

**SIXTY SIXTH LEGISLATURE - REGULAR SESSION****FIFTY NINTH DAY**

House Chamber, Olympia, Wednesday, March 11, 2020

The House was called to order at 10:00 a.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Wyatt Johnson and Amy Kaur. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor David Wright, University Chaplain, University of Puget Sound, Washington.

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

**RESOLUTION****HOUSE RESOLUTION NO. 2020-4681, by Representative Dufault**

WHEREAS, It is the policy of the Washington State Legislature to recognize excellence in all fields of endeavor; and

WHEREAS, Mike Leita emigrated to the United States from Italy with his father when he was only six years old and settled in the Yakima area where he was raised; and

WHEREAS, Mike Leita was educated through the local public school system, graduating from Eisenhower High School in Yakima; and

WHEREAS, Mike Leita attended Washington State University, graduating in 1969 with a degree in marketing; and

WHEREAS, Mike Leita returned to Yakima and followed in his father's footsteps, taking over his family's road construction business; and

WHEREAS, With the slogan "New Leadership," Mike Leita was elected in November 2004 to serve as Yakima County Commissioner and served four four-year terms; and

WHEREAS, Mike Leita became known as a "fearless leader" who helped get the county's finances in order, guiding the county out of challenges from a jail contract with King County that had been negotiated before he took office; and

WHEREAS, Mike Leita led the county through difficult financial times, implementing "zero-based budgeting" in his first year of office, which required every department and every program to prove itself every year and set in place a "priorities of government" system with county officials identifying the most important programs to fully fund; and reducing, consolidating, or eliminating programs that were not working for the good of the taxpayers; and

WHEREAS, Mike Leita modeled his proven leadership style from the James Freeman Clarke quote: "A politician thinks of the next election. A statesman, of the next generation"; and

WHEREAS, Mike Leita and his wife, DeAnn, have been married for forty-seven years and are blessed with a son, Todd, and a daughter, Traci, and four grandchildren; and

WHEREAS, Mike Leita is the embodiment of the American Dream, coming to Yakima from humble beginnings, working hard to become successful, and giving back to his community through public service; and

WHEREAS, After fifteen years as a dedicated Yakima County Commissioner, Mike Leita retired from office in January to spend more time with his beloved family;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives recognize Mike Leita for his outstanding achievements and contributions to the citizens of Yakima County and Washington state; and

BE IT FURTHER RESOLVED, That a copy of this Resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Mike Leita and his family.

There being no objection, HOUSE RESOLUTION NO. 4681 was adopted.

**RESOLUTION****HOUSE RESOLUTION NO. 2020-4683, by Representative Rude**

WHEREAS, The Walla Walla Noon Rotary Club has served the Walla Walla community for 100 years; and

WHEREAS, The club has an outstanding history of service in the Walla Walla Valley and globally from its chartering on November 1, 1919; and

WHEREAS, Rotary's motto "Service Above Self" continues to inspire members to be generous and active participants in communities across the world; and

WHEREAS, Rotary supports people all over the world by promoting peace, fighting disease, and providing clean water to those in need; and

WHEREAS, Rotary has worked to eradicate polio for more than 30 years as a founding partner of the Global Polio Eradication Initiative; and

WHEREAS, Rotary is committed to growing local communities and their economies across the globe through the Rotary foundation; and

WHEREAS, Rotary's numerous youth programs have helped to shape the next generation of global leaders; and

WHEREAS, Rotary's community local involvement ranges from growing the Tour of Walla Walla bike race to tree planting, creating and funding local scholarships, and supporting local food banks;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives express appreciation for the hard work and charity of the Walla Walla Noon Rotary Club and its dedicated members.

There being no objection, HOUSE RESOLUTION NO. 4683 was adopted.

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

#### MESSAGES FROM THE SENATE

March 10, 2020

Mme. SPEAKER:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5628,

and the same are herewith transmitted.

Brad Hendrickson, Secretary

March 10, 2020

Mme. SPEAKER:

The Senate has passed:

HOUSE BILL NO. 2189,  
HOUSE BILL NO. 2505,  
SUBSTITUTE HOUSE BILL NO. 2634,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2723,

and the same are herewith transmitted.

Brad Hendrickson, Secretary

March 10, 2020

Mme. SPEAKER:

The Senate has granted the request of the House for a Conference on ENGROSSED SUBSTITUTE SENATE BILL NO. 6280. The President has appointed the following members as Conferees: Nguyen, Brown, Wellman

Brad Hendrickson, Secretary

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

#### INTRODUCTION & FIRST READING

There being no objection, SUBSTITUTE SENATE BILL NO. 5628 was read the first time, and under

suspension of the rules was placed on the second reading calendar.

There being no objection, ENGROSSED SENATE BILL NO. 6690 was read the first time, and under suspension of the rules was placed on the second reading calendar.

The Speaker assumed the chair.

#### SIGNED BY THE SPEAKER

The Speaker signed the following bills:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1023  
SECOND SUBSTITUTE HOUSE BILL NO. 1191  
ENGROSSED SECOND SUBSTITUTE HOUSE  
BILL NO. 1521  
ENGROSSED HOUSE BILL NO. 1552  
HOUSE BILL NO. 1590  
ENGROSSED SECOND SUBSTITUTE HOUSE  
BILL NO. 1783  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1793  
SECOND SUBSTITUTE HOUSE BILL NO. 1888  
HOUSE BILL NO. 2051  
HOUSE BILL NO. 2230  
SUBSTITUTE HOUSE BILL NO. 2302  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2327  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2342  
SUBSTITUTE HOUSE BILL NO. 2374  
SUBSTITUTE HOUSE BILL NO. 2393  
SUBSTITUTE HOUSE BILL NO. 2394  
SUBSTITUTE HOUSE BILL NO. 2409  
HOUSE BILL NO. 2412  
SUBSTITUTE HOUSE BILL NO. 2426  
SUBSTITUTE HOUSE BILL NO. 2456  
SECOND SUBSTITUTE HOUSE BILL NO. 2457  
SUBSTITUTE HOUSE BILL NO. 2464  
ENGROSSED SECOND SUBSTITUTE HOUSE  
BILL NO. 2528  
SUBSTITUTE HOUSE BILL NO. 2543  
HOUSE BILL NO. 2545  
ENGROSSED HOUSE BILL NO. 2584  
HOUSE BILL NO. 2587  
HOUSE BILL NO. 2601  
SUBSTITUTE HOUSE BILL NO. 2622  
HOUSE BILL NO. 2640  
HOUSE BILL NO. 2641  
ENGROSSED SECOND SUBSTITUTE HOUSE  
BILL NO. 2662  
HOUSE BILL NO. 2691  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2713  
SUBSTITUTE HOUSE BILL NO. 2794  
SUBSTITUTE HOUSE BILL NO. 2889  
ENGROSSED SUBSTITUTE SENATE BILL NO.  
5395  
SENATE BILL NO. 6049  
ENGROSSED SUBSTITUTE SENATE BILL NO.  
6141  
SUBSTITUTE SENATE BILL NO. 6191  
ENGROSSED SENATE BILL NO. 6313

ENGROSSED SUBSTITUTE SENATE BILL NO.  
6440  
ENGROSSED SUBSTITUTE SENATE BILL NO.  
6473  
SUBSTITUTE SENATE BILL NO. 6632

The Speaker called upon Representative Orwall to preside.

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

#### MESSAGES FROM THE SENATE

March 10, 2020

Mme. SPEAKER:

The Senate has passed:

ENGROSSED SENATE BILL NO. 6690,

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

March 4, 2020

Mme. SPEAKER:

The Senate has passed ENGROSSED HOUSE BILL NO. 2965, with the following amendments:

##### 2965.E AMS BIL MURR 493:

On page 1, line 15, after "account" insert "and the sum of twenty five million dollars is appropriated from the general fund-federal"

On page 1, line 17, strike "is" and insert "are"

On page 2, line 1, strike "appropriation" and insert "appropriations"

On page 2, line 2, strike "is" and insert "are"

On page 2, line 7, after "state," insert "tribal,"

On page 2, line 9, after "Agencies" insert ", federally recognized tribes,"

On page 2, line 12, after "agency" insert ", federally recognized tribe,"

On page 2, line 14, after "agency" insert ", federally recognized tribe,"

##### 2965.E AMS BRAU S7516.2:

On page 3, beginning on line 5, strike all of section 4 and insert the following:

"NEW SECTION. **Sec. 4.** (1) The department of social and health services is authorized to determine nursing facility payments to adequately resource facilities responding to the novel coronavirus outbreak pursuant to the gubernatorial declaration of emergency of February 29, 2020. The medicaid payments provided to nursing facilities in response to this state of emergency shall be determined by the department as appropriate to address the immediate safety needs of Washington state citizens and shall not be subject to this chapter's medicaid methodology. Any nursing facility payment made under this section shall not be included in the calculation of the annual statewide weighted average nursing facility payment rate.

(2) This section expires June 30, 2021.

**Sec. 5.** RCW 50.20.010 and 2019 c 50 s 1 are each amended to read as follows:

(1) An unemployed individual shall be eligible to receive waiting period credits or benefits with respect to any week in his or her eligibility period only if the commissioner finds that:

(a) He or she has registered for work at, and thereafter has continued to report at, an employment office in accordance with such regulation as the commissioner may prescribe, except that the commissioner may by regulation waive or alter either or both of the requirements of this subdivision as to individuals attached to regular jobs and as to such other types of cases or situations with respect to which the commissioner finds that the compliance with such requirements would be oppressive, or would be inconsistent with the purposes of this title;

(b) He or she has filed an application for an initial determination and made a claim for waiting period

credit or for benefits in accordance with the provisions of this title;

(c) He or she is able to work, and is available for work in any trade, occupation, profession, or business for which he or she is reasonably fitted.

(i) To be available for work, an individual must be ready, able, and willing, immediately to accept any suitable work which may be offered to him or her and must be actively seeking work pursuant to customary trade practices and through other methods when so directed by the commissioner or the commissioner's agents. If a labor agreement or dispatch rules apply, customary trade practices must be in accordance with the applicable agreement or rules.

(ii) Until June 30, 2021, an individual under quarantine or isolation, as defined by the department of health, as directed by a public health official during the novel coronavirus outbreak pursuant to the gubernatorial declaration of emergency of February 29, 2020, does not need to meet the requirements of this subsection (1)(c).

(iii) For the purposes of this subsection, "customary trade practices" includes compliance with an electrical apprenticeship training program that includes a recognized referral system under apprenticeship program standards approved by the Washington state apprenticeship and training council;

(d) He or she has been unemployed for a waiting period of one week;

(e) He or she participates in reemployment services if the individual has been referred to reemployment services pursuant to the profiling system established by the commissioner under RCW 50.20.011, unless the commissioner determines that:

(i) The individual has completed such services; or

(ii) There is justifiable cause for the claimant's failure to participate in such services; and

(f) As to weeks beginning after March 31, 1981, which fall within an extended benefit period as defined in RCW 50.22.010, the individual meets the terms and conditions of RCW 50.22.020 with respect to benefits claimed in excess of twenty-six times the individual's weekly benefit amount.

(2) An individual's eligibility period for regular benefits shall be coincident to his or her established benefit year. An individual's eligibility period for additional or extended benefits shall be the periods prescribed elsewhere in this title for such benefits.

**NEW SECTION. Sec. 6.** If any part of this act is found to be in conflict with federal requirements that are a prescribed condition to the allocation of federal funds to the state or the eligibility of employers in this state for federal unemployment tax credits, the conflicting part of this act is inoperative solely to the extent of the conflict, and the finding or determination does not affect the operation of the remainder of this act. Rules adopted under this act must meet federal requirements that are a necessary condition to the receipt of federal funds by the state or the granting of federal unemployment tax credits to employers in this state."

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

**EHB 2965 - S AMD 1258**

By Senator Braun

**ADOPTED 03/04/2020**

On page 1, line 2 of the title, after "38.52.105" strike "; adding a new section to chapter 74.46 RCW;" and insert "and 50.20.010; creating new sections;" and on line 3, after "appropriations;" insert "providing an expiration date;"

and the same are herewith transmitted.

Sarah Bannister, Deputy Secretary

**SENATE AMENDMENT TO HOUSE BILL**

There being no objection, the House refused to concur in the Senate amendment to ENGROSSED HOUSE BILL NO. 2965 and asked the Senate to recede therefrom.

**MOTION**

On motion of Representative Mead, Representative Paul was excused.

**THIRD READING**

**MESSAGE FROM THE SENATE**

March 10, 2020

Mme. SPEAKER:

The Senate refuses to concur in the House amendment(s) to SECOND SUBSTITUTE SENATE BILL NO. 6478 and asks the House to recede therefrom.

Brad Hendrickson, Secretary

#### HOUSE AMENDMENT TO SENATE BILL

There being no objection, the House receded from its amendment. The rules were suspended and SECOND SUBSTITUTE SENATE BILL NO. 6478 was returned to second reading for the purpose of amendment.

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

#### SECOND READING

**SECOND SUBSTITUTE SENATE BILL NO. 6478, by Senate Committee on Ways & Means (originally sponsored by Nguyen, Darneille, Stanford, Saldaña, Dhingra, Das and Hasegawa)**

##### Revising economic assistance programs.

Representative Entenman moved the adoption of the striking amendment (2181):

Strike everything after the enacting clause and insert the following:

**"Sec. 1.** RCW 74.08A.010 and 2019 c 343 s 2 are each amended to read as follows:

(1) A family that includes an adult who has received temporary assistance for needy families for sixty months after July 27, 1997, shall be ineligible for further temporary assistance for needy families assistance.

(2) For the purposes of applying the rules of this section, the department shall count any month in which an adult family member received a temporary assistance for needy families cash assistance grant unless the assistance was provided when the adult family member was a minor child and not the head of the household or married to the head of the household.

(3) The department shall adopt regulations to apply the sixty-month time limit to households in which a parent is in the home and ineligible for temporary assistance for needy families. Any regulations shall be consistent with federal funding requirements.

(4) The department shall refer recipients who require specialized assistance to appropriate department programs, crime victims' programs through the department of commerce, or the crime victims' compensation program of the department of labor and industries.

(5) (a) The department shall add to adopted rules related to temporary assistance for needy families time limit extensions, the following criteria by which the department shall exempt a recipient and the recipient's family from the application of subsection (1) of this section:

(i) By reason of hardship, including ((if the recipient is a homeless person as described in RCW 43.185C.010)) when the recipient's family includes a child or youth who is without a fixed, regular, and adequate nighttime residence as described in the federal McKinney-Vento homeless assistance act (Title 42 U.S.C., chapter 119, subchapter VI, part B) as it existed on January 1, 2020; or

(ii) If the family includes an individual who meets the family violence options of section 402(A) (7) of Title IVA of the federal social security act as amended by P.L. 104-193.

(b) Policies related to circumstances under which a recipient will be exempted from the application of subsection (1) or (3) of this section shall treat adults receiving benefits on their own behalf, and parents receiving benefits on behalf of their child similarly, unless required otherwise under federal law.

(6) The department shall not exempt a recipient and his or her family from the application of subsection (1) or (3) of this section until after the recipient has received fifty-two months of assistance under this chapter.

(7) The department shall provide transitional food assistance for a period of five months to a household that ceases to receive temporary assistance for needy families assistance and is not in sanction status. If necessary, the department shall extend the household's basic food certification until the end of the transition period.

**NEW SECTION. Sec. 2.** A new section is added to chapter 74.08A RCW to read as follows:

(1) Annually by December 31st, the department must report to the governor and the appropriate policy and fiscal committees of the legislature disaggregated data identifying the race of individuals whose temporary assistance for needy families benefits were reduced or terminated during the preceding year due to:

(a) Sanction as described in RCW 74.08A.260; or

(b) Reaching the sixty-month time limit under RCW 74.08A.010.

(2) If the disaggregated data for terminated or sanctioned individuals shows a disproportionate representation of any racial group that has experienced historic disparities or discrimination, the department must describe steps it is taking to address and remedy the racial disproportionality.

NEW SECTION. **Sec. 3.** Section 1 of this act takes effect July 1, 2021."

Correct the title.

Representatives Entenman and Dent spoke in favor of the adoption of the striking amendment.

The striking amendment (2181) was adopted.

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

Representative Entenman spoke in favor of the passage of the bill.

Representative Dent spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Substitute Senate Bill No. 6478 as amended by the House.

### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 6478, as amended by the House, and the bill passed the House by the following vote: Yeas, 56; Nays, 41; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Callan, Chapman, Chopp, Cody, Davis, Doglio, Dolan, Duerr, Entenman, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, J. Johnson, Kilduff, Kirby, Kloba, Leavitt, Lekanoff, Lovick, Macri, Mead, Morgan, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Ramel, Ramos, Riccelli, Robinson, Ryu, Santos, Sells, Senn, Shewmake, Slatter, Springer, Stonier,

Sullivan, Tarleton, Thai, Tharinger, Valdez, Walen, Wylie and Mme. Speaker.

Voting nay: Representatives Barkis, Boehnke, Caldier, Chambers, Chandler, Corry, DeBolt, Dent, Dufault, Dye, Eslick, Gildon, Goehner, Graham, Griffey, Harris, Hoff, Irwin, Jenkin, Klippert, Kraft, Kretz, MacEwen, Maycumber, McCaslin, Mosbrucker, Orcutt, Rude, Schmick, Shea, Smith, Steele, Stokesbary, Sutherland, Van Werven, Vick, Volz, Walsh, Wilcox, Ybarra and Young.

Excused: Representative Paul.

SECOND SUBSTITUTE SENATE BILL NO. 6478, as amended by the House, having received the necessary constitutional majority, was declared passed.

### THIRD READING

### MESSAGE FROM THE SENATE

March 10, 2020

Mme. SPEAKER:

The Senate refuses to concur in the House amendment(s) to ENGROSSED SUBSTITUTE SENATE BILL NO. 6641 and asks the House to recede therefrom.

Brad Hendrickson, Secretary

### HOUSE AMENDMENT TO SENATE BILL

There being no objection, the House receded from its amendment. The rules were suspended and ENGROSSED SUBSTITUTE SENATE BILL NO. 6641 was returned to second reading for the purpose of amendment.

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

### SECOND READING

**ENGROSSED SUBSTITUTE SENATE BILL NO. 6641, by Senate Committee on Human Services, Reentry & Rehabilitation (originally sponsored by O'Ban, Conway, Wilson and C.)**

**Increasing the availability of certified sex offender treatment providers.**

Representative Cody moved the adoption of the striking amendment (2182):

Strike everything after the enacting clause and insert the following:

**"Sec. 1.** RCW 18.155.020 and 2004 c 38 s 3 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter:

(1) "Advisory committee" means the sex offender treatment providers advisory committee established under section 5 of this act.

(2) "Certified sex offender treatment provider" means ((a licensed, certified, or registered health professional)) an individual who is a licensed psychologist, licensed marriage and family therapist, licensed social worker, licensed mental health counselor, or psychiatrist as defined in RCW 71.05.020, who is certified to examine and treat sex offenders pursuant to chapters 9.94A and 13.40 RCW and sexually violent predators under chapter 71.09 RCW.

~~((2))~~ (3) "Certified affiliate sex offender treatment provider" means ((a licensed, certified, or registered health professional)) an individual who is a licensed psychologist, licensed marriage and family therapist, licensed social worker, licensed mental health counselor, or psychiatrist as defined in RCW 71.05.020, who is certified as an affiliate to examine and treat sex offenders pursuant to chapters 9.94A and 13.40 RCW and sexually violent predators under chapter 71.09 RCW under the supervision of a ((certified sex offender treatment provider)) qualified supervisor.

~~((3))~~ (4) "Department" means the department of health.

~~((4))~~ (5) (a) "Qualified supervisor" means:

(i) A person who meets the requirements for certification as a sex offender treatment provider;

(ii) A person who meets a lifetime experience threshold of having provided at least two thousand hours of direct sex offender specific treatment and assessment services and who continues to maintain professional involvement in the field; or

(iii) A person who meets a lifetime experience threshold of at least two years of full-time work in a state-run facility or state-run treatment program providing direct sex offender specific treatment and assessment services and who continues to maintain professional involvement in the field.

(b) A qualified supervisor not credentialed by the department as a sex offender treatment provider must sign and

submit to the department an attestation form provided by the department stating under penalty of perjury that the qualified supervisor has met the requisite education, training, or experience requirements and that the qualified supervisor is able to substantiate the qualified supervisor's claim to have met the requirements for education, training, or experience.

(6) "Secretary" means the secretary of health.

~~((5))~~ (7) "Sex offender treatment provider" or "affiliate sex offender treatment provider" means a person who counsels or treats sex offenders accused of or convicted of a sex offense as defined by RCW 9.94A.030.

**Sec. 2.** RCW 18.155.030 and 2004 c 38 s 4 are each amended to read as follows:

(1) No person shall represent himself or herself as a certified sex offender treatment provider or certified affiliate sex offender treatment provider without first applying for and receiving a certificate pursuant to this chapter.

(2) Only a certified sex offender treatment provider, or certified affiliate sex offender treatment provider who has completed at least fifty percent of the required hours under the supervision of a ~~((certified sex offender treatment provider))~~ qualified supervisor, may perform or provide the following services:

(a) ~~((Evaluations conducted for the purposes of and pursuant to RCW 9.94A.670 and 13.40.160;~~

~~(b))~~ Treatment or evaluation of convicted level III sex offenders who are sentenced and ordered into treatment pursuant to chapter 9.94A RCW and adjudicated level III juvenile sex offenders who are ordered into treatment pursuant to chapter 13.40 RCW; or

~~((c))~~ (b) Except as provided under subsection (3) of this section, treatment of sexually violent predators who are conditionally released to a less restrictive alternative pursuant to chapter 71.09 RCW.

(3) A certified sex offender treatment provider, or certified affiliate sex offender treatment provider who has completed at least fifty percent of the required hours under the supervision of a ~~((certified sex offender~~

~~treatment provider~~) qualified supervisor, may not perform or provide treatment of sexually violent predators under subsection (2) ~~((c))~~ (b) of this section if the treatment provider has been:

(a) Convicted of a sex offense, as defined in RCW 9.94A.030;

(b) Convicted in any other jurisdiction of an offense that under the laws of this state would be classified as a sex offense as defined in RCW 9.94A.030; or

(c) Suspended or otherwise restricted from practicing any health care profession by competent authority in any state, federal, or foreign jurisdiction.

(4) Certified sex offender treatment providers and certified affiliate sex offender treatment providers may perform or provide the following service: Treatment or evaluation of convicted level I and level II sex offenders who are sentenced and ordered into treatment pursuant to chapter 9.94A RCW and adjudicated juvenile level I and level II sex offenders who are sentenced and ordered into treatment pursuant to chapter 13.40 RCW.

(5) Employees of state-run facilities or state-run treatment programs are not required to be a certified sex offender treatment provider or a certified affiliate sex offender treatment provider to do the work described in this section as part of their job duties if not pursuing certification under this chapter.

(6) Individuals credentialed by the department of health as a certified sex offender treatment provider or a certified affiliate sex offender treatment provider prior to the effective date of this section are considered to have met the requirement of holding an underlying health license or credential described in RCW 18.155.020 (2) and (3), provided the underlying license or credential remains active and in good standing.

**Sec. 3.** RCW 18.155.075 and 2006 c 134 s 2 are each amended to read as follows:

(1) The department shall issue an affiliate certificate to any applicant who meets the following requirements:

~~((1))~~ (a) Successful completion of an educational program approved by the secretary or successful completion of alternate training which meets the criteria of the secretary;

~~((2))~~ (b) Successful completion of an examination administered or approved by the secretary;

~~((3))~~ (c) Proof of supervision by a ~~(certified sex offender treatment provider)~~ qualified supervisor;

~~((4))~~ (d) Not having engaged in unprofessional conduct or being unable to practice with reasonable skill and safety as a result of a physical or mental impairment;

~~((5))~~ (e) Not convicted of a sex offense, as defined in RCW 9.94A.030 or convicted in any other jurisdiction of an offense that under the laws of this state would be classified as a sex offense as defined in RCW 9.94A.030; and

~~((6))~~ (f) Other requirements as may be established by the secretary that impact the competence of the sex offender treatment provider.

(2) Individuals credentialed by the department of health as a certified affiliate sex offender treatment provider prior to the effective date of this section are considered to have met the requirement of holding an underlying health license or credential described in RCW 18.155.020(3), provided the underlying license or credential remains active and in good standing.

**Sec. 4.** RCW 18.155.080 and 2004 c 38 s 7 are each amended to read as follows:

The secretary shall establish standards and procedures for approval of the following:

(1) Educational programs and alternate training, which must consider credit for experience obtained through work in a state-run facility or state-run treatment program in Washington or in another state or territory of the United States where the applicant demonstrates having provided at least two thousand hours of direct sex offender specific treatment and assessment services, or two years full-time experience working in a state-run facility or state-run treatment program providing direct sex offender specific treatment and assessment services, and continue to maintain professional involvement in the field;



(2) Examination procedures;

(3)(a) Certifying applicants who have a comparable certification in another jurisdiction, who must be allowed to receive consideration of certification if:

(i) They hold or have held within the past thirty-six months a credential in good standing from another state or territory of the United States that the secretary, with advice from the advisory committee, deems to be substantially equivalent to sex offender treatment provider certification in Washington; or

(ii) They meet a lifetime experience threshold of having provided at least two thousand hours of direct sex offender specific treatment and assessment services, or two years full-time experience working in a state-run facility or state-run treatment program providing direct sex offender specific treatment and assessment services, and continue to maintain professional involvement in the field;

(b) Nothing in (a) of this subsection prohibits the secretary from requiring background checks as a condition of receiving a credential;

(4) Application method and forms;

(5) Requirements for renewals of certificates;

(6) Requirements of certified sex offender treatment providers and certified affiliate sex offender treatment providers who seek inactive status;

(7) Other rules, policies, administrative procedures, and administrative requirements as appropriate to carry out the purposes of this chapter.

(8) In construing the requirements of this section, the applicant may sign attestation forms under penalty of perjury indicating that the applicant has participated in the required training and that the applicant is able to substantiate the applicant's claim to have met the requirements for hours of training if such substantiation is requested. Substantiation may include letters of recommendation from experts in the field with personal knowledge of the applicant's qualifications and experience to treat sex offenders in the community.

(9) Employees of a state-run facility or state-run treatment program may obtain the necessary experience to qualify for this certification through their work and do not need to be certified as an affiliate sex offender treatment provider to obtain the necessary experience requirements upon demonstrating proof of supervision by a qualified supervisor.

**NEW SECTION. Sec. 5.** A new section is added to chapter 18.155 RCW to read as follows:

(1) The sex offender treatment providers advisory committee is established to advise the secretary concerning the administration of this chapter.

(2) The secretary shall appoint the members of the advisory committee, which shall consist of the following persons:

(a) One superior court judge;

(b) Three sex offender treatment providers;

(c) One mental health practitioner who specializes in treating victims of sexual assault;

(d) One defense attorney with experience in representing persons charged with sexual offenses;

(e) One representative from a statewide association representing prosecuting attorneys;

(f) The secretary of the department of social and health services or the secretary's designee;

(g) The secretary of the department of corrections or the secretary's designee; and

(h) The secretary of the department of children, youth, and families or the secretary's designee.

(3) The advisory committee shall be a permanent body. The members shall serve staggered six-year terms, to be set by the secretary. No person other than the members representing the departments of social and health services, children, youth, and families, and corrections may serve more than two consecutive terms.

(4) The secretary may remove any member of the advisory committee for cause as specified by rule. In the case of a vacancy, the secretary shall appoint

a person to serve for the remainder of the unexpired term.

(5) The advisory committee shall provide advice to the secretary concerning:

(a) Certification procedures under this chapter and their implementation;

(b) Standards maintained under RCW 18.155.080, and advice on individual applications for certification;

(c) Issues pertaining to maintaining a healthy workforce of certified sex offender treatment providers to meet the needs of the state of Washington. In considering workforce issues, the advisory committee must evaluate options for reducing or eliminating some or all of the certification-related fees, including the feasibility of requiring that the cost of regulation of persons certified under this chapter be borne by the professions that are identified as eligible to be an underlying credential for certification; and

(d) Recommendations for reform of regulatory or administrative practices of the department, the department of social and health services, or the department of corrections that are within the purview and expertise of the advisory committee. The advisory committee may submit recommendations requiring statutory reform to the office of the governor, the secretary of the senate, and the chief clerk of the house of representatives.

(6) Committee members shall be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

(7) The advisory committee shall elect officers as deemed necessary to administer its duties. A simple majority of the advisory committee members currently serving shall constitute a quorum of the advisory committee.

(8) Members of the advisory committee shall be residents of the state of Washington.

(9) Members of the advisory committee who are sex offender treatment providers must have a minimum of five years of extensive work experience in treating sex offenders to qualify for appointment to the advisory committee. The sex offender treatment providers on the advisory committee must be certified under this chapter.

(10) The advisory committee shall meet at times as necessary to conduct advisory committee business.

NEW SECTION. **Sec. 6.** A new section is added to chapter 71.09 RCW to read as follows:

To facilitate the equitable geographic distribution of conditional releases under this chapter, the department shall notify the secretary of health, or the secretary's designee, whenever a sex offender treatment provider in an underserved county has been contracted to provide treatment services to persons on conditional release under this chapter, in which case the secretary of health shall waive any fees for the initial issue, renewal, and reissuance of a credential for the provider under chapter 18.155 RCW. An underserved county is any county identified by the department as having an inadequate supply of qualified sex offender treatment providers to achieve equitable geographic distribution of conditional releases under this chapter.

