost analysis is to integrate it into the early part of the design process.

(2) Agencies must develop a minimum of three project alternatives for use in the life-cycle cost analysis. These alternatives must be both distinctly different and viable solutions to the issue being addressed. Agencies must choose the most reasonable and cost-effective solution, as supported by the life-cycle cost analysis. A brief description of each project alternative and why it was chosen must be included in the life-cycle cost analysis section of the predesign.

(3) The office of financial management shall: (a) Make available a life-cycle cost model to be used for analysis; (b) in consultation with the department of enterprise services, provide assistance in using the life-cycle cost model; and (c) update the life-cycle cost model annually including assumptions for inflation rates, discount rates, and energy rates.

(4) Agencies shall consider architectural and engineering firms' and general contractors' experience using life-cycle costs, operating costs, and energy efficiency measures when selecting an architectural and engineering firm, or when selecting contractors using alternative contracting methods.

NEW SECTION. Sec. 7006. Agencies administering construction projects with a total anticipated cost in excess of \$5,000,000, or \$10,000,000 for higher education institutions, must submit progress reports to the office of financial management and to the fiscal committees of the house of representatives and senate. "Total anticipated cost" means the sum of the anticipated cost of the predesign, design, and construction phases of the project. Reports must be submitted on July 1st and December 31st of each year in a format determined by the office of financial management. After the project

is completed, agencies must also submit a closeout report that identifies the total project cost and any unspent appropriations.

NEW SECTION. Sec. 7007. (1) Allotments for appropriations in this act shall be provided in accordance with the capital project review requirements adopted by the office of financial management and in compliance with RCW 43.88.110. Projects that will be employing alternative public works construction procedures under chapter 39.10 RCW are subject to the allotment procedures defined in this section and RCW 43.88.110.

(2) Each project is defined as proposed in the legislative budget notes or in the governor's budget document.

NEW SECTION. Sec. 7008. (1) The office of financial management may authorize a transfer of appropriation authority provided for a capital project that is in excess of the amount required for the completion of such project to another capital project for which the appropriation is insufficient. No such transfer may be used to expand the capacity of any facility beyond that intended in making the appropriation. Such transfers may be effected only between capital appropriations to a specific department, commission, agency, or institution of higher education and only between capital projects that are funded from the same fund or account. No transfers may occur between projects to local government agencies except where the grants are provided within a single omnibus appropriation and where such transfers are specifically authorized by the implementing statutes that govern the grants.

(2) The office of financial management may find that an amount is in excess of the amount required for the completion of a project only if: (a) The project as defined in the notes to the budget document is substantially complete and there are funds remaining; or (b) bids have been let on a project and it appears to a substantial certainty that the project as defined in the notes to the budget document can be completed within the biennium for less than the amount appropriated in this act.

(3) For the purposes of this section, the intent is that each project be defined as proposed to the legislature in the governor's budget document, unless it

clearly appears from the legislative history that the legislature intended to define the scope of a project in a different way.

(4) A report of any transfer effected under this section, except emergency projects or any transfer under \$250,000, shall be filed with the fiscal committees of the legislature by the office of financial management at least thirty days before the date the transfer is effected. The office of financial management shall report all emergency or smaller transfers within thirty days from the date of transfer.

NEW SECTION. Sec. 7009. (1) It is expected that projects be ready to proceed in a timely manner depending on the type or phase of the project or program that is the subject of the appropriation in this act. Except for major projects that customarily may take more than two biennia to complete from pre-design to the end of construction, or large infrastructure grant or loan programs supporting projects that often take more than two biennia to complete, the legislature generally does not intend to reappropriate funds more than once, particularly for smaller grant programs, local/community projects, and minor works.

(2) Agencies shall expedite the expenditure of reappropriations and appropriations in this act in order to:

(a) Rehabilitate infrastructure resources; (b) accelerate environmental rehabilitation and restoration projects for the improvement of the state's natural environment; (c) reduce additional costs associated with acquisition and construction inflationary pressures; and (d) provide additional employment opportunities associated with capital expenditures.

(3) To the extent feasible, agencies are directed to accelerate expenditure rates at their current level of permanent employees and shall use contracted design and construction services wherever necessary to meet the goals of this section.

NEW SECTION. Sec. 7010. (1) Any building project that receives over \$10,000,000 in funding from the capital budget must be built to sustainable standards. "Sustainable building" means a building that integrates and optimizes all major high-performance building attributes, including energy efficiency,

durability, life-cycle performance, and occupant productivity, and minimizes greenhouse gas emissions. The following design and construction attributes must be integrated into the building project:

(a) **Employ integrated design principles:** Use a collaborative, integrated planning and design process that initiates and maintains an integrated project team in all stages of a project's planning and delivery. Establish performance goals for siting, energy, water, materials, and indoor environmental quality along with other comprehensive design goals and ensures incorporation of these goals throughout the design and life-cycle of the building. Consider all stages of the building's life-cycle, including deconstruction.

(b) **Commissioning:** Employ commissioning practices tailored to the size and complexity of the building and its system components in order to verify performance of building components and systems and help ensure that design requirements are met. This should include an experienced commissioning provider, inclusion of commissioning requirements in construction documents, a commissioning plan, verification of the installation and performance of systems to be commissioned, and a commissioning report.

(c) **Optimize energy performance:** Establish a whole building performance target that takes into account the intended use, occupancy, operations, plug loads, other energy demands, and design to earn the ENERGY STAR targets for new construction and major renovation where applicable. For new construction target low energy use index. For major renovations, target reducing energy use by 50 percent below prerenovations baseline.

(d) **On-site renewable energy:** Implement renewable energy generation projects on agency property for agency use, when life-cycle cost effective.

(e) **High-efficiency electric equipment:** Use only high-efficiency electric equipment for water and space heating needs not met through on-site renewable energy, when life-cycle cost effective.

(f) **Measurement and verification:** For buildings over 50,000 square feet, install building level electricity meters in new major construction and

renovation projects to track and continuously optimize performance. Include equivalent meters for natural gas and steam, where natural gas and steam are used. Where appropriate, install dashboards inside buildings to display and incentivize occupants on energy use.

(g) Benchmarking: Compare performance data from the first year of operation with the energy design target. Verify that the building performance meets or exceeds the design target. For other building and space types, use an equivalent benchmarking tool.

NEW SECTION. **Sec. 7011.** State agencies, including institutions of higher education, shall allot and report full-time equivalent staff for capital projects in a manner comparable to staff reporting for operating expenditures.

NEW SECTION. **Sec. 7012.** Executive Order No. 21-02, archaeological and cultural resources, was issued effective November 10, 2005. Agencies shall comply with the requirements set forth in this executive order and must consult with the department of archaeology and historic preservation and affected tribes on the potential effects of projects on cultural resources and historic properties proposed in state-funded construction or acquisition projects, including grant or pass-through funding that culminates in construction or land acquisitions. Consultation with the department of archaeology and historic preservation and affected tribes must be initiated early in the project planning process, prior to construction or taking title.

Sec. 7013. RCW 43.19.501 and 2020 c 356 s 7005 are each amended to read as follows:

The Thurston county capital facilities account is created in the state treasury. The account is subject to the appropriation and allotment procedures under chapter 43.88 RCW. Moneys in the account may be expended for capital projects in facilities owned and managed by the department in Thurston county.

During the 2019-2021 and 2021-2023 fiscal (~~biennium~~) biennia, the Thurston county capital facilities account may be appropriated for costs associated with staffing to support capital budget and project activities and lease and facility oversight activities.

NEW SECTION. **Sec. 7014.** FOR THE ARTS COMMISSION—ART WORK ALLOWANCE. (1) One-

half of one percent of moneys appropriated in this act for original construction of school plant facilities is provided solely for the purposes of RCW 28A.335.210.

(2) One-half of one percent of moneys appropriated in this act for original construction or any major renovation or remodel work exceeding \$200,000 by colleges or universities is provided solely for the purposes of RCW 28B.10.027.

(3) One-half of one percent of moneys appropriated in this act for original construction of any public building by a state agency identified in RCW 43.17.200 is provided solely for the purposes of RCW 43.17.200.

(4) At least 80 percent of the moneys spent by the Washington state arts commission during the 2021-2023 biennium for the purposes of RCW 28A.335.210, 28B.10.027, and 43.17.200 must be expended solely for direct acquisition of works of art. Except for art allocations made under K-3 class size reduction grants under section 5030 of this act, art allocations not expended within the ensuing two biennia will lapse. The commission may use up to \$200,000 of this amount to conserve or maintain existing pieces in the state art collection.

NEW SECTION. **Sec. 7015.** To carry out the provisions of this act, the governor may assign responsibility for predesign, design, construction, and other related activities to any appropriate agency.

NEW SECTION. **Sec. 7016.** If any federal moneys appropriated by this act for capital projects are not received by the state, the department or agency to which the moneys were appropriated may replace the federal moneys with funds available from private or local sources. No replacement may occur under this section without the prior approval of the director of financial management in consultation with the senate ways and means committee and the house of representatives capital budget committee.

NEW SECTION. **Sec. 7017.** (1) Unless otherwise stated, for all appropriations under this act that require a match of nonstate money or in-kind contributions, the following requirement, consistent with RCW 43.88.150, shall apply: Expenditures of state money shall be timed so that the state share of project

expenditures never exceeds the intended state share of total project costs.

(2) Provision of the full amount of required matching funds is not required to permit the expenditure of capital budget appropriations for phased projects if a proportional amount of the required matching funds is provided for each distinct, identifiable phase of the project.

NEW SECTION. Sec. 7018. NONTAXABLE AND TAXABLE BOND PROCEEDS. Portions of the appropriation authority granted by this act from the state building construction account, or any other account receiving bond proceeds, may be transferred to the state taxable building construction account as deemed necessary by the state finance committee to comply with the federal internal revenue service rules and regulations pertaining to the use of nontaxable bond proceeds. Portions of the general obligation bond proceeds authorized by chapter . . . (Substitute House Bill No. 1081), Laws of 2021, (State General Bonds and General Accounts) for deposit into the state taxable building construction account that are in excess of amounts required to comply with the federal internal revenue service rules and regulations shall be deposited into the state building construction account. The state treasurer shall submit written notification to the director of financial management if it is determined that a shift of appropriation authority between the state building construction account, or any other account receiving bond proceeds, and the state taxable building construction account is necessary, or that a shift of appropriation authority from the state taxable building construction account to the state building construction account may be made.

NEW SECTION. Sec. 7019. (1) Minor works project lists are single line appropriations that include multiple projects of a similar nature and that are valued between \$25,000 and \$1,000,000 each, with the exception of higher education minor works projects that may be valued up to \$2,000,000. Funds appropriated in this act for minor works may not be initially allotted until agencies submit project lists to the office of financial management for review and approval.

(2) Revisions to the project lists, including the addition of projects and

the transfer of funds between projects, are allowed but must be submitted to the office of financial management, the house of representatives capital budget committee, and the senate ways and means committee for review and comment, and must include an explanation of variances from prior approved lists. Any project list revisions must be approved by the office of financial management before funds may be expended from the minor works appropriation.

(3) (a) All minor works projects should be completed within two years of the appropriation with the funding provided.

(b) Agencies are prohibited from including projects on their minor works lists that are a phase of a larger project, and that if combined over a continuous period of time, would exceed \$1,000,000, or \$2,000,000 for higher education minor works projects.

(c) Minor works appropriations may not be used for the following: Studies, except for technical or engineering reviews or designs that lead directly to and support a project on the same minor works list; planning; design outside the scope of work on a minor works list; movable, temporary, and traditionally funded operating equipment not in compliance with the equipment criteria established by the office of financial management; software not dedicated to control of a specialized system; moving expenses; land or facility acquisition; rolling stock; computers; or to supplement funding for projects with funding shortfalls unless expressly authorized. The office of financial management may make an exception to the limitations described in this subsection (3)(c) for exigent circumstances after notifying the legislative fiscal committees and waiting ten days for comments by the legislature regarding the proposed exception.

(d) Minor works preservation projects may include program improvements of no more than 25 percent of the individual minor works preservation project cost.

(e) Improvements for accessibility in compliance with the Americans with disabilities act may be included in any of the minor works categories.

NEW SECTION. Sec. 7020. FOR THE STATE TREASURER—TRANSFERS

(1) Public Works Assistance Account:
For transfer

to the drinking water assistance account, up to

\$5,500,000 for fiscal year 2022 and up to \$5,500,000 for

fiscal year 2023 \$11,000,000

(2) Public Works Assistance Account: For

transfer to the water pollution control revolving

account, up to \$7,500,000 for fiscal year 2022 and

up to \$7,500,000 for fiscal year 2023 \$15,000,000

(3) Public Works Assistance Account: For transfer to the statewide broadband account, up to \$7,000,000 for fiscal year 2022 and up to \$7,000,000 for fiscal year 2023 \$14,000,000

NEW SECTION. **Sec. 7021.** To the extent that any appropriation authorizes expenditures of state funds from the state building construction account, or from any other capital project account in the state treasury, for a capital project or program that is specified to be funded with proceeds from the sale of bonds, the legislature declares that any such expenditures for that project or program made prior to the issue date of the applicable bonds are intended to be reimbursed from proceeds of those bonds in a maximum amount equal to the amount of such appropriation.

NEW SECTION. **Sec. 7022.** In order to accelerate the reduction of embodied carbon and improve the environmental performance of construction materials, agencies shall, whenever possible, review and consider embodied carbon reported in environmental product declarations when evaluating proposed structural materials for construction projects.

NEW SECTION. **Sec. 7023.** The joint legislative task force created in 2018 c 298 s 7011 (uncodified) is hereby reauthorized through June 30, 2023, subject to the requirements that studies and selection of scientists or organizations to implement the studies must be made by a 60 percent majority of the members of the task force and that if a member has not been designated for a position set forth in section 7011(2), chapter 298, Laws of 2018 (uncodified), that position may not be counted for purposes of determining a quorum.

Sec. 7024. RCW 90.94.090 and 2019 c 413 s 7035 are each reenacted and amended to read as follows:

(1) A joint legislative task force on water resource mitigation is established to review the treatment of surface water and groundwater appropriations as they relate to instream flows and fish habitat, to develop and recommend a mitigation sequencing process and scoring system to address such appropriations, and to review the Washington supreme court decision in *Foster v. Department of Ecology*, 184 Wn.2d 465, 362 P.3d 959 (2015).

(2) The task force must consist of the following members:

(a) Two members from each of the two largest caucuses of the senate, appointed by the president of the senate;

(b) Two members from each of the two largest caucuses of the house of representatives, appointed by the speaker of the house of representatives;

(c) A representative from the department, appointed by the director of the department;

(d) A representative from the department of fish and wildlife, appointed by the director of the department of fish and wildlife;

(e) A representative from the department of agriculture, appointed by the director of the department of agriculture;

(f) One representative from each of the following groups, appointed by the consensus of the cochairs of the task force:

(i) An organization representing the farming industry in Washington;

(ii) An organization representing Washington cities;

(iii) Two representatives from an environmental advocacy organization or organizations;

(iv) An organization representing municipal water purveyors;

(v) An organization representing business interests;

(vi) Representatives of two federally recognized Indian tribes, one invited by recommendation of the Northwest Indian fisheries commission, and one invited by

recommendation of the Columbia river intertribal fish commission.

(3) If a member has not been designated for a position set forth in subsection (2) of this section, that position may not be counted for purposes of determining a quorum.

(4) One cochair of the task force must be a member of the majority caucus of one chamber of the legislature, and one cochair must be a member of the minority caucus of the other chamber of the legislature, as those caucuses existed as of January 19, 2018.

(5) The first meeting of the task force must occur by June 30, 2018.

(6) Staff support for the task force must be provided by the office of program research and senate committee services. The department and the department of fish and wildlife shall cooperate with the task force and provide information as the cochairs reasonably request.

(7) Within existing appropriations, the expenses of the operations of the task force, including the expenses associated with the task force's meetings, must be paid jointly and in equal amounts by the senate and the house of representatives. Task force expenditures are subject to approval by the house executive rules committee and the senate facility and operations committee. Legislative members of the task force are reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW.

(8)(a) By November 15, 2019, and November 15, 2022, the joint legislative task force must make recommendations to the legislature in compliance with RCW 43.01.036. ~~((The task force may update its November 15, 2019, recommendations by November 15, 2020, if a majority of the members of the task force determine that such an update is appropriate based on additional information developed as a result of the pilot projects established under subsection (9) of this section.))~~

(b) Recommendations of the joint legislative task force must be made by a sixty percent majority of the appointed

members of the task force. The representatives of the departments of fish and wildlife, ecology, and agriculture are not eligible to vote on the recommendations. Minority recommendations that achieve the support of at least five of the appointed voting members of the task force may also be submitted to the legislature.

(9) The department shall issue permit decisions for up to five water resource mitigation pilot projects. It is the intent of the legislature to use the pilot projects to inform the legislative task force process while also enabling the processing of water right applications that address water supply needs. The department is authorized to issue permits in reliance upon water resource mitigation of impacts to instream flows and closed surface water bodies under the following mitigation sequence:

(a) Avoiding impacts by: (i) Complying with mitigation required by adopted rules that set forth minimum flows, levels, or closures; or (ii) making the water diversion or withdrawal subject to the applicable minimum flows or levels; or

(b) Where avoidance of impacts is not reasonably attainable, minimizing impacts by providing permanent new or existing trust water rights or through other types of replacement water supply resulting in no net annual increase in the quantity of water diverted or withdrawn from the stream or surface water body and no net detrimental impacts to fish and related aquatic resources; or

(c) Where avoidance and minimization are not reasonably attainable, compensating for impacts by providing net ecological benefits to fish and related aquatic resources in the water resource inventory area through in-kind or out-of-kind mitigation or a combination thereof, that improves the function and productivity of affected fish populations and related aquatic habitat. Out-of-kind mitigation may include instream or out-of-stream measures that improve or enhance existing water quality, riparian habitat, or other instream functions and values for which minimum instream flows or closures were established in that watershed.

(10) The department must monitor the implementation of the pilot projects, including all mitigation associated with each pilot project, approved under this

section at least annually through December 31, 2028.

(11) The pilot projects eligible for processing under this section, based on criteria as of January 19, 2018, include:

(a) A city operating a group A water system in Kitsap county and water resource inventory area 15, with a population between 13,000 and 14,000;

(b) A city operating a group A water system in Pierce county and water resource inventory area 10, with a population between 9,500 and 10,500;

(c) A city operating a group A water system in Thurston county and water resource inventory area 11, with a population between 8,500 and 9,500;

(d) A nonprofit mutual water system operating a group A water system in Pierce county and water resource inventory area 12, with between 10,500 and 11,500 service connections; and

(e) An irrigation district located in Whatcom county and water resource inventory area 1, solely for the purpose of processing changes of water rights from surface water to groundwater, and implementing flow augmentation to benefit instream flows.

(12) Water right applicants eligible to be processed under this pilot project authority must elect to be included in the pilot project review by notifying the department by July 1, 2018. Once an applicant notifies the department of its intent to be processed under this pilot project authority, subsection (9) of this section applies to final decisions issued by the department, even if such a final decision is issued after the expiration of this section.

(13) By November 15, 2018, the department must furnish the task force with information on conceptual mitigation plans for each water resource mitigation pilot project application. By November 15, 2019, and November 15, 2022, the department must provide the task force with an update on the mitigation plans based on additional information developed after November 15, 2018.

(14) To ensure that the processing of pilot project applications can inform the task force process in a timely manner, the department must expedite processing of applications for water resource mitigation pilot projects. The applicant for each pilot project must reimburse the

department for the department's costs of processing the applicant's application.

(15) The water resource mitigation pilot project authority granted to the department does not affect or modify any other procedural requirements of chapter 90.03, 90.44, or 90.54 RCW that apply to the processing of such applications.

(16) The joint legislative task force expires December 31, ~~((2020))~~ 2022. During the period from November 16, 2019, through December 31, ~~((2020))~~ 2022, the work of the task force is limited to:

(a) A review of any additional information that may be developed after November 15, 2019, as a result of the pilot projects established under subsection (9) of this section; and

(b) An update of the task force's November 15, 2019, recommendations ~~((under subsection (8) of this section))~~.

(17) This section expires January 1, 2029.

Sec. 7025. RCW 28B.15.210 and 2019 c 413 s 7023 are each amended to read as follows:

Within thirty-five days from the date of collection thereof, all building fees at the University of Washington, including building fees to be charged students registering in the schools of medicine and dentistry, shall be paid into the state treasury and credited as follows:

One-half or such larger portion as may be necessary to prevent a default in the payments required to be made out of the bond retirement fund to the "University of Washington bond retirement fund" and the remainder thereof to the "University of Washington building account." The sum so credited to the University of Washington building account shall be used exclusively for the purpose of erecting, altering, maintaining, equipping, or furnishing buildings, and for certificates of participation under chapter 39.94 RCW, except for any sums transferred as authorized in RCW 28B.20.725(3). The sum so credited to the University of Washington bond retirement fund shall be used for the payment of principal of and interest on bonds outstanding as provided by chapter 28B.20 RCW except for any sums transferred as authorized in RCW 28B.20.725(5). ~~((During the 2017-2019 biennium, sums credited to the University of Washington~~

~~building account may also be used for routine facility maintenance, utility costs, and facility condition assessments.))~~ During the 2019-2021 biennium, sums credited to the University of Washington building account may also be used for routine facility maintenance, utility costs, and facility condition assessments. During the 2021-2023 biennium, sums credited to the University of Washington building account may also be used for routine facility maintenance, utility costs, and facility condition assessments.

Sec. 7026. RCW 28B.15.310 and 2019 c 413 s 7024 are each amended to read as follows:

Within thirty-five days from the date of collection thereof, all building fees shall be paid and credited as follows: To the Washington State University bond retirement fund, one-half or such larger portion as may be necessary to prevent a default in the payments required to be made out of such bond retirement fund; and the remainder thereof to the Washington State University building account.

The sum so credited to the Washington State University building account shall be expended by the board of regents for buildings, equipment, or maintenance on the campus of Washington State University as may be deemed most advisable and for the best interests of the university, and for certificates of participation under chapter 39.94 RCW, except for any sums transferred as authorized by law. ~~((During the 2017-2019 biennium, sums credited to the Washington State University building account may also be used for routine facility maintenance, utility costs, and facility condition assessments.))~~ During the 2019-2021 biennium, sums credited to the Washington State University building account may also be used for routine facility maintenance, utility costs, and facility condition assessments. During the 2021-2023 biennium, sums credited to the Washington State University building account may also be used for routine facility maintenance, utility costs, and facility condition assessments. Expenditures so made shall be accounted for in accordance with existing law and shall not be expended until appropriated by the legislature.

The sum so credited to the Washington State University bond retirement fund shall be used to pay and secure the

payment of the principal of and interest on building bonds issued by the university, except for any sums which may be transferred out of such fund as authorized by law.

Sec. 7027. RCW 28B.20.725 and 2019 c 413 s 7025 are each amended to read as follows:

The board is hereby empowered:

(1) To reserve the right to issue bonds later on a parity with any bonds being issued;

(2) To authorize the investing of moneys in the bond retirement fund and any reserve account therein;

(3) To authorize the transfer of money from the University of Washington building account to the bond retirement fund when necessary to prevent a default in the payments required to be made out of such fund;

(4) To create a reserve account or accounts in the bond retirement fund to secure the payment of the principal of and interest on any bonds;

(5) To authorize the transfer to the University of Washington building account of any money on deposit in the bond retirement fund in excess of debt service for a period of three years from the date of such transfer on all outstanding bonds payable out of such fund. ~~((However, during the 2017-2019 fiscal biennium, the legislature may transfer to the University of Washington building account moneys that are in excess of the debt service due within the 2017-2019 fiscal biennium from the date of such transfer on all outstanding bonds payable out of the bond retirement fund.))~~ However, during the 2019-2021 fiscal biennium, the legislature may transfer to the University of Washington building account moneys that are in excess of the debt service due within the 2019-2021 fiscal biennium from the date of such transfer on all outstanding bonds payable out of the bond retirement fund. However, during the 2021-2023 fiscal biennium, the legislature may transfer to the University of Washington building account moneys that are in excess of the debt service due within the 2021-2023 fiscal biennium from the date of such transfer on all outstanding bonds payable out of the bond retirement fund.

Sec. 7028. RCW 28B.30.750 and 2019 c 413 s 7026 are each amended to read as follows:

The board is hereby empowered:

(1) To reserve the right to issue bonds later on a parity with any bonds being issued;

(2) To authorize the investing of moneys in the bond retirement fund and any reserve account therein;

(3) To authorize the transfer of money from the Washington State University building account to the bond retirement fund when necessary to prevent a default in the payments required to be made out of such fund;

(4) To create a reserve account or accounts in the bond retirement fund to secure the payment of the principal of and interest on any bonds;

(5) To authorize the transfer to the Washington State University building account of any money on deposit in the bond retirement fund in excess of debt service for a period of three years from the date of such transfer on all outstanding bonds payable out of such fund. ~~((However, during the 2017-2019 fiscal biennium, the legislature may transfer to the Washington State University building account moneys that are in excess of the debt service due within the 2017-2019 fiscal biennium from the date of such transfer on all outstanding bonds payable out of the bond retirement fund.))~~ However, during the 2019-2021 fiscal biennium, the legislature may transfer to the Washington State University building account moneys that are in excess of the debt service due within the 2019-2021 fiscal biennium from the date of such transfer on all outstanding bonds payable out of the bond retirement fund. However, during the 2021-2023 fiscal biennium, the legislature may transfer to the Washington State University building account moneys that are in excess of the debt service due within the 2021-2023 fiscal biennium from the date of such transfer on all outstanding bonds payable out of the bond retirement fund.

Sec. 7029. RCW 28B.35.370 and 2019 c 413 s 7027 are each amended to read as follows:

Within thirty-five days from the date of collection thereof all building fees of each regional university and The

Evergreen State College shall be paid into the state treasury and these together with such normal school fund revenues as provided in RCW 28B.35.751 as are received by the state treasury shall be credited as follows:

(1) On or before June 30th of each year the board of trustees of each regional university and The Evergreen State College, if issuing bonds payable out of its building fees and above described normal school fund revenues, shall certify to the state treasurer the amounts required in the ensuing twelve months to pay and secure the payment of the principal of and interest on such bonds. The amounts so certified by each regional university and The Evergreen State College shall be a prior lien and charge against all building fees and above described normal school fund revenues of such institution. The state treasurer shall thereupon deposit the amounts so certified in the Eastern Washington University capital projects account, the Central Washington University capital projects account, the Western Washington University capital projects account, or The Evergreen State College capital projects account respectively, which accounts are hereby created in the state treasury. The amounts deposited in the respective capital projects accounts shall be used to pay and secure the payment of the principal of and interest on the building bonds issued by such regional universities and The Evergreen State College as authorized by law. If in any twelve-month period it shall appear that the amount certified by any such board of trustees is insufficient to pay and secure the payment of the principal of and interest on the outstanding building and above described normal school fund revenue bonds of its institution, the state treasurer shall notify the board of trustees and such board shall adjust its certificate so that all requirements of moneys to pay and secure the payment of the principal of and interest on all such bonds then outstanding shall be fully met at all times.

(2) All normal school fund revenue pursuant to RCW 28B.35.751 shall be deposited in the Eastern Washington University capital projects account, the Central Washington University capital projects account, the Western Washington University capital projects account, or The Evergreen State College capital projects account respectively, which

accounts are hereby created in the state treasury. The sums deposited in the respective capital projects accounts shall be appropriated and expended to pay and secure the payment of the principal of and interest on bonds payable out of the building fees and normal school revenue and for the construction, reconstruction, erection, equipping, maintenance, demolition and major alteration of buildings and other capital assets, and the acquisition of sites, rights-of-way, easements, improvements or appurtenances in relation thereto except for any sums transferred therefrom as authorized by law. (~~During the 2017-2019 biennium, sums in the respective capital accounts may also be used for routine facility maintenance, utility costs, and facility condition assessments.~~) During the 2019-2021 biennium, sums in the respective capital accounts may also be used for routine facility maintenance, utility costs, and facility condition assessments. During the 2021-2023 biennium, sums in the respective capital accounts may also be used for routine facility maintenance, utility costs, and facility condition assessments.

(3) Funds available in the respective capital projects accounts may also be used for certificates of participation under chapter 39.94 RCW.

Sec. 7030. RCW 28B.50.360 and 2019 c 413 s 7028 are each amended to read as follows:

Within thirty-five days from the date of start of each quarter all collected building fees of each such community and technical college shall be paid into the state treasury, and shall be credited as follows:

(1) On or before June 30th of each year the college board, if issuing bonds payable out of building fees, shall certify to the state treasurer the amounts required in the ensuing twelve-month period to pay and secure the payment of the principal of and interest on such bonds. The state treasurer shall thereupon deposit the amounts so certified in the community and technical college capital projects account. Such amounts of the funds deposited in the community and technical college capital projects account as are necessary to pay and secure the payment of the principal of and interest on the building bonds issued by the college board as authorized by this chapter shall be devoted to that

purpose. If in any twelve-month period it shall appear that the amount certified by the college board is insufficient to pay and secure the payment of the principal of and interest on the outstanding building bonds, the state treasurer shall notify the college board and such board shall adjust its certificate so that all requirements of moneys to pay and secure the payment of the principal and interest on all such bonds then outstanding shall be fully met at all times.

(2) The community and technical college capital projects account is hereby created in the state treasury. The sums deposited in the capital projects account shall be appropriated and expended to pay and secure the payment of the principal of and interest on bonds payable out of the building fees and for the construction, reconstruction, erection, equipping, maintenance, demolition and major alteration of buildings and other capital assets owned by the state board for community and technical colleges in the name of the state of Washington, and the acquisition of sites, rights-of-way, easements, improvements or appurtenances in relation thereto, engineering and architectural services provided by the department of enterprise services, and for the payment of principal of and interest on any bonds issued for such purposes. (~~During the 2017-2019 biennium, sums in the capital projects account may also be used for routine facility maintenance and utility costs.~~) During the 2019-2021 biennium, sums in the capital projects account may also be used for routine facility maintenance and utility costs. During the 2021-2023 biennium, sums in the capital projects account may also be used for routine facility maintenance and utility costs.

(3) Funds available in the community and technical college capital projects account may also be used for certificates of participation under chapter 39.94 RCW.

Sec. 7031. RCW 43.155.050 and 2019 c 415 s 972 and 2019 c 413 s 7033 are each reenacted and amended to read as follows:

The public works assistance account is hereby established in the state treasury. Money may be placed in the public works assistance account from the proceeds of bonds when authorized by the legislature or from any other lawful source. Money in the public works assistance account shall be used to make loans and grants and to

give financial guarantees to local governments for public works projects. Moneys in the account may also be appropriated or transferred to the water pollution control revolving fund and the drinking water assistance account to provide for state match requirements under federal law. Not more than twenty percent of the biennial capital budget appropriation to the public works board from this account may be expended or obligated for preconstruction loans and grants, emergency loans and grants, or loans and grants for capital facility planning under this chapter. Not more than ten percent of the biennial capital budget appropriation to the public works board from this account may be expended or obligated as grants for preconstruction, emergency, capital facility planning, and construction projects. During the 2017-2019 and 2019-2021 fiscal biennia, the legislature may appropriate moneys from the account for activities related to rural economic development, the growth management act, the aviation revitalization loan program, the community economic revitalization board broadband program, and the voluntary stewardship program. During the 2021-2023 biennium, the legislature may appropriate moneys from the account for activities related to the aviation revitalization board. During the 2017-2019 and 2019-2021 fiscal biennia, the legislature may direct the state treasurer to make transfers of moneys in the public works assistance account to the education legacy trust account. It is the intent of the legislature that this policy will be continued in subsequent fiscal biennia. ~~((If chapter 365, Laws of 2019 (Second Substitute Senate Bill No. 5511, broadband service) is enacted by June 30, 2019, then during))~~ During the 2019-2021 and 2021-2023 fiscal ~~((biennium))~~ biennia, the legislature may direct the state treasurer to make transfers of moneys in the public works assistance account to the statewide broadband account.

Sec. 7032. RCW 43.185.050 and 2018 c 223 s 4 are each amended to read as follows:

(1) The department must use moneys from the housing trust fund and other legislative appropriations to finance in whole or in part any loans or grant projects that will provide housing for persons and families with special housing needs and with incomes at or below fifty

percent of the median family income for the county or standard metropolitan statistical area where the project is located. At least thirty percent of these moneys used in any given funding cycle must be for the benefit of projects located in rural areas of the state as defined by the department. If the department determines that it has not received an adequate number of suitable applications for rural projects during any given funding cycle, the department may allocate unused moneys for projects in nonrural areas of the state.

(2) Activities eligible for assistance from the housing trust fund and other legislative appropriations include, but are not limited to:

(a) New construction, rehabilitation, or acquisition of low and very low-income housing units;

(b) Rent subsidies;

(c) Matching funds for social services directly related to providing housing for special-need tenants in assisted projects;

(d) Technical assistance, design and finance services and consultation, and administrative costs for eligible nonprofit community or neighborhood-based organizations;

(e) Administrative costs for housing assistance groups or organizations when such grant or loan will substantially increase the recipient's access to housing funds other than those available under this chapter;

(f) Shelters and related services for the homeless, including emergency shelters and overnight youth shelters;

(g) Mortgage subsidies, including temporary rental and mortgage payment subsidies to prevent homelessness;

(h) Mortgage insurance guarantee or payments for eligible projects;

(i) Down payment or closing cost assistance for eligible first-time home buyers;

(j) Acquisition of housing units for the purpose of preservation as low-income or very low-income housing;

(k) Projects making housing more accessible to families with members who have disabilities; and

(1) Remodeling and improvements as required to meet building code, licensing requirements, or legal operations to residential properties owned and operated by an entity eligible under RCW 43.185A.040, which were transferred as described in RCW 82.45.010(3)(t) by the parent of a child with developmental disabilities.

(3) Preference must be given for projects that include an early learning facility.

(4) Legislative appropriations from capital bond proceeds may be used only for the costs of projects authorized under subsection (2)(a), (i), and (j) of this section, and not for the administrative costs of the department, except that during the 2021-2023 fiscal biennium, the department may use up to three percent of the appropriations from capital bond proceeds for administrative costs associated with application, distribution, and project development activities of the housing assistance program.

(5) Moneys from repayment of loans from appropriations from capital bond proceeds may be used for all activities necessary for the proper functioning of the housing assistance program except for activities authorized under subsection (2)(b) and (c) of this section.

(6) Administrative costs associated with application, distribution, and project development activities of the department may not exceed three percent of the annual funds available for the housing assistance program. Reappropriations must not be included in the calculation of the annual funds available for determining the administrative costs.

(7) Administrative costs associated with compliance and monitoring activities of the department may not exceed one-quarter of one percent annually of the contracted amount of state investment in the housing assistance program.

Sec. 7033. RCW 43.155.150 and 2017 3rd sp.s. c 10 s 11 are each amended to read as follows:

(1) An interagency, multi-jurisdictional system improvement team must identify, implement, and report on system improvements that achieve the designated outcomes, including:

(a) Projects that maximize value, minimize overall costs and disturbance to the community, and ensure long-term durability and resilience;

(b) Projects that are designed to meet the unique needs of each community, rather than the needs of particular funding programs;

(c) Project designs that maximize long-term value by fully considering and responding to anticipated long-term environmental, technological, economic and population changes;

(d) The flexibility to innovate, including utilizing natural systems, addressing multiple regulatory drivers, and forming regional partnerships;

(e) The ability to plan and collaborate across programs and jurisdictions so that different investments are packaged to be complementary, timely, and responsive to economic and community opportunities;

(f) The needed capacity for communities, appropriate to their unique financial, planning, and management capacities, so they can design, finance, and build projects that best meet their long-term needs and minimize costs;

(g) Optimal use and leveraging of federal and private infrastructure dollars; and

(h) Mechanisms to ensure periodic, system-wide review and ongoing achievement of the designated outcomes.

(2) The system improvement team must consist of representatives of state infrastructure programs that provide funding for drinking water, wastewater, ~~((and))~~ stormwater, and broadband programs, including but not limited to representatives from the public works board, department of ecology, department of health, and the department of commerce. The system improvement team may invite representatives of other infrastructure programs, such as transportation ~~((and))~~, energy, and broadband, as needed in order to achieve efficiency, minimize costs, and maximize value across infrastructure programs. The system improvement team shall also consist of representatives of users of those programs, representatives of infrastructure project builders, and other parties the system improvement team determines would contribute to achieving the desired outcomes, including but not

limited to representatives from a state association of cities, a state association of counties, a state association of public utility districts, a state association of water and sewer districts, a state association of general contractors, and a state organization representing building trades. The public works board, a representative from the department of ecology, department of health, and department of commerce shall facilitate the work of the system improvement team.

(3) The system improvement team must focus on achieving the designated outcomes within existing program structures and authorities. The system improvement team shall use lean practices to achieve the designated outcomes.

(4) The system improvement team shall provide briefings as requested to the public works board on the current state of infrastructure programs to build an understanding of the infrastructure investment program landscape and the interplay of its component parts.

(5) If the system improvement team encounters statutory or regulatory barriers to system improvements, the system improvement team must inform the public works board and consult on possible solutions. When achieving the designated outcomes would be best served through changes in program structures or authorities, the system improvement team must report those findings to the public works board.

(6) By September 1, 2022, in compliance with RCW 43.01.036, the system improvement team must submit a report to the appropriate committees of the legislature that includes the following:

(a) A list of all projects funded by members of the system improvement team;

(b) A description of the coordination the system improvement team has completed with other grant programs and funds leveraged; and

(c) A description of regional planning that has occurred.

(7) This section expires June 30, (~~2021~~) 2025.

Sec. 7034. RCW 43.88D.010 and 2019 c 413 s 7032 are each amended to read as follows:

(1) By October 1st of each even-numbered year, the office of financial

management shall complete an objective analysis and scoring of all capital budget projects proposed by the public four-year institutions of higher education and submit the results of the scoring process to the legislative fiscal committees and the four-year institutions. Each project must be reviewed and scored within one of the following categories, according to the project's principal purpose. Each project may be scored in only one category. The categories are:

(a) Access-related projects to accommodate enrollment growth at all campuses, at existing or new university centers, or through distance learning. Growth projects should provide significant additional student capacity. Proposed projects must demonstrate that they are based on solid enrollment demand projections, more cost-effectively provide enrollment access than alternatives such as university centers and distance learning, and make cost-effective use of existing and proposed new space;

(b) Projects that replace failing permanent buildings. Facilities that cannot be economically renovated are considered replacement projects. New space may be programmed for the same or a different use than the space being replaced and may include additions to improve access and enhance the relationship of program or support space;

(c) Projects that renovate facilities to restore building life and upgrade space to meet current program requirements. Renovation projects should represent a complete renovation of a total facility or an isolated wing of a facility. A reasonable renovation project should cost between sixty to eighty percent of current replacement value and restore the renovated area to at least twenty-five years of useful life. New space may be programmed for the same or a different use than the space being renovated and may include additions to improve access and enhance the relationship of program or support space;

(d) Major stand-alone campus infrastructure projects;

(e) Projects that promote economic growth and innovation through expanded research activity. The acquisition and installation of specialized equipment is authorized under this category; and

(f) Other project categories as determined by the office of financial management in consultation with the legislative fiscal committees.

(2) The office of financial management, in consultation with the legislative fiscal committees, shall establish a scoring system and process for each four-year project category that is based on the framework used in the community and technical college system of prioritization. Staff from the state board for community and technical colleges and the four-year institutions shall provide technical assistance on the development of a scoring system and process.

(3) The office of financial management shall consult with the legislative fiscal committees in the scoring of four-year institution project proposals, and may also solicit participation by independent experts.

(a) For each four-year project category, the scoring system must, at a minimum, include an evaluation of enrollment trends, reasonableness of cost, the ability of the project to enhance specific strategic master plan goals, age and condition of the facility if applicable, and impact on space utilization.

(b) Each four-year project category may include projects at the predesign, design, or construction funding phase.

(c) To the extent possible, the objective analysis and scoring system of all capital budget projects shall occur within the context of any and all performance agreements between the office of financial management and the governing board of a public, four-year institution of higher education that aligns goals, priorities, desired outcomes, flexibility, institutional mission, accountability, and levels of resources.

(4) In evaluating and scoring four-year institution projects, the office of financial management shall take into consideration project schedules that result in realistic, balanced, and predictable expenditure patterns over the ensuing three biennia.

(5) The office of financial management shall distribute common definitions, the scoring system, and other information required for the project proposal and scoring process as part of its biennial

budget instructions. The office of financial management, in consultation with the legislative fiscal committees, shall develop common definitions that four-year institutions must use in developing their project proposals and lists under this section.

(6) In developing any scoring system for capital projects proposed by the four-year institutions, the office of financial management:

(a) Shall be provided with all required information by the four-year institutions as deemed necessary by the office of financial management;

(b) May utilize independent services to verify, sample, or evaluate information provided to the office of financial management by the four-year institutions; and

(c) Shall have full access to all data maintained by the joint legislative audit and review committee concerning the condition of higher education facilities.

(7) By August 1st of each even-numbered year each public four-year higher education institution shall prepare and submit prioritized lists of the individual projects proposed by the institution for the ensuing six-year period in each category. The lists must be submitted to the office of financial management and the legislative fiscal committees. The four-year institutions may aggregate minor works project proposals by primary purpose for ranking purposes. Proposed minor works projects must be prioritized within the aggregated proposal, and supporting documentation, including project descriptions and cost estimates, must be provided to the office of financial management and the legislative fiscal committees.

(8) For the ~~((2017-2019 fiscal biennium and the))~~ 2019-2021 fiscal biennium and the 2021-2023 fiscal biennium, pursuant to subsection (1) of this section, by November 1, ~~((2020))~~ 2022, the office of financial management must score higher education capital project criteria with a rating scale that assesses how well a particular project satisfies those criteria. The office of financial management may not use a rating scale that weighs the importance of those criteria.

(9) For the ~~((2017-2019 fiscal biennium and the))~~ 2019-2021 fiscal

biennium and the 2021-2023 fiscal biennium, pursuant to subsection (6) (a) of this section and in lieu of the requirements of subsection (7) of this section, by August 15, (~~2020~~) 2022, the institutions of higher education shall prepare and submit or resubmit to the office of financial management and the legislative fiscal committees:

(a) Individual project proposals developed pursuant to subsection (1) of this section;

(b) Individual project proposals scored in prior biennia pursuant to subsection (1) of this section; and

(c) A prioritized list of up to five project proposals submitted pursuant to (a) and (b) of this subsection.

NEW SECTION. Sec. 7035. The public use general aviation airport loan revolving account is created in the custody of the state treasurer. All receipts from moneys directed by law to the account must be deposited into the account. Expenditures from the account may be used only for the purposes described in section 7036 of this act. Only the community aviation revitalization board or the board's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

NEW SECTION. Sec. 7036. (1) (a) The community aviation revitalization board is established to exercise the powers granted under this section.

(b) The board must consist of a representative from the department of transportation's aviation division, the public works board, and a nonlegislative member of the community economic revitalization board. The board must also consist of the following members appointed by the secretary of transportation: One port district official, one county official, one city official, one representative of airport managers, and one representative of a general aviation pilots organization within Washington that has an active membership and established location, chapter, or appointed representative within Washington. The appointive members must initially be appointed to terms as follows: Two members for two-year terms, and three members for three-year terms that must include the chair. Thereafter, each succeeding term must be

for three years. The secretary of transportation must select the chair of the board. The members of the board must elect one of their members to serve as vice chair.

(c) The department of transportation must provide management services, including fiscal and contract services, to assist the board in implementing this section.

(d) If a vacancy occurs by death, resignation, or otherwise of appointive members of the board, the secretary of transportation must fill the vacancy for the unexpired term. Members of the board may be removed for malfeasance or misfeasance in office, upon specific written charges by the secretary of transportation, under chapter 34.05 RCW.

(e) A member appointed by the secretary of transportation may not be absent from more than 50 percent of the regularly scheduled meetings in any one calendar year. Any member who exceeds this absence limitation has withdrawn from the board and may be replaced by the secretary of transportation.

(f) A majority of members currently appointed constitutes a quorum.

(g) The board must meet three times a year or as deemed necessary by the department of transportation.

(h) The department of transportation must provide staff support as needed.

(2) In addition to other applicable provisions of law pertaining to conflicts of interest of public officials, any community aviation revitalization board member, appointive or otherwise, may not participate in any decision on any board contract in which the board member has any interests, direct or indirect, with any firm, partnership, corporation, or association that would be the recipient of any aid under this section. If such participation occurs, the board must void the transaction and the involved member is subject to further sanctions as provided by law. The board must adopt a code of ethics for its members, which must be designed to protect the state and its citizens from any unethical conduct by the board.

(3) The community aviation revitalization board may:

(a) Adopt bylaws for the regulation of its affairs and the conduct of its business;

(b) Adopt an official seal and alter the seal at its pleasure;

(c) Use the services of other governmental agencies;

(d) Accept from any federal agency loans or grants for the planning or financing of any project and enter into an agreement with the agency respecting the loans or grants;

(e) Conduct examinations and investigations and take testimony at public hearings of any matter material for its information that will assist in determinations related to the exercise of the board's lawful powers;

(f) Accept any gifts, grants, loans of funds, property, or financial or other aid in any form from any other source on any terms and conditions that are not in conflict with this section;

(g) Enter into agreements or other transactions with and accept grants and cooperation from any governmental agency in furtherance of this section;

(h) Adopt rules under chapter 34.05 RCW as necessary to carry out the purposes of this section; and

(i) Perform all acts and things necessary or convenient to carry out the powers expressly granted or implied under this section.

(4)(a)(i) The community aviation revitalization board may make direct loans to airport sponsors of public use airports in the state for the purpose of airport improvements that primarily support general aviation activities. The board may provide loans for the purpose of airport improvements only if the state is receiving commensurate public benefit, which must include, as a condition of the loan, a commitment to provide public access to the airport for a period of time equivalent to one and one-half times the term of the loan.

(ii) For purposes of this subsection (4)(a), "public use airports" means all public use airports not listed as having more than \$75,000 annual commercial air service passenger enplanements as published by the federal aviation administration.

(b) An application for loan funds under this section must be made in the form and manner that the board prescribes. When evaluating loan applications, the board must prioritize

applications that provide conclusive justification that completion of the loan application project will create revenue-generating opportunities. The board is not limited to, but must also use, the following expected outcome conditions when evaluating loan applications:

(i) A specific private development or expansion is ready to occur and will occur only if the aviation facility improvement is made;

(ii) The loan application project results in the creation of jobs or private sector capital investment as determined by the board;

(iii) The loan application project improves opportunities for the successful maintenance, operation, or expansion of an airport or adjacent airport business park;

(iv) The loan application project results in the creation or retention of long-term economic opportunities; and

(v) The loan application project results in leveraging additional federal funding for an airport.

(c)(i) If the board chooses to require a local match, the board must develop guidelines for local participation and allowable match and activities.

(ii) An application must:

(A) Be supported by the port district, city, or county in which the project is located; or

(B) Clearly identify the source of funds intended to repay the loan.

(5) The public use general aviation airport loan program, when authorized by the community aviation revitalization board, is subject to the following conditions:

(a) The moneys in the public use general aviation airport loan revolving account created in section 7035 of this act must be used only to fulfill commitments arising from loans authorized in this section. The total outstanding amount that the board must disburse at any time pursuant to this section must not exceed the moneys available from the account.

(b) On contracts made for public use general aviation airport loans, the board must determine the interest rate that loans must bear. The interest rate must not exceed the amount needed to cover the

administrative expenses of the board and the loan program. The board may provide reasonable terms and conditions for the repayment of loans, with the repayment of a loan to begin no later than three years after the award date of the loan. The loans must not exceed 20 years in duration.

(c) The repayment of any loan made from the public use general aviation airport loan revolving account under the contracts for aviation loans must be paid into the public use general aviation airport loan revolving account.

(6) All receipts from moneys collected under this section must be deposited into the public use general aviation airport loan revolving account.

NEW SECTION. Sec. 7037. Sections 7035 and 7036 of this act do not take effect if chapter . . . (Senate Bill 5031), Laws of 2021 (community aviation revitalization loan program) is enacted by June 30, 2021.

NEW SECTION. Sec. 7038. The state board for community and technical colleges shall report to the fiscal committees of the legislature by December 15, 2021, on alternative methods of prioritizing and presenting the list of requested capital projects for community and technical colleges in the 2023-2025 fiscal biennium. This report shall take into consideration: (a) The need to balance long term community and technical college system planning and growth management priorities; (b) the need to balance major capital project requests for design and construction funding, given the fiscal impact of funded design projects on the state's capital budget; and (c) the need to balance state funding between design and construction to meet the community and technical colleges' priorities. The alternative methods included in the report may include, but are not limited to, the following concepts:

(1) Separately ranking the following types of requests for project funding: (a) Requests for major projects' construction phase, including those projects for which design and construction funding are requested together to facilitate alternative public works contracting procedures pursuant to chapter 39.10 RCW; (b) requests solely for the design phase of major projects; and (c) requests for minor works funding; and

(2) Requiring that the number of major project funding requests that are solely for the design phase may not exceed the number of major projects funding requests that include funding for the construction phase.

Sec. 7039. RCW 43.330.520 and 2019 c 404 s 2 are each amended to read as follows:

(1) The department must produce a biennial report identifying a list of projects to address incompatible developments near military installations.

(a) The list must include a description of each project, the estimated cost of the project, the amount of recommended state funding, and the amount of any federal or local funds documented to be available to be used for the project.

(b) Projects on the list must be prioritized with consideration given to:

(i) The recommendations of the recent United States department of defense base realignment and closure (BRAC) processes, joint land use studies, or other federally initiated land use processes; and

(ii) Whether a branch of the United States armed forces has identified the project as increasing the viability of military installations for current or future missions.

(c) The department may consult with the commanders of United States military installations in Washington to understand impacts and identify the viability of community identified projects to reduce incompatibility.

(2) The department must submit the report to appropriate committees of the house of representatives and the senate, including the joint committee on veterans' and military affairs and the house of representatives capital budget committee, by January 1, 2020, and every two years thereafter.

(3) For the 2021-2023 fiscal biennium, the department shall develop the report in subsection (2) of this section by November 1, 2022, rather than by January 1, 2022.

Sec. 7040. RCW 43.155.160 and 2019 c 365 s 7 are each amended to read as follows:

(1) The board, in collaboration with the office, shall establish a competitive grant and loan program to award funding to eligible applicants in order to promote the expansion of access to broadband service in unserved areas of the state.

(2) (a) Grants and loans may be awarded under this section to assist in funding acquisition, installation, and construction of middle mile and last mile infrastructure that supports broadband services and to assist in funding strategic planning for deploying broadband service in unserved areas.

(b) The board may choose to fund all or part of an application for funding, provided that the application meets the requirements of subsection (9) of this section.

(3) Eligible applicants for grants and loans awarded under this section include:

- (a) Local governments;
- (b) Tribes;
- (c) Nonprofit organizations;
- (d) Cooperative associations;
- (e) Multiparty entities comprised of public entity members;
- (f) Limited liability corporations organized for the purpose of expanding broadband access; and
- (g) Incorporated businesses or partnerships.

(4) (a) The board shall develop administrative procedures governing the application and award process. The board shall act as fiscal agent for the program and is responsible for receiving and reviewing applications and awarding funds under this section.

(b) At least sixty days prior to the first day applications may be submitted each fiscal year, the board must publish on its web site the specific criteria and any quantitative weighting scheme or scoring system that the board will use to evaluate or rank applications and award funding.

(c) The board may maintain separate accounting in the statewide broadband account created in RCW 43.155.165 as the board deems necessary to carry out the purposes of this section.

(d) The board must provide a method for the allocation of loans, grants,

provision of technical assistance, and interest rates under this section.

(5) An applicant for a grant or loan under this section must provide the following information on the application:

- (a) The location of the project;
- (b) Evidence regarding the unserved nature of the community in which the project is to be located;
- (c) Evidence that proposed infrastructure will be capable of scaling to greater download and upload speeds;
- (d) The number of households passed that will gain access to broadband service as a result of the project or whose broadband service will be upgraded as a result of the project;
- (e) The estimated cost of retail services to end users facilitated by a project;
- (f) The proposed actual download and upload speeds experienced by end users;
- (g) Evidence of significant community institutions that will benefit from the proposed project;
- (h) Anticipated economic, educational, health care, or public safety benefits created by the project;
- (i) Evidence of community support for the project;
- (j) If available, a description of the applicant's user adoption assistance program and efforts to promote the use of newly available broadband services created by the project;
- (k) The estimated total cost of the project;
- (l) Other sources of funding for the project that will supplement any grant or loan award;
- (m) A demonstration of the project's long-term sustainability, including the applicant's financial soundness, organizational capacity, and technical expertise;
- (n) A strategic plan to maintain long-term operation of the infrastructure;
- (o) Evidence that no later than six weeks before submission of the application, the applicant contacted, in writing, all entities providing broadband service near the proposed project area to ask each broadband

service provider's plan to upgrade broadband service in the project area to speeds that meet or exceed the state's definition for broadband service as defined in RCW 43.330.530, within the time frame specified in the proposed grant or loan activities;

(p) If applicable, the broadband service providers' written responses to the inquiry made under (o) of this subsection; and

(q) Any additional information requested by the board.

(6) (a) Within thirty days of the close of the grant and loan application process, the board shall publish on its web site the proposed geographic broadband service area and the proposed broadband speeds for each application submitted.

(b) Any existing broadband service provider near the proposed project area may, within thirty days of publication of the information under (a) of this subsection, submit in writing to the board an objection to an application. An objection must contain information demonstrating that:

(i) The project would result in overbuild, meaning that the objecting provider currently provides, or has begun construction to provide, broadband service to end users in the proposed project area at speeds equal to or greater than the state speed goals contained in RCW 43.330.536; or

(ii) The objecting provider commits to complete construction of broadband infrastructure and provide broadband service to end users in the proposed project area at speeds equal to or greater than the state speed goals contained in RCW 43.330.536, no later than twenty-four months after the date awards are made under this section for the grant and loan cycle under which the application was submitted.

(c) Objections submitted to the board under this subsection must be certified by affidavit.

(d) The board may evaluate the information submitted under this section by the objecting provider and must consider it in making a determination on the application objected to. The board may request clarification or additional information. The board may choose to not fund a project if the board determines

that the objecting provider's commitment to provide broadband service that meets the requirements of (b) of this subsection in the proposed project area is credible. In assessing the commitment, the board may consider whether the objecting provider has or will provide a bond, letter of credit, or other indicia of financial commitment guaranteeing the project's completion.

(e) If the board denies funding to an applicant as a result of a broadband service provider's objection made under this section, and the broadband service provider does not fulfill its commitment to provide broadband service in the project area, then for the following two grant and loan cycles, the board is prohibited from denying funding to an applicant on the basis of a challenge by the same broadband service provider, unless the board determines that the broadband service provider's failure to fulfill the provider's commitment was the result of factors beyond the broadband service provider's control. The board is not prohibited from denying funding to an applicant for reasons other than an objection by the same broadband service provider.

(f) An applicant or broadband service provider that objected to the application may request a debriefing conference regarding the board's decision on the application. Requests for debriefing must be coordinated by the office and must be submitted in writing in accordance with procedures specified by the office.

(g) Confidential business and financial information submitted by an objecting provider under this subsection is exempt from disclosure under chapter 42.56 RCW.

(7) (a) In evaluating applications and awarding funds, the board shall give priority to applications that are constructed in areas identified as unserved.

(b) In evaluating applications and awarding funds, the board may give priority to applications that:

(i) Provide assistance to public-private partnerships deploying broadband infrastructure from areas currently served with broadband service to areas currently lacking access to broadband services;

(ii) Demonstrate project readiness to proceed;

(iii) Construct infrastructure that is open access, meaning that during the useful life of the infrastructure, service providers may use network services and facilities at rates, terms, and conditions that are not discriminatory or preferential between providers, and employing accountable interconnection arrangements published and available publicly;

(iv) Are submitted by tribal governments whose reservations are in rural and remote areas where reliable and efficient broadband services are unavailable to many or most residents;

(v) Bring broadband service to tribal lands, particularly to rural and remote tribal lands or areas servicing rural and remote tribal entities;

(vi) Are submitted by tribal governments in rural and remote areas that have spent significant amounts of tribal funds to address the problem but cannot provide necessary broadband services without either additional state support, additional federal support, or both;

(vii) Serve economically distressed areas of the state as the term "distressed area" is defined in RCW 43.168.020;

(viii) Offer new or substantially upgraded broadband service to important community anchor institutions including, but not limited to, libraries, educational institutions, public safety facilities, and health care facilities;

(ix) Facilitate the use of telemedicine and electronic health records, especially in deliverance of behavioral health services and services to veterans;

(x) Provide technical support and train residents, businesses, and institutions in the community served by the project to utilize broadband service;

(xi) Include a component to actively promote the adoption of newly available broadband services in the community;

(xii) Provide evidence of strong support for the project from citizens, government, businesses, and community institutions;

(xiii) Provide access to broadband service to a greater number of unserved

households and businesses, including farms;

(xiv) Utilize equipment and technology demonstrating greater longevity of service;

(xv) Seek the lowest amount of state investment per new location served and leverage greater amounts of funding for the project from other private and public sources;

(xvi) Include evidence of a customer service plan;

(xvii) Consider leveraging existing broadband infrastructure and other unique solutions;

(xviii) Benefit public safety and fire preparedness; or

(xix) Demonstrate other priorities as the board, in collaboration with the office, may prescribe by rule.

(c) The board shall endeavor to award funds under this section to qualified applicants in all regions of the state.

(d) The board shall consider affordability and quality of service to end users in making a determination on any application.

(e) The board, in collaboration with the office, may develop additional rules for eligibility, project applications, the associated objection process, and funding priority, as provided under this subsection and subsections (3), (5), and (6) of this section.

(f) The board, in collaboration with the office, may adopt rules for a voluntary nonbinding mediation between incumbent providers and applicants to the grant and loan program created in this section.

(8) To ensure a grant or loan to a private entity under this section primarily serves the public interest and benefits the public, any such grant or loan must be conditioned on a guarantee that the asset or infrastructure to be developed will be maintained for public use for a period of at least fifteen years.

(9)(a) No funds awarded under this section may fund more than fifty percent of the total cost of the project, except as provided in (b) of this subsection.

(b) The board may choose to fund up to ninety percent of the total cost of a

project in financially distressed areas as the term "distressed area" is defined in RCW 43.168.020, and in areas identified as Indian country as the term "Indian country" is defined in WAC 458-20-192.

(c) Funds awarded to a single project under this section must not exceed two million dollars, except that the board may choose to fund projects qualifying for the exception in (b) of this subsection up to, but not to exceed, five million dollars.

(10) ~~((Prior))~~ Except for during the 2021-2023 fiscal biennium, prior to awarding funds under this section, the board must consult with the Washington utilities and transportation commission. The commission must provide to the board an assessment of the technical feasibility of a proposed application. The board must consider the commission's assessment as part of its evaluation of a proposed application.

(11) The board shall have such rights of recovery in the event of default in payment or other breach of financing agreement as may be provided in the agreement or otherwise by law.

(12) The community economic revitalization board shall facilitate the timely transmission of information and documents from its broadband program to the board in order to effectuate an orderly transition.

(13) The definitions in RCW 43.330.530 apply throughout this section unless the context clearly requires otherwise.

NEW SECTION. Sec. 7041. (1) The department of enterprise services shall convene a construction industry work group to recommend how to apply successful carbon reduction strategies, incorporate necessary parameters of design and construction considerations, and allow for efficient and cost effective state construction projects. The work group must be comprised of construction industry professionals as recommended by a leading association on Washington business in design, specification, construction, and material supply and construction professionals that have successfully realized real and measurable results. The work group must also include a representative from the department of enterprise services, representatives from environmental groups, and someone of

applicable expertise from the Washington academy of sciences.

(2) The work group shall identify and recommend carbon reduction strategies and environmental product declaration principles to successfully apply in state construction projects and:

(a) Clarify the definition of environmental product declaration to ensure that environmental product declarations (EPD) are applied properly, consistently, and as intended and provide a baseline of understanding based on accepted metrics to obtain measurable results for state construction projects;

(b) Suggest a pilot project or project review to apply construction industry recommendations and create an education and standards brief that accompanies the report required under subsection (3) of this section;

(c) Outline the environmental project review data collection process in functional detail and use existing data gathering resources such as EC3; and

(d) Identify measurable outcome criteria to establish a project baseline summary for use during design from estimated project material quantities using industry average environmental product declarations.

(3) The work group shall provide their recommendations in a report to the fiscal committees of the legislature by January 1, 2022.

(d) Identify measurable outcome criteria to establish a project baseline summary for use during design from estimated project material quantities using industry average environmental product declarations; and

(e) Identify sustainable and low-carbon emitting building materials, including but not limited to, aggregate and recycled concrete materials, as described in subsection (4) of this section.

(3) The work group shall provide their recommendations in a report to the fiscal committees of the legislature by January 1, 2022.

(4)(a) The legislature continues to prioritize Washington state's sustainability goals and reaffirms its determination that recyclable construction aggregate and recycled concrete materials are too valuable to be

wasted and landfilled. The legislature further finds that the reuse of construction aggregate and recycled concrete materials into construction projects is known to:

(i) Reduce the need for consumption of new construction aggregate materials and conserves existing aggregate resources;

(ii) Encourages reuse and recycling, reduces waste, and discourages landfilling of readily available natural resources;

(iii) Reduces truck trips and related transportation emissions; and

(iv) Reduces greenhouse gases related to the construction of state funded construction projects, reduce embodied energy, and improve and advance the sustainable principles and practices of Washington state.

(b) These recyclable materials have well established markets, are substantially a primary or secondary product of necessary construction processes and production, as a commodity substantially meets widely recognized international, national, and local standards and specifications, and are managed as an item of commercial value.

Sec. 7042. RCW 43.63A.750 and 2020 c 356 s 7008 are each amended to read as follows:

(1) A competitive grant program to assist nonprofit organizations in acquiring, constructing, or rehabilitating performing arts, art museums, and cultural facilities is created.

(2)(a) The department shall submit a list of recommended performing arts, art museum projects, and cultural organization projects eligible for funding to the governor and the legislature in the department's biennial capital budget request beginning with the 2001-2003 biennium and thereafter. The list, in priority order, shall include a description of each project, the amount of recommended state funding, and documentation of nonstate funds to be used for the project. The total amount of recommended state funding for projects on a biennial project list shall not exceed twelve million dollars, except that lists submitted during the 2019-2021 and 2021-2023 fiscal (~~biennium~~) biennia may not exceed sixteen million dollars.

(b) The department shall establish a competitive process to prioritize applications for state assistance as follows:

(i) The department shall conduct a statewide solicitation of project applications from nonprofit organizations, local governments, and other entities, as determined by the department. The department shall evaluate and rank applications in consultation with a citizen advisory committee, including a representative from the state arts commission, using objective criteria. The evaluation and ranking process shall also consider local community support for projects and an examination of existing assets that applicants may apply to projects.

(ii) The department may establish the amount of state grant assistance for individual project applications but the amount shall not exceed twenty percent, or thirty-three and one-third percent for lists submitted during the 2019-2021 fiscal biennium, of the estimated total capital cost or actual cost of a project, whichever is less. The remaining portions of the project capital cost shall be a match from nonstate sources. The nonstate match may include cash, the value of real property when acquired solely for the purpose of the project, and in-kind contributions. The department is authorized to set matching requirements for individual projects. State assistance may be used to fund separate definable phases of a project if the project demonstrates adequate progress and has secured the necessary match funding.

(iii) The department shall not sign contracts or otherwise financially obligate funds under this section until the legislature has approved a specific list of projects. In contracts for grants authorized under this section, the department shall include provisions requiring that capital improvements be held by the grantee for a specified period of time appropriate to the amount of the grant and that facilities be used for the express purpose of the grant. If the grantee is found to be out of compliance with provisions of the contract, the grantee shall repay to the state general fund the principal amount of the grant plus interest calculated at the rate of interest on state of Washington general obligation bonds

issued most closely to the date of authorization of the grant.

NEW SECTION. Sec. 7043. The office of financial management must compile a list of 2021-2023 fiscal biennium capital budget grant programs managed by state agencies and the direct and indirect administrative fee percentages charged for each. For the purposes of this section, "administrative fee percentages" means rates charged by state agencies and the rates grant recipients are allowed to charge for direct and/or indirect administrative costs. The office of financial management must submit the list of capital budget grant programs and their associated administrative fee percentages to the house capital budget committee and the senate ways and means committee by October 1, 2021.

Sec. 7044. RCW 28B.77.070 and 2019 c 413 s 7029 are each amended to read as follows:

(1) The council shall identify budget priorities and levels of funding for higher education, including the two and four-year institutions of higher education and state financial aid programs. It is the intent of the legislature for the council to make budget recommendations for allocations for major policy changes in accordance with priorities set forth in the ten-year plan, but the legislature does not intend for the council to review and make recommendations on individual institutional budgets. It is the intent of the legislature that recommendations from the council prioritize funding needs for the overall system of higher education in accordance with priorities set forth in the ten-year plan. It is also the intent of the legislature that the council's recommendations take into consideration the total per-student funding at similar public institutions of higher education in the global challenge states.

(2) By December of each odd-numbered year, the council shall outline the council's fiscal priorities under the ten-year plan that it must distribute to the institutions, the state board for community and technical colleges, the office of financial management, and the joint higher education committee.

(a) Capital budget outlines for the two-year institutions shall be submitted to the office of financial management by

August 15th of each even-numbered year, and shall include the prioritized ranking of the capital projects being requested, a description of each capital project, and the amount and fund source being requested.

(b) Capital budget outlines for the four-year institutions must be submitted to the office of financial management by August 15th of each even-numbered year, and must include: The institutions' priority ranking of the project; the capital budget category within which the project will be submitted to the office of financial management in accordance with RCW 43.88D.010; a description of each capital project; and the amount and fund source being requested.

(c) The office of financial management shall reference these reporting requirements in its budget instructions.

(3) The council shall submit recommendations on the operating budget priorities to support the ten-year plan to the office of financial management by October 1st each year, and to the legislature by January 1st each year.

(4) (a) The office of financial management shall develop one prioritized list of capital projects for the legislature to consider that includes all of the projects requested by the four-year institutions of higher education that were scored by the office of financial management pursuant to chapter 43.88D RCW, including projects that were previously scored but not funded. The prioritized list of capital projects shall be based on the following priorities in the following order:

(i) Office of financial management scores pursuant to chapter 43.88D RCW;

(ii) Preserving assets;

(iii) Degree production; and

(iv) Maximizing efficient use of instructional space.

(b) The office of financial management shall include all of the capital projects requested by the four-year institutions of higher education, except for the minor works projects, in the prioritized list of capital projects provided to the legislature.

(c) The form of the prioritized list for capital projects requested by the four-year institutions of higher education shall be provided as one list,

ranked in priority order with the highest priority project ranked number "1" through the lowest priority project numbered last. The ranking for the prioritized list of capital projects may not:

- (i) Include subpriorities;
- (ii) Be organized by category;
- (iii) Assume any state bond or building account biennial funding level to prioritize the list; or
- (iv) Assume any specific share of projects by institution in the priority list.

(5) Institutions and the state board for community and technical colleges shall submit any supplemental capital budget requests and revisions to the office of financial management by November 1st and to the legislature by January 1st.

(6) For the ~~((2017-2019 fiscal biennium and the))~~ 2019-2021 fiscal biennium and the 2021-2023 fiscal biennium, pursuant to subsection (4) of this section, the office of financial management may, but is not obligated to, develop one prioritized list of capital projects for the legislature to consider that includes all of the projects requested by the four-year institutions of higher education that were scored by the office of financial management pursuant to chapter 43.88D RCW, including projects that were previously scored but not funded.

Sec. 7045. RCW 28A.320.330 and 2019 c 411 s 3 and 2019 c 410 s 3 are each reenacted and amended to read as follows:

School districts shall establish the following funds in addition to those provided elsewhere by law:

(1)(a) A general fund for the school district to account for all financial operations of the school district except those required to be accounted for in another fund.

(b) By the 2018-19 school year, a local revenue subfund of its general fund to account for the financial operations of a school district that are paid from local revenues. The local revenues that must be deposited in the local revenue subfund are enrichment levies and transportation vehicle levies collected under RCW 84.52.053, local effort assistance funding received under

chapter 28A.500 RCW, and other school district local revenues including, but not limited to, grants, donations, and state and federal payments in lieu of taxes, but do not include other federal revenues, or local revenues that operate as an offset to the district's basic education allocation under RCW 28A.150.250. School districts must track expenditures from this subfund separately to account for the expenditure of each of these streams of revenue by source, and must provide the supplemental expenditure schedule under (c) of this subsection, and any other supplemental expenditure schedules required by the superintendent of public instruction or state auditor, for purposes of RCW 43.09.2856.

(c) Beginning in the 2019-20 school year, the superintendent of public instruction must require school districts to provide a supplemental expenditure schedule by revenue source that identifies the amount expended by object for each of the following supplementary enrichment activities beyond the state funded amount:

(i) Minimum instructional offerings under RCW 28A.150.220 or 28A.150.260 not otherwise included on other lines;

(ii) Staffing ratios or program components under RCW 28A.150.260, including providing additional staff for class size reduction beyond class sizes allocated in the prototypical school model and additional staff beyond the staffing ratios allocated in the prototypical school formula;

(iii) Program components under RCW 28A.150.200, 28A.150.220, or 28A.150.260, not otherwise included on other lines;

(iv) Program components to support students in the program of special education;

(v) Program components of professional learning, as defined by RCW 28A.415.430, beyond that allocated under RCW 28A.150.415;

(vi) Extracurricular activities;

(vii) Extended school days or an extended school year;

(viii) Additional course offerings beyond the minimum instructional program established in the state's statutory program of basic education;

(ix) Activities associated with early learning programs;

(x) Activities associated with providing the student transportation program;

(xi) Any additional salary costs attributable to the provision or administration of the enrichment activities allowed under RCW 28A.150.276;

(xii) Additional activities or enhancements that the office of the superintendent of public instruction determines to be a documented and demonstrated enrichment of the state's statutory program of basic education under RCW 28A.150.276; and

(xiii) All other costs not otherwise identified in other line items.

(d) For any salary and related benefit costs identified in (c)(xi), (xii), and (xiii) of this subsection, the school district shall maintain a record describing how these expenditures are documented and demonstrated enrichment of the state's statutory program of basic education. School districts shall maintain these records until the state auditor has completed the audit under RCW 43.09.2856.

(2) A capital projects fund shall be established for major capital purposes. All statutory references to a "building fund" shall mean the capital projects fund so established. Money to be deposited into the capital projects fund shall include, but not be limited to, bond proceeds, proceeds from excess levies authorized by RCW 84.52.053, state apportionment proceeds as authorized by RCW 28A.150.270, earnings from capital projects fund investments as authorized by RCW 28A.320.310 and 28A.320.320, and state forest revenues transferred pursuant to subsection (3) of this section.

Money derived from the sale of bonds, including interest earnings thereof, may only be used for those purposes described in RCW 28A.530.010, except that accrued interest paid for bonds shall be deposited in the debt service fund.

Money to be deposited into the capital projects fund shall include but not be limited to rental and lease proceeds as authorized by RCW 28A.335.060, and proceeds from the sale of real property as authorized by RCW 28A.335.130.

Money legally deposited into the capital projects fund from other sources may be used for the purposes described in RCW 28A.530.010, and for the purposes of:

(a) Major renovation and replacement of facilities and systems where periodical repairs are no longer economical or extend the useful life of the facility or system beyond its original planned useful life. Such renovation and replacement shall include, but shall not be limited to, major repairs, exterior painting of facilities, replacement and refurbishment of roofing, exterior walls, windows, heating and ventilating systems, floor covering in classrooms and public or common areas, and electrical and plumbing systems.

(b) Renovation and rehabilitation of playfields, athletic fields, and other district real property.

(c) The conduct of preliminary energy audits and energy audits of school district buildings. For the purpose of this section:

(i) "Preliminary energy audits" means a determination of the energy consumption characteristics of a building, including the size, type, rate of energy consumption, and major energy using systems of the building.

(ii) "Energy audit" means a survey of a building or complex which identifies the type, size, energy use level, and major energy using systems; which determines appropriate energy conservation maintenance or operating procedures and assesses any need for the acquisition and installation of energy conservation measures, including solar energy and renewable resource measures.

(iii) "Energy capital improvement" means the installation, or modification of the installation, of energy conservation measures in a building which measures are primarily intended to reduce energy consumption or allow the use of an alternative energy source.

(d) Those energy capital improvements which are identified as being cost-effective in the audits authorized by this section.

(e) Purchase or installation of additional major items of equipment and furniture: PROVIDED, That vehicles shall not be purchased with capital projects fund money.

(f) (i) Costs associated with implementing technology systems, facilities, and projects, including acquiring hardware, licensing software, and online applications and training related to the installation of the foregoing. However, the software or applications must be an integral part of the district's technology systems, facilities, or projects.

(ii) Costs associated with the application and modernization of technology systems for operations and instruction including, but not limited to, the ongoing fees for online applications, subscriptions, or software licenses, including upgrades and incidental services, and ongoing training related to the installation and integration of these products and services. However, to the extent the funds are used for the purpose under this subsection (2) (f) (ii), the school district shall transfer to the district's general fund the portion of the capital projects fund used for this purpose. The office of the superintendent of public instruction shall develop accounting guidelines for these transfers in accordance with internal revenue service regulations.

(g) Major equipment repair, painting of facilities, and other major preventative maintenance purposes. However, to the extent the funds are used for the purpose under this subsection (2) (g), the school district shall transfer to the district's general fund the portion of the capital projects fund used for this purpose. The office of the superintendent of public instruction shall develop accounting guidelines for these transfers in accordance with internal revenue service regulations. Based on the district's most recent two-year history of general fund maintenance expenditures, funds used for this purpose may not replace routine annual preventive maintenance expenditures made from the district's general fund.

(h) During the (~~(2019-2021)~~) 2021-2023 fiscal biennium, renovation and replacement of facilities and systems, purchase or installation of items of equipment and furniture, including maintenance vehicles and machinery, and other preventative maintenance or infrastructure improvement purposes.

(3) A debt service fund to provide for tax proceeds, other revenues, and disbursements as authorized in chapter

39.44 RCW. State forestland revenues that are deposited in a school district's debt service fund pursuant to RCW 79.64.110 and to the extent not necessary for payment of debt service on school district bonds may be transferred by the school district into the district's capital projects fund.

(4) An associated student body fund as authorized by RCW 28A.325.030.

(5) Advance refunding bond funds and refunded bond funds to provide for the proceeds and disbursements as authorized in chapter 39.53 RCW.

NEW SECTION. **Sec. 7046.** The department of natural resources, in coordination with the department of social and health services, shall enter into long-term, revenue-generating opportunities for under used portions of the Fircrest Residential Habilitation Center bounded by 15th Ave NE and NE 150th Street to benefit the charitable, educational, penal, and reformatory institutions account. Long-term, revenue generating opportunities may include, but are not limited to, land leases, land sales, and land swaps. The department of social and health services and the department of natural resources must amend their lease under chapter 7, Laws of 1986 if necessary to conform with this section.

NEW SECTION. **Sec. 7047.** The legislature intends to consider predesign funding for the Washington state patrol crime laboratory I-5 consolidated facility in the 2022 supplemental capital budget. By December 1, 2021, the Washington state patrol must provide data to support the request for a consolidated crime lab. The agency must provide legislative fiscal staff with operating budget financial information including, but not limited to, a list of each leased facility that will be vacated when the consolidated lab is completed. For each facility, the Washington state patrol must provide at least the following:

- (1) Lease contract number;
- (2) Lease contract term;
- (3) Lease facility street address;
- (4) Lease facility cost, by fund and by state fiscal year for fiscal years 2020, 2021, 2022, and 2023;
- (5) Lease facility and maintenance staffing levels and funding by state

fiscal year for fiscal years 2020, 2021, 2022, and 2023;

(6) The most current six-year facilities plan;

(7) An estimated certificate of participation payback schedule; and

(8) A summary of how the operating costs from subsection (1) of this section will offset the certification of participation costs from subsection (3) of this section by state fiscal year.