**Sec. 7.** RCW 18.155.040 and 2004 c 38 s 5 are each amended to read as follows:

In addition to any other authority provided by law, the secretary shall have the following authority:

(1) To set administrative procedures, administrative requirements, and fees in accordance with RCW 43.70.250 (~~and~~), 43.70.280, and section 6 of this act;

(2) To establish forms necessary to administer this chapter;

(3) To issue a certificate or an affiliate certificate to any applicant who has met the education, training, and examination requirements for certification or an affiliate certification and deny a certificate to applicants who do not meet the minimum qualifications for certification or affiliate certification. Proceedings concerning the denial of certificates based on unprofessional conduct or impaired practice shall be governed by the uniform disciplinary act, chapter 18.130 RCW;

(4) To hire clerical, administrative, and investigative staff as needed to implement and administer this chapter and to hire individuals including those certified under this chapter to serve as examiners or

consultants as necessary to implement and administer this chapter;

(5) To maintain the official department record of all applicants and certifications;

(6) To conduct a hearing on an appeal of a denial of a certificate on the applicant's failure to meet the minimum qualifications for certification. The hearing shall be conducted pursuant to chapter 34.05 RCW;

(7) To issue subpoenas, statements of charges, statements of intent to deny certificates, and orders and to delegate in writing to a designee the authority to issue subpoenas, statements of charges, and statements of intent to deny certificates;

(8) To determine the minimum education, work experience, and training requirements for certification or affiliate certification, including but not limited to approval of educational programs;

(9) To prepare and administer or approve the preparation and administration of examinations for certification;

(10) To establish by rule the procedure for appeal of an examination failure;

(11) To adopt rules implementing a continuing competency program;

(12) To adopt rules in accordance with chapter 34.05 RCW as necessary to implement this chapter.

NEW SECTION. **Sec. 8.** The following sections are decodified:

(1) RCW 18.155.900 (Index, part headings not law-1990 c 3);

(2) RCW 18.155.901 (Severability-1990 c 3); and

(3) RCW 18.155.902 (Effective dates-Application-1990 c 3)."

Correct the title.

Representatives Cody and Schmick spoke in favor of the adoption of the striking amendment.

The striking amendment (2182) was adopted.

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

Representatives Cody and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 6641 as amended by the House.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 6641, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Boehnke, Caldier, Callan, Chambers, Chandler, Chapman, Chopp, Cody, Corry, Davis, DeBolt, Dent, Doglio, Dolan, Duerr, Dufault, Dye, Entenman, Eslick, Fey, Fitzgibbon, Frame, Gildon, Goehner, Goodman, Graham, Gregerson, Griffey, Hansen, Harris, Hoff, Hudgins, Irwin, Jenkin, J. Johnson, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Leavitt, Lekanoff, Lovick, MacEwen, Macri, Maycumber, McCaslin, Mead, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Ramel, Ramos, Riccelli, Robinson, Rude, Ryu, Santos, Schmick, Sells, Senn, Shea, Shewmake, Slatter, Smith, Springer, Steele, Stokesbary, Stonier, Sullivan, Sutherland, Tarleton, Tharinger, Valdez, Van Werven, Vick, Volz, Walen, Walsh, Wilcox, Wylie, Ybarra, Young and Mme. Speaker.

Voting nay: Representative Thai.

Excused: Representative Paul.

ENGROSSED SUBSTITUTE SENATE BILL NO. 6641, as amended by the House, having received the necessary constitutional majority, was declared passed.

### MESSAGE FROM THE SENATE

March 9, 2020

Madame Speaker:

The Senate has passed HOUSE BILL NO. 1368 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** (1) This section is the tax preference performance statement for the tax preference contained in section 2, chapter . . . , Laws of 2020 (section 2 of this act). This performance statement is only intended to be used for subsequent evaluation of the tax preference. It is not intended to create a private right of action by any party or to be used to determine eligibility for preferential tax treatment.

(2) The legislature categorizes this tax preference as one intended to provide

tax relief for certain businesses or individuals, as indicated in RCW 82.32.808(2)(e).

(3) It is the legislature's specific public policy objective to reduce the tax burden on individuals and businesses imposed by the existing business and occupation tax rates.

(4) If the review finds that at least one cooperative finance organization in this state used the deduction, then the legislature intends to extend the expiration date of this tax deduction.

(5) In order to obtain the data necessary to perform the review in subsection (4) of this section, the joint legislative audit and review committee may refer to any data collected by the state.

**NEW SECTION. Sec. 2.** A new section is added to chapter 82.04 RCW to read as follows:

(1) In computing tax there may be deducted from the measure of tax, amounts received by a cooperative finance organization where the amounts are derived from loans to rural electric cooperatives or other nonprofit or governmental providers of utility services organized under the laws of this state.

(2) For the purposes of this section, the following definitions apply:

(a) "Cooperative finance organization" means a nonprofit organization with the primary purpose of providing, securing, or otherwise arranging financing for rural electric cooperatives.

(b) "Rural electric cooperative" means a nonprofit, customer-owned organization that provides utility services to rural areas.

(3) This section expires January 1, 2030.

**NEW SECTION. Sec. 3.** This act takes effect July 1, 2020."

On page 1, line 2 of the title, after "organizations;" strike the remainder of the title and insert "adding a new section to chapter 82.04 RCW; creating a new section; providing an effective date; and providing an expiration date."

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 HOUSE BILL NO. 1368 and advanced the bill as amended by the Senate to final passage.

### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Springer and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1368, as amended by the Senate.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1368, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Boehnke, Caldier, Callan, Chambers, Chandler, Chapman, Chopp, Cody, Corry, Davis, DeBolt, Dent, Doglio, Dolan, Duerr, Dufault, Dye, Entenman, Eslick, Fey, Fitzgibbon, Frame, Gildon, Goehner, Goodman, Graham, Gregerson, Griffey, Hansen, Harris, Hoff, Hudgins, Irwin, Jenkin, J. Johnson, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Leavitt, Lekanoff, Lovick, MacEwen, Macri, Maycumber, McCaslin, Mead, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Ramel, Ramos, Riccelli, Robinson, Rude, Ryu, Santos, Schmick, Sells, Senn, Shea, Shewmake, Slatter, Smith, Springer, Steele, Stokesbary, Stonier, Sullivan, Sutherland, Tarleton, Thai, Tharinger, Valdez, Van Werven, Vick, Volz, Walen, Walsh, Wilcox, Wylie, Ybarra, Young and Mme. Speaker.

Excused: Representative Paul.

HOUSE BILL NO. 1368, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

### MESSAGE FROM THE SENATE

March 10, 2020

Madame Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 2632 with the following amendment:

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** The legislature recognizes that false reporting laws criminalize the knowingly false reporting of certain occurrences that are likely to cause unwarranted evacuations, public inconvenience, or alarm. Recently, however, false

reporting and the 911 system have been weaponized, resulting in serious dangers and even lost lives. The term "swatting" describes the false reporting of an emergency with the goal of having a police unit or special weapons and tactics team deployed. The reckless act of swatting, often motivated by the perpetrator's bias towards protected classes, has caused death and trauma in some cases. As such, the legislature finds that a gross misdemeanor is insufficient as a legal response and hereby create felony false reporting punishments when the false reporting leads to injury or death.

**Sec. 2.** RCW 9A.84.040 and 2011 c 336 s 411 are each amended to read as follows:

(1) A person (~~is guilty of~~) commits false reporting if, with knowledge that the information reported, conveyed, or circulated is false, he or she initiates or circulates a false report or warning of an alleged occurrence or impending occurrence (~~of a fire, explosion, crime, catastrophe, or emergency~~) knowing that such false report is likely to cause (~~evacuation~~): Evacuation of a building, place of assembly, or transportation facility(~~, or to cause~~); public inconvenience or alarm; or an emergency response.

(2) (a) A person is guilty of false reporting in the first degree if the report was made with reckless disregard for the safety of others, the false reporting caused an emergency response, and death is sustained by any person as a proximate result of an emergency response. False reporting in the first degree is a class B felony.

(b) A person is guilty of false reporting in the second degree if the report was made with reckless disregard for the safety of others, the false reporting caused an emergency response, and substantial bodily harm is sustained by any person as a proximate result of an emergency response. False reporting in the second degree is a class C felony.

(c) A person is guilty of false reporting in the third degree if he or she commits false reporting under circumstances not constituting false reporting in the first or second degree. False reporting in the third degree is a gross misdemeanor.

(3) Any criminal offense committed under this section may be deemed to have

been committed either at the place from which the false report was made, at the place where the false report was received by law enforcement, or at the place where an evacuation, public inconvenience or alarm, or emergency response occurred.

(4) Where a case is legally sufficient to charge a person under the age of eighteen with the crime of false reporting and the alleged offense is the offender's first violation of this section, the prosecutor may divert the case.

(5) For the purposes of this section, "emergency response" means any action to protect life, health, or property by:

(a) A peace officer or law enforcement agency of the United States, the state, or a political subdivision of the state; or

(b) An agency of the United States, the state, or a political subdivision of the state, or a private not-for-profit organization that provides fire, rescue, or emergency medical services.

(6) Nothing in this section will be construed to: (a) Impose liability on a person who contacts law enforcement for the purpose of, or in connection with, the reporting of unlawful conduct; (b) conflict with Title 47 U.S.C. Sec. 230 of the communication decency act; or (c) conflict with Title 42 U.S.C. Sec. 1983 of the civil rights act.

**NEW SECTION. Sec. 3.** A new section is added to chapter 4.24 RCW to read as follows:

(1) (a) An individual who is a victim of an offense under RCW 9A.84.040 may bring a civil action against the person who committed the offense or against any person who knowingly benefits, financially or by receiving anything of value, from participation in a venture that the person knew or should have known has engaged in an act in violation of RCW 9A.84.040, and may recover damages and any other appropriate relief, including reasonable attorneys' fees.

(b) A person who is found liable under RCW 9A.84.040 shall be jointly and severally liable with each other person, if any, who is found liable under RCW 9A.84.040 for damages arising from the same violation of RCW 9A.84.040.

(2) Any person convicted of violating RCW 9A.84.040 and that resulted in an emergency response may be liable to a

public agency for the reasonable costs of the emergency response by, and at the discretion of, the public agency that incurred the costs.

**Sec. 4.** RCW 9.94A.515 and 2019 c 271 s 7, 2019 c 243 s 5, 2019 c 64 s 3, and 2019 c 46 s 5009 are each reenacted and amended to read as follows:

## TABLE 2

	CRIMES INCLUDED WITHIN EACH SERIOUSNESS LEVEL		
XVI	Aggravated Murder 1 (RCW 10.95.020)	X	Child Molestation 1 (RCW 9A.44.083)
XV	Homicide by abuse (RCW 9A.32.055)		Criminal Mistreatment 1 (RCW 9A.42.020)
	Malicious explosion 1 (RCW 70.74.280(1))		Indecent Liberties (with forcible compulsion) (RCW 9A.44.100(1)(a))
	Murder 1 (RCW 9A.32.030)		Kidnapping 1 (RCW 9A.40.020)
XIV	Murder 2 (RCW 9A.32.050)		Leading Organized Crime (RCW 9A.82.060(1)(a))
	Trafficking 1 (RCW 9A.40.100(1))		Malicious explosion 3 (RCW 70.74.280(3))
XIII	Malicious explosion 2 (RCW 70.74.280(2))		Sexually Violent Predator Escape (RCW 9A.76.115)
	Malicious placement of an explosive 1 (RCW 70.74.270(1))	IX	Abandonment of Dependent Person 1 (RCW 9A.42.060)
XII	Assault 1 (RCW 9A.36.011)		Assault of a Child 2 (RCW 9A.36.130)
	Assault of a Child 1 (RCW 9A.36.120)		Explosive devices prohibited (RCW 70.74.180)
	Malicious placement of an imitation device 1 (RCW 70.74.272(1)(a))		Hit and Run-Death (RCW 46.52.020(4)(a))
	Promoting Commercial Sexual Abuse of a Minor (RCW 9.68A.101)		Homicide by Watercraft, by being under the influence of intoxicating liquor or any drug (RCW 79A.60.050)
	Rape 1 (RCW 9A.44.040)		Inciting Criminal Profiteering (RCW 9A.82.060(1)(b))
	Rape of a Child 1 (RCW 9A.44.073)		Malicious placement of an explosive 2 (RCW 70.74.270(2))
	Trafficking 2 (RCW 9A.40.100(3))		Robbery 1 (RCW 9A.56.200)
XI	Manslaughter 1 (RCW 9A.32.060)		
	Rape 2 (RCW 9A.44.050)		

	Sexual Exploitation (RCW 9.68A.040)	Malicious placement of an explosive 3 (RCW 70.74.270(3))
VIII	Arson 1 (RCW 9A.48.020)	
	Commercial Sexual Abuse of a Minor (RCW 9.68A.100)	Manufacture or import counterfeit, nonfunctional, damaged, or previously deployed air bag (causing bodily injury or death) (RCW 46.37.650(1)(b))
	Homicide by Watercraft, by the operation of any vessel in a reckless manner (RCW 79A.60.050)	
	Manslaughter 2 (RCW 9A.32.070)	Negligently Causing Death By Use of a Signal Preemption Device (RCW 46.37.675)
	Promoting Prostitution 1 (RCW 9A.88.070)	
	Theft of Ammonia (RCW 69.55.010)	Sell, install, or reinstall counterfeit, nonfunctional, damaged, or previously deployed airbag (RCW 46.37.650(2)(b))
VII	Air bag diagnostic systems (causing bodily injury or death) (RCW 46.37.660(2)(b))	Sending, bringing into state depictions of minor engaged in sexually explicit conduct 1 (RCW 9.68A.060(1))
	Air bag replacement requirements (causing bodily injury or death) (RCW 46.37.660(1)(b))	
	Burglary 1 (RCW 9A.52.020)	Unlawful Possession of a Firearm in the first degree (RCW 9.41.040(1))
	Child Molestation 2 (RCW 9A.44.086)	Use of a Machine Gun or Bump-fire Stock in Commission of a Felony (RCW 9.41.225)
	Civil Disorder Training (RCW 9A.48.120)	
	Dealing in depictions of minor engaged in sexually explicit conduct 1 (RCW 9.68A.050(1))	Vehicular Homicide, by disregard for the safety of others (RCW 46.61.520)
	Drive-by Shooting (RCW 9A.36.045)	VI Bail Jumping with Murder 1 (RCW 9A.76.170(3)(a))
	<u>False Reporting 1 (RCW 9A.84.040(2)(a))</u>	Bribery (RCW 9A.68.010)
	Homicide by Watercraft, by disregard for the safety of others (RCW 79A.60.050)	Incest 1 (RCW 9A.64.020(1))
	Indecent Liberties (without forcible compulsion) (RCW 9A.44.100(1)(b) and (c))	Intimidating a Judge (RCW 9A.72.160)
	Introducing Contraband 1 (RCW 9A.76.140)	Intimidating a Juror/Witness (RCW 9A.72.110, 9A.72.130)
		Malicious placement of an imitation device 2 (RCW 70.74.272(1)(b))
		Possession of Depictions of a Minor Engaged in

Sexually Explicit Conduct 1 (RCW 9.68A.070(1))	Extortionate Means to Collect Extensions of Credit (RCW 9A.82.040)
Rape of a Child 3 (RCW 9A.44.079)	Incest 2 (RCW 9A.64.020(2))
Theft of a Firearm (RCW 9A.56.300)	Kidnapping 2 (RCW 9A.40.030)
Theft from a Vulnerable Adult 1 (RCW 9A.56.400(1))	Manufacture or import counterfeit, nonfunctional, damaged, or previously deployed air bag (RCW 46.37.650(1)(c))
Unlawful Storage of Ammonia (RCW 69.55.020)	Perjury 1 (RCW 9A.72.020)
V Abandonment of Dependent Person 2 (RCW 9A.42.070)	Persistent prison misbehavior (RCW 9.94.070)
Advancing money or property for extortionate extension of credit (RCW 9A.82.030)	Possession of a Stolen Firearm (RCW 9A.56.310)
Air bag diagnostic systems (RCW 46.37.660(2)(c))	Rape 3 (RCW 9A.44.060)
Air bag replacement requirements (RCW 46.37.660(1)(c))	Rendering Criminal Assistance 1 (RCW 9A.76.070)
Bail Jumping with class A Felony (RCW 9A.76.170(3)(b))	Sell, install, or reinstall counterfeit, nonfunctional, damaged, or previously deployed airbag (RCW 46.37.650(2)(c))
Child Molestation 3 (RCW 9A.44.089)	Sending, Bringing into State Depictions of Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.060(2))
Criminal Mistreatment 2 (RCW 9A.42.030)	Sexual Misconduct with a Minor 1 (RCW 9A.44.093)
Custodial Sexual Misconduct 1 (RCW 9A.44.160)	Sexually Violating Human Remains (RCW 9A.44.105)
Dealing in Depictions of Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.050(2))	Stalking (RCW 9A.46.110)
Domestic Violence Court Order Violation (RCW 10.99.040, 10.99.050, 26.09.300, 26.10.220, 26.26B.050, 26.50.110, 26.52.070, or 74.34.145)	Taking Motor Vehicle Without Permission 1 (RCW 9A.56.070)
Extortion 1 (RCW 9A.56.120)	IV Arson 2 (RCW 9A.48.030)
Extortionate Extension of Credit (RCW 9A.82.020)	Assault 2 (RCW 9A.36.021)
	Assault 3 (of a Peace Officer with a Projectile Stun Gun) (RCW 9A.36.031(1)(h))



Assault 4 (third domestic violence offense) (RCW 9A.36.041(3))	Robbery 2 (RCW 9A.56.210)
Assault by Watercraft (RCW 79A.60.060)	Theft of Livestock 1 (RCW 9A.56.080)
Bribing a Witness/Bribe Received by Witness (RCW 9A.72.090, 9A.72.100)	Threats to Bomb (RCW 9.61.160)
Cheating 1 (RCW 9.46.1961)	Trafficking in Stolen Property 1 (RCW 9A.82.050)
Commercial Bribery (RCW 9A.68.060)	Unlawful factoring of a credit card or payment card transaction (RCW 9A.56.290(4)(b))
Counterfeiting (RCW 9.16.035(4))	Unlawful transaction of health coverage as a health care service contractor (RCW 48.44.016(3))
Driving While Under the Influence (RCW 46.61.502(6))	Unlawful transaction of health coverage as a health maintenance organization (RCW 48.46.033(3))
Endangerment with a Controlled Substance (RCW 9A.42.100)	Unlawful transaction of insurance business (RCW 48.15.023(3))
Escape 1 (RCW 9A.76.110)	Unlicensed practice as an insurance professional (RCW 48.17.063(2))
Hate Crime (RCW 9A.36.080)	Use of Proceeds of Criminal Profiteering (RCW 9A.82.080(1) and (2))
Hit and Run-Injury (RCW 46.52.020(4)(b))	Vehicle Prowling 2 (third or subsequent offense) (RCW 9A.52.100(3))
Hit and Run with Vessel-Injury Accident (RCW 79A.60.200(3))	Vehicular Assault, by being under the influence of intoxicating liquor or any drug, or by the operation or driving of a vehicle in a reckless manner (RCW 46.61.522)
Identity Theft 1 (RCW 9.35.020(2))	Viewing of Depictions of a Minor Engaged in Sexually Explicit Conduct 1 (RCW 9.68A.075(1))
Indecent Exposure to Person Under Age Fourteen (subsequent sex offense) (RCW 9A.88.010)	Willful Failure to Return from Furlough (RCW 72.66.060)
Influencing Outcome of Sporting Event (RCW 9A.82.070)	III Animal Cruelty 1 (Sexual Conduct or Contact) (RCW 16.52.205(3))
Physical Control of a Vehicle While Under the Influence (RCW 46.61.504(6))	
Possession of Depictions of a Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.070(2))	
Residential Burglary (RCW 9A.52.025)	

Assault 3 (Except Assault 3 of a Peace Officer With a Projectile Stun Gun) (RCW 9A.36.031 except subsection (1)(h))	Use of a Signal Preemption Device (RCW 46.37.674)
Assault of a Child 3 (RCW 9A.36.140)	Organized Retail Theft 1 (RCW 9A.56.350(2))
Bail Jumping with class B or C Felony (RCW 9A.76.170(3)(c))	Perjury 2 (RCW 9A.72.030)
Burglary 2 (RCW 9A.52.030)	Possession of Incendiary Device (RCW 9.40.120)
Communication with a Minor for Immoral Purposes (RCW 9.68A.090)	Possession of Machine Gun, Bump-Fire Stock, Undetectable Firearm, or Short-Barreled Shotgun or Rifle (RCW 9.41.190)
Criminal Gang Intimidation (RCW 9A.46.120)	Promoting Prostitution 2 (RCW 9A.88.080)
Custodial Assault (RCW 9A.36.100)	Retail Theft with Special Circumstances 1 (RCW 9A.56.360(2))
Cyberstalking (subsequent conviction or threat of death) (RCW 9.61.260(3))	Securities Act violation (RCW 21.20.400)
Escape 2 (RCW 9A.76.120)	Tampering with a Witness (RCW 9A.72.120)
Extortion 2 (RCW 9A.56.130)	Telephone Harassment (subsequent conviction or threat of death) (RCW 9.61.230(2))
<u>False Reporting 2 (RCW 9A.84.040(2)(b))</u>	Theft of Livestock 2 (RCW 9A.56.083)
Harassment (RCW 9A.46.020)	Theft with the Intent to Resell 1 (RCW 9A.56.340(2))
Intimidating a Public Servant (RCW 9A.76.180)	Trafficking in Stolen Property 2 (RCW 9A.82.055)
Introducing Contraband 2 (RCW 9A.76.150)	Unlawful Hunting of Big Game 1 (RCW 77.15.410(3)(b))
Malicious Injury to Railroad Property (RCW 81.60.070)	Unlawful Imprisonment (RCW 9A.40.040)
Manufacture of Untraceable Firearm with Intent to Sell (RCW 9.41.190)	Unlawful Misbranding of Fish or Shellfish 1 (RCW 77.140.060(3))
Manufacture or Assembly of an Undetectable Firearm or Untraceable Firearm (RCW 9.41.325)	Unlawful possession of firearm in the second degree (RCW 9.41.040(2))
Mortgage Fraud (RCW 19.144.080)	Unlawful Taking of Endangered Fish or
Negligently Causing Substantial Bodily Harm By	

Wildlife 1 (RCW 77.15.120(3)(b))	Improperly Obtaining Financial Information (RCW 9.35.010)
Unlawful Trafficking in Fish, Shellfish, or Wildlife 1 (RCW 77.15.260(3)(b))	Malicious Mischief 1 (RCW 9A.48.070)
Unlawful Use of a Nondesignated Vessel (RCW 77.15.530(4))	Organized Retail Theft 2 (RCW 9A.56.350(3))
Vehicular Assault, by the operation or driving of a vehicle with disregard for the safety of others (RCW 46.61.522)	Possession of Stolen Property 1 (RCW 9A.56.150)
Willful Failure to Return from Work Release (RCW 72.65.070)	Possession of a Stolen Vehicle (RCW 9A.56.068)
II Commercial Fishing Without a License 1 (RCW 77.15.500(3)(b))	Retail Theft with Special Circumstances 2 (RCW 9A.56.360(3))
Computer Trespass 1 (RCW 9A.90.040)	Scrap Processing, Recycling, or Supplying Without a License (second or subsequent offense) (RCW 19.290.100)
Counterfeiting (RCW 9.16.035(3))	Theft 1 (RCW 9A.56.030)
Electronic Data Service Interference (RCW 9A.90.060)	Theft of a Motor Vehicle (RCW 9A.56.065)
Electronic Data Tampering 1 (RCW 9A.90.080)	Theft of Rental, Leased, Lease-purchased, or Loaned Property (valued at five thousand dollars or more) (RCW 9A.56.096(5)(a))
Electronic Data Theft (RCW 9A.90.100)	Theft with the Intent to Resell 2 (RCW 9A.56.340(3))
Engaging in Fish Dealing Activity Unlicensed 1 (RCW 77.15.620(3))	Trafficking in Insurance Claims (RCW 48.30A.015)
Escape from Community Custody (RCW 72.09.310)	Unlawful factoring of a credit card or payment card transaction (RCW 9A.56.290(4)(a))
Failure to Register as a Sex Offender (second or subsequent offense) (RCW 9A.44.130 prior to June 10, 2010, and RCW 9A.44.132)	Unlawful Participation of Non-Indians in Indian Fishery (RCW 77.15.570(2))
Health Care False Claims (RCW 48.80.030)	Unlawful Practice of Law (RCW 2.48.180)
Identity Theft 2 (RCW 9.35.020(3))	Unlawful Purchase or Use of a License (RCW 77.15.650(3)(b))
	Unlawful Trafficking in Fish, Shellfish, or

Wildlife 2 (RCW 77.15.260(3)(a))	of licensure (RCW 48.17.063)
Unlicensed Practice of a Profession or Business (RCW 18.130.190(7))	Unlawful Fish and Shellfish Catch Accounting (RCW 77.15.630(3)(b))
Voyeurism 1 (RCW 9A.44.115)	Unlawful Issuance of Checks or Drafts (RCW 9A.56.060)
I Attempting to Elude a Pursuing Police Vehicle (RCW 46.61.024)	Unlawful Possession of Fictitious Identification (RCW 9A.56.320)
False Verification for Welfare (RCW 74.08.055)	Unlawful Possession of Instruments of Financial Fraud (RCW 9A.56.320)
Forgery (RCW 9A.60.020)	
Fraudulent Creation or Revocation of a Mental Health Advance Directive (RCW 9A.60.060)	Unlawful Possession of Payment Instruments (RCW 9A.56.320)
Malicious Mischief 2 (RCW 9A.48.080)	Unlawful Possession of a Personal Identification Device (RCW 9A.56.320)
Mineral Trespass (RCW 78.44.330)	Unlawful Production of Payment Instruments (RCW 9A.56.320)
Possession of Stolen Property 2 (RCW 9A.56.160)	Unlawful Releasing, Planting, Possessing, or Placing Deleterious Exotic Wildlife (RCW 77.15.250(2)(b))
Reckless Burning 1 (RCW 9A.48.040)	Unlawful Trafficking in Food Stamps (RCW 9.91.142)
Spotlighting Big Game 1 (RCW 77.15.450(3)(b))	Unlawful Use of Food Stamps (RCW 9.91.144)
Suspension of Department Privileges 1 (RCW 77.15.670(3)(b))	
Taking Motor Vehicle Without Permission 2 (RCW 9A.56.075)	Unlawful Use of Net to Take Fish 1 (RCW 77.15.580(3)(b))
Theft 2 (RCW 9A.56.040)	Unlawful Use of Prohibited Aquatic Animal Species (RCW 77.15.253(3))
Theft from a Vulnerable Adult 2 (RCW 9A.56.400(2))	Vehicle Prowl 1 (RCW 9A.52.095)
Theft of Rental, Leased, Lease-purchased, or Loaned Property (valued at seven hundred fifty dollars or more but less than five thousand dollars) (RCW 9A.56.096(5)(b))	Violating Commercial Fishing Area or Time 1 (RCW 77.15.550(3)(b))"
Transaction of insurance business beyond the scope	

On page 1, line 1 of the title, after "emergency;" strike the remainder of the title and insert "amending RCW 9A.84.040; reenacting and amending RCW 9.94A.515; adding a new section to chapter 4.24 RCW;

creating a new section; and prescribing penalties."

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. 2632 and advanced the bill as amended by the Senate to final passage.

### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representative Valdez spoke in favor of the passage of the bill.

Representative Klippert spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2632, as amended by the Senate.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2632, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 90; Nays, 7; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Boehnke, Caldier, Callan, Chambers, Chandler, Chapman, Chopp, Cody, Corry, Davis, DeBolt, Doglio, Dolan, Duerr, Dye, Entenman, Eslick, Fey, Fitzgibbon, Frame, Gildon, Goehner, Goodman, Graham, Gregerson, Griffey, Hansen, Harris, Hoff, Hudgins, Irwin, J. Johnson, Kilduff, Kirby, Kloba, Kretz, Leavitt, Lekanoff, Lovick, MacEwen, Macri, Maycumber, McCaslin, Mead, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Ramel, Ramos, Riccelli, Robinson, Rude, Ryu, Santos, Schmick, Sells, Senn, Shea, Shewmake, Slatter, Springer, Steele, Stokesbary, Stonier, Sullivan, Sutherland, Tarleton, Thai, Tharinger, Valdez, Van Werven, Vick, Volz, Walen, Wilcox, Wylie, Ybarra, Young and Mme. Speaker.

Voting nay: Representatives Dent, Dufault, Jenkin, Klippert, Kraft, Smith and Walsh.

Excused: Representative Paul.

SUBSTITUTE HOUSE BILL NO. 2632, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

### MESSAGE FROM THE SENATE

March 10, 2020

Madame Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 2722 with the following amendment:

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** (1) Sustainable and resilient markets for recycled materials are essential to any successful recycling system. For many years, Washington has depended on foreign markets to accept the recyclable materials that are collected for recycling in the state. Developing domestic markets for recycled materials benefits the environment and the state's economy and is critical due to the loss of foreign markets.

(2) China's 2018 national sword policy bans the importation of recycled mixed paper and certain types of recycled plastic and imposes a stringent one-half of one percent contamination limit on all other recycled material imports. Washington's recycling facilities are struggling to find markets for recycled materials, resulting in the stockpiling of these materials. Washington must reduce its reliance on unpredictable foreign markets for its recycled materials.

(3) Plastic bottles can be recycled and can contain recycled content in order to close the loop in the recycling stream. Many companies have already taken the initiative at closing the loop by using plastic bottles that contain one hundred percent recycled content. Since November 2010, one national juice company has been using bottles made with one hundred percent postconsumer recycled content for all of its juices and juice smoothies. In January 2018, an international beverage producer announced that it will make all its bottles from one hundred percent recycled plastic by 2025.

(4) The requirements imposed by this act are reasonable and are achievable at minimal cost relative to the burden imposed by the continued excessive use of virgin materials in beverage containers in Washington.

(5) The legislature encourages beverage manufacturers to use plastic beverage containers that exceed the standards set forth in this act.

**NEW SECTION. Sec. 2.** The definitions in this section apply throughout sections 3 through 8 of this act unless the context clearly requires otherwise.

(1) "Beverage manufacturer" means a manufacturer of one or more beverages described in section 3(1) of this act, that are sold, offered for sale, or distributed in Washington.

(2) "Beverage manufacturing industry" means an association that represents companies that manufacture beverages.

(3) "Department" means the department of ecology.

**NEW SECTION. Sec. 3.** (1) Beginning January 1, 2022, beverage manufacturers that offer for sale, sell, or distribute in Washington beverages, intended for human or animal consumption and in a quantity more than or equal to two fluid ounces and less than or equal to one gallon, must meet minimum postconsumer recycled content as required under section 4 of this act, on average for the total number of plastic beverage containers for the following beverages:

- (a) Water and flavored water;
- (b) Beer or other malt beverages;
- (c) Wine;
- (d) Mineral waters, soda water, and similar carbonated soft drinks; and
- (e) Any beverage other than those specified in this subsection, except infant formula.

(2) The following containers are exempt from sections 3 through 6 of this act:

- (a) Refillable plastic beverage containers;
- (b) Rigid plastic containers or rigid plastic bottles that are medical devices, medical products that are required to be sterile, prescription medicine, and packaging used for those products; and
- (c) Bladders or pouches that contain wine.

(3) The department may adopt rules to exempt beverages.

**NEW SECTION. Sec. 4.** (1) Every year, a beverage manufacturer must meet the following minimum postconsumer recycled plastic content on average for the total number of plastic beverage containers for beverages as established in section 3 of this act that are sold, offered for sale, or distributed in Washington effective:

(a) January 1, 2022, through December 31, 2024: No less than ten percent postconsumer recycled plastic;

(b) January 1, 2025, through December 31, 2029: No less than twenty-five percent postconsumer recycled plastic;

(c) On and after January 1, 2030: No less than fifty percent postconsumer recycled plastic.

(2)(a) Beginning in 2021, and every other year thereafter, or at the petition of the beverage manufacturing industry but not more than annually, the department shall consider whether the minimum postconsumer recycled content requirements established under subsection (1) of this section should be waived or reduced. The department must consider a petition from the beverage manufacturing industry within sixty days of receipt.

(b) If the department determines that a minimum postconsumer recycled content requirement should be adjusted, the adjusted rate must be in effect until a new determination is made or upon the expiration of the minimum postconsumer recycled content requirement's effective period, whichever occurs first. The department may not adjust the minimum postconsumer recycled content requirements above the minimum postconsumer recycled plastic content percentages, as established under subsection (1) of this section. In making a determination to adjust the minimum postconsumer recycled content requirements the department must at least consider the following:

(i) Changes in market conditions, including supply and demand for postconsumer recycled plastics, collection rates, and bale availability;

(ii) Recycling rates;

(iii) The availability of recycled plastic suitable to meet the minimum postconsumer recycled content requirements, including the availability of high quality recycled plastic, and food grade recycled plastic from beverage container recycling programs;

(iv) The capacity of recycling or processing infrastructure;

(v) The progress made by beverage manufacturers in meeting the requirements of this section; and

(vi) The carbon footprint of the transportation of the recycled resin.

(3) The beverage manufacturing industry or a beverage manufacturer may appeal adjustments to the requirement for minimum postconsumer recycled content as determined under subsection (1) of this section to the pollution control hearings board within thirty days of the department's determination.

(4) The department may grant extensions of time for beverage manufacturers to meet the minimum postconsumer recycled plastic content requirements established under subsection (1) of this section if the department determines that a beverage manufacturer has made a substantial effort but has failed to meet the minimum recycled plastic content requirements due to extenuating circumstances beyond the beverage manufacturer's control.

(5) A beverage manufacturer that does not meet the minimum postconsumer recycled plastic content requirements established in subsection (1) of this section is subject to a fee established in section 6 of this act.

**NEW SECTION. Sec. 5.** (1)(a) On or before March 1, 2022, and annually thereafter, a beverage manufacturer, under penalty of perjury, must report to the department, in pounds and by resin type, the amount of virgin plastic and postconsumer recycled plastic used for plastic beverage containers containing a beverage as established under section 3 of this act sold, offered for sale, or distributed in Washington in the previous calendar year.

(b) The department must post the information reported under this subsection on its web site.

(2) The department may: (a) Conduct audits and investigations for the purpose of ensuring compliance with this section based on the information reported under subsection (1) of this section; and (b) adopt rules to implement, administer, and enforce the requirements of this act.

(3) The department shall keep confidential all business trade secrets and proprietary information about manufacturing processes and equipment that the department gathers or becomes aware of through the course of conducting audits or investigations pursuant to this chapter.

**NEW SECTION. Sec. 6.** (1) Beginning January 1, 2022, a beverage manufacturer that does not meet the minimum postconsumer recycled plastic content requirements as established under section 4 of this act, based upon the amount in pounds and in the aggregate, is subject to an annual fee.

(2) The following violation levels are based on a beverage manufacturer's overall compliance rate of the minimum postconsumer recycled plastic content requirements.

(a) Level one violation: At least seventy-five percent but less than one hundred percent of the minimum recycled plastic content requirements;

(b) Level two violation: At least fifty percent but less than seventy-five percent of the minimum recycled plastic content requirements;

(c) Level three violation: At least twenty-five percent but less than fifty percent of the minimum recycled plastic content requirements;

(d) Level four violation: At least fifteen percent but less than twenty-five percent of the minimum recycled plastic content requirements; and

(e) Level five violation: Less than fifteen percent of the minimum recycled plastic content requirements.

(3) Beginning March 1, 2023, the department may assess fees for violations as follows:

(a) Level one violation, the fee range is five cents to fifteen cents per pound;

(b) Level two violation, the fee range is ten cents to twenty cents per pound;

(c) Level three violation, the fee range is fifteen cents to twenty-five cents per pound;

(d) Level four violation, the fee range is twenty cents to thirty cents per pound;

(e) Level five violation, the fee range is twenty-five cents to thirty cents per pound.

(4) In lieu of or in addition to assessing a fee under subsection (3) of this section, the department may require a beverage manufacturer to submit a corrective action plan detailing how the

beverage manufacturer plans to come into compliance with section 4 of this act.

(5) The department shall consider equitable factors in determining whether to assess a fee under subsection (3) of this section and the amount of the fee including, but not limited to: The nature and circumstances of the violation; actions taken by the beverage manufacturer to correct the violation; the beverage manufacturer's history of compliance; the size and economic condition of the beverage manufacturer; and whether the violation or conditions giving rise to the violation were due to circumstances beyond the reasonable control of the beverage manufacturer or were otherwise unavoidable under the circumstances including, but not limited to, unforeseen changes in market conditions.

(6) A beverage manufacturer must:

(a) Pay to the department assessed fees in quarterly installments; or

(b) Arrange an alternative payment schedule subject to the approval of the department.

(7) A beverage manufacturer may appeal fees assessed under this section to the pollution control hearings board within thirty days of assessment.

(8)(a) The department shall consider waiving or reducing the fees or extending the time frame for assessing fees established under subsection (3) of this section for a beverage manufacturer that has demonstrated progress toward meeting the minimum postconsumer recycled content requirements, as established under section 4 of this act, if the beverage manufacturer:

(i) Has failed to meet the minimum postconsumer recycled content requirements; or

(ii) Anticipates it will not be able to meet the minimum postconsumer recycled content requirements.

(b) In determining whether to grant a waiver of, or reduce a fee, or extend the time frame for assessing a fee, the department shall consider, at a minimum, all of the following:

(i) Anomalous market conditions;

(ii) Disruption in, or lack of supply of, recycled plastics; and

(iii) Other factors that have prevented a beverage manufacturer from meeting the requirements.

(9) A beverage manufacturer shall pay the fees assessed pursuant to this section, as applicable, based on the information reported to the department as required under section 5(1) of this act in the form and manner prescribed by the department.

NEW SECTION. **Sec. 7.** The recycling enhancement fee account is created in the state treasury. All fees collected by the department pursuant to section 6 of this act must be deposited in the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used by the department only for providing funding to the recycling development center created in RCW 70.370.030 for the purpose of furthering the development of recycling infrastructure in this state.

NEW SECTION. **Sec. 8.** (1) A city, town, county, or municipal corporation may not implement local recycled content requirements for plastic beverage containers that must meet minimum postconsumer recycled content as required under sections 3 and 4 of this act.

(2) Local laws and ordinances that are inconsistent with, more restrictive than, or exceed the requirements of this act, may not be enacted and are preempted.

NEW SECTION. **Sec. 9.** A new section is added to chapter 42.56 RCW to read as follows:

Information submitted to the department of ecology under chapter 70.-- RCW (the new chapter created in section 14 of this act), that contains business trade secrets or proprietary information about manufacturing processes and equipment, is exempt from disclosure under this chapter.

**Sec. 10.** RCW 43.21B.110 and 2019 c 344 s 16, 2019 c 292 s 10, and 2019 c 290 s 12 are each reenacted and amended to read as follows:

(1) The hearings board shall only have jurisdiction to hear and decide appeals from the following decisions of the department, the director, local conservation districts, the air pollution control boards or authorities as established pursuant to chapter 70.94



RCW, local health departments, the department of natural resources, the department of fish and wildlife, the parks and recreation commission, and authorized public entities described in chapter 79.100 RCW:

(a) Civil penalties imposed pursuant to RCW 18.104.155, 70.94.431, 70.105.080, 70.107.050, 70.365.070, 70.375.060, 76.09.170, 77.55.440, 78.44.250, 88.46.090, 90.03.600, 90.46.270, 90.48.144, 90.56.310, 90.56.330, and 90.64.102.

(b) Orders issued pursuant to RCW 18.104.043, 18.104.060, 43.27A.190, 70.94.211, 70.94.332, 70.105.095, 70.365.070, 86.16.020, 88.46.070, 90.14.130, 90.46.250, 90.48.120, and 90.56.330.

(c) A final decision by the department or director made under chapter 183, Laws of 2009.

(d) Except as provided in RCW 90.03.210(2), the issuance, modification, or termination of any permit, certificate, or license by the department or any air authority in the exercise of its jurisdiction, including the issuance or termination of a waste disposal permit, the denial of an application for a waste disposal permit, the modification of the conditions or the terms of a waste disposal permit, or a decision to approve or deny an application for a solid waste permit exemption under RCW 70.95.300.

(e) Decisions of local health departments regarding the grant or denial of solid waste permits pursuant to chapter 70.95 RCW.

(f) Decisions of local health departments regarding the issuance and enforcement of permits to use or dispose of biosolids under RCW 70.95J.080.

(g) Decisions of the department regarding waste-derived fertilizer or micronutrient fertilizer under RCW 15.54.820, and decisions of the department regarding waste-derived soil amendments under RCW 70.95.205.

(h) Decisions of local conservation districts related to the denial of approval or denial of certification of a dairy nutrient management plan; conditions contained in a plan; application of any dairy nutrient management practices, standards, methods, and technologies to a particular

dairy farm; and failure to adhere to the plan review and approval timelines in RCW 90.64.026.

(i) Any other decision by the department or an air authority which pursuant to law must be decided as an adjudicative proceeding under chapter 34.05 RCW.

(j) Decisions of the department of natural resources, the department of fish and wildlife, and the department that are reviewable under chapter 76.09 RCW, and the department of natural resources' appeals of county, city, or town objections under RCW 76.09.050(7).

(k) Forest health hazard orders issued by the commissioner of public lands under RCW 76.06.180.

(l) Decisions of the department of fish and wildlife to issue, deny, condition, or modify a hydraulic project approval permit under chapter 77.55 RCW, to issue a stop work order, to issue a notice to comply, to issue a civil penalty, or to issue a notice of intent to disapprove applications.

(m) Decisions of the department of natural resources that are reviewable under RCW 78.44.270.

(n) Decisions of an authorized public entity under RCW 79.100.010 to take temporary possession or custody of a vessel or to contest the amount of reimbursement owed that are reviewable by the hearings board under RCW 79.100.120.

(o) Decisions of the department that are appealable under sections 4 and 6 of this act, to set recycled minimum postconsumer content for plastic beverage containers and to assess fees.

(2) The following hearings shall not be conducted by the hearings board:

(a) Hearings required by law to be conducted by the shorelines hearings board pursuant to chapter 90.58 RCW.

(b) Hearings conducted by the department pursuant to RCW 70.94.332, 70.94.390, 70.94.395, 70.94.400, 70.94.405, 70.94.410, and 90.44.180.

(c) Appeals of decisions by the department under RCW 90.03.110 and 90.44.220.

(d) Hearings conducted by the department to adopt, modify, or repeal rules.

(3) Review of rules and regulations adopted by the hearings board shall be subject to review in accordance with the provisions of the administrative procedure act, chapter 34.05 RCW.

**Sec. 11.** RCW 43.21B.110 and 2019 c 344 s 16, 2019 c 292 s 10, and 2019 c 290 s 12 are each reenacted and amended to read as follows:

(1) The hearings board shall only have jurisdiction to hear and decide appeals from the following decisions of the department, the director, local conservation districts, the air pollution control boards or authorities as established pursuant to chapter 70.94 RCW, local health departments, the department of natural resources, the department of fish and wildlife, the parks and recreation commission, and authorized public entities described in chapter 79.100 RCW:

(a) Civil penalties imposed pursuant to RCW 18.104.155, 70.94.431, 70.105.080, 70.107.050, 70.365.070, 70.375.060, 76.09.170, 77.55.440, 78.44.250, 88.46.090, 90.03.600, 90.46.270, 90.48.144, 90.56.310, 90.56.330, and 90.64.102.

(b) Orders issued pursuant to RCW 18.104.043, 18.104.060, 43.27A.190, 70.94.211, 70.94.332, 70.105.095, 70.365.070, 86.16.020, 88.46.070, 90.14.130, 90.46.250, 90.48.120, and 90.56.330.

(c) Except as provided in RCW 90.03.210(2), the issuance, modification, or termination of any permit, certificate, or license by the department or any air authority in the exercise of its jurisdiction, including the issuance or termination of a waste disposal permit, the denial of an application for a waste disposal permit, the modification of the conditions or the terms of a waste disposal permit, or a decision to approve or deny an application for a solid waste permit exemption under RCW 70.95.300.

(d) Decisions of local health departments regarding the grant or denial of solid waste permits pursuant to chapter 70.95 RCW.

(e) Decisions of local health departments regarding the issuance and enforcement of permits to use or dispose of biosolids under RCW 70.95J.080.

(f) Decisions of the department regarding waste-derived fertilizer or micronutrient fertilizer under RCW 15.54.820, and decisions of the department regarding waste-derived soil amendments under RCW 70.95.205.

(g) Decisions of local conservation districts related to the denial of approval or denial of certification of a dairy nutrient management plan; conditions contained in a plan; application of any dairy nutrient management practices, standards, methods, and technologies to a particular dairy farm; and failure to adhere to the plan review and approval timelines in RCW 90.64.026.

(h) Any other decision by the department or an air authority which pursuant to law must be decided as an adjudicative proceeding under chapter 34.05 RCW.

(i) Decisions of the department of natural resources, the department of fish and wildlife, and the department that are reviewable under chapter 76.09 RCW, and the department of natural resources' appeals of county, city, or town objections under RCW 76.09.050(7).

(j) Forest health hazard orders issued by the commissioner of public lands under RCW 76.06.180.

(k) Decisions of the department of fish and wildlife to issue, deny, condition, or modify a hydraulic project approval permit under chapter 77.55 RCW, to issue a stop work order, to issue a notice to comply, to issue a civil penalty, or to issue a notice of intent to disapprove applications.

(l) Decisions of the department of natural resources that are reviewable under RCW 78.44.270.

(m) Decisions of an authorized public entity under RCW 79.100.010 to take temporary possession or custody of a vessel or to contest the amount of reimbursement owed that are reviewable by the hearings board under RCW 79.100.120.

(n) Decisions of the department that are appealable under sections 4 and 6 of this act, to set recycled minimum postconsumer content for plastic beverage containers and to assess fees.

(2) The following hearings shall not be conducted by the hearings board:

(a) Hearings required by law to be conducted by the shorelines hearings board pursuant to chapter 90.58 RCW.

(b) Hearings conducted by the department pursuant to RCW 70.94.332, 70.94.390, 70.94.395, 70.94.400, 70.94.405, 70.94.410, and 90.44.180.

(c) Appeals of decisions by the department under RCW 90.03.110 and 90.44.220.

(d) Hearings conducted by the department to adopt, modify, or repeal rules.

(3) Review of rules and regulations adopted by the hearings board shall be subject to review in accordance with the provisions of the administrative procedure act, chapter 34.05 RCW.

NEW SECTION. Sec. 12. Section 10 of this act expires June 30, 2021.

NEW SECTION. Sec. 13. Section 11 of this act takes effect June 30, 2021.

NEW SECTION. Sec. 14. Sections 2 through 8 of this act constitute a new chapter in Title 70 RCW."

On page 1, line 1 of the title, after "requirements;" strike the remainder of the title and insert "reenacting and amending RCW 43.21B.110 and 43.21B.110; adding a new section to chapter 42.56 RCW; adding a new chapter to Title 70 RCW; creating a new section; prescribing penalties; providing an effective date; and providing an expiration date."

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 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2722 and advanced the bill as amended by the Senate to final passage.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representative Mead spoke in favor of the passage of the bill.

Representative DeBolt spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of

Engrossed Substitute House Bill No. 2722, as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2722, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 57; Nays, 40; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Callan, Chapman, Chopp, Cody, Davis, Doglio, Dolan, Duerr, Entenman, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, J. Johnson, Kilduff, Kirby, Kloba, Leavitt, Lekanoff, Lovick, Macri, Mead, Morgan, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Ramel, Ramos, Riccelli, Robinson, Ryu, Santos, Sells, Senn, Shewmake, Slatter, Smith, Springer, Stonier, Sullivan, Tarleton, Thai, Tharinger, Valdez, Walen, Wylie and Mme. Speaker.

Voting nay: Representatives Barkis, Boehnke, Caldier, Chambers, Chandler, Corry, DeBolt, Dent, Dufault, Dye, Eslick, Gildon, Goehner, Graham, Griffey, Harris, Hoff, Irwin, Jenkin, Klippert, Kraft, Kretz, MacEwen, Maycumber, McCaslin, Mosbrucker, Orcutt, Rude, Schmick, Shea, Steele, Stokesbary, Sutherland, Van Werven, Vick, Volz, Walsh, Wilcox, Ybarra and Young.

Excused: Representative Paul.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2722, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

#### MESSAGE FROM THE SENATE

March 5, 2020

Madame Speaker:

The Senate has passed SECOND SUBSTITUTE HOUSE BILL NO. 2737 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 74.09.4951 and 2019 c 360 s 2 are each amended to read as follows:

(1) (~~(A children's mental)~~) The children and youth behavioral health work group is established to identify barriers to and opportunities for accessing ((mental)) behavioral health services for children and their families, and to advise the legislature on statewide ((mental)) behavioral health services for this population.

(2) The work group shall consist of members and alternates as provided in this subsection. Members must represent the regional, racial, and cultural diversity of all children and families in the state. (~~Members of the children's mental health work group created in~~)

~~chapter 96, Laws of 2016, and serving on the work group as of December 1, 2017, may continue to serve as members of the work group without reappointment.)~~

(a) The president of the senate shall appoint one member and one alternate from each of the two largest caucuses in the senate.

(b) The speaker of the house of representatives shall appoint one member and one alternate from each of the two largest caucuses in the house of representatives.

(c) The governor shall appoint six members representing the following state agencies and offices: The department of children, youth, and families; the department of social and health services; the health care authority; the department of health; the office of homeless youth prevention and protection programs; and the office of the governor.

(d) The governor shall appoint ~~((one member representing each of))~~ the following members:

(i) ~~((Behavioral))~~ One representative of behavioral health administrative services organizations;

(ii) ~~((Community))~~ One representative of community mental health agencies;

(iii) ~~((Medicaid))~~ One representative of medicaid managed care organizations;

(iv) ~~((A))~~ One regional provider of co-occurring disorder services;

(v) ~~((Pediatricians))~~ One pediatrician or primary care provider~~((S));~~

(vi) ~~((Providers))~~ One provider specializing in infant or early childhood mental health;

(vii) ~~((Child health advocacy groups))~~ One representative who advocates for behavioral health issues on behalf of children and youth;

(viii) ~~((Early))~~ One representative of early learning and child care providers;

(ix) ~~((The))~~ One representative of the evidence-based practice institute;

(x) ~~((Parents))~~ Two parents or caregivers of children who have ~~((been the recipient of early childhood mental))~~ received behavioral health services, one

of which must have a child under the age of six;

(xi) ~~((A))~~ One representative of an education or teaching institution that provides training for mental health professionals;

(xii) ~~((Foster))~~ One foster parent~~((S));~~

(xiii) ~~((Providers))~~ One representative of providers of culturally and linguistically appropriate health services to traditionally underserved communities;

(xiv) ~~((Pediatricians))~~ One pediatrician located east of the crest of the Cascade mountains; ~~((and))~~

(xv) ~~((Child))~~ One child psychiatrist~~((S));~~

(xvi) One representative of an organization representing the interests of individuals with developmental disabilities;

(xvii) Two youth representatives who have received behavioral health services;

(xviii) One representative of a private insurance organization;

(xix) One representative from the statewide family youth system partner roundtable established in the T.R. v. Strange and McDermott, formerly the T.R. v. Dreyfus and Porter, settlement agreement; and

(xx) One substance use disorder professional.

(e) The governor shall request participation by a representative of tribal governments.

(f) The superintendent of public instruction shall appoint one representative from the office of the superintendent of public instruction.

(g) The insurance commissioner shall appoint one representative from the office of the insurance commissioner.

(h) The work group shall choose its cochairs, one from among its legislative members and one from among the executive branch members. The representative from the health care authority shall convene at least two, but not more than four, meetings of the work group each year.

(i) The cochairs may invite additional members of the house of

representatives and the senate to participate in work group activities, including as leaders of advisory groups to the work group. These legislators are not required to be formally appointed members of the work group in order to participate in or lead advisory groups.

(3) The work group shall:

(a) Monitor the implementation of enacted legislation, programs, and policies related to ~~((children's mental))~~ children and youth behavioral health, including provider payment for ~~((depression screenings for youth and new mothers,))~~ mood, anxiety, and substance use disorder prevention, screening, diagnosis, and treatment for children and young mothers; consultation services for child care providers caring for children with symptoms of trauma~~((r))~~; home visiting services~~((r))~~; and streamlining agency rules for providers of behavioral health services;

(b) Consider system strategies to improve coordination and remove barriers between the early learning, K-12 education, and health care systems; ~~((and))~~

(c) Identify opportunities to remove barriers to treatment and strengthen ~~((mental))~~ behavioral health service delivery for children and youth;

(d) Determine the strategies and resources needed to:

(i) Improve inpatient and outpatient access to behavioral health services;

(ii) Support the unique needs of young children prenatally through age five, including promoting health and social and emotional development in the context of children's family, community, and culture; and

(iii) Develop and sustain system improvements to support the behavioral health needs of children and youth; and

(e) Consider issues and recommendations put forward by the statewide family youth system partner roundtable established in the *T.R. v. Strange and McDermott*, formerly the *T.R. v. Dreyfus and Porter*, settlement agreement.

(4) At the direction of the cochairs, the work group may convene advisory groups to evaluate specific issues and report related findings and recommendations to the full work group.

~~(5) ~~((a))~~ The work group shall convene an advisory group ~~((to develop a funding model for:~~~~

~~(i) The partnership access line activities described in RCW 71.24.061, including the partnership access line for moms and kids and community referral facilitation;~~

~~(ii) Delivering partnership access line services to educational service districts for the training and support of school staff managing children with challenging behaviors; and~~

~~(iii) Expanding partnership access line consultation services to include consultation for health care professionals serving adults.~~

~~(b) The work group cochairs shall invite representatives from the following organizations and interests to participate as advisory group members under this subsection:~~

~~(i) Private insurance carriers;~~

~~(ii) Medicaid managed care plans;~~

~~(iii) Self-insured organizations;~~

~~(iv) Seattle children's hospital;~~

~~(v) The partnership access line;~~

~~(vi) The office of the insurance commissioner;~~

~~(vii) The University of Washington school of medicine; and~~

~~(viii) Other organizations and individuals, as determined by the cochairs.~~

~~(c) The funding model must build upon previous funding model efforts by the health care authority, including work completed pursuant to chapter 288, Laws of 2018. The funding model must:~~

~~(i) Determine the annual cost of operating the partnership access line and its various components and collect a proportional share of program cost from each health insurance carrier; and~~

~~(ii) Differentiate between partnership access line activities eligible for medicaid funding and activities that are nonmedicaid eligible.~~

~~(d) By December 1, 2019, the advisory group formed under this subsection must deliver the funding model and any associated recommendations to the work group.) focused on school-based~~

behavioral health and suicide prevention. The advisory group shall advise the full work group on creating and maintaining an integrated system of care through a tiered support framework for kindergarten through twelfth grade school systems defined by the office of the superintendent of public instruction and behavioral health care systems that can rapidly identify students in need of care and effectively link these students to appropriate services, provide age-appropriate education on behavioral health and other universal supports for social-emotional wellness for all students, and improve both education and behavioral health outcomes for students. The work group cochairs may invite nonwork group members to participate as advisory group members.

(6)(a) Staff support for the work group, including administration of work group meetings and preparation of ((the updated)) full work group recommendations and reports required under ((subsection (8) of)) this section, must be provided by the health care authority.

(b) Additional staff support for legislative members of the work group may be provided by senate committee services and the house of representatives office of program research.

(c) Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction must provide staff support to the school-based behavioral health and suicide prevention advisory group, including administration of advisory group meetings and the preparation and delivery of advisory group recommendations to the full work group.

(7) Legislative members of the work group 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. Advisory group members who are not members of the work group are not entitled to reimbursement.

(8) The work group shall update the findings and recommendations reported to the legislature by the children's mental

health work group in December 2016 pursuant to chapter 96, Laws of 2016. The work group must submit the updated report to the governor and the appropriate committees of the legislature by December 1, 2020. Beginning November 1, 2020, and annually thereafter, the work group shall provide recommendations in alignment with subsection (3) of this section to the governor and the legislature.

(9) This section expires December 30, ((2020)) 2026."

On page 1, line 2 of the title, after "group;" strike the remainder of the title and insert "amending RCW 74.09.4951; and providing an expiration date."

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 SECOND SUBSTITUTE HOUSE BILL NO. 2737 and advanced the bill as amended by the Senate to final passage.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Callan and Dent spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 2737, as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 2737, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Boehnke, Caldier, Callan, Chambers, Chandler, Chapman, Chopp, Cody, Corry, Davis, DeBolt, Dent, Doglio, Dolan, Duerr, Dufault, Dye, Entenman, Eslick, Fey, Fitzgibbon, Frame, Gildon, Goehner, Goodman, Graham, Gregerson, Griffey, Hansen, Harris, Hoff, Hudgins, Irwin, Jenkin, J. Johnson, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Leavitt, Lekanoff, Lovick, MacEwen, Macri, Maycumber, McCaslin, Mead, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Ramel, Ramos, Riccelli, Robinson, Rude, Ryu, Santos, Schmick, Sells, Senn, Shea, Shewmake, Slatter, Smith, Springer, Steele, Stokesbary, Stonier, Sullivan, Sutherland, Tarleton, Thai, Tharinger, Valdez, Van Werven, Vick, Volz, Walen, Walsh, Wilcox, Wylie, Ybarra, Young and Mme. Speaker.

Excused: Representative Paul.

SECOND SUBSTITUTE HOUSE BILL NO. 2737, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

With the consent of the House, the bills previously acted upon were immediately transmitted to the Senate.

Speaker Jinkins assumed the chair.

## RESOLUTION

**HOUSE RESOLUTION NO. 2020-4685, by Representatives Jinkins, Wilcox, Barkis, Bergquist, Blake, Boehnke, Caldier, Callan, Chambers, Chandler, Chapman, Chopp, Cody, Corry, Davis, DeBolt, Dent, Doglio, Dolan, Duerr, Dufault, Dye, Entenman, Eslick, Fey, Fitzgibbon, Frame, Gildon, Goehner, Goodman, Graham, Gregerson, Griffey, Hansen, Harris, Hoff, Hudgins, Irwin, Jenkin, J. Johnson, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Leavitt, Lekanoff, Lovick, MacEwen, Macri, Maycumber, McCaslin, Mead, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Pellicciotti, Peterson, Pettigrew, Pollet, Ramel, Ramos, Riccelli, Robinson, Rude, Ryu, Santos, Schmick, Sells, Senn, Shewmake, Slatter, Smith, Springer, Steele, Stokesbary, Stonier, Sullivan, Sutherland, Tarleton, Thai, Tharinger, Valdez, Van Werven, Vick, Volz, Walen, Walsh, Wylie, Ybarra, and Young**

WHEREAS, Representative Sherry Appleton has ably and proudly served the people of Washington's 23rd legislative district since taking the oath of office as a state representative on January 10, 2005; and

WHEREAS, During her sixteen years in the Legislature, she has been an unswervingly progressive voice, with a fierce commitment to her constituents in Kitsap County and a deep compassion for society's underdogs; and

WHEREAS, As a proud Navy widow with thousands of active-duty sailors and retired Naval personnel in her district, Sherry has been a staunch and effective advocate for the military, serving on related boards, commissions, and legislative committees, and was named "Outstanding Legislator of the Year" by the Department of Veterans Affairs and the governor's Veterans Affairs Advisory Committee for her years of often behind-the-scenes work on behalf of the state's approximately seven hundred thousand military veterans; and

WHEREAS, During her tenure in the Legislature, Sherry has chaired two standing House panels, the Committee on Local Government and the Committee on Community Development, Housing & Tribal Affairs, facilitating the passage of scores of bills designed to make Washington a better place to live, work, do business, and raise a family; and

WHEREAS, Sherry's commitment to seniors, especially those living with dementia, earned her the title of Mother of

the Silver Alert for her multiyear effort to create a public safety law that has saved countless lives since its passage in 2015; and

WHEREAS, Living amid the natural beauty and bounty of the Kitsap Peninsula helped Sherry become a conservationist before conservation was cool, and her consistency in advancing this cause led the nonpartisan Washington Conservation Voters to induct her into its "Lifetime 100 Club," an honor based on how consistently an elected official votes to "protect our clean air, water and forests, while accelerating the transition to a good-job, clean-energy economy"; and

WHEREAS, Our four-footed or feathered friends have no greater legislative ally than Sherry, who includes them in the category of the voiceless for whom she is privileged to speak, a fact obvious in the wide range of animal-welfare bills that she has sponsored over the years, including the breed-ban bill that she pursued for years, and her successful efforts to secure funding in the capital budget for much-needed improvements to the puppy room at Kitsap Humane Society; and

WHEREAS, This continuing dedication to animals and animal rights led the Washington state chapter of the Humane Society of the United States to name Sherry "Humane Legislator of the Year" in 2018, prompting her to say at the award ceremony, "A society, a culture, can be judged by how it treats those with the least power: Children, seniors, persons living with disabilities, and yes, our animals. I'm grateful to have colleagues in the Legislature on both sides of the party aisle who recognize this and work with me to make this a better place for all of us"; and

WHEREAS, Sherry has fought hard for her beloved 23rd legislative district, bringing home victories for the people of Kitsap County, its cities and towns, and its valuable institutions, including Martha & Mary, Olympic College, the Marine Science Center (SEA Discovery Center), Village Green Community Center, and Fishline Food Bank, among many, many others during her legislative tenure; and

WHEREAS, Sherry's commitment to public service is evident in her work outside of and prior to her election to the Legislature, including her appointments by Presidents George H.W. Bush and Bill Clinton to serve on the Washington State Advisory Committee to the U.S. Commission on Civil Rights, and her service on the board of directors of the Association of Washington Cities, on the Northwest Women's Law Center Legislative Committee, on the board of NARAL, and as vice-chair of the Washington State Women's Political Caucus; and

WHEREAS, Last, but certainly not least, Sherry has continually called the Legislature's attention to the fact that the people she represents live on a peninsula and an island, and that the Washington state ferry system is their economic and recreational lifeline, and she has been a fierce and tireless advocate for safer, more affordable, and more dependable ferry service for Kitsap County;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives honor

Representative Sherry Appleton upon her retirement from the Legislature for her sixteen years of service to her constituents in the 23rd legislative district, to the House of Representatives, and to the entire State of Washington.