NEW SECTION. Sec. 7048. The coronavirus capital projects account is created in the state treasury. All receipts from the federal coronavirus capital projects fund moneys under P.L. 117-2, Sec. 604, must be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for capital projects directly enabling work, education and health monitoring, including remote options, in response to the public health emergency with respect to the coronavirus disease.

Sec. 7049. RCW 39.35D.030 and 2011 c 99 s 1 are each amended to read as follows:

(1) All major facility projects of public agencies receiving any funding in a state capital budget, or projects financed through a financing contract as defined in RCW 39.94.020, must be designed, constructed, and certified to at least the LEED silver standard. This subsection applies to major facility projects that have not entered the design phase prior to July 24, 2005, and to the extent appropriate LEED silver standards exist for that type of building or facility.

(2) All major facility projects of any entity other than a public agency or public school district receiving any funding in a state capital budget must be designed, constructed, and certified to at least the LEED silver standard. This subsection applies to major facility projects that have not entered the grant application process prior to July 24, 2005, and to the extent appropriate LEED silver standards exist for that type of building or facility.

(3)(a) Public agencies, under this section, shall monitor and document ongoing operating savings resulting from major facility projects designed,

constructed, and certified as required under this section.

(b) Public agencies, under this section, shall report annually to the department on major facility projects and operating savings.

(4) The department shall consolidate the reports required in subsection (3) of this section into one report and report to the governor and legislature by September 1st of each even-numbered year beginning in 2006 and ending in 2016. In its report, the department shall also report on the implementation of this chapter, including reasons why the LEED standard was not used as required by RCW 39.35D.020(5)(b). The department shall make recommendations regarding the ongoing implementation of this chapter, including a discussion of incentives and disincentives related to implementing this chapter.

(5) For the purposes of determining compliance with the requirement for a project to be designed, constructed, and certified to at least the LEED silver standard, the department must credit one additional point for a project that uses wood products with a credible third-party sustainable forest certification or from forests regulated under chapter 76.09 RCW, the Washington forest practices act. For projects that qualify for this additional point, and for which an additional point would have resulted in formal certification under the LEED silver standard, the project must be deemed to meet the standard under this section.

(6) During the 2021-2023 fiscal biennium, an alternative high-performance building certification, as determined by the legislature, may be used instead of the LEED silver building design, construction, and certification standard required by this section.

NEW SECTION. Sec. 7050. 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. 7051. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

On page 1, line 2 of the title, after "improvements;" strike the remainder of the title and insert "amending RCW 43.19.501, 28B.15.210, 28B.15.310, 28B.20.725, 28B.30.750, 28B.35.370, 28B.50.360, 43.185.050, 43.88D.010, 43.155.150, 43.330.520, 43.155.160, 43.63A.750, 28B.77.070, and 39.35D.030; amending 2019 c 413 ss 1007, 1010, 1014, 1023, 1032, 1056, 1058, 1060, 1012, 1064, 1066, 1061, 1074, 1076, 1079, 1077, 4002, 4004, 1097, 1098, 2088, 2089, 3020, 3091, 3278, 3301, 3217, 3235, 5011, 5020, and 5047, and 2020 c 356 ss 6002, 1003, 1006, 1011, 1013, 1009, 1022, 1027, 3025, 3062, 5002, and 5011 (uncodified); reenacting and amending RCW 90.94.090, 43.155.050, and 28A.320.330; creating new sections; repealing 2019 c 413 ss 1004, 1107, 1108, 1109, and 2034 (uncodified); making appropriations; providing a contingent effective date; providing an expiration date; and declaring an emergency."

and the same is herewith transmitted.

Sarah Bannister, Deputy, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1080 and advanced the bill, as amended by the Senate, to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Tharinger, Steele, Abbarno and Callan spoke in favor of the passage of the bill.

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 1080, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1080, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Abbarno, Barkis, Bateman, Berg, Bergquist, Berry, Boehnke, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Chase, Chopp, Cody, Corry, Davis, Dent, Dolan, Duerr, Dufault, Dye, Entenman, Eslick, Fey, Fitzgibbon, Frame, Gilday, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Hansen, Harris, Harris-Talley, Hoff, Jacobsen, J. Johnson, Kirby, Klicker, Klippert, Kloba, Kraft, Kretz, Leavitt, Lekanoff, Lovick, MacEwen, Macri, Maycumber, McCaslin, McEntire, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Riccelli, Robertson,

Rude, Rule, Ryu, Santos, Schmick, Sells, Senn, Shewmake, Simmons, Slatter, Springer, Steele, Stokesbary, Stonier, Sullivan, Sutherland, Taylor, Thai, Tharinger, Valdez, Vick, Volz, Walen, Walsh, Wicks, Wilcox, Wylie, Ybarra, Young and Mme. Speaker.

SUBSTITUTE HOUSE BILL NO. 1080, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

RESOLUTION

HOUSE RESOLUTION NO. 2021-4632, by Representatives Jenkins, Wilcox, Abbarno, Barkis, Bateman, Berg, Bergquist, Berry, Boehnke, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Chase, Chopp, Cody, Corry, Davis, Dent, Dolan, Duerr, Dufault, Dye, Entenman, Eslick, Fey, Fitzgibbon, Frame, Gilday, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Hansen, Harris, Harris-Talley, Hoff, Jacobsen, J. Johnson, Kirby, Klicker, Klippert, Kloba, Kraft, Kretz, Leavitt, Lekanoff, Lovick, MacEwen, Macri, Maycumber, McCaslin, McEntire, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Riccelli, Robertson, Rude, Rule, Ryu, Santos, Schmick, Sells, Senn, Shewmake, Simmons, Slatter, Springer, Steele, Stokesbary, Stonier, Sullivan, Sutherland, Taylor, Thai, Tharinger, Valdez, Vick, Volz, Walen, Walsh, Wicks, Wylie, Ybarra, and Young

WHEREAS, Cathy Maynard has served as Speaker's Attorney for longer than anyone can remember; certainly no one remembers hiring her, but everyone agrees she is just part of the House of Representatives, much like the piano on the floor (but considerably more useful); and

WHEREAS, As best can be recreated, President Thomas Jefferson sent Lewis and Clark on their famous expedition in 1806 with specific instructions to "explore and discover a wondrous expanse wherein a future state can be formed and in which can be born a parliamentary legend and giant of process and policy for said state, and also be careful of bears"; and

WHEREAS, Historians debate the authenticity of this Jefferson quote, but it cannot be debated that Olympia was eventually made the capital of the great State of Washington, and that the first state legislature met in 1889; and

WHEREAS, After that first legislature met in 1889, they all agreed that they had no idea what they were really doing, so they decided to just wing it and hope for the best until someone could come and make sense of the hot mess that was their parliamentary process; and

WHEREAS, Pretty much nothing happened after that until an auspicious April 1st, commonly known as April Fool's Day, when Cathy Maynard was born, and her parents recall her first words as being "So ordered," with her asking for things and then saying "So ordered," and her parents would go to fetch them; and

WHEREAS, Cathy did some other stuff that doesn't really matter, because what matters is that she eventually started her true calling in the Legislature with That Other

Body, serving as a legislative aide, counsel, and staff coordinator in the Senate from 1986-1989; and

WHEREAS, In 1989, Cathy realized that her life was going nowhere, and she further realized that it wasn't her (it was Them; she just wasn't really that into Them!), and so she left That Other Body and came to the true beacon of liberty, justice, policy, and much quicker voting: The august House of Representatives; and

WHEREAS, There was an inexplicable period where for some strange reason (probably lapse of collective judgment) Cathy was not Speaker's Counsel, serving instead as just a regular (but still awesome!) counsel and then a senior counsel in the House of Representatives; and

WHEREAS, In 1999, everyone finally figured out what was wrong and made her Speaker's Attorney, which really worked much better for everyone and ushered in a new era of comity, great policy, stellar referrals, and all around good floor type stuff ever since; and

WHEREAS, While there have been other qualified and capable Speaker's Attorneys throughout the history of this illustrious body, only Cathy has been able to quell uprisings, restore order, and even completely defeat motions and amendments with no more than a harsh glance directed at the lead rabble-rouser; and

WHEREAS, Her parliamentary feats are renowned far and wide to the point that it is hard to separate myth from truth, and so we may never know whether she once found a bill out of order for being outside its own scope, but it sounds like something she could do for sure; and

WHEREAS, Cathy's institutional memory, legislative finesse, and constitutional expertise often led a former Speaker of the House to refer to his attorney as "Mrs. Speaker"; and

WHEREAS, Hiring Cathy proved to be the greatest economic development program ever undertaken by the state, with the state economy nearly doubling and companies such as Amazon, Starbucks, Microsoft, and Costco becoming titans on her watch; and

WHEREAS, She really has no faults, except that she refuses to drive in the snow, and so it is that a series of drivers has had the honor of picking her up for work and bringing her through the frozen wastes, including the current Speaker of the House (who, in addition to possessing considerable legislative prowess, seems also to be pretty okay at driving in the snow); and

WHEREAS, We don't know for sure when the next Rules Committee meeting will be, nor do we know how many pulls everyone will get, and there's no such thing as a "Hold List" (but, if there were, your bill is for sure on it), so just stop asking Cathy about all this because she already knows you want your bill pulled and ran on the floor, so just stop it, stop it right now, okay? We're running a retirement resolution, for crying out loud!; and

WHEREAS, Cathy Maynard has afforded the House the highest levels of excellence, loyalty, decorum, and

appropriate feistiness during her many capacities as a most distinguished lawyer and supporter of the Legislature; and

WHEREAS, Cathy has counseled, mentored, and advised members and staff, both experienced and new, on parliamentary rules, procedures, ethics, and the nuances of lawmaking; and

WHEREAS, Cathy has announced that she is retiring this year; we think it has something to do with Peppers closing down, and no one really knows what to do about it because she's certainly earned it, but we're honestly not sure if we can keep having the Legislature without her (we're checking); and

WHEREAS, There's both so much more to say and yet nothing left to say about such a great woman, other than we wish she wouldn't retire (please?);

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives hereby direct the Chief Clerk to look into Cathy's paperwork and take such steps as may be necessary or advisable to deny her retirement; and

BE IT FURTHER RESOLVED, That whatever must be done to prevail upon Cathy to stay on as Speaker's Attorney for just a couple more decades be done, including getting her some of those Oaxacan carvings she likes so much; and

BE IT FURTHER RESOLVED, That if Cathy cannot be made to stay on and not leave us, then we reluctantly wish her the best and urge everyone to join with us to celebrate and honor the life, legacy, work, service, and general awesomeness of Cathy Maynard.

Representatives Chopp, Kretz, Lovick, Maycumber, Fitzgibbon, Harris, Stonier, (President of the Senate) Denny Heck, Wilcox and Sullivan spoke in favor of the adoption of the resolution.

HOUSE RESOLUTION NO. 4632 was adopted.

The Speaker called upon Representative Lovick to preside.

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed the following bills:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1054
 ENGROSSED SECOND SUBSTITUTE HOUSE
 BILL NO. 1310
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1336
 ENGROSSED SECOND SUBSTITUTE HOUSE
 BILL NO. 1365
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1476
 SENATE BILL NO. 5008
 ENGROSSED SUBSTITUTE SENATE BILL NO.
 5038
 ENGROSSED SUBSTITUTE SENATE BILL NO.
 5044

ENGROSSED SECOND SUBSTITUTE SENATE
BILL NO. 5051
ENGROSSED SECOND SUBSTITUTE SENATE
BILL NO. 5052
SUBSTITUTE SENATE BILL NO. 5066
ENGROSSED SUBSTITUTE SENATE BILL NO.
5097
ENGROSSED SECOND SUBSTITUTE SENATE
BILL NO. 5128
SUBSTITUTE SENATE BILL NO. 5140
ENGROSSED SECOND SUBSTITUTE SENATE
BILL NO. 5141
SUBSTITUTE SENATE BILL NO. 5151
SUBSTITUTE SENATE BILL NO. 5185
ENGROSSED SUBSTITUTE SENATE BILL NO.
5203
ENGROSSED SUBSTITUTE SENATE BILL NO.
5229
SUBSTITUTE SENATE BILL NO. 5273
ENGROSSED SECOND SUBSTITUTE SENATE
BILL NO. 5304
ENGROSSED SUBSTITUTE SENATE BILL NO.
5321
SECOND SUBSTITUTE SENATE BILL NO. 5331
SUBSTITUTE SENATE BILL NO. 5361
SECOND SUBSTITUTE SENATE BILL NO. 5362

The Speaker called upon Representative Lovick to
preside.

There being no objection, the House reverted to the third
order of business.

MESSAGES FROM THE SENATE

April 24, 2021

Mme. SPEAKER:

The Senate concurred in the House amendment(s) to the
following bills and passed the bills as amended by the
House:

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO.
5126,

and the same is herewith transmitted.

Brad Hendrickson, Secretary

April 24, 2021

Mme. SPEAKER:

The Senate has adopted the report of the Conference
Committee on ENGROSSED SECOND SUBSTITUTE
HOUSE BILL NO. 1477, and has passed the bill as
recommended by the Conference Committee.

Brad Hendrickson, Secretary

April 24, 2021

Mme. SPEAKER:

The Senate concurred in the House amendment(s) to the
following bills and passed the bills as amended by the
House:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5478,

and the same is herewith transmitted.

Brad Hendrickson, Secretary

April 24, 2021

Mme. SPEAKER:

The President has signed:

HOUSE BILL NO. 1022,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1120,
SECOND SUBSTITUTE HOUSE BILL NO. 1168,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1189,
SUBSTITUTE HOUSE BILL NO. 1218,
HOUSE BILL NO. 1316,
SUBSTITUTE HOUSE BILL NO. 1348,
ENGROSSED HOUSE BILL NO. 1386,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1410,
SUBSTITUTE HOUSE BILL NO. 1411,
SUBSTITUTE HOUSE BILL NO. 1438,
ENGROSSED HOUSE BILL NO. 1482,

and the same are herewith transmitted.

Brad Hendrickson, Secretary

April 24, 2021

Mme. SPEAKER:

The President has signed:

SECOND SUBSTITUTE SENATE BILL NO. 5192,
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO.
5237,
SUBSTITUTE SENATE BILL NO. 5317,
SUBSTITUTE SENATE BILL NO. 5318,
ENGROSSED SENATE BILL NO. 5330,

and the same are herewith transmitted.

Brad Hendrickson, Secretary

April 24, 2021

Mme. SPEAKER:

The President has signed:

SECOND SUBSTITUTE SENATE BILL NO. 5383,

and the same is herewith transmitted.

Brad Hendrickson, Secretary

There being no objection, the House advanced to the seventh order of business.

**THIRD READING
MESSAGE FROM THE SENATE**

April 7, 2021

Madame Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1137 with the following amendment:

On page 1, line 18, after "services" insert ", including the state ferry system"

and the same is herewith transmitted.

Sarah Bannister, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1137 and advanced the bill as amended by the Senate to final passage.

**FINAL PASSAGE OF HOUSE BILL
AS SENATE AMENDED**

Representatives McCaslin and Fey spoke in favor of the passage of the bill.

MOTION

On motion of Representative Griffey, Representatives McEntire and Robertson were excused.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1137, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1137, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 84; Nays, 12; Absent, 0; Excused, 2.

Voting yea: Representatives Abbarno, Barkis, Bateman, Berg, Bergquist, Boehnke, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Chase, Cody, Corry, Davis, Dent, Dolan, Duerr, Dufault, Dye, Entenman, Eslick, Fey, Gilday, Goehner, Goodman, Graham, Griffey, Hackney, Hansen, Harris, Hoff, Jacobsen, J. Johnson, Kirby, Klicker, Klippert, Kraft, Kretz, Leavitt, Lekanoff, Lovick, MacEwen, Maycumber, McCaslin, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramos, Riccelli, Rude, Rule, Ryu, Santos, Schmick, Senn, Shewmake, Simmons, Slatter, Springer, Steele, Stokesbary, Stonier, Sullivan, Sutherland, Taylor, Thai, Tharinger, Vick,

Volz, Walen, Walsh, Wilcox, Wylie, Ybarra, Young and Mme. Speaker.

Voting nay: Representatives Berry, Chopp, Fitzgibbon, Frame, Gregerson, Harris-Talley, Kloba, Macri, Ramel, Sells, Valdez and Wicks.

Excused: Representatives McEntire and Robertson.

SUBSTITUTE HOUSE BILL NO. 1137, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

CONFERENCE COMMITTEE REPORT

April 23, 2021

Substitute Senate Bill No. 5165

Includes "New Item": YES

Madame Speaker:

We of your Conference Committee, to whom was referred SUBSTITUTE SENATE BILL NO. 5165, making transportation appropriations for the 2021-2023 fiscal biennium, have had the same under consideration and we recommend that:

All previous amendments not be adopted and that the attached striking amendment H-1625.3 be adopted.

Strike everything after the enacting clause and insert the following:

"2021-2023 FISCAL BIENNIUM

NEW SECTION. **Sec. 1.** (1) The transportation budget of the state is hereby adopted and, subject to the provisions set forth, the several amounts specified, or as much thereof as may be necessary to accomplish the purposes designated, are hereby appropriated from the several accounts and funds named to the designated state agencies and offices for employee compensation 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, 2023.

(2) Unless the context clearly requires otherwise, the definitions in this subsection apply throughout this act.

(a) "Fiscal year 2022" or "FY 2022" means the fiscal year ending June 30, 2022.

(b) "Fiscal year 2023" or "FY 2023" means the fiscal year ending June 30, 2023.

(c) "FTE" means full-time equivalent.

(d) "Lapse" or "revert" means the amount shall return to an unappropriated status.

(e) "Provided solely" means the specified amount may be spent only for the specified purpose. Unless otherwise specifically authorized in this act, any portion of an amount provided solely for a specified purpose that is not expended subject to the specified conditions and limitations to fulfill the specified purpose shall lapse.

(f) "Reappropriation" means appropriation and, unless the context clearly provides otherwise, is subject to the relevant conditions and limitations applicable to appropriations.

(g) "LEAP" means the legislative evaluation and accountability program committee.

GENERAL GOVERNMENT AGENCIES—OPERATING

NEW SECTION. Sec. 101. FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION

Motor Vehicle Account—State
Appropriation \$546,000

NEW SECTION. Sec. 102. FOR THE UTILITIES AND TRANSPORTATION COMMISSION

Grade Crossing Protective Account—
State Appropriation \$504,000

Pilotage Account—State Appropriation
\$150,000

Multimodal Transportation Account—
State Appropriation \$225,000

TOTAL APPROPRIATION \$879,000

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

(1) \$225,000 of the multimodal transportation account—state appropriation is provided solely for the commission to prepare an inventory of rail safety oversight conducted by state agencies in other states identified for review by program area as compared to the role of state agencies in Washington due September 1, 2022. This inventory must include a comparison of the oversight conducted by state agencies in California and New York, as well as other state agencies selected by the commission that play a broader role in rail safety oversight than state agencies in Washington. In developing its inventory, the commission shall include

consideration of the relationship of state efforts to federal law. The inventory must include information related to safety oversight, coordination, communication, and enforcement of state and federal laws and regulations relating to transportation of persons or commodities, or both, of any nature or description by rail.

(2) The commission must host one workshop with interested parties. The purpose of the workshop is to ensure consideration of relevant information in development of an inventory of current efforts in rail safety oversight by other states that can inform the legislature's intended expansion of the role of the commission in rail safety in the state of Washington. The purpose of the workshop is not to foreclose consideration of a specific legislative approach. Interested legislators and legislative staff and staff of the governor's office may participate in the workshop or workshops. Participation in the workshop must include, but is not limited to, representatives of:

- (a) Host and tenant railroads;
- (b) Rail labor organizations;
- (c) The state safety oversight agency for rail fixed guideway public transportation systems;
- (d) Operators of, and entities providing financial support for, intercity passenger rail and rail fixed guideway systems;
- (e) Local jurisdictions;
- (f) Rail advocacy organizations;
- (g) State emergency management organizations;
- (h) The department of ecology;
- (i) The department of labor and industries;
- (j) The national transportation safety board;
- (k) The federal railroad administration; and
- (l) The pipeline and hazardous materials safety administration.

(3) The commission shall review, at a minimum, the report of the national transportation safety board report on the 2017 Amtrak derailment, the joint transportation committee's 2020 rail safety governance study, Engrossed

Substitute House Bill No. 1418 (2021), as passed by the house on March 7, 2021, relevant federal laws and rules, and state rail safety plans.

(4) The commission's inventory must include, but is not limited to:

(a) An analysis of expanding the commission's role to match the role of other state agencies examined, including as it relates to oversight of implementation of new and materially changed railroad operations and infrastructure; operator safety management practices; the safety of transportation of crude oil by rail and enforcement of chapter 90.56 RCW; the safety and oversight of rail fixed guideway systems as defined in RCW 81.104.015; annual reporting practices; and rail safety communication and collaboration efforts, including through the use of a rail safety committee;

(b) A review of federal preemption issues and analysis of state rail safety authority in the context of the current rail safety oversight role of other states, as examined in this section;

(c) A review of workshop discussions;

(d) Estimated costs associated with implementation in Washington state of the safety program elements included in the inventory required in this section, itemized by program area and level of oversight performed, including estimated costs of options to improve the safety of transportation of crude oil by rail and enforcement of chapter 90.56 RCW;

(e) A review of revenue sources that support rail safety oversight activities in other states included in the inventory, including federal revenue sources. For each source, the review must also include:

(i) Estimates of revenue generated if imposed in Washington;

(ii) Estimates of how much would be paid by different types of entities; and

(f) A review of the level of liability protection afforded agencies that perform rail safety oversight under state law in the states examined in the inventory conducted.

NEW SECTION. Sec. 103. FOR THE OFFICE OF FINANCIAL MANAGEMENT

Motor	Vehicle	Account-State
Appropriation	\$1,441,0000	

Puget Sound Ferry Operations Account-	
State Appropriation	\$126,000

Multimodal Transportation Account-	
State Appropriation	\$250,000

TOTAL APPROPRIATION	\$1,817,000
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The appropriations in this section are subject to the following conditions and limitations:

\$250,000 of the multimodal transportation account-state appropriation is provided solely for the office of financial management, in collaboration with the Washington department of transportation and the office of the chief information officer, to conduct an evaluation of short term and long term facility and information technology needs. In conducting the evaluation, the office of financial management may contract with an entity with direct expertise in this area. The office of financial management must submit a final report of their evaluation by October 1, 2022. The evaluation must be coordinated with any legislatively directed study regarding leased space. The evaluation must include, but is not limited to:

(1) Development of a status quo scenario based on current policy and projections and two alternative scenarios of the number of people and percentage of staff in telework status on a permanent basis with one alternative being the minimum feasible level of teleworking and one alternative being the maximum feasible level of teleworking;

(2) Current and projected facility needs by location and function for the scenarios in subsection (1) of this section;

(3) The specific number of employees and percentage of the workforce expected to be teleworking by location and function and the anticipated impact on facility space needs for the scenarios in subsection (1) of this section;

(4) Analysis of opportunities to colocate with other state, local, and other public agencies to reduce costs and improve cost-efficiency;

(5) Detailed information on any increased costs, such as end-user devices, software, technology infrastructure, and other types of assistance needed to meet the teleworking levels in each of the scenarios in subsection (1) of this section;

(6) Detailed information on any reduced costs, such as leases, facility maintenance, and utilities, resulting from the projected teleworking levels for the scenarios in subsection (1) of this section; and

(7) Cost-benefit analysis detailing the net impact of teleworking on facility and total costs for the scenarios in subsection (1) of this section.

NEW SECTION. Sec. 104. FOR THE STATE PARKS AND RECREATION COMMISSION

Motor	Vehicle	Account-State
Appropriation	\$1,186,000	

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for road maintenance purposes.

NEW SECTION. Sec. 105. FOR THE DEPARTMENT OF AGRICULTURE

Motor	Vehicle	Account-State
Appropriation	\$1,346,000	

NEW SECTION. Sec. 106. FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE

Motor	Vehicle	Account-State
Appropriation	\$668,000	

NEW SECTION. Sec. 107. FOR THE EVERGREEN STATE COLLEGE

Motor	Vehicle	Account-State
Appropriation	\$150,000	

The appropriation in this section is subject to the following conditions and limitations: The total appropriation in this section is provided solely for the Washington state institute for public policy to conduct a cost-benefit analysis for an exclusive or partial American steel requirement for future transportation contracts and subcontracts authorized in the transportation budget. This cost-benefit analysis must, to the extent feasible: (1) Compare existing types and uses of steel to made in America steel alternatives including evaluation of quality; (2) examine benefits to Washington workers and the Washington economy; (3) examine lifecycle and embodied carbon greenhouse gas emissions; (4) identify requirements for purchasing American steel that minimize costs and maximize benefits; and (5) evaluate American steel requirements or preferences in other states. The Washington state institute for public

policy may solicit input for the analysis from representatives of interested parties to include, but not be limited to, the construction and manufacturing sectors, organized labor in the construction and manufacturing sectors, cities, counties, American steel manufacturing companies, environmental advocacy organizations, and appropriate state agencies. A final report is due to the legislature by December 1, 2021.

NEW SECTION. Sec. 108. FOR THE OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES

Motor	Vehicle	Account-State
Appropriation	\$2,000,000	

The appropriation in this section is subject to the following conditions and limitations: The entire appropriation in this section is provided solely for increasing the number of certified women and minority-owned contractors outside of the Puget Sound area in the transportation sector and supporting these contractors to successfully compete and earn more transportation contracting opportunities. This shall be done through various programs including but not limited to: (1) Outreach to women and minority business communities and individuals; (2) technical assistance as needed in areas such as financing, accounting, contracting, procurement, and resolution of disputes and grievances; (3) language access programs for those with limited English proficiency; and (4) other programs that aim to increase the number of women and minority contractors that are successful in obtaining contracts in the transportation sector either directly with state agencies such as the department, with local jurisdictions, or as subcontractors for prime contractors.

NEW SECTION. Sec. 109. FOR THE BOARD OF PILOTAGE COMMISSIONERS

Pilotage Account-State Appropriation	\$5,777,000
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The appropriation in this section is subject to the following conditions and limitations:

(1) \$2,926,000 of the pilotage account-state appropriation is provided solely for self-insurance liability premium expenditures; however, this appropriation is contingent upon the board:

(a) Annually depositing the first \$150,000 collected through Puget Sound pilotage district pilotage tariffs into the pilotage account; and

(b) Assessing a self-insurance premium surcharge of \$16 per pilotage assignment on vessels requiring pilotage in the Puget Sound pilotage district.

(2) The board of pilotage commissioners shall file the annual report to the governor and chairs of the transportation committees required under RCW 88.16.035(1)(f) by September 1, 2021, and annually thereafter. The report must include the continuation of policies and procedures necessary to increase the diversity of pilots, trainees, and applicants, including a diversity action plan. The diversity action plan must articulate a comprehensive vision of the board's diversity goals and the steps it will take to reach those goals.

NEW SECTION. Sec. 110. FOR THE HOUSE OF REPRESENTATIVES

Motor Vehicle	Account-State
Appropriation	\$3,210,000

NEW SECTION. Sec. 111. FOR THE SENATE

Motor Vehicle	Account-State
Appropriation	\$3,085,000

NEW SECTION. Sec. 112. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Motor Vehicle	Account-State
Appropriation	\$400,000

The appropriation in this section is subject to the following

conditions and limitations: \$400,000 of the motor vehicle account-state appropriation is provided solely for the department, from amounts set aside out of statewide fuel taxes distributed to cities according to RCW 46.68.110(2), to contract with the association of Washington cities to inventory and assess fish passage barriers associated with city roads located in the *U.S. v. Washington* case area, water resource inventory area numbers one through 23. The study is a continuation of previous inventories, and must finalize a complete inventory of city-owned fish passage barriers in water resource inventory area numbers one through 23. The inventories and assessments must be conducted using the methods described in the department's fish passage, inventory, assessment, and prioritization manual. A report of the study must be provided to the office of

financial management and the transportation committees of the legislature by July 1, 2023.

NEW SECTION. Sec. 113. FOR THE JOINT LEGISLATIVE AUDIT AND REVIEW COMMITTEE

Puget Sound Ferry Capital Construction Account-State

Appropriation	\$300,000
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Multimodal Transportation Account-State	Appropriation	\$200,000
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TOTAL APPROPRIATION	\$500,000
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The appropriations in this section are subject to the following conditions and limitations:

(1) \$300,000 of the Puget Sound ferry capital construction account-state is provided solely for an independent review of the design-build contracting process for the hybrid-electric Olympic class vessels. The review must evaluate, at minimum, the department's cost estimation and cost management practices relating to the design and construction of the first hybrid-electric vessel. The review must include recommendations to benefit the full program for the design and construction of five hybrid-electric vessels. The joint legislative audit and review committee must report to the legislature with the findings by October 1, 2022.

(2) \$200,000 of the multimodal transportation account-state appropriation is provided solely for the joint legislative audit and review committee to conduct a review of the method used to determine the rates for leasing state-owned lands and air space to a regional transit authority. As part of this review, the committee must examine and evaluate the accounting and valuation methodology for debits and credits used in the land bank accounting program utilized by the department of transportation and a regional transit authority. The review must also provide an evaluation of the specific type of lease agreements used for air space leasing by the department of transportation with a regional transit authority and the valuation methodology used to determine the lease rate for the property and the cost and benefits of long-term leases based on the periodic land value appraisals under the terms of the land bank agreement. The committee must identify the full cost to the state transportation system if the entire plan

for land and air rights leases by a regional transit authority is undertaken at full economic rent, and the difference in costs to the regional transit authority if the leases were to be issued at less than economic rent, including a scenario in which the value of the land and air rights are discounted by the federal share of the funds that were used to acquire or improve the property originally. The committee shall complete the review and provide a report to the transportation committees of the legislature by December 1, 2022.

TRANSPORTATION AGENCIES—OPERATING

NEW SECTION. Sec. 201. FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION

Highway	Safety	Account—State	
Appropriation	\$4,625,000		
Highway	Safety	Account—Federal	
Appropriation	\$27,202,000		
Highway	Safety	Account—Private/Local	
Appropriation	\$60,000		
School	Zone	Safety	Account—State
Appropriation		\$850,000	
TOTAL APPROPRIATION			\$32,737,000

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

(1) The Washington traffic safety commission may oversee a demonstration project in one county, coordinating with a public transportation benefit area (PTBA) and the department of transportation, to test the feasibility and accuracy of the use of automated enforcement technology for high occupancy vehicle (HOV) lane passenger compliance. All costs associated with the demonstration project must be borne by the participating public transportation benefit area. Any photograph, microphotograph, or electronic images of a driver or passengers are for the exclusive use of the PTBA in the determination of whether an HOV passenger violation has occurred to test the feasibility and accuracy of automated enforcement under this subsection and are not open to the public and may not be used in a court in a pending action or proceeding. All photographs, microphotographs, and electronic images must be destroyed after determining a passenger count and no later than the completion of the demonstration project. No warnings or notices of infraction may

be issued under the demonstration project.

For purposes of the demonstration project, an automated enforcement technology device may record an image of a driver and passenger of a motor vehicle. The county and PTBA must erect signs marking the locations where the automated enforcement for HOV passenger requirements is occurring.

The PTBA, in consultation with the Washington traffic safety commission, must provide a report to the transportation committees of the legislature with the number of violations detected during the demonstration project, whether the technology used was accurate and any recommendations for future use of automated enforcement technology for HOV lane enforcement by June 30, 2022.

(2) The Washington traffic safety commission may oversee a pilot program in up to three cities implementing the use of automated vehicle noise enforcement cameras in zones that have been designated by ordinance as "Stay Out of Areas of Racing."

(a) Any programs authorized by the commission must be authorized by December 31, 2022.

(b) If a city has established an authorized automated vehicle noise enforcement camera pilot program under this section, the compensation paid to the manufacturer or vendor of the equipment used must be based upon the value of the equipment and services provided or rendered in support of the system.

(c) Any city administering a pilot program overseen by the traffic safety commission shall use the following guidelines to administer the program:

(i) Automated vehicle noise enforcement camera may record photographs or audio of the vehicle and vehicle license plate only while a violation is occurring. The picture must not reveal the face of the driver or of passengers in the vehicle;

(ii) The law enforcement agency of the city or county government shall install two signs facing opposite directions within 200 feet, or otherwise consistent with the uniform manual on traffic control devices, where the automated vehicle noise enforcement camera is used

that state "Street Racing Noise Pilot Program in Progress";

(iii) Cities testing the use of automated vehicle noise enforcement cameras must post information on the city website and notify local media outlets indicating the zones in which the automated vehicle noise enforcement cameras will be used;

(iv) A city may only issue a warning notice with no penalty for a violation detected by automated vehicle noise enforcement cameras in a Stay Out of Areas of Racing zone. Warning notices must be mailed to the registered owner of a vehicle within fourteen days of the detected violation;

(v) A violation detected through the use of automated vehicle noise enforcement cameras is not part of the registered owner's driving record under RCW 46.52.101 and 46.52.120;

(vi) Notwithstanding any other provision of law, all photographs, videos, microphotographs, audio recordings, or electronic images prepared under this section are for the exclusive use of law enforcement in the discharge of duties under this section and are not open to the public and may not be used in a court in a pending action or proceeding. No photograph, microphotograph, audio recording, or electronic image may be used for any purpose other than the issuance of warnings for violations under this section or retained longer than necessary to issue a warning notice as required under this subsection (2); and

(vii) By June 30, 2023, the participating cities shall provide a report to the commission and appropriate committees of the legislature regarding the use, public acceptance, outcomes, warnings issued, data retention and use, and other relevant issues regarding automated vehicle noise enforcement cameras demonstrated by the pilot projects.

(3) The Washington traffic safety commission shall coordinate with each city that implements a pilot program as authorized in RCW 46.63.170, chapter 224, Laws of 2020 to provide the transportation committees of the legislature with the following information by June 30, 2023:

(a) The number of warnings and infractions issued to first-time violators under the pilot program;

(b) The number of warnings and infractions issued to the registered owners of vehicles that are not registered with an address located in the city conducting the pilot program; and

(c) The frequency with which warnings and infractions are issued on weekdays versus weekend days.

NEW SECTION. Sec. 202. FOR THE COUNTY ROAD ADMINISTRATION BOARD

Rural Arterial Trust Account—State	Appropriation	\$1,134,000
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Motor Vehicle Account—State	Appropriation	\$4,760,000
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County Arterial Preservation Account—State	Appropriation	\$1,669,000
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Appropriation	\$1,669,000
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TOTAL APPROPRIATION	\$7,563,000
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The appropriations in this section are subject to the following conditions and limitations: \$2,000,000 of the motor vehicle account—state appropriation is provided solely for deposit into the county road administration board emergency loan account—state account.

NEW SECTION. Sec. 203. FOR THE TRANSPORTATION IMPROVEMENT BOARD

Transportation Improvement Account—State	Appropriation	\$4,510,000
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Appropriation	\$4,510,000
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NEW SECTION. Sec. 204. FOR THE JOINT TRANSPORTATION COMMITTEE

Motor Vehicle Account—State	Appropriation	\$2,679,000
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Multimodal Transportation Account—State	Appropriation	\$420,000
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TOTAL APPROPRIATION	\$3,099,000
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The appropriations in this section are subject to the following conditions and limitations:

(1) (a) \$250,000 of the motor vehicle account—state appropriation is for the joint transportation committee to convene a vehicle registration payment work group to study and recommend new options for payment of vehicle fees or taxes due at the time of application for vehicle registration.

(b) The work group must consist of, but is not limited to, the following members: A representative of the department of licensing, a representative of county auditors, a representative of subagents, a representative of local taxing authorities imposing a fee or tax due at the time of application for vehicle registration, a representative of a city offering or considering a rebate program for vehicle fees or taxes due at the time of application for vehicle registration, a representative of vehicle owners subject to a motor vehicle excise tax, a representative of vehicle owners subject to an electric car or transportation electrification fee, and an advocate for multimodal transportation options. Work group members are eligible for reimbursement or allowance for expenses pursuant to RCW 43.03.220.

(c) The work group must engage with members of the public who are interested in new options for payment of fees or taxes due at the time of application for vehicle registration, including persons from communities of color, low-income households, vulnerable populations, and displaced communities. Input from members of the public must inform the work group's recommendations. The work group must notify members of the public of opportunities to engage through a variety of communication channels including, but not limited to, the following: Outreach through community organizations, print and broadcast media, and social media.

(d) The work group's recommendations must include, but are not limited to, the following:

(i) Options to provide or encourage rebates to vehicle owners who pay taxes and fees due at the time of application for vehicle registration;

(ii) An agreed upon service fee structure for vehicle registration payment plans;

(iii) An agreed upon service fee revenue allocation method;

(iv) A process to allow agents and subagents to determine if a vehicle owner has paid all taxes and fees due prior to renewal of a vehicle registration;

(v) Options for reducing revenue loss due to missed payments, transfer of the certificate of title, or registration of a vehicle out of state; and

(vi) Options to reduce impacts to communities of color, low-income households, vulnerable populations, and displaced communities.

(e) A report of the work group's findings and recommendations is due to the transportation committees of the legislature by September 30, 2022.

(2) \$50,000 of the motor vehicle account—state appropriation is for the joint transportation committee to contract for a legal consultant to analyze and recommend options for the formation of a bistate bridge authority for the purpose of constructing, financing, operating and maintaining a new replacement bridge over the Columbia River near Hood River connecting Klickitat county in Washington to Hood River county in Oregon. The consultant may confer with the Hood River Bistate Working Group to understand the work and analysis that has been completed.

The Washington interlocal cooperation act, chapter 39.34 RCW, authorizes public agencies to contract with other public agencies via interlocal agreements that enable cooperation among the agencies to perform governmental activities and deliver public services, including agreements with public entities in other states. Such interstate agreements are deemed interstate compacts. The legal analysis must identify and recommend alternative and/or additional statutory authority that would be necessary to allow for the formation of a local government bistate bridge authority or governance structure for the Hood River Bridge replacement that at a minimum may:

(a) Issue bonds for bridge construction;

(b) Collect tolls; and

(c) Secure and administer state or federal grants and loans.

The legal analysis must be presented to the transportation committees of the legislature by September 30, 2021.

(3) \$220,000 of the multimodal transportation account—state appropriation is for overseeing a consultant study to provide recommendations related to the Washington state department of transportation's role in broadband service expansion efforts as directed in chapter . . . (Engrossed Substitute House Bill No. 1457), Laws of 2021 (broadband

along state highways). If chapter . . . (Engrossed Substitute House Bill No. 1457), Laws of 2021 (broadband along state highways) is not enacted by June 30, 2021, the amount provided in this subsection lapses.

(4) \$215,000 of the motor vehicle account-state appropriation is provided solely for the joint transportation committee, from amounts set aside out of statewide fuel taxes distributed to cities according to RCW 46.68.110(2), to convene a study on the impacts of current and historical city transportation investments on designated populations, including communities of color, low-income households, vulnerable populations, and displaced communities. The study must identify and measure the true costs of underinvestment of accessible transportation for designated populations, including the secondary impacts to public health, economic opportunity, educational access, and environmental risk factors. The assessment must include specific approaches to addressing existing inequities within cities, as well as recommendations to develop best practices to improve, diversify, and expand city transportation investments. A report must be provided to the office of financial management and the transportation committees of the legislature by December 20, 2022.

(5) \$400,000 of the motor vehicle account-state appropriation is for the development of a workforce plan for the Washington state ferries which addresses recruitment, retention, diversity, training needs, leadership development, succession planning and other elements needed to ensure sufficient and cost-effective crewing and staffing of the ferry system. In developing the scope of work for the plan and throughout plan development, the joint transportation committee must solicit input from representatives of the Washington state ferries division and the human resources division of the Washington state department of transportation. Represented employee groups must also be consulted as part of plan development. The plan must include a roadmap for Washington state ferries to comprehensively address persistent staffing challenges and strategically position itself for its future workforce needs. The joint transportation committee must issue an interim report identifying short-term strategies to

reduce reliance on overtime for staffing day-to-day ferry service. The interim report is due to the transportation committees of the legislature by January 1, 2022. The final report is due to the transportation committees of the legislature by December 20, 2022.

(6) \$200,000 of the multimodal transportation account-state appropriation is for the joint transportation committee to update the Washington State Short Line Rail Inventory and Needs Assessment, prepared in 2015, and to facilitate a stakeholder process to assess the effectiveness of state support for short line rail infrastructure based on current and future short line rail infrastructure needs. This assessment must include consideration of current state grant and loan programs, including state investment in nonstate owned short lines, the state's role and investments in the Palouse River and Coulee City (PCC) rail system, and any other ongoing state activities related to short line rail infrastructure. The joint transportation committee must solicit input from all regions of the state from representatives of: Short line rail infrastructure owners, short line rail operators, short line rail customers from representative industries, ports served by short line rail infrastructure, the Washington state department of transportation, the utilities and transportation commission, and other relevant stakeholders as identified by the joint transportation committee. A report with recommendations to enhance the state's support for short line rail infrastructure is due to the transportation committees of the legislature by January 1, 2022.

(7)(a) \$200,000 of the motor vehicle account-state appropriation is for the joint transportation committee to develop a truck parking action plan with recommendations for immediate next steps for near-term and lasting change in the availability of truck parking for short-haul and long-distance commercial vehicle drivers who require reasonable accommodations for parking commercial motor vehicles, obtaining adequate services, and complying with federal rest requirements. For each opportunity identified, the action plan must:

(i) Assess the magnitude of potential impact;

(ii) Assess the potential difficulty level of implementation; and

(iii) Explain barriers to success and specific steps required to overcome them.

(b) The action plan must focus on approaches that would be most impactful and feasible and may include, but not be limited to:

(i) Specific cooperative private sector and government actions;

(ii) Legal and regulatory frameworks at the state level to drive private and/or public-sector action;

(iii) Incentive-based government programs to spur private sector innovation and investment; and

(iv) Direct government action at the state, regional, and/or local level.

(c) The action plan must identify specific, promising projects and approaches, and provide a clear roadmap to what is needed to drive real, substantial improvements in truck parking.

(d) Outreach for action plan input, including on the feasibility of each opportunity evaluated, must include outreach to representatives of: The trucking industry; truck labor organizations; the shipping industry; truck stop owners; commercial freight delivery recipients, including warehouse and retail recipients; the association of Washington cities; the Washington state association of counties; the Washington state department of transportation; the Washington state patrol; and an academic or research institution that can provide input on technical components of the plan.

(e) A concise action plan with specific recommended next steps is due to the transportation committees of the legislature by January 1, 2022.

NEW SECTION. Sec. 205. FOR THE TRANSPORTATION COMMISSION

Motor Vehicle Account-State
Appropriation \$2,438,000

Interstate 405 and State Route Number
167 Express Toll Lanes

Account-State Appropriation
\$127,000

State Route Number 520 Corridor
Account-State

Appropriation \$276,000

Tacoma Narrows Toll Bridge Account-State

Appropriation \$180,000

Alaskan Way Viaduct Replacement
Project

Account-State Appropriation
\$172,000

TOTAL APPROPRIATION \$3,193,000

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

(1) The commission shall reconvene the road usage charge steering committee, with the same membership described in chapter 297, Laws of 2018, and shall periodically report to the steering committee with updates on activities undertaken in accordance with the federal grant awarded July 2020 ("Forward Drive"). A year-end update on the status of any federally-funded project for which federal funding is secured must be provided to the governor's office and the transportation committees of the legislature by January 1, 2022, and by January 1, 2023. Any legislative vacancies on the steering committee must be appointed by the speaker of the house of representatives for a house of representatives member vacancy, and by the president of the senate for a senate member vacancy.

(2) \$200,000 of the motor vehicle account-state appropriation is provided solely for the implementation of chapter . . . (Substitute Senate Bill No. 5444), Laws of 2021 (per mile charge). If chapter . . . (Substitute Senate Bill No. 5444), Laws of 2021 is not enacted by June 30, 2021, the amount provided in this subsection lapses.

(3) \$127,000 of the Interstate 405 and state route number 167 express toll lanes account-state appropriation, \$276,000 of the state route number 520 corridor account-state appropriation, \$180,000 of the Tacoma Narrows toll bridge account-state appropriation, and \$172,000 of the Alaskan Way viaduct replacement project account-state appropriation are provided solely for the transportation commission's proportional share of time spent supporting tolling operations for the respective tolling facilities.

(4) \$50,000 of the motor vehicle account-state appropriation is provided solely for the commission to identify and measure how a road usage charge could be

adjusted so that vehicles of comparable efficiency pay the same rate regardless of their means of propulsion and examine options for indexing to stabilize revenue as vehicle fleets become more efficient over time. If chapter . . . (Substitute Senate Bill No. 5444), Laws of 2021 is not enacted by June 30, 2021, the amount provided in this subsection lapses.

(5) (a) The transportation budget is currently reliant on vehicle and driver related fees. Motor vehicle registrations, driver licenses, tolls, and the motor vehicle fuel tax provide the primary revenues for the transportation budget. These user revenues no longer adequately support the transportation system's needs. Many of the transportation modes have no or little ability to generate revenue, yet are important elements of a functioning transportation network. Providing transportation options that do not involve passenger vehicles is critical. The tax burden in the transportation budget falls on people that own and drive vehicles. It fails to provide the money needed for the system quality that the people of Washington want.

(b) Therefore, the commission is directed to evaluate, identify, and consider agencies, programs, and activities that are currently funded in the transportation budget that provide a public good that might be paid for using other revenues. The commission is directed to make recommendations for potential changes to funding sources for the transportation system with the goal of providing funding to maintain existing transportation assets in a state of good repair without exclusively relying on vehicle owners or drivers as the revenue source. Preliminary findings must be presented to the Joint Transportation Committee by September 30, 2022, and a final report issued to the appropriate committees of the legislature by December 1, 2022.

NEW SECTION. Sec. 206. FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD

Freight Mobility Investment Account—State

Appropriation \$831,000

NEW SECTION. Sec. 207. FOR THE WASHINGTON STATE PATROL

State Patrol Highway Account—State Appropriation \$517,391,000

State Patrol Highway Account—Federal Appropriation \$15,838,000

State Patrol Highway Account—Private/Local

Appropriation \$4,267,000

Highway Safety Account—State Appropriation \$1,214,000

Ignition Interlock Device Revolving Account—State

Appropriation \$5,053,000

Multimodal Transportation Account—State Appropriation \$288,000

State Route Number 520 Corridor Account—State

Appropriation \$433,000

Tacoma Narrows Toll Bridge Account—State

Appropriation \$77,000

I-405 and SR 167 Express Toll Lanes Account—State

Appropriation \$1,348,000

TOTAL APPROPRIATION \$545,909,000

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

(1) Washington state patrol officers engaged in off-duty uniformed employment providing traffic control services to the department of transportation or other state agencies may use state patrol vehicles for the purpose of that employment, subject to guidelines adopted by the chief of the Washington state patrol. The Washington state patrol must be reimbursed for the use of the vehicle at the prevailing state employee rate for mileage and hours of usage, subject to guidelines developed by the chief of the Washington state patrol.

(2) \$580,000 of the state patrol highway account—state appropriation is provided solely for the operation of and administrative support to the license investigation unit to enforce vehicle registration laws in southwestern Washington. The Washington state patrol, in consultation with the department of revenue, shall maintain a running estimate of the additional vehicle registration fees, sales and use taxes, and local vehicle fees remitted to the state pursuant to activity conducted by the license investigation unit. Beginning October 1, 2021, and quarterly

thereafter, the Washington state patrol shall submit a report detailing the additional revenue amounts generated since January 1, 2021, to the director of the office of financial management and the transportation committees of the legislature. At the end of the calendar quarter in which it is estimated that more than \$625,000 in state sales and use taxes have been remitted to the state since January 1, 2021, the Washington state patrol shall notify the state treasurer and the state treasurer shall transfer funds pursuant to section 406 of this act.

(3) \$4,000,000 of the state patrol highway account—state appropriation is provided solely for a third arming and a third trooper basic training class. The cadet class is expected to graduate in June 2023.

(4) By December 1st of each year during the 2021–2023 biennium, the Washington state patrol must report to the house and senate transportation committees on the status of recruitment and retention activities as follows:

(a) A summary of recruitment and retention strategies;

(b) The number of transportation funded staff vacancies by major category;

(c) The number of applicants for each of the positions by these categories;

(d) The composition of workforce;

(e) Other relevant outcome measures with comparative information with recent comparable months in prior years; and

(f) Activities related to the implementation of the agency's workforce diversity plan, including short-term and long-term, specific comprehensive outreach and recruitment strategies to increase populations underrepresented within both commissioned and noncommissioned employee groups.

(5) \$493,000 of the state patrol highway account—state appropriation is provided solely for aerial criminal investigation tools, including software licensing and maintenance, and annual certification, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(6) \$7,962,000 of the state patrol highway account—state appropriation is provided solely for the land mobile radio system replacement, upgrade, and other

related activities. Beginning January 1, 2022, the Washington state patrol must report semiannually to the office of the state chief information officer on the progress related to the projects and activities associated with the land mobile radio system, including the governance structure, outcomes achieved in the prior six month time period, and how the activities are being managed holistically as recommended by the office of the chief information officer. At the time of submittal to the office of the state chief information officer, this report shall be transmitted to the office of financial management and the house and senate transportation committees.

(7) \$510,000 of the ignition interlock device revolving account—state appropriation is provided solely for the ignition interlock program at the Washington state patrol to provide funding for two staff to work and provide support for the program in working with manufacturers, service centers, technicians, and participants in the program.

(8) \$1,348,000 of the Interstate 405 and state route number 167 express toll lanes account—state appropriation, \$433,000 of the state route number 520 corridor account—state appropriation, and \$77,000 of the Tacoma Narrows toll bridge account—state appropriation are provided solely for the Washington state patrol's proportional share of time spent supporting tolling operations and enforcement for the respective tolling facilities.

(9) \$289,000 of the state patrol highway account—state appropriation is provided solely for the replacement of 911 workstations.

(10) \$35,000 of the state patrol highway account—state appropriation is provided solely for the replacement of bomb response equipment.

(11) \$713,000 of the state patrol highway account—state appropriation is provided solely for information technology infrastructure maintenance.

(12) The Washington state patrol must provide a report to the office of financial management and the house and senate transportation committees on its plan for implementing a transition to cloud computing and storage with its 2023–2025 budget submittal.

(13) \$945,000 of the state patrol highway account—state appropriation is provided solely for implementation of chapter . . . (Substitute House Bill No. 1223), Laws of 2021 (custodial interrogations). If chapter . . . (Substitute House Bill No. 1223), Laws of 2021 (custodial interrogations) is not enacted by June 30, 2021, the amount provided in this subsection lapses.

(14) \$46,000 of the state patrol highway account—state appropriation is provided solely for implementation of chapter . . . (Engrossed Substitute House Bill No. 1054), Laws of 2021 (peace officer tactics). If chapter . . . (Engrossed Substitute House Bill No. 1054), Laws of 2021 (peace officer tactics) is not enacted by June 30, 2021, the amount provided in this subsection lapses.

(15) \$46,000 of the state patrol highway account—state appropriation is provided solely for implementation of chapter . . . (Engrossed Second Substitute House Bill No. 1310), Laws of 2021 (use of force by officers). If chapter . . . (Engrossed Second Substitute House Bill No. 1310), Laws of 2021 (use of force by officers) is not enacted by June 30, 2021, the amount provided in this subsection lapses.

(16) (a) The legislature finds that the water connection extension constructed by the Washington state patrol from the city of Shelton's water facilities to the Washington state patrol academy was necessary to meet the water supply needs of the academy. The legislature also finds that the water connection provides an ongoing water supply that is necessary to the operation of the training facility, that the state is making use of the water connection for these public activities, and that any future incidental use of the municipal infrastructure put in place to support these activities will not impede the Washington state patrol's ongoing use of the water connection extension.

(b) \$2,220,000 of the transfer from the waste tire removal account to the motor vehicle fund, as required under RCW 70A.205.425, reimburses the motor vehicle fund for the portion of the water project costs assigned by the agreement to properties, other than the Washington state patrol academy, that make use of the water connection while the agreement remains in effect. This reimbursement to the motor vehicle fund is intended to

address any possibility that the termination of this agreement could be determined to result in the unconstitutional use of 18th amendment designated funds for nonhighway purposes under the constitution of the state of Washington; however, this transfer is not intended to indicate that the incidental use of this infrastructure by these properties necessarily requires such reimbursement under the state Constitution. Immediately following the transfer of funds, Washington state patrol and the city of Shelton shall meet to formally update the terms of their "Agreement for Utility Connection and Reimbursement of Water Extension Expenses" executed on June 12, 2017, to reflect the intent of the proviso.

(17) The appropriations in this section provide sufficient funding for state patrol staffing assuming vacancy savings which may change over time. Funding for staffing will be monitored and adjusted in the 2022 supplemental budget to restore funding as authorized staffing levels are achieved.

NEW SECTION. Sec. 208. FOR THE DEPARTMENT OF LICENSING

Marine Fuel Tax Refund Account—State
Appropriation \$34,000

Motorcycle Safety Education Account—
State

Appropriation \$4,894,000

Limited Fish and Wildlife Account—
State

Appropriation \$917,000

Highway Safety Account—State
Appropriation \$241,868,000

Highway Safety Account—Federal
Appropriation \$1,294,000

Motor Vehicle Account—State
Appropriation \$73,327,000

Motor Vehicle Account—Federal
Appropriation \$150,000

Motor Vehicle Account—Private/Local
Appropriation \$6,600,000

Ignition Interlock Device Revolving
Account—State

Appropriation \$6,071,000

Department of Licensing Services
Account—State

Appropriation \$8,157,000

License Plate Technology Account--State
 Appropriation \$4,250,000

Abandoned Recreational Vehicle
 Account--State
 Appropriation \$3,066,000

Limousine Carriers Account--State
 Appropriation \$110,000

Electric Vehicle Account--State
 Appropriation \$405,000

DOL Technology Improvement & Data
 Management
 Account--State Appropriation
 \$748,000

Agency Financial Transaction Account--
 State
 Appropriation \$21,257,000

Driver Licensing Technology Support
 Account--State Appropriation
 \$1,373,000

TOTAL APPROPRIATION \$374,521,000

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

(1) \$1,100,000 of the highway safety account--state appropriation is provided solely for the department to provide an interagency transfer to the department of social and health services, children's administration division for the purpose of providing driver's license support to a larger population of foster youth than is already served within existing resources. Support services include reimbursement of driver's license issuance costs, fees for driver training education, and motor vehicle liability insurance costs.

(2) The appropriations in this section assume implementation by the department of cost recovery mechanisms to recoup at least \$21,257,000 during the 2021-2023 biennium in credit card and other financial transaction costs as part of charges imposed for driver and vehicle fee transactions. During the 2021-2023 fiscal biennium, the department must report any amounts recovered to the office of financial management and appropriate committees of the legislature on a quarterly basis.

(3) (a) For the 2021-2023 biennium, the department shall charge \$6,600,000 for the administration and collection of a motor vehicle excise tax on behalf of a

regional transit authority, as authorized under RCW 82.44.135. The amount in this subsection must be deducted before distributing any revenues to a regional transit authority.

(b) \$100,000 of the motor vehicle account--state appropriation is provided solely for the department to work with the regional transit authority imposing a motor vehicle excise tax pursuant to RCW 81.104.160 and transportation benefit districts imposing vehicle fees pursuant to RCW 82.80.140, and other relevant parties, to determine cost recovery options for the administration and collection of the taxes and fees. The options must include:

(i) Full cost recovery for the direct and indirect expenses by the department of licensing, subagents, and counties;

(ii) Marginal cost recovery for the direct and indirect expenses by the department of licensing, subagents, and counties;

(iii) The estimated costs if the regional transit authority or transportation benefit districts had to contract out the entire collection and administrative activity with a nongovernmental entity.

(4) \$12,000 of the motorcycle safety education account--state appropriation, \$2,000 of the limited fish and wildlife account--state appropriation, \$728,000 of the highway safety account--state appropriation, \$238,000 of the motor vehicle account--state appropriation, \$10,000 of the ignition interlock device revolving account--state appropriation, and \$10,000 of the department of licensing services account--state appropriation are provided solely for the department to redesign and improve its online services and website, and are subject to the conditions, limitations, and review requirements of section 701 of this act.

(5) \$28,636,000 of the highway safety account--state appropriation is provided solely for costs necessary to accommodate increased demand for enhanced drivers' licenses and enhanced identicards. The department shall report on a quarterly basis on the use of these funds, associated workload, and information with comparative information with recent comparable months in prior years. The report must include detailed statewide and by licensing service office information on staffing levels, average

monthly wait times, the number of enhanced drivers' licenses and enhanced identicards issued/renewed, and the number of primary drivers' licenses and identicards issued/renewed. Within the amounts provided in this subsection, the department shall implement efficiency measures to reduce the time for licensing transactions and wait times including, but not limited to, the installation of additional cameras at licensing service offices that reduce bottlenecks and align with the "keep your customer" initiative.

(6) \$500,000 of the highway safety account-state appropriation is provided solely for communication and outreach activities necessary to inform the public of federally acceptable identification options including, but not limited to, enhanced drivers' licenses and enhanced identicards. The department shall continue the outreach plan that includes informational material that can be effectively communicated to all communities and populations in Washington. To accomplish this work, the department shall contract with an external vendor with demonstrated experience and expertise in outreach and marketing to underrepresented communities in a culturally responsive fashion.

(7) \$523,000 of the highway safety account-state appropriation is provided solely for the implementation of chapter . . . (Substitute House Bill No. 1207), Laws of 2021 (DOL issued documents). If chapter . . . (Substitute House Bill No. 1207), Laws of 2021 is not enacted by June 30, 2021, the amount provided in this subsection lapses.

(8) \$1,373,000 of the driver licensing technology support account-state appropriation is provided solely for the implementation of chapter . . . (Engrossed Substitute Senate Bill No. 5226), Laws of 2021 (suspension of licenses for traffic infractions). If chapter . . . (Engrossed Substitute Senate Bill No. 5226), Laws of 2021 is not enacted by June 30, 2021, the amount provided in this subsection lapses.

(9) \$23,000 of the highway safety account-state appropriation is provided solely for the implementation of chapter 10 (Engrossed Substitute House Bill No. 1078), Laws of 2021 (restoring voter eligibility after felony conviction).

(10) \$3,074,000 of the abandoned recreational vehicle disposal account-

state appropriation is provided solely for providing reimbursements in accordance with the department's abandoned recreational vehicle disposal reimbursement program. It is the intent of the legislature that the department prioritize this funding for allowable and approved reimbursements and not to build a reserve of funds within the account. During the 2021-2023 fiscal biennium, the department must report any amounts recovered to the office of financial management and appropriate committees of the legislature on a quarterly basis.

(11)(a) \$54,000 of the motor vehicle account-state appropriation is provided solely for the issuance of nonemergency medical transportation vehicle decals to implement the high occupancy vehicle lane access pilot program established in section 216 of this act. A for hire nonemergency medical transportation vehicle is a vehicle that is a "for hire vehicle" under RCW 46.04.190 that provides nonemergency medical transportation, including for life-sustaining transportation purposes, to meet the medical transportation needs of individuals traveling to medical practices and clinics, cancer centers, dialysis facilities, hospitals, and other care providers.

(b) As part of this pilot program, the owner of a for hire nonemergency medical transportation vehicle may apply to the department, county auditor or other agent, or subagent appointed by the director, for a high occupancy vehicle exempt decal for a for hire nonemergency medical transportation vehicle. The high occupancy vehicle exempt decal allows the for hire nonemergency medical transportation vehicle to use a high occupancy vehicle lane as specified in RCW 46.61.165 and 47.52.025 during the 2021-2023 fiscal biennium.

(c) For the exemption in this subsection to apply to a for hire nonemergency medical transportation vehicle, the decal:

(i) Must be displayed on the vehicle so that it is clearly visible from outside the vehicle;

(ii) Must identify that the vehicle is exempt from the high occupancy vehicle requirements; and

(iii) Must be visible from the rear of the vehicle.

(d) The owner of a for hire nonemergency medical transportation vehicle or the owner's representative must apply for a high occupancy vehicle exempt decal on a form provided or approved by the department. The application must include:

(i) The name and address of the person who is the owner of the vehicle;

(ii) A full description of the vehicle, including its make, model, year, and the vehicle identification number;

(iii) The purpose for which the vehicle is principally used;

(iv) An attestation signed by the vehicle's owner or the owner's representative that the vehicle's owner has a minimum of one contract or service agreement to provide for hire transportation services for medical purposes with one or more of the following entities: A health insurance company; a hospital, clinic, dialysis center, or other medical institution; a day care center, retirement home, or group home; a federal, state, or local agency or jurisdiction; or a broker who negotiates these services on behalf of one or more of these entities; and

(v) Other information as required by the department upon application.

(e) The department, county auditor or other agent, or subagent appointed by the director shall collect the fee required under (f) of this subsection when issuing a high occupancy vehicle exempt decal.

(f) The department, county auditor or other agent, or subagent, is required to collect a \$5 fee when issuing a decal under this subsection, in addition to any other fees and taxes required by law.

(g) A high occupancy vehicle exempt decal expires June 30, 2023, and must be marked to indicate its expiration date. The decal may be renewed if the pilot program is continued past the date of a decal's expiration. The status as an exempt vehicle continues until the high occupancy vehicle exempt decal is suspended or revoked for misuse, the vehicle is no longer used as a for hire nonemergency medical transportation vehicle, or the pilot program established in section 216 of this act is terminated.

(h) The department may adopt rules to implement this subsection.

NEW SECTION. Sec. 209. FOR THE DEPARTMENT OF TRANSPORTATION—TOLL OPERATIONS AND MAINTENANCE—PROGRAM B

State Route Number 520 Corridor Account—State

Appropriation \$53,689,000

State Route Number 520 Civil Penalties Account—State

Appropriation \$4,122,000

Tacoma Narrows Toll Bridge Account—State

Appropriation \$29,809,000

Alaskan Way Viaduct Replacement Project Account—State

Appropriation \$20,840,000

Interstate 405 and State Route Number 167 Express

Toll Lanes Account—State Appropriation \$23,910,000

TOTAL APPROPRIATION \$132,370,000

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

(1) \$1,300,000 of the Tacoma Narrows toll bridge account—state appropriation and \$12,484,000 of the state route number 520 corridor account—state appropriation are provided solely for the purposes of addressing unforeseen operations and maintenance costs on the Tacoma Narrows bridge and the state route number 520 bridge, respectively. The office of financial management shall place the amounts provided in this subsection, which represent a portion of the required minimum fund balance under the policy of the state treasurer, in unallotted status. The office may release the funds only when it determines that all other funds designated for operations and maintenance purposes have been exhausted.

(2) As long as the facility is tolled, the department must provide annual reports to the transportation committees of the legislature on the Interstate 405 express toll lane project performance measures listed in RCW 47.56.880(4). These reports must include:

(a) Information on the travel times and travel time reliability (at a minimum, average and 90th percentile travel times) maintained during peak and nonpeak periods in the express toll lanes

and general purpose lanes for both the entire corridor and commonly made trips in the corridor including, but not limited to, northbound from Bellevue to Rose Hill, state route number 520 at NE 148th to Interstate 405 at state route number 522, Bellevue to Bothell (both NE 8th to state route number 522 and NE 8th to state route number 527), and a trip internal to the corridor (such as NE 85th to NE 160th) and similar southbound trips;

(b) A month-to-month comparison of travel times and travel time reliability for the entire corridor and commonly made trips in the corridor as specified in (a) of this subsection since implementation of the express toll lanes and, to the extent available, a comparison to the travel times and travel time reliability prior to implementation of the express toll lanes;

(c) Total express toll lane and total general purpose lane traffic volumes, as well as per lane traffic volumes for each type of lane (i) compared to total express toll lane and total general purpose lane traffic volumes, as well as per lane traffic volumes for each type of lane, on this segment of Interstate 405 prior to implementation of the express toll lanes and (ii) compared to total express toll lane and total general purpose lane traffic volumes, as well as per lane traffic volumes for each type of lane, from month to month since implementation of the express toll lanes; and

(d) Underlying congestion measurements, that is, speeds, that are being used to generate the summary graphs provided, to be made available in a digital file format.

(3) (a) \$708,000 of the Interstate 405 and state route number 167 express toll lanes account-state appropriation, \$1,651,000 of the state route number 520 corridor account-state appropriation, \$709,000 of the Tacoma Narrows toll bridge account-state appropriation, and \$932,000 of the Alaskan Way viaduct replacement project account-state appropriation are provided solely for the reappropriation of unspent funds on the new tolling back office system from the 2019-2021 biennium, and are subject to the conditions, limitations, and review provided in section 701 of this act.

(b) The department shall continue to work with the office of financial

management, office of the chief information officer, and the transportation committees of the legislature on the project management plan that includes a provision for independent verification and validation of contract deliverables from the successful bidder and a provision for quality assurance that includes reporting independently to the office of the chief information officer on an ongoing basis during system implementation.

(c) The office of financial management shall place the amounts provided in this subsection in unallotted status until the department submits a detailed progress report on the progress of the new tolling back office system. The director of the office of financial management or their designee shall consult with the chairs and ranking members of the transportation committees of the legislature prior to making a decision to allot these funds.

(4) Out of funding appropriated in this section, the department shall contract with the state auditor's office for a performance audit of the department's project to replace its electronic toll collection system. The audit should include an evaluation of the department's project planning, vendor procurement, contract management and project oversight. The final report is to be issued by December 31, 2022. The state auditor will transmit copies of the report to the jurisdictional committees of the legislature and the department.

(5) The department shall make detailed annual reports to the transportation committees of the legislature and the public on the department's web site on the following:

(a) The use of consultants in the tolling program, including the name of the contractor, the scope of work, the type of contract, timelines, deliverables, any new task orders, and any extensions to existing consultant contracts;

(b) The nonvendor costs of administering toll operations, including the costs of staffing the division, consultants, and other personal service contracts required for technical oversight and management assistance, insurance, payments related to credit card processing, transponder purchases and inventory management, facility

operations and maintenance, and other miscellaneous nonvendor costs;

(c) The vendor-related costs of operating tolled facilities, including the costs of the customer service center, cash collections on the Tacoma Narrows bridge, electronic payment processing, and toll collection equipment maintenance, renewal, and replacement;

(d) The toll adjudication process, including a summary table for each toll facility that includes:

(i) The number of notices of civil penalty issued;

(ii) The number of recipients who pay before the notice becomes a penalty;

(iii) The number of recipients who request a hearing and the number who do not respond;

(iv) Workload costs related to hearings;

(v) The cost and effectiveness of debt collection activities; and

(vi) Revenues generated from notices of civil penalty; and

(e) A summary of toll revenue by facility on all operating toll facilities and express toll lane systems, and an itemized depiction of the use of that revenue.

(6) During the 2021-2023 fiscal biennium, the department plans to issue a request for proposals as the first stage of a competitive procurement process that will replace the toll equipment and select a new tolling operator for the Tacoma Narrows Bridge. The request for proposals and subsequent competitive procurement must incorporate elements that prioritize the overall goal of lowering costs per transaction for the facility, such as incentives for innovative approaches which result in lower transactional costs, requests for efficiencies on the part of the bidder that lower operational costs, and incorporation of technologies such as self-serve credit card machines or other point-of-payment technologies that lower costs or improve operational efficiencies.

(7) \$19,908,000 of the Alaskan Way viaduct replacement project account-state appropriation is provided solely for the new state route number 99 tunnel toll facility's expected share of collecting toll revenues, operating

customer services, and maintaining toll collection systems. The legislature expects to see appropriate reductions to the other toll facility accounts once tolling on the new state route number 99 tunnel toll facility stabilizes and any previously incurred costs for start-up of the new facility are charged back to the Alaskan Way viaduct replacement project account. The office of financial management shall closely monitor the application of the cost allocation model and ensure that the new state route number 99 tunnel toll facility is adequately sharing costs and the other toll facility accounts are not being overspent or subsidizing the new state route number 99 tunnel toll facility.

(8) The department shall submit a plan to the legislature for the Interstate 405 and state route number 167 express toll lanes account detailing how bond proceeds can cover the proposed construction plan on the Interstate 405 and state route number 167 express toll lane corridor outlined on LEAP Transportation Document 2021-1 as developed April 23, 2021, by January 1, 2022.

(9) \$1,516,000 of the state route number 520 corridor account-state appropriation is provided solely for the increased costs of insurance for the state route number 520 floating bridge. The department shall conduct an evaluation of the short and long-term costs and benefits including risk mitigation of self-insurance as compared to the commercial insurance option for the state route number 520 floating bridge, as allowed under the terms of the state route number 520 master bond resolution. By December 15, 2021, the department shall report to the legislature on the results of this evaluation.

(10) As part of the department's 2023-2025 biennial budget request, the department shall update the cost allocation recommendations that assign appropriate costs to each of the toll funds for services provided by relevant Washington state department of transportation programs, the Washington state patrol, and the transportation commission. The recommendations shall be based on updated traffic and toll transaction patterns and other relevant factors.

(11) All amounts provided for operations and maintenance expenses on the SR 520 facility from the state route

number 520 corridor account during the 2021-2023 fiscal biennium in this act, up to a maximum of \$59,567,000, are derived from the receipt of federal American rescue plan act of 2021 funds and not toll revenues.

NEW SECTION. Sec. 210. FOR THE DEPARTMENT OF TRANSPORTATION—INFORMATION TECHNOLOGY—PROGRAM C

Transportation Partnership Account—
State Appropriation \$1,377,000

Motor Vehicle Account—State
Appropriation \$97,026,000

Puget Sound Ferry Operations Account—
State
Appropriation \$263,000

Multimodal Transportation Account—
State
Appropriation \$6,986,000

Transportation 2003 Account (Nickel
Account)—State
Appropriation \$1,393,000

TOTAL APPROPRIATION \$107,045,000

The appropriations in this section are subject to the following conditions and limitations: \$4,273,000 of the multimodal transportation account—state appropriation and \$4,273,000 of the motor vehicle account—state appropriation are provided solely for the department's cost related to the one Washington project, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

NEW SECTION. Sec. 211. FOR THE DEPARTMENT OF TRANSPORTATION—FACILITY MAINTENANCE, OPERATIONS, AND CONSTRUCTION—PROGRAM D—OPERATING

Motor Vehicle Account—State
Appropriation \$35,574,000

State Route Number 520 Corridor
Account—State
Appropriation \$34,000

TOTAL APPROPRIATION \$35,608,000

NEW SECTION. Sec. 212. FOR THE DEPARTMENT OF TRANSPORTATION—AVIATION—PROGRAM F

Aeronautics Account—State
Appropriation \$8,055,000

Aeronautics Account—Federal
Appropriation \$3,916,000

Aeronautics Account—Private/Local
Appropriation \$60,000

TOTAL APPROPRIATION \$12,031,000

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

(1) \$2,888,000 of the aeronautics account—state appropriation is provided solely for the airport aid grant program, which provides competitive grants to public use airports for pavement, safety, maintenance, planning, and security.

(2) \$257,000 of the aeronautics account—state appropriation is provided solely for supporting the commercial aviation coordinating commission, pursuant to section 718 of this act.

(3) \$280,000 of the aeronautics account—state appropriation is provided solely for the implementation of chapter . . . (Substitute House Bill No. 1379), Laws of 2021 (unpiloted aircraft system state coordinator). If chapter . . . (Substitute House Bill No. 1379), Laws of 2021 is not enacted by June 30, 2021, the amount provided in this subsection lapses.

NEW SECTION. Sec. 213. FOR THE DEPARTMENT OF TRANSPORTATION—PROGRAM DELIVERY MANAGEMENT AND SUPPORT—PROGRAM H

Motor Vehicle Account—State
Appropriation \$59,138,000

Motor Vehicle Account—Federal
Appropriation \$500,000

Multimodal Transportation Account—
State Appropriation \$758,000

TOTAL APPROPRIATION \$60,396,000

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

(1) The legislature recognizes that the trail known as the Rocky Reach Trail, and its extensions, serve to separate motor vehicle traffic from pedestrians and bicyclists, increasing motor vehicle safety on state route number 2 and the coincident section of state route number 97. Consistent with chapter 47.30 RCW and pursuant to RCW 47.12.080, the legislature declares that transferring portions of WSDOT Inventory Control (IC) No. 2-09-04686 containing the trail and associated buffer areas to the Washington state parks and recreation commission is consistent with the public interest. The

legislature directs the department to transfer the property to the Washington state parks and recreation commission.

(a) The department must be paid fair market value for any portions of the transferred real property that is later abandoned, vacated, or ceases to be publicly maintained for trail purposes.

(b) Prior to completing the transfer in this subsection (1), the department must ensure that provisions are made to accommodate private and public utilities and any facilities that predate the department's acquisition of the property, at no cost to those entities. Prior to completing the transfer, the department shall also ensure that provisions, by fair market assessment, are made to accommodate other private and public utilities and any facilities that have been legally allowed by permit or other instrument.

(c) The department may sell any adjoining property that is not necessary to support the Rocky Reach Trail and adjacent buffer areas only after the transfer of trail-related property to the Washington state parks and recreation commission is complete. Adjoining property owners must be given the first opportunity to acquire such property that abuts their property, and applicable boundary line or other adjustments must be made to the legal descriptions for recording purposes.

(2) With respect to Parcel 12 of the real property conveyed by the state of Washington to the city of Mercer Island under that certain quitclaim deed, dated April 19, 2000, recorded in King county under recording no. 20000425001234, the requirement in the deed that the property be used for road/street purposes only will be deemed satisfied by the department of transportation so long as commuter parking, as part of the vertical development of the property, is one of the significant uses of the property.

(3) \$1,600,000 of the motor vehicle account-state appropriation is provided solely for real estate services activities. Consistent with RCW 47.12.120 and during the 2021-2023 fiscal biennium, when initiating, extending, or renewing any rent or lease agreements with a regional transit authority, consideration of value must be equivalent to one hundred percent of economic or market rent.

(4) The department shall report to the transportation committees of the legislature by December 1, 2021, on the status of its efforts to consolidate franchises for broadband facilities across the state, including plans for increasing the number of consolidated franchises in the future.

(5) During the 2021-2023 biennium, if the department takes possession of the property situated in the city of Edmonds for which a purchase agreement was executed between Unocal and the department in 2005 (Tax Parcel Number 262703-2-003-0009), and if the department confirms that the property is still no longer needed for transportation purposes, the department shall provide the city of Edmonds with the right of first purchase at fair market value in accordance with RCW 47.12.063(3) for the city's intended use of the property to rehabilitate near-shore habitat for salmon and related species.

(6) \$300,000 of the motor vehicle account-state appropriation is provided solely for the implementation of chapter . . . (Substitute House Bill No. 1355), Laws of 2021 (noxious weeds). If chapter . . . (Substitute House Bill No. 1355), Laws of 2021 (noxious weeds) is not enacted by June 30, 2021, the amount provided in this subsection lapses.

(7) \$500,000 of the multimodal transportation account-state appropriation is provided solely for the implementation of chapter . . . (Engrossed Second Substitute Senate Bill No. 5141), Laws of 2021 (environmental justice task force). If chapter . . . (Engrossed Second Substitute Senate Bill No. 5141), Laws of 2021 (environmental justice task force) is not enacted by June 30, 2021, the amount provided in this subsection lapses.

NEW SECTION. Sec. 214. FOR THE DEPARTMENT OF TRANSPORTATION-PUBLIC-PRIVATE PARTNERSHIPS-PROGRAM K

Motor Vehicle Account-State Appropriation	\$675,000
Electric Vehicle Account-State Appropriation	\$9,900,000
Multimodal Transportation Account-State Appropriation	\$3,290,000
TOTAL APPROPRIATION	\$13,865,000

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

(1) The public-private partnerships program must continue to explore retail partnerships at state-owned park and ride facilities, as authorized in RCW 47.04.295.