Representative Pettigrew moved adoption of HOUSE RESOLUTION NO. 4685.

Representative Pettigrew: “Thank you Madam Speaker, I am incredibly honored to be allowed to speak on behalf of this resolution and urge the body to support it. You know when I think of the good member from the 23<sup>rd</sup>, I think of two words – feisty and fun. Feisty, one of the first arguments I ever had in the Legislature was with Sherry Appleton. In the wings, not in the wings, actually in the hallway there, we were talking about some education stuff and I was like “Who in the world is this person yelling and screaming at me about this particular issue. But it was at that moment that I realized that I was completely and totally just head over heels in love with Sherry Appleton. She is the one person that I know, and you probably are aware of, who has coined the phrase “I will not vote for that” which I appreciate that, and has been an incredible friend and leader. You know, Sherry and I, when I first got here, we sat on the floor together and she sat next to me and believe it or not, when I first got to the Legislature, I was a little playful, and maybe a little immature as far as being a prankster; I did things like snakes in a can and throwing the football across the floor with the good member from the 26<sup>th</sup> but Sherry was my partner that sat next to me and one particular time, I just remember, I was going to play a joke on Sherry; I was going to play this prank on her and so I got a message from the security that had on it to Sherry to call this number right away, this is from this constituent that wants to talk to you Right Now! You’ve got to call them Right Now, and I kept going “Sherry, your LA called again; you’ve got to call them right now!” and it was from, the constituent’s name was Alley, her last name was Gator, and she actually resided at the Woodland Park Zoo. And so of course, Sherry picked up the phone in her urgency and called to speak to Miss Alley Gator and of course the Woodland Park Zoo. She eventually figured it out but she was, it was just an absolute blast to have her sit next to me and she’s always been just the one person, one of the people, that I have absolutely loved when I come to the Legislature, whenever we have our advances or anything else that I will love to see. It just does my heart so good to be in the caucus and seeing her sit to my left and being able to, we make eyes at each other and make fun of each other while we’re sitting up there and even though I’m not going to be here and you’re not going to be here, I’m just going to so, just so, so so sincerely just truly miss you. I so appreciate your honesty, and I always knew exactly where you were on everything, including how you felt about me and I so appreciate it, thank you.”

Representative Klippert: “Thank you Madam Speaker. *Hums the Odd Couple theme.* Ladies and gentlemen, how the, as stated in the resolution, the most unswervingly progressive and the most to the right conservative, ever passed bills off this House floor I don’t know but I want to let you know that Appleton-Klippert bills passed off this floor almost unanimously at least twice, so Madam Appleton, thank you very much for the honor and pleasure

of being number two on bills that you prime-sponsored. One of my favorite things, memories, of Sherry Appleton – the gentlelady from the 23<sup>rd</sup> is her floor speeches in committee that were questions “wouldn’t you agree” As someone who has served in the military for over 30 years now and the commander of the State Guards, Sherry Appleton, thank you for your love of our military, thank you for honoring our veterans and especially those who serve in the Navy even though they are squids and we thank you for that. How a pitbull like Sherry Appleton ever got a breed ban bill passed through this Legislature I don’t know because everyone knows as was previously stated what a pitbull; you don’t want to get in her way, she will take you out on her way to success. So ladies and gentlemen, without any further ado, the mother of Silver Alert, my honored associate, I want to give praise to Sherry Veterlene Appleton. Thank you Sherry, for your service to our state; you are loved by myself and the members of this body. Thank you very much.

Representative Gregerson: I stand here really spending a lot of time thinking about all the years that we spent together, Sherry, and a few things that come to mind as I stand here to give you so much thanks on behalf of so many of us is that you’ve been travelling this campus for over almost three decades. You know every place in this place and you are an unshakable moral compass for us; you are going to be missed. You also are loved by your district and I don’t know if any of us are as loved by our district as much as you are and I think that speaks to who you are, the depth of your kindness and your thoughtfulness and the things that you stand for and that people trust you. On a personal note, when I first got here, I was scared to death of you actually. I would come in a little bit late and you would yell at me as a chair; or if I were typing on my computer too loud, you’d look at me and yell at me but hopefully you think better thoughts of me now. But on a more serious note, I’m going to miss you, especially in the member’s cafeteria; I love coming downstairs and seeking you out and trying to figure out what part of the menu you grabbed and how much you like it and how kind you are to the staff and you’re always so complimentary to them about how great of a job they are doing and how the food that they’re cooking and they’re making is just made with love and this is the best part of your day. I also want to remind you how thankful we all are of all the years of service you’ve given us and the time away from your pup Bear and reading all those mystery novels and the times that you weren’t feeling well but we needed you for that vote and you stayed up late. So I hope that now that you go on to the next parts of your life that you don’t miss us too much and that you spend more time having a good time and come back.”

Representative Griffey: “Thank you Madam Speaker. It is an honor for me to stand in support of this resolution. Madam Chair, I know you always laugh at me when I do that but my background from the fire services we respect an earned title and Madam Chair, you’ve earned that. We had a good time sitting next to each other. We did a lot of fun things, and yes I was chastised for how loud I was in committee many times but we got through it, didn’t we Madam Chair, we made a good team. The one thing about Sherry I think is unique, at least from the minority side is



you never really knew in committee which way she was going to vote. We sometimes would get a bump out of Sherry and that was great, thank you for that. You know, there's a lot of sad times when you're in the minority, you lose most of those but a lot of times you went our way because you thought we were being picked on, thank you Sherry for that. I'm always going to fondly remember her floor speeches because you never knew how those were going to go either and quite often in committee how she could just in the end have to wrap it up by "don't you agree" because she had to get her point out and by goodness, nobody was going to stop Sherry from getting her point out. It is an honor to have worked with you Sherry, you have a good retirement, you will always have friends in this Legislature. Thank you so much Madam Speaker."

Representative Goodman: "Thank you very much Madam Speaker. I rise in honor of Representative Larry Haler. So Sherry, you, many people don't know that you and I were born in the same hospital in Providence Rhode Island, 19 years apart, of course. I've always felt like you're my big sister and we've eaten in the cafeteria together and the gentlelady from the 33<sup>rd</sup> is so right, you really cared about everyone, including those who prepared our food and I just, really, we are the two longest serving members of the Jewish caucus in the Legislature and we believe in furthering policy that reflects, that our society should be based on compassion and justice and you have articulated that probably better than anyone. I have highly valued you sitting on my committee, protecting public safety, but also protecting individual rights and you have never hesitated to speak up for those who don't have a voice, including animals and the most vulnerable and our veterans, and we could go on and on. But I think there's no one more principled who was undaunted in standing up and speaking up, even though we didn't really feel comfortable listening to it, we needed to hear it and on the floor as well. And so on behalf of the body, I just want to thank you for your service and for, we hope we can name swimming pools and elementary schools after you, but we really value your service here and thank you so much."

Representative Caldier: "Thank you Madam Speaker. So Representative Appleton, when I first got elected, I wasn't quite sure what to think of you. I remember I had a whole bunch of great ideas and I had all these blue sheets and I brought them to former Representative Norm Johnson and he looked at them and he said "Oh my goodness, just because you're from Kitsap County doesn't mean you need to run a bunch of bills like Sherry Appleton." And so I thought ok, alrighty and I'd listen to the long marijuana floor speeches and I'd sit there and hear you lobby, you know, some of the members, about the horse meat bill and I was thinking I don't know if we have a whole lot in common. And then I lost my vision and it was a really low point in my life and I couldn't drive anymore and you came to me across the floor and you said "I heard that you were having some problems and I want to give you a ride." And we hadn't had much to say to each other for the first couple of years and I thought, wow, Wow, that's pretty amazing, and throughout those rides, we developed a friendship that only the odd couple could ever understand. And I got to know you really

well. I learned a couple things about you. First of all I learned how calm you are in crisis and when the car would veer off the road and I would say "Oh my God we're driving by braille!" and you're like "Calm down Michelle, calm down." I learned how much you care about animals and you know you didn't care just about any animals I mean even about the ones that were most vulnerable and I remember the day that you got Bear and we had a forum and everyone was waiting for Sherry and so I called you and you said "Oh I can't go to a forum, I have a dog, his name is Bear and I'm going to love him and I'm going to take care of him so tell them I'm not coming." And I was like "Ok" and most of all I learned about how kind you are and what a big heart you have. I mean it takes an awful big heart to voluntarily sit in the car with me for a couple hundred hours – not many people would do that and I really appreciate you personally. I know that you are going to be missed, not only by myself, but the entire body here, but also by your feathered friends, by your furry friends, by your silver friends and all of our friends at Kitsap County, so thank you very much for your service."

HOUSE RESOLUTION NO. 4685 was adopted.

## RESOLUTION

**HOUSE RESOLUTION NO. 2020-4684, by Representatives Jinkins, Wilcox, Appleton, Barkis, Bergquist, Blake, Boehnke, Caldier, Callan, Chambers, Chandler, Chapman, Chopp, Cody, Corry, Davis, DeBolt, Dent, Doglio, Dolan, Duerr, Dufault, Dye, Entenman, Eslick, Fey, Fitzgibbon, Frame, Gildon, Goehner, Goodman, Graham, Gregerson, Griffey, Hansen, Harris, Hoff, Hudgins, Irwin, Jenkin, J. Johnson, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Leavitt, Lekanoff, Lovick, MacEwen, Macri, Maycumber, McCaslin, Mead, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Paul, Pellicciotti, Peterson, Pettigrew, Pollet, Ramel, Ramos, Riccelli, Robinson, Rude, Ryu, Santos, Schmick, Sells, Senn, Shea, Shewmake, Slatter, Springer, Steele, Stokesbary, Stonier, Sullivan, Sutherland, Tarleton, Thai, Tharinger, Valdez, Van Werven, Vick, Volz, Walen, Walsh, Wylie, Ybarra, and Young**

WHEREAS, Representative Norma Smith was born in Pensacola, Florida, to Chapman and Alice Creighton, who influenced the lives of so many simply by loving God and loving others; and

WHEREAS, Representative Norma Smith graduated from: Woodham High School in Pensacola, Florida; Pensacola Junior College; and later Puget Sound Christian College; and

WHEREAS, Representative Norma Smith married Stephen Smith, the love of her life, and was married for 34 years and had four beautiful children; and

WHEREAS, Stephen Smith, an incredible husband, father, and Marine, lost his life in the service of his community and since his passing she has credited him with such an abundant love that it would last enough for two lifetimes; and

WHEREAS, Representative Norma Smith has four loving in-law children and 11 wonderful grandchildren who lovingly refer to her as "Nana"; and

WHEREAS, Representative Norma Smith's children and in-law children have served in the Air Force, Army, and Navy, respectively; and

WHEREAS, Representative Norma Smith loved and cared for her mother-in-law, Margaret, until her passing; and

WHEREAS, Representative Norma Smith was a Special Assistant to United States Representative Jack Metcalf and led a successful effort to recognize - and provide benefits to - veterans who suffered illnesses as a result of the first Gulf War; and

WHEREAS, Representative Norma Smith served on the South Whidbey School Board; and

WHEREAS, Representative Norma Smith was appointed State Representative in the 10th Legislative District in January 2008 and went on to win the election in November 2008, and has served for 13 years; and

WHEREAS, Representative Norma Smith has hired, mentored, and encouraged personal growth in three House legislative assistants who were all promoted to House Republican Caucus staff; and

WHEREAS, Representative Norma Smith has been a leader for her constituents, communities, and state for years; and

WHEREAS, Representative Norma Smith has had numerous pieces of legislation signed into law and has been recognized for her leadership in: Enhancing the state's behavioral and mental health systems; protecting consumer privacy; establishing environmental programs - including the creation of the Joint Center for Deployment and Research in Earth Abundant Materials (JCDREAM); and improving the regulatory environment for job creators; and

WHEREAS, Representative Norma Smith is a devoted Christian and active in her

church, and her fellow legislative members know her to be true to her word, an outstanding listener, confidant, woman of grace and inspiring faithfulness; and

WHEREAS, On March 3, 2020, Representative Norma Smith announced she would not seek reelection and would begin a new, important chapter of her life in service to God by teaching and mentoring the next generation at home and abroad;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives recognize Representative Norma Smith for her devoted service to Washington state and for representing the people of the 10th Legislative District with integrity, honor, and passion; and

BE IT FURTHER RESOLVED, That a copy of this Resolution be transmitted by the Chief Clerk of the House of Representatives to the Honorable Norma Smith.

Representative DeBolt moved adoption of HOUSE RESOLUTION NO. 4684.

Speaker Jenkins: "Before I call on you, Representative Debolt, I would just like to acknowledge that Representative Smith's children and grandchildren are joining us from across the globe remotely and we would like to welcome them."

Representative DeBolt: "Thank you Madam Speaker, and it's funny because I feel like she's part of my family too so hello to all of my relatives out there. It was interesting, Norma and I have had a wonderful career together; she's one of my best friends in the building; she's one of my best advisors; she's made me a better person. You know, when I stepped away from leadership, I had the opportunity to go and work on policy and Norma would always get upset when I was leader because I would always do politics first and they sent me to Norma's committees - I think it was for her to keep an eye on me and she taught me a lot about how to be gracious, how to be a good listener, about how to put the people of Washington first and the other thing that Norma did was that she led with kindness in her heart. So often we get so upset here about such trivial things and Norma's kindness would always shine through. Even when she was really mad at you. So, she was the Ranking, I was the Assistant Ranking on ITED and I was the Ranking and she was the Assistant Ranking on Capital and we spent, for the last three years, an exorbitant amount of time together, which is a curse and a blessing. She is one of those people, though, that you can't help but be in a good mood when you're with Norma Smith and I will tell you, Norma, this institution is better because you've been here and if it's not just your kindness and your spirituality, because you're one of the most spiritual women I've ever met, well nix that, spiritual person I've ever met because you're up there with my pastor and I look to you for spiritual guidance all the

time. You prayed for me when I was sick, you've taught me to pray for myself, you've done so much to make me a better person but this institution is better because you're here and your citizens were better because you're here and you actually taught us about consumption which is a really hard thing to take a group of people and have them stop and think about what they consume and how they consume and where it comes from. So often it's so easy for us to think that we're driving an electric car and we're ok, but you remembered the children in the Congo and the batteries, and the rare-earth minerals and we always used to, during the legislature, go "Ok, here comes Norma. It's going to be a speech on rare-earth minerals." But you know, by the time we were done, we would just be like "Oh, we need to think about that." And the last thing, though, is I love how much you love your kids and your grandkids and, you know, my wife and I would come up and visit you over the summer and I appreciate all your hospitality and if you haven't gone on a tour of Norma's island, you need to because it's her island and meet her donkey and spend time with her and see the places that she values and holds dear and you are such an inspirational woman and I know why you're leaving, to go make the world a better place and to teach spirituality and to give people hope and inspiration in other parts of the world and I know how much you're going to change the world – even more than you ever changed it here but from one heart that's a better heart and a better Christian for knowing you, I just wanted to thank you and I am so sorry you're leaving but thank you."

Representative Mosbrucker: "Thank you Madam Speaker. I stand in full support and it's an honor to be here today for this resolution. So, not all angels live in heaven and some of our angels here are on earth and I would say that Norma's one of them. Permission to read? This is by Janet McCauley and this fits my love and affection for Norma. So, *Angels sent by God. Some angels live among us in an ordinary way. To carry out their mission, and with all of that they're ok. They do the work that glorifies the Father from above and every step they take on earth is filled with God's own love. They redirect the wayward and they comfort others still, they rescue and they enlighten, they share with us all, goodwill. So be careful who you talk to for you never really know that if you're talking with an angel sent by God to help you grow.* And Norma's helped me to grow. She's helped me to grow from the day I met her, from pizza at Vic's Pizzeria to pictures of her perfect grandchildren to just sitting next to her in the prayer group every Tuesday morning. It's a blessing to have her – she is the heartbeat of our caucus. I have no idea what it's going to be like without her in there, and she continued to bring faith to the Capitol, and for that I am grateful.

Representative Tharinger: Thank you, Madam Speaker. I'm honored to be able to speak to this resolution honoring Norma Smith. I think in the resolution I heard the words "loving" and "caring" many times, and that's very fitting. Norma brought loving and caring to our work and I work with her probably most closely on the Capital Budget and her viewpoint on children's issues, mental health issues, behavioral health issues was loving and caring and I think our budgets were better for that. I will say, as Chair of the

Capital Budget I had to negotiate the number of questions Representative Smith could ask at certain times because as people know, she has a lot of questions. They're good questions but they tend to be numerous and so we sometimes would negotiate how many questions she would get at any particular time. It was a gentle, friendly negotiation but I think it did move our committee along faster to not let Norma dominate the question periods with her questions because she's very involved, very engaged and has a lot of questions. But, we have, as you know, we've worked hard at having a Capital Budget team that is very bipartisan and Norma really brought that loving caring voice to our capital budget decisions and our capital budgets are more humane and more caring because of her Norma, so thank you."

Representative Wilcox: "Thank you Madam Speaker. Madam Speaker, some people come and go from the chamber and they're remembered for a while. We've got an analogy that gets used in our caucus quite a bit that talks about how easy it is to just slide that nameplate out and it is true. We've all seen members leave and, you know, I know we all want to be remembered but this is a place that's built around change and there's a new person that comes in, sits at their desk and pretty soon, you know, it's a whole new Legislature and the past is just forgotten. I'm pretty sure that that's not going to be the case with Norma. Norma has had, it turns out, maybe you've noticed this Madam Speaker, that we have a little bit of idle time on our hands here so we get to visit with people, sometimes late at night and so you learn an awful lot about people and I know that Norma is one of those people who've had several different lives. I know that one of those periods came to an end in a hard way and Norma has shared that with us. Norma's the kind of person that all of us share with too. I can think of many things that have troubled me that I probably haven't shared with anybody but Norma because you know that you can trust Norma. Boy, what a rare thing to say in the House of Representatives that here's a person that you can trust every second of the day. We know that that's a lot more common among politicians than people think but those watching on TVW may be surprised to hear that. There's a lot of words that you can associate with Norma: Obviously, sincerity – nobody here would ever question Norma's sincerity. Honesty, is always there, sometimes when it's painful and I'll tell you a little bit more about how my different roles in the Legislature has changed, given me different perspectives on Norma, and every one of them has been valuable. Nobody, that I've ever known in my life is both so sweet, nice and determined. People talk about Norma as if she's sort of this caricature of the person that you would always go to but they forget that the best way to describe her determination is that it is steely. You cannot divert Norma from her path when she knows that she's right. And that steely determination is driven by compassion. Nobody here is as undeviating when it comes to pursuing compassion in politics and in policy and I'm sure it's because these important human characteristics are behind all of her decisions that she is so determined. When I was the floor leader, the best arrow in the quiver of the House Republican Caucus, I think, was Norma as a closer. I have never known anybody that just packs up the moral high-ground, puts it in her purse and carries it around and unpack it in a speech, because, Norma, when you're done

with a speech that you believe in to and by the way, you can't ask Norma to give every speech. You can't ask Norma to close every debate. It's got to be a debate that she believes in but as the last speaker, in something we thought was important, when she was a believer, even though the votes go against us, the House Republicans go off feeling like winners. I don't mean this to diminish anybody else, but that's the power of Norma Smith to all of us. I think the last thing that I want to talk about when it comes to, maybe the second to last thing I want to talk about when it comes to Norma is all of those qualities put together. Some of you know that she has recently been on a different side on an important issue from most of our caucus; it's not easy to accommodate that in a caucus, especially as leader where you feel like you have to balance a lot of different issues. What made this such a great life lesson for me is that we were able to approach this from a position of perfect honesty and perfect openness and I learned more about how to do politics, you know in the inside the building way, and in the best possible way in the last two years from engaging with Norma in this and figuring out how can we do this with the greatest possible integrity and engaging with a person you know is unflinchingly honest and has unflinching integrity. What a great experience for me and I hope that it was plain to other people that that's the way Norma approaches this and what a great thing if we can all be more like Norma when it comes to politics inside this building. The last thing that I think is so critical, I think I mentioned that Norma has had a series of different segments in her life. Some people say I've lived a lot of different lives, or, that person's lived a million lives to my one. Norma's got at least one more, I know, and when you talk to Norma about this day, it's painful to lose her but she's excited. She's not someone that's looking back with regret, she's looking forward because one more time, Norma Smith is on a mission and I am so happy for you Norma. I am sad for us, like Richard said, but I am so happy because there are a bunch of people whose lives are going to be way way better because you're leaving here and moving on to that life. So thanks for your life here, we won't forget you."

Representative Peterson: "Thank you Speaker Jinkins. Start off by saying I think it's ok that if you're speaking about Norma Smith and you get a little choked up, I think that's acceptable. I was honored to be asked to speak today and I've heard some great words about her compassion and her caring, all true. She's also a bit of a troublemaker. To the gentlemen from the 20<sup>th</sup> and 24<sup>th</sup> who spoke before me, yeah, she would really pull one over on you guys. As you might be arguing about oh, what's the other body doing with their Capital Budget, Norma would lean over to me and say "What kind of trouble can we cause" and it was really that attitude of causing trouble that probably 90% of us put in our newsletter that the Washington State Legislature has spent record amounts of money on mental health. That's the kind of trouble she would cause. She was still causing trouble but it was trouble for the people of Washington and really the people of the world. We love to bring things back to our districts, here especially in the Capital Budget, that's some of the fun, but Norma never worried about what was going back to the 10<sup>th</sup> Legislative district, she was worried about what was going back to the people of Washington and it was

great to watch and an honor to be a part of, an honor to be her partner in crime, at times, and cause trouble, and as has been said before, this is a better place because of you, Norma. This is a better state because of you. I am a better person because of you, and while I very much look forward to the ribbon cutting of the firelight toilet and coming up and meeting your miniature donkey, I will miss you every day that I am here. Thank you so much."

Representative Hansen: "Thank you Madam Speaker. Fortunately I got a heads-up about Representative Smith's announcement last week from the former Representative from the 10<sup>th</sup> district, Representative Hayes, before it happened, otherwise you would have to carry me out of here. So, this is very bad news. I know everyone says this is good news and good this will happen; for me this is very bad news. It is horrible to lose Representative Smith as a colleague and to that end, you may think we are done with introducing bills, I'd like you all to know that that is not correct, House Bill 2997 by Representative Hansen says that there will be mandatory run for reelection for anyone from the 10<sup>th</sup> district, position 1 who's name rhymes with Smorma Smith. We already have 97 co-sponsors, so I'm sorry, you will be staying with us for a little while. I've worked very closely with Representative Smith. We have this bad habit in politics of saying on the floor "my friend" or "my good friend" when really this just means someone else who serves in this body with me. Representative Smith actually is my good friend. We worked together for two years on derelict vessels; we both represent island communities and it's no small thing if a boat goes down and pollutes the sea floor and you have to shut down shellfish harvesting. We spent two years putting together a series of bipartisan proposals to totally re-write that area of environmental law and we passed them with overwhelming bipartisan support. We spent a year on net neutrality; the Representative and I co-wrote the first state level net-neutrality bill in the country that passed, as newspapers later said, with "rare bipartisanship." Maybe more importantly than all, we co-chaired the Governor's prayer breakfast for two years and that's really where we got to know each other first. When I walked in here for the first time, that was one of the first things I did was join the prayer fellowship where Norma was every Tuesday, reliably, and you know, look, people have been talking about her deep faith, that's really where Representative Smith and I kind of align most closely. Our politics, there's a little bit of a Ven diagram where we cross but our faith in the risen Lord is the complete overlap. I know in our faith, at least, everyone is equal in the eyes of the Lord and the Lord hears everyone's prayers and the Lord loves everyone; I am totally convinced that the Lord really really particularly loves Norma because there is, as I've said about her publicly before, there's a line in the psalms about blessed are the pure in heart for they shall see God in Jesus' teachings in the Beatitudes and that is Representative Smith. When I have needed prayer, I have pulled her out of her caucus to ask for prayer and when the Lord has put her on my heart, I have texted her and let her know and we end up speaking and praying together not infrequently, more frequently than you would think for a Republican and a Democrat. But I think Norma's faith is not just something about her personal relationship with Jesus Christ, it deeply affects her policy positions; repeatedly and,

as been mentioned before, she will be on the side of people who doesn't seem like has anyone to speak up for them as loudly as maybe they should and she is always the reminder that we do not serve in this body to represent a particular powerful interest whoever that may be. We serve in this body to represent people who may not feel like they have anyone to be their voice; that's fundamental to our shared faith and fundamental to Representative Smith's policies. So, it is horrible, obviously, to lose you as a colleague and I feel like I'm still learning new things about you, even today; I didn't know you had a donkey - this confirms for me what I always suspected, that you are truly a secret Democrat. But I've now had enough time to grieve and realize that ok, for now, we will have to say good bye but it is not forever and it is very hard, even for now, to say good bye to my good friend and my colleague and my sister in the Lord, but that we will be together again when we sing the song that never ends in the presence of the Savior. Thank you."

Representative Tarleton: "Well, thank you, Madam Speaker. A lot of you on this floor may or may not know I have been a roommate of Norma Smith for seven years. It is an astonishing experience to share stories that have nothing to do with this place when you know that what you're trying to figure out every morning is who takes a shower first, but we have sorted that out. Norma and I share, and we didn't know this until we started talking, we both have this really odd interest in national security policy going back to the very first parts of our careers. She was ahead of me but we overlapped in Washington DC and found that regardless of our different views, perhaps on politics, we shared very similar views on U.S. Congress. Norma and I also share an intense desire to tell stories about our dogs and we've shared many photos about dogs and our families and we've shared many fears about our colleagues here and family members who are suffering from all kinds of illness and concerns and we've also managed to cheer together even when we have just finished 14 hours on this floor when there was a well fought floor debate – whether or not we were on the same side of the debate. Norma, I just want to honor your love of music and family and community with quoting a song that has surrounded me my whole life from my family and my friends and, Madam Speaker, if you will allow me to recite this song, I'm not going to sing it but I can recite it from memory but I don't want to take credit for it. It is a Crosby, Stills, Nash & Young song, may I recite? Thank you Madam Speaker. This is for you Norma: *You who are on the road must have a code that you can live by and so become yourself because the past is just a good-bye. Teach your children well, their father's hell did slowly go by, and feed them on your dreams the one they picks, the one you'll know by. Don't you ever ask them why, if they told you, you would cry, so just look at them and sigh and know they love you. And you, of tender years, can't know the fears that your elders grew by, and so please feed them on your dreams the one you picks, the one they'll know by. And don't you ever ask them why, if they told you, you would cry, So just look at them and sigh and know they love you.* Thank you Norma for all of your service to our state."

Representative Appleton: "Thank you Madam Speaker. Oh they changed it. They had Appleton up there this whole

time and I thought oh geeze, we're inexplicably tied together and when I say that, I got on a plane for Florida, who do I see but Norma and I went "Huh" and she was visiting her son and grandchildren, right? Anyway, it was wonderful having someone I know on the plane. The other thing is, is that we did a widow's dinner at Marcia Fromhold's and there were six of us who went and it was a joyous time. It wasn't a sad time but it was really something to know that your fellow ladies, six of them, were widows at the same time. It seemed like our husbands all died around the same year. So, we won't go back to 2006, please. The last thing I have to say is Norma, you are terrific. I can't say the same things that everybody else said but I can tell you that I have respected and loved you since the beginning and I wish you Godspeed."

HOUSE RESOLUTION NO. 4684 was adopted.

The Speaker called upon Representative Orwall to preside.

### THIRD READING

#### MESSAGE FROM THE SENATE

March 6, 2020

Mme. SPEAKER:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1154, with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 2.** (1) The legislature finds that the office of the Chehalis basin, established in RCW 43.21A.730, is faithfully carrying out one of the prime directives of legislative intent from chapter 194, Laws of 2016, by drafting a strategic plan and accompanying environmental assessments, as the legislation called for a Chehalis basin strategy that "must include an implementation schedule and quantified measures for evaluating the success of implementation."

(2) The legislature also finds that the office of Chehalis basin has been successful in its initial work to secure both state and federal funds for projects in the near term. However, specificity is needed for consideration of the long-term funding needs.

NEW SECTION. **Sec. 3.** A new section is added to chapter 43.21A RCW to read as follows:

The office of Chehalis basin shall, based on the anticipation of completing the strategic plan with an implementation

schedule, submit agency decision packages in preparation for the 2021-2023 fiscal biennium omnibus capital appropriations act, with a report of out-biennia detail, containing:

- (1) A specific list of projects;
- (2) Project costs and suggested fund sources;
- (3) Location information; and
- (4) A time frame, including initiation and completion.

NEW SECTION. **Sec. 4.** A new section is added to chapter 43.21A RCW to read as follows:

The office of Chehalis basin shall submit a report by January 1, 2021, to the legislature that meets the requirement of a finalized strategic plan containing an implementation schedule and quantified measures for evaluating the success of implementation, and the appropriate policy and fiscal committees of the legislature shall, within one hundred twenty days of the receipt, conduct a joint hearing for the purposes of: (1) Receiving a report from the office of Chehalis basin; and (2) considering potential funding strategies to achieve the implementation schedule."

On page 1, line 2 of the title, after "projects;" strike the remainder of the title and insert "adding new sections to chapter 43.21A RCW; and creating a new section."

and the same are herewith transmitted.

Sarah Bannister, Deputy Secretary

#### SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House refused to concur in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1154 and asked the Senate to recede therefrom.

#### MESSAGE FROM THE SENATE

March 10, 2020

Madame Speaker:

The Senate has passed HOUSE BILL NO. 2848 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** It is the intent of the legislature to retain and grow family wage jobs in rural,

economically distressed areas; to promote healthy forests; and to utilize Washington's abundant natural resources to promote diversified renewable energy use in the state.

**Sec. 2.** RCW 82.08.956 and 2013 2nd sp.s. c 13 s 1002 are each amended to read as follows:

(1) The tax levied by RCW 82.08.020 does not apply to sales of hog fuel used to produce electricity, steam, heat, or biofuel. This exemption is available only if the buyer provides the seller with an exemption certificate in a form and manner prescribed by the department. The seller must retain a copy of the certificate for the seller's files.

(2) For the purposes of this section the following definitions apply:

(a) "Hog fuel" means wood waste and other wood residuals including forest derived biomass. "Hog fuel" does not include firewood or wood pellets; and

(b) "Biofuel" (~~has the same meaning as provided in RCW 43.325.010~~) means a liquid or gaseous fuel derived from organic matter intended for use as a transportation fuel, including, but not limited to, biodiesel, renewable diesel, ethanol, renewable natural gas, and renewable propane.

(3) If a taxpayer who claimed an exemption under this section closes a facility in Washington for which employment positions were reported under RCW 82.32.605, resulting in a loss of jobs located within the state, the department must declare the amount of the tax exemption claimed under this section for the previous two calendar years to be immediately due.

(4) This section expires June 30, (~~2024~~) 2034.

**Sec. 3.** RCW 82.12.956 and 2013 2nd sp.s. c 13 s 1003 are each amended to read as follows:

(1) The provisions of this chapter do not apply with respect to the use of hog fuel for production of electricity, steam, heat, or biofuel.

(2) For the purposes of this section:

(a) "Hog fuel" has the same meaning as provided in RCW 82.08.956; and

(b) "Biofuel" has the same meaning as provided in RCW (~~43.325.010~~) 82.08.956.

(3) This section expires June 30, ((2024)) 2034.

**Sec. 4.** RCW 82.32.605 and 2017 c 135 s 5 are each amended to read as follows:

(1) Every taxpayer claiming an exemption under RCW 82.08.956 or 82.12.956 must file with the department a complete annual tax performance report under RCW 82.32.534, except that the taxpayer must file a separate tax performance report for each facility owned or operated in the state of Washington.

(2) This section expires June 30, ((2024)) 2034.

NEW SECTION. **Sec. 5.** (1) This section is the tax preference performance statement for the tax preferences contained in sections 2 and 3, chapter . . . , Laws of 2020 (sections 2 and 3 of this act). This performance statement is only intended to be used for subsequent evaluation of the tax preference. It is not intended to create a private right of action by any party or be used to determine eligibility for preferential tax treatment.

(2) The legislature categorizes these tax preferences as ones intended to induce certain designated behavior by taxpayers, as indicated in RCW 82.32.808(2)(a).

(3) It is the legislature's specific public policy objective to extend the expiration date of these tax preferences in order to increase the ability of beneficiary facilities to provide at least seventy-five percent of their employees with medical and dental insurance and a retirement plan. For the purposes of this tax preference performance statement, retirement plans may include defined benefit plans, defined contribution plans, or an employee investment plan whereby the employer offers a contribution to the employee plan.

(4) In order to obtain the data necessary to measure the effectiveness of these tax preferences in achieving the public policy objective described in subsection (3) of this section, the joint legislative audit and review committee may refer to:

(a) The annual tax performance report that a taxpayer is required to file with the department of revenue per RCW 82.32.605; and

(b) Employment data available from the employment security department."

On page 1, line 5 of the title, after "communities;" strike the remainder of the title and insert "amending RCW 82.08.956, 82.12.956, and 82.32.605; creating new sections; and providing expiration dates."

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 HOUSE BILL NO. 2848 and advanced the bill as amended by the Senate to final passage.

#### **FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED**

Representatives Chapman and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 2848, as amended by the Senate.

#### **ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 2848, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Boehnke, Caldier, Callan, Chambers, Chandler, Chapman, Chopp, Cody, Corry, Davis, DeBolt, Dent, Doglio, Dolan, Duerr, Dufault, Dye, Entenman, Eslick, Fey, Fitzgibbon, Frame, Gildon, Goehner, Goodman, Graham, Gregerson, Griffey, Hansen, Harris, Hoff, Hudgins, Irwin, Jenkin, J. Johnson, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Leavitt, Lekanoff, Lovick, MacEwen, Macri, Maycumber, McCaslin, Mead, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Ramel, Ramos, Riccelli, Robinson, Rude, Ryu, Santos, Schmick, Sells, Senn, Shea, Shewmake, Slatter, Smith, Springer, Steele, Stokesbary, Stonier, Sullivan, Sutherland, Tarleton, Thai, Tharinger, Valdez, Van Werven, Vick, Volz, Walen, Walsh, Wilcox, Wylie, Ybarra, Young and Mme. Speaker.

Excused: Representative Paul.

HOUSE BILL NO. 2848, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

#### **MESSAGE FROM THE SENATE**

March 10, 2020

Madame Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 2919 with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 82.45.180 and 2013 c 251 s 11 are each amended to read as follows:

(1)(a) For taxes collected by the county under this chapter, the county treasurer shall collect a five dollar fee on all transactions required by this chapter where the transaction does not require the payment of tax. A total of five dollars shall be collected in the form of a tax and fee, where the calculated tax payment is less than five dollars. ~~((Through June 30, 2006, the county treasurer shall place one percent of the taxes collected by the county under this chapter and the treasurer's fee in the county current expense fund to defray costs of collection. After June 30, 2006))~~

(b)(i) Except as otherwise provided in (b)(ii) and (c) of this subsection, the county treasurer shall place one and three-tenths percent of the taxes collected by the county under this chapter and the treasurer's fee in the county current expense fund to defray costs of collection. ~~((For taxes collected by the county under this chapter before July 1, 2006, the county treasurer shall pay over to the state treasurer and account to the department of revenue for the proceeds at the same time the county treasurer remits funds to the state under RCW 84.56.280.))~~

(ii) In a county with a population greater than two million, the county treasurer shall retain one and three-tenths percent of the taxes collected by the county under this chapter. Seventy-five percent of the one and three-tenths percent of the taxes collected and retained and the treasurer's fee must be deposited in the county current expense fund to defray costs of collection. The remaining twenty-five percent of the one and three-tenths percent of the taxes collected and retained may be used for operations and maintenance of permanent supportive housing programs in the county.

(c) For counties with a population of less than four hundred thousand, the county treasurer shall retain one and forty-eight hundredths percent of the taxes collected by the county under this

chapter and the treasurer's fee in the county current expense fund to defray costs of collection.

(d) For taxes collected by the county under this chapter ~~((after June 30, 2006))~~, on a monthly basis the county treasurer shall pay over to the state treasurer the month's transmittal. The month's transmittal must be received by the state treasurer by 12:00 p.m. on the last working day of each month. The county treasurer shall account to the department for the month's transmittal by the twentieth day of the month following the month in which the month's transmittal was paid over to the state treasurer. The state treasurer shall deposit the proceeds in the general fund.

~~((b))~~ (e) For purposes of this subsection, the definitions in this subsection apply.

(i) "Close of business" means the time when the county treasurer makes his or her daily deposit of proceeds.

(ii) "Month's transmittal" means all proceeds deposited by the county through the close of business of the day that is two working days before the last working day of the month. This definition of "month's transmittal" shall not be construed as requiring any change in a county's practices regarding the timing of its daily deposits of proceeds.

(iii) "Proceeds" means moneys collected and receipted by the county from the taxes imposed by this chapter, less the county's share of the proceeds used to defray the county's costs of collection allowable in ~~((a))~~ (b) and (c) of this subsection.

(iv) "Working day" means a calendar day, except Saturdays, Sundays, and all legal holidays as provided in RCW 1.16.050.

(2) For taxes collected by the department of revenue under this chapter, the department shall remit the tax to the state treasurer who shall deposit the proceeds of any state tax in the general fund. The state treasurer shall deposit the proceeds of any local taxes imposed under chapter 82.46 RCW in the local real estate excise tax account hereby created in the state treasury. Moneys in the local real estate excise tax account may be spent only for distribution to counties, cities, and towns imposing a tax under chapter 82.46 RCW. Except as provided in RCW 43.08.190, all earnings



of investments of balances in the local real estate excise tax account shall be credited to the local real estate excise tax account and distributed to the counties, cities, and towns monthly. Monthly the state treasurer shall make distribution from the local real estate excise tax account to the counties, cities, and towns the amount of tax collected on behalf of each taxing authority. The state treasurer shall make the distribution under this subsection without appropriation.

(3) (a) (~~Through June 30, 2010, the~~) The county treasurer shall collect an additional five dollar fee on all transactions required by this chapter, regardless of whether the transaction requires the payment of tax. The county treasurer shall remit this fee to the state treasurer at the same time the county treasurer remits funds to the state under subsection (1) of this section. The state treasurer shall place money from this fee in the general fund. By the twentieth day of the subsequent month, the state treasurer shall distribute to each county treasurer according to the following formula: Three-quarters of the funds available shall be equally distributed among the thirty-nine counties; and the balance shall be ratably distributed among the counties in direct proportion to their population as it relates to the total state's population based on most recent statistics by the office of financial management.

(b) When received by the county treasurer, the funds shall be placed in a special real estate excise tax electronic technology fund held by the county treasurer to be used exclusively for the development, implementation, and maintenance of an electronic processing and reporting system for real estate excise tax affidavits. Funds may be expended to make the system compatible with the automated real estate excise tax system developed by the department and compatible with the processes used in the offices of the county assessor and county auditor. Any funds held in the account that are not expended by the earlier of: July 1, 2015, or at such time that the county treasurer is utilizing an electronic processing and reporting system for real estate excise tax affidavits compatible with the department and compatible with the processes used in the offices of the county assessor and county auditor,

revert to the special real estate and property tax administration assistance account in accordance with subsection ~~((5-))~~ (4)(c) of this section.

(4) (~~Beginning July 1, 2010, through December 31, 2013, the county treasurer shall continue to collect the additional five dollar fee in subsection (3) of this section on all transactions required by this chapter, regardless of whether the transaction requires the payment of tax. During this period, the county treasurer shall remit this fee to the state treasurer at the same time the county treasurer remits funds to the state under subsection (1) of this section. The state treasurer shall place money from this fee in the annual property revaluation grant account created in RCW 84.41.170.~~

~~(5-))~~ (a) The real estate and property tax administration assistance account is created in the custody of the state treasurer. An appropriation is not required for expenditures and the account is not subject to allotment procedures under chapter 43.88 RCW.

(b) Beginning January 1, 2014, the county treasurer must continue to collect the additional five dollar fee in subsection (3) of this section on all transactions required by this chapter, regardless of whether the transaction requires the payment of tax. The county treasurer shall deposit one-half of this fee in the special real estate and property tax administration assistance account in accordance with (c) of this subsection and remit the balance to the state treasurer at the same time the county treasurer remits funds to the state under subsection (1) of this section. The state treasurer must place money from this fee in the real estate and property tax administration assistance account. By the twentieth day of the subsequent month, the state treasurer must distribute the funds to each county treasurer according to the following formula: One-half of the funds available must be equally distributed among the thirty-nine counties; and the balance must be ratably distributed among the counties in direct proportion to their population as it relates to the total state's population based on most recent statistics by the office of financial management.

(c) When received by the county treasurer, the funds must be placed in a special real estate and property tax

administration assistance account held by the county treasurer to be used for:

(i) Maintenance and operation of an annual revaluation system for property tax valuation; and

(ii) Maintenance and operation of an electronic processing and reporting system for real estate excise tax affidavits."

On page 1, line 2 of the title, after "tax;" strike the remainder of the title and insert "and amending RCW 82.45.180."

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 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2919 and advanced the bill as amended by the Senate to final passage.

#### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Chopp and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2919, as amended by the Senate.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2919, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Boehnke, Caldier, Callan, Chambers, Chandler, Chapman, Chopp, Cody, Corry, Davis, DeBolt, Dent, Doglio, Dolan, Duerr, Dufault, Dye, Entenman, Eslick, Fey, Fitzgibbon, Frame, Gildon, Goehner, Goodman, Graham, Gregerson, Griffey, Hansen, Harris, Hoff, Hudgins, Irwin, Jenkin, J. Johnson, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Leavitt, Lekanoff, Lovick, MacEwen, Macri, Maycumber, McCaslin, Mead, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Ramel, Ramos, Riccelli, Robinson, Rude, Ryu, Santos, Schmick, Sells, Senn, Shea, Shewmake, Slatter, Smith, Springer, Steele, Stokesbary, Stonier, Sullivan, Sutherland, Tarleton, Thai, Tharinger, Valdez, Van Werven, Vick, Volz, Walen, Walsh, Wilcox, Wylie, Ybarra, Young and Mme. Speaker.

Excused: Representative Paul.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2919, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

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

#### SECOND READING

**ENGROSSED SUBSTITUTE SENATE BILL NO. 6248, by Senate Committee on Ways & Means (originally sponsored by Frockt and Honeyford)**

#### Concerning the capital budget.

The bill was read the second time.

Representative Tharinger moved the adoption of striking amendment (2183):

Strike everything after the enacting clause and insert the following:

"NEW SECTION.       **Sec. 1.**       A supplemental 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, 2021, out of the several funds specified in this act.

#### PART 1

#### GENERAL GOVERNMENT

**Sec. 1001.**       2019 c 413 s 1009 (uncodified) is amended to read as follows:

#### FOR THE DEPARTMENT OF COMMERCE

Building Communities Fund Program (30000803)

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

(1) \$1,455,000 of the amount reappropriated in this section is provided solely for the Byrd Barr place, formerly known as Centerstone, building renovation project.

(2) \$220,000 of the amount reappropriated in this section is provided solely for El Centro de la Raza boiler fan and master plan for rehabilitation. This amount is not

subject to the match requirements, pursuant to RCW 43.63A.125.

Reappropriation:

State Building Construction Account—State .....	\$1,675,000
Prior Biennia (Expenditures) .....	<del>(\$19,184,000)</del>
	<u>\$17,990,000</u>
Future Biennia (Projected Costs) .	\$0
TOTAL .....	<del>\$20,859,000</del>
	<u>\$19,665,000</u>

Sec. 1002. 2019 c 413 s 1026 (uncodified) is amended to read as follows:

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 1006, chapter 298, Laws of 2018, except that funding may not be directed to the Valley View Health Center.

Reappropriation:

State Building Construction Account—State .....	<del>(\$10,000,000)</del>
	<u>\$9,000,000</u>
Prior Biennia (Expenditures) .....	\$6,534,000
Future Biennia (Projected Costs) .	\$0
TOTAL .....	<del>\$16,534,000</del>
	<u>\$15,534,000</u>

Sec. 1003. 2019 c 413 s 1029 (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) ~~(\$129,050,000)~~ \$132,666,000 of the state taxable building construction account—state appropriation ~~((and \$45,950,000))~~, \$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 ~~((behavioral— or))~~ 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 ~~(((\$125,000))~~ \$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) (~~(\$45,950,000)~~) \$44,084,000 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

FCF 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) (~~(\$1,500,000)~~)  
\$2,250,000

Interfaith Works Shelter (Olympia)  
..... \$3,000,000

~~((NorthHaven Affordable Senior  
Housing Campus  
(Seattle) ..... \$1,000,000))~~

Pateros Gardens (Pateros) \$1,400,000

~~((Roslyn Housing Project (Roslyn)  
..... \$2,000,000))~~

SCIDpda North Lot (Seattle)  
..... \$9,000,000

~~((Seattle Indian Health Board Low  
Income Housing  
(Seattle) ..... \$1,000,000))~~

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) (~~(\$57,050,000)~~) \$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) (~~(\$5,000,000)~~) \$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 .....	<del>(\$45,950,000)</del>	
		<u>\$44,084,000</u>
State Taxable Building Construction Account—State .....	<del>(\$129,050,000)</del>	
		<u>\$132,666,000</u>
Subtotal	Appropriation	
.....	<del>(\$175,000,000)</del>	
		<u>\$176,750,000</u>
Prior Biennia (Expenditures) .....	\$0	
Future Biennia (Projected Costs)		
.....	\$480,000,000	
TOTAL .....	<del>\$655,000,000</del>	
		<u>\$656,750,000</u>

Sec. 1004. 2019 c 413 s 1030 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Pacific Tower Capital Improvements (40000037)

Appropriation:

State Taxable Building Construction Account—State .....	<del>(\$1,020,000)</del>	
		<u>\$1,376,000</u>
Prior Biennia (Expenditures) .....	\$0	
Future Biennia (Projected Costs)		
.....	\$5,311,000	
TOTAL .....	<del>\$6,331,000</del>	
		<u>\$6,687,000</u>

Sec. 1005. 2019 c 413 s 1035 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Clean Energy Transition 4 (40000042)

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

(1) The appropriations 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, including tribes and communities with high environmental or energy burden.

(2) 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.

(3) (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 twenty-four 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.

(4) The requirements in subsections (2) and (3) of this section must be specified in funding agreements issued by the department.

(5) \$6,107,000 of the state building construction account—state appropriation is provided solely for grid modernization grants for projects that: Advance 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 increase utility customer options for energy sources, energy efficiency, energy equipment, and utility services.

(a) Projects must be implemented by public and private electrical utilities that serve retail customers in the state. Priority must be given to: (i) Projects that benefit vulnerable populations, including tribes and communities with high environmental or energy burden; and (ii) projects that have a partner that is a tribe or nonprofit organization that serves community eligible entities. Utilities may partner with other public and private sector research organizations, businesses, tribes, and nonprofit organizations in applying for funding.

(b) 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, allow smaller utilities or consortia of small utilities to apply for funding.

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

(d) \$4,400,000 of the state building construction account—state appropriation is provided solely for providing shore power electrification at terminal five for the northwest seaport alliance. In order to receive this grant, the northwest seaport alliance must demonstrate that they applied to the VW settlement for this project and were denied.

(6) (a) \$8,100,000 of the state building construction account—state appropriation is provided solely for competitive grants for strategic research and development for new and emerging clean energy technologies. These grants will be used to match federal or other nonstate funds to

research, develop, and demonstrate clean energy technologies.

(b) The department shall consult and coordinate with the University of Washington, Washington State University, the Pacific Northwest national laboratory and other clean energy organizations to design the grant program. Clean energy organizations who compete for grants from the program may not participate in the design of the grant program. Criteria for the grant program must include life cycle cost analysis for projects that are part of the competitive process.

(c) 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, battery components recycling, and new renewable energy and energy efficiency technologies.

(d) \$1,000,000 of the state building construction account—state appropriation is provided solely for grants that enhance the viability of dairy digester bioenergy projects, energy efficiency, and resource recovery to demonstrate advanced nutrient recovery systems that produce value added biofertilizers, reduce trucking of lagoon water, and improve soil health and air and water quality. Grants shall include at least one project east of the Cascades and one project west of the Cascades. State agencies must promote and demonstrate the use of such recovered biofertilizers through state procurement and contracts.

(7) (a) \$3,000,000 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 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 will provide at least fifteen percent matching private capital and will administer the loan fund. The department must 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.

(8) \$5,000,000 of the state building construction account—state appropriation is provided solely for the Washington Maritime Innovation Center. The center must be used to support technology acceleration and incubation, and act as a focal point for maritime sustainability, including, but not limited to, supporting technology development for maritime decarbonization and electrification.

(9) \$8,300,000 of the state taxable construction account—state appropriation is provided solely for scientific instruments to help accelerate research in grid-scale energy storage at the proposed grid-scale energy storage research, development, and testing facility at the Pacific Northwest national laboratory. The state funds are contingent on securing federal funds for the new facility, and are provided as a match to the federal funding. The instruments will support collaborations with the University of Washington and the Washington State University.

(10) \$593,000 of the state building construction account—state appropriation is provided solely to the port of Grays Harbor for an offshore ocean wave renewable energy demonstration project.

(11) \$1,500,000 of the state building construction account—state appropriation is provided solely to the ((Port of)) Skagit county public works department for the Guemes ferry dock shore power charging infrastructure.

Appropriation:

State Building Construction Account—State .....	\$21,300,000
State Taxable Building Construction Account—State .....	\$11,300,000
Subtotal Appropriation ..	\$32,600,000
Prior Biennia (Expenditures) .....	\$0
Future Biennia (Projected Costs) .....	\$160,000,000
TOTAL .....	\$192,600,000

Sec. 1006. 2019 c 413 s 1037 (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) ((~~\$200,000~~)) \$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) ((~~\$6,100,000~~)) \$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.....	(( <del>\$2,000,000</del> )) \$3,000,000
Club Discovery Early Learning .....	\$100,000
Anacortes Family Center.....	\$309,000
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 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
Tukwila School District ....	\$196,000
Richland School District ...	\$800,000
Lake Quinault 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.....	<del>((6,300,000))</del>
	<u>\$9,362,000</u>
Early Learning Facilities Revolving	
Account—State.....	<del>((18,014,000))</del>
	<u>\$22,248,000</u>
Early Learning Facilities	
Development Account—State.....	\$4,186,000
Subtotal	
Appropriation	
.....	<del>((28,500,000))</del>
	<u>\$35,796,000</u>
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs)	
.....	\$80,000,000
TOTAL.....	<u>\$108,500,000</u>

\$115,796,000

**Sec. 1007.** 2019 c 413 s 1028 (uncodified) is amended to read as follows:

**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 of this act.

Reappropriation:

State Building Construction Account—State ..... (~~\$84,500,000~~)

\$77,223,000

Prior Biennia (Expenditures) ..... \$5,876,000

Future Biennia (Projected Costs) . \$0

TOTAL ..... ~~\$90,376,000~~

\$83,099,000

**Sec. 1008.** 2019 c 413 s 1033 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

2019-21 Community Economic Revitalization Board (40000040)

Appropriation:

Public Facility Construction Loan Revolving

Account—State ..... (~~\$8,600,000~~)

\$18,600,000

Prior Biennia (Expenditures) ..... \$0

Future Biennia (Projected Costs) ..... \$34,400,000

TOTAL ..... ~~\$43,000,000~~

\$53,000,000

**NEW SECTION. Sec. 1009.** A new section is added to 2019 c 413 (uncodified) 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

Prior Biennia (Expenditures).....\$0

Future Biennia (Projected Costs)..\$0

TOTAL.....\$1,300,000

**Sec. 1010.** 2019 c 413 s 1041 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

2019-21 Behavioral Health Capacity Grants (40000114)

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 issue grants to community hospitals or other community providers to expand and establish new capacity for behavioral health services in communities. The department of commerce 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 of commerce may approve funding for the acquisition of a facility or land if the project results in increased 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 fifteen-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) (~~(\$47,000,000)~~) \$73,231,000 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) (~~(\$4,000,000)~~) \$11,277,000 is provided solely for at least ~~(two)~~ 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. The department may award the amounts provided in this subsection (5)(a) to eligible applicants that applied in the first round;

(b) \$10,000,000 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) \$4,000,000 is provided solely for at least two facilities 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 is provided solely for one or more crisis diversion or stabilization facilities to add sixteen beds in the Spokane region that will address both urban and rural needs, consistent with the settlement agreement in *A.B. by and through Trueblood, et al., v. DSHS, et al.* and that are not subject to federal funding restrictions that apply to institutions of mental diseases;

(e) \$5,000,000 is provided solely for at least four 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;

(f) \$8,000,000 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 ninety-day or one hundred eighty-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 omnibus operating appropriations act for these purposes.

(g) \$4,000,000 is provided solely for competitive community behavioral health grants to address regional needs;

(h) \$8,000,000 is provided solely for at least four 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

(i) ~~(\$2,000,000)~~ \$20,954,000 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. The department may award the amounts provided in this subsection (5) (i) to eligible applicants that applied in the first round.

(6) \$1,000,000 of the state taxable building construction account-state is provided solely for deposit into the revolving fund established in Second Substitute House Bill No. 1528 (recovery support services) for capital improvements. ~~((If the bill is not~~

~~enacted by June 30, 2019, the amount provided in this subsection shall lapse.))~~

(7) ~~(\$49,543,000)~~ (a) \$47,935,000 is provided solely for the following list of projects and is subject to the criteria in subsection (1) of this section:

- CHAS Spokane Behavioral Health .....\$400,000
- ~~((Chelan SUD Design.....\$206,000~~
- ~~Columbia Valley Community Health Remodel.....\$31,000))~~
- Colville SUD Facility.....\$4,523,000
- ~~((Community Health of Snohomish County Edmonds.....\$1,000,000))~~
- DESC Health Clinic.....\$6,000,000
- Detox/Inpatient SUD Building (Centralia).....\$750,000
- Evergreen RC Addiction Treatment Facility for Mothers (Everett).....\$2,000,000
- HealthPoint Behavioral Health Expansion (Auburn).....\$1,030,000
- Issaquah Opportunity Center (Issaquah).....\$3,000,000
- Jamestown S'Klallam Behavioral Health.....\$7,200,000
- Lynnwood Sea Mar Behavioral Health Expansion.....\$1,000,000
- Nexus Youth and Families....\$535,000
- North Sound SUD Treatment Facility (Everett).....\$1,500,000
- Oak Harbor Tri-County Behavioral Health.....\$1,000,000
- Peninsula Community Health Services Behavioral Health Expansion (Bremerton) .....\$1,700,000
- Providence Regional Medical Center .....\$4,700,000
- ~~((Sea Mar Community Health Centers Seattle BH~~
- ~~(Seattle).....\$371,000))~~
- Sedro-Woolley North Sound E&T .....\$6,600,000
- Spokane Crisis Stabilization .....\$2,000,000

Virginia Mason Acute Stabilization  
 ..... \$2,200,000  
 Yakima Neighborhood Health Services  
 ..... \$488,000  
 Yakima Valley Farm Workers Clinic  
 ..... \$309,000  
 YVFWC Children's Village . \$1,000,000

(b) \$3,577,000 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:

Chelan SUD Design ..... \$206,000  
Community Health of Snohomish County Edmonds ..... \$1,000,000  
The Parkside Place Project (Wenatchee) ..... \$2,000,000  
Sea Mar Community Health Centers Seattle BH (Seattle) ..... \$371,000

~~(8) ((a) \$20,000,000 of the appropriation in this section is provided solely for a contract with MultiCare to provide a mixed-use psychiatric care facility in Auburn. The facility must include twelve to eighteen crisis stabilization beds, sixty commitment beds for short-term stays, and sixty long-term involuntary commitment beds for persons on a ninety day or one hundred eighty day civil commitment.~~

~~(b) The funding in this subsection is subject to the recipient maintaining and operating the beds for at least thirty years to serve (i) persons who are publicly funded and (ii) persons who are detained under the involuntary treatment act under chapter 71.05 RCW.~~

~~(9)) \$408,000 is provided solely for the department for the purpose of providing technical assistance for the community behavioral health grants.~~

~~((10)) (9) The department of commerce must notify all applicants that they may be required to have a construction review performed by the department of health.~~

~~((11)) (10) To accommodate the emergent need for behavioral health services, the department of health and the department of commerce, 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.

~~((12))~~ (11) 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, the department may allocate funds to other behavioral health capacity project categories within subsection (5) of this section, prioritizing projects in unserved areas of the state.