(2) \$8,900,000 of the electric vehicle account-state appropriation is provided solely for the clean alternative fuel vehicle charging and refueling infrastructure program in chapter 287, Laws of 2019 (advancing green transportation adoption).

(3) \$2,400,000 of the multimodal transportation account-state appropriation is provided solely for the pilot program established under chapter 287, Laws of 2019 (advancing green transportation adoption) to provide clean alternative fuel vehicle use opportunities to underserved communities and low to moderate income members of the workforce not readily served by transit or located in transportation corridors with emissions that exceed federal or state emissions standards. Consistent with the geographical diversity element described in RCW 47.04.355(4), the legislature strongly encourages the department to consider implementing the pilot in both urban and rural communities if possible, to obtain valuable information on the needs of underserved communities located in different geographical locations in Washington.

(4) \$1,000,000 of the electric vehicle account-state appropriation and \$500,000 of the multimodal transportation account-state appropriation are provided solely for a colocated DC fast charging and hydrogen fueling station near the Wenatchee or East Wenatchee area near a state route or near or on a publicly owned facility to service passenger, light-duty and heavy-duty vehicles. The hydrogen fueling station must include a DC fast charging station colocated at the hydrogen fueling station site. Funds may be used for one or more fuel cell electric vehicles that would utilize the fueling stations. The department must contract with a public utility district that produces hydrogen in the area to own and/or manage and provide technical assistance for the design, planning, permitting, construction, maintenance and operation of the hydrogen fueling station. The department and public utility district are encouraged to collaborate with and seek contributions from additional public and private partners for the fueling station.

(5) \$140,000 of the multimodal transportation account-state appropriation is provided solely for the purpose of conducting an assessment of options for the development, including potential features and costs, for a publicly available mapping and forecasting tool that provides locations and essential information of charging and refueling infrastructure to support forecasted levels of electric vehicle adoption, travel, and usage across Washington state as described in chapter . . . (Engrossed Second Substitute House Bill No. 1287), Laws of 2021 (preparedness for a zero emissions transportation future).

(6) \$250,000 of the multimodal transportation account-state appropriation is provided solely to fund the design of an electric charging mega-site project at Mount Vernon library commons.

NEW SECTION. Sec. 215. FOR THE DEPARTMENT OF TRANSPORTATION-HIGHWAY MAINTENANCE-PROGRAM M

Motor Vehicle	Account-State	
Appropriation	\$496,925,000	
Motor Vehicle	Account-Federal	
Appropriation	\$7,000,000	
State Route Number 520 Corridor		
Account-State		
Appropriation	\$4,082,000	
Tacoma Narrows Toll Bridge		
State		
Appropriation	\$1,479,000	
Alaskan Way Viaduct Replacement		
Project		
Account-State		
\$8,157,000		Appropriation
Interstate 405 and State Route Number		
167 Express		
Toll Lanes Account-State		
Appropriation	\$2,545,000	
TOTAL APPROPRIATION	\$520,188,000	

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

(1) \$7,529,000 of the motor vehicle account-state appropriation is provided solely for utility fees assessed by local governments as authorized under RCW 90.03.525 for the mitigation of stormwater runoff from state highways.

Plan and reporting requirements as required in chapter 435, Laws of 2019 (Local Stormwater Charges) shall be consistent with the January 2012 findings of the Joint Transportation Committee Report for Effective Cost Recovery Structure for WSDOT, Jurisdictions, and Efficiencies in Stormwater Management.

(2) \$5,000,000 of the motor vehicle account-state appropriation is provided solely for a contingency pool for snow and ice removal. The department must notify the office of financial management and the transportation committees of the legislature when they have spent the base budget for snow and ice removal and will begin using the contingency pool funding.

(3) \$1,025,000 of the motor vehicle account-state appropriation is provided solely for the department to implement safety improvements and debris clean up on department-owned rights-of-way in the city of Seattle at levels above that being implemented as of January 1, 2019, to be administered in conjunction with subsection (9) of this section. The department must maintain a crew dedicated solely to collecting and disposing of garbage, clearing debris or hazardous material, and implementing safety improvements where hazards exist to the traveling public, department employees, or people encamped upon department-owned rights-of-way. The department may request assistance from the Washington state patrol as necessary in order for both agencies to provide enhanced safety-related activities regarding the emergency hazards along state highway rights-of-way in the Seattle area.

(4) \$1,015,000 of the motor vehicle account-state appropriation is provided solely for a partnership program between the department and the city of Tacoma, to be administered in conjunction with subsection (9) of this section. The program shall address the safety and public health problems created by homeless encampments on the department's property along state highways within the city limits. \$570,000 is for dedicated department maintenance staff and associated clean-up costs. The department and the city of Tacoma shall enter into a reimbursable agreement to cover up to \$445,000 of the city's expenses for clean-up crews and landfill costs.

(5) The department must continue a pilot program for the 2021-2023 fiscal biennium at the four highest demand

safety rest areas to create and maintain an online calendar for volunteer groups to check availability of weekends for the free coffee program. The calendar must be updated at least weekly and show dates and times that are, or are not, available to participate in the free coffee program. The department must submit a report to the legislature on the ongoing pilot by December 1, 2022, outlining the costs and benefits of the online calendar pilot, and including surveys from the volunteer groups and agency staff to determine its effectiveness.

(6) \$686,000 of the motor vehicle account-state appropriation is provided solely for reimbursing the Oregon department of transportation (ODOT) for the department's share of increased maintenance costs of six highway bridges over the Columbia River that are maintained by ODOT.

(7) \$8,290,000 of the motor vehicle account-state appropriation is provided solely for increased costs of highway maintenance materials.

(8) \$5,816,000 of the motor vehicle account-state appropriation is provided solely for a contingency pool for repairing damages to highways caused by known and unknown third parties. The department must notify the office of financial management and the transportation committees of the legislature when they have spent the base budget for third-party damage repair and will begin using the contingency pool funding.

(9) (a) \$3,000,000 of the motor vehicle account-state appropriation is provided solely for the department to address the risks to safety and public health associated with homeless encampments on department owned rights-of-way. The department must coordinate and work with local government officials and social service organizations who provide services and direct people to housing alternatives that are not in highway rights-of-way to help prevent future encampments from forming on highway rights-of-way, and may reimburse the organizations doing this outreach assistance who transition people into treatment or housing that is not on the rights-of-way or for debris clean up on highway rights-of-way. The department may hire crews specializing in collecting and disposing of garbage, clearing debris or hazardous material, and implementing safety improvements where hazards exist

to the traveling public and department employees. The department may use these funds to either reimburse local law enforcement costs or the Washington state patrol if they are participating as part of a state or local government agreement to provide enhanced safety related activities along state highway rights-of-way.

(b) Beginning October 1, 2021, and semiannually thereafter, the Washington state patrol and the department of transportation must jointly submit a report to the governor and the house and senate transportation committees of the legislature on the status of these efforts, including:

(i) A detailed breakout of the size, location, risk level categorization, and number of encampments on or near department-owned rights-of-way, compared to the levels during the quarter being reported;

(ii) A summary of the activities in that quarter related to addressing these encampments, including information on arrangements with local governments or other entities related to these activities;

(iii) A description of the planned activities in the ensuing quarter to further address the emergency hazards and risks along state highway rights-of-way; and

(iv) Recommendations for executive branch or legislative action to achieve the desired outcome of reduced emergency hazards and risks along state highway rights-of-way.

NEW SECTION. Sec. 216. FOR THE DEPARTMENT OF TRANSPORTATION-TRAFFIC OPERATIONS-PROGRAM Q-OPERATING

Motor Vehicle Account-State
Appropriation \$74,406,000

Motor Vehicle Account-Federal
Appropriation \$2,050,000

Motor Vehicle Account-Private/Local
Appropriation \$250,000

State Route Number 520 Corridor
Account-State
Appropriation \$225,000

Tacoma Narrows Toll Bridge Account-State
Appropriation \$40,000

Alaskan Way Viaduct Replacement
Project Account-

State Appropriation \$1,112,000

Interstate 405 and State Route Number
167 Express

Toll Lanes Account-State Appropriation
\$20,000

TOTAL APPROPRIATION \$78,103,000

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

(1) \$6,000,000 of the motor vehicle account-state appropriation is provided solely for low-cost enhancements. The department shall give priority to low-cost enhancement projects that improve safety or provide congestion relief. By December 15th of each odd-numbered year, the department shall provide a report to the legislature listing all low-cost enhancement projects completed in the prior fiscal biennium.

(2)(a) During the 2021-2023 fiscal biennium, the department shall continue a pilot program that expands private transportation providers' access to high occupancy vehicle lanes. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, the following vehicles must be authorized to use the reserved portion of the highway if the vehicle has the capacity to carry eight or more passengers, regardless of the number of passengers in the vehicle: (i) Auto transportation company vehicles regulated under chapter 81.68 RCW; (ii) passenger charter carrier vehicles regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; (iii) private nonprofit transportation provider vehicles regulated under chapter 81.66 RCW; and (iv) private employer transportation service vehicles. For purposes of this subsection, "private employer transportation service" means regularly scheduled, fixed-route transportation service that is offered by an employer for the benefit of its employees. Nothing in this subsection is intended to authorize the conversion of public infrastructure to private, for-profit purposes or to otherwise create an entitlement or other claim by private users to public infrastructure.

(b) The department shall expand the high occupancy vehicle lane access pilot program to vehicles that deliver or collect blood, tissue, or blood components for a blood-collecting or distributing establishment regulated under chapter 70.335 RCW. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, blood-collecting or distributing establishment vehicles that are clearly and identifiably marked as such on all sides of the vehicle are considered emergency vehicles and must be authorized to use the reserved portion of the highway.

(c) The department shall expand the high occupancy vehicle lane access pilot program to organ transport vehicles transporting a time urgent organ for an organ procurement organization as defined in RCW 68.64.010. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, organ transport vehicles that are clearly and identifiably marked as such on all sides of the vehicle are considered emergency vehicles and must be authorized to use the reserved portion of the highway.

(d) The department shall expand the high occupancy vehicle lane access pilot program to private, for hire vehicles regulated under chapter 81.72 RCW that have been specially manufactured, designed, or modified for the transportation of a person who has a mobility disability and uses a wheelchair or other assistive device. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, wheelchair-accessible taxicabs that are clearly and identifiably marked as such on all sides of the vehicle are considered public transportation vehicles and must be authorized to use the reserved portion of the highway.

(e) The department shall expand the high occupancy vehicle lane access pilot program to for hire nonemergency medical transportation vehicles, when in use for medical purposes, as described in section 208 of this act. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, nonemergency medical transportation vehicles that meet the requirements identified in section 208 of this act must be

authorized to use the reserved portion of the highway.

(f) Nothing in this subsection (2) is intended to exempt these vehicles from paying tolls when they do not meet the occupancy requirements established by the department for express toll lanes.

NEW SECTION. Sec. 217. FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION MANAGEMENT AND SUPPORT—PROGRAM S

Motor Vehicle	Account—State
Appropriation	\$37,361,000
Motor Vehicle	Account—Federal
Appropriation	\$780,000
Motor Vehicle	Account—Private/Local
Appropriation	\$500,000
Multimodal Transportation	Account—State
Appropriation	\$5,129,000
State Route Number 520	Corridor
Account—State	
Appropriation	\$186,000
Tacoma Narrows Toll Bridge	Account—State
Appropriation	\$150,000
Alaskan Way Viaduct	Replacement
Project Account—	
State Appropriation	\$121,000
Interstate 405 and State Route Number 167 Express	
Toll Lanes Account—State	Appropriation
	\$77,000
TOTAL APPROPRIATION	\$44,304,000

The appropriations in this section are subject to the following conditions and limitations: \$4,000,000 of the multimodal transportation account—state appropriation is provided solely for efforts to increase diversity in the transportation construction workforce through: (1) The preapprenticeship support services (PASS) program, which aims to increase diversity in the highway construction workforce and prepare individuals interested in entering the highway construction workforce. In addition to the services allowed by RCW 47.01.435, the PASS program may provide housing assistance for youth aging out of the foster care and juvenile rehabilitation systems in order to support the participation of these youth

in a transportation-related preapprenticeship program; (2) assisting minority and women-owned businesses to perform work in the highway construction industry. This assistance shall include technical assistance, business training, counseling, guidance, prime to subcontractor relationship building, and a capacity building mentorship program. At a minimum, \$1,000,000 of the total appropriation in this subsection shall be directed toward the efforts outlined in subsection (2) of this section. The provider(s) chosen to complete the work in this subsection shall be selected through a competitive bidding process. The program shall be administered by the Washington state department of transportation's office of equal opportunity.

NEW SECTION. Sec. 218. FOR THE DEPARTMENT OF TRANSPORTATION-TRANSPORTATION PLANNING, DATA, AND RESEARCH-PROGRAM T

Motor Vehicle Account-State Appropriation	\$27,057,000
Motor Vehicle Account-Federal Appropriation	\$34,865,000
Motor Vehicle Account-Private/Local Appropriation	\$400,000
Multimodal Transportation Account-State Appropriation	\$919,000
Multimodal Transportation Account-Federal Appropriation	\$2,809,000
Multimodal Transportation Account-Private/Local Appropriation	\$100,000
State Route Number 520 Corridor Account-State Appropriation	\$406,000
Interstate 405 and State Route Number 167 Express Toll Lanes Account-State Appropriation	\$2,879,000
TOTAL APPROPRIATION	\$69,435,000

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

(1) \$4,080,000 of the motor vehicle account-federal appropriation is provided solely for the Forward Drive road usage charge research project overseen by the transportation

commission using a portion of the amount of the federal grant award. The purpose of the Forward Drive road usage charge research project is to advance research in key policy areas related to road usage charge including assessing impacts of future mobility shifts on road usage charge revenues, conducting an equity analysis, updating and assessing emerging mileage reporting methods, determining opportunities to reduce cost of collection, conducting small-scale pilot tests, and identifying a long-term, detailed phase-in plan.

(2) \$2,879,000 of the Interstate 405 and state route number 167 express toll lanes account-state appropriation is provided solely for completion of updating the state route number 167 master plan.

(3) \$250,000 of the multimodal transportation account-state appropriation is provided solely for the department to partner with the department of commerce in developing vehicle miles traveled targets for the counties in Washington state with (a) a population density of at least 100 people per square mile and a population of at least 200,000; or (b) a population density of at least 75 people per square mile and an annual growth rate of at least 1.75 percent as determined by the office of financial management. Given land use patterns are key factors in travel demand and should be taken into consideration when developing the targets, the department and the department of commerce shall partner with local jurisdictions, regional transportation planning organizations and other stakeholders to inventory existing laws and rules that promote transportation and land use, identify gaps and make recommendations for changes in laws, rules and agency guidance, and establish a framework for considering underserved and rural communities in the evaluation. The department and the department of commerce shall provide an initial technical report by December 31, 2021, an interim report by June 22, 2022, and a final report to the governor and appropriate committees of the legislature by June 30, 2023, that includes a process for establishing vehicle miles traveled reduction targets, a recommended suite of options for local jurisdictions to achieve the targets, and funding requirements for state and local jurisdictions.

(4) \$406,000 of the state route number 520 corridor account-state appropriation is provided solely for the department to contract with the University of Washington department of mechanical engineering, to study measures to reduce noise impacts from the state route number 520 bridge expansion joints. The field testing shall be scheduled during existing construction, maintenance, or other scheduled closures to minimize impacts. The testing must also ensure safety of the traveling public. The study shall examine testing methodologies and project timelines and costs. A final report must be submitted to the transportation committees of the legislature and the governor by March 1, 2022.

(5) \$5,900,000 of the motor vehicle account-federal appropriation and \$400,000 of the motor vehicle account-private/local appropriation are provided solely for delivery of the department's state planning and research work program and pooled fund research projects, provided that the department may not expend any amounts provided in this section on a long-range plan or corridor scenario analysis for I-5 from Tumwater to Marysville. This is not intended to reference or impact: The existing I-5 corridor from Mounts road to Tumwater design and operations alternatives analysis; design studies related to HOV lanes or operations; or where it is necessary to continue design and operations analysis related to projects already under development.

(6) \$800,000 of the motor vehicle account-state appropriation is provided solely for WSDOT to do a corridor study of SR 302 (Victor Area) to recommend safety and infrastructure improvements to address current damage and prevent future roadway collapse and landslides that have caused road closures.

(7) \$1,000,000 of the motor vehicle account-state appropriation is provided solely for a study on the need for additional connectivity in the area between SR 161, SR 7, SR 507, and I-5 in South Pierce County.

NEW SECTION. Sec. 219. FOR THE DEPARTMENT OF TRANSPORTATION-CHARGES FROM OTHER AGENCIES-PROGRAM U

Aeronautics Account-State
Appropriation \$1,000

Transportation Partnership Account-State
Appropriation \$23,000

Motor Vehicle Account-State
Appropriation \$99,515,000

Puget Sound Ferry Operations Account-State
Appropriation \$220,000

State Route Number 520 Corridor
Account-State Appropriation
\$26,000

Connecting Washington Account-State
Appropriation \$184,000

Multimodal Transportation Account-State
Appropriation \$4,795,000

Tacoma Narrows Toll Bridge Account-State
Appropriation \$19,000

Alaskan Way Viaduct Replacement
Project Account-State

Appropriation \$14,000

Interstate 405 and State Route Number
167 Express

Toll Lanes Account-State Appropriation
\$15,000

TOTAL APPROPRIATION \$104,812,000

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

(1) Consistent with existing protocol and practices, for any negotiated settlement of a claim against the state for the department that exceeds five million dollars, the department, in conjunction with the attorney general and the department of enterprise services, shall notify the director of the office of financial management and the transportation committees of the legislature.

(2) Beginning October 1, 2021, and semiannually thereafter, the department, in conjunction with the attorney general and the department of enterprise services, shall provide a report with judgments and settlements dealing with the Washington state ferry system to the director of the office of financial management and the transportation committees of the legislature. The report must include information on: (a) The number of claims and settlements by type; (b) the average claim and settlement by type; (c) defense costs associated with those claims and settlements; and (d) information on the impacts of moving legal costs associated with the Washington state ferry system into the statewide self-insurance pool.

(3) Beginning October 1, 2021, and semiannually thereafter, the department, in conjunction with the attorney general and the department of enterprise services, shall provide a report with judgments and settlements dealing with the nonferry operations of the department to the director of the office of financial management and the transportation committees of the legislature. The report must include information on: (a) The number of claims and settlements by type; (b) the average claim and settlement by type; and (c) defense costs associated with those claims and settlements.

(4) When the department identifies significant legal issues that have potential transportation budget implications, the department must initiate a briefing for appropriate legislative members or staff through the office of the attorney general and its legislative briefing protocol.

NEW SECTION. Sec. 220. FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC TRANSPORTATION—PROGRAM V

State Vehicle Parking Account—State
Appropriation \$784,000

Regional Mobility Grant Program
Account—State
Appropriation \$104,478,000

Rural Mobility Grant Program Account—
State
Appropriation \$33,168,000

Multimodal Transportation Account—
State
Appropriation \$131,150,000

Multimodal Transportation Account—
Federal
Appropriation \$3,574,000

Multimodal Transportation Account—
Local
Appropriation \$100,000

TOTAL APPROPRIATION \$273,254,000

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

(1) \$67,821,000 of the multimodal transportation account—state appropriation is provided solely for a grant program for special needs transportation provided by transit

agencies and nonprofit providers of transportation. Of this amount:

(a) \$15,568,000 of the multimodal transportation account—state appropriation is provided solely for grants to nonprofit providers of special needs transportation. Grants for nonprofit providers must be based on need, including the availability of other providers of service in the area, efforts to coordinate trips among providers and riders, and the cost effectiveness of trips provided. Fuel type may not be a factor in the grant selection process.

(b) \$52,253,000 of the multimodal transportation account—state appropriation is provided solely for grants to transit agencies to transport persons with special transportation needs. To receive a grant, the transit agency must, to the greatest extent practicable, have a maintenance of effort for special needs transportation that is no less than the previous year's maintenance of effort for special needs transportation. Grants for transit agencies must be prorated based on the amount expended for demand response service and route deviated service in calendar year 2019 as reported in the "Summary of Public Transportation - 2019" published by the department of transportation. No transit agency may receive more than thirty percent of these distributions. Fuel type may not be a factor in the grant selection process.

(2) \$33,168,000 of the rural mobility grant program account—state appropriation is provided solely for grants to aid small cities in rural areas as prescribed in RCW 47.66.100. Fuel type may not be a factor in the grant selection process.

(3) \$2,000,000 of the multimodal transportation account—state appropriation is provided solely for a vanpool grant program for: (a) Public transit agencies to add vanpools or replace vans; and (b) incentives for employers to increase employee vanpool use. The grant program for public transit agencies may cover capital costs only; operating costs for public transit agencies are not eligible for funding under this grant program. Additional employees may not be hired from the funds provided in this section for the vanpool grant program, and supplanting of transit funds currently funding vanpools is not allowed. The department shall encourage grant applicants and recipients to

leverage funds other than state funds. Fuel type may not be a factor in the grant selection process.

(4) \$26,800,000 of the regional mobility grant program account-state appropriation is reappropriated and provided solely for the regional mobility grant projects identified in LEAP Transportation Document 2021-2 ALL PROJECTS as developed April 23, 2021, Program - Public Transportation Program (V).

(5)(a) \$77,679,000 of the regional mobility grant program account-state appropriation is provided solely for the regional mobility grant projects identified in LEAP Transportation Document 2021-2 ALL PROJECTS as developed April 23, 2021, Program - Public Transportation Program (V). The department shall review all projects receiving grant awards under this program at least semiannually to determine whether the projects are making satisfactory progress. Any project that has been awarded funds, but does not report activity on the project within one year of the grant award, must be reviewed by the department to determine whether the grant should be terminated. The department shall promptly close out grants when projects have been completed, and any remaining funds must be used only to fund projects identified in the LEAP transportation document referenced in this subsection. The department shall provide annual status reports on December 15, 2021, and December 15, 2022, to the office of financial management and the transportation committees of the legislature regarding the projects receiving the grants. It is the intent of the legislature to appropriate funds through the regional mobility grant program only for projects that will be completed on schedule. A grantee may not receive more than twenty-five percent of the amount appropriated in this subsection. Additionally, when allocating funding for the 2023-2025 biennium, no more than thirty percent of the total grant program may directly benefit or support one grantee. The department shall not approve any increases or changes to the scope of a project for the purpose of a grantee expending remaining funds on an awarded grant. Fuel type may not be a factor in the grant selection process.

(b) In order to be eligible to receive a grant under (a) of this subsection

during the 2021-2023 fiscal biennium, a transit agency must establish a process for private transportation providers to apply for the use of park and ride facilities. For purposes of this subsection, (i) "private transportation provider" means: An auto transportation company regulated under chapter 81.68 RCW; a passenger charter carrier regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; a private nonprofit transportation provider regulated under chapter 81.66 RCW; or a private employer transportation service provider; and (ii) "private employer transportation service" means regularly scheduled, fixed-route transportation service that is offered by an employer for the benefit of its employees.

(6) Funds provided for the commute trip reduction (CTR) program may also be used for the growth and transportation efficiency center program.

(7) \$6,500,000 of the multimodal transportation account-state appropriation and \$784,000 of the state vehicle parking account-state appropriation are provided solely for CTR grants and activities. Fuel type may not be a factor in the grant selection process. Of this amount:

(a) \$30,000 of the state vehicle parking account-state appropriation is provided solely for the STAR pass program for state employees residing in Mason and Grays Harbor Counties. Use of the pass is for public transportation between Mason County and Thurston County, and Grays Harbor and Thurston County. The pass may also be used within Grays Harbor County. The STAR pass commute trip reduction program is open to any state employee who expresses intent to commute to his or her assigned state worksite using a public transit system currently participating in the STAR pass program.

(b) \$800,000 of the multimodal transportation account-state appropriation is provided solely for continuation of the first mile/last mile connections grant program. Eligible grant recipients include cities, businesses, nonprofits, and transportation network companies with first mile/last mile solution proposals. Transit agencies are not eligible. The commute trip reduction board shall develop grant parameters, evaluation

criteria, and evaluate grant proposals. The commute trip reduction board shall provide the transportation committees of the legislature a report on the effectiveness of this grant program and best practices for continuing the program.

(8) Except as provided otherwise in this subsection, \$28,263,000 of the multimodal transportation account-state appropriation is provided solely for connecting Washington transit projects identified in LEAP Transportation Document 2021-2 ALL PROJECTS as developed April 23, 2021. It is the intent of the legislature that entities identified to receive funding in the LEAP document referenced in this subsection receive the amounts specified in the time frame specified in that LEAP document. If an entity has already completed a project in the LEAP document referenced in this subsection before the time frame identified, the entity may substitute another transit project or projects that cost a similar or lesser amount.

(9) The department shall not require more than a ten percent match from nonprofit transportation providers for state grants.

(10) \$21,858,000 of the multimodal transportation account-state appropriation is provided solely for the green transportation capital grant program established in chapter 287, Laws of 2019 (advancing green transportation adoption).

(11) \$555,000 of the multimodal transportation account-state appropriation is provided solely for an interagency transfer to the Washington State University extension energy program to establish and administer a technical assistance and education program for public agencies on the use of alternative fuel vehicles. The Washington State University extension energy program shall prepare a report regarding the utilization of the program and provide this report to the transportation committees of the legislature by November 15, 2021.

(12) The department must provide telework assistance to employers as part of its CTR activities. The objectives of telework assistance include improving transportation system performance, supporting economic vitality, and increasing equity and access to opportunity.

(13) \$150,000 of the multimodal transportation account-state appropriation is provided solely for Intercity Transit for the Dash shuttle program.

NEW SECTION. Sec. 221. FOR THE DEPARTMENT OF TRANSPORTATION-MARINE-PROGRAM X

Puget Sound Ferry Operations Account-State

Appropriation \$416,614,000

Puget Sound Ferry Operations Account-Federal

Appropriation \$124,000,000

Puget Sound Ferry Operations Account-Private/Local

Appropriation \$121,000

TOTAL APPROPRIATION \$540,735,000

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

(1) The office of financial management budget instructions require agencies to recast enacted budgets into activities. The Washington state ferries shall include a greater level of detail in its 2021-2023 supplemental and 2023-2025 omnibus transportation appropriations act requests, as determined jointly by the office of financial management, the Washington state ferries, and the transportation committees of the legislature. This level of detail must include the administrative functions in the operating as well as capital programs. The data in the tables in the report must be supplied in a digital file format.

(2) For the 2021-2023 fiscal biennium, the department may enter into a distributor controlled fuel hedging program and other methods of hedging approved by the fuel hedging committee, which must include a representative of the department of enterprise services.

(3) \$17,000,000 of the Puget Sound ferry operations account-federal appropriation and \$53,794,000 of the Puget Sound ferry operations account-state appropriation are provided solely for auto ferry vessel operating fuel in the 2021-2023 fiscal biennium, which reflect cost savings from a reduced biodiesel fuel requirement and, therefore, is contingent upon the enactment of section 703 of this act. The

amount provided in this subsection represents the fuel budget for the purposes of calculating any ferry fare fuel surcharge. The department shall review future use of alternative fuels and dual fuel configurations, including hydrogen.

(4) \$500,000 of the Puget Sound ferry operations account—state appropriation is provided solely for operating costs related to moving vessels for emergency capital repairs. Funds may only be spent after approval by the office of financial management.

(5) \$2,400,000 of the Puget Sound ferry operations account—state appropriation is provided solely for staffing and overtime expenses incurred by engine and deck crewmembers. The department must provide updated staffing cost estimates for fiscal years 2022 and 2023 with its annual budget submittal and updated estimates by January 1, 2022.

(6) \$688,000 of the Puget Sound ferry operations account—state appropriation is provided solely for new employee training. The department must work to increase its outreach and recruitment of populations underrepresented in maritime careers and continue working to expand apprenticeship and internship programs, with an emphasis on programs that are shown to improve recruitment for positions with the state ferry system.

(7) The department must request reimbursement from the federal transit administration for the maximum amount of ferry operating expenses eligible for reimbursement under federal law.

(8) \$1,978,000 of the Puget Sound ferry operations account—state appropriation is provided solely for restoration of service to reflect increased ridership, availability of crewing and available revenues. Expenditures may be made to resume service to Sidney, British Columbia, including any service to the San Juans; to provide Saturday service on the Fauntleroy-Vashon-Southworth route; and to resume late night service on other routes in the system.

(9) Within amounts provided in this section, the department shall contract with uniformed officers for additional traffic control assistance at the Kingston ferry terminal during peak ferry travel times, with a particular focus on Sundays and holiday weekends. Traffic control methods should include, but not

be limited to, holding traffic on the shoulder at Lindvog Road until space opens for cars at the tollbooths and dock, and management of traffic on Highway 104 in order to ensure Kingston residents and business owners have access to businesses, roads, and driveways.

(10) \$336,000 of the Puget Sound ferry operations account—state appropriation is provided solely for evacuation slide training.

(11) \$336,000 of the Puget Sound ferry operations account—state appropriation is provided solely for fall restraint labor and industries inspections.

(12) \$735,000 of the Puget Sound ferry operations account—state appropriation is provided solely for familiarization for new assignments of engine crew and terminal staff.

(13) \$160,000 of the Puget Sound ferry operations account—state appropriation is provided solely for electronic navigation training.

NEW SECTION. Sec. 222. FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—OPERATING

Multimodal Transportation Account—State	
Appropriation	\$80,704,000
Multimodal Transportation Account—Private/Local	
Appropriation	\$46,000
Multimodal Transportation Account—Federal	
Appropriation	\$500,000
TOTAL APPROPRIATION	\$81,250,000

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

(1) The department is directed to continue to pursue efforts to reduce costs, increase ridership, and review Amtrak Cascades fares and fare schedules. Within thirty days of each annual cost/revenue reconciliation under the Amtrak service contract, the department shall report annual credits to the office of financial management and the legislative transportation committees. Annual credits from Amtrak to the department including, but not limited to, credits due to higher ridership, reduced level of service, and fare or fare schedule adjustments, must be used to

offset corresponding amounts of the multimodal transportation account-state appropriation, which must be placed in reserve.

(2) Consistent with the ongoing planning and service improvement for the intercity passenger rail program, \$500,000 of the multimodal transportation account-state is provided solely for the Cascades service development plan. This funding is to be used to analyze current and future market conditions and to develop a structured assessment of service options and goals based on anticipated demand and the results of the state and federally required 2019 state rail plan, including identifying implementation alternatives to meet the future service goals for the Amtrak Cascades route. The work must be consistent with federal railroad administration guidance and direction on developing service development plans. It must also leverage the \$500,000 in federal funding appropriated for development of a service development plan and comply with the planning and grant award obligations of the consolidated rail infrastructure and safety improvements (CRISI) program. A status report must be provided to the transportation committees of the legislature by June 30, 2022.

NEW SECTION. Sec. 223. FOR THE DEPARTMENT OF TRANSPORTATION-LOCAL PROGRAMS-PROGRAM Z-OPERATING

Motor Vehicle Account-State Appropriation	\$11,954,000
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Motor Vehicle Account-Federal Appropriation	\$2,567,000
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Multiuse Roadway Safety Account-State Appropriation	\$900,000
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TOTAL APPROPRIATION	\$15,421,000
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The appropriations in this section are subject to the following conditions and limitations:

(1) The entire multiuse roadway safety account-state appropriation is provided solely for grants under RCW 46.09.540, subject to the following limitations:

(a) Twenty-five percent of the amounts provided are reserved for counties that each have a population of fifteen thousand persons or less; and

(b)(i) Seventy-five percent of the amounts provided are reserved for

counties that each have a population exceeding fifteen thousand persons; and

(ii) No county that receives a grant or grants under (a) of this subsection may receive more than sixty thousand dollars in total grants.

(2) \$1,023,000 of the motor vehicle account-state appropriation is provided solely for the department, from amounts set aside out of statewide fuel taxes distributed to counties according to RCW 46.68.120(3), to contract with the Washington state association of counties to:

(a) In coordination with stakeholders, identify county-owned fish passage barriers, and assess which barriers share the same stream system as state-owned fish passage barriers;

(b) Streamline and update the county road administration board's data dashboard, county reporting systems, and program management software to provide a more detailed, more transparent, and user-friendly platform for data management, reporting, and research by the public and other interested parties; and

(c) Conduct a study of the use of county road right-of-way as a potential source of revenue for county road operating and maintenance needs with recommendations on their feasibility statewide.

(3)(a) By October 1, 2021, the department must report to the office of financial management and the transportation committees with recommendations regarding:

(i) Modifications to the agreement with Wahkiakum county regarding future state reimbursement for the Wahkiakum ferry operating and maintenance deficit; and

(ii) Cost-sharing models for operating and maintenance costs, which recognize the benefit of the ferry route to both Washington and Oregon.

(b) The reimbursement recommendations must reflect a mutual agreement with Wahkiakum county, which considers future county ferry operating loss projections. The report may address the importance of the ferry route to the state highway system and whether there is a need for an increased role for the state department of transportation in the finance or operation of the ferry route.

TRANSPORTATION AGENCIES—CAPITAL**NEW SECTION. Sec. 301. FOR THE
FREIGHT MOBILITY STRATEGIC INVESTMENT
BOARD**

Freight Mobility Investment Account—
State

Appropriation \$16,577,000

Freight Mobility Multimodal Account—
State

Appropriation \$15,195,000

TOTAL APPROPRIATION \$31,772,000

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

(1) Except as otherwise provided in this section, the entire appropriations in this section are provided solely for the projects by amount, as listed in the LEAP Transportation Document 2021-2 ALL PROJECTS as developed April 23, 2021, Freight Mobility Strategic Investment Board (FMSIB).

(2) Until directed by the legislature, the board may not initiate a new call for projects.

(3) It is the intent of the legislature to continue to make strategic investments in a statewide freight mobility transportation system with the help of the freight mobility strategic investment board, including projects that mitigate the impact of freight movement on local communities. To that end, and in coordination with WSDOT as it updates its federally-compliant freight plan, the board is directed to identify the highest priority freight investments for the state, across freight modes, state and local jurisdictions, and regions of the state. By December 1, 2021, the board must submit a preliminary report providing a status update on the process and methodology for identifying and prioritizing investments. By December 1, 2022, the board must submit a prioritized list of freight investments that are geographically balanced across the state and can proceed to construction in a timely manner. The prioritized freight project list for the state portion of national highway freight program funds must first address shortfalls in funding for connecting Washington act projects.

(4)(a) For the 2021-2023 project appropriations, unless otherwise provided in this act, the director of the

office of financial management may authorize a transfer of appropriation authority between projects managed by the freight mobility strategic investment board in order for the board to manage project spending and support the efficient and timely delivery of all projects in the program. The office of financial management may authorize a transfer of appropriation authority between projects under the following conditions and limitations:

(i) Transfers from a project may not be made as a result of the reduction of the scope of a project or be made to support increases in the scope of a project;

(ii) Each transfer between projects may only occur if the director of the office of financial management finds that any resulting change will not hinder the completion of the projects on the LEAP Transportation Document 2021-2 ALL PROJECT list;

(iii) Transfers between projects may be made by the board without the formal written approval provided under this subsection (3)(a), provided that the transfer amount does not exceed \$250,000 or 10 percent of the total project, whichever is less. These transfers must be reported to the director of the office of financial management and the chairs of the house of representatives and senate transportation committees; and

(iv) Except for transfers made under (a)(iii) of this subsection, transfers may only be made in fiscal year 2023.

(b) At the time the board submits a request to transfer funds under this section, a copy of the request must be submitted to the chairs and ranking members of the transportation committees of the legislature.

(c) Before approval, the office of financial management shall work with legislative staff of the house of representatives and senate transportation committees to review the requested transfers in a timely manner and consider any concerns raised by the chairs and ranking members of the transportation committees.

(d) No fewer than 10 days after the receipt of a project transfer request, the director of the office of financial management must provide written notification to the board of any decision regarding project transfers, with copies

submitted to the transportation committees of the legislature.

NEW SECTION. Sec. 302. FOR THE WASHINGTON STATE PATROL

State Patrol Highway Account—State
Appropriation \$4,196,000

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

(1) \$695,000 of the state patrol highway account—state appropriation is provided solely for roof replacement.

(2) \$3,501,000 of the state patrol highway account—state appropriation is provided solely for the following projects:

- (a) \$250,000 for emergency repairs;
- (b) \$350,000 for fuel tank decommissioning;
- (c) \$750,000 for generator and electrical replacement;
- (d) \$195,000 for the exterior envelope of the Yakima office;
- (e) \$466,000 for equipment shelters;
- (f) \$650,000 for the weatherization projects;
- (g) \$200,000 for roof replacements reappropriation; and
- (h) \$640,000 for water and fire suppression systems reappropriation.

(3) The Washington state patrol may transfer funds between projects specified in this subsection to address cash flow requirements. If a project specified in this subsection is completed for less than the amount provided, the remainder may be transferred to another project specified in this subsection not to exceed the total appropriation provided in this subsection.

NEW SECTION. Sec. 303. FOR THE COUNTY ROAD ADMINISTRATION BOARD

Rural Arterial Trust Account—State
Appropriation \$55,028,000

Motor Vehicle Account—State
Appropriation \$1,456,000

County Arterial Preservation Account—
State

Appropriation \$37,379,000

TOTAL APPROPRIATION \$93,863,000

NEW SECTION. Sec. 304. FOR THE TRANSPORTATION IMPROVEMENT BOARD

Small City Pavement and Sidewalk
Account—State

Appropriation \$4,100,000

Transportation Improvement Account—
State

Appropriation \$201,000,000

Complete Streets Grant Program
Account—State

Appropriation \$14,670,000

TOTAL APPROPRIATION \$219,770,000

The appropriations in this section are subject to the following conditions and limitations: \$2,500,000 of the transportation improvement account—state appropriation is provided solely for the Relight Washington Program. The transportation improvement board shall conduct a comparative analysis of expanding the Relight Washington Program to all cities that are not currently eligible compared to utilizing the same funding amount for other preservation programs administered by the transportation improvement board. If needed to perform this analysis, the transportation improvement board shall gather additional information on the demand and return on investment from a follow up survey to cities currently ineligible for the Relight Washington Program. The transportation improvement board shall report the results of the analysis to the governor and the transportation committees of the legislature by January 1, 2022.

NEW SECTION. Sec. 305. FOR THE DEPARTMENT OF TRANSPORTATION—FACILITIES—PROGRAM D—(DEPARTMENT OF TRANSPORTATION—ONLY PROJECTS)—CAPITAL

Motor Vehicle Account—State
Appropriation \$10,852,000

Connecting Washington Account—State
Appropriation \$3,289,000

TOTAL APPROPRIATION \$14,141,000

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

(1) \$3,289,000 of the connecting Washington account—state appropriation is provided solely for a new Olympic region maintenance and administration facility to be located on the department-owned site at the intersection of Marvin

Road and 32nd Avenue in Lacey, Washington.

(2) (a) \$4,325,000 of the motor vehicle account-state appropriation is provided solely for payments of a financing contract issued pursuant to chapter 39.94 RCW for the department facility located at 15700 Dayton Ave N in Shoreline.

(b) Payments from the department of ecology pursuant to the agreement with the department to pay a share of the financing contract in (a) of this subsection must be deposited into the motor vehicle account.

NEW SECTION. Sec. 306. FOR THE DEPARTMENT OF TRANSPORTATION-IMPROVEMENTS-PROGRAM I

Transportation 2003 Account (Nickel Account)-State	
Appropriation	\$149,000
Transportation Partnership Account-State	
Appropriation	\$119,053,000
Motor Vehicle Account-State	
Appropriation	\$89,717,000
Motor Vehicle Account-Federal	
Appropriation	\$388,903,000
Coronavirus State Fiscal Recovery Fund-Federal	
Appropriation	\$400,000,000
Motor Vehicle Account-Private/Local	
Appropriation	\$48,628,000
Connecting Washington Account-State	
Appropriation	\$2,881,033,000
Special Category C Account-State	
Appropriation	\$105,363,000
Multimodal Transportation Account-State	
Appropriation	\$10,784,000
State Route Number 520 Corridor	
Account-State	Appropriation
	\$15,940,000
Interstate 405 and State Route Number 167 Express	
Toll Lanes Account-State	Appropriation
	\$30,308,000
TOTAL	APPROPRIATION
	\$4,089,878,000

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

(1) Except as provided otherwise in this section, the entire connecting Washington account-state appropriation and the entire transportation partnership account-state appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document 2021-1 as developed April 23, 2021, Program - Highway Improvements Program (I). However, limited transfers of specific line-item project appropriations may occur between projects for those amounts listed subject to the conditions and limitations in section 601 of this act.

(2) Except as provided otherwise in this section, the entire motor vehicle account-state appropriation and motor vehicle account-federal appropriation are provided solely for the projects and activities listed in LEAP Transportation Document 2021-2 ALL PROJECTS as developed April 23, 2021, Program - Highway Improvements Program (I). Any federal funds gained through efficiencies, adjustments to the federal funds forecast, or the federal funds redistribution process must then be applied to highway and bridge preservation activities or fish passage barrier corrections (OBI4001).

(3) Within the motor vehicle account-state appropriation and motor vehicle account-federal appropriation, the department may transfer funds between programs I and P, except for funds that are otherwise restricted in this act. Ten days prior to any transfer, the department must submit its request to the office of financial management and the transportation committees of the legislature and consider any concerns raised. The department shall submit a report on fiscal year funds transferred in the prior fiscal year using this subsection as part of the department's annual budget submittal.

(4) The connecting Washington account-state appropriation includes up to \$2,230,636,000 in proceeds from the sale of bonds authorized in RCW 47.10.889.

(5) The special category C account-state appropriation includes up to \$82,475,000 in proceeds from the sale of bonds authorized in RCW 47.10.812.

(6) The transportation partnership account-state appropriation includes up to \$28,411,000 in proceeds from the sale of bonds authorized in RCW 47.10.873.

(7) \$60,450,000 of the transportation partnership account-state appropriation, \$2,258,000 of the motor vehicle account-private/local appropriation, and \$984,000 of the multimodal transportation account-state appropriation are provided solely for the SR 99/Alaskan Way Viaduct Replacement project (809936Z). It is the intent of the legislature that any legal damages paid to the state as a result of a lawsuit related to contractual provisions for construction and delivery of the Alaskan Way viaduct replacement project be used to repay project cost increases paid from the transportation partnership account-state funds.

(8) \$193,699,000 of the connecting Washington account-state appropriation is provided solely for the US 395 North Spokane Corridor project (M00800R).

(9)(a) \$14,827,000 of the Interstate 405 and state route number 167 express toll lanes account-state appropriation is provided solely for the I-405/SR 522 to I-5 Capacity Improvements project (L2000234) for activities related to adding capacity on Interstate 405 between state route number 522 and Interstate 5, with the goals of increasing vehicle throughput and aligning project completion with the implementation of bus rapid transit in the vicinity of the project.

(b) The department may advance the I-405/SR 522 to I-5 Capacity Improvements project (L2000234) and construct the project earlier than is scheduled in the LEAP transportation document referenced in subsection (2) of this section if additional funding is identified and submitted through the existing unanticipated receipts process by September 1, 2021. The department and the state treasurer shall pursue alternatives to toll revenue funding including but not limited to federal loan and grant programs. The department shall explore phasing and modifying the project to attempt to align project completion with the anticipated deployment of bus rapid transit on the corridor in the 2023-2025 biennium. The department shall report back to the transportation committees of the legislature on this work by September 15, 2021.

(10)(a) \$492,349,000 of the connecting Washington account-state appropriation and \$355,000 of the motor vehicle account-private/local appropriation are provided solely for the SR 520 Seattle Corridor Improvements - West End project (M00400R).

(b) Upon completion of the Montlake Phase of the West End project (current anticipated contract completion of 2023), the department shall sell that portion of the property not used for permanent transportation improvements and initiate a process to convey that surplus property to a subsequent owner.

(11) \$382,880,000 of the connecting Washington account-state appropriation, \$4,800,000 of the multimodal transportation account-state appropriation, \$17,869,000 of the motor vehicle account-private/local appropriation, and \$82,165,000 of the motor vehicle account-federal appropriation are provided solely for the SR 167/SR 509 Puget Sound Gateway project (M00600R).

(a) Any savings on the project must stay on the Puget Sound Gateway corridor until the project is complete.

(b) In making budget allocations to the Puget Sound Gateway project, the department shall implement the project's construction as a single corridor investment. The department shall continue to collaborate with the affected stakeholders as it implements the corridor construction and implementation plan for state route number 167 and state route number 509. Specific funding allocations must be based on where and when specific project segments are ready for construction to move forward and investments can be best optimized for timely project completion. Emphasis must be placed on avoiding gaps in fund expenditures for either project.

(c) It is the legislature's intent that the department shall construct a full single-point urban interchange at the junction of state route number 161 (Meridian avenue) and state route number 167 and a full directional interchange at the junction of state route number 509 and 188th Street. If the department receives additional funds from an outside source for this project after the base project is fully funded, the funds must first be applied toward the completion of these two interchanges.

(d) Of the amounts provided in this subsection, \$2,300,000 of the multimodal transportation account—state appropriation is provided solely for the design phase of the Puyallup to Tacoma multiuse trail along the SR 167 right-of-way acquired for the project to connect a network of new and existing trails from Mount Rainier to Point Defiance Park.

(e) Of the amounts provided in this subsection, \$2,500,000 of the multimodal transportation account—state appropriation is provided solely for segment 2 of the state route number 167 completion project shared-use path to provide connections to the interchange of state route number 167 at 54th to the intersection of state route number 509 and Taylor Way in Tacoma.

(12)(a) \$26,928,000 of the motor vehicle account—state appropriation and \$1,671,000 of the motor vehicle account—private/local appropriation are provided solely to support a project office and the continued work toward the I-5 Interstate Bridge Replacement project (L2000370).

(b) The project office must also study the possible different governance structures for a bridge authority that would provide for the joint administration of the bridges over the Columbia river between Oregon and Washington. As part of this study, the project office must examine the feasibility and necessity of an interstate compact in conjunction with the national center for interstate compacts.

(c) During the 2021-2023 biennium, the department shall have as a goal to:

(i) Conduct all work necessary to prepare and publish a draft SEIS;

(ii) Coordinate with regulatory agencies to begin the process of obtaining environmental approvals and permits;

(iii) Identify a locally preferred alternative; and

(iv) Begin preparing a final SEIS.

The department shall aim to provide progress reports on these activities to the governor and the transportation committees of the legislature by December 1, 2021, June 1, 2022, and December 1, 2022.

(13)(a) \$400,000,000 of the coronavirus state fiscal recovery fund—federal appropriation, \$529,577,000 of the connecting Washington account—state appropriation, \$194,959,000 of the motor vehicle account—federal appropriation, and \$1,849,000 of the motor vehicle account—state appropriation are provided solely for the Fish Passage Barrier Removal project (OBI4001) with the intent of fully complying with the federal *U.S. v. Washington* court injunction by 2030. Of the amounts provided in this subsection, \$400,000,000 of the connecting Washington account—state appropriation must be initially placed in unallotted status during the 2021-2023 fiscal biennium, and may only be released by the office of financial management for allotment by the department if it is determined that the Fish Passage Barrier Removal project (OBI4001) is not an eligible use of amounts received by the state pursuant to the federal American rescue plan act of 2021.

(b) The department shall coordinate with the Brian Abbott fish passage barrier removal board to use a watershed approach by replacing both state and local culverts guided by the principle of providing the greatest fish habitat gain at the earliest time. The department shall deliver high habitat value fish passage barrier corrections that it has identified, guided by the following factors: Opportunity to bundle projects, tribal priorities, ability to leverage investments by others, presence of other barriers, project readiness, culvert conditions, other transportation projects in the area, and transportation impacts. The department and Brian Abbott fish barrier removal board must provide updates on the implementation of the statewide culvert remediation plan to the legislature by November 1, 2021, and June 1, 2022.

(c) The department must keep track of, for each barrier removed: (i) The location; (ii) the amount of fish habitat gain; and (iii) the amount spent to comply with the injunction.

(d) Of the amount provided in this subsection, \$142,923,000 of the motor vehicle account—federal appropriation reflects the department's portion of the unrestricted funds from the coronavirus response and relief supplemental appropriations act of 2021. If the final amount from this act changes while the legislature is not in session, the

department shall follow the existing unanticipated receipt process and adjust the list referenced in subsection (1) of this section accordingly, supplanting state funds with federal funds if possible as directed in section 601 of this act.

(14) \$14,669,000 of the connecting Washington account-state appropriation and \$3,037,000 of the motor vehicle account-private/local appropriation are provided solely for the I-90/Barker to Harvard - Improve Interchanges & Local Roads project (L2000122). The connecting Washington account appropriation for the improvements that fall within the city of Liberty Lake may only be expended if the city of Liberty Lake agrees to cover any project costs within the city of Liberty Lake above the \$20,900,000 of state appropriation provided for the total project on the list referenced in subsection (1) of this section.

(15) \$15,189,000 of the motor vehicle account-federal appropriation, \$259,000 of the motor vehicle account-state appropriation, and \$15,481,000 of the Interstate 405 and state route number 167 express toll lanes account-state appropriation are provided solely for the SR 167/SR 410 to SR 18 - Congestion Management project (316706C).

(16) \$18,914,000 of the Special Category C account-state appropriation is provided solely for the SR 18 Widening - Issaquah/Hobart Rd to Raging River project (L1000199) for improving and widening state route number 18 to four lanes from Issaquah-Hobart Road to Raging River.

(17) \$1,000,000 of the connecting Washington account-state appropriation is provided solely for the North Lewis County transportation study. The study shall examine new, alternate routes for vehicular and truck traffic at the Harrison interchange (Exit 82) in North Centralia and shall allow for a site and configuration to be selected and feasibility to be conducted for final design, permitting, and construction of the I-5/North Lewis county Interchange project (L2000204).

(18) \$1,090,000 of the motor vehicle account-state appropriation is provided solely for the US 101/East Sequim Corridor Improvements project (L2000343).

(19) \$12,139,000 of the motor vehicle account-state appropriation and

\$9,104,000 of the connecting Washington account-state appropriation are provided solely for the SR 522/Paradise Lk Rd Interchange & Widening on SR 522 (Design/Engineering) project (NPARADI).

(20) \$1,378,000 of the motor vehicle account-federal appropriation is provided solely for the US 101/Morse Creek Safety Barrier project (L1000247).

(21) \$915,000 of the motor vehicle account-state appropriation is provided solely for the SR 162/410 Interchange Design and Right of Way project (L1000276).

(22) \$6,581,000 of the connecting Washington account-state appropriation is provided solely for the US Hwy 2 Safety project (N00200R).

(23) The department shall itemize all future requests for the construction of buildings on a project list and submit them through the transportation executive information system as part of the department's annual budget submittal. It is the intent of the legislature that new facility construction must be transparent and not appropriated within larger highway construction projects.

(24) Any advisory group that the department convenes during the 2021-2023 fiscal biennium must consider the interests of the entire state of Washington.

(25) The legislature continues to prioritize the replacement of the state's aging infrastructure and recognizes the importance of reusing and recycling construction aggregate and recycled concrete materials in our transportation system. To accomplish Washington state's sustainability goals in transportation and in accordance with RCW 70.95.805, the legislature reaffirms its determination that recycled concrete aggregate and other transportation building materials are natural resource construction materials that are too valuable to be wasted and landfilled, and are a commodity as defined in WAC 173-350-100.

Further, the legislature determines construction aggregate and recycled concrete materials substantially meet widely recognized international, national, and local standards and specifications referenced in American society for testing and materials, American concrete institute, Washington state department of transportation,

Seattle department of transportation, American public works association, federal aviation administration, and federal highway administration specifications, and are described as necessary and desirable products for recycling and reuse by state and federal agencies.

As these recyclable materials have well established markets, are substantially a primary or secondary product of necessary construction processes and production, and are managed as an item of commercial value, construction aggregate and recycled concrete materials are exempt from chapter 173-350 WAC.

NEW SECTION. Sec. 307. FOR THE DEPARTMENT OF TRANSPORTATION-PRESERVATION-PROGRAM P

Recreational Vehicle Account-State Appropriation	\$1,520,000
Transportation 2003 Account (Nickel Account)-State Appropriation	\$49,105,000
Transportation Partnership Account-State Appropriation	\$15,183,000
Motor Vehicle Account-State Appropriation	\$85,444,000
Motor Vehicle Account-Federal Appropriation	\$489,602,000
Motor Vehicle Account-Private/Local Appropriation	\$10,792,000
Connecting Washington Account-State Appropriation	\$159,043,000
State Route Number 520 Corridor Account-State Appropriation	\$1,891,000
Tacoma Narrows Toll Bridge Account-State Appropriation	\$9,730,000
Alaskan Way Viaduct Replacement Project Account-State Appropriation	\$314,000
Interstate 405 and State Route Number 167 Express Toll Lanes Account-State Appropriation	\$26,039,000
TOTAL APPROPRIATION	\$848,663,000

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

(1) Except as provided otherwise in this section, the entire connecting Washington account-state appropriation and the entire transportation partnership account-state appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document 2021-1 as developed April 23, 2021, Program - Highway Preservation Program (P). However, limited transfers of specific line-item project appropriations may occur between projects for those amounts listed subject to the conditions and limitations in section 601 of this act.

(2) Except as provided otherwise in this section, the entire motor vehicle account-state appropriation and motor vehicle account-federal appropriation are provided solely for the projects and activities listed in LEAP Transportation Document 2021-2 ALL PROJECTS as developed April 23, 2021, Program - Highway Preservation Program (P). Any federal funds gained through efficiencies, adjustments to the federal funds forecast, or the federal funds redistribution process must then be applied to highway and bridge preservation activities or fish passage barrier corrections (OBI4001).

(3) Within the motor vehicle account-state appropriation and motor vehicle account-federal appropriation, the department may transfer funds between programs I and P, except for funds that are otherwise restricted in this act. Ten days prior to any transfer, the department must submit its request to the office of financial management and the transportation committees of the legislature and consider any concerns raised. The department shall submit a report on fiscal year funds transferred in the prior fiscal year using this subsection as part of the department's annual budget submittal.

(4) \$5,166,000 of the connecting Washington account-state appropriation is provided solely for the land mobile radio upgrade (G2000055) and is subject to the conditions, limitations, and review provided in section 701 of this act. The land mobile radio project is subject to technical oversight by the office of the chief information officer. The department, in collaboration with the

office of the chief information officer, shall identify where existing or proposed mobile radio technology investments should be consolidated, identify when existing or proposed mobile radio technology investments can be reused or leveraged to meet multiagency needs, increase mobile radio interoperability between agencies, and identify how redundant investments can be reduced over time. The department shall also provide quarterly reports to the technology services board on project progress.

(5) \$5,000,000 of the motor vehicle account-state appropriation is provided solely for extraordinary costs incurred from litigation awards, settlements, or dispute mitigation activities not eligible for funding from the self-insurance fund (L2000290). The amount provided in this subsection must be held in unallotted status until the department submits a request to the office of financial management that includes documentation detailing litigation-related expenses. The office of financial management may release the funds only when it determines that all other funds designated for litigation awards, settlements, and dispute mitigation activities have been exhausted. No funds provided in this subsection may be expended on any legal fees related to the SR 99/Alaskan Way viaduct replacement project (8099362).

(6) \$11,679,000 of the motor vehicle account-federal appropriation is provided solely for preservation projects within project L1100071 that ensure the reliable movement of freight on the national highway freight system. The department shall give priority to those projects that can be advertised by September 30, 2021.

(7) The appropriation in this section includes funding for starting planning, engineering, and construction of the Elwha River bridge replacement. To the greatest extent practicable, the department shall maintain public access on the existing route.

(8) Within the connecting Washington account-state appropriation, the department may transfer funds from Highway System Preservation (L1100071) to other preservation projects listed in the LEAP transportation document identified in subsection (1) of this section, if it is determined necessary for completion of these high priority preservation projects. The department's

next budget submittal after using this subsection must appropriately reflect the transfer.

NEW SECTION. Sec. 308. FOR THE DEPARTMENT OF TRANSPORTATION-TRAFFIC OPERATIONS-PROGRAM Q-CAPITAL

Motor Vehicle Account-State Appropriation	\$8,273,000
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Motor Vehicle Account-Federal Appropriation	\$5,289,000
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Motor Vehicle Account-Private/Local Appropriation	\$500,000
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Interstate 405 and State Route Number 167 Express

Toll Lanes Account-State Appropriation	\$900,000
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TOTAL APPROPRIATION	\$14,962,000
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The appropriations in this section are subject to the following conditions and limitations:

(1) \$579,000 of the motor vehicle account-state appropriation is provided solely for the SR 99 Aurora Bridge ITS project (L2000338).

(2) \$1,000,000 of the motor vehicle account-state appropriation is provided solely for the Challenge Seattle project (000009Q). The department shall provide a progress report on this project to the transportation committees of the legislature by January 15, 2022.

NEW SECTION. Sec. 309. FOR THE DEPARTMENT OF TRANSPORTATION-WASHINGTON STATE FERRIES CONSTRUCTION-PROGRAM W

Puget Sound Capital Construction Account-State	
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Appropriation	\$128,759,000
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Puget Sound Capital Construction Account-Federal	
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Appropriation	\$139,188,000
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Puget Sound Capital Construction Account-Private/Local	
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Appropriation	\$312,000
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Transportation Partnership Account- State	
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Appropriation	\$8,410,000
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Connecting Washington Account-State Appropriation	\$75,640,000
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Capital Vessel Replacement Account- State	
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Appropriation \$152,453,000
TOTAL APPROPRIATION \$504,762,000

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

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed in LEAP Transportation Document 2021-2 ALL PROJECTS as developed April 23, 2021, Program - Washington State Ferries Capital Program (W). No funds appropriated in this act or additional funds received through the unanticipated receipt process may be allocated or expended for terminal electrification purposes this biennium.

(2) For the 2021-2023 biennium, the marine division shall provide to the office of financial management and the legislative transportation committees the following reports on ferry capital projects:

(a) On a semiannual basis the report must include a status update on projects with funding provided in subsections (4), (5), (6), and (8) of this section including, but not limited to, the following:

(i) Anticipated cost increases and cost savings;

(ii) Anticipated cash flow and schedule changes; and

(iii) Explanations for the changes.

(b) On an annual basis the report must include a status update on vessel and terminal preservation and improvement plans including, but not limited to, the following:

(i) What work has been done;

(ii) How have schedules shifted; and

(iii) Associated changes in funding among projects, accompanied by explanations for the changes.

(c) On an annual basis the report must include an update on the implementation of the maintenance management system with recommendations for using the system to improve the efficiency of project reporting under this subsection.

(3) \$5,000,000 of the Puget Sound capital construction account-state appropriation is provided solely for emergency capital repair costs

(999910K). Funds may only be spent after approval by the office of financial management.

(4) \$1,277,000 of the Puget Sound capital construction account-state appropriation is provided solely for the ORCA card next generation project (L2000300). The ferry system shall work with Washington technology solutions and the tolling division on the development of a new, interoperable ticketing system.

(5) \$24,750,000 of the Puget Sound capital construction account-state appropriation is provided solely for the conversion of up to two Jumbo Mark II vessels to electric hybrid propulsion (G2000084). The department shall seek additional funds for the purposes of this subsection. The department may spend from the Puget Sound capital construction account-state appropriation in this section only as much as the department receives in Volkswagen settlement funds for the purposes of this subsection.

(6) \$152,453,000 of the capital vessel replacement account-state appropriation is provided solely for the acquisition of a 144-car hybrid-electric vessel (L2000329). In 2019 the legislature amended RCW 47.60.810 to direct the department to modify an existing vessel construction contract to provide for an additional five ferries. As such, it is the intent of the legislature that the department award the contract for the hybrid electric Olympic class vessel #5(L2000329) in a timely manner. In addition, the legislature intends to minimize costs and maximize construction efficiency by providing sufficient funding for construction of all five vessels, including funding for long lead time materials procured at the lowest possible prices. The commencement of construction of new vessels for the ferry system is important not only for safety reasons, but also to keep skilled marine construction jobs in the Puget Sound region and to sustain the capacity of the region to meet the ongoing construction and preservation needs of the ferry system fleet of vessels. The legislature has determined that the current vessel procurement process must move forward with all due speed, balancing the interests of both the taxpayers and shipyards. To accomplish construction of vessels in accordance with RCW 47.60.810, the prevailing shipbuilder, for vessels initially funded after July 1, 2020, is encouraged to follow the historical

practice of subcontracting the construction of ferry superstructures to a separate nonaffiliated contractor located within the Puget Sound region, that is qualified in accordance with RCW 47.60.690.

(7) The capital vessel replacement account-state appropriation includes up to \$152,453,000 in proceeds from the sale of bonds authorized in RCW 47.10.873.

(8) \$4,200,000 of the connecting Washington account-state appropriation and \$2,200,000 of the Puget Sound operating account-federal appropriation are provided solely for ferry vessel and terminal preservation (L2000110). The funds provided in this subsection must be used for unplanned preservation needs before shifting funding from other preservation projects.

NEW SECTION. Sec. 310. FOR THE DEPARTMENT OF TRANSPORTATION-RAIL-PROGRAM Y-CAPITAL

Essential Rail Assistance Account-State Appropriation \$550,000

Transportation Infrastructure Account-State Appropriation \$5,456,000

Multimodal Transportation Account-State

Appropriation \$82,493,000

Multimodal Transportation Account-Federal

Appropriation \$41,219,000

TOTAL APPROPRIATION \$129,718,000

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

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document 2021-2 ALL PROJECTS as developed April 23, 2021, Program - Rail Program (Y).

(2) \$5,089,000 of the transportation infrastructure account-state appropriation is provided solely for new low-interest loans approved by the department through the freight rail investment bank (FRIB) program. The department shall issue FRIB program loans with a repayment period of no more than ten years, and charge only so much

interest as is necessary to recoup the department's costs to administer the loans. The department shall report annually to the transportation committees of the legislature and the office of financial management on all FRIB loans issued. FRIB program loans may be recommended by the department for 2022 supplemental transportation appropriations up to the amount provided in this appropriation that has not been provided for the projects listed in 2021-2 ALL PROJECTS, as referenced in subsection (1) of this section. The department shall submit a prioritized list for any loans recommended to the office of financial management and the transportation committees of the legislature by November 15, 2021.

(3) \$6,817,000 of the multimodal transportation account-state appropriation is provided solely for new statewide emergent freight rail assistance projects identified in the LEAP transportation document referenced in subsection (1) of this section.

(4) \$367,000 of the transportation infrastructure account-state appropriation and \$1,100,000 of the multimodal transportation account-state appropriation are provided solely to reimburse Highline Grain, LLC for approved work completed on Palouse River and Coulee City (PCC) railroad track in Spokane county between the BNSF Railway Interchange at Cheney and Geiger Junction and must be administered in a manner consistent with freight rail assistance program projects. The value of the public benefit of this project is expected to meet or exceed the cost of this project in: Shipper savings on transportation costs; jobs saved in rail-dependent industries; and/or reduced future costs to repair wear and tear on state and local highways due to fewer annual truck trips (reduced vehicle miles traveled). The amounts provided in this subsection are not a commitment for future legislatures, but it is the legislature's intent that future legislatures will work to approve biennial appropriations until the full \$7,337,000 cost of this project is reimbursed.

(5)(a) \$550,000 of the essential rail assistance account-state appropriation is provided solely for the purpose of the rehabilitation and maintenance of the Palouse river and Coulee City railroad line (F01111B).

(b) Expenditures from the essential rail assistance account—state in this subsection may not exceed the combined total of:

(i) Revenues and transfers deposited into the essential rail assistance account from leases and sale of property relating to the Palouse river and Coulee City railroad;

(ii) Revenues from trackage rights agreement fees paid by shippers; and

(iii) Revenues and transfers transferred from the miscellaneous program account to the essential rail assistance account, pursuant to RCW 47.76.360, for the purpose of sustaining the grain train program by maintaining the Palouse river and Coulee City railroad.

(6) The department shall issue a call for projects for the freight rail assistance program, and shall evaluate the applications in a manner consistent with past practices as specified in section 309, chapter 367, Laws of 2011. By November 15, 2022, the department shall submit a prioritized list of recommended projects to the office of financial management and the transportation committees of the legislature.

(7) \$33,964,000 of the multimodal transportation account—state appropriation and \$37,500,000 of the multimodal transportation account—federal appropriation are provided solely for Passenger Rail Equipment Replacement (project 700010C.) The appropriations in this subsection include insurance proceeds received by the state. The department must use these funds only to purchase replacement equipment that has been competitively procured and for service recovery needs and corrective actions related to the December 2017 derailment.

(8) \$223,000 of the multimodal transportation account—state appropriation is provided solely for contingency funding for emergent freight rail assistance projects funded in subsection (3) of this section. Project sponsors may apply to the department for contingency funds needed due to unforeseeable cost increases. The department shall submit a report of any contingency funds provided under this subsection as part of the department's annual budget submittal.

(9) It is the intent of the legislature to encourage the department to pursue federal grant opportunities leveraging up to \$6,696,000 in connecting Washington programmed funds to be used as a state match to improve the state-owned Palouse river and Coulee City system. The amount listed in this subsection is not a commitment for future legislatures, but is the legislature's intent that future legislatures will work to approve biennial appropriations up to a state match share not to exceed \$6,696,000 of a grant award.

NEW SECTION. Sec. 311. FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—CAPITAL

Highway Infrastructure Account—State
Appropriation \$793,000

Highway Infrastructure Account—
Federal Appropriation \$1,600,000

Transportation Partnership Account—
State
Appropriation \$750,000

Motor Vehicle Account—State
Appropriation \$11,064,000

Motor Vehicle Account—Federal
Appropriation \$55,751,000

Motor Vehicle Account—Private/Local
Appropriation \$6,600,000

Connecting Washington Account—State
Appropriation \$123,292,000

Multimodal Transportation Account—
State
Appropriation \$71,615,000

TOTAL APPROPRIATION \$271,465,000

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

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document 2021-2 ALL PROJECTS as developed April 23, 2021, Program - Local Programs Program (Z).

(2) The amounts identified in the LEAP transportation document referenced under subsection (1) of this section for pedestrian safety/safe routes to school are as follows:

(a) \$32,613,000 of the multimodal transportation account—state

appropriation is provided solely for pedestrian and bicycle safety program projects (L2000188).

(b) \$19,344,000 of the motor vehicle account—federal appropriation and \$17,397,000 of the multimodal transportation account—state appropriation are provided solely for safe routes to school projects (L2000189). The department may consider the special situations facing high-need areas, as defined by schools or project areas in which the percentage of the children eligible to receive free and reduced-price meals under the national school lunch program is equal to, or greater than, the state average as determined by the department, when evaluating project proposals against established funding criteria while ensuring continued compliance with federal eligibility requirements.

(3) The department shall submit a report to the transportation committees of the legislature by December 1, 2021, and December 1, 2022, on the status of projects funded as part of the pedestrian safety/safe routes to school grant program. The report must include, but is not limited to, a list of projects selected and a brief description of each project's status. In its December 1, 2021, report the department must also include recommended changes to the pedestrian safety/safe routes to school grant program application and selection processes to increase utilization by a greater diversity of jurisdictions.

(4) \$6,561,000 of the multimodal transportation account—state appropriation is provided solely for bicycle and pedestrian projects listed in the LEAP transportation document referenced in subsection (1) of this section.

(5) It is the expectation of the legislature that the department will be administering a local railroad crossing safety grant program for \$7,000,000 in federal funds during the 2021-2023 fiscal biennium.

(6) \$12,500,000 of the motor vehicle account—federal appropriation is provided solely for national highway freight network projects identified on the project list submitted in accordance with section 218(4)(b), chapter 14, Laws of 2016 on October 31, 2016 (L1000169).

(7) When the department updates its federally-compliant freight plan, it

shall consult the freight mobility strategic investment board on the freight plan update and on the investment plan component that describes how the estimated funding allocation for the national highway freight program for federal fiscal years 2022-2025 will be invested and matched. The investment plan component for the state portion of national highway freight program funds must first address shortfalls in funding for connecting Washington act projects. The department shall complete the freight plan update in compliance with federal requirements and deadlines and shall provide an update on the development of the freight plan, including the investment plan component, when submitting its 2022 supplemental appropriations request.

(8) \$11,679,000 of the motor vehicle account—federal appropriation is provided solely for acceleration of local preservation projects that ensure the reliable movement of freight on the national highway freight system (G2000100). The department will identify projects through its current national highway system asset management call for projects with applications due in February 2021. The department shall give priority to those projects that can be obligated by September 30, 2021.

NEW SECTION. Sec. 312. ANNUAL REPORTING REQUIREMENTS FOR CAPITAL PROGRAM

(1) As part of its annual budget submittal, the department of transportation shall provide an update to the report provided to the legislature in the prior fiscal year that: (a) Compares the original project cost estimates approved in the 2003, 2005, and 2015 revenue package project lists to the completed cost of the project, or the most recent legislatively approved budget and total project costs for projects not yet completed; (b) identifies highway projects that may be reduced in scope and still achieve a functional benefit; (c) identifies highway projects that have experienced scope increases and that can be reduced in scope; (d) identifies highway projects that have lost significant local or regional contributions that were essential to completing the project; (e) identifies risk reserves and contingency amounts allocated to projects; and (f) lists the nickel, TPA, and connecting Washington projects charging to the

Nickel/TPA/CWA Environmental Mitigation Reserve (0BI4ENV) and the Nickel/TPA Projects Completed with Minor Ongoing Expenditures project (0BI100B), and the amount each project is charging.

(2) As part of its annual budget submittal, the department of transportation shall provide: (a) An annual report on the number of toll credits the department has accumulated and how the department has used the toll credits, and (b) a status report on the projects funded using federal national highway freight program funds.

NEW SECTION. Sec. 313. QUARTERLY REPORTING REQUIREMENTS FOR CAPITAL PROGRAM

On a quarterly basis, the department of transportation shall provide to the office of financial management and the legislative transportation committees a report for all capital projects, except for ferry projects subject to the reporting requirements established in section 309 of this act, that must include:

(1) A TEIS version containing actual capital expenditures for all projects consistent with the structure of the most recently enacted budget;

(2) Anticipated cost savings, cost increases, reappropriations, and schedule adjustments for all projects consistent with the structure of the most recently enacted budget;

(3) The award amount, the engineer's estimate, and the number of bidders for all active projects consistent with the structure of the most recently enacted budget; and

(4) Risk reserves and contingency amounts for all projects consistent with the structure of the most recently enacted budget.

NEW SECTION. Sec. 314. FEDERAL FUNDS RECEIVED FOR CAPITAL PROJECT EXPENDITURES

To the greatest extent practicable, the department of transportation shall expend federal funds received for capital project expenditures before state funds.

NEW SECTION. Sec. 315. NOTIFICATION REQUIREMENTS FOR PAUSES AND CANCELLATIONS

(1) The department shall notify the transportation committees of the legislature when it intends to pause for

a significant length of time or not proceed with operating items or capital projects included as budget provisos or on project lists. When feasible, this notification shall be provided prior to the pause or cancellation and at least seven days in advance of any public announcement related to such a pause or cancellation.

(2) At the time of notification, the department shall provide an explanation for the reason or reasons for the pause or cancellation for each operating budget item and capital project. The explanation shall include specific reasons for each pause or cancellation, in addition to a statement of the broad rationale for the pause or cancellation.

(3) When feasible, the department shall make best efforts to keep the transportation committees of the legislature informed of an evaluation process underway for selecting operating budget items and capital projects to be paused or cancelled, providing updates as its selection efforts proceed.

(4) When exigent circumstances prevent prior notice of a pause or cancellation from being provided to the transportation committees of the legislature, the department shall provide the information required under this section to the transportation committees of the legislature as soon as is practicable.

TRANSFERS AND DISTRIBUTIONS

NEW SECTION. Sec. 401. FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND REVENUE

Transportation Partnership Account—
State Appropriation \$904,000

Connecting Washington Account—State
Appropriation \$11,153,000

Special Category C Account—State
Appropriation \$412,000

Highway Bond Retirement Account—State
Appropriation \$1,483,793,000

Ferry Bond Retirement Account—State
Appropriation \$17,150,000

Transportation Improvement Board Bond
Retirement

Account-State Appropriation
 \$11,770,000

Nondebt-Limit Reimbursable Bond Retirement

Account-State Appropriation
 \$29,323,000

Toll Facility Bond Retirement Account-State

Appropriation \$76,376,000

TOTAL APPROPRIATION
 \$1,630,881,000

NEW SECTION. Sec. 402. FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND FISCAL AGENT CHARGES

Transportation Partnership Account-State
 Appropriation \$181,000

Connecting Washington Account-State
 Appropriation \$2,231,000

Special Category C Account-State
 Appropriation \$82,000

TOTAL APPROPRIATION \$2,494,000

NEW SECTION. Sec. 403. FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION

Motor Vehicle Account-State
 Appropriation: For motor vehicle fuel tax statutory distributions to cities and counties \$467,390,000

Multimodal Transportation Account-State
 Appropriation: For distribution to cities and counties \$26,786,000

Motor Vehicle Account-State
 Appropriation: For distribution to cities and counties \$23,438,000

NEW SECTION. Sec. 404. FOR THE STATE TREASURER—TRANSFERS

Motor Vehicle Account-State
 Appropriation: For motor vehicle fuel tax refunds and statutory transfers \$1,974,599,000

NEW SECTION. Sec. 405. FOR THE DEPARTMENT OF LICENSING—TRANSFERS

Motor Vehicle Account-State
 Appropriation: For motor vehicle fuel tax refunds and transfers \$235,675,000

NEW SECTION. Sec. 406. FOR THE STATE TREASURER—ADMINISTRATIVE TRANSFERS

(1) Highway Safety Account-State
 Appropriation: For transfer to the State Patrol Highway Account-State \$47,000,000

(2) (a) Transportation Partnership Account-State
 Appropriation: For transfer to the Capital Vessel Replacement Account-State \$152,453,000

(b) The amount transferred in this subsection represents proceeds from the sale of bonds authorized in RCW 47.10.873.

(3) (a) Transportation Partnership Account-State
 Appropriation: For transfer to the Tacoma Narrows Toll Bridge Account-State \$30,293,000

(b) It is the intent of the legislature that this transfer is temporary, for the purpose of minimizing the impact of toll increases. An equivalent reimbursing transfer is to occur after the debt service and deferred sales tax on the Tacoma Narrows bridge construction costs are fully repaid in accordance with chapter 195, Laws of 2018.

(4) (a) Motor Vehicle Account-State
 Appropriation: For transfer to Alaskan Way Viaduct -State \$6,000,000

(b) The funds provided in (a) of this subsection are a loan to the Alaskan Way viaduct replacement project account-state, and the legislature assumes that these funds will be reimbursed to the motor vehicle account-state at a later date when traffic on the toll facility has recovered from the COVID-19 pandemic.

(5) Motor Vehicle Account-State
 Appropriation: For transfer to the County Arterial Preservation

Account-State \$7,666,000
 (6) Motor Vehicle Account-State
 Appropriation:

For transfer to the Freight Mobility
 Investment

Account-State \$5,511,000

(7) Motor Vehicle Account-State
 Appropriation:

For transfer to the Rural Arterial
 Trust Account-State \$9,331,000

(8) Motor Vehicle Account-State
 Appropriation:

For transfer to the Transportation
 Improvement

Account-State \$9,688,000

(9) Rural Mobility Grant Program
 Account-State

Appropriation: For transfer to the
 Multimodal

Transportation Account-State
 \$3,000,000

(10) (a) State Route Number 520 Civil
 Penalties

Account-State Appropriation: For
 transfer to the

Motor Vehicle Account-State

\$2,000,000

(b) The transfer in this subsection is
 to repay moneys loaned to the state route
 number 520 civil penalties account in the
 2019-2021 fiscal biennium.

(11) State Route Number 520 Civil
 Penalties

Account-State Appropriation: For
 transfer to the

State Route Number 520 Corridor
 Account-State \$1,532,000

(12) Capital Vessel Replacement
 Account-State

Appropriation: For transfer to the
 Connecting

Washington Account-State
 \$35,000,000

(13) (a) Capital Vessel Replacement
 Account-State

Appropriation: For transfer to the
 Transportation

Partnership Account-State
 \$10,305,000

(b) The amount transferred in this
 subsection represents repayment of debt
 service incurred for the construction of
 the Hybrid Electric Olympic Class (144-
 auto) Vessel #5 project (L2000329).

(14) Multimodal Transportation
 Account-State

Appropriation: For transfer to the
 Complete Streets

Grant Program Account-State
 \$14,670,000

(15) Multimodal Transportation
 Account-State

Appropriation: For transfer to the
 Connecting

Washington Account-State
 \$200,000,000

(16) Multimodal Transportation
 Account-State

Appropriation: For transfer to the
 Freight Mobility

Multimodal Account-State
 \$4,011,000

(17) Multimodal Transportation
 Account-State

Appropriation: For transfer to the
 Ignition Interlock

Device Revolving Account-State
 \$600,000

(18) Multimodal Transportation
 Account-State

Appropriation: For transfer to the
 Pilotage

Account-State \$1,500,000

(19) Multimodal Transportation
 Account-State

Appropriation: For transfer to the
 Puget Sound

Capital Construction Account-State
 \$60,000,000

(20) Multimodal Transportation
 Account-State

Appropriation: For transfer to the
 Regional Mobility

Grant Program Account-State
 \$27,679,000

(21) Multimodal Transportation
 Account-State

Appropriation: For transfer to the Rural Mobility

Grant Program Account—State
\$15,223,000

(22) (a) Alaskan Way Viaduct Replacement Project

Account—State Appropriation: For transfer to the

Transportation Partnership Account—State \$22,884,000

(b) The amount transferred in this subsection represents repayment of debt service incurred for the construction of the SR 99/Alaskan Way Viaduct Replacement project (809936Z).

(23) Tacoma Narrows Toll Bridge Account—State

Appropriation: For transfer to the Motor Vehicle

Account—State \$950,000

(24) Puget Sound Ferry Operations Account—State

Appropriation: For transfer to the Puget Sound

Capital Construction Account—State \$60,000,000

(25) (a) General Fund Account—State

Appropriation: For transfer to the State Patrol

Highway Account—State \$625,000

(b) The state treasurer shall transfer the funds only after receiving notification from the Washington state patrol under section 207(2) of this act.

NEW SECTION. Sec. 407. FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT TO BE PAID BY STATUTORILY PRESCRIBED REVENUE

Toll Facility Bond Retirement Account—Federal

Appropriation \$199,129,000

Toll Facility Bond Retirement Account—State

Appropriation \$25,372,000

TOTAL APPROPRIATION \$224,501,000

NEW SECTION. Sec. 408. FOR THE OFFICE OF FINANCIAL MANAGEMENT—AMERICAN RESCUE PLAN ACT REVENUE LOSS DEPOSITS

Coronavirus State Fiscal Recovery Fund—Federal

Appropriation \$600,000,000

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

(1) The appropriation is provided solely for expenditure into accounts in the amounts specified in subsection (2) of this section. These amounts are intended to compensate accounts for revenue losses in state fiscal years 2020 and 2021 relative to revenues collected in state fiscal year 2019 and shall be used to maintain government services pursuant to the federal American rescue plan act of 2021.

(2) The appropriation must be distributed to the following accounts in the amounts designated:

Multimodal Transportation Account—State \$115,611,000

Motor Vehicle Account—State \$99,416,000

Puget Sound Ferry Operations Account—State \$85,966,000

Connecting Washington Account—State \$67,663,000

Transportation Partnership Account—State \$39,547,000

State Route Number 520 Corridor Account—State \$59,567,000

Transportation 2003 Account (Nickel Account)—State \$28,681,000

State Patrol Highway Account—State \$12,358,000

Highway Safety Account—State \$8,219,000

Tacoma Narrows Toll Bridge Account—State \$15,707,000

Interstate 405 and State Route Number 167 Express Toll

Lanes Account—State \$32,893,000

Transportation Improvement Account—State \$15,844,000

Rural Arterial Trust Account—State \$3,092,000

County Arterial Preservation Account—State \$1,939,000

State Route Number 520 Civil Penalties Account—State \$5,442,000

Special Category C Account--State
\$3,975,000

Puget Sound Capital Construction
Account--State \$2,892,000

Aeronautics Account--State
\$777,000

School Zone Safety Account--State
\$393,000

Motorcycle Safety Education Account--
State \$18,000

COMPENSATION

NEW SECTION. Sec. 501. COLLECTIVE BARGAINING AGREEMENTS NOT IMPAIRED

Nothing in this act prohibits the expenditure of any funds by an agency or institution of the state for benefits guaranteed by any collective bargaining agreement in effect on the effective date of this section.

NEW SECTION. Sec. 502. COLLECTIVE BARGAINING AGREEMENTS

Sections 503 through 520 of this act represent the results of the 2021-2023 collective bargaining process required under chapters 41.80, 47.64, and 41.56 RCW. Provisions of the collective bargaining agreements contained in sections 503 through 520 of this act are described in general terms. Only major economic terms are included in the descriptions. These descriptions do not contain the complete contents of the agreements. The collective bargaining agreements contained in sections 503 through 520 of this act may also be funded by expenditures from nonappropriated accounts. If positions are funded with lidded grants or dedicated fund sources with insufficient revenue, additional funding from other sources is not provided.

NEW SECTION. Sec. 503. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS--OPEIU

An agreement has been reached between the governor and the office and professional employees international union local eight (OPEIU) pursuant to chapter 47.64 RCW for the 2021-2023 fiscal biennium. Funding is provided to fund the agreement, which does not include wage increases but does include furloughs. The agreement provides that positions designated by the employer as not requiring backfill take 24 furlough days during the biennium. In addition, the following positions are not subject

to the furlough requirement: Bid administrator, dispatch, dispatch coordinator, and relief positions.

NEW SECTION. Sec. 504. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS--FASPAA

An agreement has been reached between the governor and the ferry agents, supervisors, and project administrators association pursuant to chapter 47.64 RCW for the 2021-2023 fiscal biennium. Funding is provided to fund the agreement, which does not include wage increases but does include furloughs. The agreement provides that positions designated by the employer as not requiring backfill take 24 furlough days during the biennium.

NEW SECTION. Sec. 505. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS--SEIU LOCAL 6

An agreement has been reached between the governor and the service employees international union local 6 pursuant to chapter 47.64 RCW for the 2021-2023 fiscal biennium. Funding is provided to fund the agreement, which does not include wage increases but does include furloughs. The agreement provides that positions designated by the employer as not requiring backfill take 24 furlough days during the biennium.

NEW SECTION. Sec. 506. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS--CARPENTERS

An agreement has been reached between the governor and the Pacific Northwest regional council of carpenters pursuant to chapter 47.64 RCW for the 2021-2023 fiscal biennium. Funding is provided to fund the agreement, which does not include wage increases but does include furloughs. The agreement provides that positions designated by the employer as not requiring backfill take 24 furlough days during the biennium.

NEW SECTION. Sec. 507. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS--METAL TRADES

An agreement has been reached between the governor and the Puget Sound metal trades council through an interest arbitration award pursuant to chapter 47.64 RCW for the 2021-2023 fiscal biennium. The arbitration award imposed

and funding is provided to implement a 1.9% general wage decrease from July 1, 2021, through June 30, 2022, and exempted these employees from the furlough requirement.

NEW SECTION. Sec. 508. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS—MEBA-UL

An agreement has been reached between the governor and the marine engineers' beneficial association unlicensed engine room employees pursuant to chapter 47.64 RCW for the 2021-2023 fiscal biennium. Funding is provided to fund the agreement, which does not include either wage increases or the furlough requirement.

NEW SECTION. Sec. 509. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS—MEBA-L

An agreement has been reached between the governor and the marine engineers' beneficial association licensed engineer officers pursuant to chapter 47.64 RCW for the 2021-2023 fiscal biennium. Funding is provided to fund the agreement, which does not include either wage increases or the furlough requirement.

NEW SECTION. Sec. 510. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS—MEBA—PORT ENGINEERS

An agreement has been reached between the governor and the marine engineers' beneficial association port engineers pursuant to chapter 47.64 RCW for the 2021-2023 fiscal biennium. Funding is provided to fund the agreement, which does not include wage increases but does include furloughs. The agreement provides that positions designated by the employer as not requiring backfill take 24 furlough days during the biennium.

NEW SECTION. Sec. 511. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS—MM&P MATES

An agreement has been reached between the governor and the masters, mates, and pilots - mates pursuant to chapter 47.64 RCW for the 2021-2023 fiscal biennium. Funding is provided to fund the agreement, which includes a two percent wage increase for second mates, and does not include the furlough requirement.

NEW SECTION. Sec. 512. DEPARTMENT OF TRANSPORTATION MARINE DIVISION

COLLECTIVE BARGAINING AGREEMENTS—MM&P MASTERS

An agreement has been reached between the governor and the masters, mates, and pilots - masters pursuant to chapter 47.64 RCW for the 2021-2023 fiscal biennium. Funding is provided to fund the agreement, which does not include either wage increases or the furlough requirement.

NEW SECTION. Sec. 513. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS—MM&P WATCH CENTER SUPERVISORS

An agreement has been reached between the governor and the masters, mates, and pilots - watch center supervisors pursuant to chapter 47.64 RCW for the 2021-2023 fiscal biennium. Funding is provided to fund the agreement, which does not include wage increases but does include furloughs only for the following positions: Fleet facility security officers and workforce development leads.

NEW SECTION. Sec. 514. DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS—IBU

An agreement has been reached between the governor and the inlandboatmen's union of the Pacific pursuant to chapter 47.64 RCW through an interest arbitration award for the 2021-2023 fiscal biennium. Funding is provided to fund the agreement, which does not include wage increases, but does include furlough days for employees in positions that do not require the position to be backfilled.

NEW SECTION. Sec. 515. COLLECTIVE BARGAINING AGREEMENT—WFSE

An agreement has been reached between the governor and the Washington federation of state employees under the provisions of chapter 41.80 RCW for the 2021-2023 fiscal biennium. Funding is provided to fund the agreement, which does not include wage increases, but does include 24 furlough days for employees in position that do not require the position to be backfilled.

NEW SECTION. Sec. 516. COLLECTIVE BARGAINING AGREEMENT—PTE LOCAL 17

An agreement has been reached between the governor and the professional and technical employees local 17 under the provisions of chapter 41.80 RCW for the 2021-2023 fiscal biennium. Funding is provided to fund the agreement, which

does not include wage increases, but does include 24 furlough days for employees in position that do not require the position to be backfilled.

NEW SECTION. **Sec. 517. COLLECTIVE BARGAINING AGREEMENT—WPEA**

An agreement has been reached between the governor and the Washington public employees association under the provisions of chapter 41.80 RCW for the 2021-2023 fiscal biennium. Funding is provided to fund the agreement, which does not include wage increases, but does include 24 furlough days for employees in positions that do not require the position to be backfilled.

NEW SECTION. **Sec. 518. COLLECTIVE BARGAINING AGREEMENT—COALITION OF UNIONS**

An agreement has been reached for the 2019-2021 biennium between the governor and the coalition of unions under the provisions of chapter 41.80 RCW for the 2021-2023 fiscal biennium. Funding is provided to fund the agreement, which includes 24 furlough days for employees in position that do not require the position to be backfilled. The agreement includes and funding is provided for a 2.5 percent wage increase for fiscal year 2022 and a 2.5 percent wage increase for fiscal year 2023 for the department of corrections marine vessel operators.

NEW SECTION. **Sec. 519. COLLECTIVE BARGAINING AGREEMENT—WSP TROOPERS ASSOCIATION**

An agreement has been reached between the governor and the Washington state patrol troopers association under the provisions of chapter 41.56 RCW for the 2021-2023 fiscal biennium. Funding is provided to fund the agreement, which does not include general wages increases but does provide the ability to request to reopen the compensation article for the purpose of bargaining base rate of pay for fiscal year 2023.

NEW SECTION. **Sec. 520. COLLECTIVE BARGAINING AGREEMENT—WSP LIEUTENANTS AND CAPTAINS ASSOCIATION**

An agreement has been reached between the governor and the Washington state patrol lieutenants and captains association under the provisions of chapter 41.56 RCW for the 2021-2023 fiscal biennium. Funding is provided to fund the agreement, which does not include general wages increases but does provide the ability to request to reopen

the compensation article for the purpose of bargaining base rate of pay for fiscal year 2023.

NEW SECTION. **Sec. 521. COMPENSATION—REPRESENTED EMPLOYEES—HEALTH CARE—COALITION—INSURANCE BENEFITS**

An agreement was reached for the 2021-2023 biennium between the governor and the health care coalition under the provisions of chapter 41.80 RCW. Appropriations in this act for state agencies, including institutions of higher education, are sufficient to implement the provisions of the 2021-2023 collective bargaining agreement, which maintains the provisions of the 2019-2021 agreement, and are subject to the following conditions and limitations:

The monthly employer funding rate for insurance benefit premiums, public employees' benefits board administration, and the uniform medical plan, shall not exceed \$936 per eligible employee for fiscal year 2022. For fiscal year 2023, the monthly employer funding rate shall not exceed \$1091 per eligible employee.

The board shall collect a \$25 per month surcharge payment from members who use tobacco products and a surcharge payment of not less than \$50 per month from members who cover a spouse or domestic partner where the spouse or domestic partner has chosen not to enroll in another employer-based group health insurance that has benefits and premiums with an actuarial value of not less than 95 percent of the actuarial value of the public employees' benefits board plan with the largest enrollment. The surcharge payments shall be collected in addition to the member premium payment if directed by the legislature.

NEW SECTION. **Sec. 522. COMPENSATION—REPRESENTED EMPLOYEES OUTSIDE HEALTH CARE COALITION—INSURANCE BENEFITS**

Appropriations for state agencies in this act are sufficient for represented employees outside the coalition for health benefits, and are subject to the following conditions and limitations: The monthly employer funding rate for insurance benefit premiums, public employees' benefits board administration, and the uniform medical plan, may not exceed \$936 per eligible employee for fiscal year 2022. For fiscal year 2023, the monthly employer funding rate may not exceed \$1091 per eligible employee.

NEW SECTION. **Sec. 523. COMPENSATION—NONREPRESENTED EMPLOYEES—INSURANCE BENEFITS**

Appropriations for state agencies in this act are sufficient for nonrepresented state employee health benefits for state agencies, including institutions of higher education, and are subject to the following conditions and limitations: The employer monthly funding rate for insurance benefit premiums, public employees' benefits board administration, and the uniform medical plan, shall not exceed \$936 per eligible employee for fiscal year 2022. For fiscal year 2023, the monthly employer funding rate shall not exceed \$1091 per eligible employee.

NEW SECTION. **Sec. 524. COMPENSATION—REVISE PENSION CONTRIBUTION RATES**

The appropriations in this act for school districts and state agencies, including institutions of higher education, are subject to the following conditions and limitations: Appropriations are adjusted to reflect changes to agency appropriations to reflect pension contribution rates adopted by the pension funding council and the law enforcement officers' and firefighters' retirement system plan 2 board.

NEW SECTION. **Sec. 525. JUNETEENTH HOLIDAY**

Specific funding is provided in agency budgets for the cost to agencies of additional staff necessary to provide coverage in positions that require continual presence, as a result of implementing chapter . . . (Substitute House Bill No. 1016), Laws of 2021 (making Juneteenth a legal holiday). If chapter . . . (Substitute House Bill No. 1016), Laws of 2021 is not enacted by June 30, 2021, this section has no force and effect.

NEW SECTION. **Sec. 526. FOR THE OFFICE OF FINANCIAL MANAGEMENT—INLANDBOATMEN'S UNION OF THE PACIFIC**

Puget Sound Ferry Operations Account—State

Appropriation \$2,798,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided solely for eliminating the furlough days in the agreement reached with the inlandboatmen's union of the Pacific and

approved in part V of this act. Expenditure of the amounts provided for this purpose is contingent upon execution of an appropriate memorandum of understanding between the governor or the governor's designee and the exclusive bargaining representative, consistent with the terms of this section. Appropriations for state agencies are increased by the amounts specified in LEAP Transportation Document 2021 - Compensation, dated April 23, 2021, to fund the provisions of this section upon execution of the memorandum of understanding.

NEW SECTION. **Sec. 527. FOR THE OFFICE OF FINANCIAL MANAGEMENT—PACIFIC NORTHWEST REGIONAL COUNCIL OF CARPENTERS**

Puget Sound Ferry Operations Account—State

Appropriation \$156,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided solely for eliminating the furlough days in the agreement reached with the Pacific Northwest regional council of carpenters and approved in part V of this act. Expenditure of the amounts provided for this purpose is contingent upon execution of an appropriate memorandum of understanding between the governor or the governor's designee and the exclusive bargaining representative, consistent with the terms of this section. Appropriations for state agencies are increased by the amounts specified in LEAP Transportation Document 2021 - Compensation, dated April 23, 2021, to fund the provisions of this section upon execution of the memorandum of understanding.

NEW SECTION. **Sec. 528. FOR THE OFFICE OF FINANCIAL MANAGEMENT—OFFICE AND PROFESSIONAL EMPLOYEES INTERNATIONAL UNION LOCAL 8**

Puget Sound Ferry Operations Account—State Appropriation \$344,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided solely for eliminating the furlough days in the agreement reached with the office and professional employees international union local 8 and approved in part V of this act. Expenditure of the amounts provided for this purpose is contingent upon execution of an appropriate memorandum of understanding between the

governor or the governor's designee and the exclusive bargaining representative, consistent with the terms of this section. Appropriations for state agencies are increased by the amounts specified in LEAP Transportation Document 2021 - Compensation, dated April 23, 2021, to fund the provisions of this section upon execution of the memorandum of understanding.

NEW SECTION. Sec. 529. FOR THE OFFICE OF FINANCIAL MANAGEMENT—FERRY AGENTS, SUPERVISORS, AND PROJECT ADMINISTRATORS ASSOCIATION

Puget Sound Ferry Operations Account—
State Appropriation \$344,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided solely for eliminating the furlough days in the agreement reached with the ferry agents, supervisors, and project administrators association and approved in part V of this act. Expenditure of the amounts provided for this purpose is contingent upon execution of an appropriate memorandum of understanding between the governor or the governor's designee and the exclusive bargaining representative, consistent with the terms of this section. Appropriations for state agencies are increased by the amounts specified in LEAP Transportation Document 2021 - Compensation, dated April 23, 2021, to fund the provisions of this section upon execution of the memorandum of understanding.

NEW SECTION. Sec. 530. FOR THE OFFICE OF FINANCIAL MANAGEMENT—SERVICE EMPLOYEES INTERNATIONAL UNION LOCAL 6

Puget Sound Ferry Operations Account—
State Appropriation \$24,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided solely for eliminating the furlough days in the agreement reached with the service employees international union local 6 and approved in part V of this act. Expenditure of the amounts provided for this purpose is contingent upon execution of an appropriate memorandum of understanding between the governor or the governor's designee and the exclusive bargaining representative, consistent with the terms of this section. Appropriations for state agencies are increased by the amounts specified in LEAP Transportation Document 2021 - Compensation, dated April 23, 2021, to

fund the provisions of this section upon execution of the memorandum of understanding.

NEW SECTION. Sec. 531. FOR THE OFFICE OF FINANCIAL MANAGEMENT—MASTERS, MATES, AND PILOTS—WATCH CENTER SUPERVISORS

Puget Sound Ferry Operations Account—
State Appropriation \$150,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided solely for eliminating the furlough days in the agreement reached with the masters, mates, and pilots - watch center supervisors and approved in part V of this act. Expenditure of the amounts provided for this purpose is contingent upon execution of an appropriate memorandum of understanding between the governor or the governor's designee and the exclusive bargaining representative, consistent with the terms of this section. Appropriations for state agencies are increased by the amounts specified in LEAP Transportation Document 2021 - Compensation, dated April 23, 2021, to fund the provisions of this section upon execution of the memorandum of understanding.

NEW SECTION. Sec. 532. FOR THE OFFICE OF FINANCIAL MANAGEMENT—MARINE ENGINEERS' BENEFICIAL ASSOCIATION PORT ENGINEERS

Puget Sound Ferry Operations Account—
State Appropriation \$84,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided solely for eliminating the furlough days in the agreement reached with the marine engineers' beneficial association port engineers and approved in part V of this act. Expenditure of the amounts provided for this purpose is contingent upon execution of an appropriate memorandum of understanding between the governor or the governor's designee and the exclusive bargaining representative, consistent with the terms of this section. Appropriations for state agencies are increased by the amounts specified in LEAP Transportation Document 2021 - Compensation, dated April 23, 2021, to fund the provisions of this section upon execution of the memorandum of understanding.

NEW SECTION. Sec. 533. FOR THE OFFICE OF FINANCIAL MANAGEMENT—WASHINGTON FEDERATION OF STATE EMPLOYEES

Motor Vehicle	Account--State
Appropriation	\$15,891,000
Highway Safety	Account--State
Appropriation	\$4,111,000
State Patrol Highway	Account--State
Appropriation	\$1,661,000
Other Appropriated	Funds
	\$1,038,000
TOTAL APPROPRIATION	\$22,701,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided solely for eliminating the furlough days in the agreement reached with the Washington federation of state employees and approved in part V of this act. Expenditure of the amounts provided for this purpose is contingent upon execution of an appropriate memorandum of understanding between the governor or the governor's designee and the exclusive bargaining representative, consistent with the terms of this section. Appropriations for state agencies are increased by the amounts specified in LEAP Transportation Document 2021 - Compensation, dated April 23, 2021, to fund the provisions of this section upon execution of the memorandum of understanding.

NEW SECTION. Sec. 534. FOR THE OFFICE OF FINANCIAL MANAGEMENT--WASHINGTON PUBLIC EMPLOYEES ASSOCIATION GENERAL GOVERNMENT

Motor Vehicle	Account--State
Appropriation	\$88,000
State Patrol Highway	Account--State
Appropriation	\$907,000
State Patrol Highway	Account--Federal
Appropriation	\$68,000
TOTAL APPROPRIATION	\$1,063,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided solely for eliminating the furlough days in the agreement reached with the Washington public employees association general government and approved in part V of this act. Expenditure of the amounts provided for this purpose is contingent upon execution of an appropriate memorandum of understanding between the governor or the governor's designee and the exclusive bargaining representative, consistent with the terms of this section. Appropriations for state agencies are increased by the amounts specified in

LEAP Transportation Document 2021 - Compensation, dated April 23, 2021, to fund the provisions of this section upon execution of the memorandum of understanding.

NEW SECTION. Sec. 535. FOR THE OFFICE OF FINANCIAL MANAGEMENT--PROFESSIONAL AND TECHNICAL EMPLOYEES LOCAL 17

Motor Vehicle	Account--State
Appropriation	\$2,105,000
Highway Safety	Account--State
Appropriation	\$2,108,000
State Patrol Highway	Account--State
Appropriation	\$918,000
Other Appropriated	Funds
	\$802,000
TOTAL APPROPRIATION	\$5,933,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided solely for eliminating the furlough days in the agreement reached with the professional and technical employees local 17 and approved in part V of this act. Expenditure of the amounts provided for this purpose is contingent upon execution of an appropriate memorandum of understanding between the governor or the governor's designee and the exclusive bargaining representative, consistent with the terms of this section. Appropriations for state agencies are increased by the amounts specified in LEAP Transportation Document 2021 - Compensation, dated April 23, 2021, to fund the provisions of this section upon execution of the memorandum of understanding.

NEW SECTION. Sec. 536. FOR THE OFFICE OF FINANCIAL MANAGEMENT--THE COALITION OF UNIONS

State Patrol Highway	Account--State
Appropriation	\$212,000
State Patrol Highway	Account--Federal
Appropriation	\$18,000
TOTAL APPROPRIATION	\$230,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided solely for eliminating the furlough days in the agreement reached with the coalition of unions and approved in part V of this act. Expenditure of the amounts provided for this purpose is contingent upon execution of an appropriate memorandum of understanding between the governor or the

governor's designee and the exclusive bargaining representative, consistent with the terms of this section. Appropriations for state agencies are increased by the amounts specified in LEAP Transportation Document 2021 - Compensation, dated April 23, 2021, to fund the provisions of this section upon execution of the memorandum of understanding.

NEW SECTION. Sec. 537. FOR THE OFFICE OF FINANCIAL MANAGEMENT—PUGET SOUND METAL TRADES COUNCIL

Puget Sound Ferry Operations Account—State

Appropriation \$130,000

The appropriations in this section are subject to the following conditions and limitations: Funding is provided solely for eliminating the general wage deduction in the agreement reached through an interest arbitration award with the Puget Sound metal trades council and approved in part V of this act. Expenditure of the amounts provided for this purpose is contingent upon execution of an appropriate memorandum of understanding between the governor or the governor's designee and the exclusive bargaining representative, consistent with the terms of this section. Appropriations for state agencies are increased by the amounts specified in LEAP Transportation Document 2021 - Compensation, dated April 23, 2021, to fund the provisions of this section upon execution of the memorandum of understanding.

NEW SECTION. Sec. 538. COLLECTIVE BARGAINING AGREEMENTS—ELIMINATING FURLOUGH DAYS

Appropriations in this act provide sufficient funding to eliminate the furlough days required in the following collective bargaining agreements for the 2021-2023 biennium:

- (1) Office and professional employees international union local 8;
- (2) Ferry agents, supervisors, and project administrators association;
- (3) Service employees international union local 6;
- (4) Pacific Northwest regional council of carpenters;
- (5) Marine engineers' beneficial association port engineers;

(6) Masters, mates, and pilots - watch center supervisors;

(7) Inlandboatmen's union of the Pacific;

(8) Washington public employees association general government;

(9) Washington federation of state employees;

(10) Professional and technical employees local 17; and

(11) The coalition of unions.

Expenditure of the amounts provided for this purpose is contingent upon execution of an appropriate memorandum of understanding between the governor or the governor's designee and the exclusive bargaining representative, consistent with the terms of this section.

NEW SECTION. Sec. 539. COLLECTIVE BARGAINING AGREEMENTS—ELIMINATING GENERAL WAGE DECREASE

Appropriations in this act provide sufficient funding solely for the purpose of eliminating the 1.9 percent wage reduction from July 1, 2021, to June 30, 2022, provided in the arbitration award for the Puget Sound metal trades council. Expenditure of the amounts provided for this purpose is contingent upon execution of an appropriate modification of the agreement between the governor or the governor's designee and the exclusive bargaining representative, consistent with the terms of this section.

NEW SECTION. Sec. 540. FORGONE GENERAL WAGE INCREASES

Appropriations in this act for state agencies, including institutions of higher education, are sufficient to provide a three percent or two percent general wage increase, effective July 1, 2021, for employees that were scheduled to receive a general wage increase of either of those amounts on July 1, 2020, that was forgone due to COVID-19 emergency.

IMPLEMENTING PROVISIONS

NEW SECTION. Sec. 601. MANAGEMENT OF TRANSPORTATION FUNDS WHEN THE LEGISLATURE IS NOT IN SESSION

(1) The 2005 transportation partnership projects or improvements and 2015 connecting Washington projects or improvements are listed in the LEAP Transportation Document 2021-1 as

developed April 23, 2021, which consists of a list of specific projects by fund source and amount over a sixteen-year period. Current fiscal biennium funding for each project is a line-item appropriation, while the outer year funding allocations represent a sixteen-year plan. The department of transportation is expected to use the flexibility provided in this section to assist in the delivery and completion of all transportation partnership account and connecting Washington account projects on the LEAP transportation document referenced in this subsection. For the 2021-2023 project appropriations, unless otherwise provided in this act, the director of the office of financial management may provide written authorization for a transfer of appropriation authority between projects funded with transportation partnership account appropriations or connecting Washington account appropriations to manage project spending and efficiently deliver all projects in the respective program under the following conditions and limitations:

(a) Transfers may only be made within each specific fund source referenced on the respective project list;

(b) Transfers from a project may not be made as a result of the reduction of the scope of a project or be made to support increases in the scope of a project;

(c) Transfers from a project may be made if the funds appropriated to the project are in excess of the amount needed in the current fiscal biennium;

(d) Transfers may not occur for projects not identified on the applicable project list;

(e) Transfers to a project may not occur if that project is a programmatic funding item described in broad general terms on the applicable project list without referencing a specific state route number;

(f) Transfers may not be made while the legislature is in session;

(g) Transfers to a project may not be made with funds designated as attributable to practical design savings as described in RCW 47.01.480;

(h) Except for transfers made under (1) of this subsection, transfers may only be made in fiscal year 2023;

(i) The total amount of transfers under this section may not exceed \$50,000,000;

(j) Except as otherwise provided in (1) of this subsection, transfers made to a single project may not cumulatively total more than \$20,000,000 per biennium;

(k) Each transfer between projects may only occur if the director of the office of financial management finds that any resulting change will not hinder the completion of the projects as approved by the legislature; and

(1) Transfers between projects may be made by the department of transportation without the formal written approval provided under this subsection (1), provided that the transfer amount to a single project does not exceed two hundred fifty thousand dollars or ten percent of the total project per biennium, whichever is less. These transfers must be reported quarterly to the director of the office of financial management and the chairs of the house of representatives and senate transportation committees.

(2) The department of transportation must submit quarterly all transfers authorized under this section in the transportation executive information system. The office of financial management must maintain a legislative baseline project list identified in the LEAP transportation documents referenced in this act, and update that project list with all authorized transfers under this section, including any effects to the total project budgets and schedules beyond the current biennium.

(3) At the time the department submits a request to transfer funds under this section, a copy of the request must be submitted to the chairs and ranking members of the transportation committees of the legislature.

(4) Before approval, the office of financial management shall work with legislative staff of the house of representatives and senate transportation committees to review the requested transfers in a timely manner and address any concerns raised by the chairs and ranking members of the transportation committees.

(5) No fewer than ten days after the receipt of a project transfer request, the director of the office of financial management must provide written notification to the department of any decision regarding project transfers, with copies submitted to the transportation committees of the legislature.

(6) The department must submit annually as part of its budget submittal a report detailing all transfers made pursuant to this section, including any effects to the total project budgets and schedules beyond the current biennium.

(7)(a) If the department of transportation receives federal funding not appropriated in this act, the department shall apply such funds to any of the following activities in lieu of state funds, if compliant with federal funding restrictions, and in the order that most reduces administrative burden and minimizes the use of bond proceeds:

(i) Projects on LEAP Transportation Document 2021-2 ALL PROJECTS as developed April 23, 2021; or

(ii) Other department of transportation operating or capital expenditures funded by appropriations from state accounts in this act.

(b) However, if the funds received may not be used for any of the purposes enumerated in this section and must be obligated before the next regular legislative session, then the department may program the funds for other transportation-related activities, provided that these actions do not initiate any new programs, policies, or expenditure levels requiring additional one-time or ongoing state funds that have not been expressly authorized by the legislature. The department shall follow the existing unanticipated receipt process to notify the legislative standing committees on transportation and the office of financial management of the amount of federal funds received in addition to those appropriated in this act and the projects or activities receiving funding through this process.

NEW SECTION. Sec. 602. BOND REIMBURSEMENT

To the extent that any appropriation authorizes expenditures of state funds from the motor vehicle account, special category C account, Tacoma Narrows toll bridge account, transportation 2003

account (nickel account), transportation partnership account, transportation improvement account, Puget Sound capital construction account, multimodal transportation account, state route number 520 corridor account, connecting Washington account, or other transportation capital project account in the state treasury for a state transportation program that is specified to be funded with proceeds from the sale of bonds authorized in chapter 47.10 RCW, the legislature declares that any such expenditures made before the issue date of the applicable transportation bonds for that state transportation program are intended to be reimbursed from proceeds of those transportation bonds in a maximum amount equal to the amount of such appropriation.

NEW SECTION. Sec. 603. BELATED CLAIMS

The agencies and institutions of the state may expend moneys appropriated in this act, upon approval of the office of financial management, for the payment of supplies and services furnished to the agency or institution in prior fiscal biennia.

NEW SECTION. Sec. 604. REAPPROPRIATIONS REPORTING

(1) As part of its 2022 supplemental budget submittal, the department of transportation shall provide a report to the legislature and the office of financial management that:

(a) Identifies, by capital project, the amount of state funding that has been reappropriated from the 2019-2021 fiscal biennium into the 2021-2023 fiscal biennium; and

(b) Identifies, for each project, the amount of cost savings or increases in funding that have been identified as compared to the 2017 enacted omnibus transportation appropriations act.

(2) As part of the agency request for capital programs, the department shall load reappropriations separately from funds that were assumed to be required for the 2021-2023 fiscal biennium into budgeting systems.

NEW SECTION. Sec. 605. WEBSITE REPORTING REQUIREMENTS

(1) The department of transportation shall post on its website every report that is due from the department to the legislature during the 2021-2023 fiscal biennium on one web page. The department

must post both completed reports and planned reports on a single web page.

(2) The department shall provide a web link for each change order that is more than five hundred thousand dollars on the affected project web page.

NEW SECTION. Sec. 606. TRANSIT, BICYCLE, AND PEDESTRIAN ELEMENTS REPORTING

(1) By November 15th of each year, the department of transportation must report on amounts expended to benefit transit, bicycle, or pedestrian elements within all connecting Washington projects in programs I, P, and Z identified in LEAP Transportation Document 2021-2 ALL PROJECTS as developed April 23, 2021. The report must address each modal category separately and identify if eighteenth amendment protected funds have been used and, if not, the source of funding.

(2) To facilitate the report in subsection (1) of this section, the department of transportation must require that all bids on connecting Washington projects include an estimate on the cost to implement any transit, bicycle, or pedestrian project elements.

NEW SECTION. Sec. 607. PROJECT SCOPE CHANGES

(1) During the 2021-2023 fiscal biennium, while the legislature is not in session, the director of the office of financial management may approve project scope change requests to connecting Washington projects in the highway improvements program, provided that the requests meet the criteria outlined in RCW 47.01.480 and are subject to the limitations in this section.

(2) At the time the department of transportation submits a request for a project scope change under this section, a copy of the request must be submitted to the transportation committees of the legislature.

(3) Before approval, the office of financial management shall work with legislative staff of the house of representatives and senate transportation committees to review the requested project scope changes.

(4) No fewer than ten days after the receipt of a scope change request, the director of the office of financial management must provide written notification to the department of any decision regarding project scope

changes, with copies submitted to the transportation committees of the legislature.

(5) As part of its annual budget submittal, the department of transportation must report on all approved scope change requests from the prior year, including a comparison of the scope before and after the requested change.

NEW SECTION. Sec. 608. TOLL CREDITS

The department of transportation may provide up to three million dollars in toll credits to Kitsap transit for its role in passenger-only ferry service and ferry corridor-related projects. The number of toll credits provided must be equal to, but no more than, the number sufficient to meet federal match requirements for grant funding for passenger-only ferry service, but must not exceed the amount authorized in this section.

MISCELLANEOUS 2021-2023 FISCAL BIENNIUM

NEW SECTION. Sec. 701. INFORMATION TECHNOLOGY OVERSIGHT

(1) Agencies must apply to the office of financial management and the office of the state chief information officer for approval before beginning a project or proceeding with each discrete stage of a project subject to this section. At each stage, the office of the state chief information officer must certify that the project has an approved technology budget and investment plan, complies with state information technology and security requirements, and other policies defined by the office of the state chief information officer. The office of financial management must notify the fiscal committees of the legislature of the receipt of each application and may not approve a funding request for ten business days from the date of notification.

(2)(a) Each project must have a technology budget. The technology budget must have the detail by fiscal month for the 2021-2023 fiscal biennium. The technology budget must use a method similar to the state capital budget, identifying project costs, each fund source, and anticipated deliverables through each stage of the entire project investment and across fiscal periods and biennia from project onset through implementation and close out, as well as

at least five years of maintenance and operations costs.

(b) As part of the development of a technology budget and at each request for funding, the agency shall submit an updated technology budget, if changes occurred, to include detailed financial information to the office of financial management and the office of the chief information officer. The technology budget must describe the total cost of the project, as well as maintenance and operations costs, to include and identify at least:

- (i) Fund sources;
- (ii) Full time equivalent staffing level to include job classification assumptions;
- (iii) Discrete financial budget codes to include at least the appropriation index and program index;
- (iv) Object and subobject codes of expenditures;
- (v) Anticipated deliverables;
- (vi) Historical budget and expenditure detail by fiscal year; and
- (vii) Maintenance and operations costs by fiscal year for at least five years as a separate worksheet.

(c) If a project technology budget changes and a revised technology budget is completed, a comparison of the revised technology budget to the last approved technology budget must be posted to the dashboard, to include a narrative rationale on what changed, why, and how that impacts the project in scope, budget, and schedule.

(3)(a) Each project must have an investment plan that includes:

- (i) An organizational chart of the project management team that identifies team members and their roles and responsibilities;
- (ii) The office of the chief information officer staff assigned to the project;
- (iii) An implementation schedule covering activities, critical milestones, and deliverables at each stage of the project for the life of the project at each agency affected by the project;
- (iv) Performance measures used to determine that the project is on time,

within budget, and meeting expectations for quality of work product;

(v) Ongoing maintenance and operations cost of the project post implementation and close out delineated by agency staffing, contracted staffing, and service level agreements; and

(vi) Financial budget coding to include at least discrete financial coding for the project.

(4) Projects with estimated costs greater than \$100,000,000 from initiation to completion and implementation may be divided into discrete subprojects as determined by the office of the state chief information officer. Each subproject must have a technology budget and investment plan as provided in this section.

(5)(a) The office of the chief information officer shall maintain an information technology project dashboard that provides updated information each fiscal month on projects subject to this section. This includes, at least:

- (i) Project changes each fiscal month;
 - (ii) Noting if the project has a completed market requirements document, and when it was completed;
 - (iii) Financial status of information technology projects under oversight;
 - (iv) Coordination with agencies;
 - (v) Monthly quality assurance reports, if applicable;
 - (vi) Monthly office of the chief information officer status reports;
 - (vii) Historical project budget and expenditures through fiscal year 2021;
 - (viii) Budget and expenditures each fiscal month;
 - (ix) Estimated annual maintenance and operations costs by fiscal year; and
 - (x) Posting monthly project status assessments on scope, schedule, budget, and overall by the:
 - (A) Office of the chief information officer;
 - (B) Agency project team; and
 - (C) Quality assurance vendor, if applicable to the project.
- (b) The dashboard must retain a roll up of the entire project cost, including

all subprojects, that can display subproject detail. This includes coalition projects that are active.

(6) If the project affects more than one agency:

(a) A separate technology budget and investment plan must be prepared for each agency; and

(b) The dashboard must contain a statewide project technology budget roll up that includes each affected agency at the subproject level.

(7) For any project that exceeds \$2,000,000 in total funds to complete, requires more than one biennium to complete, or is financed through financial contracts, bonds, or other indebtedness:

(a) Quality assurance for the project must report independently to the office of the chief information officer;

(b) The office of the chief information officer must review, and, if necessary, revise the proposed project to ensure it is flexible and adaptable to advances in technology;

(c) The technology budget must specifically identify the uses of any financing proceeds. No more than 30 percent of the financing proceeds may be used for payroll-related costs for state employees assigned to project management, installation, testing, or training;

(d) The agency must consult with the office of the state treasurer during the competitive procurement process to evaluate early in the process whether products and services to be solicited and the responsive bids from a solicitation may be financed; and

(e) The agency must consult with the contracting division of the department of enterprise services for a review of all contracts and agreements related to the project's information technology procurements.

(8) The office of the chief information officer must evaluate the project at each stage and certify whether the project is planned, managed, and meeting deliverable targets as defined in the project's approved technology budget and investment plan.

(9) The office of the chief information officer may suspend or terminate a project at any time if it

determines that the project is not meeting or not expected to meet anticipated performance and technology outcomes. Once suspension or termination occurs, the agency shall unallot any unused funding and shall not make any expenditure for the project without the approval of the office of financial management. The office of the chief information officer must report on July 1st and December 1st each calendar year any suspension or termination of a project in the previous six-month period to the legislative fiscal committees.

(10) The office of the chief information officer, in consultation with the office of financial management, may identify additional projects to be subject to this section, including projects that are not separately identified within an agency budget. The office of the chief information officer must report on July 1st and December 1st each calendar year any additional projects to be subjected to this section that were identified in the previous six-month period to the legislative fiscal committees.

(11) The following transportation projects are subject to the conditions, limitations, and review provided in this section:

(a) For the Washington state patrol: Aerial criminal investigation tools;

(b) For the department of licensing: Website accessibility and usability; and

(c) For the department of transportation: Maintenance management system, land mobile radio system replacement, new csc system and operator, PROPEL - WSDOT support of one Washington, and capital systems replacement.

NEW SECTION. Sec. 702. ACQUISITION OF PROPERTIES AND FACILITIES THROUGH FINANCIAL CONTRACTS

(1) The department of transportation is authorized, subject to the conditions in section 305(2) of this act, to enter into a financing contract pursuant to chapter 39.94 RCW through the state treasurer's lease-purchase program for the purposes indicated. The department may use any funds, appropriated or nonappropriated, in not more than the principal amounts indicated, plus financing expenses and required reserves, if any. Expenditures made by the department of transportation for the indicated purposes before the issue date

of the authorized financing contract and any certificates of participation therein may be reimbursed from proceeds of the financing contract and any certificates of participation therein to the extent provided in the agency's financing plan approved by the state finance committee.

(2) Department of transportation: Enter into a financing contract for up to \$32,500,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to renovate the existing office building at 15700 Dayton Ave N, Shoreline. If the department of transportation has entered into a financing agreement for the purposes specified in this subsection prior to June 30, 2021, this subsection has no force and effect.

Sec. 703. RCW 43.19.642 and 2019 c 416 s 703 are each amended to read as follows:

(1) Effective June 1, 2006, for agencies complying with the ultra-low sulfur diesel mandate of the United States environmental protection agency for on-highway diesel fuel, agencies shall use biodiesel as an additive to ultra-low sulfur diesel for lubricity, provided that the use of a lubricity additive is warranted and that the use of biodiesel is comparable in performance and cost with other available lubricity additives. The amount of biodiesel added to the ultra-low sulfur diesel fuel shall be not less than two percent.

(2) Except as provided in subsection (5) of this section, effective June 1, 2009, state agencies are required to use a minimum of twenty percent biodiesel as compared to total volume of all diesel purchases made by the agencies for the operation of the agencies' diesel-powered vessels, vehicles, and construction equipment.

(3) All state agencies using biodiesel fuel shall, beginning on July 1, 2016, file annual reports with the department of enterprise services documenting the use of the fuel and a description of how any problems encountered were resolved.

(4) By December 1, 2009, the department of enterprise services shall:

(a) Report to the legislature on the average true price differential for biodiesel by blend and location; and

(b) Examine alternative fuel procurement methods that work to address potential market barriers for in-state biodiesel producers and report these findings to the legislature.

(5) During the ((2017-2019 and)) 2019-2021 and 2021-2023 fiscal biennia, the Washington state ferries is required to use a minimum of five percent biodiesel as compared to total volume of all diesel purchases made by the Washington state ferries for the operation of the Washington state ferries diesel-powered vessels, as long as the price of a B5 or B10 biodiesel blend does not exceed the price of conventional diesel fuel by five percent or more.

Sec. 704. RCW 46.20.745 and 2019 c 416 s 704 are each amended to read as follows:

(1) The ignition interlock device revolving account program is created within the department to assist in covering the monetary costs of installing, removing, and leasing an ignition interlock device, and applicable licensing, for indigent persons who are required under RCW 46.20.385, 46.20.720, and 46.61.5055 to install an ignition interlock device in all vehicles owned or operated by the person. For purposes of this subsection, "indigent" has the same meaning as in RCW 10.101.010, as determined by the department. During the 2019-2021 and 2021-2023 fiscal ((biennium)) biennia, the ignition interlock device revolving account program also includes ignition interlock enforcement work conducted by the Washington state patrol.

(2) A pilot program is created within the ignition interlock device revolving account program for the purpose of monitoring compliance by persons required to use ignition interlock devices and by ignition interlock companies and vendors.

(3) The department, the state patrol, and the Washington traffic safety commission shall coordinate to establish a compliance pilot program that will target at least one county from eastern Washington and one county from western Washington, as determined by the department, state patrol, and Washington traffic safety commission.

(4) At a minimum, the compliance pilot program shall:

(a) Review the number of ignition interlock devices that are required to be installed in the targeted county and the number of ignition interlock devices actually installed;

(b) Work to identify those persons who are not complying with ignition interlock requirements or are repeatedly violating ignition interlock requirements; and

(c) Identify ways to track compliance and reduce noncompliance.

(5) As part of monitoring compliance, the Washington traffic safety commission shall also track recidivism for violations of RCW 46.61.502 and 46.61.504 by persons required to have an ignition interlock driver's license under RCW 46.20.385 and 46.20.720.

Sec. 705. RCW 82.21.030 and 2020 c 20 s 1483 are each amended to read as follows:

(1)(a) A tax is imposed on the privilege of possession of hazardous substances in this state. Except as provided in (b) of this subsection, the rate of the tax is seven-tenths of one percent multiplied by the wholesale value of the substance. Moneys collected under this subsection (1)(a) must be deposited in the model toxics control capital account.

(b) Beginning July 1, 2019, the rate of the tax on petroleum products is one dollar and nine cents per barrel. The tax collected under this subsection (1)(b) on petroleum products must be deposited as follows, after first depositing the tax as provided in (c) of this subsection ~~((+))~~, except that during the 2021-2023 biennium the deposit as provided in (c) of this subsection may be prorated equally across each month of the biennium:

(i) Sixty percent to the model toxics control operating account created under RCW 70A.305.180;

(ii) Twenty-five percent to the model toxics control capital account created under RCW 70A.305.190; and

(iii) Fifteen percent to the model toxics control stormwater account created under RCW 70A.305.200.

(c) Until the beginning of the ensuing biennium after the enactment of an additive transportation funding act, fifty million dollars per biennium to the motor vehicle fund to be used exclusively

for transportation stormwater activities and projects. For purposes of this subsection, "additive transportation funding act" means an act in which the combined total of new revenues deposited into the motor vehicle fund and the multimodal transportation account exceed two billion dollars per biennium attributable solely to an increase in revenue from the enactment of the act.

(d) The department must compile a list of petroleum products that are not easily measured on a per barrel basis. Petroleum products identified on the list are subject to the rate under (a) of this subsection in lieu of the volumetric rate under (b) of this subsection. The list will be made in a form and manner prescribed by the department and must be made available on the department's internet website. In compiling the list, the department may accept technical assistance from persons that sell, market, or distribute petroleum products and consider any other resource the department finds useful in compiling the list.

(2) Chapter 82.32 RCW applies to the tax imposed in this chapter. The tax due dates, reporting periods, and return requirements applicable to chapter 82.04 RCW apply equally to the tax imposed in this chapter.

(3) Beginning July 1, 2020, and every July 1st thereafter, the rate specified in subsection (1)(b) of this section must be adjusted to reflect the percentage change in the implicit price deflator for nonresidential structures as published by the United States department of commerce, bureau of economic analysis for the most recent twelve-month period ending December 31st of the prior year.

Sec. 706. RCW 46.68.060 and 2019 c 416 s 705 are each amended to read as follows:

There is hereby created in the state treasury a fund to be known as the highway safety fund to the credit of which must be deposited all moneys directed by law to be deposited therein. This fund must be used for carrying out the provisions of law relating to driver licensing, driver improvement, financial responsibility, cost of furnishing abstracts of driving records and maintaining such case records, and to carry out the purposes set forth in RCW 43.59.010, and chapters 46.72 and 46.72A RCW. During the 2013-2015 and 2015-2017

fiscal biennia, the legislature may transfer from the highway safety fund to the Puget Sound ferry operations account, the motor vehicle fund, and the multimodal transportation account such amounts as reflect the excess fund balance of the highway safety fund. During the ~~((and the))~~ 2017-2019, 2019-2021, and 2021-2023 fiscal biennia, the legislature may direct the state treasurer to make transfers of moneys in the highway safety fund to the multimodal transportation account and the state patrol highway account.

Sec. 707. RCW 47.12.370 and 2003 c 187 s 1 are each amended to read as follows:

(1) The department may enter into exchange agreements with local, state, or federal agencies, tribal governments, or private nonprofit nature conservancy corporations as defined in RCW 64.04.130, to convey properties under the jurisdiction of the department that serve as environmental mitigation sites, as full or part consideration for the grantee assuming all future maintenance and operation obligations and costs required to maintain and operate the environmental mitigation site in perpetuity.

(2) ~~((Tribal))~~ (a) Except as provided in (b) of this subsection, tribal governments shall only be eligible to participate in an exchange agreement if they:

~~((a))~~ (i) Provide the department with a valid waiver of their tribal sovereign immunity from suit. The waiver must allow the department to enforce the terms of the exchange agreement or quitclaim deed in state court; and

~~((b))~~ (ii) Agree that the property shall not be placed into trust status.

(b) During the 2021-2023 fiscal biennium, the restrictions in (a) of this subsection do not apply to any exchange agreement with a tribal government for the acquisition of real property required by the department for the SR 167/SR 509 Puget Sound Gateway project.

(3) The conveyances must be by quitclaim deed, or other form of conveyance, executed by the secretary of transportation, and must expressly restrict the use of the property to a mitigation site consistent with preservation of the functions and values of the site, and must provide for the

automatic reversion to the department if the property is not used as a mitigation site or is not maintained in a manner that complies with applicable permits, laws, and regulations pertaining to the maintenance and operation of the mitigation site.

Sec. 708. RCW 46.68.325 and 2019 c 416 s 708 are each amended to read as follows:

(1) The rural mobility grant program account is created in the state treasury. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for the grants provided under RCW 47.66.100.

(2) Beginning September 2011, by the last day of September, December, March, and June of each year, the state treasurer shall transfer from the multimodal transportation account to the rural mobility grant program account two million five hundred thousand dollars.

(3) During the 2015-2017 fiscal biennium, the legislature may transfer from the rural mobility grant program account to the multimodal transportation account such amounts as reflect the excess fund balance of the rural mobility grant program account.

(4) During the 2017-2019 ~~((and the))~~, 2019-2021, and 2021-2023 fiscal biennia, the legislature may direct the state treasurer to make transfers of moneys in the rural mobility grant program account to the multimodal transportation account.

Sec. 709. RCW 47.56.876 and 2019 c 416 s 710 are each amended to read as follows:

A special account to be known as the state route number 520 civil penalties account is created in the state treasury. All state route number 520 bridge replacement and HOV program civil penalties generated from the nonpayment of tolls on the state route number 520 corridor must be deposited into the account, as provided under RCW 47.56.870(4)(b)(vii). Moneys in the account may be spent only after appropriation. Expenditures from the account may be used to fund any project within the state route number 520 bridge replacement and HOV program, including mitigation. During the 2013-2015 and 2015-2017 fiscal biennia, the legislature may transfer from the state route number 520 civil penalties account

to the state route number 520 corridor account such amounts as reflect the excess fund balance of the state route number 520 civil penalties account. Funds transferred must be used solely for capital expenditures for the state route number 520 bridge replacement and HOV project. During the 2017-2019 and the 2019-2021 fiscal biennia, the legislature may direct the state treasurer to make transfers of moneys in the state route number 520 civil penalties account to the state route number 520 corridor account. During the 2021-2023 fiscal biennium, the legislature may direct the state treasurer to transfer moneys in the state route number 520 civil penalties account to the motor vehicle account.

Sec. 710. RCW 46.68.370 and 2019 c 416 s 713 are each amended to read as follows:

The license plate technology account is created in the state treasury. All receipts collected under RCW 46.17.015 must be deposited into this account. Expenditures from this account must support current and future license plate technology and systems integration upgrades for both the department and correctional industries. Moneys in the account (~~(fund)~~) may be spent only after appropriation. Additionally, the moneys in this account may be used to reimburse the motor vehicle account for any appropriation made to implement the digital license plate system. During the 2011-2013 and 2013-2015 fiscal biennia, the legislature may transfer from the license plate technology account to the highway safety (~~(account-fund)~~) fund such amounts as reflect the excess fund balance of the license plate technology account. During the 2019-2021 (~~biennium~~) and 2021-2023 biennia, the account may also be used for the maintenance of recently modernized information technology systems for vehicle registrations.

Sec. 711. RCW 46.68.300 and 2019 c 416 s 714 are each amended to read as follows:

The freight mobility investment account is hereby created in the state treasury. Money in the account may be spent only after appropriation. Expenditures from the account may be used only for freight mobility projects that have been approved by the freight mobility strategic investment board in RCW 47.06A.020 and may include any

principal and interest on bonds authorized for the projects or improvements. During the 2019-2021 and 2021-2023 fiscal (~~biennium~~) biennia, the expenditures from the account may also be used for the administrative expenses of the freight mobility strategic investment board.

Sec. 712. RCW 47.60.322 and 2019 c 416 s 716 are each amended to read as follows:

(1) The capital vessel replacement account is created in the motor vehicle fund. All revenues generated from the vessel replacement surcharge under RCW 47.60.315(7) and service fees collected by the department of licensing or county auditor or other agent appointed by the director under RCW 46.17.040, 46.17.050, and 46.17.060 must be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for the construction or purchase of ferry vessels and to pay the principal and interest on bonds authorized for the construction or purchase of ferry vessels. However, expenditures from the account must first be used to support the construction or purchase, including any applicable financing costs, of a ferry vessel with a carrying capacity of at least one hundred forty-four cars.

(2) The state treasurer may transfer moneys from the capital vessel replacement account to the transportation 2003 account (nickel account) for debt service on bonds issued for the construction of 144-car class ferry vessels.

(3) The legislature may transfer from the capital vessel replacement account to the connecting Washington account created under RCW 46.68.395 such amounts as reflect the excess fund balance of the capital vessel replacement account to be used for ferry terminal construction and preservation.

(4) During the 2019-2021 and 2021-2023 fiscal (~~biennium~~) biennia, the legislature may direct the state treasurer to make transfers of moneys in the capital vessel replacement account to the transportation partnership account and the connecting Washington account.

Sec. 713. RCW 46.68.290 and 2020 c 219 s 705 are each amended to read as follows:

(1) The transportation partnership account is hereby created in the state treasury. All distributions to the account from RCW 46.68.090 must be deposited into the account. Money in the account may be spent only after appropriation. Expenditures from the account must be used only for projects or improvements identified as 2005 transportation partnership projects or improvements in the omnibus transportation appropriations act, including any principal and interest on bonds authorized for the projects or improvements.

(2) The legislature finds that:

(a) Citizens demand and deserve accountability of transportation-related programs and expenditures. Transportation-related programs must continuously improve in quality, efficiency, and effectiveness in order to increase public trust;

(b) Transportation-related agencies that receive tax dollars must continuously improve the way they operate and deliver services so citizens receive maximum value for their tax dollars; and

(c) Fair, independent, comprehensive performance audits of transportation-related agencies overseen by the elected state auditor are essential to improving the efficiency, economy, and effectiveness of the state's transportation system.

(3) For purposes of chapter 314, Laws of 2005:

(a) "Performance audit" means an objective and systematic assessment of a state agency or agencies or any of their programs, functions, or activities by the state auditor or designee in order to help improve agency efficiency, effectiveness, and accountability. Performance audits include economy and efficiency audits and program audits.

(b) "Transportation-related agency" means any state agency, board, or commission that receives funding primarily for transportation-related purposes. At a minimum, the department of transportation, the transportation improvement board or its successor entity, the county road administration board or its successor entity, and the traffic safety commission are considered transportation-related agencies. The Washington state patrol and the department of licensing shall not be

considered transportation-related agencies under chapter 314, Laws of 2005.

(4) Within the authorities and duties under chapter 43.09 RCW, the state auditor shall establish criteria and protocols for performance audits. Transportation-related agencies shall be audited using criteria that include generally accepted government auditing standards as well as legislative mandates and performance objectives established by state agencies. Mandates include, but are not limited to, agency strategies, timelines, program objectives, and mission and goals as required in RCW 43.88.090.

(5) Within the authorities and duties under chapter 43.09 RCW, the state auditor may conduct performance audits for transportation-related agencies. The state auditor shall contract with private firms to conduct the performance audits.

(6) The audits may include:

(a) Identification of programs and services that can be eliminated, reduced, consolidated, or enhanced;

(b) Identification of funding sources to the transportation-related agency, to programs, and to services that can be eliminated, reduced, consolidated, or enhanced;

(c) Analysis of gaps and overlaps in programs and services and recommendations for improving, dropping, blending, or separating functions to correct gaps or overlaps;

(d) Analysis and recommendations for pooling information technology systems used within the transportation-related agency, and evaluation of information processing and telecommunications policy, organization, and management;

(e) Analysis of the roles and functions of the transportation-related agency, its programs, and its services and their compliance with statutory authority and recommendations for eliminating or changing those roles and functions and ensuring compliance with statutory authority;

(f) Recommendations for eliminating or changing statutes, rules, and policy directives as may be necessary to ensure that the transportation-related agency carry out reasonably and properly those functions vested in the agency by statute;

(g) Verification of the reliability and validity of transportation-related agency performance data, self-assessments, and performance measurement systems as required under RCW 43.88.090;

(h) Identification of potential cost savings in the transportation-related agency, its programs, and its services;

(i) Identification and recognition of best practices;

(j) Evaluation of planning, budgeting, and program evaluation policies and practices;

(k) Evaluation of personnel systems operation and management;

(l) Evaluation of purchasing operations and management policies and practices;

(m) Evaluation of organizational structure and staffing levels, particularly in terms of the ratio of managers and supervisors to nonmanagement personnel; and

(n) Evaluation of transportation-related project costs, including but not limited to environmental mitigation, competitive bidding practices, permitting processes, and capital project management.

(7) Within the authorities and duties under chapter 43.09 RCW, the state auditor must provide the preliminary performance audit reports to the audited state agency for comment. The auditor also may seek input on the preliminary report from other appropriate officials. Comments must be received within thirty days after receipt of the preliminary performance audit report unless a different time period is approved by the state auditor. The final performance audit report shall include the objectives, scope, and methodology; the audit results, including findings and recommendations; the agency's response and conclusions; and identification of best practices.

(8) The state auditor shall provide final performance audit reports to the citizens of Washington, the governor, the joint legislative audit and review committee, the appropriate legislative committees, and other appropriate officials. Final performance audit reports shall be posted on the internet.

(9) The audited transportation-related agency is responsible for follow-up and

corrective action on all performance audit findings and recommendations. The audited agency's plan for addressing each audit finding and recommendation shall be included in the final audit report. The plan shall provide the name of the contact person responsible for each action, the action planned, and the anticipated completion date. If the audited agency does not agree with the audit findings and recommendations or believes action is not required, then the action plan shall include an explanation and specific reasons.

The office of financial management shall require periodic progress reports from the audited agency until all resolution has occurred. The office of financial management is responsible for achieving audit resolution. The office of financial management shall annually report by December 31st the status of performance audit resolution to the appropriate legislative committees and the state auditor. The legislature shall consider the performance audit results in connection with the state budget process.

The auditor may request status reports on specific audits or findings.

(10) For the period from July 1, 2005, until June 30, 2007, the amount of \$4,000,000 is appropriated from the transportation partnership account to the state auditors office for the purposes of subsections (2) through (9) of this section.

(11) During the 2015-2017 fiscal biennium, the legislature may transfer from the transportation partnership account to the connecting Washington account such amounts as reflect the excess fund balance of the transportation partnership account.

(12) During (~~the 2017-2019 and~~) the 2019-2021 and 2021-2023 fiscal biennia, the legislature may direct the state treasurer to make transfers of moneys in the transportation partnership account to the connecting Washington account, the motor vehicle fund, the Tacoma Narrows toll bridge account, and the capital vessel replacement account.

Sec. 714. RCW 46.68.063 and 2019 c 416 s 712 are each amended to read as follows:

The department of licensing technology improvement and data management account is created in the highway safety fund. All receipts from fees collected under

RCW 46.12.630(5) must be deposited into the account. Expenditures from the account may be used only for investments in technology and data management at the department. During the 2019-2021 (~~biennium~~) and 2021-2023 biennia, the account may also be used for responding to public records requests. Moneys in the account may be spent only after appropriation.

Sec. 715. RCW 47.60.530 and 2017 c 313 s 714 are each amended to read as follows:

(1) The Puget Sound ferry operations account is created in the motor vehicle fund.

(2) The following funds must be deposited into the account:

(a) All moneys directed by law;

(b) All revenues generated from ferry fares; and

(c) All revenues generated from commercial advertising, concessions, parking, and leases as allowed under RCW 47.60.140.

(3) Moneys in the account may be spent only after appropriation.

(4) Expenditures from the account may be used only for the maintenance, administration, and operation of the Washington state ferry system.

(5) During the 2015-2017 fiscal biennium, the legislature may transfer from the Puget Sound ferry operations account to the connecting Washington account such amounts as reflect the excess fund balance of the Puget Sound ferry operations account.

(6) During the 2017-2019 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the Puget Sound ferry operations account to the connecting Washington account.

(7) During the 2021-2023 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the Puget Sound ferry operations account to the Puget Sound capital construction account.

Sec. 716. RCW 47.60.315 and 2019 c 431 s 3 are each amended to read as follows:

(1) The commission shall adopt fares and pricing policies by rule, under

chapter 34.05 RCW, according to the following schedule:

(a) Each year the department shall provide the commission a report of its review of fares and pricing policies, with recommendations for the revision of fares and pricing policies for the ensuing year;

(b) By September 1st of each year, beginning in 2008, the commission shall adopt by rule fares and pricing policies for the ensuing year.

(2) The commission may adopt by rule fares that are effective for more or less than one year for the purposes of transitioning to the fare schedule in subsection (1) of this section.

(3) The commission may increase ferry fares included in the schedule of charges adopted under this section by a percentage that exceeds the fiscal growth factor.

(4) The chief executive officer of the ferry system may authorize the use of promotional, discounted, and special event fares to the general public and commercial enterprises for the purpose of maximizing capacity use and the revenues collected by the ferry system. The department shall report to the commission a summary of the promotional, discounted, and special event fares offered during each fiscal year and the financial results from these activities.

(5) Fare revenues and other revenues deposited in the Puget Sound ferry operations account created in RCW 47.60.530 may not be used to support the Puget Sound capital construction account created in RCW 47.60.505, unless the support for capital is separately identified in the fare or except as provided in section 715 of this act during the 2021-2023 biennium.

(6) The commission may not raise fares until the fare rules contain pricing policies developed under RCW 47.60.290, or September 1, 2009, whichever is later.

(7) The commission shall impose a vessel replacement surcharge of twenty-five cents on every one-way and round-trip ferry fare sold, including multiride and monthly pass fares. This surcharge must be clearly indicated to ferry passengers and drivers and, if possible, on the fare media itself.

(8) Except as provided in subsection (10) of this section, beginning May 1,

2020, the commission shall impose an additional vessel replacement surcharge in an amount sufficient to fund twenty-five year debt service on one 144-auto hybrid vessel taking into account funds provided in chapter 417, Laws of 2019 or chapter . . . (SSB 5419), Laws of 2019. The department of transportation shall provide to the commission vessel and debt service cost estimates. Information on vessels constructed or purchased with revenue from the surcharges must be publicly posted including, but not limited to, the commission web site.

(9) The vessel replacement surcharges imposed in this section may only be used for the construction or purchase of ferry vessels and to pay the principal and interest on bonds authorized for the construction or purchase of new ferry vessels.

(10) The commission shall not impose the additional vessel replacement surcharge in subsection (8) of this section if doing so would increase fares by more than ten percent.

Sec. 717. RCW 34.05.350 and 2011 1st sp.s. c 2 s 1 are each amended to read as follows:

(1) If an agency for good cause finds:

(a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest;

(b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule; or

(c) In order to implement the requirements or reductions in appropriations enacted in any budget for fiscal year 2009, 2010, 2011, 2012, ~~((or))~~ 2013, or in an omnibus transportation appropriations act for the 2021-2023 biennium related to setting toll rates or ferry fares, which necessitates the need for the immediate adoption, amendment, or repeal of a rule, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the fiscal needs or requirements of the agency,

the agency may dispense with those requirements and adopt, amend, or repeal the rule on an emergency basis. The agency's finding and a concise statement of the reasons for its finding shall be incorporated in the order for adoption of the emergency rule or amendment filed with the office of the code reviser under RCW 34.05.380 and with the rules review committee.

(2) An emergency rule adopted under this section takes effect upon filing with the code reviser, unless a later date is specified in the order of adoption, and may not remain in effect for longer than one hundred twenty days after filing. Identical or substantially similar emergency rules may not be adopted in sequence unless conditions have changed or the agency has filed notice of its intent to adopt the rule as a permanent rule, and is actively undertaking the appropriate procedures to adopt the rule as a permanent rule. This section does not relieve any agency from compliance with any law requiring that its permanent rules be approved by designated persons or bodies before they become effective.

(3) Within seven days after the rule is adopted, any person may petition the governor requesting the immediate repeal of a rule adopted on an emergency basis by any department listed in RCW 43.17.010. Within seven days after submission of the petition, the governor shall either deny the petition in writing, stating his or her reasons for the denial, or order the immediate repeal of the rule. In ruling on the petition, the governor shall consider only whether the conditions in subsection (1) of this section were met such that adoption of the rule on an emergency basis was necessary. If the governor orders the repeal of the emergency rule, any sanction imposed based on that rule is void. This subsection shall not be construed to prohibit adoption of any rule as a permanent rule.

Sec. 718. 2019 c 396 s 2 (uncodified) is amended to read as follows:

(1) The state commercial aviation coordinating commission is created to carry out the functions of ~~((this))~~ chapter 396, Laws of 2019. The commission shall consist of fifteen voting members.

(2) The governor shall appoint thirteen voting members to represent the following interests:

(a) Four as representatives of commercial service airports and ports, one of whom shall represent a port located in a county with a population of two million or more, one of whom shall represent a port in eastern Washington with an airport runway of at least thirteen thousand five hundred feet in length, one of whom shall represent a commercial service airport in eastern Washington located in a county with a population of four hundred thousand or more, and one representing an association of ports;

(b) Three as representatives from the airline industry and the private sector;

(c) Two citizen representatives with one appointed from eastern Washington and one appointed from western Washington. The citizen appointees must:

(i) Represent the public interests in the communities that are included in the commission's site research; and

(ii) Understand the impacts of a large commercial aviation facility on a community;

(d) A representative from the freight forwarding industry;

(e) A representative from the trucking industry;

(f) A representative from a community organization that understands the impacts of a large commercial aviation facility on a community; and

(g) A representative from a statewide environmental organization.

(3) The remaining two members shall consist of:

(a) A representative from the department of commerce; and

(b) A representative from the division of aeronautics of the department of transportation.

(4) The commission shall invite the following nonvoting members:

(a) A representative from the Washington state aviation alliance;

(b) A representative from the department of defense;

(c) Two members from the senate, with one member from each of the two largest caucuses in the senate, appointed by the president of the senate;

(d) Two members from the house of representatives, with one member from each of the two largest caucuses in the house of representatives, appointed by the speaker of the house of representatives;

(e) A representative from the division of aeronautics of the department of transportation;

(f) A representative from an eastern Washington metropolitan planning organization;

(g) A representative from a western Washington metropolitan planning organization;

(h) A representative from an eastern Washington regional airport; and

(i) A representative from a western Washington regional airport.

(5) The governor may appoint additional nonvoting members as deemed appropriate.

(6) The commission shall select a chair from among its membership and shall adopt rules related to its powers and duties under (~~this~~) chapter 396, Laws of 2019.

(7) Legislative members of the commission are reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW. The commission has all powers necessary to carry out its duties as prescribed by (~~this~~) chapter 396, Laws of 2019.

(8) The department of transportation shall provide staff support for coordinating and administering the commission and technical assistance as requested by commission members. The department shall consider cost-saving options such as using online conferencing tools. Meetings shall be held in Olympia, Washington unless resources allow for alternative locations.

(9) At the direction of the commission, and as resources allow, the department of transportation is authorized to hire a consultant to assist with the review and research efforts of the commission. The contract is exempt

from the competitive procurement requirements in chapter 39.26 RCW.

(10) The department of transportation shall convene the initial meeting of the commission as soon as practicable.

(11) This section expires (~~July 1, 2022~~) June 30, 2023.

Sec. 719. 2019 c 396 s 3 (uncodified) is amended to read as follows:

(1) The state commercial aviation coordinating commission will review existing data and conduct research to determine Washington's long-range commercial aviation facility needs and the site of a new primary commercial aviation facility. Research for each potential site must include the feasibility of constructing a commercial aviation facility in that location and its potential environmental, community, and economic impacts. Options for a new primary commercial aviation facility in Washington may include expansion of an existing airport facility but may not include siting a facility on or in the vicinity of a military installation that would be incompatible with the installation's ability to carry out its mission requirements. The work of the commission shall include the following:

(a) Recommendations to the legislature on future Washington state long-range commercial aviation facility needs including possible additional aviation facilities or expansion of current aviation facilities, excluding those located in a county with a population of two million or more, to meet anticipated commercial aviation, general aviation, and air cargo demands; (~~and~~)

(b) Identifying a preferred location for a new primary commercial aviation facility. The commission shall make recommendations and shall select a single preferred location by a sixty percent majority vote using the following process:

(i) Initiating a broad review of potential sites;

(ii) Recommending a final short list of no more than six locations by (~~January 1, 2021~~) February 15, 2022;

(iii) Identifying the top two locations from the final six locations by (~~September 1, 2021~~) October 15, 2022; and

(iv) Identifying a single preferred location for a new primary commercial aviation facility by (~~January 1, 2022~~) February 15, 2023; and

(c) A projected timeline for the development of an additional commercial aviation facility that is completed and functional by 2040.

(2) The commission shall submit a report of its findings and recommendations to the transportation committees of the legislature by (~~January 1, 2022~~) February 15, 2023. The commission must allow a minority report to be included with the commission report if requested by a voting member of the commission.

(3) Nothing in this section shall be construed to endorse, limit, or otherwise alter existing or future plans for capital development and capacity enhancement at existing commercial airports in Washington.

(4) This section expires (~~July 1, 2022~~) June 30, 2023.

Sec. 720. RCW 46.09.540 and 2013 2nd sp.s. c 23 s 10 are each amended to read as follows:

(1) The multiuse roadway safety account is created in the motor vehicle fund. All receipts from vehicle license fees under RCW 46.17.350(1)(r) must be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for grants administered by the department of transportation to: (a) Counties to perform safety engineering analysis of mixed vehicle use on any road within a county; (b) local governments to provide funding to erect signs providing notice to the motoring public that (i) wheeled all-terrain vehicles are present or (ii) wheeled all-terrain vehicles may be crossing; (c) the state patrol or local law enforcement for purposes of defraying the costs of enforcement of chapter 23, Laws of 2013 2nd sp. sess.; (~~and~~) (d) law enforcement to investigate accidents involving wheeled all-terrain vehicles; and (e) during the 2021-2023 biennium grants may be made to counties to (i) enhance or maintain any segment of a road within the county in which the segment has been designated as part of a travel or tourism route for use by wheeled all-terrain vehicles; and (ii) purchase, print, develop, or use educational brochures or mapping technology that aids

in the safety and direction of users of wheeled all-terrain vehicle routes.

(2) The department of transportation must prioritize grant awards in the following priority order:

(a) For the purpose of marking highway crossings with signs warning motorists that wheeled all-terrain vehicles may be crossing when an ORV recreation facility parking lot is on the other side of a public roadway from the actual ORV recreation facility; and

(b) For the purpose of marking intersections with signs where a wheeled all-terrain vehicle may cross a public road to advise motorists of the upcoming intersection. Such signs must conform to the manual on uniform traffic control devices.

Sec. 721. RCW 47.66.120 and 2019 c 287 s 18 are each amended to read as follows:

(1)(a) Subject to the availability of amounts appropriated for this specific purpose through the 2023-2025 biennium, the department's public transportation division shall establish a green transportation capital grant program. The purpose of the grant program is to aid any transit authority in funding cost-effective capital projects to reduce the carbon intensity of the Washington transportation system, examples of which include: Electrification of vehicle fleets, including battery and fuel cell electric vehicles; modification or replacement of capital facilities in order to facilitate fleet electrification and/or hydrogen refueling; necessary upgrades to electrical transmission and distribution systems; and construction of charging and fueling stations. The department's public transportation division shall identify projects and shall submit a prioritized list of all projects requesting funding to the legislature by December 1st of each even-numbered year.

(b) The department's public transportation division shall select projects based on a competitive process that considers the following criteria:

(i) The cost-effectiveness of the reductions in carbon emissions provided by the project; and

(ii) The benefit provided to transitioning the entire state to a

transportation system with lower carbon intensity.

(2) The department's public transportation division must establish an advisory committee to assist in identifying projects under subsection (1) of this section. The advisory committee must include representatives from the department of ecology, the department of commerce, the utilities and transportation commission, and at least one transit authority.

(3) In order to receive green transportation capital grant program funding for a project, a transit authority must provide matching funding for that project that is at least equal to twenty percent of the total cost of the project.

(4) The department's public transportation division must report annually to the transportation committees of the legislature on the status of any grant projects funded by the program created under this section.

(5) For purposes of this section, "transit authority" means a city transit system under RCW 35.58.2721 or chapter 35.95A RCW, a county public transportation authority under chapter 36.57 RCW, a metropolitan municipal corporation transit system under chapter 36.56 RCW, a public transportation benefit area under chapter 36.57A RCW, an unincorporated transportation benefit area under RCW 36.57.100, a regional transit authority under chapter 81.112 RCW, or any special purpose district formed to operate a public transportation system.

(6) During the 2021-2023 fiscal biennium, the department may provide up to 20 percent of the total green transportation capital grant program funding for zero emissions capital transition planning projects.

2019-2021 FISCAL BIENNIUM

GENERAL GOVERNMENT AGENCIES—OPERATING

Sec. 801. 2019 c 416 s 101 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION

Motor Vehicle	Account—State
Appropriation	((\$545,000))

\$536,000

Sec. 802. 2020 c 219 s 101 (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT

Motor	Vehicle	Account-State
Appropriation		((\$1,419,000))

\$1,388,000

Multimodal Transportation	Account-State
Appropriation	\$300,000

Puget Sound Ferry Operations	Account-State
Appropriation	\$121,000

TOTAL	APPROPRIATION
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(~~(\$1,840,000)~~)

\$1,809,000

The appropriations in this section are subject to the following conditions and limitations: \$300,000 of the multimodal transportation account-state appropriation is provided solely for the office of financial management, in direct coordination with the office of state treasurer, to evaluate, coordinate, and assist in efforts by state agencies in developing cost recovery mechanisms for credit card and other financial transaction fees currently paid from state funds. This may include disbursing interagency reimbursements for the implementation costs incurred by the affected agencies. As part of the first phase of this effort, the office of financial management, with the assistance of relevant agencies, must develop implementation plans and take all necessary steps to ensure that the actual cost-recovery mechanisms will be in place by January 1, 2020, for the vehicles and drivers programs of the department of licensing. By November 1, 2019, the office of financial management must provide a report to the joint transportation committee on the phase 1 implementation plan and options to expand similar cost recovery mechanisms to other state agencies and programs, including the ferries division.