~~((13))~~ (12) The department must provide a progress report by November 1, 2020. 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.....~~(( \$117,951,000 ))~~  
\$125,151,000  
 State Taxable Building Construction  
 Account—State.....\$1,000,000  
 Subtotal Appropriation..\$126,151,000  
 Prior Biennia (Expenditures).....\$0  
 Future Biennia (Projected Costs)  
 .....\$360,000,000  
 TOTAL.....~~\$477,951,000~~  
\$486,151,000

Sec. 1011. 2019 c 413 s 1042 (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:

?al?al "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
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
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
(( <del>Battle Ground YMCA (Battle Ground)</del> .....	<del>\$500,000</del> ))
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	Clymer Museum Remodel Ph2 (Ellensburg).....	\$258,000
Boys & Girls Club of Thurston Co. Upgrades (Rochester) .....	\$31,000	Colfax Pantry Building (Colfax) .....	\$247,000
Boys & Girls Club Roof and Flooring Repairs (Federal Way) .....	\$319,000	Community Services of Moses Lake Food Bank Facility (Moses Lake).....	\$2,000,000
Breeze Creek Culvert Replacement/East 4th St. Widening (La Center) .....	\$1,500,000	Conconully Community Services Complex (Conconully).....	\$515,000
Browns Park Project (Spokane Valley) .....	\$536,000	Cosmopolis Elem. Energy & Safety (Cosmopolis).....	\$206,000
Buffalo Soldiers' Museum (Seattle) .....	\$200,000	Coulee City Medical Clinic (Coulee City).....	\$150,000
Camas Washougal Nature Play Area (Washougal) .....	\$103,000	Curran House Museum (University Place).....	\$43,000
Campus Towers (Longview) ...	\$228,000	Dakota Homestead (Seattle)..	\$155,000
Carbonado Water Source Protection Acquisition (Carbonado) .....	\$1,500,000	Dawson Park Improvements (Tacoma) .....	<del>(\$258,000)</del> <u>\$515,000</u>
Carl Maxey Center (Spokane)	\$350,000	Dayton Pump Station (Edmonds) .....	\$515,000
Carlisle Lake Park Improvements (Onalaska) .....	\$213,000	<del>((Dock and Marine Terminal (Seattle) .....</del>	<del>\$750,000)</del>
Carlyle Housing Facility Upgrades (Spokane) .....	\$400,000	Downtown Park Gateway (Bellevue) .....	\$1,030,000
Cathlamet Pioneer Center Restoration (Cathlamet) .....	\$165,000	Dungeness River Audubon Center Expansion (Sequim).....	\$500,000
Centerville Fire Dept. (Centerville) .....	\$216,000	East Blaine Infrastructure (Blaine) .....	\$500,000
Centerville Grange (Centerville) .....	\$90,000	Ejido Community Farm (Whatcom) .....	\$250,000
Centralia Fox Theater (Centralia) .....	\$1,000,000	El Centro de la Raza Federal Way Office (Federal Way).....	\$1,000,000
Chehalis River Bridge Ped Safety Lighting Ph2 (Aberdeen) .....	\$323,000	Enumclaw Aquatic Center (Enumclaw) .....	\$258,000
Cheney Reclaimed Water Project (Cheney) .....	\$2,000,000	Enumclaw Expo Center Roof (Enumclaw) .....	\$250,000
Chief Kitsap Education and Community Resource Center (Poulsbo) .....	\$1,000,000	Everett TOD Study (Everett).\$	\$200,000
Chief Leschi Schools Facilities & Safety Project (Puyallup) .....	\$250,000	Everett YMCA (Everett)....	\$1,000,000
Chief Leschi Schools Safety & Security (Puyallup) .....	\$250,000	Evergreen High School Health Center (Vancouver).....	\$388,000
<del>((Children's Center Design &amp; Feasibility Study (Vancouver) .....</del>	<del>\$400,000)</del>	Evergreen Speedway Capital Improvement (Monroe).....	\$150,000
		Excelsior Integrated Care Ctr. Sports Court (Spokane).....	\$266,000
		Excelsior Roof & Gym Repair (Spokane) .....	\$263,000



Excelsior Vocational Education Space  
(Spokane) ..... \$164,000

Expanding on Excellence Capital  
Campaign (White Salmon) ..... \$500,000

Family Education and Support  
Services (Tumwater) ..... \$500,000

Felts Field Gateway Improvement  
Phase 1 (Spokane) ..... \$100,000

Fennel Creek Trailhead (Bonney Lake)  
..... \$258,000

Filipino Hall Renovation (Wapato)  
..... \$63,000

Fircrest Pool (Fircrest) . \$1,000,000

FISH Food Bank (Ellensburg) \$772,000

Fishtrap Creek Habitat Improvement  
(Lynden) ..... \$258,000

Flood Plain Stabilization, Habitat  
Enhancement (Kent) ..... \$1,000,000

Food Lifeline (Seattle) .. \$1,004,000

Foothills Trail Extension (Wilkeson)  
..... \$500,000

Fort Steilacoom Park Artificial Turf  
Infields  
(Lakewood) ..... \$1,015,000

Fourth Plain Community Commons  
(Vancouver) ..... \$800,000

Garfield Co. Hospital HVAC (Pomeroy)  
..... \$250,000

Gateway Center (Grays Harbor)  
..... \$500,000

Gene Coulon Memorial Beach Park Play  
Equipment  
Upgrade (Renton) ..... \$618,000

George Community Hall Roof (George)  
..... \$201,000

George Davis Creek Fish Passage  
Project (Sammamish) ..... \$515,000

Gig Harbor Food Bank (Gig Harbor)  
..... \$180,000

Goldendale Airport (Goldendale)  
..... \$550,000

~~((Grand Connection Downtown Park  
Gateway (Bellevue) ..... \$1,000,000))~~

Granger Historical Museum  
Construction (Granger) ..... \$150,000

Granite Falls Police Dept.  
Renovation Project  
(Granite Falls) ..... \$412,000

Grays Harbor and Willapa Bay  
Sedimentation (Grays Harbor)....\$464,000

Grays Harbor YMCA (Grays Harbor)  
.....\$293,000

Greater Maple Valley Veterans  
Memorial (Maple Valley).....\$102,000

Green Bridges, Healthy Communities;  
Aurora Bridge I-5  
(Seattle).....\$1,500,000

Greenwood Cemetery Restoration  
(Centralia).....\$402,000

Greenwood Cemetery Safety Upgrades  
(Centralia).....\$91,000

HealthPoint (Tukwila).....\$1,000,000

HealthPoint Dental Expansion  
(SeaTac).....\$1,545,000

Heritage Senior Housing (Chelan)  
.....\$52,000

High Dune Trail & Conservation  
Project (Ocean Shores).....\$140,000

Historic Downtown Chelan  
Revitalization (Chelan).....\$52,000

Historic Olympic Stadium  
Preservation Project (Hoquiam)..\$515,000

Historical Museum & Community Center  
Roof Replacement  
(Washtucna).....\$24,000

Historical Society Energy Upgrades  
(Anderson Island).....\$14,000

Hoh Tribe Broadband (Grays Harbor)  
.....\$129,000

Horseshoe Lake ADA Upgrades  
(Woodland).....\$82,000

Housing Needs Study (Statewide)  
.....\$200,000

Howard Bowen Event Complex (Sumas)  
.....\$1,712,000

Howe Farm Water Service (Port  
Orchard).....\$52,000

ICHS Bellevue Clinic Renovation  
Project (Bellevue).....\$1,600,000

Illahee Preserve's Lost Continent  
Acquisition (Bremerton).....\$335,000

~~((Ilwaco Boatyard Modernization  
(Ilwaco).....\$458,000))~~

Imagine Children's Museum Expansion  
and Renovation  
(Everett).....\$2,000,000

Index Water System Design (Index) .....	\$23,000	Larson Gallery Renovation (Yakima) .....	\$875,000
Infrastructure for Economic Development (Port Townsend) ....	\$675,000	Leffler Park (Manson).....	\$265,000
Innovative Health Care Learning Center Phase 1 (Yakima) .....	\$500,000	Legacy in Motion (Puyallup) .....	\$1,750,000
Interactive Educ. Enh./Friends Issaquah Hatchery (Issaquah) .....	\$113,000	Legacy Site Utility Infrastructure (Maple Valley).....	\$154,000
Intersection Improvements Juanita Dr. (Kirkland) .....	\$750,000	Lewis Co. CHS Pediatric Clinic (Centralia).....	\$84,000
Japanese American Exclusion Memorial (Bainbridge Island) .....	\$155,000	Little Badger Mountain Trailhead (Richland).....	\$464,000
Japanese Gulch Daylight Project (Mukilteo) .....	\$400,000	Little Mountain Road Pipeline and Booster Station (Mount Vernon).....	\$1,300,000
Keller House and Carriage House Paint Restoration (Colville) .....	\$45,000	Long Beach Police Department (Long Beach).....	\$705,000
Key Kirkland Sidewalk Repairs (Kirkland) .....	\$537,000	Lopez Island Swim Center (Lopez Island).....	\$1,000,000
Key Peninsula Elder Community (Gig Harbor) .....	\$1,000,000	Lummi Hatchery Project (San Juan) .....	\$1,000,000
Ki-Be School Parking Lot Improvements (Benton City) ....	\$268,000	Mabton City Park (Mabton)....	\$54,000
Kitsap Conservation Study (Kitsap) .....	\$51,000	Main Street Redevelopment Project - Phase 2 (University Place).....	\$985,000
Kittitas Valley Event Center (Ellensburg) .....	\$206,000	Mariner Community Campus (Everett) .....	\$2,250,000
Klickitat Co. Sheriff Office Training Bldg. (Goldendale) ....	\$335,000	Mary's Place (Burien).....	\$2,050,000
KNKX Radio Studio (Tacoma) .	\$824,000	Marymount Museum/Spana-Park Senior Center (Spanaway).....	\$1,000,000
Lacey Veterans Services Hub Facility Renovation (Lacey) .....	\$2,000,000	McChord Airfield North Clear Zone (Lakewood).....	\$500,000
Lake Chelan Community Center (Lake Chelan) .....	\$250,000	McCormick Woods Sewer Lift #2 Improvements (Port Orchard)....	\$800,000
Lake Chelan Water Supply (Wenatchee) .....	\$464,000	Melanie Dressel Park (Tacoma) .....	\$500,000
Lake City Community Center Replacement (Seattle) .....	\$2,000,000	Mercer Is/Aubrey Davis Park Trail Upgrade (Mercer Island).....	\$500,000
Lake Stevens Civic Center Phase II (Lake Stevens) .....	\$1,000,000	Missing & Murdered Indigenous Women Memorial (Toppenish).....	\$49,000
Lake Sylvia State Park Pavilion (Montesano) .....	\$250,000	Monroe B&G Club ADA Improvements (Monroe).....	\$464,000
Lake Wilderness Park Improvements (Maple Valley) .....	\$200,000	Mountlake Terrace Main Street (Mountlake Terrace).....	\$750,000
Land Use & Infrastructure Subarea Plan (Mill Creek) .....	\$300,000	Mt. Adams Comm. Forest, Klickitat Canyon Rim Purchase (Glenwood).....	\$400,000
		Mt. Adams School District Athletic Fields (Harrah).....	\$242,000

Mt. Peak Fire Lookout Tower (Enumclaw) .....	\$381,000	Orting Ped Evac Crossing (Orting) .....	\$103,000
Mt. Spokane SP Ski Lift (Mead) .....	\$750,000	Othello Regional Water (Othello) .....	\$425,000
Mukilteo Promenade (Mukilteo) .....	\$500,000	Outdoors for All (Seattle) .....	\$1,000,000
Museum Storage Building (Steilacoom) .....	\$72,000	Pacific Co. Fairgrounds Roof (Menlo) .....	\$210,000
Naches Fire/Rescue, Yakima Co. #3 (Naches) .....	\$200,000	Packwood FEMA Floodplain Study (Packwood).....	\$637,000
Naselle HS Music/Vocational Wing (Naselle) .....	\$258,000	Pasco Farmers Market & Park (Pasco) .....	\$154,000
Naselle Primary Care Clinic (Naselle) .....	\$216,000	Pendergast Regional Park Phase II (Bremerton).....	\$50,000
Naselle SD Flooring (Naselle) .....	\$237,000	Peninsula Community Health Service Dental Mobile  (Bremerton).....	\$340,000
NCRA Maint. Bldg., Parking Lot, Event Space (Castle Rock) .....	\$283,000	PenMet - Cushman Trail Enhancements (Gig Harbor).....	\$52,000
NEW Health Programs, Colville Dental Clinic (Colville) .....	\$1,250,000	PenMet Community Rec Center (Gig Harbor).....	\$173,000
Newman Lake Flood Control Zone District (Newman Lake) .....	\$415,000	Pet Overpopulation Prevention Vet Clinic Building  (West Richland).....	\$300,000
North Elliott Bay Public Dock; Marine Transit Terminal  (Seattle) .....	<del>(\$1,000,000)</del> <u>\$1,750,000</u>	Pine Garden Apartment Roof (Shelton) .....	\$46,000
<u>Northaven Affordable Senior Housing Campus (Seattle) .....</u>	<u>\$1,000,000</u>	Pioneer Park Fountain (Walla Walla) .....	\$9,000
Northshore Senior Center Rehabilitation Project (Bothell) .....	\$500,000	Pomeroy Booster Pumping Station (Pomeroy).....	<del>(\$96,000)</del> <u>\$112,000</u>
Northwest African American Museum (Seattle) .....	\$500,000	Port of Everett (Everett)...	\$300,000
Northwest Native Canoe Center (Seattle) .....	\$986,000	Port of Ilwaco Boatyard Modernization (Ilwaco).....	\$545,000
NW School of Wooden Boatbuilding (Port Hadlock) .....	\$464,000	Port of Willapa Harbor Dredging Support Boat (Tokeland).....	\$180,000
Oak Harbor Marina (Oak Harbor) .....	\$400,000	Poulsbo Historical Society (Poulsbo) .....	\$400,000
Oakville SD Kitchen Renovation (Oakville) .....	\$517,000	Prairie View Schoolhouse Community Center (Waverly).....	\$57,000
Oddfellows Ellensburg Bldg. Restoration (Ellensburg) .....	\$267,000	Protect Sewer Plant from Erosion (Ocean Shores).....	\$155,000
Opening Doors - Permanent Supportive Housing Facility  (Bremerton) .....	\$750,000	Puyallup Culvert Replacement (Puyallup).....	\$515,000
Orting City Hall and Police Station (Orting) .....	\$600,000	Puyallup Street Frontage Improvement (Puyallup).....	\$258,000
		Puyallup VFW Kitchen Renovation (Puyallup).....	\$52,000

Quincy Hospital (Quincy) ...	\$300,000	Skabob House Cultural Center (Shelton).....	\$350,000
Quincy Square on 4th (Bremerton) .....	\$206,000	Skagit County Sheriff Radios (Skagit).....	\$1,000,000
Recreation Park Renovation (Chehalis) .....	\$258,000	Skamania Courthouse Plaza (Stevenson).....	\$150,000
Redmond Pool (Redmond) ...	\$1,000,000	Snohomish Carnegie Project (Snohomish).....	\$500,000
Renton Trail Connector (Renton) .....	\$500,000	Snohomish County Sheriff's Office South Precinct (Snohomish).....	\$1,000,000
Richmond Highland Recreation Center Repairs (Shoreline) .....	\$500,000	Snohomish Fire District #26 Communications Project (Gold Bar).....	\$27,000
Rise Together White Center Project (King County) .....	\$1,000,000	Snoqualmie Early Learning Center (Snoqualmie).....	\$500,000
Ritzville Business & Entrepreneurship Center (Ritzville) .....	\$350,000	Snoqualmie Valley Youth Activities Center (North Bend).....	\$412,000
Rosalia Sewer Improvements (Rosalia) .....	\$500,000	South Fork Snoqualmie Levee Setback Project (North Bend).....	\$250,000
Roslyn Downtown Assoc. (Roslyn) .....	\$480,000	SOZO Sports Indoor Arena (Yakima) .....	\$600,000
<u>Roslyn Housing Project (Roslyn)</u> .....	<u>\$2,000,000</u>	Spokane Sportsplex (Spokane) .....	\$1,000,000
Royal Park & Rec Ctr. (Royal City) .....	\$250,000	Springbrook Park Expansion & Clover Creek Restoration (Lakewood).....	\$773,000
Sargent Oyster House Maritime Museum (Allyn) .....	\$218,000	SR 503 Ped/Bike Ph1&2 (Woodland) .....	\$235,000
Schmid Ballfields Ph3 (Washougal) .....	\$584,000	SR 530 "Oso" Slide Memorial (Arlington).....	\$300,000
Scott Hill Park & Sports Complex (Woodland) .....	\$500,000	Stan and Joan Cross Park (Tacoma) .....	\$500,000
Sea Mar Community Health Centers Tumwater Dental (Olympia) .....	\$170,000	Starfire Sports STEM (Tukwila) .....	\$250,000
Seaport Landing (Aberdeen) .....	<del>(\$349,000)</del> \$404,000	<del>((Step by Step (Puyallup) \$500,000))</del>	
Seattle Aquarium (Seattle) .....	\$1,000,000	Stevens Co. Disaster Response Communications (Colville).....	\$500,000
Seattle Goodwill (Seattle) .....	\$2,000,000	Sultan Water Treatment Plant Design (Sultan).....	\$246,000
<u>Seattle Indian Health Board (Seattle)</u> .....	<u>\$1,000,000</u>	Sumas History Themed Playground and Water Park (Sumas).....	\$288,000
Sewage Lagoon Decommissioning (Concrete) .....	\$255,000	Sunnyside Airport Hangar Maintenance Facility (Sunnyside).....	<del>(\$500,000)</del>
Shelton Civic Center Parking Lot (Shelton) .....	\$283,000	<u>\$750,000</u>	
Shoreline Maintenance Facility - Brightwater Site (Shoreline) .....	\$500,000	Sunnyside Yakima Valley-TEC Welding Program (Yakima).....	\$26,000

Sunset Multi-Service & Career Development Center (Renton) .....	\$1,000,000	Veterans Memorial Museum (Chehalis) .....	\$123,000
SW WA Dance Center (Chehalis) .....	\$62,000	Veterans Supportive Housing (Yakima) .....	\$2,500,000
SW WA Fairgrounds (Chehalis) .....	\$103,000	VOA Lynnwood Center (Lynnwood) .....	<del>(\$1,000,000)</del> <u>\$1,050,000</u>
SW Washington Regional Agriculture & Innovation Park (Tenino) .....	\$1,500,000	Volunteer Park Amphitheater (Seattle).....	\$500,000
Swede Hall Renovation (Rochester) .....	\$196,000	West Kelso Affordable Housing & Community Facility Study (Kelso).....	\$258,000
<del>((Tacoma Beacon Center Renovation (Tacoma) .....</del>	<del>\$1,000,000)</del>	WA Poison Control IT (Seattle) .....	\$151,000
Tacoma Community House (Tacoma) .....	\$413,000	Waitsburg Taggart Road Waterline (Waitsburg).....	\$456,000
Tam O'Shanter Park Circulation & Parking Phase 2 (Kelso) .....	\$1,030,000	Wallula Dodd Water System Improvement (Walla Walla).....	\$1,000,000
Tehaleh Slopes Bike Trail (Bonney Lake) .....	\$309,000	Wapato Creek Restoration (Fife) .....	\$258,000
<del>((Telford Helipad (Creston) .....</del>	<del>\$52,000)</del>	Warren Ave. Playfield (Bremerton) .....	\$206,000
Tenino City Hall Renovation (Tenino) .....	\$515,000	Washington Park Boat Launch Storm Damage (Anacortes).....	\$200,000
Terminal 1 Waterfront Development (Vancouver) .....	\$4,700,000	Wesley Homes (Des Moines).\$2,000,000	
The AMP: Aids Memorial Pathway (Seattle) .....	\$600,000	Westport Dredge Material Use (Westport).....	\$250,000
The Morck Hotel (Aberdeen) .	\$500,000	Whidbey Is. B&G Coupeville (Coupeville).....	\$849,000
Toledo Sewer & Water (Toledo) .....	\$469,000	Whidbey Is. B&G Oak Harbor (Oak Harbor).....	\$743,000
Tonasket Senior Citizen Ctr. (Tonasket) .....	\$33,000	<del>((White Center Community HUB (Seattle).....</del>	<del>\$500,000)</del>
Town Center to Burke Gilman Trail Connector (Lake Forest Park) .....	\$500,000	Wilkeson Water Protection (Wilkeson) .....	\$36,000
Tukwila Village Food Hall (Tukwila) .....	\$400,000	Willapa BH - Long Beach Safety Improvement Project (Long Beach).....	\$225,000
Twin Springs Park (Kenmore)	\$155,000	William Shore Memorial Pool (Port Angeles).....	\$840,000
Twisp Civic Building & EOC (Twisp) .....	\$1,288,000	Wing Luke Museum Homestead Home (Seattle).....	\$500,000
United Way of Pierce County HVAC (Tacoma) .....	\$206,000	Wisdom Ridge Business Park (Ridgefield).....	\$2,000,000
University Place Arts (University Place) .....	\$34,000	Yakima Co. Veterans Dental Facility (Yakima).....	\$469,000
Vertical Evacuation (Ocean Shores) .....	\$500,000	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.

Appropriation:

State Building Construction Account— State.....	((( <del>\$162,793,000</del> )))
	\$163,011,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$0
TOTAL.....	\$162,793,000
	\$163,011,000

**Sec. 1012.** 2019 c 413 s 1043 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

Washington Broadband Program  
(40000117)

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

(1) The appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5511 (broadband service). ~~((If the bill is not enacted by June 30, 2019, the amounts provided in this section shall lapse.))~~

(2) The funding in this section is provided solely for grants, loans, and administrative expenses related to implementation of the broadband program. Of the total funds:

(a) ~~((~~\$14,440,000~~))~~ \$10,775,000 is provided solely for loans. Moneys attributable to appropriations of state bond proceeds may not be expended for loans to nongovernmental entities.

(b) ~~((~~\$7,110,000~~))~~ \$10,775,000 is provided solely for grants.

~~((4))~~ (3) By January 1, 2021, in the first report to the legislature required under section 6 of Second Substitute Senate Bill No. 5511 (broadband service), the governor's statewide broadband office must include a list of potential regional projects that will accelerate broadband access by providing connections to local jurisdictions, with recommendations for how to fund such larger scale projects. This list must be developed within existing resources.

Appropriation:

Statewide Broadband Account--State .....	\$21,550,000
Prior Biennia (Expenditures) .....	\$0
Future Biennia (Projected Costs) .....	\$80,000,000
TOTAL .....	\$101,550,000

NEW SECTION. **Sec. 1013.** A new section is added to 2019 c 413 (uncodified) 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:

?a?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
Anderson Island Historical Society (Anderson Island).....	\$10,000
Anderson Road Infrastructure (Chelan).....	\$258,000
Ashley House (Shoreline)....	\$100,000
Asotin County Library Meeting Space (Clarkston).....	\$13,000
ASUW Shell House (WWI Hanger/Canoe House) (Seattle).....	\$100,000
Auburn Family YMCA (Auburn).\$	128,000
Ballard P-Patch (Seattle)...	\$258,000
Ballinger Park-Hall Creek Restoration	

(Mountlake Terrace) .....	\$200,000	EL 79.2 Distribution System Design (Othello).....	\$175,000
Bellevue Parks Changing Tables (Bellevue) .....	\$100,000	El Centro de la Raza (Seattle) .....	\$2,000,000
Bethel High School Pierce College Annex Campus (Graham) .....	\$300,000	Emergency Lockdown Shelter for Outdoor Preschool (various).....	\$24,000
Brewery Park Visitor Center (Tumwater) .....	\$50,000	Emergency Shelter Project (Skykomish).....	\$20,000
Brewing Malting & Distilling System (Tumwater) .....	\$112,000	Emergency Structural Repairs 1902 Van Marter Building (Lind).....	\$25,000
Bridgeport Irrigation (Brewster) .....	\$70,000	Everett Recovery Cafe Renovation Project (Everett).....	\$200,000
Cathlamet Pioneer Center Restoration (Cathlamet) .....	\$55,000	Federal Way Little League Fields (Federal Way).....	\$50,000
Centralia Chehalis Steam Train Repair (Chehalis) .....	\$154,000	Federal Way Safety Cameras (Federal Way).....	\$103,000
Centro Cultural Mexicano (Redmond) .....	\$80,000	Field Arts and Events Hall (Port Angeles).....	\$1,500,000
City of Fircrest Meter Replacement (Fircrest) .....	\$200,000	Filipino Community Center (Seattle) .....	\$1,000,000
Columbia Dance Down Payment for Building Purchase (Vancouver) .....	\$100,000	Filipino-American Community Center (Bremerton).....	\$165,000
Columbia Heritage Museum Repairs (Ilwaco) .....	\$150,000	Five Mile Roundabout Art Project (Spokane).....	\$25,000
Communities of Concern Commission (Statewide) .....	\$250,000	Fort Worden PDA - Sage Arts & Ed Center (Port Townsend).....	\$560,000
Community House on Broadway Kitchen Upgrades (Longview) .....	\$41,000	Franklin Pierce Farm ARC (Tacoma) .....	\$1,070,000
Community Hub Public Safety Initiative (Walla Walla) .....	\$200,000	Fusion Housing (Federal Way).....	\$62,000
Community Pedestrian Safety (Tukwila) .....	\$100,000	George Schmid Ball Field #3 and Lighting Phase 3 (Washougal).....	\$200,000
Community Youth Services Renovation (Olympia) .....	\$155,000	Gig Harbor Community Campus (Gig Harbor).....	\$52,000
Conconully Fire & Rescue (Riverside) .....	\$179,000	Gig Harbor Peninsula FISH (Gig Harbor).....	\$250,000
Creative Districts (Statewide) .....	\$200,000	Grant Co. Fairgrounds Lighting (Moses Lake).....	\$290,000
Doris Morrison Environmental Learning Center (Greenacres) .....	\$500,000	Harlequin State Theater (Olympia) .....	\$88,000
Downtown Pasco Revitalization (Pasco) .....	\$350,000	Hilltop Housing (Tacoma)....	\$500,000
Edmonds Carbon Recovery (Edmonds) .....	\$250,000	Home At Last (Tacoma).....	\$200,000
		If You Could Save Just One (Spokane) .....	\$100,000



Index Water Line Replacement and Repair (Index) .....	\$105,000	New Beginnings House (Puyallup) .....	\$150,000
Institute for Community Leadership (Kent) .....	\$46,000	Non-motorized Bridge at Bothell Landing (Bothell).....	\$155,000
Islands' Oil Spill Association (Friday Harbor) .....	\$232,000	Our Lady of Fatima Community Ctr. (Moses Lake).....	\$128,000
Jefferson County Food Preservation (Port Ludlow) .....	\$5,000	Pataha Flour Mill Elevator (Pomeroy) .....	\$40,000
King County Emergency Training Facility (Fall City) .....	\$1,000,000	Pete's Pool Ball Field Renovation (Enumclaw).....	\$77,000
Kingston Coffee Oasis (Kingston) .....	\$150,000	Pike Place Market Public Access (Seattle).....	\$50,000
Kitsap Humane Society (Silverdale) .....	\$500,000	Point Wilson Lighthouse (Port Townsend).....	\$60,000
Klickitat Co. Domestic Violence Shelter (Goldendale) .....	\$250,000	Port Angeles Boys and Girls Club (Port Angeles).....	\$400,000
Lacey Food Bank (Lacey) ....	\$193,000	Port of Quincy Intermodal Terminal Infrastructure (Quincy).....	\$100,000
Lake Stevens Early Learning Library (Lake Stevens) .....	\$150,000	Port Susan Trail (Stanwood).\$	200,000
Lake WA Loop Trail Bicycle Safety Improvements (Kenmore) .....	\$200,000	Puyallup Food Bank Facility Expansion (Puyallup).....	\$217,000
Lakebay Marina Acquisition & Preservation (Lakebay) .....	\$100,000	Puyallup VFW Orting Civil War Medal of Honor Monument (Orting).....	\$7,000
Levee Repair (Starbuck) .....	\$50,000	Ramstead Regional Park (Everson) .....	\$200,000
Levee Repair (Waitsburg) ...	\$100,000	REACH Literacy Center (Lacey) .....	\$50,000
LGBTQ Senior Center (Seattle) .....	\$500,000	Redondo Fishing Pier (Des Moines) .....	\$350,000
Lions Club Community Ctr. Generator (Lyle) .....	\$5,000	Renewable Hydrogen Production Pilot (East Wenatchee).....	\$250,000
Longview Police Dept. New Office (Longview) .....	\$250,000	Replacement Hospice House (Richland) .....	\$200,000
Lower Yakima River Restoration (Richland) .....	\$258,000	Restroom Renovation (Ilwaco).\$	35,000
Magnuson Park Center for Excellence Building 2 (Seattle) .....	\$78,000	Ridgefield Library Building Project (Ridgefield).....	\$500,000
Mason Co./Shelton YMCA (Shelton) .....	\$750,000	Roy Water Tower (Roy).....	\$26,000
Mini Mart City Park (Seattle) .....	\$200,000	S. Kitsap HS NJROTC Equipment (Port Orchard).....	\$24,000
Morrow Manor (Poulsbo) ....	\$250,000	Safety Driven Replacement (Lake Stevens).....	\$125,000
Mount Zion Housing (Seattle) .....	\$250,000	Salvation Army Community Resource Center (Yakima).....	\$200,000
Mukilteo Solar Panels (Mukilteo) .....	\$40,000	Sargent Oyster House Restoration (Allyn).....	\$10,000
New Arcadia (Auburn) .....	\$100,000	Satsop Business Park (Elma).\$	155,000

School and Transit Connector Sidewalk (Kirkland) .....\$120,000

School District & Comm Emergency Preparedness Center  
(Carbonado) .....\$200,000

Shelton-Mason County YMCA (Shelton) .....\$200,000

Shore Aquatic Center Expansion (Port Angeles) .....\$200,000

Sign Reinstallation at Maplewood Elementary (Puyallup) .....\$5,000

Skagit Pump Station Modernization Design  
(Mount Vernon) .....\$52,000

Sky Valley Emergency Generators (Sultan) .....\$75,000

Sky Valley Teen Center (Sultan) .....\$103,000

Sno Valley Kiosk (North Bend) .....\$20,000

Snohomish Boys and Girls Club (Snohomish) .....\$125,000

Snoqualmie Valley Shelter Service Resource  
(Snoqualmie) .....\$200,000

South Yakima Conservation District Groundwater Mgmt  
(Yakima) .....\$45,000

Spokane Sportsplex (Spokane) .....\$200,000

Spokane Valley Museum (Spokane Valley) .....\$70,000

Star Park Shelter (Ferndale) .....\$180,000

Stevens Elementary Solar Panels (Seattle) .....\$120,000

Sullivan Park Waterline Installation (Spokane Valley) .....\$130,000

Thurston Boys and Girls Club (Lacey) .....\$50,000

Trail Lighting - Cross Kirkland Corridor (Kirkland) .....\$200,000

Transitions TLC Transitional Housing Renovations  
(Spokane) .....\$100,000

Vashon Food Bank Site Relocation (Vashon) .....\$36,000

Vashon Youth and Family Services (Vashon).....\$86,000

WA Poison Center Emergency Response to  
COVID-19 (Seattle).....\$124,000

Waikiki Springs Nature Preserve (Spokane).....\$1,548,000

Washington State Horse Park and Covered Arena  
(Ellensburg).....\$375,000

Wenatchee Valley Museum & Cultural Ctr. (Wenatchee).....\$283,000

West Biddle Lake Dam Restoration (Vancouver).....\$412,000

William Shore Pool (Port Angeles) .....\$500,000

Yakima County Care Campus Conversion Project (Yakima).....\$275,000

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.