Sec. 803. 2020 c 219 s 102 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF AGRICULTURE

Motor	Vehicle	Account-State
Appropriation		((\$1,359,000))

\$1,350,000

Sec. 804. 2019 c 416 s 106 (uncodified) is amended to read as follows:

FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE

Motor	Vehicle	Account-State
Appropriation		((\$652,000))

\$647,000

Sec. 805. 2020 c 219 s 104 (uncodified) is amended to read as follows:

FOR THE HOUSE OF REPRESENTATIVES

Motor	Vehicle	Account-State
Appropriation		((\$3,082,000))

\$3,052,000

Sec. 806. 2020 c 219 s 105 (uncodified) is amended to read as follows:

FOR THE SENATE

Motor	Vehicle	Account-State
Appropriation		\$2,999,000

TRANSPORTATION AGENCIES—OPERATING

Sec. 901. 2020 c 219 s 201 (uncodified) is amended to read as follows:

FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION

Highway	Safety	Account-State
Appropriation		((\$4,675,000))

\$4,647,000

Highway	Safety	Account-Federal
Appropriation		((\$27,051,000))

\$26,943,000

Highway	Safety	Account-Private/Local
Appropriation		\$118,000

School	Zone	Safety	Account-State
Appropriation			\$850,000

TOTAL	APPROPRIATION
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(~~(\$32,694,000)~~)

\$32,558,000

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

(1) \$150,000 of the highway safety account-state appropriation is provided solely for the implementation of chapter 54, Laws of 2019 (Cooper Jones Active Transportation Safety Council). If chapter 54, Laws of 2019 is not enacted

by June 30, 2019, the amount provided in this subsection lapses.

(2) The Washington traffic safety commission may oversee a pilot program in up to three cities implementing the use of automated vehicle noise enforcement cameras in zones that have been designated by ordinance as "Stay Out of Areas of Racing."

(a) Any programs authorized by the commission must be authorized by December 31, 2020.

(b) If a city has established an authorized automated vehicle noise enforcement camera pilot program under this section, the compensation paid to the manufacturer or vendor of the equipment used must be based upon the value of the equipment and services provided or rendered in support of the system.

(c) Any city administering a pilot program overseen by the traffic safety commission shall use the following guidelines to administer the program:

(i) Automated vehicle noise enforcement camera may record photographs or audio of the vehicle and vehicle license plate only while a violation is occurring. The picture must not reveal the face of the driver or of passengers in the vehicle;

(ii) The law enforcement agency of the city or county government shall install two signs facing opposite directions within two hundred feet, or otherwise consistent with the uniform manual on traffic control devices, where the automated vehicle noise enforcement camera is used that state "Street Racing Noise Pilot Program in Progress";

(iii) Cities testing the use of automated vehicle noise enforcement cameras must post information on the city web site and notify local media outlets indicating the zones in which the automated vehicle noise enforcement cameras will be used;

(iv) A city may only issue a warning notice with no penalty for a violation detected by automated vehicle noise enforcement cameras in a Stay Out of Areas of Racing zone. Warning notices must be mailed to the registered owner of a vehicle within fourteen days of the detected violation;

(v) A violation detected through the use of automated vehicle noise

enforcement cameras is not part of the registered owner's driving record under RCW 46.52.101 and 46.52.120;

(vi) Notwithstanding any other provision of law, all photographs, videos, microphotographs, audio recordings, or electronic images prepared under this section are for the exclusive use of law enforcement in the discharge of duties under this section and are not open to the public and may not be used in a court in a pending action or proceeding. No photograph, microphotograph, audio recording, or electronic image may be used for any purpose other than the issuance of warnings for violations under this section or retained longer than necessary to issue a warning notice as required under this subsection (2); and

(vii) By June 30, 2021, the participating cities shall provide a report to the commission and appropriate committees of the legislature regarding the use, public acceptance, outcomes, warnings issued, data retention and use, and other relevant issues regarding automated vehicle noise enforcement cameras demonstrated by the pilot projects.

(3) The Washington traffic safety commission may oversee a demonstration project in one county, coordinating with a public transportation benefit area (PTBA) and the department of transportation, to test the feasibility and accuracy of the use of automated enforcement technology for high occupancy vehicle (HOV) lane passenger compliance. All costs associated with the demonstration project must be borne by the participating public transportation benefit area. Any photograph, microphotograph, or electronic images of a driver or passengers are for the exclusive use of the PTBA in the determination of whether an HOV passenger violation has occurred to test the feasibility and accuracy of automated enforcement under this subsection and are not open to the public and may not be used in a court in a pending action or proceeding. All photographs, microphotographs, and electronic images must be destroyed after determining a passenger count and no later than the completion of the demonstration project. No warnings or notices of infraction may be issued under the demonstration project.

For purposes of the demonstration project, an automated enforcement technology device may record an image of a driver and passenger of a motor vehicle. The county and PTBA must erect signs marking the locations where the automated enforcement for HOV passenger requirements is occurring.

The PTBA, in consultation with the Washington traffic safety commission, must provide a report to the transportation committees of the legislature with the number of violations detected during the demonstration project, whether the technology used was accurate and any recommendations for future use of automated enforcement technology for HOV lane enforcement by June 30, 2021.

(4)(a) The Washington traffic safety commission shall coordinate with each city that implements a pilot program as authorized in chapter 224, Laws of 2020 (automated traffic safety cameras) or chapter . . . (Substitute Senate Bill No. 5789), Laws of 2020 (automated traffic safety cameras) to provide the transportation committees of the legislature with the following information by June 30, 2021:

(i) The number of warnings and infractions issued to first-time violators under the pilot program;

(ii) The number of warnings and infractions issued to the registered owners of vehicles that are not registered with an address located in the city conducting the pilot program; and

(iii) The frequency with which warnings and infractions are issued on weekdays versus weekend days.

(b) If neither chapter 224, Laws of 2020 nor chapter . . . (Substitute Senate Bill No. 5789), Laws of 2020 is enacted by June 30, 2020, the conditions of this subsection (4) have no force and effect.

Sec. 902. 2020 c 219 s 202 (uncodified) is amended to read as follows:

FOR THE COUNTY ROAD ADMINISTRATION BOARD

Rural Arterial Trust Account-State
Appropriation \$1,137,000

Motor Vehicle Account-State
Appropriation (~~\$2,920,000~~)

\$2,995,000

County Arterial Preservation Account-State

Appropriation \$1,677,000

TOTAL APPROPRIATION
(~~\$5,734,000~~)

\$5,809,000

The appropriations in this section are subject to the following conditions and limitations: \$58,000 of the motor vehicle account-state appropriation is provided solely for succession planning and training.

Sec. 903. 2020 c 219 s 203 (uncodified) is amended to read as follows:

FOR THE TRANSPORTATION IMPROVEMENT BOARD

Transportation Improvement Account-State

Appropriation (~~\$3,854,000~~)

\$3,825,000

Sec. 904. 2020 c 219 s 204 (uncodified) is amended to read as follows:

FOR THE JOINT TRANSPORTATION COMMITTEE

Motor Vehicle Account-State
Appropriation (~~\$2,187,000~~)

\$2,173,000

Multimodal Transportation Account-State
Appropriation (~~\$917,000~~)

\$895,000

Highway Safety Account-State
Appropriation \$275,000

TOTAL APPROPRIATION
(~~\$3,379,000~~)

\$3,343,000

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

(1) \$400,000 of the motor vehicle account-state appropriation and \$50,000 of the multimodal transportation account-state appropriation is for the joint transportation committee to conduct a comprehensive assessment of statewide transportation needs and priorities, and existing and potential transportation funding mechanisms to address those needs and priorities. The assessment must include: (a) Recommendations on the critical state and

local transportation projects, programs, and services needed to achieve an efficient, effective, statewide transportation system over the next ten years; (b) a comprehensive menu of funding options for the legislature to consider to address the identified transportation system investments; (c) recommendations on whether a revision to the statewide transportation policy goals in RCW 47.04.280 is warranted in light of the recommendations and options identified in (a) and (b) of this subsection; and (d) an analysis of the economic impacts of a range of future transportation investments. The assessment must be submitted to the transportation committees of the legislature by June 30, 2020. Starting July 1, 2020, and concluding by December 31, 2020, a committee-appointed commission or panel shall review the assessment and make final recommendations to the legislature for consideration during the 2021 legislative session on a realistic, achievable plan for funding transportation programs, projects, and services over the next ten years including a timeline for legislative action on funding the identified transportation system needs shortfall.

(2)(a) \$382,000 of the multimodal transportation account—state appropriation is for the joint transportation committee to conduct an analysis of the electrification of public fleets in Washington state. The study must include the following:

(i) An inventory of existing public fleets for the state of Washington, counties, a sampling of cities, and public transit agencies. The inventory must differentiate among battery and fuel cell electric vehicles, hybrid vehicles, gasoline powered vehicles, and any other functional categories. Three cities from each of the following population ranges must be selected for the analysis:

(A) Population up to and including twenty-five thousand;

(B) Population greater than twenty-five thousand and up to and including fifty thousand;

(C) Population greater than fifty thousand and up to and including one hundred thousand;

(D) Population greater than one hundred thousand;

(ii) A review of currently available battery and fuel cell electric vehicle alternatives to the vehicle types most commonly used by the state, counties, cities, and public transit agencies. The review must include:

(A) The average vehicle cost differential among the commercially available fuel options;

(B) A cost benefit analysis of the conversion of different vehicle classes; and

(C) Recommendations for the types of vehicles that should be excluded from consideration due to insufficient alternatives, unreliable technology, or excessive cost;

(iii) The projected costs of achieving substantial conversion to battery and/or fuel cell electric fleets by 2025, 2030, and 2035 for the state, counties, cities, and public transit agencies. This cost estimate must include:

(A) Vehicle acquisition costs, charging and refueling infrastructure costs, and other associated costs;

(B) Financial constraints of each type of entity to transition to an electric vehicle fleet; and

(C) Any other identified barriers to transitioning to a battery and/or fuel cell electric vehicle fleet;

(iv) Identification and analysis of financing mechanisms that could be used to finance the transition of publicly owned vehicles to battery and fuel cell electric vehicles. These mechanisms include, but are not limited to: Energy or carbon savings performance contracting, utility grants and rebates, revolving loan funds, state grant programs, private third-party financing, fleet management services, leasing, vehicle use optimization, and vehicle to grid technology; and

(v) The predicted number and location profile of electric vehicle fueling stations needed statewide to provide fueling for the fleets of the state, counties, cities, and public transit agencies.

(b) In developing and implementing the study, the joint transportation committee must solicit input from representatives of the department of enterprise services, the department of transportation, the department of

licensing, the department of commerce, the Washington state association of counties, the association of Washington cities, the Washington state transit association, transit agencies, and others as deemed appropriate.

(c) The joint transportation committee must issue a report of its findings and recommendations to the transportation committees of the legislature by September 30, 2020.

(3) (a) (~~(\$250,000)~~) \$228,000 of the multimodal transportation account—state appropriation is for the joint transportation committee to conduct a study of the feasibility of an east-west intercity passenger rail system. The study must include the following elements:

(i) Projections of potential ridership;

(ii) Review of relevant planning studies;

(iii) Establishment of an advisory group and associated meetings;

(iv) Development of a Stampede Pass corridor alignment to maximize ridership, revenue, and rationale, considering service to population centers: Auburn, Cle Elum, Yakima, Tri-Cities, Ellensburg, Toppenish, and Spokane;

(v) Assessment of current infrastructure conditions, including station stop locations;

(vi) Identification of equipment needs; and

(vii) Identification of operator options.

(b) A report of the study findings and recommendations is due to the transportation committees of the legislature by June 30, 2020.

(4) (a) \$275,000 of the highway safety fund—state appropriation is for a study of vehicle subagents in Washington state. The study must consider and include recommendations, as necessary, on the following:

(i) The relevant statutes, rules, and/or regulations authorizing vehicle subagents and any changes made to the relevant statutes, rules, and/or regulations;

(ii) The current process of selecting and authorizing a vehicle subagent, including the change of ownership process and the identification of any barriers to entry into the vehicle subagent market;

(iii) The annual business expenditures borne by each of the vehicle subagent businesses since fiscal year 2010 and identification of any materials, including office equipment and supplies, provided by the department of licensing to each vehicle subagent since fiscal year 2010. To accomplish this task, each vehicle subagent must provide expenditure data to the joint transportation committee for the purposes of this study;

(iv) The oversight provided by the county auditors and/or the department of licensing over the vehicle subagent businesses;

(v) The history of service fees, how increases to the service fee rate are made, and how the requested fee increase is determined;

(vi) The online vehicle registration renewal process and any potential improvements to the online process;

(vii) The department of licensing's ability to provide more vehicle licensing services directly, particularly taking into account the increase in online vehicle renewal transactions;

(viii) The potential expansion of services that can be performed by vehicle subagents; and

(ix) The process by which the geographic locations of vehicle subagents are determined.

(b) In conducting the study, the joint transportation committee must consult with the department of licensing, a representative of county auditors, and a representative of vehicle subagents.

(c) The joint transportation committee may collect any data from the department of licensing, county auditors, and vehicle subagents that is necessary to conduct the study.

(d) The joint transportation committee must issue a report of its findings and recommendations to the transportation committees of the legislature by September 30, 2020.

(5) (a) \$235,000 of the multimodal transportation account—state appropriation is for the joint

transportation committee to oversee a consultant study on rail safety governance best practices, by class of rail where applicable, and recommendations for the implementation of these best practices in Washington state. The study must assess rail safety governance for passenger and freight rail, including rail transit services, and must consider recommendations made by the national transportation safety board in its 2017 Amtrak passenger train 501 derailment accident report that are relevant to rail safety governance.

(b) The study must include the following components:

(i) (A) An assessment of rail safety oversight in Washington state that includes: (I) The rail safety oversight roles of federal, state, regional, and local agencies, including the extent to which federal and state laws govern these roles and the extent to which these roles would be modified should the suspended federal rules in 49 C.F.R. Part 270 take effect; (II) federal, state, regional, and local agency organizational structures and processes utilized to conduct rail safety oversight; and (III) coordination activities by federal, state, regional, and local agencies in conducting rail safety oversight;

(B) An examination of rail safety governance best practices by other states for the items identified in (a) of this subsection; and

(C) Recommendations for the implementation of best practices for rail safety governance in Washington state.

(ii) The study must address the extent to which additional safety oversight of rail project design and construction is used in other states and would be a recommended best practice for Washington state.

(c) The joint transportation committee shall consult with the Washington state department of transportation, the Washington state utilities and transportation commission, sound transit, the national transportation safety board, Amtrak, the federal railroad administration, BNSF railway company, one or more representatives of short line railroads, one or more representatives of labor, and other entities with rail safety expertise as necessary.

(d) The joint transportation committee must issue a report of its findings and recommendations on rail safety governance to the transportation committees of the legislature by January 6, 2021.

(6) (a) \$250,000 of the motor vehicle account-state appropriation is for the joint transportation committee to conduct a study of the feasibility of a private auto ferry between the state of Washington and British Columbia, Canada. The study must include the following elements:

(i) Expected impacts to ridership, revenue, and expenditures for Washington state ferries;

(ii) Expected impacts to ferry service provided to the San Juan Islands;

(iii) Possible terminal locations on Fidalgo Island;

(iv) Economic impacts to the Anacortes area if ferry service between the area and Vancouver Island ceases;

(v) Economic impacts to the San Juan Islands if ferry service or ferry tourism is reduced;

(vi) Expected impacts to family wage jobs in the marine industry for Washingtonians;

(vii) Expected impacts to ferry fares between the state of Washington and British Columbia, Canada;

(viii) Legal analysis of all state, federal, or Canadian laws or rules, including the Jones act and rules of the board of pilotage commissioners, that may apply to initiation of private service or cessation of state service; and

(ix) Options for encouraging private auto ferry service between the state of Washington and Vancouver Island, Canada.

(b) In conducting the study, the joint transportation committee must consult with the department of transportation, a representative of San Juan county, a representative of the city of Anacortes, a representative of the inland boatman's union, a representative of Puget Sound pilots, a representative of the port of Anacortes, a representative of the economic development alliance of Skagit county, and interested private ferry operators in Washington state.

(c) A report of the study findings and options is due to the transportation

committees of the legislature by February 15, 2021.

Sec. 905. 2020 c 219 s 205 (uncodified) is amended to read as follows:

FOR THE TRANSPORTATION COMMISSION

Motor Vehicle Account-State
Appropriation (~~(\$2,324,000)~~)

\$1,861,000

Interstate 405 and State Route Number
167 Express Toll Lanes

Account-State Appropriation
(~~(\$410,000)~~)

\$406,000

State Route Number 520 Corridor
Account-State

Appropriation (~~(\$271,000)~~)

\$262,000

Tacoma Narrows Toll Bridge Account-State

Appropriation (~~(\$150,000)~~)

\$152,000

Alaskan Way Viaduct Replacement
Project

Account-State Appropriation
(~~(\$136,000)~~)

\$132,000

TOTAL APPROPRIATION
(~~(\$3,299,000)~~)

\$2,813,000

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

(1) (a) The commission shall reconvene the road usage charge steering committee, with the same membership described in chapter 297, Laws of 2018, and shall report at least once every three months to the steering committee with updates on report development for the completed road usage charge pilot project until the final report is submitted. The commission shall also report to the steering committee on any other activities undertaken in accordance with this subsection (1) as necessary to keep it apprised of new developments and to obtain input on its efforts. The final report on the road usage charge pilot project is due to the transportation committees of the legislature by January

1, 2020, and should include recommendations for necessary next steps to consider impacts to communities of color, low-income households, vulnerable populations, and displaced communities. Any legislative vacancies on the steering committee must be appointed by the speaker of the house of representatives for a house of representatives member vacancy, and by the president of the senate for a senate member vacancy.

(b) (i) The commission shall coordinate with the department of transportation to jointly seek federal funds available through the federal surface transportation system funding alternatives grant program, applying toll credits for meeting match requirements. One or more grant applications shall be developed that propose to:

(A) Create a framework for modeling the effects of a road usage charge on passenger and light-duty vehicles including, but not limited to, plug-in electric vehicles, autonomous vehicles, state fleets, and transportation network companies on a road usage charge system;

(B) Identify and measure potential disparate impacts of a road usage charge on designated populations, including communities of color, low-income households, vulnerable populations, and displaced communities;

(C) Incorporate emerging approaches to mileage reporting, such as in-vehicle telematics, improved smartphone apps, and use of private businesses to provide odometer verification and mileage reporting services, into a road usage charge system;

(D) Conduct a series of facilitated work sessions with other states and private sector firms to identify opportunities to reduce the cost of collections for a road usage charge;

(E) Develop a road usage charge phase-in plan that incorporates findings from (b) (i) (A) through (D) of this subsection;

(F) Carry out a limited scale demonstration to test new mileage reporting methods; equity policies; cost reduction techniques; and collecting a road usage charge from passenger and light-duty vehicles including, but not limited to, plug-in electric vehicles, autonomous vehicles, state fleets, transportation network companies, and other new mobility services; and

(G) Produce a final report with recommendations and a recommended roadmap that details how a road usage charge could be appropriately scaled to fit state circumstances and that includes a framework for evaluating policy choices related to the use of road usage charge revenue.

(ii) A year-end report on the status of any federally-funded project for which federal funding is secured must be provided to the governor's office and the transportation committees of the legislature by January 1, 2020, and by January 1, 2021.

(c) \$150,000 of the motor vehicle account-state appropriation is provided solely for analysis of potential impacts of a road usage charge on communities of color, low-income households, vulnerable populations, and displaced communities. The analysis must include an assessment of potential mitigation measures to address these potential impacts. These funds must be held in unallotted status during the 2019-2021 fiscal biennium, and may only be used after the commission has provided notice to the office of financial management that it has exhausted all efforts to secure federal funds from the federal surface transportation system funding alternatives grant program under (b) of this subsection without successfully securing federal funding for the further study of a road usage charge. A year-end update on the status of this effort, if undertaken prior to the end of calendar year 2020, must be provided to the governor's office and the transportation committees of the legislature by January 1, 2021.

(2) (a) \$250,000 of the Interstate 405 and state route number 167 express toll lanes account-state appropriation is provided solely for the transportation commission to conduct a study, applicable to the Interstate 405 express toll lanes, of discounted tolls and other similar programs for low-income drivers that are provided by other states, countries, or other entities and how such a program could be implemented in the state of Washington. The transportation commission may contract with a consultant to conduct all or a portion of this study.

(b) In conducting this study, the transportation commission shall consult with both the department of

transportation and the department of social and health services.

(c) The transportation commission shall, at a minimum, consider the following issues when conducting the study of discounted tolls and other similar programs for low-income drivers:

(i) The benefits, requirements, and any potential detriments to the users of a program;

(ii) The most cost-effective way to implement a program given existing financial commitments, shared cost requirements across facilities, and technical requirements to execute and maintain a program;

(iii) The implications of a program for tolling policies, revenues, costs, operations, and enforcement; and

(iv) Any implications to tolled facilities based on the type of tolling implemented on a particular facility.

(d) The transportation commission shall provide a report detailing the findings of this study and recommendations for implementing a discounted toll or other appropriate program in the state of Washington to the transportation committees of the legislature by June 30, 2021.

(3) \$160,000 of the Interstate 405 and state route number 167 express toll lanes account-state appropriation, \$271,000 of the state route number 520 corridor account-state appropriation, \$158,000 of the Tacoma Narrows toll bridge account-state appropriation, and \$136,000 of the Alaskan Way viaduct replacement project account-state appropriation are provided solely for the transportation commission's proportional share of time spent supporting tolling operations for the respective tolling facilities.

(4) The legislature requests that the commission commence proceedings to name state route number 165 as The Glacier Highway to commemorate the significance of glaciers to the state of Washington.

Sec. 906. 2020 c 219 s 206 (uncodified) is amended to read as follows:

FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD

Freight Mobility Investment Account-State

Appropriation ((~~\$772,000~~))

\$766,000

Sec. 907. 2020 c 219 s 207
(uncodified) is amended to read as
follows:

FOR THE WASHINGTON STATE PATROL

State Patrol Highway Account-State
Appropriation ~~((\$501,294,000))~~

\$495,785,000

State Patrol Highway Account-Federal
Appropriation ~~((\$16,081,000))~~

\$15,978,000

State Patrol Highway Account-
Private/Local

Appropriation ~~((\$4,258,000))~~

\$4,257,000

Highway Safety Account-State
Appropriation \$1,188,000

Ignition Interlock Device Revolving
Account-State

Appropriation \$7,010,000

Multimodal Transportation Account-
State

Appropriation ~~((\$286,000))~~

\$274,000

Interstate 405 and State Route Number
167 Express

Toll Lanes Account-State Appropriation
\$1,182,000

State Route Number 520 Corridor
Account-State

Appropriation \$1,988,000

Tacoma Narrows Toll Bridge Account-
State Appropriation \$1,158,000

Alaskan Way Viaduct Replacement
Project

Account-State Appropriation
\$996,000

TOTAL APPROPRIATION
~~((\$535,441,000))~~

\$529,816,000

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

(1) Washington state patrol officers
engaged in off-duty uniformed employment
providing traffic control services to the
department of transportation or other
state agencies may use state patrol

vehicles for the purpose of that
employment, subject to guidelines
adopted by the chief of the Washington
state patrol. The Washington state patrol
must be reimbursed for the use of the
vehicle at the prevailing state employee
rate for mileage and hours of usage,
subject to guidelines developed by the
chief of the Washington state patrol.

(2) \$510,000 of the ignition interlock
device revolving account-state
appropriation is provided solely for the
ignition interlock program at the
Washington state patrol to provide
funding for two staff to work and provide
support for the program in working with
manufacturers, service centers,
technicians, and participants in the
program.

(3) \$1,424,000 of the state patrol
highway account-state appropriation is
provided solely to enter into an
agreement for upgraded land mobile
software, hardware, and equipment.

(4) \$2,582,000 of the state patrol
highway account-state appropriation is
provided solely for the replacement of
radios and other related equipment.

(5) \$343,000 of the state patrol
highway account-state appropriation is
provided solely for aerial criminal
investigation tools, including software
licensing and maintenance, and annual
certification.

(6) ~~((\$2,342,000))~~ \$1,556,000 of the
state patrol highway account-state
appropriation is provided solely to
address the increase in the number of
toxicology cases from impaired driving
and death investigations.

(7) \$580,000 of the state patrol
highway account-state appropriation is
provided solely for the operation of and
administrative support to the license
investigation unit to enforce vehicle
registration laws in southwestern
Washington. The Washington state patrol,
in consultation with the department of
revenue, shall maintain a running
estimate of the additional vehicle
registration fees, sales and use taxes,
and local vehicle fees remitted to the
state pursuant to activity conducted by
the license investigation unit.
Beginning October 1, 2019, and quarterly
thereafter, the Washington state patrol
shall submit a report detailing the
additional revenue amounts generated
since July 1, 2017, to the director of
the office of financial management and

the transportation committees of the legislature. At the end of the calendar quarter in which it is estimated that more than \$625,000 in state sales and use taxes have been remitted to the state since July 1, 2017, the Washington state patrol shall notify the state treasurer and the state treasurer shall transfer funds pursuant to section 406, chapter 416, Laws of 2019.

(8) \$18,000 of the state patrol highway account—state appropriation is provided solely for the license investigation unit to procure an additional license plate reader and related costs.

(9) The Washington state patrol and the office of financial management must be consulted by the department of transportation during the design phase of any improvement or preservation project that could impact Washington state patrol weigh station operations. During the design phase of any such project, the department of transportation must estimate the cost of designing around the affected weigh station's current operations, as well as the cost of moving the affected weigh station.

(10) \$4,210,000 of the state patrol highway account—state appropriation is provided solely for a third arming and a third trooper basic training class. The cadet class is expected to graduate in June 2021.

(11) \$65,000 of the state patrol highway account—state appropriation is provided solely for the implementation of chapter 440, Laws of 2019 (immigrants in the workplace). If chapter 440, Laws of 2019 is not enacted by June 30, 2019, the amount provided in this subsection lapses.

(12)(a) The Washington state patrol must report quarterly to the house and senate transportation committees on the status of recruitment and retention activities as follows:

(i) A summary of recruitment and retention strategies;

(ii) The number of transportation funded staff vacancies by major category;

(iii) The number of applicants for each of the positions by these categories;

(iv) The composition of workforce; and

(v) Other relevant outcome measures with comparative information with recent comparable months in prior years.

(b) By January 1, 2020, the Washington state patrol must submit to the transportation committees of the legislature and the governor a workforce diversity plan. The plan must identify ongoing, and both short-term and long-term, specific comprehensive outreach and recruitment strategies to increase populations underrepresented within both commissioned and noncommissioned employee groups.

(13) \$1,182,000 of the Interstate 405 and state route number 167 express toll lanes account—state appropriation, \$1,988,000 of the state route number 520 corridor account—state appropriation, \$1,158,000 of the Tacoma Narrows toll bridge account—state appropriation, and \$996,000 of the Alaskan Way viaduct replacement project account—state appropriation are provided solely for the Washington state patrol's proportional share of time spent supporting tolling operations and enforcement for the respective tolling facilities.

(14) \$100,000 of the state patrol highway account—state appropriation is provided solely for the implementation of (~~Senate Bill No. 6218~~) chapter 97, Laws of 2020 (Washington state patrol retirement definition of salary), which reflects an increase in the Washington state patrol retirement system pension contribution rate of 0.15 percent for changes to the definition of salary. If (~~Senate Bill No. 6218~~) chapter 97, Laws of 2020 is not enacted by June 30, 2020, the amount provided in this subsection lapses.

(~~(16)~~) (15) \$975,000 of the state patrol highway account—state appropriation is provided solely for communications officers at the King county public safety answering point.

(~~(17)~~) (16) \$830,000 of the state patrol highway account—state appropriation is provided solely for information technology security enhancements.

(~~(18)~~) (17) \$150,000 of the state patrol highway account is provided solely for the Washington state patrol to work with the department of enterprise services and office of minority and women's business enterprises to contract for a workforce diversity strategic action plan. The successful consultant

must have demonstrated expertise in workforce diversity research and an established record of assisting organizations in implementing diversity initiatives. The plan must include:

(a) Current and past employment data on the composition of the state patrol workforce generally and of its protective service workers;

(b) Research into the reasons for underrepresentation of minorities and women in the state patrol workforce;

(c) Research on best practices for recruiting across the state and from communities historically underrepresented in the Washington state patrol workforce;

(d) Case studies of law enforcement and other agencies that have successfully diversified their workforce; and

(e) A strategic plan with recommendations that will address disparities in the Washington state patrol employment ranks in both commissioned and noncommissioned personnel, with a focus on executive, command, and supervisory employees.

Sec. 908. 2020 c 219 s 208 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING

Marine Fuel Tax Refund Account—State
Appropriation \$34,000

Motorcycle Safety Education Account—
State

Appropriation ~~((\$5,052,000))~~
\$5,023,000

State Wildlife Account—State
Appropriation ~~((\$511,000))~~

\$510,000

Highway Safety Account—State
Appropriation ~~((\$242,965,000))~~

\$226,935,000

Highway Safety Account—Federal
Appropriation \$1,294,000

Motor Vehicle Account—State
Appropriation ~~((\$71,447,000))~~

\$64,548,000

Motor Vehicle Account—Federal
Appropriation \$186,000

Motor Vehicle Account—Private/Local
Appropriation \$10,008,000

Ignition Interlock Device Revolving
Account—State

Appropriation ~~((\$5,779,000))~~
\$5,265,000

Department of Licensing Services
Account—State

Appropriation ~~((\$7,696,000))~~
\$7,685,000

License Plate Technology Account—State

Appropriation \$4,250,000

Abandoned Recreational Vehicle
Account—State

Appropriation \$2,925,000

Limousine Carriers Account—State
Appropriation \$113,000

Electric Vehicle Account—State
Appropriation \$264,000

DOL Technology Improvement & Data
Management

Account—State Appropriation
\$2,250,000

Agency Financial Transaction Account—
State

Appropriation \$11,903,000

TOTAL APPROPRIATION
~~((\$366,677,000))~~

\$343,193,000

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

(1) \$139,000 of the motorcycle safety education account—state appropriation is provided solely for the implementation of chapter 65, Laws of 2019 (motorcycle safety). If chapter 65, Laws of 2019 is not enacted by June 30, 2019, the amount provided in this subsection lapses.

(2) \$25,000 of the motorcycle safety education account—state appropriation, \$4,000 of the state wildlife account—state appropriation, \$1,708,000 of the highway safety account—state appropriation, \$576,000 of the motor vehicle account—state appropriation, \$22,000 of the ignition interlock device revolving account—state appropriation, and \$28,000 of the department of licensing services account—state appropriation are provided solely for the

department to fund the appropriate staff and necessary equipment and software for data management, data analytics, and data compliance activities. The department must, in consultation with the office of the chief information officer, construct a framework with goals for providing better data stewardship and a plan to achieve those goals. The department must provide the framework and plan to the transportation committees of the legislature by December 31, 2019, and an update by May 1, 2020.

(3) Appropriations provided for the cloud continuity of operations project in this section are subject to the conditions, limitations, and review provided in section 701 (~~(of this act)~~), chapter 219, Laws of 2020.

(4) \$24,028,000 of the highway safety account-state appropriation is provided solely for costs necessary to accommodate increased demand for enhanced drivers' licenses and enhanced identicards. The department shall report on a quarterly basis on the use of these funds, associated workload, and information with comparative information with recent comparable months in prior years. The report must include detailed statewide and by licensing service office information on staffing levels, average monthly wait times, the number of enhanced drivers' licenses and enhanced identicards issued/renewed, and the number of primary drivers' licenses and identicards issued/renewed. Within the amounts provided in this subsection, the department shall implement efficiency measures to reduce the time for licensing transactions and wait times including, but not limited to, the installation of additional cameras at licensing service offices that reduce bottlenecks and align with the "keep your customer" initiative.

(5) \$507,000 of the motor vehicle account-state appropriation is provided solely for the implementation of chapter . . . (Substitute Senate Bill No. 5419), Laws of 2019 (vehicle service fees) or chapter 417, Laws of 2019 (vehicle service fees). If neither chapter . . . (Substitute Senate Bill No. 5419), Laws of 2019 or chapter 417, Laws of 2019 are enacted by June 30, 2019, the amount provided in this subsection lapses.

(6) \$25,000 of the motor vehicle account-state appropriation is provided solely for the implementation of chapter 177, Laws of 2019 (San Juan Islands license plate). If chapter 177, Laws of

2019 is not enacted by June 30, 2019, the amount provided in this subsection lapses.

(7) \$24,000 of the motor vehicle account-state appropriation is provided solely for the implementation of chapter 384, Laws of 2019 (Seattle Storm license plate). If chapter 384, Laws of 2019 is not enacted by June 30, 2019, the amount provided in this subsection lapses.

(8) \$65,000 of the highway safety account-state appropriation is provided solely for the implementation of chapter 440, Laws of 2019 (immigrants in the workplace). If chapter 440, Laws of 2019 is not enacted by June 30, 2019, the amount provided in this subsection lapses.

(9) The appropriations in this section assume implementation of additional cost recovery mechanisms to recoup at least \$11,903,000 in credit card and other financial transaction costs as part of charges imposed for driver and vehicle fee transactions beginning January 1, 2020. At the direction of the office of financial management, the department must develop a method of tracking the additional amount of credit card and other financial cost-recovery revenues. In consultation with the office of financial management, the department must notify the state treasurer of these amounts and the state treasurer must deposit these revenues in the agency financial transaction account created in section 717, chapter 416, Laws of 2019 on a quarterly basis.

(10) \$1,281,000 of the department of licensing service account-state appropriation is provided solely for savings from the implementation of chapter 417, Laws of 2019 (vehicle service fees). If chapter 417, Laws of 2019 is enacted by June 30, 2019, the amount provided in this subsection lapses.

(11) \$2,650,000 of the abandoned recreational vehicle disposal account-state appropriation is provided solely for providing reimbursements in accordance with the department's abandoned recreational vehicle disposal reimbursement program. It is the intent of the legislature that the department prioritize this funding for allowable and approved reimbursements and not to build a reserve of funds within the account.

(12) \$20,000 of the motor vehicle account-state appropriation is provided

solely for the implementation of chapter 210, Laws of 2019 (Gold Star license plate). If chapter 210, Laws of 2019 is not enacted by June 30, 2019, the amount provided in this subsection lapses.

(13) \$31,000 of the motor vehicle account-state appropriation is provided solely for the implementation of chapter 262, Laws of 2019 (snow bikes). If chapter 262, Laws of 2019 is not enacted by June 30, 2019, the amount provided in this subsection lapses.

(14) \$24,000 of the motor vehicle account-state appropriation is provided solely for the implementation of chapter 139, Laws of 2019 (Purple Heart license plate). If chapter 139, Laws of 2019 is not enacted by June 30, 2019, the amount provided in this subsection lapses.

(15) \$24,000 of the motor vehicle account-state appropriation is provided solely for the implementation of chapter 278, Laws of 2019 (vehicle and vessel owner information). If chapter 278, Laws of 2019 is not enacted by June 30, 2019, the amount provided in this subsection lapses.

(16) \$600,000 of the highway safety account-state appropriation is provided solely for the department to provide an interagency transfer to the department of social and health services, children's administration division for the purpose of providing driver's license support to a larger population of foster youth than is already served within existing resources. Support services include reimbursement of driver's license issuance costs, fees for driver training education, and motor vehicle liability insurance costs.

(17) The department must place personal and company data elements in separate data fields to allow the department to select discrete data elements when providing information or data to persons or entities outside the department. Pursuant to the restrictions in federal and state law, a person's photo, social security number, or medical information must not be made available through public disclosure or data being provided under RCW 46.12.630 or 46.12.635.

(18) \$91,000 of the highway safety account-state appropriation is provided solely for the department's costs related to the one Washington project.

(19) (~~(\$1,674,000)~~) \$1,174,000 of the highway safety account-state appropriation is provided solely for communication and outreach activities necessary to inform the public of federally acceptable identification options including, but not limited to, enhanced drivers' licenses and enhanced identicards. The department shall continue the outreach plan that includes informational material that can be effectively communicated to all communities and populations in Washington. To accomplish this work, the department shall contract with an external vendor with demonstrated experience and expertise in outreach and marketing to underrepresented communities in a (~~(culturally-responsive)~~) culturally responsive fashion.

(20) Due to the passage of chapter 1 (Initiative Measure No. 976), Laws of 2020, the department, working with the office of financial management, shall provide a monthly report on the number of registrations involved and differences between actual collections and collections if the initiative was not subject to a temporary injunction as of December 5, 2019.

(21) The appropriations in this section assume full cost recovery for the administration and collection of a motor vehicle excise tax on behalf of any regional transit authority pursuant to section 706 (~~(of this act)~~), chapter 219, Laws of 2020.

(~~(26)~~) (22) \$107,000 of the highway safety account-state appropriation is provided solely for the implementation of chapter 78, Laws of 2020 (military veterans commercial driver's license waivers) or chapter . . . (Second Substitute Senate Bill No. 5544), Laws of 2020 (military veterans commercial driver's license waivers). If neither chapter 78, Laws of 2020 nor chapter . . . (Second Substitute Senate Bill No. 5544), Laws of 2020 is enacted by June 30, 2020, the amount provided in this subsection lapses.

(~~(28)~~) (23) \$114,000 of the highway safety account-state appropriation is provided solely for the implementation of chapter 124, Laws of 2020 (homeless youth identicards) or chapter . . . (Senate Bill No. 6304), Laws of 2020 (homeless youth identicards). If neither chapter 124, Laws of 2020 nor chapter . . . (Senate Bill No. 6304), Laws of 2020 is

enacted by June 30, 2020, the amount provided in this subsection lapses.

~~((29))~~ (24) \$24,000 of the motor vehicle account-state appropriation is provided solely for the implementation of chapter 129, Laws of 2020 (Seattle national hockey league special license plate) or chapter . . . (Senate Bill No. 6562), Laws of 2020 (Seattle national hockey league special license plate). If neither chapter 129, Laws of 2020 nor chapter . . . (Senate Bill No. 6562), Laws of 2020 is enacted by June 30, 2020, the amount provided in this subsection lapses.

~~((30))~~ (25) \$14,000 of the motor vehicle account-state appropriation is provided solely for the implementation of chapter . . . (Engrossed Substitute House Bill No. 2723), Laws of 2020 (off-road vehicle enforcement) or chapter . . . (Senate Bill No. 6115), Laws of 2020 (off-road vehicle enforcement). If neither chapter . . . (Engrossed Substitute House Bill No. 2723), Laws of 2020 nor chapter . . . (Senate Bill No. 6115), Laws of 2020 is enacted by June 30, 2020, the amount provided in this subsection lapses.

~~((31))~~ (26) \$105,000 of the motor vehicle account-state appropriation is provided solely for the implementation of chapter 118, Laws of 2020 (tribal vehicles compact) or chapter . . . (Senate Bill No. 6251), Laws of 2020 (tribal vehicles compact). If neither chapter 118, Laws of 2020 nor chapter . . . (Senate Bill No. 6251), Laws of 2020 (tribal vehicles compact) is enacted by June 30, 2020, the amount provided in this subsection lapses.

~~((32))~~ (27) \$57,000 of the state wildlife account-state appropriation is provided solely for the implementation of chapter 148, Laws of 2020 (state wildlife account). If chapter 148, Laws of 2020 is not enacted by June 30, 2020, the amount provided in this subsection lapses.

~~((33))~~ (28) \$19,000 of the motor vehicle account-state appropriation is provided solely for the implementation of chapter 93, Laws of 2020 (apples special license plate). If chapter 93, Laws of 2020 is not enacted by June 30, 2020, the amount provided in this subsection lapses.

~~((34))~~ (29) \$19,000 of the motor vehicle account-state appropriation is provided solely for the implementation of chapter 239, Laws of 2020 (stolen vehicle

check). If chapter 239, Laws of 2020 is not enacted by June 30, 2020, the amount provided in this subsection lapses.

~~((36))~~ (30) \$40,000 of the department of licensing services account-state appropriation is provided solely for the department to report to the governor and chairs of the transportation committees of the legislature by December 1, 2020, with a proposed plan to allow the registered owner of a vehicle, or the registered owner's authorized representative, to voluntarily enter into either a quarterly or monthly payment plan with the department to pay vehicle fees or taxes due at the time of application for renewal vehicle registration. The plan must include: (a) An analysis of the administrative costs associated with allowing the payment plans; (b) the estimated revenue impact by fund or account, including impacts to local governments; and (c) the recommended method to achieve the greatest level of customer payment compliance.

~~((37))~~ (31)(a) Within available resources, and in collaboration with the department of revenue, the department of licensing shall evaluate the effectiveness of chapter 218, Laws of 2017, in improving compliance with state laws relating to the registration of off-road vehicles, including the payment of retail sales and use tax. The department of licensing shall recommend any statutory, administrative, or other changes needed to optimize and further strengthen the compliance, including an implementation timeline and corresponding resource requirements. Among its recommendations, the department of licensing must address potential changes to the process under RCW 46.93.210 by which the department notifies persons whose vehicles may not be properly registered in the state. The department shall submit a report to the governor and the transportation committees of the legislature by December 15, 2020.

(b) If chapter . . . (Engrossed Substitute House Bill No. 2723), Laws of 2020 is enacted by June 30, 2020, this subsection has no force and effect.

Sec. 909. 2020 c 219 s 209 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—
TOLL OPERATIONS AND MAINTENANCE—PROGRAM
B**

State Route Number 520 Corridor
Account—State

Appropriation ((~~\$59,059,000~~))
\$36,503,000

State Route Number 520 Civil Penalties
Account—State

Appropriation ((~~\$4,145,000~~))
\$20,230,000

Tacoma Narrows Toll Bridge Account—
State

Appropriation ((~~\$33,806,000~~))
\$34,073,000

Alaskan Way Viaduct Replacement
Project Account—State

Appropriation ((~~\$21,616,000~~))
\$19,857,000

Interstate 405 and State Route Number
167 Express

Toll Lanes Account—State Appropriation
((~~\$27,457,000~~))
\$23,637,000

TOTAL APPROPRIATION
((~~\$146,083,000~~))
\$134,300,000

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

(1) \$1,300,000 of the Tacoma Narrows toll bridge account—state appropriation and \$11,034,000 of the state route number 520 corridor account—state appropriation are provided solely for the purposes of addressing unforeseen operations and maintenance costs on the Tacoma Narrows bridge and the state route number 520 bridge, respectively. The office of financial management shall place the amounts provided in this subsection, which represent a portion of the required minimum fund balance under the policy of the state treasurer, in unallotted status. The office may release the funds only when it determines that all other funds designated for operations and maintenance purposes have been exhausted.

(2) As long as the facility is tolled, the department must provide quarterly

reports to the transportation committees of the legislature on the Interstate 405 express toll lane project performance measures listed in RCW 47.56.880(4). These reports must include:

(a) Information on the travel times and travel time reliability (at a minimum, average and 90th percentile travel times) maintained during peak and nonpeak periods in the express toll lanes and general purpose lanes for both the entire corridor and commonly made trips in the corridor including, but not limited to, northbound from Bellevue to Rose Hill, state route number 520 at NE 148th to Interstate 405 at state route number 522, Bellevue to Bothell (both NE 8th to state route number 522 and NE 8th to state route number 527), and a trip internal to the corridor (such as NE 85th to NE 160th) and similar southbound trips;

(b) A month-to-month comparison of travel times and travel time reliability for the entire corridor and commonly made trips in the corridor as specified in (a) of this subsection since implementation of the express toll lanes and, to the extent available, a comparison to the travel times and travel time reliability prior to implementation of the express toll lanes;

(c) Total express toll lane and total general purpose lane traffic volumes, as well as per lane traffic volumes for each type of lane (i) compared to total express toll lane and total general purpose lane traffic volumes, as well as per lane traffic volumes for each type of lane, on this segment of Interstate 405 prior to implementation of the express toll lanes and (ii) compared to total express toll lane and total general purpose lane traffic volumes, as well as per lane traffic volumes for each type of lane, from month to month since implementation of the express toll lanes; and

(d) Underlying congestion measurements, that is, speeds, that are being used to generate the summary graphs provided, to be made available in a digital file format.

(3) (a) ((~~\$2,114,000~~)) \$1,406,000 of the Interstate 405 and state route number 167 express toll lanes account—state appropriation, ((~~\$4,920,000~~)) \$3,269,000 of the state route number 520 corridor account—state appropriation, ((~~\$2,116,000~~)) \$1,407,000 of the Tacoma

Narrows toll bridge account-state appropriation, and ~~((\$2,776,000))~~ \$1,844,000 of the Alaskan Way viaduct replacement project account-state appropriation are provided solely for the department to finish implementing a new tolling customer service toll collection system, and are subject to the conditions, limitations, and review provided in section 701 ~~((of this act))~~, chapter 219, Laws of 2020.

(b) The department shall continue to work with the office of financial management, office of the chief information officer, and the transportation committees of the legislature on the project management plan that includes a provision for independent verification and validation of contract deliverables from the successful bidder and a provision for quality assurance that includes reporting independently to the office of the chief information officer on an ongoing basis during system implementation.

(4) The department shall make detailed quarterly reports to the transportation committees of the legislature and the public on the department's web site on the following:

(a) The use of consultants in the tolling program, including the name of the contractor, the scope of work, the type of contract, timelines, deliverables, any new task orders, and any extensions to existing consultant contracts;

(b) The nonvendor costs of administering toll operations, including the costs of staffing the division, consultants, and other personal service contracts required for technical oversight and management assistance, insurance, payments related to credit card processing, transponder purchases and inventory management, facility operations and maintenance, and other miscellaneous nonvendor costs;

(c) The vendor-related costs of operating tolled facilities, including the costs of the customer service center, cash collections on the Tacoma Narrows bridge, electronic payment processing, and toll collection equipment maintenance, renewal, and replacement;

(d) The toll adjudication process, including a summary table for each toll facility that includes:

(i) The number of notices of civil penalty issued;

(ii) The number of recipients who pay before the notice becomes a penalty;

(iii) The number of recipients who request a hearing and the number who do not respond;

(iv) Workload costs related to hearings;

(v) The cost and effectiveness of debt collection activities; and

(vi) Revenues generated from notices of civil penalty; and

(e) A summary of toll revenue by facility on all operating toll facilities and express toll lane systems, and an itemized depiction of the use of that revenue.

(5) ~~((\$24,735,000))~~ \$21,623,000 of the Interstate 405 and state route number 167 express toll lanes account-state appropriation is provided solely for operational costs related to the express toll lane facility.

~~((In calendar year 2021, toll equipment on the Tacoma Narrows Bridge will have reached the end of its operational life. During the 2019-2021 fiscal biennium, the department plans to issue a request for proposals as the first stage of a competitive procurement process that will replace the toll equipment and select a new tolling operator for the Tacoma Narrows Bridge. The request for proposals and subsequent competitive procurement must incorporate elements that prioritize the overall goal of lowering costs per transaction for the facility, such as incentives for innovative approaches which result in lower transactional costs, requests for efficiencies on the part of the bidder that lower operational costs, and incorporation of technologies such as self-serve credit card machines or other point-of-payment technologies that lower costs or improve operational efficiencies.~~

~~(7)~~ ~~\$18,840,000~~ \$18,013,000 of the Alaskan Way viaduct replacement project account-state appropriation is provided solely for the new state route number 99 tunnel toll facility's expected share of collecting toll revenues, operating customer services, and maintaining toll collection systems. The legislature expects to see appropriate reductions to the other toll facility accounts once

tolling on the new state route number 99 tunnel toll facility commences and any previously incurred costs for start-up of the new facility are charged back to the Alaskan Way viaduct replacement project account. The office of financial management shall closely monitor the application of the cost allocation model and ensure that the new state route number 99 tunnel toll facility is adequately sharing costs and the other toll facility accounts are not being overspent or subsidizing the new state route number 99 tunnel toll facility.

~~((48))~~ (7) \$608,000 of the Interstate 405 and state route number 167 express toll lanes account-state appropriation are provided solely for increased levels of service from the Washington state patrol for enforcement of toll lane violations on the Interstate 405 and state route number 167 express toll lanes. The department shall compile monthly data on the number of Washington state patrol enforcement hours on each facility and the percentage of time during peak hours that speeds are at or above forty-five miles per hour on each facility. The department shall provide this data in a report to the transportation committees of the legislature on at least a calendar quarterly basis.

~~((49))~~ (8) The department shall develop an ongoing cost allocation method to assign appropriate costs to each of the toll funds for services provided by each Washington state department of transportation program and all relevant transportation agencies, including the Washington state patrol and the transportation commission. This method should update the toll cost allocation method used in the 2020 supplemental transportation appropriations act. By December 1, 2020, a report with the recommended method and any changes or potential impacts to toll rates shall be submitted to the transportation committees of the legislature and the office of financial management.

Sec. 910. 2020 c 219 s 210 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION-
INFORMATION TECHNOLOGY-PROGRAM C**

Transportation Partnership Account-
State Appropriation \$1,460,000

Motor Vehicle Account-State
Appropriation ~~((96,331,000))~~

\$93,032,000

Puget Sound Ferry Operations Account-
State

Appropriation \$263,000

Multimodal Transportation Account-
State

Appropriation ~~((2,878,000))~~

\$2,665,000

Transportation 2003 Account (Nickel
Account)-State

Appropriation \$1,460,000

TOTAL APPROPRIATION
~~((102,392,000))~~

\$98,880,000

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

(1) \$8,114,000 of the motor vehicle account-state appropriation is provided solely for the development of the labor system replacement project and is subject to the conditions, limitations, and review provided in section 701 ~~((of this act))~~, chapter 219, Laws of 2020. It is the intent of the legislature that if any portion of the labor system replacement project is leveraged in the future for the time, leave, and labor distribution of any other agencies, the motor vehicle account will be reimbursed proportionally for the development of the system since amounts expended from the motor vehicle account must be used exclusively for highway purposes in conformance with Article II, section 40 of the state Constitution. This must be accomplished through a loan arrangement with the current interest rate under the terms set by the office of the state treasurer at the time the system is deployed to additional agencies. If the motor vehicle account is not reimbursed for future use of the system, it is further the intent of the legislature that reductions will be made to central service agency charges accordingly. The department shall provide a report to the transportation committees of the legislature by December 31, 2019, detailing the project timeline as of July 1, 2019, an updated project timeline if necessary, expenditures made to date for the purposes of this project, and expenditures projected through the remainder of the project timeline.

(2) \$1,375,000 of the motor vehicle account-state appropriation is provided solely for the department's cost related to the one Washington project.

(3) \$21,500,000 of the motor vehicle account-state appropriation is provided solely for the activities of the information technology program in developing and maintaining information systems that support the operations and program delivery of the department, ensuring compliance with section 701 (~~of this act~~), chapter 219, Laws of 2020, and the requirements of the office of the chief information officer under RCW 43.88.092 to evaluate and prioritize any new financial and capital systems replacement or modernization project and any other information technology project. During the 2019-2021 fiscal biennium, the department may use the distributed direct program support or other cost allocation method to fund a new capital systems replacement or modernization project. The department shall submit a decision package for implementation of a new capital systems replacement project to the governor and the transportation committees of the legislature as part of the normal budget process for the 2021-2023 biennium.

Sec. 911. 2020 c 219 s 211 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION-FACILITY MAINTENANCE, OPERATIONS, AND CONSTRUCTION-PROGRAM D-OPERATING

Motor Vehicle	Account-State
Appropriation	(\$34,807,000)
	<u>\$33,819,000</u>
State Route Number 520 Corridor	
Account-State	
Appropriation	\$34,000
TOTAL	APPROPRIATION
	(\$34,841,000)
	<u>\$33,853,000</u>

Sec. 912. 2020 c 219 s 212 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION-AVIATION-PROGRAM F

Aeronautics	Account-State
Appropriation	(\$7,743,000)
	<u>\$6,773,000</u>

Aeronautics	Account-Federal
Appropriation	\$3,043,000
Aeronautics	Account-Private/Local
Appropriation	\$60,000
TOTAL	APPROPRIATION
	(\$10,846,000)
	<u>\$9,876,000</u>

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

(1) ~~(\$2,862,000)~~ \$2,505,000 of the aeronautics account-state appropriation is provided solely for the airport aid grant program, which provides competitive grants to public use airports for pavement, safety, maintenance, planning, and security.

(2) ~~(\$268,000)~~ \$218,000 of the aeronautics account-state appropriation is provided solely for one FTE dedicated to planning aviation emergency services and addressing emerging aeronautics requirements.

(3) \$200,000 of the aeronautics account-state appropriation is provided solely for the department to convene an electric aircraft work group to study the state of the electrically powered aircraft industry and assess infrastructure needs related to the deployment of electric or hybrid-electric aircraft for commercial air travel in Washington state.

(a) The chair of the work group may be a consultant specializing in aeronautics. The work group must include, but is not limited to, representation from the electric aircraft industry, the aircraft manufacturing industry, electric utility districts, the battery industry, the department of commerce, the department of transportation aviation division, the airline pilots association, a primary airport representing an airport association, and the airline industry.

(b) The study must include, but is not limited to:

(i) Infrastructure requirements necessary to facilitate electric aircraft operations at airports;

(ii) Potential economic and public benefits including, but not limited to, the direct and indirect impact on the number of manufacturing and service jobs and the wages from those jobs in Washington state;

(iii) Potential incentives for industry in the manufacturing and operation of electric aircraft for regional air travel;

(iv) Educational and workforce requirements for manufacturing and maintaining electric aircraft;

(v) Demand and forecast for electric aircraft use to include expected timeline of the aircraft entering the market given federal aviation administration certification requirements;

(vi) Identification of up to six airports in Washington state that may benefit from a pilot program once an electrically propelled aircraft for commercial use becomes available; and

(vii) Recommendations to further the advancement of the electrification of aircraft for regional commercial use within Washington state, including specific, measurable goals for the years 2030, 2040, and 2050 that reflect progressive and substantial increases in the utilization of electric and hybrid-electric commercial aircraft.

(c) The work group must submit a report and accompanying recommendations to the transportation committees of the legislature by November 15, 2020.

(4) (~~(\$350,000)~~) \$193,000 of the aeronautics account-state appropriation is provided solely for the implementation of chapter 396, Laws of 2019 (aviation coordinating commission).

(5) Within amounts appropriated in this section, the aviation division of the department shall assist and consult with the department of revenue in their efforts to update the document titled "Washington Action Plan - FAA Policy Concerning Airport Revenue" to reflect changes to Washington tax code regarding hazardous substances. The department of revenue, in consultation with the aviation division of the Washington state department of transportation, is tasked with developing and recommending a methodology to segregate and track actual amounts collected from the hazardous substance tax under chapter 82.21 RCW and the petroleum products tax under chapter 82.23A RCW as imposed on aviation fuel. The department of revenue is directed to submit a report, including the recommended methodology, to the fiscal committees of the house of representatives and the senate by January 11, 2021.

Sec. 913. 2020 c 219 s 213 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION-PROGRAM DELIVERY MANAGEMENT AND SUPPORT-PROGRAM H

Motor Vehicle	Account-State
Appropriation	((\$59,788,000))
	<u>\$55,549,000</u>

Motor Vehicle	Account-Federal
Appropriation	\$500,000

Multimodal Transportation	Account-State
Appropriation	\$258,000

TOTAL	APPROPRIATION
	((\$60,546,000))

\$56,307,000

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

(1) The legislature recognizes that the trail known as the Rocky Reach Trail, and its extensions, serve to separate motor vehicle traffic from pedestrians and bicyclists, increasing motor vehicle safety on state route number 2 and the coincident section of state route number 97. Consistent with chapter 47.30 RCW and pursuant to RCW 47.12.080, the legislature declares that transferring portions of WSDOT Inventory Control (IC) No. 2-09-04686 containing the trail and associated buffer areas to the Washington state parks and recreation commission is consistent with the public interest. The legislature directs the department to transfer the property to the Washington state parks and recreation commission.

(a) The department must be paid fair market value for any portions of the transferred real property that is later abandoned, vacated, or ceases to be publicly maintained for trail purposes.

(b) Prior to completing the transfer in this subsection (1), the department must ensure that provisions are made to accommodate private and public utilities and any facilities that predate the department's acquisition of the property, at no cost to those entities. Prior to completing the transfer, the department shall also ensure that provisions, by fair market assessment, are made to accommodate other private and public utilities and any facilities that have been legally allowed by permit or other instrument.

(c) The department may sell any adjoining property that is not necessary to support the Rocky Reach Trail and adjacent buffer areas only after the transfer of trail-related property to the Washington state parks and recreation commission is complete. Adjoining property owners must be given the first opportunity to acquire such property that abuts their property, and applicable boundary line or other adjustments must be made to the legal descriptions for recording purposes.

(2) With respect to Parcel 12 of the real property conveyed by the state of Washington to the city of Mercer Island under that certain quitclaim deed, dated April 19, 2000, recorded in King county under recording no. 20000425001234, the requirement in the deed that the property be used for road/street purposes only will be deemed satisfied by the department of transportation so long as commuter parking, as part of the vertical development of the property, is one of the significant uses of the property.

(3) \$1,600,000 of the motor vehicle account-state appropriation is provided solely for real estate services activities. Consistent with RCW 47.12.120 and during the 2019-2021 fiscal biennium, when initiating, extending, or renewing any rent or lease agreements with a regional transit authority, consideration of value must be equivalent to one hundred percent of economic or market rent.

(4)(a) \$100,000 of the motor vehicle account-state appropriation is provided solely for the department to:

(i) Determine the real property owned by the state of Washington and under the jurisdiction of the department in King county that is surplus property located in an area encompassing south of Dearborn Street in Seattle, south of Newcastle, west of SR 515, and north of South 216th to SR 515; and

(ii) Use any remaining funds after (a)(i) of this subsection is completed to identify additional real property across the state owned by the state of Washington and under the jurisdiction of the department that is surplus property.

(b) The department shall provide a report to the transportation committees of the legislature describing the properties it has identified as surplus property under (a) of this subsection by October 1, 2020.

Sec. 914. 2020 c 219 s 214 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—
PUBLIC-PRIVATE PARTNERSHIPS—PROGRAM K**

Motor Vehicle Account-State Appropriation	((\$670,000))
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\$654,000

Electric Vehicle Account-State Appropriation	((\$2,000,000))
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\$100,000

Multimodal Transportation Account-State Appropriation	((\$1,634,000))
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\$350,000

TOTAL	APPROPRIATION
((\$4,304,000))	

\$1,104,000

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

(1) The economic partnerships program must continue to explore retail partnerships at state-owned park and ride facilities, as authorized in RCW 47.04.295.

(2) \$350,000 of the multimodal transportation account-state appropriation is provided solely for the department to execute a transit oriented development pilot project at Kingsgate park and ride in Kirkland intended to be completed by December 31, 2023. The purpose of the pilot project is to demonstrate how appropriate department properties may be used to provide multiple public benefits such as affordable and market rate housing, commercial development, and institutional facilities in addition to transportation purposes. To accomplish the pilot project, the department is authorized to exercise all legal and administrative powers authorized in statute that may include, but is not limited to, the transfer, lease, or sale of some or all of the property to another governmental agency, public development authority, or nonprofit developer approved by the department and partner agencies. The department may also partner with sound transit, King county, the city of Kirkland, and any other federal, regional, or local jurisdiction on any policy changes necessary from those jurisdictions to facilitate the pilot project. By December 1, 2019, the

department must report to the legislature on any legislative actions necessary to facilitate the pilot project and future transit oriented development projects.

(3) ~~((\$2,000,000))~~ \$100,000 of the electric vehicle account-state appropriation is provided solely for the clean alternative fuel vehicle charging and refueling infrastructure program in chapter 287, Laws of 2019 (advancing green transportation adoption).

~~(4) ((\$1,200,000 of the multimodal transportation account-state appropriation is provided solely for the pilot program established under chapter 287, Laws of 2019 (advancing green transportation adoption) to provide clean alternative fuel vehicle use opportunities to underserved communities and low to moderate income members of the workforce not readily served by transit or located in transportation corridors with emissions that exceed federal or state emissions standards.~~

~~(5) \$84,000 of the multimodal transportation account-state appropriation is provided solely for an interagency transfer to the department of commerce for the purpose of conducting a study as described in chapter 287, Laws of 2019 (advancing green transportation adoption) to identify opportunities to reduce barriers to electric vehicle adoption by lower income residents of the state through the use of vehicle and infrastructure financing assistance.~~

~~(6))~~ Building on the information and experience gained from the transit oriented development project at the Kingsgate park and ride, the department must identify a pilot park and ride with future public-private partnership development potential in Pierce county and report back to the transportation committees of the legislature by June 30, 2021, with a proposal for moving forward with a pilot project.

Sec. 915. 2020 c 219 s 215 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY MAINTENANCE—PROGRAM M

Motor Vehicle	Account-State
Appropriation	((<u>\$486,514,000</u>))
	<u>\$461,472,000</u>

Motor Vehicle	Account-Federal
Appropriation	\$7,000,000

State Route	Number	520	Corridor
Account-State			

Appropriation	((<u>\$4,447,000</u>))
	<u>\$4,422,000</u>

Tacoma Narrows Toll Bridge	Account-State
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Appropriation	((<u>\$1,549,000</u>))
	<u>\$1,539,000</u>

Alaskan Way Viaduct Replacement Project	
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Account-State	Appropriation
((<u>\$9,537,000</u>))	
	<u>\$8,844,000</u>

Interstate 405 and State Route Number 167 Express	
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Toll Lanes Account-State	Appropriation
	\$4,528,000

TOTAL	APPROPRIATION
((<u>\$513,575,000</u>))	
	<u>\$487,805,000</u>

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

(1) (a) \$6,170,000 of the motor vehicle account-state appropriation is provided solely for utility fees assessed by local governments as authorized under RCW 90.03.525 for the mitigation of stormwater runoff from state highways. Plan and reporting requirements as required in chapter 435, Laws of 2019 (Local Stormwater Charges) shall be consistent with the January 2012 findings of the Joint Transportation Committee Report for Effective Cost Recovery Structure for WSDOT, Jurisdictions, and Efficiencies in Stormwater Management.

(b) Pursuant to RCW 90.03.525(3), the department and the utilities imposing charges to the department shall negotiate with the goal of agreeing to rates such that the total charges to the department for the 2019-2021 fiscal biennium do not exceed the amount provided in this subsection. The department shall report to the transportation committees of the legislature on the amount of funds requested, the funds granted, and the strategies used to keep costs down, by January 17, 2021. If chapter 435, Laws of 2019 (local stormwater charges) is enacted by June 30, 2019, this subsection (1) (b) does not take effect.

(2) (~~(\$4,447,000)~~) \$4,422,000 of the state route number 520 corridor account-state appropriation is provided solely to maintain the state route number 520 floating bridge. These funds must be used in accordance with RCW 47.56.830(3).

(3) (~~(\$1,549,000)~~) \$1,539,000 of the Tacoma Narrows toll bridge account-state appropriation is provided solely to maintain the new Tacoma Narrows bridge. These funds must be used in accordance with RCW 47.56.830(3).

(4) \$2,050,000 of the Interstate 405 and state route number 167 express toll lanes account-state appropriation is provided solely to maintain the Interstate 405 and state route number 167 express toll lanes between Lynnwood and Bellevue, and Renton and the southernmost point of the express toll lanes. These funds must be used in accordance with RCW 47.56.830(3).

(5) \$2,478,000 of the Interstate 405 and state route number 167 express toll lanes account-state appropriation is provided solely for maintenance for the 2019-2021 fiscal biennium only on the Interstate 405 roadway between Renton and Bellevue.

(6) \$5,000,000 of the motor vehicle account-state appropriation is provided solely for a contingency pool for snow and ice removal. The department must notify the office of financial management and the transportation committees of the legislature when they have spent the base budget for snow and ice removal and will begin using the contingency pool funding.

(7) \$1,025,000 of the motor vehicle account-state appropriation is provided solely for the department to implement safety improvements and debris clean up on department-owned rights-of-way in the city of Seattle at levels above that being implemented as of January 1, 2019. The department must contract out or hire a crew dedicated solely to collecting and disposing of garbage, clearing debris or hazardous material, and implementing safety improvements where hazards exist to the traveling public, department employees, or people encamped upon department-owned rights-of-way. The department may request assistance from the Washington state patrol as necessary in order for both agencies to provide enhanced safety-related activities regarding the emergency hazards along state highway rights-of-way in the Seattle area.

(8) \$1,015,000 of the motor vehicle account-state appropriation is provided solely for a partnership program between the department and the city of Tacoma. The program shall address the safety and public health problems created by homeless encampments on the department's property along state highways within the city limits. \$570,000 is for dedicated department maintenance staff and associated clean-up costs. The department and the city of Tacoma shall enter into a reimbursable agreement to cover up to \$445,000 of the city's expenses for clean-up crews and landfill costs.

(9) The department must commence a pilot program for the 2019-2021 fiscal biennium at the four highest demand safety rest areas to create and maintain an online calendar for volunteer groups to check availability of weekends for the free coffee program. The calendar must be updated at least weekly and show dates and times that are, or are not, available to participate in the free coffee program. The department must submit a report to the legislature on the ongoing pilot by December 1, 2020, outlining the costs and benefits of the online calendar pilot, and including surveys from the volunteer groups and agency staff to determine its effectiveness.

Sec. 916. 2020 c 219 s 216 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—
TRAFFIC OPERATIONS—PROGRAM Q—OPERATING**

Motor Vehicle Account-State Appropriation	((\$76,211,000))
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\$73,219,000

Motor Vehicle Account-Federal Appropriation	\$2,050,000
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Motor Vehicle Account-Private/Local Appropriation	\$250,000
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State Route Number 520 Corridor Account-State	
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Appropriation	((\$53,000))
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\$49,000

Tacoma Narrows Toll Bridge Account- State Appropriation	((\$31,000))
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\$40,000

Alaskan Way Viaduct Replacement Project Account-	
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State Appropriation	((\$26,000))
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\$32,000

Interstate 405 and State Route Number
167 Express

Toll Lanes Account—State Appropriation
(~~(\$32,000)~~)

\$21,000

TOTAL APPROPRIATION
(~~(\$78,653,000)~~)

\$75,661,000

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

(1) \$6,000,000 of the motor vehicle account-state appropriation is provided solely for low-cost enhancements. The department shall give priority to low-cost enhancement projects that improve safety or provide congestion relief. By December 15th of each odd-numbered year, the department shall provide a report to the legislature listing all low-cost enhancement projects completed in the prior fiscal biennium.

(2)(a) During the 2019-2021 fiscal biennium, the department shall continue a pilot program that expands private transportation providers' access to high occupancy vehicle lanes. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, the following vehicles must be authorized to use the reserved portion of the highway if the vehicle has the capacity to carry eight or more passengers, regardless of the number of passengers in the vehicle: (i) Auto transportation company vehicles regulated under chapter 81.68 RCW; (ii) passenger charter carrier vehicles regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; (iii) private nonprofit transportation provider vehicles regulated under chapter 81.66 RCW; and (iv) private employer transportation service vehicles. For purposes of this subsection, "private employer transportation service" means regularly scheduled, fixed-route transportation service that is offered by an employer for the benefit of its employees. Nothing in this subsection is intended to authorize the conversion of public infrastructure to private, for-profit purposes or to otherwise create an

entitlement or other claim by private users to public infrastructure.

(b) The department shall expand the high occupancy vehicle lane access pilot program to vehicles that deliver or collect blood, tissue, or blood components for a blood-collecting or distributing establishment regulated under chapter 70.335 RCW. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, blood-collecting or distributing establishment vehicles that are clearly and identifiably marked as such on all sides of the vehicle are considered emergency vehicles and must be authorized to use the reserved portion of the highway.

(c) The department shall expand the high occupancy vehicle lane access pilot program to organ transport vehicles transporting a time urgent organ for an organ procurement organization as defined in RCW 68.64.010. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, organ transport vehicles that are clearly and identifiably marked as such on all sides of the vehicle are considered emergency vehicles and must be authorized to use the reserved portion of the highway.

(d) The department shall expand the high occupancy vehicle lane access pilot program to private, for hire vehicles regulated under chapter 81.72 RCW that have been specially manufactured, designed, or modified for the transportation of a person who has a mobility disability and uses a wheelchair or other assistive device. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, wheelchair-accessible taxicabs that are clearly and identifiably marked as such on all sides of the vehicle are considered public transportation vehicles and must be authorized to use the reserved portion of the highway.

(e) Nothing in this subsection (2) is intended to exempt these vehicles from paying tolls when they do not meet the occupancy requirements established by the department for express toll lanes.

(3) When regional transit authority construction activities are visible from a state highway, the department shall allow the regional transit authority to place safe and appropriate signage

informing the public of the purpose of the construction activity.

(4) The department must make signage for low-height bridges a high priority.

(5) (~~(\$32,000)~~) \$21,000 of the Interstate 405 and state route number 167 express toll lanes account-state appropriation, (~~(\$53,000)~~) \$49,000 of the state route number 520 corridor account-state appropriation, (~~(\$31,000)~~) \$40,000 of the Tacoma Narrows toll bridge account-state appropriation, and (~~(\$26,000)~~) \$32,000 of the Alaskan Way viaduct replacement project account-state appropriation are provided solely for the traffic operations program's proportional share of time spent supporting tolling operations for the respective tolling facilities.

Sec. 917. 2020 c 219 s 217 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION-TRANSPORTATION MANAGEMENT AND SUPPORT-PROGRAM S

Motor Vehicle Account-State
Appropriation (~~(\$38,251,000)~~)

\$35,914,000

Motor Vehicle Account-Federal
Appropriation \$1,380,000

Motor Vehicle Account-Private/Local
Appropriation \$500,000

Multimodal Transportation Account-State
Appropriation \$1,129,000

State Route Number 520 Corridor
Account-State
Appropriation (~~(\$199,000)~~)
\$185,000

Tacoma Narrows Toll Bridge Account-State
Appropriation (~~(\$116,000)~~)
\$150,000

Alaskan Way Viaduct Replacement
Project Account-State
Appropriation (~~(\$100,000)~~)
\$121,000

Interstate 405 and State Route Number
167 Express

Toll Lanes Account-State Appropriation
(~~(\$119,000)~~)
\$78,000

TOTAL APPROPRIATION
(~~(\$41,794,000)~~)
\$39,457,000

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

(1) \$2,000,000 of the motor vehicle account-state appropriation is provided solely for a grant program that makes awards for the following: (a) Support for nonprofit agencies, churches, and other entities to help provide outreach to populations underrepresented in the current apprenticeship programs; (b) preapprenticeship training; and (c) child care, transportation, and other supports that are needed to help women, veterans, and minorities enter and succeed in apprenticeship. The department must report on grants that have been awarded and the amount of funds disbursed by December 1st each year. If moneys are provided in the omnibus operating appropriations act for a career connected learning grant program, defined in chapter . . . (Substitute House Bill No. 1336), Laws of 2019, or otherwise, the amount provided in this subsection lapses.

(2) \$150,000 of the motor vehicle account-state appropriation is provided solely for a user-centered and mobile-compatible web site redesign using estimated web site ad revenues.

(3) From the revenues generated by the five dollar per studded tire fee under RCW 46.37.427, \$250,000 of the motor vehicle account-state appropriation is provided solely for the department, in consultation with the appropriate local jurisdictions and relevant stakeholder groups, to establish a pilot media-based public information campaign regarding the damage of studded tire use on state and local roadways in Whatcom county, and to continue the existing pilot information campaign in Spokane county. The reason for the geographic selection of Spokane and Whatcom counties is based on the high utilization of studded tires in these jurisdictions. The public information campaigns must primarily focus on making the consumer aware of the safety implications for other drivers, road deterioration, financial impact for taxpayers, and, secondarily, the alternatives to studded tires. The Whatcom county pilot media-based public information campaign must begin by September 1, 2020. By January 14, 2021,

the department must provide the transportation committees of the legislature an update on the Spokane and Whatcom county pilot media-based public information campaigns.

(4) (~~(\$119,000)~~) \$78,000 of the Interstate 405 and state route number 167 express toll lanes account-state appropriation, (~~(\$199,000)~~) \$185,000 of the state route number 520 corridor account-state appropriation, (~~(\$116,000)~~) \$150,000 of the Tacoma Narrows toll bridge account-state appropriation, and (~~(\$100,000)~~) \$121,000 of the Alaskan Way viaduct replacement project account-state appropriation are provided solely for the transportation management and support program's proportional share of time spent supporting tolling operations for the respective tolling facilities.

Sec. 918. 2020 c 219 s 218 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—TRANSPORTATION PLANNING, DATA, AND RESEARCH—PROGRAM T

Interstate 405 and State Route Number 167 Express Toll Lanes

Account-State	Appropriation
((\$3,123,000))	
	<u>\$121,000</u>

Motor Vehicle	Account-State
Appropriation	((\$26,587,000))
	<u>\$24,053,000</u>

Motor Vehicle	Account-Federal
Appropriation	((\$35,385,000))
	<u>\$32,508,000</u>

Motor Vehicle Account-Private/Local
Appropriation \$1,200,000

Multimodal Transportation	Account-State
Appropriation	\$710,000

Multimodal Transportation	Account-Federal
Appropriation	\$2,809,000

Multimodal Transportation	Account-Private/Local
Appropriation	\$100,000

State Route Number 520	Corridor
Account-State	
Appropriation	((\$763,000))
	<u>\$150,000</u>

(~~Tacoma Narrows Toll Bridge Account—State Appropriation \$121,000~~)

(~~Alaskan Way Viaduct Replacement Project Account—~~)

(~~State Appropriation \$104,000~~)

TOTAL	APPROPRIATION
((\$70,902,000))	
	<u>\$61,651,000</u>

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

(1) \$130,000 of the motor vehicle account-state appropriation is provided solely for completion of a corridor study to identify potential improvements between exit 116 and exit 99 of Interstate 5. The study should further develop mid- and long-term strategies from the corridor sketch, and identify potential US 101/I-5 interchange improvements, a strategic plan for the Nisqually River bridges, regional congestion relief options, and ecosystem benefits to the Nisqually River estuary for salmon productivity and flood control.

(2) The study on state route number 518 referenced in section 218(5), chapter 297, Laws of 2018 must be submitted to the transportation committees of the legislature by November 30, 2019.

(3) \$100,000 of the motor vehicle account-state appropriation is provided solely to complete the Tacoma mall direct access feasibility study.

(4) (~~(\$4,600,000)~~) \$673,000 of the motor vehicle account-federal appropriation is provided solely to complete the road usage charge pilot project overseen by the transportation commission using the remaining unspent amount of the federal grant award. The purpose of the road usage charge pilot project is to explore the viability of a road usage charge as a possible replacement for the gas tax.

(5) \$1,050,000 of the motor vehicle account-federal appropriation is provided solely for the Forward Drive road usage charge research project overseen by the transportation commission using a portion of the amount of the federal grant award. The purpose of the Forward Drive road usage charge research project is to advance research in key policy areas related to road usage charge including assessing impacts of

future mobility shifts on road usage charge revenues, conducting an equity analysis, updating and assessing emerging mileage reporting methods, determining opportunities to reduce cost of collection, conducting small-scale pilot tests, and identifying a long-term, detailed phase-in plan.

~~((\$3,000,000))~~ (6) \$121,000 of the Interstate 405 and state route number 167 express toll lanes account-state appropriation is provided solely for updating the state route number 167 master plan. If chapter 421, Laws of 2019 (addressing tolling) is not enacted by June 30, 2019, the amount provided in this subsection lapses.

~~((\$123,000 of the Interstate 405 and state route number 167 express toll lanes account-state appropriation, \$207,000 of the state route number 520 corridor account-state appropriation, \$121,000 of the Tacoma Narrows toll bridge account-state appropriation, and \$104,000 of the Alaskan Way viaduct replacement project account-state appropriation are provided solely for the transportation planning, data, and research program's proportional share of time spent supporting tolling operations for the respective tolling facilities.))~~

(7) By December 31, 2020, the department shall provide to the governor and the transportation committees of the legislature a report examining the feasibility of doing performance-based evaluations for projects. The department must incorporate feedback from stakeholder groups, including traditionally underserved and historically disadvantaged populations, and the report shall include the project evaluation procedures that would be used for the performance-based evaluation.