Appropriation:

State Building Construction Account—State.....\$29,970,000

Prior Biennia (Expenditures).....\$0

Future Biennia (Projected Costs)..\$0

TOTAL.....\$29,970,000

**Sec. 1014.** 2019 c 413 s 1051 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

2017-19 Stormwater Pilot Project (91001099)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1010, chapter 298, Laws of 2018.

Reappropriation:

State Building Construction Account—State.....\$50,000

Prior Biennia (Expenditures)  
 ..... ((\$200,000))  
\$171,000

Future Biennia (Projected Costs) . \$0

TOTAL ..... \$250,000

\$221,000

**Sec. 1015.** 2019 c 413 s 1059 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

Projects that Strengthen Youth & Families (92000227)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1079, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account-  
 State ..... ((\$300,000))

\$0

Prior Biennia (Expenditures)  
 ..... ((\$19,377,000))

\$18,465,000

Future Biennia (Projected Costs) . \$0

TOTAL ..... \$19,677,000

\$18,465,000

**Sec. 1016.** 2019 c 413 s 1065 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

Landlord Mitigation Account (92000722)

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

~~((1) The appropriation in this section is provided solely for the implementation of Engrossed Substitute Senate Bill No. 5600 (residential tenants). If the bill is not enacted by June 30, 2019, the amounts provided in this section shall lapse.~~

~~((2) \$1,000,000))~~ \$1,700,000 of the appropriation in this section shall be deposited in the landlord mitigation program account.

Appropriation:

State Taxable Building Construction  
 Account-State..... ((\$1,000,000))

\$1,700,000

Prior Biennia (Expenditures).....\$0

Future Biennia (Projected Costs)..\$0

TOTAL.....\$1,000,000

\$1,700,000

**Sec. 1017.** 2019 c 413 s 1052 (uncodified) is amended to read as follows:

**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 1012, chapter 298, Laws of 2018, except that no funding may be directed to the Yelm historic building.

Reappropriation:

State Building Construction Account-  
 State..... ((\$28,000,000))

\$27,961,000

Prior Biennia (Expenditures)  
 .....\$12,569,000

Future Biennia (Projected Costs)..\$0

TOTAL.....\$40,569,000

\$40,530,000

**Sec. 1018.** 2019 c 413 s 1054 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

Rapid Response Community Preservation Pilot Program (91001278)

The appropriation in this section is subject to the following conditions and limitations: ~~(((\$1,000,000))~~ \$2,000,000 is provided solely for a rapid response manufactured housing community preservation pilot program for the purpose of preserving manufactured and mobile home communities. To implement the program, the department of commerce must contract directly with the northwest cooperative development center-resident owned communities through a rapid contracting process, allowing the contractor to work with residents of one or more mobile home parks to engage in one or more purchase and sale agreements,

with the purpose of preserving the mobile home community as a nonprofit, or co-op run affordable housing project and benefitting people and households at or below eighty percent of the area median income. The department of commerce, in collaboration with the contractor, must submit a report to the legislature by June 30, 2021, reporting how the funds were distributed, how many mobile home parks were purchased, and the demographics of the residents.

Appropriation:

State Building Construction Account— State .....	<del>(\$1,000,000)</del>
	<u>\$2,000,000</u>
Prior Biennia (Expenditures) .....	\$0
Future Biennia (Projected Costs) .....	\$0
TOTAL .....	<u>\$1,000,000</u>
	<u>\$2,000,000</u>

**NEW SECTION. Sec. 1019.** A new section is added to 2019 c 413 (uncodified) to read as follows: **FOR THE DEPARTMENT OF COMMERCE**

Port Hadlock Wastewater Facility Project (91001545)

Appropriation:

Public Works Assistance Account— State .....	\$1,422,000
Prior Biennia (Expenditures) .....	\$0
Future Biennia (Projected Costs) .....	\$0
TOTAL .....	<u>\$1,422,000</u>

**Sec. 1020.** 2019 c 413 s 1031 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

Public Works Board (40000038)

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

(1) During the 2019-2021 biennium, the public works board must prioritize water and sewer infrastructure projects.

~~(2) (~~\$1,422,000~~ of the amounts in this section is provided solely for a grant for the port Hadlock wastewater facility project.~~

~~(3))~~ \$1,400,000 of the amounts in this section is provided solely for a grant for the Eatonville water treatment plant project.

~~((4))~~ (3) \$1,000,000 of the amounts in this section is provided solely for a grant for the Ferndale wastewater treatment project. Additionally, the public works board must prioritize financing a loan of up to \$4,000,000 for project.

~~((5))~~ (4) \$4,000,000 of the amounts in this section is provided solely for a grant for the Wenatchi landing sewer extension - phase 1.

~~((6))~~ (5) \$2,000,000 of the amounts in this section is provided solely for a grant for the Belfair sewer extension project. Additionally, the public works board must prioritize financing a loan of up to \$9,000,000 for the project.

Appropriation:

Public Works Assistance Account— State.....	<del>(\$95,000,000)</del>
	<u>\$93,578,000</u>
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs).....	\$0
TOTAL.....	<u>\$95,000,000</u>
	<u>\$93,578,000</u>

**NEW SECTION. Sec. 1021.** A new section is added to 2019 c 413 (uncodified) to read as follows: **FOR THE DEPARTMENT OF COMMERCE**

Pacific Hospital Preservation and Development Plan (91001544)

The appropriation in this section is subject to the following conditions and limitations: \$50,000 is provided to the department to contract with the Pacific hospital preservation and development authority to conduct a conceptual design and scoping for a master preservation and development plan of the Pacific hospital preservation and development authority property located at 1200 12th Avenue South, Seattle, WA 98144. The master preservation and development plan must create a longer-range framework for future development of the campus, identify priorities for capital improvement, identify potential reuse of appropriate facilities for community needs, including behavioral health, and ensure the maximization of highest and best use of public resources while adhering to the Pacific hospital preservation and development authority's mission of addressing health equity disparities for disadvantaged populations.

Appropriation:

State Building Construction Account—  
 State ..... \$50,000  
 Prior Biennia (Expenditures) ..... \$0  
 Future Biennia (Projected Costs) . \$0  
 TOTAL ..... \$50,000

**NEW SECTION. Sec. 1022.** A new section is added to 2019 c 413 (uncodified) 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  
 Prior Biennia (Expenditures).....\$0  
 Future Biennia (Projected Costs)..\$0  
 TOTAL.....\$7,818,000

**Sec. 1023.** 2019 c 413 s 1039 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

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

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

(1)(a) \$1,785,000 for fiscal year 2020 and \$1,785,000 for fiscal year 2021 is provided solely for grants to be awarded in competitive rounds to local agencies, 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.

(b) At least twenty percent of each competitive grant round must be awarded in small cities or towns with a population of five thousand or fewer residents.

(c) In each competitive round, the higher the leverage ratio of nonstate funding sources to state grant and the higher the energy savings, the higher the project ranking.

(d) For school district applicants, priority consideration must be given to school districts that demonstrate improved health and safety through reduced exposure to polychlorinated biphenyl. Priority consideration must be given to applicants that have not received grant awards for this purpose in prior biennia.

(2) \$3,573,000 is provided solely for grants to be awarded in competitive rounds to local agencies, 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.

(3) \$5,357,000 is provided solely for the state efficiency and environmental performance improvements to minor works and stand-alone projects at state-owned facilities that repair or replace existing building systems 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.

Appropriation:

State Building Construction Account— State .....	\$12,500,000
Prior Biennia (Expenditures) .....	\$0
Future Biennia (Projected Costs) .....	\$100,000,000
TOTAL .....	\$112,500,000

**Sec. 1024.** 2019 c 413 s 1071 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Emergency Repairs (90000041)

The appropriation in this section is subject to the following conditions and limitations: 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. 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. The office of financial management must notify the legislative evaluation and accountability program committee, the house capital budget committee, and the senate ways and means committee as emergency projects are approved for funding.

Appropriation:

State Building Construction Account— State.....	<del>(\$5,000,000)</del>
	\$8,000,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs) .....	\$20,000,000
TOTAL.....	<del>\$25,000,000</del>
	\$28,000,000

**NEW SECTION. Sec. 1025.** A new section is added to 2019 c 413 (uncodified) to read as follows:**FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Fircrest School Land Use Assessment (92000035)

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

(1) The appropriation is provided solely to contract with an independent consultant that is agreed to by both the department of social and health services and the department of natural resources to assess potential land development opportunities for the Fircrest residential habilitation center and submit recommendations to the governor, the house capital budget committee, and the senate ways and means committee by November 1, 2020. The contract is exempt

from the competitive procurement requirements in chapter 39.26 RCW.

(2) The consultant must work with the department of health, department of natural resources, the department of social and health services, and the city of Shoreline.

(3) The consultant recommendations must accomplish the following goals:

(a) Identify a site for a single-story nursing facility with a minimum of one hundred twenty beds and a site for a two-story nursing facility with a minimum of one hundred twenty beds, with an analysis of any corresponding staffing needs and the needs of the residents to ensure a sense of community and mobility;

(b) Identify potential sites for up to a forty-eight bed behavioral health facility; and

(c) Maximize the long-term revenue generating opportunities of the campus property while taking into consideration the infrastructure needs to accomplish the proposed development outlined in this subsection (3).

(4) A secondary recommendation may be submitted by the consultant that includes maximizing the long-term revenue generating opportunities of the campus property while taking into consideration the infrastructure needs to accomplish the proposed development outlined in subsections (3)(a) through (b) of this section and compatibility with the needs of the department of social and health services and the department of health, including the needs of the individuals they serve.

(5) It is the intent of the legislature to prioritize up to \$125,000,000 in funding for the nursing facility replacement on the Fircrest residential habilitation center campus in the 2021-2023 fiscal biennium.

Appropriation:

State Building Construction Account—State .....	\$500,000
Prior Biennia (Expenditures) .....	\$0
Future Biennia (Projected Costs) .....	\$0
TOTAL .....	\$500,000

Sec. 1026. 2019 c 413 s 1073 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Capitol Lake Long-Term Management Planning (30000740)

The ~~((reappropriation))~~ appropriations in this section ~~((is))~~ are subject to the following conditions and limitations:

(1) The appropriations in this section are provided solely for an environmental impact statement that includes the following alternatives, at a minimum:

- (a) Managed lake;
- (b) Hybrid lake; and
- (c) Estuary.

(2) A draft environmental impact statement with at least the three options in subsection (1) of this section must be submitted to legislative fiscal committees by June 30, 2021. It is the intent of the legislature that a final environmental impact statement that includes identification of a preferred alternative for Capitol Lake management must be submitted to legislative fiscal committees by June 30, 2022.

(3) The ~~((reappropriation is))~~ appropriations are subject to the provisions of section 1034, chapter 298, Laws of 2018.

(4) It is the intent of the legislature to fully fund future capital requests necessary to complete the Capitol Lake long-term management planning in accordance with the provisions of section 1034, chapter 298, Laws of 2018.

Reappropriation:

State Building Construction Account—State.....	\$3,369,000
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Appropriation:

State Building Construction Account—State.....	\$1,450,000
General Fund—Private/Local..	\$284,000
Subtotal Appropriation....	\$1,734,000
Prior Biennia (Expenditures) .....	\$881,000
Future Biennia (Projected Costs) .....	(\$0)
	\$715,000
TOTAL.....	\$4,250,000

\$6,699,000

**Sec. 1027.** 2019 c 413 s 1090 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

~~((Newhouse Replacement))~~ 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. 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;

(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 be procured using a performance-based

contracting method, such as design-build, and must 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 be procured using a performance-based contracting method, such as design-build, and must 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 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;

(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;

(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 be procured using a performance-based contracting method, such as design-build, and must 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 will be completed by February 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 be procured using a performance-based contracting method, such as design-build, and must 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 of the appropriation is provided solely for the completion of

predesign efforts as described in subsection (1) of this section.

Reappropriation:

State Building Construction Account—  
State.....\$256,000

Appropriation:

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

Prior Biennia (Expenditures)  
.....\$194,000

Future Biennia (Projected Costs)  
.....(~~(\$0)~~)

\$89,000,000

TOTAL.....\$450,000

\$99,450,000

**Sec. 1028.** 2019 c 413 s 1092 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Insurance Commissioner Office Building Predesign (92000029)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for a predesign study to determine space needs and cost estimates to construct a building on the capitol campus to house the office of the insurance commissioner and the department of children, youth, and families.

(1) In determining the program space required, the predesign must consider:

(a) The necessary program space required to support the office of the insurance commissioner and the department of children, youth, and families, to include detail on current space usage in Thurston county by facility compared to proposed space usage; and

(b) Parking impacts of new office space construction.

(2) The study must consider, at a minimum:

(a) The potential to fund design and construction of the building from sources other than state general obligation bonds;

(b) The financial cost analysis of current facility leases compared to the

cost of a financial contract for the new building, to include operating budget cost impacts by fund source by fiscal year; and

(c) The following opportunity sites for the building, detailed in the 2017 state capitol development site study:

(i) Site 1, the general administration building;

(ii) Site 12, the professional arts building; and

(iii) (~~Site 7, the old IBM building; and~~

~~(iv))~~) Site 6B, the visitor center;

(3) The building must be a:

(a) High performance building and meet net-zero-ready standards, with an energy use intensity of no greater than thirty-five;

(b) Building construction that must be procured using a performance-based method such as design-build and must include an energy performance guarantee comparing actual performance data with the energy design target; and

(c) Design that includes cross-laminated timber products.

(4) The predesign study must result in:

(a) A preliminary report being submitted to the fiscal committees of the legislature by February 28, 2020; and

(b) A final report being submitted to the fiscal committees of the legislature by June 30, 2020.

Appropriation:

Insurance Commissioners Regulatory Account-State .....	\$300,000
Prior Biennia (Expenditures) .....	\$0
Future Biennia (Projected Costs) ..	\$0
TOTAL .....	\$300,000

**Sec. 1029.** 2019 c 413 s 1093 (uncodified) is amended to read as follows:

**FOR THE MILITARY DEPARTMENT**

King County Area Readiness Center (30000592)

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

land in King county for a readiness center and to complete a predesign. If the department has not signed a purchase and sale agreement by June 30, 2021, 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.

Appropriation:

State Building Construction Account-State.....	(\$6,600,000)
	\$7,055,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs) .....	(\$83,900,000)
	\$0
TOTAL.....	\$90,500,000
	\$7,055,000

NEW SECTION. **Sec. 1030.** The following acts or parts of acts are each repealed:

- (1) 2019 c 413 s 1005 (uncodified); and
- (2) 2019 c 413 s 1059 (uncodified).

**PART 2**

**HUMAN SERVICES**

**Sec. 2001.** 2019 c 413 s 2001 (uncodified) is amended to read as follows:

**FOR THE CRIMINAL JUSTICE TRAINING COMMISSION**

Omnibus Minor Works (40000003)

Appropriation:

State Building Construction Account-State.....	(\$470,000)
	\$1,888,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs) ..	\$0
TOTAL.....	\$470,000
	\$1,888,000

NEW SECTION. **Sec. 2002.** A new section is added to 2019 c 413 (uncodified) to read as follows:**FOR THE CRIMINAL JUSTICE TRAINING COMMISSION**

Training Facility Capital and Functional Needs Assessment (91000002)

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

(1) The appropriation in this section is provided solely for a capital and functional needs assessment of the criminal justice training center that includes an evaluation of:

(a) The current condition of the facilities;

(b) Capital needs to safely and effectively facilitate current and future law enforcement training; and

(c) Potential alternative funding sources to finance future capital needs, including, but not limited to:

(i) Reimbursement from law enforcement agencies; and

(ii) Public-private partnerships.

(2) Additionally, the assessment must compare the benefits and costs of alternative methods to address capital and function needs, including but not limited to:

(a) Fully modernizing the facilities located at the current location; and

(b) Relocating the training center to a new location.

**Appropriation:**

State Building Construction Account—State ..... \$200,000  
 Prior Biennia (Expenditures) ..... \$0  
 Future Biennia (Projected Costs) . \$0  
 TOTAL ..... \$200,000

**Sec. 2003.** 2019 c 413 s 2002 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF LABOR AND INDUSTRIES**

L&I HQ Elevators (30000018)

**Reappropriation:**

Accident Account—State . (~~\$342,000~~)  
\$366,000  
 Medical Aid Account—State  
 ..... (~~\$342,000~~)  
\$366,000

Subtotal Reappropriation  
 ..... (~~\$684,000~~)  
\$732,000

**Appropriation:**

Accident Account—State....\$1,450,000  
 Medical Aid Account—State.\$1,450,000  
 Subtotal Appropriation....\$2,900,000  
 Prior Biennia (Expenditures)  
 .....(~~\$250,000~~)  
\$302,000  
 Future Biennia (Projected Costs)..\$0  
 TOTAL.....\$3,934,000

**Sec. 2004.** 2019 c 413 s 2010 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

Minor Works Program Projects: Statewide (30001859)

**Reappropriation:**

State Building Construction Account—State.....(~~\$600,000~~)  
\$612,000  
 Prior Biennia (Expenditures)  
 .....(~~\$855,000~~)  
\$843,000  
 Future Biennia (Projected Costs)..\$0  
 TOTAL.....\$1,455,000

**NEW SECTION. Sec. 2005.** A new section is added to 2019 c 413 (uncodified) to read as follows:**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

Rainier School - Multiple Buildings: Roofing Replacement & Repairs (30002752)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the replacement of the entire roof on the 2010 building with asphalt shingles.

**Appropriation:**

State Building Construction Account—State.....\$2,030,000  
 Prior Biennia (Expenditures).....\$0  
 Future Biennia (Projected Costs)..\$0  
 TOTAL.....\$2,030,000

**NEW SECTION. Sec. 2006.** A new section is added to 2019 c 413 (uncodified) to read as follows:**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

Fircrest School Adult Training Program (92000036)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for design of the renovation of building 66 on the Fircrest campus for the permanent relocation of the adult training program for residents of the Fircrest residential habilitation center. The design must include a plan for accommodating all activities of the adult training program currently housed in the existing adult training program building located in the northeast section of the campus and the activities currently housed in the activities building located northwest of building 66.

Appropriation:

State Building Construction Account—State .....	\$1,500,000
Prior Biennia (Expenditures) .....	\$0
Future Biennia (Projected Costs) .	\$0
TOTAL .....	\$1,500,000

**Sec. 2007.** 2019 c 413 s 2037 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

Minor Works Preservation Projects: Statewide 2019-21 (40000381)

Appropriation:

Charitable, Educational, Penal, and Reformatory	
Institutions Account—State .....	\$1,665,000
State Building Construction Account—State .....	<del>(\$11,015,000)</del>
	<u>\$13,385,000</u>
Subtotal Appropriation .....	<del>(\$12,680,000)</del>
	<u>\$15,050,000</u>
Prior Biennia (Expenditures) .....	\$0
Future Biennia (Projected Costs) .....	\$159,345,000
TOTAL .....	<del>\$172,025,000</del>
	<u>\$174,395,000</u>

**Sec. 2008.** 2019 c 413 s 2038 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

Minor Works Program Projects: Statewide 2019-21 (40000382)

Appropriation:

Charitable, Educational, Penal, and Reformatory	
Institutions Account—State..	\$955,000
State Building Construction Account—State.....	<del>(\$965,000)</del>
	<u>\$1,800,000</u>
Subtotal Appropriation .....	<del>(\$1,920,000)</del>
	<u>\$2,755,000</u>
Prior Biennia (Expenditures) .....	\$0
Future Biennia (Projected Costs) .....	\$24,000,000
TOTAL.....	<del>\$25,920,000</del>
	<u>\$26,755,000</u>

**Sec. 2009.** 2019 c 413 s 2039 (uncodified) is amended to read as follows:

**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:

(1) The appropriation in this section is provided solely for projects installing fire alarms at the following locations: (a) Fircrest School; (b) Lakeland Village; (c) Western State Hospital; (d) Rainier School; and (e) Echo Glen. The Echo Glen project may include duress alarms. ~~((The projects listed in this section must be designed under one contract, and installed under one contract.))~~ The department must consult with the department of children, youth, and families to prioritize the projects.

(2) When the ~~((bid is))~~ bids are received, the department must report to the appropriate legislative committees the overall ~~((bid))~~ bids for the projects.

(3) The department must report to the appropriate legislative committees any best practices on the process by December 31, 2019.

Appropriation:

State Building Construction Account—  
 State ..... \$11,819,000  
 Prior Biennia (Expenditures) ..... \$0  
 Future Biennia (Projected Costs) .. \$0  
 TOTAL ..... \$11,819,000

**Sec. 2010.** 2019 c 413 s 2072 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF VETERANS AFFAIRS**

Minor Works Facilities Preservation (30000094)

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

A total of \$200,000 of the model toxics control act account—state is provided solely for soil mitigation associated with removal of an underground storage tank and must be held in unallotted status until the following conditions are met:

(1) The department must pursue a grant for this project from the pollution liability insurance agency.

(2) If this project is deemed unqualified for the use of funds through the pollution liability insurance agency, the appropriation from the model toxics control act account—state shall be allotted to the department to complete this project.

Reappropriation:

State Building Construction Account—  
 State ..... (~~(\$570,000)~~)  
 \$755,000

Appropriation:

State Building Construction Account—  
 State ..... \$2,025,000  
Model Toxics Control Capital Account—State ..... \$200,000  
Subtotal Appropriation ... \$2,225,000  
 Prior Biennia (Expenditures) ..... (~~(\$2,743,000)~~)  
 \$2,558,000  
 Future Biennia (Projected Costs) ..... \$11,445,000  
 TOTAL ..... ~~\$16,783,000~~  
 \$16,983,000

**Sec. 2011.** 2019 c 413 s 2075 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF VETERANS AFFAIRS**

Retsil Building 10 (40000004)

Reappropriation:

State Building Construction Account—  
 State.....\$625,000

Prior Biennia (Expenditures) ..... (~~(\$125,000)~~)

\$0

Future Biennia (Projected Costs)..\$0

TOTAL.....~~\$750,000~~

\$625,000

NEW SECTION. **Sec. 2012.** A new section is added to 2019 c 413 (uncodified) to read as follows:**FOR THE DEPARTMENT OF VETERANS AFFAIRS**

WSH - Life Safety Grant (40000013)

Appropriation:

General Fund—Federal.....\$325,000

State Building Construction Account—  
 State.....\$175,000

Subtotal Appropriation.....\$500,000

Prior Biennia (Expenditures).....\$0

Future Biennia (Projected Costs)..\$0

TOTAL.....\$500,000

**Sec. 2013.** 2019 c 413 s 2080 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES**

Green Hill School-Recreation Building: Replacement (30003237)

The appropriation in this section is subject to the following conditions and limitations: This project was formerly administered by the department of social and health services. Due to the transfer of the juvenile rehabilitation program from the department of social and health services to the department of children, youth, and families on July 1, 2019, the administration of this project shall also transfer to the department of children, youth, and families on that date.

Appropriation:



Reappropriation:

State Building Construction Account—  
State ..... \$830,000

Appropriation:

State Building Construction Account—  
State ..... (~~(\$9,718,000)~~)

\$10,207,000

Prior Biennia (Expenditures)  
..... \$170,000

Future Biennia (Projected Costs) . \$0

TOTAL ..... ~~\$10,718,000~~

\$11,207,000

**Sec. 2020.** 2019 c 413 s 2091  
(uncodified) is amended to read as  
follows:

**FOR THE DEPARTMENT OF CORRECTIONS**

WCCW: Bldg E Roof Replacement  
(30000810)

Reappropriation:

State Building Construction Account—  
State ..... \$1,674,000

Prior Biennia (Expenditures)  
..... (~~(\$1,022,000)~~)

\$586,000

Future Biennia (Projected Costs) . \$0

TOTAL ..... ~~\$2,696,000~~

\$2,260,000

**Sec. 2021.** 2019 c 413 s 2093  
(uncodified) is amended to read as  
follows:

**FOR THE DEPARTMENT OF CORRECTIONS**

WSP: Program and Support Building  
(30001101)

Reappropriation:

State Building Construction Account—  
State ..... \$1,500,000

Prior Biennia (Expenditures)  
..... (~~(\$10,085,000)~~)

\$9,997,000

Future Biennia (Projected Costs) . \$0

TOTAL ..... ~~\$11,585,000~~

\$11,497,000

**Sec. 2022.** 2019 c 413 s 2094  
(uncodified) is amended to read as  
follows:

**FOR THE DEPARTMENT OF CORRECTIONS**

Prison Capacity Expansion (30001105)

The reappropriation in this section  
is subject to the following conditions  
and limitations: The reappropriation is  
subject to the provisions of section  
2059, chapter 3, Laws of 2015 3rd sp.  
sess.

Reappropriation:

State Building Construction Account—  
State.....\$400,000

Prior Biennia (Expenditures)  
..... (~~(\$4,400,000)~~)

\$1,957,000

Future Biennia (Projected Costs) ..\$0

TOTAL.....~~\$4,800,000~~

\$2,357,000

**Sec. 2023.** 2019 c 413 s 2096  
(uncodified) is amended to read as  
follows:

**FOR THE DEPARTMENT OF CORRECTIONS**

MCC ADA Compliance Retrofit  
(30001118)

Reappropriation:

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

Prior Biennia (Expenditures)  
..... (~~(\$250,000)~~)

\$171,000

Future Biennia (Projected Costs) ..\$0

TOTAL.....~~\$1,000,000~~

\$921,000

**Sec. 2024.** 2019 c 413 s 2098  
(uncodified) is amended to read as  
follows:

**FOR THE DEPARTMENT OF CORRECTIONS**

CRCC Security Electronics Network  
Renovation (30001124)

Reappropriation:

State Building Construction Account—  
State.....\$5,900,000

Prior Biennia (Expenditures)  
..... (~~(\$100,000)~~)

\$36,000

Future Biennia (Projected Costs) ..\$0

TOTAL.....~~\$6,000,000~~



\$5,936,000

NEW SECTION. Sec. 2025. A new section is added to 2019 c 413 (uncodified) to read as follows:FOR THE DEPARTMENT OF CORRECTIONS

MCC: WSR Clinic Roof Replacement (40000180)

Appropriation:

State Building Construction Account-State ..... \$825,000

Prior Biennia (Expenditures) ..... \$0

Future Biennia (Projected Costs) ..... \$8,439,000

TOTAL ..... \$9,264,000

NEW SECTION. Sec. 2026. A new section is added to 2019 c 413 (uncodified) to read as follows: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 predesign must compare the benefits of addressing each system as part of a single project with the benefits of addressing each system as a separate project in design and construction phases.

Appropriation:

State Building Construction Account-State ..... \$400,000

Prior Biennia (Expenditures) ..... \$0

Future Biennia (Projected Costs) ..... \$19,731,000

TOTAL ..... \$20,131,000

PART 3

NATURAL RESOURCES

Sec. 3001. 2019 c 413 s 3008 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

Remedial Action Grant Program (30000039)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is subject to the provisions of section 3006, chapter 36, Laws of 2010 1st sp. sess.

Appropriation:

Model Toxics Control Capital Account-State..... ((\$3,813,000))

\$3,531,000

Prior Biennia (Expenditures) ..... ((\$71,296,000))

\$71,578,000

Future Biennia (Projected Costs)..\$0

TOTAL.....\$75,109,000

Sec. 3002. 2019 c 413 s 3009 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

Clean Up Toxics Sites - Puget Sound (30000144)

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

Appropriation:

Model Toxics Control Capital Account-State..... ((\$324,000))

\$318,000

Prior Biennia (Expenditures) ..... ((\$38,710,000))

\$38,716,000

Future Biennia (Projected Costs)..\$0

TOTAL.....\$39,034,000

Sec. 3003. 2019 c 413 s 3011 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

Remedial Action Grant Program (30000216)

Appropriation:

Model Toxics Control Capital Account-State..... ((\$19,152,000))

\$18,603,000

Prior Biennia (Expenditures) ..... ((\$43,712,000))

\$44,261,000

Future Biennia (Projected Costs)..\$0

TOTAL.....\$62,864,000

**Sec. 3004.** 2019 c 413 s 3016 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

Centennial Clean Water Program (30000326)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is subject to the provisions of section 3066, chapter 19, Laws of 2013 2nd sp. sess.

Appropriation:

Model Toxics Control Capital Account-State ..... (~~(\$3,526,000)~~)

\$2,284,000

Prior Biennia (Expenditures) ..... (~~(\$46,474,000)~~)

\$47,716,000

Future Biennia (Projected Costs) . \$0

TOTAL ..... \$50,000,000

**Sec. 3005.** 2019 c 413 s 3022 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

Clean Up Toxics Sites - Puget Sound (30000337)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is subject to the provisions of section 3007, chapter 35, Laws of 2016 sp. sess.

Appropriation:

Model Toxics Control Capital Account-State ..... (~~(\$1,940,000)~~)

\$1,843,000

Prior Biennia (Expenditures) ..... (~~(\$23,115,000)~~)

\$23,212,000

Future Biennia (Projected Costs) . \$0

TOTAL ..... \$25,055,000

**Sec. 3006.** 2019 c 413 s 3023 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

Eastern Washington Clean Sites Initiative (30000351)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is subject to the provisions of section 3008, chapter 35, Laws of 2016 sp. sess.