(8) ~~((\$556,000))~~ \$150,000 of the state route number 520 corridor account-state appropriation is provided solely for the department to contract with the University of Washington department of mechanical engineering, to study measures to reduce noise impacts from the state route number 520 bridge expansion joints. The field testing shall be scheduled during existing construction, maintenance, or other scheduled closures to minimize impacts. The testing must also ensure safety of the traveling public. The study shall examine testing methodologies and project timelines and costs. A final report must be submitted to the transportation committees of the

legislature and the governor by ~~((December))~~ March 1, ((2021)) 2022.

(9) \$5,900,000 of the motor vehicle account-federal appropriation and \$400,000 of the motor vehicle account-private/local appropriation are provided solely for delivery of the department's state planning and research work program and pooled fund research projects, provided that the department may not expend any amounts provided in this section on a long-range plan or corridor scenario analysis for I-5 from Tumwater to Marysville. This is not intended to reference or impact: The existing I-5 corridor from Mounts road to Tumwater design and operations alternatives analysis; design studies related to HOV lanes or operations; or where it is necessary to continue design and operations analysis related to projects already under development.

Sec. 919. 2020 c 219 s 219 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION-
CHARGES FROM OTHER AGENCIES-PROGRAM U**

Motor Vehicle Account-State
Appropriation ~~((\$79,474,000))~~

\$82,467,000

Multimodal Transportation Account-
State

Appropriation \$2,833,000

Interstate 405 and State Route Number
167 Express

Toll Lanes Account-State Appropriation
~~((\$122,000))~~

\$9,000

State Route Number 520 Corridor
Account-State

Appropriation ~~((\$205,000))~~

\$22,000

Tacoma Narrows Toll Bridge Account-
State

Appropriation ~~((\$120,000))~~

\$17,000

Alaskan Way Viaduct Replacement
Project Account-State

Appropriation ~~((\$102,000))~~

\$14,000

TOTAL APPROPRIATION
 ((~~\$82,856,000~~)
\$85,362,000

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

(1) Consistent with existing protocol and practices, for any negotiated settlement of a claim against the state for the department that exceeds five million dollars, the department, in conjunction with the attorney general and the department of enterprise services, shall notify the director of the office of financial management and the transportation committees of the legislature.

(2) Beginning October 1, 2019, and quarterly thereafter, the department, in conjunction with the attorney general and the department of enterprise services, shall provide a report with judgments and settlements dealing with the Washington state ferry system to the director of the office of financial management and the transportation committees of the legislature. The report must include information on: (a) The number of claims and settlements by type; (b) the average claim and settlement by type; (c) defense costs associated with those claims and settlements; and (d) information on the impacts of moving legal costs associated with the Washington state ferry system into the statewide self-insurance pool.

(3) Beginning October 1, 2019, and quarterly thereafter, the department, in conjunction with the attorney general and the department of enterprise services, shall provide a report with judgments and settlements dealing with the nonferry operations of the department to the director of the office of financial management and the transportation committees of the legislature. The report must include information on: (a) The number of claims and settlements by type; (b) the average claim and settlement by type; and (c) defense costs associated with those claims and settlements.

(4) ((~~\$122,000~~)) \$9,000 of the Interstate 405 and state route number 167 express toll lanes account-state appropriation, ((~~\$205,000~~)) \$22,000 of the state route number 520 corridor account-state appropriation, ((~~\$120,000~~)) \$17,000 of the Tacoma Narrows toll bridge account-state appropriation, and ((~~\$102,000~~)) \$14,000 of the Alaskan Way viaduct replacement

project account-state appropriation are provided solely for the charges from other agencies' program's proportional share of supporting tolling operations for the respective tolling facilities.

(5) When the department identifies significant legal issues that have potential transportation budget implications, the department must initiate a briefing for appropriate legislative members or staff through the office of the attorney general and its legislative briefing protocol.

Sec. 920. 2020 c 219 s 220 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION-PUBLIC TRANSPORTATION-PROGRAM V

State Vehicle Parking Account-State
 Appropriation \$784,000

Regional Mobility Grant Program
 Account-State
 Appropriation ((~~\$88,698,000~~)
\$78,159,000

Rural Mobility Grant Program Account-State
 Appropriation \$32,223,000

Multimodal Transportation Account-State
 Appropriation ((~~\$122,355,000~~)
\$115,948,000

Multimodal Transportation Account-Federal
 Appropriation \$3,574,000

Multimodal Transportation Account-Local
 Appropriation \$100,000

TOTAL APPROPRIATION
 ((~~\$247,734,000~~)
\$230,788,000

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

(1) \$62,698,000 of the multimodal transportation account-state appropriation is provided solely for a grant program for special needs transportation provided by transit agencies and nonprofit providers of transportation. Of this amount:

(a) \$14,297,000 of the multimodal transportation account-state appropriation is provided solely for grants to nonprofit providers of special needs transportation. Grants for nonprofit providers must be based on need, including the availability of other providers of service in the area, efforts to coordinate trips among providers and riders, and the cost effectiveness of trips provided. Fuel type may not be a factor in the grant selection process.

(b) \$48,401,000 of the multimodal transportation account-state appropriation is provided solely for grants to transit agencies to transport persons with special transportation needs. To receive a grant, the transit agency must, to the greatest extent practicable, have a maintenance of effort for special needs transportation that is no less than the previous year's maintenance of effort for special needs transportation. Grants for transit agencies must be prorated based on the amount expended for demand response service and route deviated service in calendar year 2017 as reported in the "Summary of Public Transportation - 2017" published by the department of transportation. No transit agency may receive more than thirty percent of these distributions. Fuel type may not be a factor in the grant selection process.

(2) \$32,223,000 of the rural mobility grant program account-state appropriation is provided solely for grants to aid small cities in rural areas as prescribed in RCW 47.66.100. Fuel type may not be a factor in the grant selection process.

(3)(a) \$10,539,000 of the multimodal transportation account-state appropriation is provided solely for a vanpool grant program for: (i) Public transit agencies to add vanpools or replace vans; and (ii) incentives for employers to increase employee vanpool use. The grant program for public transit agencies will cover capital costs only; operating costs for public transit agencies are not eligible for funding under this grant program. Additional employees may not be hired from the funds provided in this section for the vanpool grant program, and supplanting of transit funds currently funding vanpools is not allowed. The department shall encourage grant applicants and recipients to leverage funds other than state funds.

Fuel type may not be a factor in the grant selection process.

(b) At least \$1,600,000 of the amount provided in this subsection must be used for vanpool grants in congested corridors.

(4) \$27,483,000 of the regional mobility grant program account-state appropriation is reappropriated and provided solely for the regional mobility grant projects identified in LEAP Transportation Document ((2020)) 2021-2 ALL PROJECTS as developed ((March 11, 2020)) April 23, 2021, Program - Public Transportation Program (V).

(5)(a) (~~(\$61,215,000)~~) \$50,676,000 of the regional mobility grant program account-state appropriation is provided solely for the regional mobility grant projects identified in LEAP Transportation Document ((2020)) 2021-2 ALL PROJECTS as developed ((March 11, 2020)) April 23, 2021, Program - Public Transportation Program (V). The department shall review all projects receiving grant awards under this program at least semiannually to determine whether the projects are making satisfactory progress. Any project that has been awarded funds, but does not report activity on the project within one year of the grant award, must be reviewed by the department to determine whether the grant should be terminated. The department shall promptly close out grants when projects have been completed, and any remaining funds must be used only to fund projects identified in the LEAP transportation document referenced in this subsection. The department shall provide annual status reports on December 15, 2019, and December 15, 2020, to the office of financial management and the transportation committees of the legislature regarding the projects receiving the grants. It is the intent of the legislature to appropriate funds through the regional mobility grant program only for projects that will be completed on schedule. A grantee may not receive more than twenty-five percent of the amount appropriated in this subsection. ~~((Additionally, when allocating funding for the 2021-2023 biennium, no more than thirty percent of the total grant program may directly benefit or support one grantee.))~~ The department shall not approve any increases or changes to the scope of a project for the purpose of a grantee expending remaining funds on an awarded

grant. Fuel type may not be a factor in the grant selection process.

(b) In order to be eligible to receive a grant under (a) of this subsection during the 2019-2021 fiscal biennium, a transit agency must establish a process for private transportation providers to apply for the use of park and ride facilities. For purposes of this subsection, (i) "private transportation provider" means: An auto transportation company regulated under chapter 81.68 RCW; a passenger charter carrier regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; a private nonprofit transportation provider regulated under chapter 81.66 RCW; or a private employer transportation service provider; and (ii) "private employer transportation service" means regularly scheduled, fixed-route transportation service that is offered by an employer for the benefit of its employees.

(6) Funds provided for the commute trip reduction (CTR) program may also be used for the growth and transportation efficiency center program.

(7) \$7,670,000 of the multimodal transportation account-state appropriation and \$784,000 of the state vehicle parking account-state appropriation are provided solely for CTR grants and activities. Fuel type may not be a factor in the grant selection process. Of this amount:

(a) \$1,000,000 of the multimodal transportation account-state appropriation is provided solely for the department to continue a pilot transit pass incentive program. Businesses and nonprofit organizations located in a county adjacent to Puget Sound with a population of more than seven hundred thousand that have never offered transit subsidies to employees are eligible to apply to the program for a fifty percent rebate on the cost of employee transit subsidies provided through the regional ORCA fare collection system. No single business or nonprofit organization may receive more than ten thousand dollars from the program.

(i) Businesses and nonprofit organizations may apply and be awarded funds prior to purchasing a transit subsidy, but the department may not provide reimbursement until proof of

purchase or a contract has been provided to the department.

(ii) The department shall update the transportation committees of the legislature on the impact of the program by January 31, 2020, and may adopt rules to administer the program.

(b) \$30,000 of the state vehicle parking account-state appropriation is provided solely for the STAR pass program for state employees residing in Mason and Grays Harbor Counties. Use of the pass is for public transportation between Mason County and Thurston County, and Grays Harbor and Thurston County. The pass may also be used within Grays Harbor County. The STAR pass commute trip reduction program is open to any state employee who expresses intent to commute to his or her assigned state worksite using a public transit system currently participating in the STAR pass program.

(c) (~~(\$1,000,000)~~) \$200,000 of the multimodal transportation account-state appropriation is provided solely for a first mile/last mile connections grant program. Eligible grant recipients include cities, businesses, nonprofits, and transportation network companies with first mile/last mile solution proposals. Transit agencies are not eligible. The commute trip reduction board shall develop grant parameters, evaluation criteria, and evaluate grant proposals. The commute trip reduction board shall provide the transportation committees of the legislature a report on the effectiveness of this grant program and best practices for continuing the program.

(8) Except as provided otherwise in this subsection, (~~(\$33,370,000)~~) \$32,008,000 of the multimodal transportation account-state appropriation is provided solely for connecting Washington transit projects identified in LEAP Transportation Document ((~~2020~~) 2021-2 ALL PROJECTS as developed ((~~March 11, 2020~~) April 23, 2021). It is the intent of the legislature that entities identified to receive funding in the LEAP document referenced in this subsection receive the amounts specified in the time frame specified in that LEAP document. If an entity has already completed a project in the LEAP document referenced in this subsection before the time frame identified, the entity may substitute another transit project or projects that cost a similar or lesser amount.

(9) \$1,000,000 of the multimodal transportation account-state appropriation is provided solely for transit coordination grants. Fuel type may not be a factor in the grant selection process.

(10) The department shall not require more than a ten percent match from nonprofit transportation providers for state grants.

(11) (a) For projects funded as part of the 2015 connecting Washington transportation package listed on the LEAP transportation document identified in subsection (4) of this section, if the department expects to have substantial reappropriations for the 2021-2023 fiscal biennium, the department may, on a pilot basis, apply funding from a project with an appropriation that cannot be used for the current fiscal biennium to advance one or more of the following projects:

(i) King County Metro - RapidRide Expansion, Burien-Delridge (G2000031);

(ii) King County Metro - Route 40 Northgate to Downtown (G2000032);

(iii) Mason Transit Park & Ride Development (G2000042); or

(iv) Pierce Transit - SR 7 Express Service (G2000045).

(b) At least ten business days before advancing a project pursuant to this subsection, the department must notify the office of financial management and the transportation committees of the legislature. The advancement of a project may not hinder the delivery of the projects for which the reappropriations are necessary for the 2021-2023 fiscal biennium.

(c) To the extent practicable, the department shall use the flexibility and authority granted in this section to minimize the amount of reappropriations needed each biennium.

(12) \$750,000 of the multimodal transportation account-state appropriation is provided solely for Intercity Transit for the Dash shuttle program.

(13) (a) \$485,000 of the multimodal transportation account-state appropriation is provided solely for King county for:

(i) An expanded pilot program to provide certain students in the Highline,

Tukwila, and Lake Washington school districts with an ORCA card during these school districts' summer vacations. In order to be eligible for an ORCA card under this program, a student must also be in high school, be eligible for free and reduced-price lunches, and have a job or other responsibility during the summer; and

(ii) Providing administrative support to other interested school districts in King county to prepare for implementing similar programs for their students.

(b) King county must provide a report to the department and the transportation committees of the legislature by December 15, 2021, regarding:

(i) The annual student usage of the pilot program;

(ii) Available ridership data;

(iii) A cost estimate, including a detailed description of the various expenses leading to the cost estimate, and any other factors relevant to expanding the program to other King county school districts;

(iv) A cost estimate, including a detailed description of the various expenses leading to the cost estimate, and any other factors relevant to expanding the program to student populations other than high school or eligible for free and reduced-price lunches;

(v) Opportunities for subsidized ORCA cards or local grant or matching funds; and

(vi) Any additional information that would help determine if the pilot program should be extended or expanded.

(14) (~~(\$12,000,000)~~) \$7,007,000 of the multimodal transportation account-state appropriation is provided solely for the green transportation capital grant program established in chapter 287, Laws of 2019 (advancing green transportation adoption).

(15) \$555,000 of the multimodal transportation account-state appropriation is provided solely for an interagency transfer to the Washington State University extension energy program to establish and administer a technical assistance and education program for public agencies on the use of alternative fuel vehicles.

~~((17))~~ (16) The appropriations in this section include savings due to anticipated project underruns; however, it is unknown which projects will provide savings. The legislature intends to provide sufficient flexibility for the department to manage to this savings target. To provide this flexibility, the office of financial management may authorize, through an allotment modification, reductions in the appropriated amounts that are provided solely for a particular purpose within this section subject to the following conditions and limitations:

(a) No allotment modifications may be made to amounts provided solely for the special needs transportation grant program;

(b) The department must confirm that any modification requested under this subsection of amounts provided solely for a specific purpose are not expected to be used for that purpose in this biennium;

(c) Allotment modifications authorized under this subsection may not result in increased funding for any project beyond the amount provided for that project in the 2019-2021 fiscal biennium in LEAP Transportation Document ~~((2020))~~ 2021-2 ALL PROJECTS as developed ~~((March 11, 2020))~~ April 23, 2021;

(d) Allotment modifications authorized under this subsection apply only to amounts appropriated in this section from the multimodal transportation account-state; and

(e) By December 1, 2020, the department must submit a report to the transportation committees of the legislature regarding the actions taken under this subsection.

~~((18))~~ (17)(a) The Washington state department of transportation public transportation division, working with the Thurston regional planning council, shall provide state agency management, the office of financial management, and the transportation committees of the legislature with results of their regional mobility grant program demonstration project I-5/US 101 Practical Solutions: State Capitol Campus Transportation Demand Management - Mobile Work. This includes reporting after the 2020 legislative session on the measurable results of an early pilot initiative, "Telework Tuesday," beginning in January 2020.

(b) Capitol campus state agency management is directed to fully participate in this work, which aims to reduce greenhouse gases, require less office space and parking investments; provide low cost congestion relief on I-5 during peak periods, US 101, and the local transportation network; and improve retention and recruitment of public employees. The agencies should actively: Encourage employees qualified to telework to participate in this program and increase the number of employees who qualify for mobile work and schedule shifts.

(c) If measurable success is achieved, the capitol campus state agencies shall provide options to expand the project to other jurisdictions concentrated with large employers. Expansion and encouragement of telework will help reduce demand on the transportation system, reduce traffic during peak hours, and reduce greenhouse gas emissions.

Sec. 921. 2020 c 219 s 221 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—MARINE—PROGRAM X

Motor	Vehicle	Account—State
Appropriation \$250,000		
Puget Sound Ferry Operations Account—State		
Appropriation		((545,997,000))
		<u>\$486,710,000</u>
Puget Sound Ferry Operations Account—Federal		
Appropriation		((7,932,000))
		<u>\$47,169,000</u>
Puget Sound Ferry Operations Account—Private/Local		
Appropriation		\$121,000
TOTAL		APPROPRIATION
		((554,300,000))
		<u>\$534,250,000</u>

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

(1) The office of financial management budget instructions require agencies to recast enacted budgets into activities. The Washington state ferries shall include a greater level of detail in its 2019-2021 supplemental and 2021-2023

omnibus transportation appropriations act requests, as determined jointly by the office of financial management, the Washington state ferries, and the transportation committees of the legislature. This level of detail must include the administrative functions in the operating as well as capital programs.

(2) For the 2019-2021 fiscal biennium, the department may enter into a distributor controlled fuel hedging program and other methods of hedging approved by the fuel hedging committee, which must include a representative of the department of enterprise services.

(3) (~~(\$73,161,000)~~) \$67,052,000 of the Puget Sound ferry operations account-state appropriation is provided solely for auto ferry vessel operating fuel in the 2019-2021 fiscal biennium, which reflect cost savings from a reduced biodiesel fuel requirement and, therefore, is contingent upon the enactment of section 703, chapter 416, Laws of 2019. The amount provided in this subsection represents the fuel budget for the purposes of calculating any ferry fare fuel surcharge. The department shall review future use of alternative fuels and dual fuel configurations, including hydrogen.

(4) \$650,000 of the Puget sound ferry operations account-state appropriation is provided solely for increased staffing at Washington ferry terminals to meet increased workload and customer expectations. Within the amount provided in this subsection, the department shall contract with uniformed officers for additional traffic control assistance at the Kingston ferry terminal during peak ferry travel times, with a particular focus on Sundays and holiday weekends. Traffic control methods should include, but not be limited to, holding traffic on the shoulder at Lindvog Road until space opens for cars at the tollbooths and dock, and management of traffic on Highway 104 in order to ensure Kingston residents and business owners have access to businesses, roads, and driveways.

(5) \$254,000 of the Puget Sound ferry operations account-state appropriation is provided solely for a dedicated inventory logistics manager on a one-time basis.

(6) \$500,000 of the Puget Sound ferry operations account-state appropriation is provided solely for operating costs

related to moving vessels for emergency capital repairs. Funds may only be spent after approval by the office of financial management.

(7) By January 1, 2020, the ferries division must submit a workforce plan for reducing overtime due to shortages of staff available to fill vacant crew positions. The plan must include numbers of crew positions being filled by staff working overtime, strategies for filling these positions with straight time employees, progress toward implementing those strategies, and a forecast for when overtime expenditures will return to historical averages.

(8) \$160,000 of the Puget Sound ferry operations account-state appropriation is provided solely for a ferry fleet baseline noise study, conducted by a consultant, for the purpose of establishing plans and data-driven goals to reduce ferry noise when Southern resident orca whales are present. In addition, the study must establish prioritized strategies to address vessels serving routes with the greatest exposure to orca whale movements.

(9)(a) \$250,000 of the motor vehicle account-state appropriation is provided solely for the department, in consultation with the Washington state transportation center, to develop a plan for service on the triangle route with a goal of providing maximum sailings moving the most passengers to all stops in the least travel time, including waits between sailings, within budget and resource constraints.

(b) The Washington state transportation center must use new traffic management models and scheduling tools to examine proposed improvements for the triangle route. The department shall report to the standing transportation committees of the legislature by January 15, 2021. The report must include:

(i) Implementation and status of data collection, modeling, scheduling, capital investments, and procedural improvements to allow Washington state ferries to schedule more sailings to and from all stops on the triangle route with minimum time between sailings;

(ii) Recommendations for emergency boat allocations, regular schedule policies, and emergency schedule policies based on all customers alternative travel options to ensure that

any dock with no road access is prioritized in scheduling and scheduled service is provided based on population size, demographics, and local medical services;

(iii) Triangle route pilot economic analysis of Washington state ferries fare revenue and fuel cost impact of offering additional, better spaced sailings;

(iv) Results of an economic analysis of the return on investment of potentially acquiring and using traffic control infrastructure, technology, walk on loading bridges, and Good-to-Go and ORCA replacement of current fare sales, validation, collections, accounting, and all associated labor and benefits costs that can be saved via those capital investments; and

(v) Recommendation on policies, procedures, or agency interpretations of statute that may be adopted to mitigate any delays or disruptions to scheduled sailings.

(10) \$15,139,000 of the Puget Sound ferry operations account-state appropriation is provided solely for training. Of the amount provided in this subsection:

(a) \$2,500,000 is for training for new employees.

(b) \$160,000 is for electronic chart display and information system training.

(c) \$379,000 is for marine evacuation slide training.

(11) \$1,600,000 of the Puget Sound ferry operations account-state appropriation is provided solely for naval architecture staff support for the marine maintenance program.

(12) \$336,000 of the Puget Sound ferry operations account-state appropriation is provided solely for inspections of fall restraint systems.

(13) \$4,361,000 of the Puget Sound ferry operations account-state appropriation is provided solely for overtime expenses incurred by engine and deck crew members.

(14) \$1,200,000 of the Puget Sound ferry operations account-state appropriation is provided solely for familiarization for new assignments of engine crew and terminal staff.

(15) \$100,000 of the Puget Sound ferry operations account-state appropriation

is provided solely to develop a plan for upgrading a second vessel to meet the international convention for the safety of life at sea standards. The plan must identify the option with the lowest impacts to sailing schedules.

(16) The department must request reimbursement from the federal transit administration for the maximum amount of ferry operating expenses eligible for reimbursement under federal law.

Sec. 922. 2020 c 219 s 222 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION-RAIL-PROGRAM Y-OPERATING

Multimodal Transportation Account-State

Appropriation ((~~\$70,244,000~~))

\$45,883,000

Multimodal Transportation Account-Private/Local

Appropriation \$717,000

~~((Multimodal Transportation Account-Federal~~

~~Appropriation \$500,000))~~

TOTAL APPROPRIATION
(~~\$71,461,000~~)

\$46,600,000

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

(1)(a)(i) \$224,000 of the multimodal transportation account-state appropriation and \$671,000 of the multimodal transportation account-private/local appropriation are provided solely for continued analysis of the ultra high-speed ground transportation corridor in a new study, with participation from Washington, Oregon, and British Columbia. No funds may be expended until the department is in receipt of \$671,000 in private/local funding provided solely for this purpose.

(ii) The ultra high-speed ground transportation corridor advisory group must include legislative membership.

(iii) "Ultra high-speed" means a maximum testing speed of at least two hundred fifty miles per hour.

(b) The study must consist of the following:

(i) Development of proposed corridor governance, general powers, operating structure, legal instruments, and contracting requirements, in the context of the roles of relevant jurisdictions, including federal, state, provincial, and local governments;

(ii) Development of a long-term funding and financing strategy for project initiation, development, construction, and program administration of the high-speed corridor, building on the funding and financing chapter of the 2019 business case analysis and aligned with the recommendations of (b)(i) of this subsection; and

(iii) Development of recommendations for a department-led ultra-high speed corridor engagement plan for policy leadership from elected officials.

(c) This study must build on the results of the 2018 Washington state ultra high-speed ground transportation business case analysis and the 2019 Washington state ultra high-speed ground transportation study findings report. The department shall consult with the transportation committees of the legislature regarding all issues related to proposed corridor governance.

(d) The development work referenced in (b) of this subsection is intended to identify and make recommendations related to specific entities, including interjurisdictional entities, policies, and processes required for the purposes of furthering preliminary analysis efforts for the ultra high-speed ground transportation corridor. This development work is not intended to authorize one or more entities to assume decision making authority for the design, construction, or operation of an ultra high-speed rail corridor.

(e) By December 1, 2020, the department shall provide to the governor and the transportation committees of the legislature a report of the study's findings regarding the three elements noted in this subsection. As applicable, the report should also be sent to the executive and legislative branches of government in the state of Oregon and appropriate government bodies in the province of British Columbia.

(2) The department is directed to continue to pursue efforts to reduce costs, increase ridership, and review Amtrak Cascades fares and fare schedules. Within thirty days of each annual

cost/revenue reconciliation under the Amtrak service contract, the department shall report annual credits to the office of financial management and the legislative transportation committees. Annual credits from Amtrak to the department including, but not limited to, credits due to higher ridership, reduced level of service, and fare or fare schedule adjustments, must be used to offset corresponding amounts of the multimodal transportation account—state appropriation, which must be placed in reserve.

Sec. 923. 2020 c 219 s 223 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—OPERATING

Motor Vehicle Account—State Appropriation	(\$12,187,000)
<u>\$11,854,000</u>	
Motor Vehicle Account—Federal Appropriation	\$2,567,000
Multiuse Roadway Safety Account—State Appropriation	\$450,000
Multimodal Transportation Account— State Appropriation	\$350,000
TOTAL APPROPRIATION	(\$15,554,000)
<u>\$15,221,000</u>	

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

(1) \$350,000 of the multimodal transportation account—state appropriation is provided solely for a study by the Puget Sound regional council of new passenger ferry service to better connect communities throughout the twelve county Puget Sound region. The study must assess potential new routes, identify future terminal locations, and provide recommendations to accelerate the electrification of the ferry fleet. The study must identify future passenger only demand throughout Western Washington, analyze potential routes and terminal locations on Puget Sound, Lake Washington, and Lake Union with an emphasis on preserving waterfront opportunities in public ownership and opportunities for partnership. The study must determine whether and when the passenger ferry service achieves a net

reduction in carbon emissions including an analysis of the emissions of modes that passengers would otherwise have used. The study must estimate capital and operating costs for routes and terminals. The study must include early and continuous outreach with all interested stakeholders and a report to the legislature and all interested parties by January 31, 2021.

(2) \$1,142,000 of the motor vehicle account-state appropriation is provided solely for the department, from amounts set aside out of statewide fuel taxes distributed to counties according to RCW 46.68.120(3), to contract with the Washington state association of counties to:

(a) In coordination with stakeholders, identify county-owned fish passage barriers, with priority given to barriers that share the same stream system as state-owned fish passage barriers. The study must identify, map, and provide a preliminary assessment of county-owned barriers that need correction, and provide, where possible, preliminary costs estimates for each barrier correction. The study must provide recommendations on:

(i) How to prioritize county-owned barriers within the same stream system of state-owned barriers in the current six-year construction plan to maximize state investment; and

(ii) How future state six-year construction plans should incorporate county-owned barriers;

(b) Update the local agency guidelines manual, including exploring alternatives within the local agency guidelines manual on county priorities;

(c) Study the current state of county transportation funding, identify emerging issues, and identify potential future alternative transportation fuel funding sources to meet current and future needs.

(3) The entire multiuse roadway safety account-state appropriation is provided solely for grants under RCW 46.09.540, subject to the following limitations:

(a) Twenty-five percent of the amounts provided are reserved for counties that each have a population of fifteen thousand persons or less;

(b)(i) Seventy-five percent of the amounts provided are reserved for

counties that each have a population exceeding fifteen thousand persons; and

(ii) No county that receives a grant or grants under (b) of this subsection may receive more than sixty thousand dollars in total grants.

(4) \$280,000 of the motor vehicle account-state appropriation is provided solely for Wahkiakum county for operation of the ferry between Puget Island and Westport, Oregon. These funds are provided outside the existing continuing agreement described in RCW 47.56.720, are not appropriated for that purpose, and therefore do not constitute payments under the agreement.

TRANSPORTATION AGENCIES-CAPITAL

Sec. 1001. 2020 c 219 s 301 (uncodified) is amended to read as follows:

FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD

Freight Mobility Investment Account-State

Appropriation ~~((\$23,015,000))~~
\$17,344,000

Highway Safety Account-State
 Appropriation \$81,000

Motor Vehicle Account-State
 Appropriation ~~((\$4,907,000))~~
\$3,165,000

Freight Mobility Multimodal Account-State

Appropriation ~~((\$4,992,000))~~
\$4,454,000

Motor Vehicle Account-Federal
 Appropriation \$1,899,000

Freight Mobility Multimodal Account-Private/Local

Appropriation \$1,250,000

TOTAL APPROPRIATION
~~((\$36,144,000))~~
\$28,193,000

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

(1) Except as otherwise provided in this section, the entire appropriations in this section are provided solely for the projects by amount, as listed in the LEAP Transportation Document ~~((2020-3 as~~

~~developed March 11, 2020, Conference FMSIB Project List)) 2021-2 ALL PROJECTS as developed April 23, 2021, Freight Mobility Strategic Investment Board (FMSIB).~~

(2) Until directed by the legislature, the board may not initiate a new call for projects. By January 1, 2020, the board must report to the legislature on alternative proposals to revise its project award and obligation process, which result in lower reappropriations.

~~((4))~~ (3) It is the intent of the legislature to continue to make strategic investments in a statewide freight mobility transportation system with the help of the freight mobility strategic investment board, including projects that mitigate the impact of freight movement on local communities.

Sec. 1002. 2020 c 219 s 302 (uncodified) is amended to read as follows:

FOR THE COUNTY ROAD ADMINISTRATION BOARD

Rural Arterial Trust Account-State Appropriation	((62,884,000))
	<u>\$51,184,000</u>
Motor Vehicle Account-State Appropriation	\$1,456,000
County Arterial Preservation Account-State Appropriation	\$39,590,000
TOTAL APPROPRIATION	((103,930,000))
	<u>\$92,230,000</u>

Sec. 1003. 2020 c 219 s 304 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION-FACILITIES-PROGRAM D-(DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)-CAPITAL

Motor Vehicle Account-State Appropriation	((51,187,000))
	<u>\$49,717,000</u>
Connecting Washington Account-State Appropriation	((51,523,000))
	<u>\$50,746,000</u>
TOTAL APPROPRIATION	((102,710,000))
	<u>\$100,463,000</u>

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

(1) ~~((51,523,000))~~ \$50,746,000 of the connecting Washington account-state appropriation is provided solely for a new Olympic region maintenance and administration facility to be located on the department-owned site at the intersection of Marvin Road and 32nd Avenue in Lacey, Washington.

(2) (a) ~~((43,297,000))~~ \$41,827,000 of the motor vehicle account-state appropriation is provided solely for the department facility located at 15700 Dayton Ave N in Shoreline. This appropriation is contingent upon the department of ecology signing a not less than twenty-year agreement to pay a share of any financing contract issued pursuant to chapter 39.94 RCW.

(b) Payments from the department of ecology as described in this subsection shall be deposited into the motor vehicle account.

(c) Total project costs are not to exceed ~~((46,500,000))~~ \$45,032,000.

(3) \$1,565,000 from the motor vehicle account-state appropriation is provided solely for furniture for the renovated Northwest Region Headquarters at Dayton Avenue. The department must efficiently furnish the renovated building.

Sec. 1004. 2020 c 219 s 305 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION-IMPROVEMENTS-PROGRAM I

Transportation Partnership Account-State Appropriation	((385,619,000))
	<u>\$395,679,000</u>
Motor Vehicle Account-State Appropriation	((102,543,000))
	<u>\$60,911,000</u>
Motor Vehicle Account-Federal Appropriation	((151,857,000))
	<u>\$156,148,000</u>
Motor Vehicle Account-Private/Local Appropriation	((70,404,000))
	<u>\$76,284,000</u>

Connecting Washington Account-State

appropriation are provided solely for the SR 99/Alaskan Way Viaduct Replacement project (809936Z). It is the intent of the legislature that the \$25,000,000 increase in funding provided in the 2021-2023 fiscal biennium be covered by any legal damages paid to the state as a result of a lawsuit related to contractual provisions for construction and delivery of the Alaskan Way viaduct replacement project. The legislature intends that the \$25,000,000 of the transportation partnership account-state funds be repaid when those damages are recovered.

(9) (~~(\$3,000,000)~~) \$2,667,000 of the multimodal transportation account-state appropriation is provided solely for transit mitigation for the SR 99/Viaduct Project - Construction Mitigation project (809940B).

(10) (~~(\$169,655,000)~~) \$148,097,000 of the connecting Washington account-state appropriation, \$1,052,000 of the special category C account-state appropriation, and (~~(\$738,000)~~) \$1,338,000 of the motor vehicle account-private/local appropriation are provided solely for the US 395 North Spokane Corridor project (M00800R).

(11) (~~(\$82,991,000)~~) \$29,187,000 of the Interstate 405 and state route number 167 express toll lanes account-state appropriation is provided solely for the I-405/SR 522 to I-5 Capacity Improvements project (L2000234) for activities related to adding capacity on Interstate 405 between state route number 522 and Interstate 5, with the goals of increasing vehicle throughput and aligning project completion with the implementation of bus rapid transit in the vicinity of the project.

(12) (a) (~~(\$422,099,000)~~) \$356,007,000 of the connecting Washington account-state appropriation and (~~(\$456,000)~~) \$400,000 of the motor vehicle account-private/local appropriation are provided solely for the SR 520 Seattle Corridor Improvements - West End project (M00400R).

(b) Recognizing that the department of transportation requires full possession of parcel number 1-23190 to complete the Montlake Phase of the West End project, the department is directed to:

(i) Work with the operator of the Montlake boulevard market located on parcel number 1-23190 to negotiate a lease allowing continued operations up to

January 1, 2020. After that time, the department shall identify an area in the vicinity of the Montlake property for a temporary market or other food service to be provided during the period of project construction. Should the current operator elect not to participate in providing that temporary service, the department shall then develop an outreach plan with the city to solicit community input on the food services provided, and then advertise the opportunity to other potential vendors. Further, the department shall work with the city of Seattle and existing permit processes to facilitate vendor access to and use of the area in the vicinity of the Montlake property.

(ii) Upon completion of the Montlake Phase of the West End project (current anticipated contract completion of 2023), WSDOT shall sell that portion of the property not used for permanent transportation improvements and initiate a process to convey that surplus property to a subsequent owner.

(c) \$60,000 of the motor vehicle account-state appropriation is provided solely for grants to nonprofit organizations located in a city with a population exceeding six hundred thousand persons and that empower artists through equitable access to vital expertise, opportunities, and business services. Funds may be used only for the purpose of preserving, commemorating, and sharing the history of the city of Seattle's freeway protests and making the history of activism around the promotion of more integrated transportation and land use planning accessible to current and future generations through the preservation of Bent 2 of the R. H. Thompson freeway ramp.

(13) It is the intent of the legislature that for the I-5 JBLM Corridor Improvements project (M00100R), the department shall actively pursue \$50,000,000 in federal funds to pay for this project to supplant state funds in the future. \$50,000,000 in connecting Washington account funding must be held in unallotted status during the 2021-2023 fiscal biennium. These funds may only be used after the department has provided notice to the office of financial management that it has exhausted all efforts to secure federal funds from the federal highway administration and the department of defense.

(14) (~~(\$310,469,000)~~) \$172,911,000 of the connecting Washington account-state appropriation (~~(is)~~), \$15,099,000 of the motor vehicle account-private/local appropriation, and \$1,500,000 of the motor vehicle account-federal appropriation are provided solely for the SR 167/SR 509 Puget Sound Gateway project (M00600R).

(a) Any savings on the project must stay on the Puget Sound Gateway corridor until the project is complete.

(b) Proceeds from the sale of any surplus real property acquired for the purpose of building the SR 167/SR 509 Puget Sound Gateway (M00600R) project must be deposited into the motor vehicle account for the purpose of constructing the project.

(c) In making budget allocations to the Puget Sound Gateway project, the department shall implement the project's construction as a single corridor investment. The department shall develop a coordinated corridor construction and implementation plan for state route number 167 and state route number 509 in collaboration with affected stakeholders. Specific funding allocations must be based on where and when specific project segments are ready for construction to move forward and investments can be best optimized for timely project completion. Emphasis must be placed on avoiding gaps in fund expenditures for either project.

(d) It is the legislature's intent that the department shall construct a full single-point urban interchange at the junction of state route number 161 (Meridian avenue) and state route number 167 and a full single-point urban interchange at the junction of state route number 509 and 188th Street. If the department receives additional funds from an outside source for this project after the base project is fully funded, the funds must first be applied toward the completion of these two full single-point urban interchanges.

(e) In designing the state route number 509/state route number 516 interchange component of the SR 167/SR 509 Puget Sound Gateway project (M00600R), the department shall make every effort to utilize the preferred "4B" design.

(f) The department shall explore the development of a multiuse trail for bicyclists, pedestrians, skateboarders,

and similar users along the SR 167 right-of-way acquired for the project to connect a network of new and existing trails from Mount Rainier to Point Defiance Park.

(g) If sufficient bonding authority to complete this project is not provided within chapter 421, Laws of 2019 (addressing tolling), or within a bond authorization act referencing chapter 421, Laws of 2019 by June 30, 2019, it is the intent of the legislature to return the Puget Sound Gateway project (M00600R) to its previously identified construction schedule by moving \$128,900,000 in connecting Washington account-state appropriation back to the 2027-2029 biennium from the 2023-2025 biennium on the list referenced in subsection (2) of this section. If sufficient bonding authority is provided, it is the intent of the legislature to advance the project to allow for earlier completion and inflationary savings.

(15) It is the intent of the legislature that, for the I-5/North Lewis County Interchange project (L2000204), the department develop and design the project with the objective of significantly improving access to the industrially zoned properties in north Lewis county. The design must consider the county's process of investigating alternatives to improve such access from Interstate 5 that began in March 2015.

(16) (~~(\$1,029,000)~~) \$1,030,000 of the transportation partnership account-state appropriation is provided solely for the U.S. 2 Trestle IJR project (L1000158).

(17) The department shall itemize all future requests for the construction of buildings on a project list and submit them through the transportation executive information system as part of the department's annual budget submittal. It is the intent of the legislature that new facility construction must be transparent and not appropriated within larger highway construction projects.

(18) Any advisory group that the department convenes during the 2019-2021 fiscal biennium must consider the interests of the entire state of Washington.

(19) The legislature finds that there are sixteen companies involved in wood preserving in the state that employ four hundred workers and have an annual

payroll of fifteen million dollars. Before the department's switch to steel guardrails, ninety percent of the twenty-five hundred mile guardrail system was constructed of preserved wood and one hundred ten thousand wood guardrail posts were produced annually for state use. Moreover, the policy of using steel posts requires the state to use imported steel. Given these findings, where practicable, and until June 30, 2021, the department shall include the design option to use wood guardrail posts, in addition to steel posts, in new guardrail installations. The selection of posts must be consistent with the agency design manual policy that existed before December 2009.

(20) (a) For connecting Washington projects that have already begun and are eligible for the authority granted in section 601 (~~(of this act)~~), chapter 219, Laws of 2020, the department shall prioritize advancing the following projects if expected reappropriations become available:

- (i) SR 14/I-205 to SE 164th Ave - Auxiliary Lanes (L2000102);
- (ii) SR 305 Construction - Safety Improvements (N30500R);
- (iii) SR 14/Bingen Underpass (L2220062);
- (iv) I-405/NE 132nd Interchange - Totem Lake (L1000110);
- (v) US Hwy 2 Safety (N00200R);
- (vi) US-12/Walla Walla Corridor Improvements (T20900R);
- (vii) I-5 JBLM Corridor Improvements (M00100R);
- (viii) I-5/Slater Road Interchange - Improvements (L1000099);
- (ix) SR 510/Yelm Loop Phase 2 (T32700R); or
- (x) SR 520/124th St Interchange (Design and Right of Way) (L1000098).

(b) To the extent practicable, the department shall use the flexibility and authority granted in this section and in section 601 of this act to minimize the amount of reappropriations needed each biennium.

(c) The advancement of a project may not hinder the delivery of the projects for which the reappropriations are

necessary for the 2021-2023 fiscal biennium.

(21) The legislature continues to prioritize the replacement of the state's aging infrastructure and recognizes the importance of reusing and recycling construction aggregate and recycled concrete materials in our transportation system. To accomplish Washington state's sustainability goals in transportation and in accordance with RCW 70.95.805, the legislature reaffirms its determination that recycled concrete aggregate and other transportation building materials are natural resource construction materials that are too valuable to be wasted and landfilled, and are a commodity as defined in WAC 173-350-100.

Further, the legislature determines construction aggregate and recycled concrete materials substantially meet widely recognized international, national, and local standards and specifications referenced in American society for testing and materials, American concrete institute, Washington state department of transportation, Seattle department of transportation, American public works association, federal aviation administration, and federal highway administration specifications, and are described as necessary and desirable products for recycling and reuse by state and federal agencies.

As these recyclable materials have well established markets, are substantially a primary or secondary product of necessary construction processes and production, and are managed as an item of commercial value, construction aggregate and recycled concrete materials are exempt from chapter 173-350 WAC.

(22) (a) (~~(\$17,500,000)~~) \$8,072,000 of the motor vehicle account-state appropriation (~~(+)~~) and \$7,329,000 of the motor vehicle account-private/local appropriation are provided solely for staffing of a project office (~~(to replace the Interstate 5 bridge across the Columbia river (G2000088))~~) for the I-5 Interstate Bridge Replacement project (L2000370). (~~(If at least a \$9,000,000 transfer is not authorized in section 406(29), chapter 416, Laws of 2019, then \$9,000,000 of the motor vehicle account-state appropriation lapses.)~~)

(b) (~~(Of the amount provided in this subsection, \$7,780,000 of the motor~~

~~vehicle account state appropriation must be placed in unallotted status by the office of financial management until the department develops a detailed plan for the work of this project office in consultation with the chairs and ranking members of the transportation committees of the legislature. The director of the office of financial management shall consult with the chairs and ranking members of the transportation committees of the legislature prior to making a decision to allot these funds.~~

~~(e))~~ The work of this project office includes, but is not limited to, the reevaluation of the purpose and need identified for the project previously known as the Columbia river crossing, the reevaluation of permits and development of a finance plan, the reengagement of key stakeholders and the public, and the reevaluation of scope, schedule, and budget for a reinvigorated bistate effort for replacement of the Interstate 5 Columbia river bridge. When reevaluating the finance plan for the project, the department shall assume that some costs of the new facility may be covered by tolls. The project office must also study the possible different governance structures for a bridge authority that would provide for the joint administration of the bridges over the Columbia river between Oregon and Washington. As part of this study, the project office must examine the feasibility and necessity of an interstate compact in conjunction with the national center for interstate compacts.

~~((d))~~ (c) Within the amount provided in this subsection, the department must implement chapter 137, Laws of 2019 (projects of statewide significance).

~~((e))~~ (d) The department shall have as a goal to:

(i) Reengage project stakeholders and reevaluate the purpose and need and environmental permits by July 1, 2020;

(ii) Develop a finance plan by December 1, 2020; and

(iii) Have made significant progress toward beginning the supplemental environmental impact statement process by June 30, 2021. The department shall aim to provide a progress report on these activities to the governor and the transportation committees of the legislature by December 1, 2019, and a final report to the governor and the

transportation committees of the legislature by December 1, 2020.

~~(23) ((\$17,500,000 of the motor vehicle account state appropriation is provided solely to begin the pre design phase on the I-5/Columbia River Bridge project (C2000088).~~

~~(24))~~ (a) \$191,360,000 of the connecting Washington account-state appropriation, \$47,655,000 of the motor vehicle account-federal appropriation, \$11,179,000 of the motor vehicle account-private/local appropriation, \$6,100,000 of the motor vehicle account-state appropriation, and \$18,706,000 of the transportation partnership account-state appropriation are provided solely for the Fish Passage Barrier Removal project (0BI4001) with the intent of fully complying with the court injunction by 2030.

(b) Of the amounts provided in this subsection, \$320,000 of the connecting Washington account-state appropriation is provided solely to remove the fish passage barrier on state route number 6 that interfaces with Boistfort Valley water utilities near milepost 46.6.

(c) The department shall coordinate with the Brian Abbott fish passage barrier removal board to use a watershed approach to maximize habitat gain by replacing both state and local culverts. The department shall deliver high habitat value fish passage barrier corrections that it has identified, guided by the following factors: Opportunity to bundle projects, ability to leverage investments by others, presence of other barriers, project readiness, other transportation projects in the area, and transportation impacts.

(d) The department must keep track of, for each barrier removed: (i) The location; (ii) the amount of fish habitat gain; and (iii) the amount spent to comply with the injunction.

(e) It is the intent of the legislature that for the amount listed for the 2021-2023 biennium for the Fish Passage Barrier Removal project (0BI4001) on the LEAP list referenced in subsection (1) of this section, that accrued practical design savings deposited in the transportation future funding program account be used to help fund the cost of fully complying with the court injunction by 2030.

~~((25))~~ (24) (a) The Washington state department of transportation is directed to pursue compliance with the *U.S. v. Washington* permanent injunction by delivering culvert corrections within the injunction area guided by the principle of providing the greatest fisheries habitat gain at the earliest time and considering the following factors: Opportunity to bundle projects, tribal priorities, ability to leverage investments by others, presence of other barriers, project readiness, culvert condition, other transportation projects in the area, and transportation impacts.

(b) The department and Brian Abbott fish barrier removal board, while providing the opportunity for stakeholders, tribes, and government agencies to give input on a statewide culvert remediation plan, must provide updates on the development of the statewide culvert remediation plan to the capital budget, ways and means, and transportation committees of the legislature by November 1, 2020, and March 15, 2021. The first update must include a project timeline and plan to ensure that all state agencies with culvert correction programs are involved in the creation of the comprehensive plan. The department and Brian Abbott fish barrier removal board must submit the final comprehensive statewide culvert remediation plan and the process by which it will be adaptively managed over time to the governor and the legislative fiscal committees by June 30, 2021.

~~((26) \$16,649,000))~~ (25) \$4,880,000 of the connecting Washington account-state appropriation, \$373,000 of the motor vehicle account-state appropriation, and ~~((6,000,000))~~ \$113,000 of the motor vehicle account-private/local appropriation are provided solely for the I-90/Barker to Harvard - Improve Interchanges & Local Roads project (L2000122). The connecting Washington account appropriation for the improvements that fall within the city of Liberty Lake may only be expended if the city of Liberty Lake agrees to cover any project costs within the city of Liberty Lake above the \$20,900,000 of state appropriation provided for the total project in LEAP Transportation Document ~~((2020))~~ 2021-1 as developed ~~((March 11, 2020))~~ April 23, 2021, Program - Highway Improvements (I).

~~((27))~~ (26) (a) ~~((6,799,000))~~ \$3,901,000 of the motor vehicle account-federal appropriation, ~~((31,000))~~ \$34,000 of the motor vehicle account-state appropriation, ~~((3,812,000 of the transportation partnership account state appropriation,))~~ and ~~((7,000,000))~~ \$4,519,000 of the Interstate 405 and state route number 167 express toll lanes account-state appropriation are provided solely for the SR 167/SR 410 to SR 18 - Congestion Management project (316706C).

(b) If sufficient bonding authority to complete this project is not provided within chapter 421, Laws of 2019 (addressing tolling), or within a bond authorization act referencing chapter 421, Laws of 2019 by June 30, 2019, it is the intent of the legislature to remove the \$100,000,000 in toll funding from this project on the list referenced in subsection (2) of this section.

~~((28))~~ (27) For the I-405/North 8th Street Direct Access Ramp in Renton project (L1000280), if sufficient bonding authority to begin this project is not provided within chapter 421, Laws of 2019 (addressing tolling), or within a bond authorization act referencing chapter 421, Laws of 2019, it is the intent of the legislature to remove the project from the list referenced in subsection (2) of this section.

~~((29) \$7,985,000))~~ (28) \$7,071,000 of the Special Category C account-state appropriation ~~((and \$1,000,000 of the motor vehicle account-private/local appropriation are))~~ is provided solely for the SR 18 Widening - Issaquah/Hobart Rd to Raging River project (L1000199) for improving and widening state route number 18 to four lanes from Issaquah-Hobart Road to Raging River.

~~((30))~~ (29) \$2,250,000 of the motor vehicle account-state appropriation is provided solely for the I-5 Corridor from Mounts Road to Tumwater project (L1000231) for completing a National and State Environmental Policy Act (NEPA/SEPA) analysis to identify mid- and long-term environmental impacts associated with future improvements along the I-5 corridor from Tumwater to DuPont.

~~((31) \$622,000))~~ (30) \$200,000 of the motor vehicle account-state appropriation is provided solely for the US 101/East Sequim Corridor Improvements project (L2000343).

~~((32) \$12,916,000))~~ (31) \$777,000 of the motor vehicle account-state appropriation is provided solely for the SR 522/Paradise Lk Rd Interchange & Widening on SR 522 (Design/Engineering) project (NPARADI).

~~((33) \$1,000,000))~~ (32) \$1,001,000 of the motor vehicle account-state appropriation ~~((ie))~~ and \$1,227,000 of the motor vehicle account-federal appropriation are provided solely for the US 101/Morse Creek Safety Barrier project (L1000247).

~~((34) \$1,000,000))~~ (33) \$85,000 of the motor vehicle account-state appropriation is provided solely for the SR 162/410 Interchange Design and Right of Way project (L1000276).

~~((36) The appropriations in this section include savings due to anticipated project underruns; however, it is unknown which projects will provide savings. The legislature intends to provide sufficient flexibility for the department to manage to this savings target. To provide this flexibility, the office of financial management may authorize, through an allotment modification, reductions in the appropriated amounts that are provided solely for a particular purpose within this section subject to the following conditions and limitations:~~

~~(a) The department must confirm that any modification requested under this subsection of amounts provided solely for a specific purpose are not expected to be used for that purpose in this biennium;~~

~~(b) Allotment modifications authorized under this subsection may not result in increased funding for any project beyond the amount provided for that project in the 2019-2021 fiscal biennium in LEAP Transportation Document 2020-2 ALL PROJECTS as developed March 11, 2020;~~

~~(c) Allotment modifications authorized under this subsection apply only to amounts appropriated in this section from the following accounts: Multimodal transportation account-state, transportation partnership account-state, connecting Washington account-state, and special category C account-state; and~~

~~(d) By December 1, 2020, the department must submit a report to the transportation committees of the legislature regarding the actions taken under this subsection.)~~

Sec. 1005. 2020 c 219 s 306 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION-PRESERVATION-PROGRAM P

Recreational Vehicle Account-State
Appropriation \$2,971,000

Transportation Partnership Account-State

Appropriation ~~((20,248,000))~~

\$20,181,000

Motor Vehicle Account-State
Appropriation ~~((82,447,000))~~

\$87,755,000

Motor Vehicle Account-Federal
Appropriation ~~((490,744,000))~~

\$498,257,000

Motor Vehicle Account-Private/Local

Appropriation ~~((7,408,000))~~

\$7,660,000

State Route Number 520 Corridor
Account-State

Appropriation ~~((326,000))~~

\$395,000

Connecting Washington Account-State
Appropriation ~~((204,630,000))~~

\$178,258,000

Tacoma Narrows Toll Bridge Account-State

Appropriation ~~((8,350,000))~~

\$1,078,000

Alaskan Way Viaduct Replacement
Project Account-State

Appropriation ~~((10,000))~~

\$79,000

Interstate 405 and State Route Number
167 Express

Toll Lanes Account-State Appropriation
~~((3,018,000))~~

\$1,457,000

Transportation 2003 Account (Nickel
Account)-State

Appropriation \$17,892,000

TOTAL APPROPRIATION
~~((838,044,000))~~

\$815,983,000

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

(1) Except as provided otherwise in this section, the entire connecting Washington account-state appropriation and the entire transportation partnership account-state appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document ((2020)) 2021-1 as developed ((~~March 11, 2020~~)) April 23, 2021, Program - Highway Preservation Program (P). However, limited transfers of specific line-item project appropriations may occur between projects for those amounts listed subject to the conditions and limitations in section ((~~601 of this act~~)) 601 of this act, chapter . . . , Laws of 2021 (this act).

(2) Except as provided otherwise in this section, the entire motor vehicle account-state appropriation and motor vehicle account-federal appropriation are provided solely for the projects and activities listed in LEAP Transportation Document ((2020)) 2021-2 ALL PROJECTS as developed ((~~March 11, 2020~~)) April 23, 2021, Program - Highway Preservation Program (P). Any federal funds gained through efficiencies, adjustments to the federal funds forecast, ((~~additional congressional action not related to a specific project or purpose,~~)) or the federal funds redistribution process must then be applied to highway and bridge preservation activities or fish passage barrier corrections (OBI4001).

(3) Within the motor vehicle account-state appropriation and motor vehicle account-federal appropriation, the department may transfer funds between programs I and P, except for funds that are otherwise restricted in this act. Ten days prior to any transfer, the department must submit its request to the office of financial management and the transportation committees of the legislature and consider any concerns raised. The department shall submit a report on fiscal year funds transferred in the prior fiscal year using this subsection as part of the department's annual budget submittal.

(4) ((~~\$26,683,000~~)) \$21,517,000 of the connecting Washington account-state appropriation is provided solely for the

land mobile radio upgrade (G2000055) and is subject to the conditions, limitations, and review provided in section 701 ((~~of this act~~)), chapter 219, Laws of 2020. The land mobile radio project is subject to technical oversight by the office of the chief information officer. The department, in collaboration with the office of the chief information officer, shall identify where existing or proposed mobile radio technology investments should be consolidated, identify when existing or proposed mobile radio technology investments can be reused or leveraged to meet multiagency needs, increase mobile radio interoperability between agencies, and identify how redundant investments can be reduced over time. The department shall also provide quarterly reports to the technology services board on project progress.

(5) ((~~\$4,000,000~~)) \$5,000,000 of the motor vehicle account-state appropriation is provided solely for extraordinary costs incurred from litigation awards, settlements, or dispute mitigation activities not eligible for funding from the self-insurance fund. The amount provided in this subsection must be held in unallotted status until the department submits a request to the office of financial management that includes documentation detailing litigation-related expenses. The office of financial management may release the funds only when it determines that all other funds designated for litigation awards, settlements, and dispute mitigation activities have been exhausted. No funds provided in this subsection may be expended on any legal fees related to the SR 99/Alaskan Way viaduct replacement project (809936Z).

(6) The appropriation in this section includes funding for starting planning, engineering, and construction of the Elwha River bridge replacement. To the greatest extent practicable, the department shall maintain public access on the existing route.

(7) \$21,289,000 of the motor vehicle account-federal appropriation and \$840,000 of the motor vehicle account-state appropriation are provided solely for the preservation of structurally deficient bridges or bridges that are at risk of becoming structurally deficient (L1000068). These funds must be used widely around the state of Washington.

When practicable, the department shall pursue design-build contracts for these bridge projects to expedite delivery. The department shall provide a report that identifies the progress of each project funded in this subsection as part of its annual agency budget request.

(8) The department must consult with the Washington state patrol and the office of financial management during the design phase of any improvement or preservation project that could impact Washington state patrol weigh station operations. During the design phase of any such project, the department must estimate the cost of designing around the affected weigh station's current operations, as well as the cost of moving the affected weigh station.

(9) During the course of any planned resurfacing or other preservation activity on state route number 26 between Colfax and Othello in the 2019-2021 fiscal biennium, the department must add dug-in reflectors.

(10) Within the connecting Washington account-state appropriation, the department may transfer funds from Highway System Preservation (L1100071) to other preservation projects listed in the LEAP transportation document identified in subsection (1) of this section, if it is determined necessary for completion of these high priority preservation projects. The department's next budget submittal after using this subsection must appropriately reflect the transfer.

Sec. 1006. 2020 c 219 s 307 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION-TRAFFIC OPERATIONS-PROGRAM Q-CAPITAL

Motor Vehicle Account-State	
Appropriation	((\$7,746,000))
	<u>\$6,296,000</u>

Motor Vehicle Account-Federal	
Appropriation	((\$6,137,000))
	<u>\$5,039,000</u>

Motor Vehicle Account-Private/Local	
Appropriation	\$579,000

Interstate 405 and State Route Number 167 Express

Toll Lanes Account-State Appropriation \$100,000

TOTAL	APPROPRIATION
	((\$14,562,000))
	<u>\$12,014,000</u>

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

((~~41~~ ~~\$700,000~~)) \$121,000 of the motor vehicle account-state appropriation is provided solely for the SR 99 Aurora Bridge ITS project (L2000338).

Sec. 1007. 2020 c 219 s 308 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION-WASHINGTON STATE FERRIES CONSTRUCTION-PROGRAM W

Puget Sound Capital Construction	
Account-State	
Appropriation	((\$116,253,000))
	<u>\$85,281,000</u>

Puget Sound Capital Construction	
Account-Federal	
Appropriation	((\$198,688,000))
	<u>\$177,352,000</u>

Puget Sound Capital Construction	
Account-Private/Local	
Appropriation	((\$4,779,000))
	<u>\$4,575,000</u>

Transportation Partnership Account-State	
Appropriation	((\$6,582,000))
	<u>\$2,312,000</u>

Connecting Washington Account-State	
Appropriation	\$112,426,000

Capital Vessel Replacement Account-State	
Appropriation	((\$96,030,000))
	<u>\$35,547,000</u>

Transportation 2003 Account (Nickel Account)-State	
Appropriation	\$986,000

TOTAL	APPROPRIATION
	((\$535,744,000))
	<u>\$418,479,000</u>

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

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed in LEAP Transportation Document ((2020)) 2021-2 ALL PROJECTS as developed ((March 11, 2020)) April 23, 2021, Program - Washington State Ferries Capital Program (W).

(2) \$2,857,000 of the Puget Sound capital construction account-state appropriation, (((\$17,832,000)) \$18,818,000 of the Puget Sound capital construction account-federal appropriation, and \$63,789,000 of the connecting Washington account-state appropriation, are provided solely for the Mukilteo ferry terminal (952515P). To the extent practicable, the department shall avoid the closure of, or disruption to, any existing public access walkways in the vicinity of the terminal project during construction.

(3) (((\$102,641,000)) \$94,643,000 of the Puget Sound capital construction account-federal appropriation, \$47,819,000 of the connecting Washington account-state appropriation, and \$4,355,000 of the Puget Sound capital construction account-local appropriation are provided solely for the Seattle Terminal Replacement project (900010L).

(4) \$5,357,000 of the Puget Sound capital construction account-state appropriation is provided solely for emergency capital repair costs (999910K). Funds may only be spent after approval by the office of financial management.

(5) (((\$2,300,000)) \$2,224,000 of the Puget Sound capital construction account-state appropriation is provided solely for the ORCA acceptance project (L2000300). The ferry system shall work with Washington technology solutions and the tolling division on the development of a new, interoperable ticketing system.

(6) \$495,000 of the Puget Sound capital construction account-state appropriation is provided solely for an electric ferry planning team (G2000087) to develop ten-year and twenty-year implementation plans to efficiently deploy hybrid-electric vessels, including a cost-benefit analysis of construction and operation of hybrid-electric vessels with and without charging infrastructure. The plan includes, but is not limited to, vessel technology and feasibility, vessel and

terminal deployment schedules, project financing, and workforce requirements. The plan shall be submitted to the office of financial management and the transportation committees of the legislature by June 30, 2020.

(7) (((\$35,000,000)) \$10,776,000 of the Puget Sound capital construction account-state appropriation and \$8,000,000 of the Puget Sound capital construction account-federal appropriation are provided solely for the conversion of up to two Jumbo Mark II vessels to electric hybrid propulsion (G2000084). The department shall seek additional funds for the purposes of this subsection. ((The department may spend from the Puget Sound capital construction account-state appropriation in this section only as much as the department receives in Volkswagen settlement funds for the purposes of this subsection.))

(8) \$400,000 of the Puget Sound capital construction account-state appropriation is provided solely for a request for proposals for a new maintenance management system (project L2000301) and is subject to the conditions, limitations, and review provided in section 701 ((of this act)), chapter 219, Laws of 2020.

(9) (((\$96,030,000)) \$35,547,000 of the capital vessel replacement account-state appropriation is provided solely for the acquisition of a 144-car hybrid-electric vessel. The vendor must present to the joint transportation committee and the office of financial management, by September 15, 2019, a list of options that will result in significant cost savings changes in terms of construction or the long-term maintenance and operations of the vessel. The vendor must allow for exercising the options without a penalty. It is the intent of the legislature to provide an additional \$88,000,000 in funding in the 2021-23 biennium. The reduction provided in this subsection is an assumed underrun pursuant to subsection (11) of this section. The commencement of construction of new vessels for the ferry system is important not only for safety reasons, but also to keep skilled marine construction jobs in the Puget Sound region and to sustain the capacity of the region to meet the ongoing construction and preservation needs of the ferry system fleet of vessels. The legislature has determined that the current vessel procurement process must move forward

with all due speed, balancing the interests of both the taxpayers and shipyards. To accomplish construction of vessels in accordance with RCW 47.60.810, the prevailing shipbuilder, for vessels initially funded after July 1, 2020, is encouraged to follow the historical practice of subcontracting the construction of ferry superstructures to a separate nonaffiliated contractor located within the Puget Sound region, that is qualified in accordance with RCW 47.60.690.

(10) The capital vessel replacement account-state appropriation includes up to ~~((\$96,030,000))~~ \$35,547,000 in proceeds from the sale of bonds authorized in RCW 47.10.873.

~~((412))~~ (11) The appropriations in this section include savings due to anticipated project underruns; however, it is unknown which projects will provide savings. The legislature intends to provide sufficient flexibility for the department to manage to this savings target. To provide this flexibility, the office of financial management may authorize, through an allotment modification, reductions in the appropriated amounts that are provided solely for a particular purpose within this section subject to the following conditions and limitations:

(a) The department must confirm that any modification requested under this subsection of amounts provided solely for a specific purpose are not expected to be used for that purpose in this biennium;

(b) Allotment modifications authorized under this subsection may not result in increased funding for any project beyond the amount provided for that project in the 2019-2021 fiscal biennium in LEAP Transportation Document ~~((2020))~~ 2021-2 ALL PROJECTS as developed ~~((March 11, 2020))~~ April 23, 2021;

(c) Allotment modifications authorized under this subsection apply only to amounts appropriated in this section from the following accounts: Puget Sound capital construction account-state, transportation partnership account-state, and capital vessel replacement account-state; and

(d) By December 1, 2020, the department must submit a report to the transportation committees of the legislature regarding the actions taken under this subsection.

Sec. 1008. 2020 c 219 s 309 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION-
RAIL-PROGRAM Y-CAPITAL**

Motor Vehicle Account-State Appropriation ((<u>\$3,300,000</u>))	
	<u>\$2,300,000</u>
Essential Rail Assistance Account-State Appropriation	\$851,000
Transportation Infrastructure Account-State	
Appropriation	((<u>\$7,554,000</u>))
	<u>\$7,465,000</u>
Multimodal Transportation Account-State	
Appropriation	((<u>\$74,876,000</u>))
	<u>\$72,135,000</u>
Multimodal Transportation Account-Federal	
Appropriation	\$8,601,000
Multimodal Transportation Account-Local	
Appropriation	\$336,000
TOTAL APPROPRIATION	((<u>\$95,518,000</u>))
	<u>\$91,688,000</u>

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

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document ~~((2020))~~ 2021-2 ALL PROJECTS as developed ~~((March 11, 2020))~~ April 23, 2021, Program - Rail Program (Y).

(2) ~~((\$7,136,000))~~ \$7,047,000 of the transportation infrastructure account-state appropriation is provided solely for new low-interest loans approved by the department through the freight rail investment bank (FRIB) program. The department shall issue FRIB program loans with a repayment period of no more than ten years, and charge only so much interest as is necessary to recoup the department's costs to administer the loans. The department shall report annually to the transportation committees of the legislature and the

office of financial management on all FRIB loans issued.

(3) \$7,782,000 of the multimodal transportation account—state appropriation, \$51,000 of the transportation infrastructure account—state appropriation, and \$135,000 of the essential rail assistance account—state appropriation are provided solely for new statewide emergent freight rail assistance projects identified in the LEAP transportation document referenced in subsection (1) of this section.

(4) \$367,000 of the transportation infrastructure account—state appropriation and \$1,100,000 of the multimodal transportation account—state appropriation are provided solely to reimburse Highline Grain, LLC for approved work completed on Palouse River and Coulee City (PCC) railroad track in Spokane county between the BNSF Railway Interchange at Cheney and Geiger Junction and must be administered in a manner consistent with freight rail assistance program projects. The value of the public benefit of this project is expected to meet or exceed the cost of this project in: Shipper savings on transportation costs; jobs saved in rail-dependent industries; and/or reduced future costs to repair wear and tear on state and local highways due to fewer annual truck trips (reduced vehicle miles traveled). The amounts provided in this subsection are not a commitment for future legislatures, but it is the legislature's intent that future legislatures will work to approve biennial appropriations until the full \$7,337,000 cost of this project is reimbursed.

(5)(a) \$716,000 of the essential rail assistance account—state appropriation and \$82,000 of the multimodal transportation account—state appropriation are provided solely for the purpose of the rehabilitation and maintenance of the Palouse river and Coulee City railroad line (F01111B).

(b) Expenditures from the essential rail assistance account—state in this subsection may not exceed the combined total of:

(i) Revenues and transfers deposited into the essential rail assistance account from leases and sale of property relating to the Palouse river and Coulee City railroad;

(ii) Revenues from trackage rights agreement fees paid by shippers; and

(iii) Revenues and transfers transferred from the miscellaneous program account to the essential rail assistance account, pursuant to RCW 47.76.360, for the purpose of sustaining the grain train program by maintaining the Palouse river and Coulee City railroad.

(6) The department shall issue a call for projects for the freight rail assistance program, and shall evaluate the applications in a manner consistent with past practices as specified in section 309, chapter 367, Laws of 2011. By November 15, 2020, the department shall submit a prioritized list of recommended projects to the office of financial management and the transportation committees of the legislature.

(7) (~~(\$10,000,000)~~) \$4,031,000 of the multimodal transportation account—state appropriation is provided solely as expenditure authority for any insurance proceeds received by the state for Passenger Rail Equipment Replacement (project 700010C.) The department must use this expenditure authority only to purchase replacement equipment that has been competitively procured and for service recovery needs and corrective actions related to the December 2017 derailment.

(8) \$898,000 of the multimodal transportation account—federal appropriation and \$8,000 of the multimodal transportation account—state appropriation are provided solely for the Ridgefield Rail Overpass (project 725910A). Total costs for this project may not exceed \$909,000 across fiscal biennia.

(9)(a) For projects funded as part of the 2015 connecting Washington transportation package listed on the LEAP transportation document identified in subsection (1) of this section, if the department expects to have substantial reappropriations for the 2021-2023 fiscal biennium, the department may, on a pilot basis, apply funding from a project in this section with an appropriation that cannot be used for the current fiscal biennium to advance the South Kelso Railroad Crossing project (L1000147).

(b) At least ten business days before advancing the project pursuant to this subsection, the department must notify the office of financial management and

the transportation committees of the legislature. The advancement of the project may not hinder the delivery of the projects for which the reappropriations are necessary for the 2021-2023 fiscal biennium.

(c) To the extent practicable, the department shall use the flexibility and authority granted in this section to minimize the amount of reappropriations needed each biennium.

~~(10) ((The multimodal transportation account-state appropriation includes up to \$25,000,000 in proceeds from the sale of bonds authorized in RCW 47.10.867.~~

~~(11))~~ (11) The department must report to the joint transportation committee on the progress made on freight rail investment bank projects and freight rail assistance projects funded during this biennium by January 1, 2020.

~~((12))~~ (11) \$1,500,000 of the multimodal transportation account-state appropriation is provided solely for the Chelatchie Prairie railroad roadbed rehabilitation project (L1000233).

~~((13))~~ (12) \$250,000 of the multimodal transportation account-state appropriation is provided solely for the Port of Moses Lake Northern Columbia Basin railroad feasibility study (L1000235).

~~((14))~~ (13) \$500,000 of the multimodal transportation account-state appropriation is provided solely for the Spokane airport transload facility project (L1000242).

~~((15) \$1,000,000 of the motor vehicle account-state appropriation is provided solely for the grade separation at Bell road project (L1000239).~~

~~(16))~~ (14) \$750,000 of the motor vehicle account-state appropriation and \$399,000 of the multimodal transportation account-state appropriation are provided solely for the rail crossing improvements at 6th Ave. and South 19th St. project (L2000289).

~~((18))~~ (15) The appropriations in this section include savings due to anticipated project underruns; however, it is unknown which projects will provide savings. The legislature intends to provide sufficient flexibility for the department to manage to this savings target. To provide this flexibility, the office of financial management may authorize, through an allotment

modification, reductions in the appropriated amounts that are provided solely for a particular purpose within this section subject to the following conditions and limitations:

(a) The department must confirm that any modification requested under this subsection of amounts provided solely for a specific purpose are not expected to be used for that purpose in this biennium;

(b) Allotment modifications authorized under this subsection may not result in increased funding for any project beyond the amount provided for that project in the 2019-2021 fiscal biennium in LEAP Transportation Document ((2020)) 2021-2 ALL PROJECTS as developed ((March 11, 2020)) April 23, 2021;

(c) Allotment modifications authorized under this subsection apply only to amounts appropriated in this section from the multimodal transportation account-state; and

(d) By December 1, 2020, the department must submit a report to the transportation committees of the legislature regarding the actions taken under this subsection.

Sec. 1009. 2020 c 219 s 310 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION-LOCAL PROGRAMS-PROGRAM Z-CAPITAL

Highway Infrastructure Account-State
Appropriation \$1,276,000

Highway Infrastructure Account-Federal
Appropriation \$1,337,000

Transportation Partnership Account-State

Appropriation ~~((2,380,000))~~

\$1,630,000

Highway Safety Account-State
Appropriation \$1,314,000

Motor Vehicle Account-State
Appropriation ~~((35,607,000))~~

\$24,543,000

Motor Vehicle Account-Federal
Appropriation ~~((41,420,000))~~

\$52,267,000

Motor Vehicle Account-Private/Local
Appropriation ~~((24,600,000))~~

\$18,000,000

Connecting Washington Account—State
Appropriation ~~((\$155,550,000))~~

\$130,708,000

Multimodal Transportation Account—
State

Appropriation ~~((\$77,469,000))~~

\$74,351,000

TOTAL APPROPRIATION
~~((\$340,953,000))~~

\$305,426,000

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

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document ~~((2020))~~ 2021-2 ALL PROJECTS as developed ~~((March 11, 2020))~~ April 23, 2021, Program - Local Programs Program (Z).

(2) The amounts identified in the LEAP transportation document referenced under subsection (1) of this section for pedestrian safety/safe routes to school are as follows:

(a) ~~((\$18,380,000))~~ \$8,361,000 of the multimodal transportation account—state appropriation is provided solely for newly selected pedestrian and bicycle safety program projects. ~~((\$18,577,000))~~ \$19,363,000 of the multimodal transportation account—state appropriation and \$1,380,000 of the transportation partnership account—state appropriation are reappropriated for pedestrian and bicycle safety program projects selected in the previous biennia (L2000188).

(b) ~~((\$11,400,000))~~ \$4,066,000 of the motor vehicle account—federal appropriation and ~~((\$7,750,000))~~ \$4,668,000 of the multimodal transportation account—state appropriation are provided solely for newly selected safe routes to school projects. ~~((\$11,354,000))~~ \$10,744,000 of the motor vehicle account—federal appropriation, ~~((\$4,640,000))~~ \$3,075,000 of the multimodal transportation account—state appropriation, and \$1,314,000 of the highway safety account—state appropriation are reappropriated for safe routes to school projects selected in the previous biennia (L2000189). The department may consider

the special situations facing high-need areas, as defined by schools or project areas in which the percentage of the children eligible to receive free and reduced-price meals under the national school lunch program is equal to, or greater than, the state average as determined by the department, when evaluating project proposals against established funding criteria while ensuring continued compliance with federal eligibility requirements.

(3) The department shall submit a report to the transportation committees of the legislature by December 1, 2019, and December 1, 2020, on the status of projects funded as part of the pedestrian safety/safe routes to school grant program. The report must include, but is not limited to, a list of projects selected and a brief description of each project's status.

(4) ~~((\$37,537,000))~~ \$32,976,000 of the multimodal transportation account—state appropriation is provided solely for bicycle and pedestrian projects listed in the LEAP transportation document referenced in subsection (1) of this section.

(5) ~~((\$23,926,000))~~ \$13,829,000 of the connecting Washington account—state appropriation is provided solely for the Covington Connector (L2000104). The amounts described in the LEAP transportation document referenced in subsection (1) of this section are not a commitment by future legislatures, but it is the legislature's intent that future legislatures will work to approve appropriations in the 2019-2021 fiscal biennium to reimburse the city of Covington for approved work completed on the project up to the full \$24,000,000 cost of this project.

(6)(a) For projects funded as part of the 2015 connecting Washington transportation package listed on the LEAP transportation document identified in subsection (1) of this section, if the department expects to have substantial reappropriations for the 2021-2023 fiscal biennium, the department may, on a pilot basis, apply funding from a project in this section with an appropriation that cannot be used for the current fiscal biennium to advance one or more of the following projects:

(i) I-5/Port of Tacoma Road Interchange (L1000087);

(ii) SR 99 Revitalization in Edmonds (NEDMOND); or

(iii) SR 523 145th Street (L1000148);

(b) At least ten business days before advancing a project pursuant to this subsection, the department must notify the office of financial management and the transportation committees of the legislature. The advancement of a project may not hinder the delivery of the projects for which the reappropriations are necessary for the 2021-2023 fiscal biennium.

(c) To the extent practicable, the department shall use the flexibility and authority granted in this section to minimize the amount of reappropriations needed each biennium.

(7) It is the expectation of the legislature that the department will be administering a local railroad crossing safety grant program for \$7,000,000 in federal funds during the 2019-2021 fiscal biennium.

(8) (a) (~~(\$15,213,000)~~) \$22,500,000 of the motor vehicle account-federal appropriation is provided solely for national highway freight network projects identified on the project list submitted in accordance with section 218(4)(b), chapter 14, Laws of 2016 on October 31, 2016.

(b) The department shall convene a stakeholder group for the purpose of developing a recommendation for a Washington freight advisory committee. The recommendations must include, but are not limited to, defining the committee's purpose and goals, roles and responsibilities, reporting structure, and proposed activities. Stakeholders must include representation from, but not limited to, the trucking industry, the maritime industry, the rail industry, cities, tribal governments, counties, ports, and representatives from key industrial associations important to the state's economic vitality and other relevant public and private interests. In developing the recommendation, the stakeholder group must review practices used by other states. The proposed committee must conform with requirements of the fixing America's surface transportation act and other relevant federal legislation. The recommendations must include how the committee can address improving freight mobility including, but not limited to, addressing insufficient truck parking in Washington

state, examining the link between preservation investments and freight mobility, and enhancing freight logistics through the application of technology. The stakeholder group shall make recommendations to the governor and the transportation committees of the legislature by December 1, 2020.

(9) \$1,000,000 of the motor vehicle account-state appropriation is provided solely for the Beech Street Extension project (L1000222).

(10) (~~(\$3,900,000)~~) \$2,000,000 of the motor vehicle account-state appropriation is provided solely for the Dupont-Steilacoom road improvements project (L1000224).

(11) (~~(\$650,000)~~) \$100,000 of the motor vehicle account-state appropriation is provided solely for the SR 104/40th place northeast roundabout project (L1000244).

(12) (~~(\$860,000)~~) \$360,000 of the multimodal transportation account-state appropriation is provided solely for the Clinton to Ken's corner trail project (L1000249).

~~(13) (~~(\$210,000 of the motor vehicle account-state appropriation is provided solely for the I-405/44th gateway signage and green seeping improvements project (L1000250).~~~~

~~(14) (\$650,000)~~ \$50,000 of the motor vehicle account-state appropriation is provided solely for the Wallace Kneeland and Shelton springs road intersection improvements project (L1000260).

~~((415))~~ (14) \$1,000,000 of the motor vehicle account-state appropriation and \$500,000 of the multimodal transportation account-state appropriation are provided solely for the complete 224th Phase two project (L1000270).

~~((416))~~ (15) \$60,000 of the multimodal transportation account-state appropriation is provided solely for the installation of an updated meteorological station at the Colville airport (L1000279).

~~((417))~~ (16) (a) \$700,000 of the motor vehicle account-state appropriation is provided solely for the Ballard-Interbay Regional Transportation system plan project (L1000281).

(b) Funding in this subsection is provided solely for the city of Seattle

to develop a plan and report for the Ballard-Interbay Regional Transportation System project to improve mobility for people and freight. The plan must be developed in coordination and partnership with entities including but not limited to the city of Seattle, King county, the Port of Seattle, Sound Transit, the Washington state military department for the Seattle armory, and the Washington state department of transportation. The plan must examine replacement of the Ballard bridge and the Magnolia bridge, which was damaged in the 2001 Nisqually earthquake. The city must provide a report on the plan that includes recommendations to the Seattle city council, King county council, and the transportation committees of the legislature by November 1, 2020. The report must include recommendations on how to maintain the current and future capacities of the Magnolia and Ballard bridges, an overview and analysis of all plans between 2010 and 2020 that examine how to replace the Magnolia bridge, and recommendations on a timeline for constructing new Magnolia and Ballard bridges.

~~((18))~~ (17) \$750,000 of the motor vehicle account-state appropriation is provided solely for the Mickelson Parkway project (L1000282).

~~((19) \$300,000)~~ (18) \$175,000 of the motor vehicle account-state appropriation is provided solely for the South 314th Street Improvements project (L1000283).

~~((20) \$250,000)~~ (19) \$200,000 of the motor vehicle account-state appropriation is provided solely for the Ridgefield South I-5 Access Planning project (L1000284).

~~((21) \$300,000)~~ (20) \$50,000 of the motor vehicle account-state appropriation is provided solely for the Washougal 32nd Street Underpass Design and Permitting project (L1000285).

~~((22) \$600,000 of the connecting Washington account-state appropriation, \$150,000)~~ (21) \$25,000 of the motor vehicle account-state appropriation ~~((7))~~ and \$267,000 of the multimodal transportation account-state appropriation are provided solely for the Bingen Walnut Creek and Maple Railroad Crossing (L2000328).

~~((23) \$1,500,000)~~ (22) \$200,000 of the motor vehicle account-state appropriation is provided solely for the

SR 303 Warren Avenue Bridge Pedestrian Improvements project (L2000339).

~~((24) \$1,000,000)~~ (23) \$150,000 of the motor vehicle account-state appropriation is provided solely for the 72nd/Washington Improvements in Yakima project (L2000341).

~~((25) \$650,000)~~ (24) \$150,000 of the motor vehicle account-state appropriation is provided solely for the 48th/Washington Improvements in Yakima project (L2000342).

~~((27))~~ (25) The appropriations in this section include savings due to anticipated project underruns; however, it is unknown which projects will provide savings. The legislature intends to provide sufficient flexibility for the department to manage to this savings target. To provide this flexibility, the office of financial management may authorize, through an allotment modification, reductions in the appropriated amounts that are provided solely for a particular purpose within this section subject to the following conditions and limitations:

(a) The department must confirm that any modification requested under this subsection of amounts provided solely for a specific purpose are not expected to be used for that purpose in this biennium;

(b) Allotment modifications authorized under this subsection may not result in increased funding for any project beyond the amount provided for that project in the 2019-2021 fiscal biennium in LEAP Transportation Document ~~((2020))~~ 2021-2 ALL PROJECTS as developed ~~((March 11, 2020))~~ April 23, 2021;

(c) Allotment modifications authorized under this subsection apply only to amounts appropriated in this section from the following accounts: Connecting Washington account-state and multimodal transportation account-state; and

(d) By December 1, 2020, the department must submit a report to the transportation committees of the legislature regarding the actions taken under this subsection.

(26) \$11,679,000 of the motor vehicle account-federal appropriation is provided solely for acceleration of local preservation projects that ensure the reliable movement of freight on the national highway freight system (G2000100). The department shall

identify projects through its current national highway system asset management call for projects with applications due in February 2021. The department shall give priority to those projects that can be obligated by September 30, 2021.

Sec. 1010. 2019 c 416 s 302 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE PATROL

State Patrol Highway Account—State Appropriation (~~(\$3,277,000)~~)

\$2,437,000

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

The entire appropriation in this section is provided solely for the following projects:

- (1) \$250,000 for emergency repairs;
- (2) (~~(\$468,000)~~) \$268,000 for roof replacements;
- (3) \$350,000 for fuel tank decommissioning;
- (4) (~~(\$759,000)~~) \$119,000 for generator and electrical replacement;
- (5) \$750,000 for water and fire suppression systems; and
- (6) \$700,000 for academy training tank preservation reappropriation.

The Washington state patrol may transfer funds between projects specified in this section to address cash flow requirements. If a project specified in this section is completed for less than the amount provided, the remainder may be transferred to another project specified in this section not to exceed the total appropriation provided in this section.

TRANSFERS AND DISTRIBUTIONS

Sec. 1101. 2020 c 219 s 401 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND REVENUE

Special Category C Account—State Appropriation (~~(\$105,000)~~)

\$21,000

(~~(Multimodal Transportation Account—State Appropriation \$125,000)~~)

Transportation Partnership Account—State Appropriation (~~(\$1,407,000)~~)

\$182,000

Connecting Washington Account—State Appropriation (~~(\$7,723,000)~~)

\$2,455,000

Highway Bond Retirement Account—State Appropriation (~~(\$1,378,835,000)~~)

\$1,308,311,000

Ferry Bond Retirement Account—State Appropriation (~~(\$25,078,000)~~)

\$25,079,000

Transportation Improvement Board Bond Retirement

Account—State Appropriation (~~(\$12,452,000)~~)

\$12,062,000

Nondebt-Limit Reimbursable Bond Retirement

Account—State Appropriation (~~(\$31,253,000)~~)

\$29,514,000

Toll Facility Bond Retirement Account—State

Appropriation (~~(\$86,483,000)~~)

\$85,565,000

TOTAL APPROPRIATION (~~(\$1,543,461,000)~~)

\$1,463,189,000

Sec. 1102. 2020 c 219 s 402 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND FISCAL AGENT CHARGES

(~~(Multimodal Transportation Account—State Appropriation \$25,000)~~)

Transportation Partnership Account—State

Appropriation (~~(\$281,000)~~)

\$68,000

Connecting Washington Account-State
Appropriation (~~(\$1,599,000)~~)

\$640,000

Special Category C Account-State
Appropriation (~~(\$21,000)~~)

\$9,000

TOTAL APPROPRIATION
(~~(\$1,926,000)~~)

\$717,000

Sec. 1103. 2020 c 219 s 403
(uncodified) is amended to read as
follows:

**FOR THE STATE TREASURER-STATE REVENUES
FOR DISTRIBUTION**

Motor Vehicle Account-State
Appropriation:

For motor vehicle fuel tax
distributions to

cities and counties
(~~(\$508,276,000)~~)

\$456,823,000

Sec. 1104. 2020 c 219 s 404
(uncodified) is amended to read as
follows:

FOR THE STATE TREASURER-TRANSFERS

Motor Vehicle Account-State
Appropriation:

For motor vehicle fuel tax refunds and
statutory transfers
(~~(\$2,146,790,000)~~)

\$1,921,901,000

Sec. 1105. 2020 c 219 s 405
(uncodified) is amended to read as
follows:

**FOR THE DEPARTMENT OF LICENSING-
TRANSFERS**

Motor Vehicle Account-State
Appropriation:

For motor vehicle fuel tax refunds and
transfers (~~(\$235,788,000)~~)

\$240,415,000

Sec. 1106. 2020 c 219 s 406
(uncodified) is amended to read as
follows:

**FOR THE STATE TREASURER-ADMINISTRATIVE
TRANSFERS**

(1) Highway Safety Account-State
Appropriation:

For transfer to the Multimodal
Transportation

Account-State (~~(\$54,000,000)~~)

\$24,000,000

(2) (~~Transportation Partnership
Account-State~~)

~~Appropriation: For transfer to the
Motor Vehicle~~

~~Account-State \$45,000,000~~

(~~3~~) Motor Vehicle Account-State
Appropriation:

For transfer to the State Patrol
Highway

Account-State (~~(\$57,000,000)~~)

\$25,400,000

(~~4~~) (3) Motor Vehicle Account-
State Appropriation:

For transfer to the Freight Mobility
Investment

Account-State \$8,070,000

(~~5~~) (4) Motor Vehicle Account-
State Appropriation:

For transfer to the Rural Arterial
Trust

Account-State \$1,732,000

(5) (a) Motor Vehicle Account-State
Appropriation:

For transfer to the State Route Number
520 Civil

Penalties Account-State \$6,000,000

(b) The funds provided in (a) of this
subsection are a loan to the state route
number 520 civil penalties account-
state, and the legislature assumes that
these funds will be reimbursed to the
motor vehicle account-state in the 2021-
2023 biennium.

(6) Motor Vehicle Account-State
Appropriation:

For transfer to the Transportation
Improvement

Account-State (~~(\$5,067,000)~~)

\$34,067,000

(7) Motor Vehicle Account-State
Appropriation:

For transfer to the Puget Sound
Capital Construction

Account-State (~~(\$52,000,000)~~)

\$61,000,000
 (8) Motor Vehicle Account-State
 Appropriation:

For transfer to the Puget Sound Ferry
 Operations

Account-State \$55,000,000

(9) Rural Mobility Grant Program
 Account-State

Appropriation: For transfer to the
 Multimodal

Transportation Account-State
 \$3,000,000

(10) State Route Number 520 Civil
 Penalties

Account-State Appropriation: For
 transfer to

the State Route Number 520 Corridor

Account-State (~~(\$1,434,000)~~)

\$1,666,000

(11) Capital Vessel Replacement
 Account-State

Appropriation: For transfer to the
 Connecting

Washington Account-State
 \$60,000,000

(12) Multimodal Transportation
 Account-State

Appropriation: For transfer to the
 Regional

Mobility Grant Program Account-State
 \$11,215,000

(13) Multimodal Transportation
 Account-State

Appropriation: For transfer to the
 Rural

Mobility Grant Program Account-State
 \$15,223,000

(14) (~~Transportation 2003 Account~~
~~(Nickel Account)~~)

~~State Appropriation: For transfer to~~
~~the Puget~~

~~Sound Capital Construction Account-~~
~~State \$15,000,000~~

~~(15) (a) Alaskan Way Viaduct~~
~~Replacement Project~~

~~Account-State Appropriation: For~~
~~transfer to the~~

~~Motor Vehicle Account-State~~
~~\$9,992,000~~

~~(b) The transfer identified in this~~
~~subsection is provided solely to repay in~~
~~full the motor vehicle account state~~
~~appropriation loan from section~~
~~1005(21), chapter 416, Laws of 2019.~~

~~(16)) (a) Transportation Partnership~~
~~Account-State~~

Appropriation: For transfer to the
 Alaskan Way Viaduct

Replacement Project Account-State
 \$77,956,000

(b) The amount transferred in this
 subsection represents that portion of the
 up to \$200,000,000 in proceeds from the
 sale of bonds authorized in RCW
 47.10.873, intended to be sold through
 the 2021-2023 fiscal biennium, used only
 for construction of the SR 99/Alaskan Way
 Viaduct Replacement project (809936Z),
 and that must be repaid from the Alaskan
 Way viaduct replacement project account
 consistent with RCW 47.56.864.

~~((17)) (15) Motor Vehicle Account-~~
~~State Appropriation:~~

For transfer to the County Arterial
 Preservation

Account-State (~~(\$4,829,000)~~)

\$9,902,000

~~((18)) (16) (a) General Fund Account-~~
~~State Appropriation:~~

For transfer to the State Patrol
 Highway

Account-State \$625,000

(b) The state treasurer shall transfer
 the funds only after receiving
 notification from the Washington state
 patrol under section 207(7), chapter 416,
 Laws of 2019.

~~((19) Capital Vessel Replacement~~
~~Account State~~

~~Appropriation: For transfer to the~~
~~Transportation~~

~~Partnership Account-State~~
~~\$2,312,000~~

~~(20)) (17) (a) Alaskan Way Viaduct~~
~~Replacement Project~~

Account-State Appropriation: For
 transfer to the

Transportation Partnership Account-
 State (~~(\$15,858,000)~~)

\$15,577,000

(b) The amount transferred in this subsection represents repayment of debt service incurred for the construction of the SR 99/Alaskan Way Viaduct Replacement project (809936Z).

~~((21))~~ (18) Tacoma Narrows Toll Bridge Account-State

Appropriation: For transfer to the Motor

Vehicle Account-State \$950,000

~~((22))~~ (19)(a) Tacoma Narrows Toll Bridge Account-State Appropriation:

For transfer to the Motor Vehicle Account-State \$5,000,000

(b) A transfer in the amount of \$5,000,000 was made from the Motor Vehicle Account to the Tacoma Narrows Toll Bridge Account in April 2019. It is the intent of the legislature that this transfer was to be temporary, for the purpose of minimizing the impact of toll increases, and this is an equivalent reimbursing transfer to occur in November 2019.

~~((23))~~ (20)(a) Transportation ~~((2003 Account (Nickel Account)))~~

Partnership Account-State
Appropriation:

For transfer to the Tacoma Narrows Toll Bridge Account-State \$12,543,000

(b) It is the intent of the legislature that this transfer is temporary, for the purpose of minimizing the impact of toll increases, and an equivalent reimbursing transfer is to occur after the debt service and deferred sales tax on the Tacoma Narrows bridge construction costs are fully repaid in accordance with chapter 195, Laws of 2018.

~~((24))~~ (21) Transportation Infrastructure Account-State

Appropriation: For transfer to the multimodal

Transportation Account-State \$9,000,000

~~((25))~~ (22) Multimodal Transportation Account-State

Appropriation: For transfer to the Pilotage

Account-State \$2,500,000

~~((26))~~ (23)(a) Motor Vehicle Account-State

Appropriation: For transfer to the County Road

Administration Board Emergency Loan Account-State \$1,000,000

(b) If chapter 157, Laws of 2019 is not enacted by June 30, 2019, the amount provided in this subsection lapses.

~~((27))~~ (24)(a) Advanced Environmental Mitigation

Revolving Account-State
Appropriation: For transfer

to the Motor Vehicle Account-State \$9,000,000

(b) The amount transferred in this subsection is contingent on at least a \$9,000,000 transfer to the advanced environmental mitigation revolving account authorized by June 30, 2019, in the omnibus capital appropriations act.

~~((28))~~ ~~Multimodal Transportation Account-State~~

~~Appropriation: For transfer to the Electric Vehicle~~

~~Charging Infrastructure Account State \$1,000,000~~

~~((29))~~ (25) Multimodal Transportation Account-State

Appropriation: For transfer to the Complete Streets

Grant Program Account-State \$10,200,000

~~((30))~~ (26)(a) Multimodal Transportation Account-State

Appropriation: For transfer to the Connecting

Washington Account-State \$82,080,000

(b) The amount transferred in this subsection represents a reversal of the changes made to RCW 82.32.385, in section 703, chapter 219, Laws of 2020, that directed a transfer of \$82,080,000 to the multimodal transportation account rather than the connecting Washington account.

(27)(a) Transportation Partnership Account-State

Appropriation: For transfer to the Capital Vessel

Replacement Account-State
 (~~(\$96,030,000)~~)
\$35,547,000

(b) The amount transferred in this subsection represents proceeds from the sale of bonds authorized in RCW 47.10.873.

~~((31))~~ (28) Freight Mobility Multimodal Account-State

Appropriation: For transfer to the Multimodal Transportation

Account-State \$7,296,000

~~((32))~~ (29) Connecting Washington Account-State

Appropriation: For transfer to the Motor Vehicle

Account-State \$115,000,000

(30) (a) Motor Vehicle Account-State Appropriation:

For transfer to the Alaskan Way Viaduct Replacement

Project Account-State \$13,000,000

(b) The funds provided in (a) of this subsection are a loan to the Alaskan Way viaduct replacement project account-state, and the legislature assumes that these funds will be reimbursed to the motor vehicle account-state at a later date when traffic on the toll facility has recovered from the COVID-19 pandemic.

(31) Motor Vehicle Account-State Appropriation:

For transfer to the Transportation 2003 Account

(Nickel Account)-State \$12,800,000

(32) Multimodal Transportation Account-State

Appropriation: For transfer to the Puget Sound

Ferry Operations Account-State \$55,000,000

Sec. 1107. 2020 c 219 s 407 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER-STATE REVENUES FOR DISTRIBUTION

Multimodal Transportation Account-State

Appropriation: For distribution to cities and

counties \$26,786,000

Motor Vehicle Account-State
 Appropriation: For

distribution to cities and counties \$23,438,000

TOTAL APPROPRIATION \$50,224,000

Sec. 1108. 2020 c 219 s 408 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER-BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT TO BE PAID BY STATUTORILY PRESCRIBED REVENUE

Toll Facility Bond Retirement Account-Federal

Appropriation (~~(\$199,522,000)~~)

\$199,523,000

Toll Facility Bond Retirement Account-State

Appropriation \$25,372,000

TOTAL APPROPRIATION

~~(\$224,894,000)~~

\$224,895,000

MISCELLANEOUS 2019-2021 FISCAL BIENNIUM

NEW SECTION. Sec. 1201. A new section is added to 2019 c 416 (uncodified) to read as follows:

The appropriations to the department of transportation in chapter 416, Laws of 2019, chapter 219, Laws of 2020, and this act must be expended for the programs and in the amounts specified in chapter 416, Laws of 2019, chapter 219, Laws of 2020, and this act. However, after May 1, 2021, unless specifically prohibited, the department may transfer state appropriations for the 2019-2021 fiscal biennium among operating programs after approval by the director of the office of financial management. However, the department shall not transfer state moneys that are provided solely for a specific purpose. The department shall not transfer funds, and the director of the office of financial management shall not approve the transfer, unless the transfer is consistent with the objective of conserving, to the maximum extent possible, the expenditure of state funds and not federal funds. The director of the office of financial management shall notify the appropriate transportation

committees of the legislature prior to approving any allotment modifications or transfers under this section.

MISCELLANEOUS

NEW SECTION. **Sec. 1301.** 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. 1302.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

and that the bill do pass as recommended by the Conference Committee:

Senators Hobbs, King and Saldana
Representatives Barkis, Fey and Wylie

There being no objection, the House adopted the conference committee report on SUBSTITUTE SENATE BILL NO. 5165 and advanced the bill as recommended by the conference committee to final passage.

FINAL PASSAGE OF SENATE BILL AS RECOMMENDED BY CONFERENCE COMMITTEE

Representatives Fey and Barkis spoke in favor of the passage of the bill as recommended by the conference committee.

The Speaker (Representative Lovick presiding) stated the question before the House to be final passage of Substitute Senate Bill No. 5165 as recommended by the conference committee.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5165, as recommended by the conference committee, and the bill passed the House by the following votes: Yeas: 90; Nays: 6; Absent: 0; Excused: 2

Voting yea: Representatives Abbarno, Barkis, Bateman, Berg, Bergquist, Berry, Boehnke, Bronoske, Callan, Chambers, Chandler, Chapman, Chase, Chopp, Cody, Corry, Davis, Dent, Dolan, Duerr, Dye, Entenman, Eslick, Fey, Fitzgibbon, Frame, Gilday, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Hansen, Harris, Harris-Talley, Hoff, Jacobsen, Jinkins, Johnson, J., Kirby, Klicker, Klippert, Kloba, Kretz, Leavitt, Lekanoff, Lovick, MacEwen, Macri, Maycumber, Morgan, Mosbrucker, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Riccelli, Rude, Rule, Ryu, Santos, Schmick, Sells, Senn, Shewmake, Simmons, Slatter, Springer, Steele, Stokesbary, Stonier, Sullivan, Sutherland, Taylor, Thai,

Tharinger, Valdez, Vick, Volz, Walen, Walsh, Wicks, Wilcox, Wylie, and Ybarra

Voting nay: Representatives Caldier, Dufault, Kraft, McCaslin, Orcutt, and Young

Excused: Representatives McEntire and Robertson

SUBSTITUTE SENATE BILL NO. 5165, as recommended by the conference committee, having received the constitutional majority, was declared passed.

With the consent of the House, SUBSTITUTE SENATE BILL NO. 5165 was immediately transmitted to the Senate.

CONFERENCE COMMITTEE REPORT

April 23, 2021

Engrossed Second Substitute House Bill No. 1477

Includes "New Item": YES

Madame Speaker:

We of your Conference Committee, to whom was referred ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1477, implementing the national 988 system to enhance and expand behavioral health crisis response and suicide prevention services, have had the same under consideration and we recommend that:

All previous amendments not be adopted and that the attached striking amendment S-3066.4 be adopted.

Strike everything after the enacting clause and insert the following:

"PART I

CRISIS CALL CENTER HUBS AND CRISIS SERVICES

NEW SECTION. **Sec. 101.** (1) The legislature finds that:

(a) Nearly 6,000 Washington adults and children died by suicide in the last five years, according to the federal centers for disease control and prevention, tragically reflecting a state increase of 36 percent in the last 10 years.

(b) Suicide is now the single leading cause of death for Washington young people ages 10 through 24, with total deaths 22 percent higher than for vehicle crashes.

(c) Groups with suicide rates higher than the general population include veterans, American Indians/Alaska Natives, LGBTQ youth, and people living in rural counties across the state.

(d) More than one in five Washington residents are currently living with a behavioral health disorder.

(e) The COVID-19 pandemic has increased stressors and substance use among Washington residents.

(f) An improved crisis response system will reduce reliance on emergency room services and the use of law enforcement response to behavioral health crises and will stabilize individuals in the community whenever possible.

(g) To accomplish effective crisis response and suicide prevention, Washington state must continue its integrated approach to address mental health and substance use disorder in tandem under the umbrella of behavioral health disorders, consistently with chapter 71.24 RCW and the state's approach to integrated health care. This is particularly true in the domain of suicide prevention, because of the prevalence of substance use as both a risk factor and means for suicide.

(2) The legislature intends to:

(a) Establish crisis call center hubs and expand the crisis response system in a deliberate, phased approach that includes the involvement of partners from a range of perspectives to:

(i) Save lives by improving the quality of and access to behavioral health crisis services;

(ii) Further equity in addressing mental health and substance use treatment and assure a culturally and linguistically competent response to behavioral health crises;

(iii) Recognize that, historically, crisis response placed marginalized communities, including those experiencing behavioral health crises, at disproportionate risk of poor outcomes and criminal justice involvement;

(iv) Comply with the national suicide hotline designation act of 2020 and the federal communications commission's rules adopted July 16, 2020, to assure that all Washington residents receive a consistent and effective level of 988 suicide prevention and other behavioral health crisis response and suicide prevention services no matter where they live, work, or travel in the state; and

(v) Provide higher quality support for people experiencing behavioral health

crises through investment in new technology to create a crisis call center hub system to triage calls and link individuals to follow-up care.

(b) Make additional investments to enhance the crisis response system, including the expansion of crisis teams, to be known as mobile rapid response crisis teams, and deployment of a wide array of crisis stabilization services, such as 23-hour crisis stabilization units based on the living room model, crisis stabilization centers, short-term respite facilities, peer-run respite centers, and same-day walk-in behavioral health services. The overall crisis system shall contain components that operate like hospital emergency departments that accept all walk-ins and ambulance, fire, and police drop-offs. Certified peer counselors as well as peers in other roles providing support must be incorporated within the crisis system and along the continuum of crisis care.

NEW SECTION. Sec. 102. A new section is added to chapter 71.24 RCW to read as follows:

(1) Establishing the state crisis call center hubs and enhancing the crisis response system will require collaborative work between the department and the authority within their respective roles. The department shall have primary responsibility for establishing and designating the crisis call center hubs. The authority shall have primary responsibility for developing and implementing the crisis response system and services to support the work of the crisis call center hubs. In any instance in which one agency is identified as the lead, the expectation is that agency will be communicating and collaborating with the other to ensure seamless, continuous, and effective service delivery within the statewide crisis response system.

(2) The department shall provide adequate funding for the state's crisis call centers to meet an expected increase in the use of the call centers based on the implementation of the 988 crisis hotline. The funding level shall be established at a level anticipated to achieve an in-state call response rate of at least 90 percent by July 22, 2022. The funding level shall be determined by considering standards and cost per call predictions provided by the administrator of the national suicide

prevention lifeline, call volume predictions, guidance on crisis call center performance metrics, and necessary technology upgrades.

(3) The department shall adopt rules by July 1, 2023, to establish standards for designation of crisis call centers as crisis call center hubs. The department shall collaborate with the authority and other agencies to assure coordination and availability of services, and shall consider national guidelines for behavioral health crisis care as determined by the federal substance abuse and mental health services administration, national behavioral health accrediting bodies, and national behavioral health provider associations to the extent they are appropriate, and recommendations from the crisis response improvement strategy committee created in section 103 of this act.

(4) The department shall designate crisis call center hubs by July 1, 2024. The crisis call center hubs shall provide crisis intervention services, triage, care coordination, referrals, and connections to individuals contacting the 988 crisis hotline from any jurisdiction within Washington 24 hours a day, seven days a week, using the system platform developed under subsection (5) of this section.

(a) To be designated as a crisis call center hub, the applicant must demonstrate to the department the ability to comply with the requirements of this section and to contract to provide crisis call center hub services. The department may revoke the designation of any crisis call center hub that fails to substantially comply with the contract.

(b) The contracts entered shall require designated crisis call center hubs to:

(i) Have an active agreement with the administrator of the national suicide prevention lifeline for participation within its network;

(ii) Meet the requirements for operational and clinical standards established by the department and based upon the national suicide prevention lifeline best practices guidelines and other recognized best practices;

(iii) Employ highly qualified, skilled, and trained clinical staff who have sufficient training and resources to provide empathy to callers in acute

distress, de-escalate crises, assess behavioral health disorders and suicide risk, triage to system partners, and provide case management and documentation. Call center staff shall be trained to make every effort to resolve cases in the least restrictive environment and without law enforcement involvement whenever possible. Call center staff shall coordinate with certified peer counselors to provide follow-up and outreach to callers in distress as available. It is intended for transition planning to include a pathway for continued employment and skill advancement as needed for experienced crisis call center employees;

(iv) Collaborate with the authority, the national suicide prevention lifeline, and veterans crisis line networks to assure consistency of public messaging about the 988 crisis hotline; and

(v) Provide data and reports and participate in evaluations and related quality improvement activities, according to standards established by the department in collaboration with the authority.

(c) The department and the authority shall incorporate recommendations from the crisis response improvement strategy committee created under section 103 of this act in its agreements with crisis call center hubs, as appropriate.

(5) The department and authority must coordinate to develop the technology and platforms necessary to manage and operate the behavioral health crisis response and suicide prevention system. The technologies developed must include:

(a) A new technologically advanced behavioral health and suicide prevention crisis call center system platform using technology demonstrated to be interoperable across crisis and emergency response systems used throughout the state, such as 911 systems, emergency medical services systems, and other nonbehavioral health crisis services, for use in crisis call center hubs designated by the department under subsection (4) of this section. This platform, which shall be fully funded by July 1, 2023, shall be developed by the department and must include the capacity to receive crisis assistance requests through phone calls, texts, chats, and other similar methods of communication that may be developed in

the future that promote access to the behavioral health crisis system; and

(b) A behavioral health integrated client referral system capable of providing system coordination information to crisis call center hubs and the other entities involved in behavioral health care. This system shall be developed by the authority.

(6) In developing the new technologies under subsection (5) of this section, the department and the authority must coordinate to designate a primary technology system to provide each of the following:

(a) Access to real-time information relevant to the coordination of behavioral health crisis response and suicide prevention services, including:

(i) Real-time bed availability for all behavioral health bed types, including but not limited to crisis stabilization services, triage facilities, psychiatric inpatient, substance use disorder inpatient, withdrawal management, peer-run respite centers, and crisis respite services, inclusive of both voluntary and involuntary beds, for use by crisis response workers, first responders, health care providers, emergency departments, and individuals in crisis; and

(ii) Real-time information relevant to the coordination of behavioral health crisis response and suicide prevention services for a person, including the means to access:

(A) Information about any less restrictive alternative treatment orders or mental health advance directives related to the person; and

(B) Information necessary to enable the crisis call center hub to actively collaborate with emergency departments, primary care providers and behavioral health providers within managed care organizations, behavioral health administrative services organizations, and other health care payers to establish a safety plan for the person in accordance with best practices and provide the next steps for the person's transition to follow-up noncrisis care. To establish information-sharing guidelines that fulfill the intent of this section the authority shall consider input from the confidential information compliance and coordination subcommittee

established under section 103 of this act;

(b) The means to request deployment of appropriate crisis response services, which may include mobile rapid response crisis teams, co-responder teams, designated crisis responders, fire department mobile integrated health teams, or community assistance referral and educational services programs under RCW 35.21.930, according to best practice guidelines established by the authority, and track local response through global positioning technology; and

(c) The means to track the outcome of the 988 call to enable appropriate follow up, cross-system coordination, and accountability, including as appropriate: (i) Any immediate services dispatched and reports generated from the encounter; (ii) the validation of a safety plan established for the caller in accordance with best practices; (iii) the next steps for the caller to follow in transition to noncrisis follow-up care, including a next-day appointment for callers experiencing urgent, symptomatic behavioral health care needs; and (iv) the means to verify and document whether the caller was successful in making the transition to appropriate noncrisis follow-up care indicated in the safety plan for the person, to be completed either by the care coordinator provided through the person's managed care organization, health plan, or behavioral health administrative services organization, or if such a care coordinator is not available or does not follow through, by the staff of the crisis call center hub;

(d) A means to facilitate actions to verify and document whether the person's transition to follow up noncrisis care was completed and services offered, to be performed by a care coordinator provided through the person's managed care organization, health plan, or behavioral health administrative services organization, or if such a care coordinator is not available or does not follow through, by the staff of the crisis call center hub;

(e) The means to provide geographically, culturally, and linguistically appropriate services to persons who are part of high-risk populations or otherwise have need of specialized services or accommodations, and to document these services or accommodations; and

(f) When appropriate, consultation with tribal governments to ensure coordinated care in government-to-government relationships, and access to dedicated services to tribal members.

(7) To implement this section the department and the authority shall collaborate with the state enhanced 911 coordination office, emergency management division, and military department to develop technology that is demonstrated to be interoperable between the 988 crisis hotline system and crisis and emergency response systems used throughout the state, such as 911 systems, emergency medical services systems, and other nonbehavioral health crisis services, as well as the national suicide prevention lifeline, to assure cohesive interoperability, develop training programs and operations for both 911 public safety telecommunicators and crisis line workers, develop suicide and other behavioral health crisis assessments and intervention strategies, and establish efficient and equitable access to resources via crisis hotlines.

(8) The authority shall:

(a) Collaborate with county authorities and behavioral health administrative services organizations to develop procedures to dispatch behavioral health crisis services in coordination with crisis call center hubs to effectuate the intent of this section;

(b) Establish formal agreements with managed care organizations and behavioral health administrative services organizations by January 1, 2023, to provide for the services, capacities, and coordination necessary to effectuate the intent of this section, which shall include a requirement to arrange next-day appointments for persons contacting the 988 crisis hotline experiencing urgent, symptomatic behavioral health care needs with geographically, culturally, and linguistically appropriate primary care or behavioral health providers within the person's provider network, or, if uninsured, through the person's behavioral health administrative services organization;

(c) Create best practices guidelines by July 1, 2023, for deployment of appropriate and available crisis response services by crisis call center hubs to assist 988 hotline callers to minimize nonessential reliance on

emergency room services and the use of law enforcement, considering input from relevant stakeholders and recommendations made by the crisis response improvement strategy committee created under section 103 of this act;

(d) Develop procedures to allow appropriate information sharing and communication between and across crisis and emergency response systems for the purpose of real-time crisis care coordination including, but not limited to, deployment of crisis and outgoing services, follow-up care, and linked, flexible services specific to crisis response; and

(e) Establish guidelines to appropriately serve high-risk populations who request crisis services. The authority shall design these guidelines to promote behavioral health equity for all populations with attention to circumstances of race, ethnicity, gender, socioeconomic status, sexual orientation, and geographic location, and include components such as training requirements for call response workers, policies for transferring such callers to an appropriate specialized center or subnetwork within or external to the national suicide prevention lifeline network, and procedures for referring persons who access the 988 crisis hotline to linguistically and culturally competent care.

NEW SECTION. Sec. 103. A new section is added to chapter 71.24 RCW to read as follows:

(1) The crisis response improvement strategy committee is established for the purpose of providing advice in developing an integrated behavioral health crisis response and suicide prevention system containing the elements described in this section. The work of the committee shall be received and reviewed by a steering committee, which shall in turn form subcommittees to provide the technical analysis and input needed to formulate system change recommendations.

(2) The office of financial management shall contract with the behavioral health institute at Harborview medical center to facilitate and provide staff support to the steering committee and to the crisis response improvement strategy committee.

(3) The steering committee shall select three cochairs from among its members to lead the crisis response improvement strategy committee. The

crisis response improvement strategy committee shall consist of the following members, who shall be appointed or requested by the authority, unless otherwise noted:

(a) The director of the authority, or his or her designee, who shall also serve on the steering committee;

(b) The secretary of the department, or his or her designee, who shall also serve on the steering committee;

(c) A member representing the office of the governor, who shall also serve on the steering committee;

(d) The Washington state insurance commissioner, or his or her designee;

(e) Up to two members representing federally recognized tribes, one from eastern Washington and one from western Washington, who have expertise in behavioral health needs of their communities;

(f) One member from each of the two largest caucuses of the senate, one of whom shall also be designated to participate on the steering committee, to be appointed by the president of the senate;

(g) One member from each of the two largest caucuses of the house of representatives, one of whom shall also be designated to participate on the steering committee, to be appointed by the speaker of the house of representatives;

(h) The director of the Washington state department of veterans affairs, or his or her designee;

(i) The state enhanced 911 coordinator, or his or her designee;

(j) A member with lived experience of a suicide attempt;

(k) A member with lived experience of a suicide loss;

(l) A member with experience of participation in the crisis system related to lived experience of a mental health disorder;

(m) A member with experience of participation in the crisis system related to lived experience with a substance use disorder;

(n) A member representing each crisis call center in Washington that is

contracted with the national suicide prevention lifeline;

(o) Up to two members representing behavioral health administrative services organizations, one from an urban region and one from a rural region;

(p) A member representing the Washington council for behavioral health;

(q) A member representing the association of alcoholism and addiction programs of Washington state;

(r) A member representing the Washington state hospital association;

(s) A member representing the national alliance on mental illness Washington;

(t) A member representing the behavioral health interests of persons of color recommended by Sea Mar community health centers;

(u) A member representing the behavioral health interests of persons of color recommended by Asian counseling and referral service;

(v) A member representing law enforcement;

(w) A member representing a university-based suicide prevention center of excellence;

(x) A member representing an emergency medical services department with a CARES program;

(y) A member representing managed care organizations, as recommended by the association of Washington healthcare plans;

(z) A member representing commercial health insurance, as recommended by the association of Washington healthcare plans;

(aa) A member representing the Washington association of designated crisis responders;

(bb) A member representing the children and youth behavioral health work group;

(cc) A member representing a social justice organization addressing police accountability and the use of deadly force; and

(dd) A member representing an organization specializing in facilitating behavioral health services for LGBTQ populations.

(4) The crisis response improvement strategy committee shall assist the steering committee to identify potential barriers and make recommendations necessary to implement and effectively monitor the progress of the 988 crisis hotline in Washington and make recommendations for the statewide improvement of behavioral health crisis response and suicide prevention services.

(5) The steering committee must develop a comprehensive assessment of the behavioral health crisis response and suicide prevention services system by January 1, 2022, including an inventory of existing statewide and regional behavioral health crisis response, suicide prevention, and crisis stabilization services and resources, and taking into account capital projects which are planned and funded. The comprehensive assessment shall identify:

(a) Statewide and regional insufficiencies and gaps in behavioral health crisis response and suicide prevention services and resources needed to meet population needs;

(b) Quantifiable goals for the provision of statewide and regional behavioral health crisis services and targeted deployment of resources, which consider factors such as reported rates of involuntary commitment detentions, single-bed certifications, suicide attempts and deaths, substance use disorder-related overdoses, overdose or withdrawal-related deaths, and incarcerations due to a behavioral health incident;

(c) A process for establishing outcome measures, benchmarks, and improvement targets, for the crisis response system; and

(d) Potential funding sources to provide statewide and regional behavioral health crisis services and resources.

(6) The steering committee, taking into account the comprehensive assessment work under subsection (5) of this section as it becomes available, after discussion with the crisis response improvement strategy committee and hearing reports from the subcommittees, shall report on the following:

(a) A recommended vision for an integrated crisis network in Washington that includes, but is not limited to: An

integrated 988 crisis hotline and crisis call center hubs; mobile rapid response crisis teams; mobile crisis response units for youth, adult, and geriatric population; a range of crisis stabilization services; an integrated involuntary treatment system; access to peer-run services, including peer-run respite centers; adequate crisis respite services; and data resources;

(b) Recommendations to promote equity in services for individuals of diverse circumstances of culture, race, ethnicity, gender, socioeconomic status, sexual orientation, and for individuals in tribal, urban, and rural communities;

(c) Recommendations for a work plan with timelines to implement appropriate local responses to calls to the 988 crisis hotline within Washington in accordance with the time frames required by the national suicide hotline designation act of 2020;

(d) The necessary components of each of the new technologically advanced behavioral health crisis call center system platform and the new behavioral health integrated client referral system, as provided under section 102 of this act, for assigning and tracking response to behavioral health crisis calls and providing real-time bed and outpatient appointment availability to 988 operators, emergency departments, designated crisis responders, and other behavioral health crisis responders, which shall include but not be limited to:

(i) Identification of the components crisis call center hub staff need to effectively coordinate crisis response services and find available beds and available primary care and behavioral health outpatient appointments;

(ii) Evaluation of existing bed tracking models currently utilized by other states and identifying the model most suitable to Washington's crisis behavioral health system;

(iii) Evaluation of whether bed tracking will improve access to all behavioral health bed types and other impacts and benefits; and

(iv) Exploration of how the bed tracking and outpatient appointment availability platform can facilitate more timely access to care and other impacts and benefits;

(e) The necessary systems and capabilities that licensed or certified behavioral health agencies, behavioral health providers, and any other relevant parties will require to report, maintain, and update inpatient and residential bed and outpatient service availability in real time to correspond with the crisis call center system platform or behavioral health integrated client referral system identified in section 102 of this act, as appropriate;

(f) A work plan to establish the capacity for the crisis call center hubs to integrate Spanish language interpreters and Spanish-speaking call center staff into their operations, and to ensure the availability of resources to meet the unique needs of persons in the agricultural community who are experiencing mental health stresses, which explicitly addresses concerns regarding confidentiality;

(g) A work plan with timelines to enhance and expand the availability of community-based mobile rapid response crisis teams based in each region, including specialized teams as appropriate to respond to the unique needs of youth, including American Indian and Alaska Native youth and LGBTQ youth, and geriatric populations, including older adults of color and older adults with comorbid dementia;

(h) The identification of other personal and systemic behavioral health challenges which implementation of the 988 crisis hotline has the potential to address in addition to suicide response and behavioral health crises;

(i) The development of a plan for the statewide equitable distribution of crisis stabilization services, behavioral health beds, and peer-run respite services;

(j) Recommendations concerning how health plans, managed care organizations, and behavioral health administrative services organizations shall fulfill requirements to provide assignment of a care coordinator and to provide next-day appointments for enrollees who contact the behavioral health crisis system;

(k) Appropriate allocation of crisis system funding responsibilities among medicaid managed care organizations, commercial insurers, and behavioral health administrative services organizations;

(l) Recommendations for constituting a statewide behavioral health crisis response and suicide prevention oversight board or similar structure for ongoing monitoring of the behavioral health crisis system and where this should be established; and

(m) Cost estimates for each of the components of the integrated behavioral health crisis response and suicide prevention system.

(7) The steering committee shall consist only of members appointed to the steering committee under this section. The steering committee shall convene the committee, form subcommittees, assign tasks to the subcommittees, and establish a schedule of meetings and their agendas.

(8) The subcommittees of the crisis response improvement strategy committee shall focus on discrete topics. The subcommittees may include participants who are not members of the crisis response improvement strategy committee, as needed to provide professional expertise and community perspectives. Each subcommittee shall have at least one member representing the interests of stakeholders in a rural community, at least one member representing the interests of stakeholders in an urban community, and at least one member representing the interests of youth stakeholders. The steering committee shall form the following subcommittees:

(a) A Washington tribal 988 subcommittee, which shall examine and make recommendations with respect to the needs of tribes related to the 988 system, and which shall include representation from the American Indian health commission;

(b) A credentialing and training subcommittee, to recommend workforce needs and requirements necessary to implement this act, including minimum education requirements such as whether it would be appropriate to allow crisis call center hubs to employ clinical staff without a bachelor's degree or master's degree based on the person's skills and life or work experience;

(c) A technology subcommittee, to examine issues and requirements related to the technology needed to implement this act;

(d) A cross-system crisis response collaboration subcommittee, to examine and define the complementary roles and

interactions between mobile rapid response crisis teams, designated crisis responders, law enforcement, emergency medical services teams, 911 and 988 operators, public and private health plans, behavioral health crisis response agencies, nonbehavioral health crisis response agencies, and others needed to implement this act;

(e) A confidential information compliance and coordination subcommittee, to examine issues relating to sharing and protection of health information needed to implement this act; and

(f) Any other subcommittee needed to facilitate the work of the committee, at the discretion of the steering committee.

(9) The proceedings of the crisis response improvement strategy committee must be open to the public and invite testimony from a broad range of perspectives. The committee shall seek input from tribes, veterans, the LGBTQ community, and communities of color to help discern how well the crisis response system is currently working and recommend ways to improve the crisis response system.

(10) Legislative members of the crisis response improvement strategy committee shall be reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW.

(11) The steering committee, with the advice of the crisis response improvement strategy committee, shall provide a progress report and the result of its comprehensive assessment under subsection (5) of this section to the governor and appropriate policy and fiscal committee of the legislature by January 1, 2022. The steering committee shall report the crisis response improvement strategy committee's further progress and the steering committee's recommendations related to crisis call center hubs to the governor and appropriate policy and fiscal committees of the legislature by January 1, 2023. The steering committee shall provide its final report to the governor and the

appropriate policy and fiscal committees of the legislature by January 1, 2024.

(12) This section expires June 30, 2024.

NEW SECTION. Sec. 104. A new section is added to chapter 71.24 RCW to read as follows:

(1) The steering committee of the crisis response improvement strategy committee established under section 103 of this act must monitor and make recommendations related to the funding of crisis response services out of the account created in section 205 of this act. The crisis response improvement strategy steering committee must analyze:

(a) The projected expenditures from the account created under section 205 of this act, taking into account call volume, utilization projections, and other operational impacts;

(b) The costs of providing statewide coverage of mobile rapid response crisis teams or other behavioral health first responder services recommended by the crisis response improvement strategy committee, based on 988 crisis hotline utilization and taking into account existing state and local funding;

(c) Potential options to reduce the tax imposed in section 202 of this act, given the expected level of costs related to infrastructure development and operational support of the 988 crisis hotline and crisis call center hubs; and

(d) The viability of providing funding for in-person mobile rapid response crisis services or other behavioral health first responder services recommended by the crisis response improvement strategy committee funded from the account created in section 205 of this act, given the expected revenues to the account and the level of expenditures required under (a) of this subsection.

(2) If the steering committee finds that funding in-person mobile rapid response crisis services or other behavioral health first responder services recommended by the crisis response improvement strategy committee is viable from the account given the level of expenditures necessary to support the infrastructure development and operational support of the 988 crisis hotline and crisis call center hubs, the

steering committee must analyze options for the location and composition of such services given need and available resources with the requirement that funds from the account supplement, not supplant, existing behavioral health crisis funding.

(3) The work of the steering committee under this section must be facilitated by the behavioral health institute at Harborview medical center through its contract with the office of financial management under section 103 of this act with assistance provided by staff from senate committee services, the office of program research, and the office of financial management.

(4) The steering committee shall submit preliminary recommendations to the governor and the appropriate policy and fiscal committees of the legislature by January 1, 2022, and final recommendations to the governor and the appropriate policy and fiscal committees of the legislature by January 1, 2023.

(5) This section expires on July 1, 2023.

NEW SECTION. Sec. 105. A new section is added to chapter 71.24 RCW to read as follows:

(1) The department and authority shall provide an annual report regarding the usage of the 988 crisis hotline, call outcomes, and the provision of crisis services inclusive of mobile rapid response crisis teams and crisis stabilization services. The report shall be submitted to the governor and the appropriate committees of the legislature each November beginning in 2023. The report shall include information on the fund deposits and expenditures of the account created in section 205 of this act.

(2) The department and authority shall coordinate with the department of revenue, and any other agency that is appropriated funding under the account created in section 205 of this act, to develop and submit information to the federal communications commission required for the completion of fee accountability reports pursuant to the national suicide hotline designation act of 2020.

(3) The joint legislative audit and review committee shall schedule an audit to begin after the full implementation of this act, to provide transparency as to

how funds from the statewide 988 behavioral health crisis response and suicide prevention line account have been expended, and to determine whether funds used to provide acute behavioral health, crisis outreach, and stabilization services are being used to supplement services identified as baseline services in the comprehensive analysis provided under section 103 of this act, or to supplant baseline services. The committee shall provide a report by November 1, 2027, which includes recommendations as to the adequacy of the funding provided to accomplish the intent of the act and any other recommendations for alteration or improvement.

NEW SECTION. Sec. 106. A new section is added to chapter 48.43 RCW to read as follows:

Health plans issued or renewed on or after January 1, 2023, must make next-day appointments available to enrollees experiencing urgent, symptomatic behavioral health conditions to receive covered behavioral health services. The appointment may be with a licensed provider other than a licensed behavioral health professional, as long as that provider is acting within their scope of practice, and may be provided through telemedicine consistent with RCW 48.43.735. Need for urgent symptomatic care is associated with the presentation of behavioral health signs or symptoms that require immediate attention, but are not emergent.

NEW SECTION. Sec. 107. A new section is added to chapter 43.06 RCW to read as follows:

(1) The governor shall appoint a 988 hotline and behavioral health crisis system coordinator to provide project coordination and oversight for the implementation and administration of the 988 crisis hotline, other requirements of this act, and other projects supporting the behavioral health crisis system. The coordinator shall:

(a) Oversee the collaboration between the department of health and the health care authority in their respective roles in supporting the crisis call center hubs, providing the necessary support services for 988 callers, and establishing adequate requirements and guidance for their contractors to fulfill the requirements of this act;

(b) Ensure coordination and facilitate communication between stakeholders such

as crisis call center hub contractors, behavioral health administrative service organizations, county authorities, other crisis hotline centers, managed care organizations, and, in collaboration with the state enhanced 911 coordination office, with 911 emergency communications systems;

(c) Review the development of adequate and consistent training for crisis call center personnel and, in coordination with the state enhanced 911 coordination office, for 911 operators with respect to their interactions with the crisis hotline center; and

(d) Coordinate implementation of other behavioral health initiatives among state agencies and educational institutions, as appropriate, including coordination of data between agencies.

(2) This section expires June 30, 2024.

NEW SECTION. Sec. 108. A new section is added to chapter 71.24 RCW to read as follows:

(1) When acting in their statutory capacities pursuant to this act, the state, department, authority, state enhanced 911 coordination office, emergency management division, military department, any other state agency, and their officers, employees, and agents are deemed to be carrying out duties owed to the public in general and not to any individual person or class of persons separate and apart from the public. Nothing contained in this act may be construed to evidence a legislative intent that the duties to be performed by the state, department, authority, state enhanced 911 coordination office, emergency management division, military department, any other state agency, and their officers, employees, and agents, as required by this act, are owed to any individual person or class of persons separate and apart from the public in general.

(2) Each crisis call center hub designated by the department under any contract or agreement pursuant to this act shall be deemed to be an independent contractor, separate and apart from the department and the state.

NEW SECTION. Sec. 109. A new section is added to chapter 71.24 RCW to read as follows:

For the purpose of development and implementation of technology and platforms by the department and the authority under section 102 of this act, the department and the authority shall create a sophisticated technical and operational plan. The plan shall not conflict with, nor delay, the department meeting and satisfying existing 988 federal requirements that are already underway and must be met by July 16, 2022, nor is it intended to delay the initial planning phase of the project, or the planning and deliverables tied to any grant award received and allotted by the department or the authority prior to April 1, 2021. To the extent that funds are appropriated for this specific purpose, the department and the authority must contract for a consultant to critically analyze the development and implementation technology and platforms and operational challenges to best position the solutions for success. Prior to initiation of a new information technology development, which does not include the initial planning phase of this project or any contracting needed to complete the initial planning phase, the department and authority shall submit the technical and operational plan to the governor, office of financial management, steering committee of the crisis response improvement strategy committee created under section 103 of this act, and appropriate policy and fiscal committees of the legislature, which shall include the committees referenced in this section. The plan must be approved by the office of the chief information officer, the director of the office of financial management, and the steering committee of the crisis response improvement strategy committee, which shall consider any feedback received from the senate ways and means committee chair, the house of representatives appropriations committee chair, the senate environment, energy and technology committee chair, the senate behavioral health subcommittee chair, and the house of representatives health care and wellness committee chair, before any funds are expended for the solutions, other than those funds needed to complete the initial planning phase. A draft technical and operational plan must be submitted no later than January 1, 2022, and a final plan by August 31, 2022.

The plan submitted must include, but not be limited to:

(1) Data management;

- (2) Data security;
- (3) Data flow;
- (4) Data access and permissions;
- (5) Protocols to ensure staff are following proper health information privacy procedures;
- (6) Cybersecurity requirements and how to meet these;
- (7) Service level agreements by vendor;
- (8) Maintenance and operations costs;
- (9) Identification of what existing software as a service products might be applicable, to include the:
 - (a) Vendor name;
 - (b) Vendor offerings to include product module and functionality detail and whether each represent add-ons that must be paid separately;
 - (c) Vendor pricing structure by year through implementation; and
 - (d) Vendor pricing structure by year post implementation;
- (10) Integration limitations by system;
- (11) Data analytic and performance metrics to be required by system;
- (12) Liability;
- (13) Which agency will host the electronic health record software as a service;
- (14) Regulatory agency;
- (15) The timeline by fiscal year from initiation to implementation for each solution in this act;
- (16) How to plan in a manner that ensures efficient use of state resources and maximizes federal financial participation; and
- (17) A complete comprehensive business plan analysis.

PART II

TAX

NEW SECTION. **Sec. 201.** DEFINITIONS.

- (1) The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.
 - (a) "988 crisis hotline" has the same meaning as in RCW 71.24.025.

(b) "Crisis call center hub" has the same meaning as in RCW 71.24.025.

(2) The definitions in RCW 82.14B.020 apply to this chapter.

NEW SECTION. **Sec. 202.** TAX IMPOSED.

(1)(a) A statewide 988 behavioral health crisis response and suicide prevention line tax is imposed on the use of all radio access lines:

(i) By subscribers whose place of primary use is located within the state in the amount set forth in (a)(ii) of this subsection (1) per month for each radio access line. The tax must be uniform for each radio access line under this subsection (1); and

(ii) By consumers whose retail transaction occurs within the state in the amount set forth in this subsection (1)(a)(ii) per retail transaction. The amount of tax must be uniform for each retail transaction under this subsection (1) and is as follows:

(A) Beginning October 1, 2021, through December 31, 2022, the tax rate is 24 cents for each radio access line; and

(B) Beginning January 1, 2023, the tax rate is 40 cents for each radio access line.

(b) The tax imposed under this subsection (1) must be remitted to the department by radio communications service companies, including those companies that resell radio access lines, and sellers of prepaid wireless telecommunications service, on a tax return provided by the department. Tax proceeds must be deposited by the treasurer into the statewide 988 behavioral health crisis response and suicide prevention line account created in section 205 of this act.

(c) For the purposes of this subsection (1), the retail transaction is deemed to occur at the location where the transaction is sourced under RCW 82.32.520(3)(c).

(2) A statewide 988 behavioral health crisis response and suicide prevention line tax is imposed on all interconnected voice over internet protocol service lines in the state. The amount of tax must be uniform for each line and must be levied on no more than the number of voice over internet protocol service lines on an account that is capable of simultaneous unrestricted outward calling to the public switched telephone

network. The tax imposed under this subsection (2) must be remitted to the department by interconnected voice over internet protocol service companies on a tax return provided by the department. The amount of tax for each interconnected voice over internet protocol service line whose place of primary use is located in the state is as follows:

(a) Beginning October 1, 2021, through December 31, 2022, the tax rate is 24 cents for an interconnected voice over internet protocol service line; and

(b) Beginning January 1, 2023, the tax rate is 40 cents for an interconnected voice over internet protocol service line.

(3) A statewide 988 behavioral health crisis response and suicide prevention line tax is imposed on all switched access lines in the state. The amount of tax must be uniform for each line and must be levied on no more than the number of switched access lines on an account that is capable of simultaneous unrestricted outward calling to the public switched telephone network. The tax imposed under this subsection (3) must be remitted to the department by local exchange companies on a tax return provided by the department. The amount of tax for each switched access line whose place of primary use is located in the state is as follows:

(a) Beginning October 1, 2021, through December 31, 2022, the tax rate is 24 cents for each switched access line; and

(b) Beginning January 1, 2023, the tax rate is 40 cents for each switched access line.

(4) Tax proceeds collected pursuant to this section must be deposited by the treasurer into the statewide 988 behavioral health crisis response and suicide prevention line account created in section 205 of this act.

NEW SECTION. Sec. 203. COLLECTION OF TAX. (1) Except as provided otherwise in subsection (2) of this section:

(a) The statewide 988 behavioral health crisis response and suicide prevention line tax on radio access lines must be collected from the subscriber by the radio communications service company, including those companies that resell radio access lines, providing the radio access line to the subscriber, and

the seller of prepaid wireless telecommunications services.

(b) The statewide 988 behavioral health crisis response and suicide prevention line tax on interconnected voice over internet protocol service lines must be collected from the subscriber by the interconnected voice over internet protocol service company providing the interconnected voice over internet protocol service line to the subscriber.

(c) The statewide 988 behavioral health crisis response and suicide prevention line tax on switched access lines must be collected from the subscriber by the local exchange company.

(d) The amount of the tax must be stated separately on the billing statement which is sent to the subscriber.

(2)(a) The statewide 988 behavioral health crisis response and suicide prevention line tax imposed by this chapter must be collected from the consumer by the seller of a prepaid wireless telecommunications service for each retail transaction occurring in this state.

(b) The department must transfer all tax proceeds remitted by a seller under this subsection (2) to the statewide 988 behavioral health crisis response and suicide prevention line account created in section 205 of this act.

(c) The taxes required by this subsection to be collected by the seller must be separately stated in any sales invoice or instrument of sale provided to the consumer.

NEW SECTION. Sec. 204. PAYMENT AND COLLECTION. (1)(a) The statewide 988 behavioral health crisis response and suicide prevention line tax imposed by this chapter must be paid by the subscriber to the radio communications service company providing the radio access line, the local exchange company, or the interconnected voice over internet protocol service company providing the interconnected voice over internet protocol service line.

(b) Each radio communications service company, each local exchange company, and each interconnected voice over internet protocol service company, must collect from the subscriber the full amount of the taxes payable. The statewide 988

behavioral health crisis response and suicide prevention line tax required by this chapter to be collected by a company or seller, are deemed to be held in trust by the company or seller until paid to the department. Any radio communications service company, local exchange company, or interconnected voice over internet protocol service company that appropriates or converts the tax collected to its own use or to any use other than the payment of the tax to the extent that the money collected is not available for payment on the due date as prescribed in this chapter is guilty of a gross misdemeanor.

(2) If any radio communications service company, local exchange company, or interconnected voice over internet protocol service company fails to collect the statewide 988 behavioral health crisis response and suicide prevention line tax or, after collecting the tax, fails to pay it to the department in the manner prescribed by this chapter, whether such failure is the result of its own act or the result of acts or conditions beyond its control, the company or seller is personally liable to the state for the amount of the tax, unless the company or seller has taken from the buyer in good faith documentation, in a form and manner prescribed by the department, stating that the buyer is not a subscriber or consumer or is otherwise not liable for the statewide 988 behavioral health crisis response and suicide prevention line tax.

(3) The amount of tax, until paid by the subscriber to the radio communications service company, local exchange company, the interconnected voice over internet protocol service company, or to the department, constitutes a debt from the subscriber to the company, or from the consumer to the seller. Any company or seller that fails or refuses to collect the tax as required with intent to violate the provisions of this chapter or to gain some advantage or benefit, either direct or indirect, and any subscriber or consumer who refuses to pay any tax due under this chapter is guilty of a misdemeanor. The statewide 988 behavioral health crisis response and suicide prevention line tax required by this chapter to be collected by the radio communications service company, local exchange company, or interconnected voice over internet protocol service company must be stated separately on the

billing statement that is sent to the subscriber.

(4) If a subscriber has failed to pay to the radio communications service company, local exchange company, or interconnected voice over internet protocol service company, the statewide 988 behavioral health crisis response and suicide prevention line tax imposed by this chapter and the company or seller has not paid the amount of the tax to the department, the department may, in its discretion, proceed directly against the subscriber or consumer for collection of the tax, in which case a penalty of 10 percent may be added to the amount of the tax for failure of the subscriber or consumer to pay the tax to the company or seller, regardless of when the tax is collected by the department.

NEW SECTION. Sec. 205. ACCOUNT CREATION. (1) The statewide 988 behavioral health crisis response and suicide prevention line account is created in the state treasury. All receipts from the statewide 988 behavioral health crisis response and suicide prevention line tax imposed pursuant to this chapter must be deposited into the account. Moneys may only be spent after appropriation.

(2) Expenditures from the account may only be used for (a) ensuring the efficient and effective routing of calls made to the 988 crisis hotline to an appropriate crisis hotline center or crisis call center hub; and (b) personnel and the provision of acute behavioral health, crisis outreach, and crisis stabilization services, as defined in RCW 71.24.025, by directly responding to the 988 crisis hotline.

(3) Moneys in the account may not be used to supplant general fund appropriations for behavioral health services or for medicaid covered services to individuals enrolled in the medicaid program.

NEW SECTION. Sec. 206. PREEMPTION. A city or county may not impose a tax, measured on a per line basis, on radio access lines, interconnected voice over internet protocol service lines, or switched access lines, for the purpose of ensuring the efficient and effective routing of calls made to the 988 crisis hotline to an appropriate crisis hotline center or crisis call center hub; or providing personnel or acute behavioral health, crisis outreach, or crisis

stabilization services, as defined in RCW 71.24.025, associated with directly responding to the 988 crisis hotline.

PART III

APPROPRIATIONS

NEW SECTION. **Sec. 301.** The appropriations in this section are provided to the department of health and are subject to the following conditions and limitations:

(1) The sum of \$23,016,000, or as much thereof as may be necessary, is appropriated for the fiscal biennium ending June 30, 2023, from the statewide 988 behavioral health crisis response and suicide prevention line account. The amount in this subsection is provided solely for the department to route calls to and contract for the operations of call centers and call center hubs. This includes funding for operations, training, and call center information technology and program staff.

(2) The sum of \$1,000,000, or as much thereof as may be necessary, is appropriated for the fiscal biennium ending June 30, 2023, from the statewide 988 behavioral health crisis response and suicide prevention line account. The amount in this subsection is provided solely for the department to contract for the development and operations of a tribal crisis line.

(3) The following sums, or so much thereof as may be necessary, are each appropriated: \$189,000 from the statewide 988 behavioral health crisis response and suicide prevention line account for the fiscal biennium ending June 30, 2023; and \$80,000 from the state general fund-federal account for the fiscal biennium ending June 30, 2023. The amounts in this subsection are provided solely for the department to provide staff support necessary to critically analyze the planning, development, and implementation of technology solutions to create the technical and operational plan pursuant to section 109 of this act.

(4) The sum of \$420,000, or as much thereof as may be necessary, is appropriated for the fiscal biennium ending June 30, 2023, from the statewide 988 behavioral health crisis response and suicide prevention line account. The amount in this subsection is provided solely for the department to participate in and provide support to the committee created in section 103 of this act.

NEW SECTION. **Sec. 302.** The appropriations in this section are provided to the state health care authority and are subject to the following conditions and limitations:

(1) The following sums, or as much thereof as may be necessary, are each appropriated: \$770,000 from the statewide 988 behavioral health crisis response and suicide prevention line account for the fiscal biennium ending June 30, 2023; and \$326,000 from the state general fund-federal account for the fiscal biennium ending June 30, 2023. The amounts in this subsection are provided solely for the authority to provide staff and contracted support necessary to critically analyze the planning, development, and implementation of technology solutions to create the technical and operational plan pursuant to section 109 of this act.

(2) The following sums, or so much thereof as may be necessary, are each appropriated: \$644,000 from the statewide 988 behavioral health crisis response and suicide prevention line account for the fiscal biennium ending June 30, 2023; and \$127,000 from the state general fund-federal account for the fiscal biennium ending June 30, 2023. The amounts in this subsection are provided solely for the authority to participate in and provide support to the committee created in section 103 of this act.

(3) The following sums, or as much thereof as may be necessary, are each appropriated: \$381,000 from the statewide 988 behavioral health crisis response and suicide prevention line account for the fiscal biennium ending June 30, 2023; and \$381,000 from the state general fund-federal account for the fiscal biennium ending June 30, 2023. The amounts in this subsection are provided solely for the authority to fulfill its duties as described in section 102(8) of this act. This includes funding for collaboration with managed care organizations, county authorities, and behavioral health administrative services organizations related to crisis services, and the development of processes and best practices for crisis services.

NEW SECTION. **Sec. 303.** The sum of \$200,000, or as much thereof as may be necessary, is appropriated for the fiscal biennium ending June 30, 2023, from the statewide 988 behavioral health crisis

response and suicide prevention line account to the office of financial management and provided solely to provide staff and contracted services support to the committee created in section 103 of this act.

PART IV

DEFINITIONS AND MISCELLANEOUS

Sec. 401. RCW 71.24.025 and 2020 c 256 s 201 are each reenacted and amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Acutely mentally ill" means a condition which is limited to a short-term severe crisis episode of:

(a) A mental disorder as defined in RCW 71.05.020 or, in the case of a child, as defined in RCW 71.34.020;

(b) Being gravely disabled as defined in RCW 71.05.020 or, in the case of a child, a gravely disabled minor as defined in RCW 71.34.020; or

(c) Presenting a likelihood of serious harm as defined in RCW 71.05.020 or, in the case of a child, as defined in RCW 71.34.020.

(2) "Alcoholism" means a disease, characterized by a dependency on alcoholic beverages, loss of control over the amount and circumstances of use, symptoms of tolerance, physiological or psychological withdrawal, or both, if use is reduced or discontinued, and impairment of health or disruption of social or economic functioning.

(3) "Approved substance use disorder treatment program" means a program for persons with a substance use disorder provided by a treatment program licensed or certified by the department as meeting standards adopted under this chapter.

(4) "Authority" means the Washington state health care authority.

(5) "Available resources" means funds appropriated for the purpose of providing community behavioral health programs, federal funds, except those provided according to Title XIX of the Social Security Act, and state funds appropriated under this chapter or chapter 71.05 RCW by the legislature during any biennium for the purpose of providing residential services, resource management services, community support

services, and other behavioral health services. This does not include funds appropriated for the purpose of operating and administering the state psychiatric hospitals.

(6) "Behavioral health administrative services organization" means an entity contracted with the authority to administer behavioral health services and programs under RCW 71.24.381, including crisis services and administration of chapter 71.05 RCW, the involuntary treatment act, for all individuals in a defined regional service area.

(7) "Behavioral health aide" means a counselor, health educator, and advocate who helps address individual and community-based behavioral health needs, including those related to alcohol, drug, and tobacco abuse as well as mental health problems such as grief, depression, suicide, and related issues and is certified by a community health aide program of the Indian health service or one or more tribes or tribal organizations consistent with the provisions of 25 U.S.C. Sec. 16161 and RCW 43.71B.010 (7) and (8).

(8) "Behavioral health provider" means a person licensed under chapter 18.57, 18.57A, 18.71, 18.71A, 18.83, 18.205, 18.225, or 18.79 RCW, as it applies to registered nurses and advanced registered nurse practitioners.

(9) "Behavioral health services" means mental health services as described in this chapter and chapter 71.36 RCW and substance use disorder treatment services as described in this chapter that, depending on the type of service, are provided by licensed or certified behavioral health agencies, behavioral health providers, or integrated into other health care providers.

(10) "Child" means a person under the age of eighteen years.

(11) "Chronically mentally ill adult" or "adult who is chronically mentally ill" means an adult who has a mental disorder and meets at least one of the following criteria:

(a) Has undergone two or more episodes of hospital care for a mental disorder within the preceding two years; or

(b) Has experienced a continuous psychiatric hospitalization or residential treatment exceeding six

months' duration within the preceding year; or

(c) Has been unable to engage in any substantial gainful activity by reason of any mental disorder which has lasted for a continuous period of not less than twelve months. "Substantial gainful activity" shall be defined by the authority by rule consistent with Public Law 92-603, as amended.

(12) "Clubhouse" means a community-based program that provides rehabilitation services and is licensed or certified by the department.

(13) "Community behavioral health program" means all expenditures, services, activities, or programs, including reasonable administration and overhead, designed and conducted to prevent or treat substance use disorder, mental illness, or both in the community behavioral health system.

(14) "Community behavioral health service delivery system" means public, private, or tribal agencies that provide services specifically to persons with mental disorders, substance use disorders, or both, as defined under RCW 71.05.020 and receive funding from public sources.

(15) "Community support services" means services authorized, planned, and coordinated through resource management services including, at a minimum, assessment, diagnosis, emergency crisis intervention available twenty-four hours, seven days a week, prescreening determinations for persons who are mentally ill being considered for placement in nursing homes as required by federal law, screening for patients being considered for admission to residential services, diagnosis and treatment for children who are acutely mentally ill or severely emotionally or behaviorally disturbed discovered under screening through the federal Title XIX early and periodic screening, diagnosis, and treatment program, investigation, legal, and other nonresidential services under chapter 71.05 RCW, case management services, psychiatric treatment including medication supervision, counseling, psychotherapy, assuring transfer of relevant patient information between service providers, recovery services, and other services determined by behavioral health administrative services organizations.

(16) "Consensus-based" means a program or practice that has general support among treatment providers and experts, based on experience or professional literature, and may have anecdotal or case study support, or that is agreed but not possible to perform studies with random assignment and controlled groups.

(17) "County authority" means the board of county commissioners, county council, or county executive having authority to establish a behavioral health administrative services organization, or two or more of the county authorities specified in this subsection which have entered into an agreement to establish a behavioral health administrative services organization.

(18) "Department" means the department of health.

(19) "Designated crisis responder" has the same meaning as in RCW 71.05.020.

(20) "Director" means the director of the authority.

(21) "Drug addiction" means a disease characterized by a dependency on psychoactive chemicals, loss of control over the amount and circumstances of use, symptoms of tolerance, physiological or psychological withdrawal, or both, if use is reduced or discontinued, and impairment of health or disruption of social or economic functioning.

(22) "Early adopter" means a regional service area for which all of the county authorities have requested that the authority purchase medical and behavioral health services through a managed care health system as defined under RCW 71.24.380(6).

(23) "Emerging best practice" or "promising practice" means a program or practice that, based on statistical analyses or a well established theory of change, shows potential for meeting the evidence-based or research-based criteria, which may include the use of a program that is evidence-based for outcomes other than those listed in subsection (24) of this section.

(24) "Evidence-based" means a program or practice that has been tested in heterogeneous or intended populations with multiple randomized, or statistically controlled evaluations, or both; or one large multiple site randomized, or statistically controlled

evaluation, or both, where the weight of the evidence from a systemic review demonstrates sustained improvements in at least one outcome. "Evidence-based" also means a program or practice that can be implemented with a set of procedures to allow successful replication in Washington and, when possible, is determined to be cost-beneficial.

(25) "Indian health care provider" means a health care program operated by the Indian health service or by a tribe, tribal organization, or urban Indian organization as those terms are defined in the Indian health care improvement act (25 U.S.C. Sec. 1603).

(26) "Intensive behavioral health treatment facility" means a community-based specialized residential treatment facility for individuals with behavioral health conditions, including individuals discharging from or being diverted from state and local hospitals, whose impairment or behaviors do not meet, or no longer meet, criteria for involuntary inpatient commitment under chapter 71.05 RCW, but whose care needs cannot be met in other community-based placement settings.

(27) "Licensed or certified behavioral health agency" means:

(a) An entity licensed or certified according to this chapter or chapter 71.05 RCW;

(b) An entity deemed to meet state minimum standards as a result of accreditation by a recognized behavioral health accrediting body recognized and having a current agreement with the department; or

(c) An entity with a tribal attestation that it meets state minimum standards for a licensed or certified behavioral health agency.

(28) "Licensed physician" means a person licensed to practice medicine or osteopathic medicine and surgery in the state of Washington.

(29) "Long-term inpatient care" means inpatient services for persons committed for, or voluntarily receiving intensive treatment for, periods of ninety days or greater under chapter 71.05 RCW. "Long-term inpatient care" as used in this chapter does not include: (a) Services for individuals committed under chapter 71.05 RCW who are receiving services pursuant to a conditional release or a

court-ordered less restrictive alternative to detention; or (b) services for individuals voluntarily receiving less restrictive alternative treatment on the grounds of the state hospital.

(30) "Managed care organization" means an organization, having a certificate of authority or certificate of registration from the office of the insurance commissioner, that contracts with the authority under a comprehensive risk contract to provide prepaid health care services to enrollees under the authority's managed care programs under chapter 74.09 RCW.

(31) "Mental health peer-run respite center" means a peer-run program to serve individuals in need of voluntary, short-term, noncrisis services that focus on recovery and wellness.

(32) Mental health "treatment records" include registration and all other records concerning persons who are receiving or who at any time have received services for mental illness, which are maintained by the department of social and health services or the authority, by behavioral health administrative services organizations and their staffs, by managed care organizations and their staffs, or by treatment facilities. "Treatment records" do not include notes or records maintained for personal use by a person providing treatment services for the entities listed in this subsection, or a treatment facility if the notes or records are not available to others.

(33) "Mentally ill persons," "persons who are mentally ill," and "the mentally ill" mean persons and conditions defined in subsections (1), (11), (40), and (41) of this section.

(34) "Recovery" means a process of change through which individuals improve their health and wellness, live a self-directed life, and strive to reach their full potential.

(35) "Research-based" means a program or practice that has been tested with a single randomized, or statistically controlled evaluation, or both, demonstrating sustained desirable outcomes; or where the weight of the evidence from a systemic review supports sustained outcomes as described in subsection (24) of this section but does not meet the full criteria for evidence-based.

(36) "Residential services" means a complete range of residences and supports authorized by resource management services and which may involve a facility, a distinct part thereof, or services which support community living, for persons who are acutely mentally ill, adults who are chronically mentally ill, children who are severely emotionally disturbed, or adults who are seriously disturbed and determined by the behavioral health administrative services organization or managed care organization to be at risk of becoming acutely or chronically mentally ill. The services shall include at least evaluation and treatment services as defined in chapter 71.05 RCW, acute crisis respite care, long-term adaptive and rehabilitative care, and supervised and supported living services, and shall also include any residential services developed to service persons who are mentally ill in nursing homes, residential treatment facilities, assisted living facilities, and adult family homes, and may include outpatient services provided as an element in a package of services in a supported housing model. Residential services for children in out-of-home placements related to their mental disorder shall not include the costs of food and shelter, except for children's long-term residential facilities existing prior to January 1, 1991.

(37) "Resilience" means the personal and community qualities that enable individuals to rebound from adversity, trauma, tragedy, threats, or other stresses, and to live productive lives.

(38) "Resource management services" mean the planning, coordination, and authorization of residential services and community support services administered pursuant to an individual service plan for: (a) Adults and children who are acutely mentally ill; (b) adults who are chronically mentally ill; (c) children who are severely emotionally disturbed; or (d) adults who are seriously disturbed and determined by a behavioral health administrative services organization or managed care organization to be at risk of becoming acutely or chronically mentally ill. Such planning, coordination, and authorization shall include mental health screening for children eligible under the federal Title XIX early and periodic screening, diagnosis, and treatment program. Resource management

services include seven day a week, twenty-four hour a day availability of information regarding enrollment of adults and children who are mentally ill in services and their individual service plan to designated crisis responders, evaluation and treatment facilities, and others as determined by the behavioral health administrative services organization or managed care organization, as applicable.

(39) "Secretary" means the secretary of the department of health.

(40) "Seriously disturbed person" means a person who:

(a) Is gravely disabled or presents a likelihood of serious harm to himself or herself or others, or to the property of others, as a result of a mental disorder as defined in chapter 71.05 RCW;

(b) Has been on conditional release status, or under a less restrictive alternative order, at some time during the preceding two years from an evaluation and treatment facility or a state mental health hospital;

(c) Has a mental disorder which causes major impairment in several areas of daily living;

(d) Exhibits suicidal preoccupation or attempts; or

(e) Is a child diagnosed by a mental health professional, as defined in chapter 71.34 RCW, as experiencing a mental disorder which is clearly interfering with the child's functioning in family or school or with peers or is clearly interfering with the child's personality development and learning.

(41) "Severely emotionally disturbed child" or "child who is severely emotionally disturbed" means a child who has been determined by the behavioral health administrative services organization or managed care organization, if applicable, to be experiencing a mental disorder as defined in chapter 71.34 RCW, including those mental disorders that result in a behavioral or conduct disorder, that is clearly interfering with the child's functioning in family or school or with peers and who meets at least one of the following criteria:

(a) Has undergone inpatient treatment or placement outside of the home related to a mental disorder within the last two years;

(b) Has undergone involuntary treatment under chapter 71.34 RCW within the last two years;

(c) Is currently served by at least one of the following child-serving systems: Juvenile justice, child-protection/welfare, special education, or developmental disabilities;

(d) Is at risk of escalating maladjustment due to:

(i) Chronic family dysfunction involving a caretaker who is mentally ill or inadequate;

(ii) Changes in custodial adult;

(iii) Going to, residing in, or returning from any placement outside of the home, for example, psychiatric hospital, short-term inpatient, residential treatment, group or foster home, or a correctional facility;

(iv) Subject to repeated physical abuse or neglect;

(v) Drug or alcohol abuse; or

(vi) Homelessness.

(42) "State minimum standards" means minimum requirements established by rules adopted and necessary to implement this chapter by:

(a) The authority for:

(i) Delivery of mental health and substance use disorder services; and

(ii) Community support services and resource management services;

(b) The department of health for:

(i) Licensed or certified behavioral health agencies for the purpose of providing mental health or substance use disorder programs and services, or both;

(ii) Licensed behavioral health providers for the provision of mental health or substance use disorder services, or both; and

(iii) Residential services.

(43) "Substance use disorder" means a cluster of cognitive, behavioral, and physiological symptoms indicating that an individual continues using the substance despite significant substance-related problems. The diagnosis of a substance use disorder is based on a pathological pattern of behaviors related to the use of the substances.

(44) "Tribe," for the purposes of this section, means a federally recognized Indian tribe.

(45) "Crisis call center hub" means a state-designated center participating in the national suicide prevention lifeline network to respond to statewide or regional 988 calls that meets the requirements of section 102 of this act.

(46) "Crisis stabilization services" means services such as 23-hour crisis stabilization units based on the living room model, crisis stabilization units as provided in RCW 71.05.020, triage facilities as provided in RCW 71.05.020, short-term respite facilities, peer-run respite services, and same-day walk-in behavioral health services, including within the overall crisis system components that operate like hospital emergency departments that accept all walk-ins, and ambulance, fire, and police drop-offs.

(47) "Mobile rapid response crisis team" means a team that provides professional on-site community-based intervention such as outreach, de-escalation, stabilization, resource connection, and follow-up support for individuals who are experiencing a behavioral health crisis, that shall include certified peer counselors as a best practice to the extent practicable based on workforce availability, and that meets standards for response times established by the authority.

(48) "988 crisis hotline" means the universal telephone number within the United States designated for the purpose of the national suicide prevention and mental health crisis hotline system operating through the national suicide prevention lifeline.

Sec. 402. RCW 71.24.025 and 2020 c 256 s 201 and 2020 c 80 s 52 are each reenacted and amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Acutely mentally ill" means a condition which is limited to a short-term severe crisis episode of:

(a) A mental disorder as defined in RCW 71.05.020 or, in the case of a child, as defined in RCW 71.34.020;

(b) Being gravely disabled as defined in RCW 71.05.020 or, in the case of a

child, a gravely disabled minor as defined in RCW 71.34.020; or

(c) Presenting a likelihood of serious harm as defined in RCW 71.05.020 or, in the case of a child, as defined in RCW 71.34.020.

(2) "Alcoholism" means a disease, characterized by a dependency on alcoholic beverages, loss of control over the amount and circumstances of use, symptoms of tolerance, physiological or psychological withdrawal, or both, if use is reduced or discontinued, and impairment of health or disruption of social or economic functioning.

(3) "Approved substance use disorder treatment program" means a program for persons with a substance use disorder provided by a treatment program licensed or certified by the department as meeting standards adopted under this chapter.

(4) "Authority" means the Washington state health care authority.

(5) "Available resources" means funds appropriated for the purpose of providing community behavioral health programs, federal funds, except those provided according to Title XIX of the Social Security Act, and state funds appropriated under this chapter or chapter 71.05 RCW by the legislature during any biennium for the purpose of providing residential services, resource management services, community support services, and other behavioral health services. This does not include funds appropriated for the purpose of operating and administering the state psychiatric hospitals.

(6) "Behavioral health administrative services organization" means an entity contracted with the authority to administer behavioral health services and programs under RCW 71.24.381, including crisis services and administration of chapter 71.05 RCW, the involuntary treatment act, for all individuals in a defined regional service area.

(7) "Behavioral health aide" means a counselor, health educator, and advocate who helps address individual and community-based behavioral health needs, including those related to alcohol, drug, and tobacco abuse as well as mental health problems such as grief, depression, suicide, and related issues and is certified by a community health aide program of the Indian health service

or one or more tribes or tribal organizations consistent with the provisions of 25 U.S.C. Sec. 16161 and RCW 43.71B.010 (7) and (8).

(8) "Behavioral health provider" means a person licensed under chapter 18.57, 18.71, 18.71A, 18.83, 18.205, 18.225, or 18.79 RCW, as it applies to registered nurses and advanced registered nurse practitioners.

(9) "Behavioral health services" means mental health services as described in this chapter and chapter 71.36 RCW and substance use disorder treatment services as described in this chapter that, depending on the type of service, are provided by licensed or certified behavioral health agencies, behavioral health providers, or integrated into other health care providers.

(10) "Child" means a person under the age of eighteen years.

(11) "Chronically mentally ill adult" or "adult who is chronically mentally ill" means an adult who has a mental disorder and meets at least one of the following criteria:

(a) Has undergone two or more episodes of hospital care for a mental disorder within the preceding two years; or

(b) Has experienced a continuous psychiatric hospitalization or residential treatment exceeding six months' duration within the preceding year; or

(c) Has been unable to engage in any substantial gainful activity by reason of any mental disorder which has lasted for a continuous period of not less than twelve months. "Substantial gainful activity" shall be defined by the authority by rule consistent with Public Law 92-603, as amended.

(12) "Clubhouse" means a community-based program that provides rehabilitation services and is licensed or certified by the department.

(13) "Community behavioral health program" means all expenditures, services, activities, or programs, including reasonable administration and overhead, designed and conducted to prevent or treat substance use disorder, mental illness, or both in the community behavioral health system.

(14) "Community behavioral health service delivery system" means public,

private, or tribal agencies that provide services specifically to persons with mental disorders, substance use disorders, or both, as defined under RCW 71.05.020 and receive funding from public sources.

(15) "Community support services" means services authorized, planned, and coordinated through resource management services including, at a minimum, assessment, diagnosis, emergency crisis intervention available twenty-four hours, seven days a week, prescreening determinations for persons who are mentally ill being considered for placement in nursing homes as required by federal law, screening for patients being considered for admission to residential services, diagnosis and treatment for children who are acutely mentally ill or severely emotionally or behaviorally disturbed discovered under screening through the federal Title XIX early and periodic screening, diagnosis, and treatment program, investigation, legal, and other nonresidential services under chapter 71.05 RCW, case management services, psychiatric treatment including medication supervision, counseling, psychotherapy, assuring transfer of relevant patient information between service providers, recovery services, and other services determined by behavioral health administrative services organizations.

(16) "Consensus-based" means a program or practice that has general support among treatment providers and experts, based on experience or professional literature, and may have anecdotal or case study support, or that is agreed but not possible to perform studies with random assignment and controlled groups.

(17) "County authority" means the board of county commissioners, county council, or county executive having authority to establish a behavioral health administrative services organization, or two or more of the county authorities specified in this subsection which have entered into an agreement to establish a behavioral health administrative services organization.

(18) "Department" means the department of health.

(19) "Designated crisis responder" has the same meaning as in RCW 71.05.020.

(20) "Director" means the director of the authority.

(21) "Drug addiction" means a disease characterized by a dependency on psychoactive chemicals, loss of control over the amount and circumstances of use, symptoms of tolerance, physiological or psychological withdrawal, or both, if use is reduced or discontinued, and impairment of health or disruption of social or economic functioning.

(22) "Early adopter" means a regional service area for which all of the county authorities have requested that the authority purchase medical and behavioral health services through a managed care health system as defined under RCW 71.24.380(6).

(23) "Emerging best practice" or "promising practice" means a program or practice that, based on statistical analyses or a well established theory of change, shows potential for meeting the evidence-based or research-based criteria, which may include the use of a program that is evidence-based for outcomes other than those listed in subsection (24) of this section.

(24) "Evidence-based" means a program or practice that has been tested in heterogeneous or intended populations with multiple randomized, or statistically controlled evaluations, or both; or one large multiple site randomized, or statistically controlled evaluation, or both, where the weight of the evidence from a systemic review demonstrates sustained improvements in at least one outcome. "Evidence-based" also means a program or practice that can be implemented with a set of procedures to allow successful replication in Washington and, when possible, is determined to be cost-beneficial.

(25) "Indian health care provider" means a health care program operated by the Indian health service or by a tribe, tribal organization, or urban Indian organization as those terms are defined in the Indian health care improvement act (25 U.S.C. Sec. 1603).

(26) "Intensive behavioral health treatment facility" means a community-based specialized residential treatment facility for individuals with behavioral health conditions, including individuals discharging from or being diverted from state and local hospitals, whose impairment or behaviors do not meet, or no longer meet, criteria for involuntary inpatient commitment under chapter 71.05 RCW, but whose care needs cannot be met

in other community-based placement settings.

(27) "Licensed or certified behavioral health agency" means:

(a) An entity licensed or certified according to this chapter or chapter 71.05 RCW;

(b) An entity deemed to meet state minimum standards as a result of accreditation by a recognized behavioral health accrediting body recognized and having a current agreement with the department; or

(c) An entity with a tribal attestation that it meets state minimum standards for a licensed or certified behavioral health agency.

(28) "Licensed physician" means a person licensed to practice medicine or osteopathic medicine and surgery in the state of Washington.

(29) "Long-term inpatient care" means inpatient services for persons committed for, or voluntarily receiving intensive treatment for, periods of ninety days or greater under chapter 71.05 RCW. "Long-term inpatient care" as used in this chapter does not include: (a) Services for individuals committed under chapter 71.05 RCW who are receiving services pursuant to a conditional release or a court-ordered less restrictive alternative to detention; or (b) services for individuals voluntarily receiving less restrictive alternative treatment on the grounds of the state hospital.

(30) "Managed care organization" means an organization, having a certificate of authority or certificate of registration from the office of the insurance commissioner, that contracts with the authority under a comprehensive risk contract to provide prepaid health care services to enrollees under the authority's managed care programs under chapter 74.09 RCW.

(31) "Mental health peer-run respite center" means a peer-run program to serve individuals in need of voluntary, short-term, noncrisis services that focus on recovery and wellness.

(32) Mental health "treatment records" include registration and all other records concerning persons who are receiving or who at any time have received services for mental illness, which are maintained by the department of social and health services or the

authority, by behavioral health administrative services organizations and their staffs, by managed care organizations and their staffs, or by treatment facilities. "Treatment records" do not include notes or records maintained for personal use by a person providing treatment services for the entities listed in this subsection, or a treatment facility if the notes or records are not available to others.

(33) "Mentally ill persons," "persons who are mentally ill," and "the mentally ill" mean persons and conditions defined in subsections (1), (11), (40), and (41) of this section.

(34) "Recovery" means a process of change through which individuals improve their health and wellness, live a self-directed life, and strive to reach their full potential.

(35) "Research-based" means a program or practice that has been tested with a single randomized, or statistically controlled evaluation, or both, demonstrating sustained desirable outcomes; or where the weight of the evidence from a systemic review supports sustained outcomes as described in subsection (24) of this section but does not meet the full criteria for evidence-based.

(36) "Residential services" means a complete range of residences and supports authorized by resource management services and which may involve a facility, a distinct part thereof, or services which support community living, for persons who are acutely mentally ill, adults who are chronically mentally ill, children who are severely emotionally disturbed, or adults who are seriously disturbed and determined by the behavioral health administrative services organization or managed care organization to be at risk of becoming acutely or chronically mentally ill. The services shall include at least evaluation and treatment services as defined in chapter 71.05 RCW, acute crisis respite care, long-term adaptive and rehabilitative care, and supervised and supported living services, and shall also include any residential services developed to service persons who are mentally ill in nursing homes, residential treatment facilities, assisted living facilities, and adult family homes, and may include outpatient services provided as an element in a package of services in a supported

housing model. Residential services for children in out-of-home placements related to their mental disorder shall not include the costs of food and shelter, except for children's long-term residential facilities existing prior to January 1, 1991.

(37) "Resilience" means the personal and community qualities that enable individuals to rebound from adversity, trauma, tragedy, threats, or other stresses, and to live productive lives.

(38) "Resource management services" mean the planning, coordination, and authorization of residential services and community support services administered pursuant to an individual service plan for: (a) Adults and children who are acutely mentally ill; (b) adults who are chronically mentally ill; (c) children who are severely emotionally disturbed; or (d) adults who are seriously disturbed and determined by a behavioral health administrative services organization or managed care organization to be at risk of becoming acutely or chronically mentally ill. Such planning, coordination, and authorization shall include mental health screening for children eligible under the federal Title XIX early and periodic screening, diagnosis, and treatment program. Resource management services include seven day a week, twenty-four hour a day availability of information regarding enrollment of adults and children who are mentally ill in services and their individual service plan to designated crisis responders, evaluation and treatment facilities, and others as determined by the behavioral health administrative services organization or managed care organization, as applicable.

(39) "Secretary" means the secretary of the department of health.

(40) "Seriously disturbed person" means a person who:

(a) Is gravely disabled or presents a likelihood of serious harm to himself or herself or others, or to the property of others, as a result of a mental disorder as defined in chapter 71.05 RCW;

(b) Has been on conditional release status, or under a less restrictive alternative order, at some time during the preceding two years from an evaluation and treatment facility or a state mental health hospital;

(c) Has a mental disorder which causes major impairment in several areas of daily living;

(d) Exhibits suicidal preoccupation or attempts; or

(e) Is a child diagnosed by a mental health professional, as defined in chapter 71.34 RCW, as experiencing a mental disorder which is clearly interfering with the child's functioning in family or school or with peers or is clearly interfering with the child's personality development and learning.

(41) "Severely emotionally disturbed child" or "child who is severely emotionally disturbed" means a child who has been determined by the behavioral health administrative services organization or managed care organization, if applicable, to be experiencing a mental disorder as defined in chapter 71.34 RCW, including those mental disorders that result in a behavioral or conduct disorder, that is clearly interfering with the child's functioning in family or school or with peers and who meets at least one of the following criteria:

(a) Has undergone inpatient treatment or placement outside of the home related to a mental disorder within the last two years;

(b) Has undergone involuntary treatment under chapter 71.34 RCW within the last two years;

(c) Is currently served by at least one of the following child-serving systems: Juvenile justice, child-protection/welfare, special education, or developmental disabilities;

(d) Is at risk of escalating maladjustment due to:

(i) Chronic family dysfunction involving a caretaker who is mentally ill or inadequate;

(ii) Changes in custodial adult;

(iii) Going to, residing in, or returning from any placement outside of the home, for example, psychiatric hospital, short-term inpatient, residential treatment, group or foster home, or a correctional facility;

(iv) Subject to repeated physical abuse or neglect;

(v) Drug or alcohol abuse; or

(vi) Homelessness.

(42) "State minimum standards" means minimum requirements established by rules adopted and necessary to implement this chapter by:

(a) The authority for:

(i) Delivery of mental health and substance use disorder services; and

(ii) Community support services and resource management services;

(b) The department of health for:

(i) Licensed or certified behavioral health agencies for the purpose of providing mental health or substance use disorder programs and services, or both;

(ii) Licensed behavioral health providers for the provision of mental health or substance use disorder services, or both; and

(iii) Residential services.

(43) "Substance use disorder" means a cluster of cognitive, behavioral, and physiological symptoms indicating that an individual continues using the substance despite significant substance-related problems. The diagnosis of a substance use disorder is based on a pathological pattern of behaviors related to the use of the substances.

(44) "Tribe," for the purposes of this section, means a federally recognized Indian tribe.

(45) "Crisis call center hub" means a state-designated center participating in the national suicide prevention lifeline network to respond to statewide or regional 988 calls that meets the requirements of section 102 of this act.

(46) "Crisis stabilization services" means services such as 23-hour crisis stabilization units based on the living room model, crisis stabilization units as provided in RCW 71.05.020, triage facilities as provided in RCW 71.05.020, short-term respite facilities, peer-run respite services, and same-day walk-in behavioral health services, including within the overall crisis system components that operate like hospital emergency departments that accept all walk-ins, and ambulance, fire, and police drop-offs.

(47) "Mobile rapid response crisis team" means a team that provides professional on-site community-based

intervention such as outreach, de-escalation, stabilization, resource connection, and follow-up support for individuals who are experiencing a behavioral health crisis, that shall include certified peer counselors as a best practice to the extent practicable based on workforce availability, and that meets standards for response times established by the authority.

(48) "988 crisis hotline" means the universal telephone number within the United States designated for the purpose of the national suicide prevention and mental health crisis hotline system operating through the national suicide prevention lifeline.

Sec. 403. RCW 71.24.649 and 2019 c 324 s 5 are each amended to read as follows:

The secretary shall license or certify mental health peer-run respite centers that meet state minimum standards. In consultation with the authority and the department of social and health services, the secretary must:

(1) Establish requirements for licensed and certified community behavioral health agencies to provide mental health peer-run respite center services and establish physical plant and service requirements to provide voluntary, short-term, noncrisis services that focus on recovery and wellness;

(2) Require licensed and certified agencies to partner with the local crisis system including, but not limited to, evaluation and treatment facilities and designated crisis responders;

(3) Establish staffing requirements, including rules to ensure that facilities are peer-run;

(4) Limit services to a maximum of seven days in a month;

(5) Limit services to individuals who are experiencing psychiatric distress, but do not meet legal criteria for involuntary hospitalization under chapter 71.05 RCW; and

(6) Limit services to persons at least eighteen years of age.

NEW SECTION. Sec. 404. Sections 201 through 206 of this act constitute a new chapter in Title 82 RCW.

NEW SECTION. Sec. 405. Sections 201 through 205 of this act take effect October 1, 2021.

NEW SECTION. Sec. 406. Section 401 of this act expires July 1, 2022.

NEW SECTION. Sec. 407. Section 402 of this act takes effect July 1, 2022.

NEW SECTION. Sec. 408. Section 103 of this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

and that the bill do pass as recommended by the Conference Committee:

Senators Dhingra and Robinson
Representatives Macri and Orwall

There being no objection, the House adopted the conference committee report on ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1477 and advanced the bill as recommended by the conference committee to final passage.

FINAL PASSAGE OF HOUSE BILL AS RECOMMENDED BY CONFERENCE COMMITTEE

Representatives Orwall and Dent spoke in favor of the passage of the bill as recommended by the conference committee.

Representative Schmick spoke against the passage of the bill as recommended by the conference committee.

The Speaker (Representative Lovick presiding) stated the question before the House to be final passage of Engrossed Second Substitute House Bill No. 1477, as recommended by the conference committee.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1477, as recommended by the conference committee, and the bill passed the House by the following votes: Yeas: 71; Nays: 25; Absent: 0; Excused: 2

Voting yea: Representatives Barkis, Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chambers, Chandler, Chopp, Cody, Davis, Dent, Dolan, Duerr, Entenman, Eslick, Fey, Fitzgibbon, Frame, Gilday, Goehner, Goodman, Gregerson, Griffey, Hackney, Hansen, Harris-Talley, Hoff, Jinkins, Johnson, J., Kirby, Klicker, Klippert, Kloba, Leavitt, Lekanoff, Lovick, Macri, Morgan, Mosbrucker, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Riccelli, Rule, Ryu, Santos, Sells, Senn, Shewmake, Simmons, Slatter, Springer, Steele,

Stonier, Sullivan, Taylor, Thai, Tharinger, Valdez, Walen, Wicks, Wylie, and Ybarra

Voting nay: Representatives Abbarno, Boehnke, Chapman, Chase, Corry, Dufault, Dye, Graham, Harris, Jacobsen, Kraft, Kretz, MacEwen, Maycumber, McCaslin, Orcutt, Rude, Schmick, Stokesbary, Sutherland, Vick, Volz, Walsh, Wilcox, and Young

Excused: Representatives McEntire and Robertson

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1477, as recommended by the conference committee, having received the constitutional majority, was declared passed.

The Speaker assumed the chair.

CONFERENCE COMMITTEE REPORT

April 23, 2021

Engrossed Substitute Senate Bill No. 5096

Includes "New Item": YES

Madame Speaker:

We of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 5096, enacting an excise tax on gains from the sale or exchange of certain capital assets, have had the same under consideration and we recommend that:

All previous amendments not be adopted and that the attached striking amendment H-1637.1 be adopted.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 409. INTENT. The legislature finds that it is the paramount duty of the state to amply provide every child in the state with an education, creating the opportunity for the child to succeed in school and thrive in life. The legislature further finds that high quality early learning and child care is critical to a child's success in school and life, as it supports the development of the child's social-emotional, physical, cognitive, and language skills. Therefore, the legislature will invest in the ongoing support of K-12 education and early learning and child care by dedicating revenues from this act to the education legacy trust account and the common school construction account.

The legislature further recognizes that a tax system that is fair, balanced, and works for everyone is essential to help all Washingtonians grow and thrive. But Washington's tax system today is the

most regressive in the nation because it asks those making the least to pay the most as a percentage of their income. Middle-income families in Washington pay two to four times more in taxes, as a percentage of household income, as compared to top earners in the state. Low-income Washingtonians pay at least six times more than do our wealthiest residents.

To help meet the state's paramount duty, the legislature intends to levy a seven percent tax on the voluntary sale or exchange of stocks, bonds, and other capital assets where the profit is in excess of \$250,000 annually to fund K-12 education, early learning, and child care, and advance our paramount duty to amply provide an education to every child in the state. The legislature recognizes that levying this tax will have the additional effect of making material progress toward rebalancing the state's tax code.

The legislature further intends to exempt certain assets from the tax including, but not limited to, qualified family-owned small businesses, all residential and other real property, and retirement accounts.

NEW SECTION. Sec. 410. DISTRIBUTION OF REVENUES. (1) All taxes, interest, and penalties collected under this chapter shall be distributed as follows:

(a) The first \$500,000,000 collected each fiscal year shall be deposited into the education legacy trust account created in RCW 83.100.230; and

(b) Any remainder collected each fiscal year shall be deposited into the common school construction account.

(2) The amounts specified under subsection (1)(a) of this section shall be adjusted annually as provided under section 17 of this act.

Sec. 411. RCW 83.100.230 and 2019 c 415 s 990 are each amended to read as follows:

The education legacy trust account is created in the state treasury. Money in the account may be spent only after appropriation. Expenditures from the account may be used only for support of the common schools, and for expanding access to higher education through funding for new enrollments and financial aid, early learning and child care programs, and other educational

improvement efforts. (~~During the 2015-2017, 2017-2019, and 2019-2021 fiscal biennia appropriations from the account may be made for support of early learning programs. It is the intent of the legislature that this policy will be continued in subsequent fiscal biennia.~~)

NEW SECTION. Sec. 412. DEFINITIONS. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Adjusted capital gain" means federal net long-term capital gain:

(a) Plus any amount of long-term capital loss from a sale or exchange that is exempt from the tax imposed in this chapter, to the extent such loss was included in calculating federal net long-term capital gain;

(b) Plus any amount of long-term capital loss from a sale or exchange that is not allocated to Washington under section 11 of this act, to the extent such loss was included in calculating federal net long-term capital gain;

(c) Plus any amount of loss carryforward from a sale or exchange that is not allocated to Washington under section 11 of this act, to the extent such loss was included in calculating federal net long-term capital gain;

(d) Less any amount of long-term capital gain from a sale or exchange that is not allocated to Washington under section 11 of this act, to the extent such gain was included in calculating federal net long-term capital gain; and

(e) Less any amount of long-term capital gain from a sale or exchange that is exempt from the tax imposed in this chapter, to the extent such gain was included in calculating federal net long-term capital gain.

(2) "Capital asset" has the same meaning as provided by Title 26 U.S.C. Sec. 1221 of the internal revenue code and also includes any other property if the sale or exchange of the property results in a gain that is treated as a long-term capital gain under Title 26 U.S.C. Sec. 1231 or any other provision of the internal revenue code.

(3) "Federal net long-term capital gain" means the net long-term capital gain reportable for federal income tax purposes determined as if Title 26 U.S.C. Secs. 55 through 59, 1400Z-1, and 1400Z-

2 of the internal revenue code did not exist.

(4) "Individual" means a natural person.

(5) "Internal revenue code" means the United States internal revenue code of 1986, as amended, as of the effective date of this section, or such subsequent date as the department may provide by rule consistent with the purpose of this chapter.

(6) "Long-term capital asset" means a capital asset that is held for more than one year.

(7) "Long-term capital gain" means gain from the sale or exchange of a long-term capital asset.

(8) "Long-term capital loss" means a loss from the sale or exchange of a long-term capital asset.

(9) "Real estate" means land and fixtures affixed to land. "Real estate" also includes used mobile homes, used park model trailers, used floating homes, and improvements constructed upon leased land.

(10) (a) "Resident" means an individual:

(i) Who is domiciled in this state during the taxable year, unless the individual (A) maintained no permanent place of abode in this state during the entire taxable year, (B) maintained a permanent place of abode outside of this state during the entire taxable year, and (C) spent in the aggregate not more than 30 days of the taxable year in this state; or

(ii) Who is not domiciled in this state during the taxable year, but maintained a place of abode and was physically present in this state for more than 183 days during the taxable year.

(b) For purposes of this subsection, "day" means a calendar day or any portion of a calendar day.

(c) An individual who is a resident under (a) of this subsection is a resident for that portion of a taxable year in which the individual was domiciled in this state or maintained a place of abode in this state.

(11) "Taxable year" means the taxpayer's taxable year as determined under the internal revenue code.

(12) "Taxpayer" means an individual subject to tax under this chapter.

(13) "Washington capital gains" means an individual's adjusted capital gain, as modified in section 7 of this act, for each return filed under this chapter.

NEW SECTION. **Sec. 413.** TAX IMPOSED.

(1) Beginning January 1, 2022, an excise tax is imposed on the sale or exchange of long-term capital assets. Only individuals are subject to payment of the tax, which equals seven percent multiplied by an individual's Washington capital gains.

(2) The tax levied in subsection (1) of this section is necessary for the support of the state government and its existing public institutions.

(3) If an individual's Washington capital gains are less than zero for a taxable year, no tax is due under this section and no such amount is allowed as a carryover for use in the calculation of that individual's adjusted capital gain, as defined in section 4(1) of this act, for any taxable year. To the extent that a loss carryforward is included in the calculation of an individual's federal net long-term capital gain and that loss carryforward is directly attributable to losses from sales or exchanges allocated to this state under section 11 of this act, the loss carryforward is included in the calculation of that individual's adjusted capital gain for the purposes of this chapter. An individual may not include any losses carried back for federal income tax purposes in the calculation of that individual's adjusted capital gain for any taxable year.

(4) (a) The tax imposed in this section applies to the sale or exchange of long-term capital assets owned by the taxpayer, whether the taxpayer was the legal or beneficial owner of such assets at the time of the sale or exchange. The tax applies when the Washington capital gains are recognized by the taxpayer in accordance with this chapter.

(b) For purposes of this chapter:

(i) An individual is considered to be a beneficial owner of long-term capital assets held by an entity that is a pass-through or disregarded entity for federal tax purposes, such as a partnership, limited liability company, S corporation, or grantor trust, to the extent of the individual's ownership

interest in the entity as reported for federal income tax purposes.

(ii) A nongrantor trust is deemed to be a grantor trust if the trust does not qualify as a grantor trust for federal tax purposes, and the grantor's transfer of assets to the trust is treated as an incomplete gift under Title 26 U.S.C. Sec. 2511 of the internal revenue code and its accompanying regulations. A grantor of such trust is considered the beneficial owner of the capital assets of the trust for purposes of the tax imposed in this section and must include any long-term capital gain or loss from the sale or exchange of a capital asset by the trust in the calculation of that individual's adjusted capital gain, if such gain or loss is allocated to this state under section 11 of this act.

NEW SECTION. Sec. 414. EXEMPTIONS.
This chapter does not apply to the sale or exchange of:

(1) All real estate transferred by deed, real estate contract, judgment, or other lawful instruments that transfer title to real property and are filed as a public record with the counties where real property is located;

(2) (a) An interest in a privately held entity only to the extent that any long-term capital gain or loss from such sale or exchange is directly attributable to the real estate owned directly by such entity.

(b) (i) Except as provided in (b) (ii) and (iii) of this subsection, the value of the exemption under this subsection is equal to the fair market value of the real estate owned directly by the entity less its basis, at the time that the sale or exchange of the individual's interest occurs, multiplied by the percentage of the ownership interest in the entity which is sold or exchanged by the individual.

(ii) If a sale or exchange of an interest in an entity results in an amount directly attributable to real property and that is considered as an amount realized from the sale or exchange of property other than a capital asset under Title 26 U.S.C. Sec. 751 of the internal revenue code, such amount must not be considered in the calculation of an individual's exemption amount under (b) (i) of this subsection (2).

(iii) Real estate not owned directly by the entity in which an individual is

selling or exchanging the individual's interest must not be considered in the calculation of an individual's exemption amount under (b) (i) of this subsection (2).

(c) Fair market value of real estate may be established by a fair market appraisal of the real estate or an allocation of assets by the seller and the buyer made under Title 26 U.S.C. Sec. 1060 of the internal revenue code, as amended. However, the department is not bound by the parties' agreement as to the allocation of assets, allocation of consideration, or fair market value, if such allocations or fair market value do not reflect the fair market value of the real estate. The assessed value of the real estate for property tax purposes may be used to determine the fair market value of the real estate, if the assessed value is current as of the date of the sale or exchange of the ownership interest in the entity owning the real estate and the department determines that this method is reasonable under the circumstances.

(d) The value of the exemption under this subsection (2) may not exceed the individual's long-term capital gain or loss from the sale or exchange of an interest in an entity for which the individual is claiming this exemption;

(3) Assets held under a retirement savings account under Title 26 U.S.C. Sec. 401(k) of the internal revenue code, a tax-sheltered annuity or custodial account described in Title 26 U.S.C. Sec. 403(b) of the internal revenue code, a deferred compensation plan under Title 26 U.S.C. Sec. 457(b) of the internal revenue code, an individual retirement account or individual retirement annuity described in Title 26 U.S.C. Sec. 408 of the internal revenue code, a Roth individual retirement account described in Title 26 U.S.C. Sec. 408A of the internal revenue code, an employee defined contribution program, an employee defined benefit plan, or a similar retirement savings vehicle;

(4) Assets pursuant to, or under imminent threat of, condemnation proceedings by the United States, the state or any of its political subdivisions, or a municipal corporation;

(5) Cattle, horses, or breeding livestock if for the taxable year of the sale or exchange, more than 50 percent of

the taxpayer's gross income for the taxable year, including from the sale or exchange of capital assets, is from farming or ranching;

(6) Property depreciable under Title 26 U.S.C. Sec. 167(a)(1) of the internal revenue code, or that qualifies for expensing under Title 26 U.S.C. Sec. 179 of the internal revenue code;

(7) Timber, timberland, or the receipt of Washington capital gains as dividends and distributions from real estate investment trusts derived from gains from the sale or exchange of timber and timberland. "Timber" means forest trees, standing or down, on privately or publicly owned land, and includes Christmas trees and short-rotation hardwoods. The sale or exchange of timber includes the cutting or disposal of timber qualifying for capital gains treatment under Title 26 U.S.C. Sec. 631(a) or (b) of the internal revenue code;

(8) (a) Commercial fishing privileges.

(b) For the purposes of this subsection (8), "commercial fishing privilege" means a right, held by a seafood harvester or processor, to participate in a limited access fishery. "Commercial fishing privilege" includes and is limited to:

(i) In the case of federally managed fisheries, quota and access to fisheries assigned pursuant to individual fishing quota programs, limited entry and catch share programs, cooperative fishing management agreements, or similar arrangements; and

(ii) In the case of state-managed fisheries, quota and access to fisheries assigned under fishery permits, limited entry and catch share programs, or similar arrangements; and

(9) Goodwill received from the sale of an auto dealership licensed under chapter 46.70 RCW whose activities are subject to chapter 46.96 RCW.

NEW SECTION. Sec. 415. DEDUCTIONS. In computing tax for a taxable year, a taxpayer may deduct from his or her Washington capital gains:

(1) A standard deduction of \$250,000 per individual, or in the case of spouses or domestic partners, their combined standard deduction is limited to \$250,000, regardless of whether they file joint or separate returns. The amount of

the standard deduction shall be adjusted pursuant to section 17 of this act;

(2) Amounts that the state is prohibited from taxing under the Constitution of this state or the Constitution or laws of the United States;

(3) The amount of adjusted capital gain derived from the sale or transfer of the taxpayer's interest in a qualified family-owned small business pursuant to section 8 of this act; and

(4) Charitable donations deductible under section 9 of this act.

NEW SECTION. Sec. 416. QUALIFIED FAMILY-OWNED SMALL BUSINESS DEDUCTION.

(1) In computing tax under this chapter for a taxable year, a taxpayer may deduct from his or her Washington capital gains the amount of adjusted capital gain derived in the taxable year from the sale of substantially all of the fair market value of the assets of, or the transfer of substantially all of the taxpayer's interest in, a qualified family-owned small business, to the extent that such adjusted capital gain would otherwise be included in the taxpayer's Washington capital gains.

(2) For purposes of this section, the following definitions apply:

(a) "Assets" means real property and personal property, including tangible personal property and intangible property.

(b) "Family" means the same as "member of the family" in RCW 83.100.046.

(c) (i) "Materially participated" means an individual was involved in the operation of a business on a basis that is regular, continuous, and substantial.

(ii) The term "materially participated" must be interpreted consistently with the applicable treasury regulations for Title 26 U.S.C. Sec. 469 of the internal revenue code, to the extent that such interpretation does not conflict with any provision of this section.

(d) "Qualified family-owned small business" means a business:

(i) In which the taxpayer held a qualifying interest for at least five years immediately preceding the sale or transfer described in subsection (1) of this section;

(ii) In which either the taxpayer or members of the taxpayer's family, or both, materially participated in operating the business for at least five of the 10 years immediately preceding the sale or transfer described in subsection (1) of this section, unless such sale or transfer was to a qualified heir; and

(iii) That had worldwide gross revenue of \$10,000,000 or less in the 12-month period immediately preceding the sale or transfer described in subsection (1) of this section. The worldwide gross revenue amount under this subsection (2) (d) (iii) shall be adjusted annually as provided in section 17 of this act.

(e) "Qualified heir" means a member of the taxpayer's family.

(f) "Qualifying interest" means:

(i) An interest as a proprietor in a business carried on as a sole proprietorship; or

(ii) An interest in a business if at least:

(A) Fifty percent of the business is owned, directly or indirectly, by any combination of the taxpayer or members of the taxpayer's family, or both;

(B) Thirty percent of the business is owned, directly or indirectly, by any combination of the taxpayer or members of the taxpayer's family, or both, and at least:

(I) Seventy percent of the business is owned, directly or indirectly, by members of two families; or

(II) Ninety percent of the business is owned, directly or indirectly, by members of three families.

(g) "Substantially all" means at least 90 percent.

NEW SECTION. Sec. 417. ADDITIONAL DEDUCTION FOR CHARITABLE DONATIONS. (1) In computing tax under this chapter for a taxable year, a taxpayer may deduct from his or her Washington capital gains the amount donated by the taxpayer to one or more qualified organizations during the same taxable year in excess of the minimum qualifying charitable donation amount. For the purposes of this section, the minimum qualifying charitable donation amount equals \$250,000. The minimum qualifying charitable donation amount under this subsection (1) shall be adjusted pursuant to section 17 of this act.

(2) The deduction authorized under subsection (1) of this section may not exceed \$100,000 for the taxable year. The maximum amount of the available deduction under this subsection (2) shall be adjusted pursuant to section 17 of this act.

(3) The deduction authorized under subsection (1) of this section may not be carried forward or backward to another tax reporting period.

(4) For the purposes of this section, the following definitions apply:

(a) "Nonprofit organization" means an organization exempt from tax under Title 26 U.S.C. Sec. 501(c)(3) of the internal revenue code.

(b) "Qualified organization" means a nonprofit organization, or any other organization, that is:

(i) Eligible to receive a charitable deduction as defined in Title 26 U.S.C. Sec. 170(c) of the internal revenue code; and

(ii) Principally directed or managed within the state of Washington.

NEW SECTION. Sec. 418. OTHER TAXES. The tax imposed under this chapter is in addition to any other taxes imposed by the state or any of its political subdivisions, or a municipal corporation, with respect to the same sale or exchange, including the taxes imposed in, or under the authority of, chapter 82.04, 82.08, 82.12, 82.14, 82.45, or 82.46 RCW.

NEW SECTION. Sec. 419. ALLOCATION OF GAINS AND LOSSES. (1) For purposes of the tax imposed under this chapter, long-term capital gains and losses are allocated to Washington as follows:

(a) Long-term capital gains or losses from the sale or exchange of tangible personal property are allocated to this state if the property was located in this state at the time of the sale or exchange. Long-term capital gains or losses from the sale or exchange of tangible personal property are also allocated to this state even though the property was not located in this state at the time of the sale or exchange if:

(i) The property was located in the state at any time during the taxable year in which the sale or exchange occurred or the immediately preceding taxable year;

(ii) The taxpayer was a resident at the time the sale or exchange occurred; and

(iii) The taxpayer is not subject to the payment of an income or excise tax legally imposed on the long-term capital gains or losses by another taxing jurisdiction.

(b) Long-term capital gains or losses derived from intangible personal property are allocated to this state if the taxpayer was domiciled in this state at the time the sale or exchange occurred.

(2) (a) A credit is allowed against the tax imposed in section 5 of this act equal to the amount of any legally imposed income or excise tax paid by the taxpayer to another taxing jurisdiction on capital gains derived from capital assets within the other taxing jurisdiction to the extent such capital gains are included in the taxpayer's Washington capital gains. The amount of credit under this subsection may not exceed the total amount of tax due under this chapter, and there is no carryback or carryforward of any unused credits.

(b) As used in this section, "taxing jurisdiction" means a state of the United States other than the state of Washington, the District of Columbia, the Commonwealth of Puerto Rico, any territory or possession of the United States, or any foreign country or political subdivision of a foreign country.

NEW SECTION. **Sec. 420.** FILING OF RETURNS. (1) (a) Except as otherwise provided in this section or RCW 82.32.080, taxpayers owing tax under this chapter must file, on forms prescribed by the department, a return with the department on or before the date the taxpayer's federal income tax return for the taxable year is required to be filed.

(b) (i) Except as provided in (b) (ii) of this subsection (1), returns and all supporting documents must be filed electronically using the department's online tax filing service or other method of electronic reporting as the department may authorize.

(ii) The department may waive the electronic filing requirement in this subsection for good cause as provided in RCW 82.32.080.

(2) In addition to the Washington return required to be filed under subsection (1) of this section, taxpayers owing tax under this chapter must file with the department on or before the date the federal return is required to be filed a copy of the federal income tax return along with all schedules and supporting documentation.

(3) Each taxpayer required to file a return under this section must, without assessment, notice, or demand, pay any tax due thereon to the department on or before the date fixed for the filing of the return, regardless of any filing extension. The tax must be paid by electronic funds transfer as defined in RCW 82.32.085 or by other forms of electronic payment as may be authorized by the department. The department may waive the electronic payment requirement for good cause as provided in RCW 82.32.080. If any tax due under this chapter is not paid by the due date, interest and penalties as provided in chapter 82.32 RCW apply to the deficiency.

(4) (a) In addition to the Washington return required to be filed under subsection (1) of this section, an individual claiming an exemption under section 6(2) of this act must file documentation substantiating the following:

(i) The fair market value and basis of the real estate held directly by the entity in which the interest was sold or exchanged;

(ii) The percentage of the ownership interest sold or exchanged in the entity owning real estate; and

(iii) The methodology, if any, established by the entity in which the interest was sold or exchanged, for allocating gains or losses to the owners, partners, or shareholders of the entity from the sale of real estate.

(b) The department may by rule prescribe additional filing requirements to substantiate an individual's claim for an exemption under section 6(2) of this act. Prior to adopting any rule under this subsection (4) (b), the department must allow for an opportunity for participation by interested parties in the rule-making process in accordance with the administrative procedure act, chapter 34.05 RCW.

(5) If a taxpayer has obtained an extension of time for filing the federal income tax return for the taxable year, the taxpayer is entitled to the same extension of time for filing the return required under this section if the taxpayer provides the department, before the due date provided in subsection (1) of this section, the extension confirmation number or other evidence satisfactory to the department confirming the federal extension. An extension under this subsection for the filing of a return under this chapter is not an extension of time to pay the tax due under this chapter.

(6)(a) If any return due under subsection (1) of this section, along with a copy of the federal income tax return, is not filed with the department by the due date or any extension granted by the department, the department must assess a penalty in the amount of five percent of the tax due for the taxable year covered by the return for each month or portion of a month that the return remains unfiled. The total penalty assessed under this subsection may not exceed 25 percent of the tax due for the taxable year covered by the delinquent return. The penalty under this subsection is in addition to any penalties assessed for the late payment of any tax due on the return.

(b) The department must waive or cancel the penalty imposed under this subsection if:

(i) The department is persuaded that the taxpayer's failure to file the return by the due date was due to circumstances beyond the taxpayer's control; or

(ii) The taxpayer has not been delinquent in filing any return due under this section during the preceding five calendar years.

NEW SECTION. Sec. 421. JOINT FILERS.

(1) If the federal income tax liabilities of both spouses are determined on a joint federal return for the taxable year, they must file a joint return under this chapter.

(2) Except as otherwise provided in this subsection, if the federal income tax liability of either spouse is determined on a separate federal return for the taxable year, they must file separate returns under this chapter. State registered domestic partners may file a joint return under this chapter

even if they filed separate federal returns for the taxable year.

(3) The liability for tax due under this chapter of each spouse or state registered domestic partner is joint and several, unless:

(a) The spouse is relieved of liability for federal tax purposes as provided under Title 26 U.S.C. Sec. 6015 of the internal revenue code; or

(b) The department determines that the domestic partner qualifies for relief as provided by rule of the department. Such rule, to the extent possible without being inconsistent with this chapter, must follow Title 26 U.S.C. Sec. 6015.

NEW SECTION. Sec. 422. ADMINISTRATION OF TAXES. Except as otherwise provided by law and to the extent not inconsistent with the provisions of this chapter, chapter 82.32 RCW applies to the administration of taxes imposed under this chapter.

NEW SECTION. Sec. 423. CRIMINAL ACTIONS. (1) Any taxpayer who knowingly attempts to evade payment of the tax imposed under this chapter is guilty of a class C felony as provided in chapter 9A.20 RCW.

(2) Any taxpayer who knowingly fails to pay tax, make returns, keep records, or supply information, as required under this title, is guilty of a gross misdemeanor as provided in chapter 9A.20 RCW.

NEW SECTION. Sec. 424. A new section is added to chapter 82.04 RCW to read as follows:

BUSINESS AND OCCUPATION TAX CREDIT.

(1) To avoid taxing the same sale or exchange under both the business and occupation tax and capital gains tax, a credit is allowed against taxes due under this chapter on a sale or exchange that is also subject to the tax imposed under section 5 of this act. The credit is equal to the amount of tax imposed under this chapter on such sale or exchange.

(2) The credit may be used against any tax due under this chapter.

(3) The credit under this section is earned in regards to a sale or exchange, and may be claimed against taxes due under this chapter, for the tax reporting period in which the sale or exchange occurred. The credit claimed for a tax reporting period may not exceed the tax

otherwise due under this chapter for that tax reporting period. Unused credit may not be carried forward or backward to another tax reporting period. No refunds may be granted for unused credit under this section.

(4) The department must apply the credit first to taxes deposited into the general fund. If any remaining credit reduces the amount of taxes deposited into the workforce education investment account established in RCW 43.79.195, the department must notify the state treasurer of such amounts monthly, and the state treasurer must transfer those amounts from the general fund to the workforce education investment account.

NEW SECTION. Sec. 425. ANNUAL ADJUSTMENTS. (1) Beginning December 2023 and each December thereafter, the department must adjust the applicable amounts by multiplying the current applicable amounts by one plus the percentage by which the most current consumer price index available on December 1st of the current year exceeds the consumer price index for the prior 12-month period, and rounding the result to the nearest \$1,000. If an adjustment under this subsection (1) would reduce the applicable amounts, the department must not adjust the applicable amounts for use in the following year. The department must publish the adjusted applicable amounts on its public website by December 31st. The adjusted applicable amounts calculated under this subsection (1) take effect for taxes due and distributions made, as the case may be, in the following calendar year.

(2) For purposes of this section, the following definitions apply:

(a) "Applicable amounts" means:

(i) The distribution amount to the education legacy trust account as provided in section 2(1)(a) of this act;

(ii) The standard deduction amount in sections 4(13) and 7(1) of this act;

(iii) The worldwide gross revenue amount under section 8 of this act; and

(iv) The minimum qualifying charitable donation amount and maximum charitable donation amount under section 9 of this act.

(b) "Consumer price index" means the consumer price index for all urban consumers, all items, for the Seattle area as calculated by the United States

bureau of labor statistics or its successor agency.

(c) "Seattle area" means the geographic area sample that includes Seattle and surrounding areas.

NEW SECTION. Sec. 426. The provisions of RCW 82.32.805 and 82.32.808 do not apply to this act.

NEW SECTION. Sec. 427. Sections 1, 2, 4 through 15, and 17 of this act constitute a new chapter in Title 82 RCW.

NEW SECTION. Sec. 428. (1) If a court of competent jurisdiction, in a final judgment not subject to appeal, adjudges section 5 of this act unconstitutional, or otherwise invalid, in its entirety, section 16 of this act is null and void in its entirety. Any credits previously claimed under section 16 of this act must be repaid within 30 days of the department of revenue's notice to the taxpayer of the amount due.

(2) If the taxpayer fails to repay the credit by the due date, interest and penalties as provided in chapter 82.32 RCW apply to the deficiency.

NEW SECTION. Sec. 429. 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."

Correct the title.

and that the bill do pass as recommended by the Conference Committee:

Senators Pedersen and Robinson
Representatives Frame and Sullivan

There being no objection, the House adopted the conference committee report on ENGROSSED SUBSTITUTE SENATE BILL NO. 5096 and advanced the bill as recommended by the conference committee to final passage.

FINAL PASSAGE OF SENATE BILL AS RECOMMENDED BY CONFERENCE COMMITTEE

Representative Frame spoke in favor of the passage of the bill as recommended by the conference committee.

Representative Orcutt spoke against the passage of the bill as recommended by the conference committee.

The Speaker stated the question before the House to be final passage of Engrossed Substitute Senate Bill No. 5096 as recommended by the conference committee.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5096, as recommended by the conference committee, and the bill passed the House by the following votes: Yeas: 52; Nays: 44; Absent: 0; Excused: 2

Voting yea: Representatives Bateman, Berg, Bergquist, Berry, Callan, Chopp, Cody, Davis, Dolan, Duerr, Entenman, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hackney, Hansen, Harris-Talley, Jinkins, Johnson, J., Kirby, Kloba, Lekanoff, Lovick, Macri, Morgan, Ormsby, Ortiz-Self, Orwall, Peterson, Pollet, Ramel, Ramos, Riccelli, Ryu, Santos, Sells, Senn, Shewmake, Simmons, Slatter, Springer, Stonier, Sullivan, Taylor, Thai, Tharinger, Valdez, Walen, Wicks, and Wylie

Voting nay: Representatives Abbarno, Barkis, Boehnke, Bronoske, Caldier, Chambers, Chandler, Chapman, Chase, Corry, Dent, Dufault, Dye, Eslick, Gilday, Goehner, Graham, Griffey, Harris, Hoff, Jacobsen, Klicker, Klippert, Kraft, Kretz, Leavitt, MacEwen, Maycumber, McCaslin, Mosbrucker, Orcutt, Paul, Rude, Rule, Schmick, Steele, Stokesbary, Sutherland, Vick, Volz, Walsh, Wilcox, Ybarra, and Young

Excused: Representatives McEntire and Robertson

ENGROSSED SUBSTITUTE SENATE BILL NO. 5096, as recommended by the conference committee, having received the constitutional majority, was declared passed.

With the consent of the House, ENGROSSED SUBSTITUTE SENATE BILL NO. 5096 was immediately transmitted to the Senate.

April 15, 2021

Mme. SPEAKER:

The Senate reconsidered the following measure and, pursuant to Article 3, Section 12 of the State Constitution, passed the measure over the Governor's objection:

SECOND SUBSTITUTE SENATE BILL NO. 6027

and the same is herewith transmitted.

Sarah Bannister, Deputy Secretary

FINAL PASSAGE OF SENATE BILL, GOVERNOR'S VETO NOTWITHSTANDING

Representatives MacEwen and Fitzgibbon spoke in favor of the passage of the bill, notwithstanding the Governor's veto.

The Speaker stated the question before the House to be final passage of Second Substitute Senate Bill No. 6027, notwithstanding the Governor's veto.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 6027, notwithstanding the Governor's veto, and the bill passed the House by the following votes: Yeas: 93; Nays: 3; Absent: 0; Excused: 2

Voting yea: Representatives Abbarno, Barkis, Bateman, Berg, Bergquist, Berry, Boehnke, Bronoske, Caldier, Callan, Chambers, Chandler, Chapman, Chase, Chopp, Cody, Corry, Davis, Dent, Dolan, Duerr, Dufault, Entenman, Eslick, Fey, Fitzgibbon, Frame, Goodman, Goehner, Goodman, Graham, Gregerson, Griffey, Hackney, Hansen, Harris, Harris-Talley, Hoff, Jacobsen, Jinkins, Johnson, J., Kirby, Klicker, Klippert, Kraft, Kretz, Leavitt, Lekanoff, Lovick, MacEwen, Macri, Maycumber, McCaslin, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Peterson, Pollet, Ramel, Ramos, Riccelli, Rude, Rule, Ryu, Santos, Schmick, Sells, Senn, Shewmake, Simmons, Slatter, Springer, Steele, Stokesbary, Stonier, Sullivan, Sutherland, Taylor, Thai, Tharinger, Valdez, Vick, Volz, Walen, Walsh, Wicks, Wilcox, Wylie, and Ybarra

Voting nay: Representatives Dye, Kloba, and Young

Excused: Representatives McEntire and Robertson

SECOND SUBSTITUTE SENATE BILL NO. 6027, notwithstanding the Governor's veto, having received the two-thirds constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 24, 2021

Madame Speaker:

The Senate has passed ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1277 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 36.22 RCW to read as follows:

(1) Except as provided in subsection (2) of this section, a surcharge of \$100 must be charged by the county auditor for each document recorded, which is in addition to any other charge or surcharge allowed by law. The auditor must remit the funds to the state treasurer to be deposited and used as follows:

(a) Twenty percent of funds must be deposited in the affordable housing for all account for operations, maintenance, and service costs for permanent supportive housing as defined in RCW 36.70A.030;

(b) From July 1, 2021, through June 30, 2023, four percent of the funds must

be deposited into the landlord mitigation program account created in RCW 43.31.615 for the purposes of RCW 43.31.605(1). Thereafter, two percent of funds must be deposited into the landlord mitigation program account created in RCW 43.31.615 for purposes of RCW 43.31.605(1); and

(c) The remainder of funds must be distributed to the home security fund account, with 60 percent of funds to be used for project-based vouchers for nonprofit housing providers or public housing authorities, housing services, rapid rehousing, emergency housing, or acquisition. Priority for use must be given to project-based vouchers and related services, housing acquisition, or emergency housing, for persons who are chronically homeless, including families with children. At least 50 percent of persons receiving a project-based voucher, rapid rehousing, emergency housing, or benefiting from housing acquisition must be living unsheltered at the time of initial engagement. In addition, funds may be used for eviction prevention rental assistance pursuant to section 2 of this act, foreclosure prevention services, dispute resolution center eviction prevention services, rental assistance for people experiencing homelessness, and tenant education and legal assistance.

(2) The surcharge imposed in this section does not apply to: (a) Assignments or substitutions of previously recorded deeds of trust; (b) documents recording a birth, marriage, divorce, or death; (c) any recorded documents otherwise exempted from a recording fee or additional surcharges under state law; (d) marriage licenses issued by the county auditor; or (e) documents recording a federal, state, county, city, or water-sewer district, or wage lien or satisfaction of lien.

NEW SECTION. **Sec. 2.** A new section is added to chapter 43.185C RCW to read as follows:

(1) The eviction prevention rental assistance program is created in the department to prevent evictions by providing resources to households most likely to become homeless or suffer severe health consequences, or both, after an eviction, while promoting equity by prioritizing households, including communities of color, disproportionately impacted by public health emergencies and by homelessness and housing instability. The department must provide grants to

eligible organizations, as described in RCW 43.185.060, to provide assistance to program participants. The eligible organizations must use grant moneys for:

(a) Rental assistance, including rental arrears and future rent if needed to stabilize the applicant's housing and prevent their eviction;

(b) Utility assistance for households if needed to prevent an eviction; and

(c) Administrative costs of the eligible organization, which must not exceed limits prescribed by the department.

(2) Households eligible to receive assistance through the eviction prevention rental assistance program are those:

(a) With incomes at or below 80 percent of the county area median income;

(b) Who are families with children, living in doubled up situations, young adults, senior citizens, and others at risk of homelessness or significant physical or behavioral health complications from homelessness; and

(c) That meet any other eligibility requirements as established by the department after consultation with stakeholder groups, including persons at risk of homelessness due to unpaid rent, representatives of communities of color, homeless service providers, landlord representatives, local governments that administer homelessness assistance, a statewide association representing cities, a statewide association representing counties, a representative of homeless youth and young adults, and affordable housing advocates.

(3) A landlord may assist an eligible household in applying for assistance through the eviction prevention rental assistance program or may apply for assistance on an eligible household's behalf.

(4) (a) Eligible grantees must actively work with organizations rooted in communities of color to assist and serve marginalized populations within their communities.

(b) At least 10 percent of the grant total must be subgranted to organizations that serve and are substantially governed by marginalized populations to pay the costs associated with program outreach, assistance completing applications for

assistance, rent assistance payments, activities that directly support the goal of improving access to rent assistance for people of color, and related costs. Upon request by an eligible grantee or the county or city in which it exists, the department must provide a list of organizations that serve and are substantially governed by marginalized populations, if known.

(c) An eligible grantee may request an exemption from the department from the requirements under (b) of this subsection. The department must consult with the stakeholder group established under subsection (2)(c) of this section before granting an exemption. An eligible grantee may request an exemption only if the eligible grantee:

(i) Is unable to subgrant with an organization that serves and is substantially governed by marginalized populations; or

(ii) Provides the department with a plan to spend 10 percent of the grant total in a manner that the department determines will improve racial equity for historically underserved communities more effectively than a subgrant.

(5) The department must ensure equity by developing performance measures and benchmarks that promote both equitable program access and equitable program outcomes. Performance measures and benchmarks must be developed by the department in consultation with stakeholder groups, including persons at risk of homelessness due to unpaid rent, representatives of communities of color, homeless service providers, landlord representatives, local governments that administer homelessness assistance, a statewide association representing cities, a statewide association representing counties, a representative of homeless youth and young adults, and affordable housing advocates. Performance measures and benchmarks must also ensure that the race and ethnicity of households served under the program are proportional to the numbers of people at risk of homelessness in each county for each of the following groups:

- (a) Black or African American;
- (b) American Indian and Alaska Native;
- (c) Native Hawaiian or other Pacific Islander;
- (d) Hispanic or Latinx;

(e) Asian;

(f) Other multiracial.

(6) The department may develop additional rules, requirements, procedures, and guidelines as necessary to implement and operate the eviction prevention rental assistance program.

(7) (a) The department must award funds under this section to eligible grantees in a manner that is proportional to the amount of revenue collected under section 1 of this act from the county being served by the grantee.

(b) The department must provide counties with the right of first refusal to receive grant funds distributed under this subsection. If a county refuses the funds or does not respond within a time frame established by the department, the department must identify an alternative grantee. The alternative grantee must distribute the funds in a manner that is in compliance with this chapter.

Sec. 3. RCW 43.185C.045 and 2018 c 85 s 9 are each amended to read as follows:

(1) By December 1st of each year, the department must provide an update on the state's homeless housing strategic plan and its activities for the prior fiscal year. The report must include, but not be limited to, the following information:

(a) An assessment of the current condition of homelessness in Washington state and the state's performance in meeting the goals in the state homeless housing strategic plan;

(b) A report on the results of the annual homeless point-in-time census conducted statewide under RCW 43.185C.030;

(c) The amount of federal, state, local, and private funds spent on homelessness assistance, categorized by funding source and the following major assistance types:

- (i) Emergency shelter;
- (ii) Homelessness prevention and rapid rehousing;
- (iii) Permanent housing;
- (iv) Permanent supportive housing;
- (v) Transitional housing;
- (vi) Services only; and

(vii) Any other activity in which more than five hundred thousand dollars of category funds were expended;

(d) A report on the expenditures, performance, and outcomes of state funds distributed through the consolidated homeless grant program, including the grant recipient, award amount expended, use of the funds, counties served, and households served;

(e) A report on state and local homelessness document recording fee expenditure by county, including the total amount of fee spending, percentage of total spending from fees, number of people served by major assistance type, and amount of expenditures for private rental housing payments required in RCW 36.22.179;

(f) A report on the expenditures, performance, and outcomes of the essential needs and housing support program meeting the requirements of RCW 43.185C.220; ~~((and))~~

(g) A report on the expenditures, performance, and outcomes of the independent youth housing program meeting the requirements of RCW 43.63A.311;

(h) A county-level report on the expenditures, performance, and outcomes of the eviction prevention rental assistance program under section 2 of this act. The report must include, but is not limited to:

(i) The number of adults without minor children served in each county;

(ii) The number of households with adults and minor children served in each county; and

(iii) The number of unaccompanied youth and young adults who are being served in each county; and

(i) A county-level report on the expenditures, performance, and outcomes of the rapid rehousing, project-based vouchers, and housing acquisition programs under section 1 of this act. The report must include, but is not limited to:

(i) The number of persons who are unsheltered receiving shelter through a project-based voucher in each county;

(ii) The number of units acquired or built via rapid rehousing and housing acquisition in each county; and

(iii) The number of adults without minor children, households with adults and minor children, unaccompanied youth, and young adults who are being served by the programs under section 1 of this act in each county.

(2) The report required in subsection (1) of this section must be posted to the department's website and may include links to updated or revised information contained in the report.

(3) Any local government receiving state funds for homelessness assistance or state or local homelessness document recording fees under RCW 36.22.178, 36.22.179, or 36.22.1791 must provide an annual report on the current condition of homelessness in its jurisdiction, its performance in meeting the goals in its local homeless housing plan, and any significant changes made to the plan. The annual report must be posted on the department's website. Along with each local government annual report, the department must produce and post information on the local government's homelessness spending from all sources by project during the prior state fiscal year in a format similar to the department's report under subsection (1)(c) of this section. If a local government fails to report or provides an inadequate or incomplete report, the department must take corrective action, which may include withholding state funding for homelessness assistance to the local government to enable the department to use such funds to contract with other public or nonprofit entities to provide homelessness assistance within the jurisdiction.

Sec. 4. RCW 43.185C.060 and 2020 c 357 s 915 are each amended to read as follows:

(1) The home security fund account is created in the state treasury, subject to appropriation. The state's portion of the surcharge established in RCW 36.22.179 and 36.22.1791 and section 1 of this act must be deposited in the account. Expenditures from the account may be used only for homeless housing programs as described in this chapter, including the eviction prevention rental assistance program established in section 2 of this act.

(2)(a) By December 15, 2021, the department, in consultation with stakeholder groups specified in section 2(2)(c) of this act, must create a set of

performance metrics for each county receiving funding under section 1 of this act. The metrics must target actions within a county's control that will prevent and reduce homelessness, such as increasing the number of permanent supportive housing units and increasing or maintaining an adequate number of noncongregate shelter beds.

(b) (i) Beginning July 1, 2023, and by July 1st every two years thereafter, the department must award funds for project-based vouchers for nonprofit housing providers and related services, rapid rehousing, and housing acquisition under section 1 of this act to eligible grantees in a manner that 15 percent of funding is distributed as a performance-based allocation based on performance metrics created under (a) of this subsection, in addition to any base allocation of funding for the county.

(ii) Any county that demonstrates that it has met or exceeded the majority of the target actions to prevent and reduce homelessness over the previous two years must receive the remaining 15 percent performance-based allocation. Any county that fails to meet or exceed the majority of target actions to prevent and reduce homelessness must enter into a corrective action plan with the department. To receive its performance-based allocation, a county must agree to undertake the corrective actions outlined in the corrective action plan and any reporting and monitoring deemed necessary by the department. Any county that fails to meet or exceed the majority of targets for two consecutive years after entering into a corrective action plan may be subject to a reduction in the performance-based portion of the funds received in (b) (i) of this subsection, at the discretion of the department in consultation with stakeholder groups specified in section 2(2) (c) of this act. Performance-based allocations unspent due to lack of compliance with a corrective action plan created under this subsection (2) (b) may be distributed to other counties that have met or exceeded their target actions.

(3) The department must distinguish allotments from the account made to carry out the activities in RCW 43.330.167, 43.330.700 through 43.330.715, 43.330.911, 43.185C.010, 43.185C.250 through 43.185C.320, and 36.22.179(1) (b) .

~~((+3))~~ (4) The office of financial management must secure an independent expenditure review of state funds received under RCW 36.22.179(1) (b) on a biennial basis. The purpose of the review is to assess the consistency in achieving policy priorities within the private market rental housing segment for housing persons experiencing homelessness. The independent reviewer must notify the department and the office of financial management of its findings. The first biennial expenditure review, for the 2017-2019 fiscal biennium, is due February 1, 2020. Independent reviews conducted thereafter are due February 1st of each even-numbered year.

~~((+4))~~ (5) During the 2019-2021 fiscal biennium, expenditures from the account may also be used for shelter capacity grants.

Sec. 5. RCW 43.185C.190 and 2011 1st sp.s. c 50 s 955 are each amended to read as follows:

The affordable housing for all account is created in the state treasury, subject to appropriation. The state's portion of the surcharges established in RCW 36.22.178 and section 1 of this act shall be deposited in the account. Expenditures from the account may only be used for affordable housing programs (~~During the 2011-2013 fiscal biennium, moneys in the account may be transferred to the home security fund~~), including operations, maintenance, and services as described in section 1(1) (a) of this act.

NEW SECTION. Sec. 6. (1) (a) The legislature finds that affordable housing, housing instability, and homelessness are persistent and increasing problems throughout the state. Despite significant increases in financial resources by the federal, state, and local governments to address these problems, homelessness and the risk of becoming homeless has worsened in Washington since the legislature authorized the first homeless housing document recording surcharge in 2005. The number of unsheltered homeless encampments in greenbelts, under bridges, and on our streets is a visible reminder that the current system is not working.

(b) The legislature finds that the COVID-19 pandemic has exacerbated and shed new light on the state's homelessness problems and forced communities and providers to reexamine

the types and delivery of housing and services to individuals and families who are homeless or at risk of homelessness. As a result of the changing conditions COVID-19 created, the federal government has provided an infusion of funding for housing and services for homelessness populations in its COVID-19 relief bills to pursue different strategies to improve outcomes. Moreover, there are various proposals to increase state funding to address housing insecurity and homelessness, including this act to impose an additional document recording fee to fund an eviction prevention rental assistance program and other services to persons at risk or experiencing homelessness.

(c) The legislature also finds that there are many causes of homelessness and housing instability, including: (i) A shortage of affordable housing; (ii) local land use planning and property management policies that discourage the development of private sector housing stock to serve low and extremely low-income households; (iii) unemployment and lack of education and job skills to acquire an adequate wage job; (iv) mental health, developmental, and physical disabilities; (v) chemical and alcohol dependency; and (vi) family instability and conflict. The legislature intends to provide for an examination of the economic, social, and health causes of current and expected patterns of housing instability and homelessness, and to secure a common understanding of the contribution each has to the current crisis. The legislature intends for this examination to result in a widely accepted strategy for identifying how best to address homelessness in ways that: (A) Address the root causes of the problem; (B) clearly assign responsibilities of state and local government to address those causes; (C) support local control and provision of services at the local level to address specific community needs, recognizing each community must play a part in the solution; (D) respect property owner rights and encourage private sector involvement in solutions and service; and (E) develop pathways to permanent housing solutions and associated services to break the cycle of housing insecurity and homelessness.

(2) (a) The department of commerce must contract with the William D. Ruckelshaus center to conduct an examination of trends affecting, and policies guiding,

the housing and services provided to individuals and families who are or at risk of homelessness in Washington. The center must also facilitate meetings and discussions to develop and implement a long-term strategy to improve services and outcomes for persons at risk or experiencing homelessness and develop pathways to permanent housing solutions.

(b) In fulfilling the requirements of this section, the center must work and consult with (i) willing participants representing tribal and local governments, local providers of housing and services for homeless populations, advocates and stakeholders representing the interests of homeless populations, mental health and substance abuse professionals, representatives of the business community and other organizations, and other representatives the center determines is a necessary participant to examine these issues; (ii) a group of legislators consisting of one member from each of the two largest caucuses in the senate and in the house of representatives appointed by the president of the senate and the speaker of the house of representatives, respectively; and (iii) three representatives of the executive branch appointed by the governor.

(c) (i) The center must conduct fact-finding and stakeholder discussions with participants identified in (b) of this subsection. These discussions must identify stakeholder concerns, barriers, opportunities, and desired principles for a long-term strategy to improve the outcomes and services for persons at risk or experiencing homelessness and develop pathways to permanent housing solutions.

(ii) The center must conduct fact-finding and stakeholder discussions with participants identified in (b) of this subsection to identify root causes of housing instability and homelessness within Washington state. This fact-finding should address root causes demographically within subpopulations of persons at risk or experiencing homelessness such as veterans and persons suffering from mental health or substance abuse issues. The fact-finding should also address root causes that may differ geographically or regionally. The fact-finding must identify existing statutory and regulatory issues that impede efforts to address root causes of housing instability and homelessness within Washington state.

(iii) The center must issue two reports of its fact-finding efforts and stakeholder discussions to the governor and the appropriate committees of the house of representatives and the senate. One report on the subjects covered in (c)(i) of this subsection is due December 1, 2021, and one on the subjects covered in (c)(ii) of this subsection is due December 1, 2022.

(d) The center must facilitate discussions between the stakeholders identified in this subsection (2) for the purposes of identifying options and recommendations to develop and implement a long-term strategy to improve the outcomes and service for persons at risk or experiencing homelessness and develop pathways to permanent housing solutions, including the manner and amount in which the state funds homelessness housing and services and performance measures that must be achieved to receive state funding. A report on this effort is due to the governor and the appropriate committees of the house of representatives and the senate by December 1, 2023.

Sec. 7. RCW 36.22.178 and 2019 c 136 s 1 are each amended to read as follows:

The surcharge provided for in this section shall be named the affordable housing for all surcharge.

(1) Except as provided in subsection (3) of this section, a surcharge of thirteen dollars per instrument shall be charged by the county auditor for each document recorded, which will be in addition to any other charge authorized by law. The county may retain up to five percent of these funds collected solely for the collection, administration, and local distribution of these funds. Of the remaining funds, forty percent of the revenue generated through this surcharge will be transmitted monthly to the state treasurer who will deposit: (a) The portion of the funds attributable to ten dollars of the surcharge into the affordable housing for all account created in RCW 43.185C.190. The department of commerce must use these funds to provide housing and shelter for extremely low-income households, including but not limited to housing for victims of human trafficking and their families and grants for building operation and maintenance costs of housing projects or units within housing projects that are affordable to extremely low-income households with incomes at or

below thirty percent of the area median income, and that require a supplement to rent income to cover ongoing operating expenses; and (b) the portion of the funds attributable to three dollars of the surcharge into the landlord mitigation program account created in RCW 43.31.615.

(2) All of the remaining funds generated by this surcharge will be retained by the county and be deposited into a fund that must be used by the county and its cities and towns for eligible housing activities as described in this subsection that serve very low-income households with incomes at or below fifty percent of the area median income. The portion of the surcharge retained by a county shall be allocated to eligible housing activities that serve extremely low and very low-income households in the county and the cities within a county according to an interlocal agreement between the county and the cities within the county consistent with countywide and local housing needs and policies. A priority must be given to eligible housing activities that serve extremely low-income households with incomes at or below thirty percent of the area median income. Eligible housing activities to be funded by these county funds are limited to:

(a) Acquisition, construction, or rehabilitation of housing projects or units within housing projects that are affordable to very low-income households with incomes at or below fifty percent of the area median income, including units for homeownership, rental units, seasonal and permanent farmworker housing units, units reserved for victims of human trafficking and their families, and single room occupancy units;

(b) Supporting building operation and maintenance costs of housing projects or units within housing projects eligible to receive housing trust funds, that are affordable to very low-income households with incomes at or below fifty percent of the area median income, and that require a supplement to rent income to cover ongoing operating expenses;

(c) Rental assistance vouchers for housing units that are affordable to very low-income households with incomes at or below fifty percent of the area median income, including rental housing vouchers for victims of human trafficking and their families, to be administered by

a local public housing authority or other local organization that has an existing rental assistance voucher program, consistent with or similar to the United States department of housing and urban development's section 8 rental assistance voucher program standards; and

(d) Operating costs for emergency shelters and licensed overnight youth shelters.

(3) The surcharge imposed in this section does not apply to assignments or substitutions of previously recorded deeds of trust or to documents recording a federal lien, or water-sewer district lien, wage lien, or satisfaction of lien.

Sec. 8. RCW 36.22.179 and 2019 c 136 s 2 are each amended to read as follows:

(1) In addition to the surcharge authorized in RCW 36.22.178, and except as provided in subsection (3) of this section, an additional surcharge of sixty-two dollars shall be charged by the county auditor for each document recorded, which will be in addition to any other charge allowed by law. Except as provided in subsection (4) of this section, the funds collected pursuant to this section are to be distributed and used as follows:

(a) The auditor shall retain two percent for collection of the fee, and of the remainder shall remit sixty percent to the county to be deposited into a fund that must be used by the county and its cities and towns to accomplish the purposes of chapter 484, Laws of 2005, six percent of which may be used by the county for the collection and local distribution of these funds and administrative costs related to its homeless housing plan, and the remainder for programs which directly accomplish the goals of the county's local homeless housing plan, except that for each city in the county which elects as authorized in RCW 43.185C.080 to operate its own local homeless housing program, a percentage of the surcharge assessed under this section equal to the percentage of the city's local portion of the real estate excise tax collected by the county shall be transmitted at least quarterly to the city treasurer, without any deduction for county administrative costs, for use by the city for program costs which directly contribute to the goals of the city's local homeless housing plan; of the funds received by

the city, it may use six percent for administrative costs for its homeless housing program.

(b) The auditor shall remit the remaining funds to the state treasurer for deposit in the home security fund account to be used as follows:

(i) The department may use twelve and one-half percent of this amount for administration of the program established in RCW 43.185C.020, including the costs of creating the statewide homeless housing strategic plan, measuring performance, providing technical assistance to local governments, and managing the homeless housing grant program.

(ii) The remaining eighty-seven and one-half percent of this amount must be used as follows:

(A) At least forty-five percent must be set aside for the use of private rental housing payments; and

(B) All remaining funds are to be used by the department to:

(I) Provide housing and shelter for homeless people including, but not limited to: Grants to operate, repair, and staff shelters; grants to operate transitional housing; partial payments for rental assistance; consolidated emergency assistance; overnight youth shelters; grants and vouchers designated for victims of human trafficking and their families; and emergency shelter assistance; and

(II) Fund the homeless housing grant program.

(2) A county issuing general obligation bonds pursuant to RCW 36.67.010, to carry out the purposes of subsection (1)(a) of this section, may provide that such bonds be made payable from any surcharge provided for in subsection (1)(a) of this section and may pledge such surcharges to the repayment of the bonds.

(3) The surcharge imposed in this section does not apply to (a) assignments or substitutions of previously recorded deeds of trust, (b) documents recording a birth, marriage, divorce, or death, (c) any recorded documents otherwise exempted from a recording fee or additional surcharges under state law, (d) marriage licenses issued by the county auditor, or (e) documents recording a federal, state, county,

~~((~~or~~))~~ city, or water-sewer district, or wage lien or satisfaction of lien.

(4) Ten dollars of the surcharge imposed under subsection (1) of this section must be distributed to the counties to carry out the purposes of subsection (1)(a) of this section.

(5) For purposes of this section, "private rental housing" means housing owned by a private landlord and includes housing owned by a nonprofit housing entity.

Sec. 9. RCW 36.22.1791 and 2019 c 136 s 3 are each amended to read as follows:

(1) In addition to the surcharges authorized in RCW 36.22.178 and 36.22.179, and except as provided in subsection (2) of this section, the county auditor shall charge an additional surcharge of eight dollars for each document recorded, which is in addition to any other charge allowed by law. The funds collected under this section are to be distributed and used as follows:

(a) The auditor shall remit ninety percent to the county to be deposited into a fund six percent of which may be used by the county for administrative costs related to its homeless housing plan, and the remainder for programs that directly accomplish the goals of the county's local homeless housing plan, except that for each city in the county that elects, as authorized in RCW 43.185C.080, to operate its own local homeless housing program, a percentage of the surcharge assessed under this section equal to the percentage of the city's local portion of the real estate excise tax collected by the county must be transmitted at least quarterly to the city treasurer for use by the city for program costs that directly contribute to the goals of the city's local homeless housing plan.

(b) The auditor shall remit the remaining funds to the state treasurer for deposit in the home security fund account. The department may use the funds for administering the program established in RCW 43.185C.020, including the costs of creating and updating the statewide homeless housing strategic plan, measuring performance, providing technical assistance to local governments, and managing the homeless housing grant program. Remaining funds may also be used to:

(i) Provide housing and shelter for homeless people including, but not limited to: Grants to operate, repair, and staff shelters; grants to operate transitional housing; partial payments for rental assistance; consolidated emergency assistance; overnight youth shelters; grants and vouchers designated for victims of human trafficking and their families; and emergency shelter assistance; and

(ii) Fund the homeless housing grant program.

(2) The surcharge imposed in this section does not apply to assignments or substitutions of previously recorded deeds of trust or to documents recording a federal or water-sewer district or wage lien or satisfaction of lien.

Sec. 10. RCW 36.22.240 and 2019 c 348 s 11 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section, a surcharge of two dollars and fifty cents shall be charged by the county auditor for each document recorded, which will be in addition to any other charge or surcharge allowed by law. The auditor shall remit the funds to the state treasurer to be deposited and used as follows:

(a) Through June 30, 2024, funds must be deposited into the growth management planning and environmental review fund created in RCW 36.70A.490 to be used first for grants for costs associated with RCW 36.70A.600 and for costs associated with RCW 36.70A.610, and thereafter for any allowable use of the fund.

(b) Beginning July 1, 2024, sufficient funds must be deposited into the growth management planning and environmental review fund created in RCW 36.70A.490 for costs associated with RCW 36.70A.610, and the remainder deposited into the home security fund account created in RCW 43.185C.060 to be used for maintenance and operation costs of: (i) Permanent supportive housing and (ii) affordable housing for very low-income and extremely low-income households. Funds may only be expended in cities that have taken action under RCW 36.70A.600.

(2) The surcharge imposed in this section does not apply to: (a) Assignments or substitutions of previously recorded deeds of trust; (b) documents recording a birth, marriage, divorce, or death; (c) any recorded

documents otherwise exempted from a recording fee or additional surcharges under state law; (d) marriage licenses issued by the county auditor; or (e) documents recording a federal, state, county, ~~((or))~~ city, or water-sewer district, or wage lien or satisfaction of lien.

(3) For purposes of this section, the terms "permanent supportive housing," "affordable housing," "very low-income households," and "extremely low-income households" have the same meaning as provided in RCW 36.70A.030."

On page 1, line 2 of the title, after "services;" strike the remainder of the title and insert "amending RCW 43.185C.045, 43.185C.060, 43.185C.190, 36.22.178, 36.22.179, 36.22.1791, and 36.22.240; adding a new section to chapter 36.22 RCW; adding a new section to chapter 43.185C RCW; and creating a new section."

and the same is herewith transmitted.

Brad Hendrickson, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1277 and advanced the bill, as amended by the Senate, to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representative Peterson spoke in favor of the passage of the bill.

Representative Caldier spoke against the passage of the bill.

The Speaker stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1277, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1277, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 57; Nays, 39; Absent, 0; Excused, 2.

Voting yea: Representatives Bateman, Berg, Bergquist, Berry, Bronoske, Caldier, Callan, Chopp, Cody, Davis, Dolan, Duerr, Entenman, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hackney, Hansen, Harris, Harris-Talley, J. Johnson, Kirby, Kloba, Leavitt, Lekanoff, Lovick, Macri, Morgan, Ormsby, Ortiz-Self, Orwall, Peterson, Pollet, Ramel, Ramos, Riccelli, Ryu, Santos, Sells, Senn,

Shewmake, Simmons, Slatter, Springer, Stonier, Sullivan, Taylor, Thai, Tharinger, Valdez, Walen, Wicks, Wylie, Young and Mme. Speaker.

Voting nay: Representatives Abbarno, Barkis, Boehnke, Chambers, Chandler, Chapman, Chase, Corry, Dent, Dufault, Dye, Eslick, Gilday, Goehner, Graham, Griffey, Hoff, Jacobsen, Klicker, Klippert, Kraft, Kretz, MacEwen, Maycumber, McCaslin, Mosbrucker, Orcutt, Paul, Rude, Rule, Schmick, Steele, Stokesbary, Sutherland, Vick, Volz, Walsh, Wilcox and Ybarra.

Excused: Representatives McEntire and Robertson.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1277, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

There being no objection, the House adjourned until 1:00 p.m., April 25, 2021, the 105th Legislative Day of the Regular Session.

LAURIE JINKINS, Speaker

BERNARD DEAN, Chief Clerk

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