Appropriation:

Model Toxics Control Capital Account-State..... (~~(\$169,000)~~)

\$168,000

Prior Biennia (Expenditures) ..... (~~(\$7,431,000)~~)

\$7,432,000

Future Biennia (Projected Costs) .. \$0

TOTAL.....\$7,600,000

**Sec. 3007.** 2019 c 413 s 3026 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

Remedial Action Grants (30000374)

Appropriation:

Model Toxics Control Capital Account-State..... (~~(\$10,710,000)~~)

\$10,489,000

Prior Biennia (Expenditures) ..... (~~(\$51,827,000)~~)

\$52,048,000

Future Biennia (Projected Costs) .. \$0

TOTAL.....\$62,537,000

**Sec. 3008.** 2019 c 413 s 3028 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

Centennial Clean Water Program (30000427)

The reappropriations and appropriations in this section are subject to the following conditions and limitations: The reappropriations and appropriations are subject to the provisions of section 3009, chapter 35, Laws of 2016 sp. sess.

Reappropriation:

State Building Construction Account-State.....\$1,171,000

Appropriation:

Model Toxics Control Capital Account-State..... (~~(\$3,436,000)~~)

\$2,647,000

Prior Biennia (Expenditures)  
 ..... (~~(\$17,893,000)~~)  
\$18,682,000

Future Biennia (Projected Costs) . \$0

TOTAL ..... \$22,500,000

**Sec. 3009.** 2019 c 413 s 3030  
 (uncodified) is amended to read as  
 follows:

**FOR THE DEPARTMENT OF ECOLOGY**

Eastern Washington Clean Sites  
 Initiative (30000432)

Appropriation:

Model Toxics Control Capital  
 Account-State ..... (~~(\$8,908,000)~~)

\$8,650,000

Prior Biennia (Expenditures)  
 ..... (~~(\$992,000)~~)  
\$1,250,000

Future Biennia (Projected Costs) . \$0

TOTAL ..... \$9,900,000

**Sec. 3010.** 2019 c 413 s 3031  
 (uncodified) is amended to read as  
 follows:

**FOR THE DEPARTMENT OF ECOLOGY**

Remedial Action Grants (30000458)

The reappropriations and  
 appropriations in this section are  
 subject to the following conditions and  
 limitations: The reappropriations and  
 appropriations are subject to the  
 provisions of section 3011, chapter 35,  
 Laws of 2016 sp. sess.

Reappropriation:

State Building Construction Account-  
 State ..... \$16,967,000

Appropriation:

Model Toxics Control Capital  
 Account-State ..... (~~(\$15,786,000)~~)

\$12,927,000

Prior Biennia (Expenditures)  
 ..... (~~(\$19,994,000)~~)

\$22,853,000

Future Biennia (Projected Costs) . \$0

TOTAL ..... \$52,747,000

**Sec. 3011.** 2019 c 413 s 3032  
 (uncodified) is amended to read as  
 follows:

**FOR THE DEPARTMENT OF ECOLOGY**  
 Leaking Tank Model Remedies  
 (30000490)

Appropriation:

Model Toxics Control Capital  
 Account-State ..... (~~(\$672,000)~~)

\$519,000

Prior Biennia (Expenditures)  
 ..... (~~(\$1,328,000)~~)

\$1,481,000

Future Biennia (Projected Costs) .. \$0

TOTAL ..... \$2,000,000

**Sec. 3012.** 2019 c 413 s 3034  
 (uncodified) is amended to read as  
 follows:

**FOR THE DEPARTMENT OF ECOLOGY**

Stormwater Financial Assistance  
 Program (30000535)

The appropriation in this section is  
 subject to the following conditions and  
 limitations: The appropriation is  
 subject to the provisions of section  
 3012, chapter 35, Laws of 2016 sp. sess.

Appropriation:

Model Toxics Control Stormwater  
 Account-State ..... (~~(\$27,816,000)~~)

\$26,950,000

Prior Biennia (Expenditures)  
 ..... (~~(\$3,384,000)~~)

\$4,250,000

Future Biennia (Projected Costs) .. \$0

TOTAL ..... \$31,200,000

**Sec. 3013.** 2019 c 413 s 3036  
 (uncodified) is amended to read as  
 follows:

**FOR THE DEPARTMENT OF ECOLOGY**

Floodplains by Design (30000537)

Reappropriation:

State Building Construction Account-  
 State ..... (~~(\$19,149,000)~~)

\$19,369,000

Prior Biennia (Expenditures)  
 ..... (~~(\$16,411,000)~~)

\$16,191,000

Future Biennia (Projected Costs) .. \$0

TOTAL ..... \$35,560,000

**Sec. 3014.** 2019 c 413 s 3038 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

Cleanup Toxics Sites - Puget Sound (30000542)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is subject to the provisions of section 3013, chapter 35, Laws of 2016 sp. sess.

Appropriation:

Model Toxics Control Capital Account-State ..... (~~(\$7,917,000)~~)

\$7,885,000

Prior Biennia (Expenditures) ..... (~~(\$6,464,000)~~)

\$6,496,000

Future Biennia (Projected Costs) . \$0

TOTAL ..... \$14,381,000

**Sec. 3015.** 2019 c 413 s 3052 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

2017-19 Remedial Action Grants (30000707)

Appropriation:

Model Toxics Control Capital Account-State ..... (~~(\$5,877,000)~~)

\$5,872,000

Prior Biennia (Expenditures) . (~~(\$0)~~)

\$5,000

Future Biennia (Projected Costs) . \$0

TOTAL ..... \$5,877,000

**Sec. 3016.** 2019 c 413 s 3056 (uncodified) is amended to read as follows:

**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.....(~~(\$12,203,000)~~)

\$12,250,000

Columbia River Basin Water Supply Revenue

Recovery Account-State....\$2,000,000

State Building Construction Account-State.....\$19,541,000

Subtotal Reappropriation ..... (~~(\$33,744,000)~~)

\$33,791,000

Prior Biennia (Expenditures) ..... (~~(\$56,000)~~)

\$9,000

Future Biennia (Projected Costs)..\$0

TOTAL.....\$33,800,000

**Sec. 3017.** 2019 c 413 s 3062 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

2017-19 Clean Up Toxic Sites - Puget Sound (30000749)

Appropriation:

Model Toxics Control Capital Account-State.....(~~(\$2,099,000)~~)

\$1,310,000

Prior Biennia (Expenditures) ..... (~~(\$83,000)~~)

\$872,000

Future Biennia (Projected Costs)..\$0

TOTAL.....\$2,182,000

**Sec. 3018.** 2019 c 413 s 3064 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

2017-19 Stormwater Financial Assistance Program (30000796)

The reappropriations and appropriations in this section are subject to the following conditions and limitations: The reappropriation and appropriation are subject to the provisions of section 3005, chapter 298, Laws of 2018.

Reappropriation:

State Building Construction Account-State.....\$25,000,000

Appropriation:



feasibility analysis, and engagement of state agencies, tribes, the office of Chehalis basin, and other parties.

(b) Of the amount provided in this subsection, up to \$250,000 is for contracting with an independent third party to assess the financial impacts on landowners whose property could become the site of a flood retention structure and temporary reservoir project, including, but not limited to, timber valuation, construction of alternative transportation networks, and lost timber production associated with the project.

(2) (a) Up to (~~(\$49,450,000)~~) \$49,900,000 of the appropriation is for construction of local priority flood protection and habitat restoration projects.

(b) Of the amount provided in this subsection, up to \$450,000 is for a state match for equal funding from the office of the Chehalis basin for the Lower Satsop Restoration and Protection Program Keys Road Protection Project.

(3) The office of Chehalis basin board has discretion to allocate the funding between subsections (1) and (2) of this section if needed to meet the objectives of this appropriation; however, \$10,000,000 of the amounts in this section are provided solely for the final design, permitting, property acquisition, and construction of the Aberdeen Hoquiam north shore levee and related stormwater conveyance and pump station upgrades.

(4) Up to one and a half percent of the appropriation provided 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 ..... (~~(\$73,207,000)~~)  
\$73,907,000

Prior Biennia (Expenditures) ..... \$0

Future Biennia (Projected Costs)  
.....\$288,000,000  
TOTAL.....~~\$361,207,000~~  
\$361,907,000

**Sec. 3024.** 2019 c 413 s 3096 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

Habitat Mitigation (91000007)

Reappropriation:

State Building Construction Account—  
State.....\$47,000  
Prior Biennia (Expenditures)  
.....(~~(\$2,802,000)~~)  
\$2,398,000

Future Biennia (Projected Costs)..\$0  
TOTAL.....~~\$2,849,000~~  
\$2,445,000

**Sec. 3025.** 2019 c 413 s 3097 (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.....(~~(\$304,000)~~)  
\$179,000

Prior Biennia (Expenditures)  
.....(~~(\$8,966,000)~~)  
\$9,091,000

Future Biennia (Projected Costs)..\$0  
TOTAL.....\$9,270,000

**NEW SECTION. Sec. 3026.** A new section is added to 2019 c 413 (uncodified) to read as follows:**FOR THE POLLUTION LIABILITY INSURANCE PROGRAM**

Heating Oil Capital Financing  
Assistance Program (30000704)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for implementation of Substitute Senate Bill No. 6256 (heating oil insurance program). If the bill is not enacted by June 30, 2020, the amount provided in this section shall lapse.

Appropriation:

PLIA Underground Storage Tank  
 Revolving Account—State ..... \$4,000,000  
 Prior Biennia (Expenditures) ..... \$0  
 Future Biennia (Projected Costs)  
 ..... \$24,000,000  
 TOTAL ..... \$28,000,000

**Sec. 3027.** 2019 c 413 s 3115  
 (uncodified) is amended to read as  
 follows:

**FOR THE STATE PARKS AND RECREATION  
 COMMISSION**

Fort Flagler - WW1 Historic  
 Facilities Preservation (30000100)

Reappropriation:

State Building Construction Account—  
 State ..... \$1,091,000  
 Prior Biennia (Expenditures)  
 ..... (~~(\$2,295,000)~~)  
\$1,582,000

Future Biennia (Projected Costs)  
 ..... \$1,963,000

TOTAL ..... ~~\$5,349,000~~  
\$4,636,000

**Sec. 3028.** 2019 c 413 s 3119  
 (uncodified) is amended to read as  
 follows:

**FOR THE STATE PARKS AND RECREATION  
 COMMISSION**

Marine Facilities - Various  
 Locations Moorage Float Replacement  
 (30000496)

Reappropriation:

State Building Construction Account—  
 State ..... \$111,000  
 Prior Biennia (Expenditures)  
 ..... (~~(\$458,000)~~)  
\$349,000

Future Biennia (Projected Costs) . \$0

TOTAL ..... ~~\$569,000~~  
\$460,000

**Sec. 3029.** 2019 c 413 s 3120  
 (uncodified) is amended to read as  
 follows:

**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.....(~~(\$25,000)~~)  
\$79,000

Appropriation:

State Building Construction Account—  
 State.....\$4,961,000

Prior Biennia (Expenditures)  
 .....(~~(\$397,000)~~)  
\$343,000

Future Biennia (Projected Costs)..\$0

TOTAL.....\$5,383,000

**Sec. 3030.** 2019 c 413 s 3123  
 (uncodified) is amended to read as  
 follows:

**FOR THE STATE PARKS AND RECREATION  
 COMMISSION**

Goldendale Observatory - Expansion  
 (30000709)

Reappropriation:

State Building Construction Account—  
 State.....(~~(\$551,000)~~)  
\$583,000

Prior Biennia (Expenditures)  
 .....(~~(\$4,793,000)~~)  
\$4,761,000

Future Biennia (Projected Costs)..\$0

TOTAL.....\$5,344,000

**Sec. 3031.** 2019 c 413 s 3129  
 (uncodified) is amended to read as  
 follows:

**FOR THE STATE PARKS AND RECREATION  
 COMMISSION**

Fort Worden - Replace Failing Sewer  
 Lines (30000860)

Reappropriation:

State Building Construction Account—  
 State.....(~~(\$1,493,000)~~)  
\$1,668,000

Prior Biennia (Expenditures)  
 .....(~~(\$1,061,000)~~)  
\$886,000

Future Biennia (Projected Costs)..\$0

TOTAL ..... \$2,554,000

**Sec. 3032.** 2019 c 413 s 3131  
(uncodified) is amended to read as follows:

**FOR THE STATE PARKS AND RECREATION COMMISSION**

Lake Sammamish Dock Grant Match  
(30000872)

Reappropriation:

State Building Construction Account—  
State ..... \$959,000

Prior Biennia (Expenditures)  
..... (~~(\$141,000)~~)

\$121,000

Future Biennia (Projected Costs) . \$0

TOTAL ..... ~~\$1,100,000~~

\$1,080,000

**Sec. 3033.** 2019 c 413 s 3132  
(uncodified) is amended to read as follows:

**FOR THE STATE PARKS AND RECREATION COMMISSION**

Birch Bay - Replace Failing Bridge  
(30000876)

Reappropriation:

State Building Construction Account—  
State ..... \$100,000

Prior Biennia (Expenditures)  
..... (~~(\$237,000)~~)

\$148,000

Future Biennia (Projected Costs) . \$0

TOTAL ..... ~~\$337,000~~

\$248,000

**Sec. 3034.** 2019 c 413 s 3135  
(uncodified) is amended to read as follows:

**FOR THE STATE PARKS AND RECREATION COMMISSION**

Mount Spokane - Maintenance Facility  
Relocation from Harms Way (30000959)

Reappropriation:

State Building Construction Account—  
State ..... \$1,921,000

Prior Biennia (Expenditures)  
..... (~~(\$587,000)~~)

\$520,000

Future Biennia (Projected Costs) . \$0

TOTAL.....~~\$2,508,000~~  
\$2,441,000

**Sec. 3035.** 2019 c 413 s 3137  
(uncodified) is amended to read as follows:

**FOR THE STATE PARKS AND RECREATION COMMISSION**

Statewide - Depression Era  
Structures Restoration Assessment  
(30000966)

Reappropriation:

State Building Construction Account—  
State.....\$186,000

Prior Biennia (Expenditures)  
..... (~~(\$1,086,000)~~)

\$1,050,000

Future Biennia (Projected Costs) ..\$0

TOTAL.....~~\$1,272,000~~

\$1,236,000

**Sec. 3036.** 2019 c 413 s 3141  
(uncodified) is amended to read as follows:

**FOR THE STATE PARKS AND RECREATION COMMISSION**

Minor Works - Health and Safety  
(30000977)

Reappropriation:

State Building Construction Account—  
State.....(~~(\$402,000)~~)

\$537,000

Prior Biennia (Expenditures)  
..... (~~(\$647,000)~~)

\$512,000

Future Biennia (Projected Costs) ..\$0

TOTAL.....\$1,049,000

**Sec. 3037.** 2019 c 413 s 3143  
(uncodified) is amended to read as follows:

**FOR THE STATE PARKS AND RECREATION COMMISSION**

Minor Works—Program (30000979)

Reappropriation:

State Building Construction Account—  
State.....\$646,000

Prior Biennia (Expenditures)  
..... (~~(\$845,000)~~)

\$620,000



Future Biennia (Projected Costs) . \$0  
 TOTAL ..... \$1,491,000  
\$1,266,000

**Sec. 3038.** 2019 c 413 s 3144 (uncodified) is amended to read as follows:

**FOR THE STATE PARKS AND RECREATION COMMISSION**

Moran Summit Learning Center - Interpretive Facility (30000980)

Reappropriation:  
 State Building Construction Account-State ..... ((\$903,000))  
\$955,000  
 Prior Biennia (Expenditures) ..... ((\$112,000))  
\$60,000

Future Biennia (Projected Costs) . \$0  
 TOTAL ..... \$1,015,000

**Sec. 3039.** 2019 c 413 s 3145 (uncodified) is amended to read as follows:

**FOR THE STATE PARKS AND RECREATION COMMISSION**

Penrose Point Sewer Improvements (30000981)

Reappropriation:  
 State Building Construction Account-State ..... ((\$320,000))  
\$367,000

Appropriation:

State Building Construction Account-State ..... \$289,000  
 Prior Biennia (Expenditures) ..... ((\$130,000))  
\$83,000  
 Future Biennia (Projected Costs) . \$0  
 TOTAL ..... \$450,000  
\$739,000

**Sec. 3040.** 2019 c 413 s 3149 (uncodified) is amended to read as follows:

**FOR THE STATE PARKS AND RECREATION COMMISSION**

Statewide Septic System Renovation (30001017)

Reappropriation:

State Building Construction Account-State.....\$65,000

Prior Biennia (Expenditures) ..... ((\$185,000))  
\$177,000

Future Biennia (Projected Costs) ..\$0  
 TOTAL.....\$250,000  
\$242,000

**Sec. 3041.** 2019 c 413 s 3150 (uncodified) is amended to read as follows:

**FOR THE STATE PARKS AND RECREATION COMMISSION**

Statewide Electrical System Renovation (30001018)

Reappropriation:  
 State Building Construction Account-State.....\$462,000  
 Prior Biennia (Expenditures) ..... ((\$288,000))  
\$267,000

Future Biennia (Projected Costs) ..\$0  
 TOTAL.....\$750,000  
\$729,000

**Sec. 3042.** 2019 c 413 s 3151 (uncodified) is amended to read as follows:

**FOR THE STATE PARKS AND RECREATION COMMISSION**

Statewide - ADA Compliance (30000985)

Reappropriation:  
 State Building Construction Account-State.....((\$467,000))  
\$784,000  
 Prior Biennia (Expenditures) ..... ((\$533,000))  
\$216,000

Future Biennia (Projected Costs) ..\$0  
 TOTAL.....\$1,000,000

**Sec. 3043.** 2019 c 413 s 3152 (uncodified) is amended to read as follows:

**FOR THE STATE PARKS AND RECREATION COMMISSION**



Future Biennia (Projected Costs)  
 ..... \$20,000,000  
 TOTAL ..... \$32,000,000

**Sec. 3049.** 2019 c 413 s 3218  
 (uncodified) is amended to read as follows:

**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:

(1) The reappropriations are subject to the provisions of section 3086, chapter 2, Laws of 2018.

(2) A maximum of \$615,000 of unused funds in this appropriation may be used for replacement and repair of dock facilities available for public use at Van Riper marina, without requiring matching resources, and provided that a grant and lease term of 30 years is offered to the recipient from the state.

(3) A maximum of \$302,000 of unused amounts in this appropriation may be used for the state route number 547 pedestrian and bicycle safety trail near Kendall, without requiring matching resources.

(4) A maximum of \$448,000 of unused amounts in this appropriation may be used for the Stanwood Port Susan trail project near Stanwood, without requiring matching resources.

(5) A maximum of \$300,000 of unused amounts in this appropriation may be used for the ebey waterfront trail near Marysville, without requiring matching resources.

(6) A maximum of \$400,000 of unused amounts in this appropriation may be used for trail lighting on the cross Kirkland corridor (CKC) at the I-405 underpass in Totem Lake near Kirkland, without requiring matching resources.

Reappropriation:

State Building Construction Account—  
 State ..... \$14,559,000  
 Outdoor Recreation Account—State  
 ..... \$1,337,000  
 Subtotal Reappropriation \$15,896,000  
 Prior Biennia (Expenditures)  
 ..... \$18,885,000

Future Biennia (Projected Costs)..\$0  
 TOTAL.....\$34,781,000

**NEW SECTION. Sec. 3050.** A new section is added to 2019 c 413 (uncodified) to read as follows:**FOR THE RECREATION AND CONSERVATION OFFICE**

Community Forest Project List  
 Development (91001354)

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

(1) The recreation and conservation office shall consult with the department of natural resources and stakeholders to develop funding criteria and a ranked project list to establish community forest projects for funding consideration in the 2021-2023 biennium.

(2) The recreation and conservation office shall develop options for establishing accounting assurances for future revenues that may be generated from community forests.

(3) The criteria established under subsection (1) of this section must allow for a review of project submissions by the recreation and conservation funding board in a manner that is complementary to existing conservation funding programs administered by the office.

(4) A project may be included in the ranked list created under subsection (1) of this section only if it meets the following conditions:

(a) The property under consideration must be forestland;

(b) Acquisition of the property under consideration must be fee simple;

(c) The entity acquiring the property under consideration must be a nonprofit conservation organization, local government, tribe, or a state agency working directly with one or more of the these entities; and

(d) The community forest project must promote, enhance, or develop community and economic benefits.

(5) The recreation and conservation office shall submit the funding criteria and the ranked project list required under subsection (1) of this section and the accounting options required under subsection (2) of this section to the legislature by December 31, 2020.

Appropriation:



General Fund-Private/Local  
 ..... \$1,000,000  
 Special Wildlife Account-Federal  
 ..... \$1,000,000  
 Special Wildlife Account-Private/Local ..... \$1,000,000  
 State Wildlife Account-State  
 ..... \$500,000  
 Subtotal Appropriation .. \$13,500,000  
 Prior Biennia (Expenditures)  
 ..... \$72,421,000  
 Future Biennia (Projected Costs)  
 ..... \$58,500,000  
 TOTAL ..... \$158,364,000

**Sec. 3055.** 2019 c 413 s 3242 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Soos Creek Hatchery Renovation (30000661)

Reappropriation:

State Building Construction Account-State ..... \$5,555,000

Appropriation:

State Building Construction Account-State ..... (~~\$1,710,000~~)  
 \$4,646,000

Prior Biennia (Expenditures) ..... \$6,144,000  
 Future Biennia (Projected Costs) ..... (~~\$3,031,000~~)

\$0

TOTAL ..... ~~\$16,440,000~~  
\$16,345,000

**Sec. 3056.** 2019 c 413 s 3247 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Eells Springs Production Shift (30000723)

Reappropriation:

State Building Construction Account-State ..... (~~\$1,400,000~~)

\$1,546,000

Prior Biennia (Expenditures) ..... (~~\$2,670,000~~)

\$2,524,000

Future Biennia (Projected Costs)..\$0

TOTAL.....\$4,070,000

**Sec. 3057.** 2019 c 413 s 3252 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Snow Creek Reconstruct Facility (30000826)

The appropriation in this section is subject to the following conditions and limitations: In constructing the project, the department must consider the firelight toilet technology.

Reappropriation:

State Building Construction Account-State.....\$25,000

Appropriation:

State Building Construction Account-State.....\$143,000

Prior Biennia (Expenditures) ..... (~~\$75,000~~)

\$68,000

Future Biennia (Projected Costs) ..... \$4,794,000

TOTAL.....~~\$5,037,000~~

\$5,030,000

**Sec. 3058.** 2019 c 413 s 3253 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Forks Creek Hatchery - Renovate Intake and Diversion (30000827)

Reappropriation:

State Building Construction Account-State.....(~~\$2,423,000~~)

\$2,577,000

Appropriation:

State Building Construction Account-State.....\$3,086,000

Prior Biennia (Expenditures) ..... (~~\$2,000~~)

\$198,000



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; 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.

Sec. 3063. 2019 c 413 s 3234 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Deschutes Watershed Center (20062008)

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

(1) The reappropriation is subject to the provisions of section 3205, chapter 19, Laws of 2013 2nd sp. sess.

(2) To avoid foregoing the investment in design and permitting that has already been expended on the Pioneer Park location for the Deschutes Watershed Center, the comanagers shall reconsider this site along with any other locations they agree on. The comanagers shall reevaluate feasible locations by September 30, 2020, and prepare a decision document to justify the best available location.

Reappropriation:

State Building Construction Account—	
State.....	\$9,697,000
Prior Biennia (Expenditures)	
.....	\$5,798,000
Future Biennia (Projected Costs)..	\$0

TOTAL ..... \$15,495,000  
**Sec. 3064.** 2019 c 413 s 3274  
 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF NATURAL RESOURCES**

Forestry Riparian Easement Program (FREP) (30000279)

Reappropriation:

State Building Construction Account—State ..... (~~(\$400,000)~~)

\$520,000

Prior Biennia (Expenditures) ..... (~~(\$3,100,000)~~)

\$2,980,000

Future Biennia (Projected Costs) . \$0

TOTAL ..... \$3,500,000

**Sec. 3065.** 2019 c 413 s 3275 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF NATURAL RESOURCES**

Teaway Working Forest (30000289)

Reappropriation:

State Building Construction Account—State ..... (~~(\$600,000)~~)

\$675,000

Prior Biennia (Expenditures) ..... (~~(\$881,000)~~)

\$662,000

Future Biennia (Projected Costs) . \$0

TOTAL ..... ~~\$1,481,000~~

\$1,337,000

**Sec. 3066.** 2019 c 413 s 3294 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF NATURAL RESOURCES**

Forest Riparian Easement Program (FREP) (40000052)

Appropriation:

State Building Construction Account—State ..... (~~(\$2,500,000)~~)

\$3,500,000

Prior Biennia (Expenditures) ..... \$0

Future Biennia (Projected Costs) ..... \$20,000,000

TOTAL..... ~~\$22,500,000~~

\$23,500,000

NEW SECTION. **Sec. 3067.** A new section is added to 2019 c 413 (uncodified) to read as follows:**FOR THE DEPARTMENT OF NATURAL RESOURCES**

Grouse Ridge Fish Barriers & RMAP Compliance (40000056)

Appropriation:

State Building Construction Account—State.....\$3,245,000

Prior Biennia (Expenditures).....\$0

Future Biennia (Projected Costs) .....\$1,694,000

TOTAL.....\$4,939,000

NEW SECTION. **Sec. 3068.** A new section is added to 2019 c 413 (uncodified) to read as follows:**FOR THE DEPARTMENT OF NATURAL RESOURCES**

Emergent Environmental Mitigation Projects (40000058)

Appropriation:

Forest Development Account—State .....\$92,000

Resource Management Cost Account—State.....\$93,000

Model Toxics Control Capital Account—State.....\$135,000

Subtotal Appropriation.....\$320,000

Prior Biennia (Expenditures).....\$0

Future Biennia (Projected Costs)..\$0

TOTAL.....\$320,000

NEW SECTION. **Sec. 3069.** A new section is added to 2019 c 413 (uncodified) to read as follows:**FOR THE DEPARTMENT OF NATURAL RESOURCES**

Minor Works - Preservation: 2019-21 (40000061)

Appropriation:

State Building Construction Account—State.....\$1,550,000

Prior Biennia (Expenditures).....\$0

Future Biennia (Projected Costs)..\$0

TOTAL.....\$1,550,000





	<u>\$1,040,956,000</u>
Prior Biennia (Expenditures) .....	\$0
Future Biennia (Projected Costs)	
.....	\$4,870,192,000
TOTAL .....	<u>\$5,912,245,000</u>
	<u>\$5,911,148,000</u>

**Sec. 5003.** 2019 c 413 s 5028 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

2019-21 Small District Modernization Grants (92000139)

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

(1) The legislature finds that small school districts with total enrollments of one thousand students or less may have school facilities with significant building systems deficiencies and low property values, and that raising enough funds to participate in the school construction assistance program to replace or modernize their school facilities would present an extraordinary tax burden on property owners or would exceed allowable debt.

(2) \$200,000 of the appropriation is provided solely for the office of the superintendent of public instruction to administer the grant program and provide technical assistance to small school districts seeking grants funded in this section.

(3) (~~(\$1,000,000)~~) \$957,000 of the appropriation is provided solely for planning grants for small school districts interested in seeking modernization grants in subsection (4) of this section. The superintendent 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.

(4) The remaining portion of the appropriation is provided solely for modernization grants for small school districts with significant building system deficiencies and limited financial capacity with the following conditions:

(a) The superintendent of public instruction must appoint an advisory

committee whose members have experience in financing and managing school facilities in small school districts to assist the office in designing the grant application process, developing the prioritization criteria, and evaluating the grant applications. Advisory committee members may not be involved in developing projects or applying for grants funded in this section.

(b) In addition to prioritization criteria developed by the office of the superintendent of public instruction and the advisory committee pursuant to (4) (a) of this section, the office and the advisory committee must also prioritize projects that: (i) Improve student health, safety, and academic performance for the largest number of students; (ii) provide the most available school district resources, including in-kind resources; and (iii) make use of mass-timber products, including cross-laminated timber, or aggregates and concretes materials.

(c) The superintendent must submit a list of small school district modernization projects, as prioritized by the advisory committee, to the legislature by January 15, 2020. 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. The appropriated funds in this subsection may be awarded only ((after the legislature approves the list)) to projects approved by the legislature, as identified in LEAP capital document No. 2020-51, developed March 6, 2020.

(5) For projects in this section that are also eligible for funding through the school construction assistance program, the office of the superintendent of public instruction must expedite and streamline the administrative requirements, timelines, and matching requirements for the funds provided in this section to be used promptly. Funds provided in this section plus state funds provided in the school construction assistance program grant must not exceed total project costs minus available local resources.

Appropriation:

State Building Construction Account—	
State.....	<del>(\$20,000,000)</del>
	<u>\$23,383,000</u>



health clinic at Lowell Elementary School in Seattle.

(8) \$328,000 of the appropriation in this section is provided solely for an agricultural resource center in Tacoma.

(9) \$200,000 of the appropriation in this section is provided solely for a schoolyard park in Tacoma.

(10) \$309,000 of the appropriation in this section is provided solely for a school-based health center in Port Orchard.

(11) \$100,000 of the appropriation in this section is provided solely for the Republic school district for predesign and scoping work related to the replacement of a school facility. It is the intent of the legislature to appropriate \$9,000,000 for the Republic school district in the 2021-23 fiscal biennium for the demolition of an existing school facility and for the design and construction of a new school, subject to the Republic school district securing a local match equal to not less than \$4,500,000.

(12) School districts that receive funding in this section may use that funding for the local share of project cost requirements for projects also eligible for funding through the school construction assistance program.

Appropriation:

State Building Construction Account— State .....	<del>(\$23,000,000)</del>
	\$25,937,000
Prior Biennia (Expenditures) .....	\$0
Future Biennia (Projected Costs) .	\$0
TOTAL .....	<del>\$23,000,000</del>
	\$25,937,000

**NEW SECTION. Sec. 5006.** A new section is added to 2019 c 413 (uncodified) to read as follows: **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

2019-21 School Seismic Safety Retrofit Program (92000148)

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

(1) The appropriation 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 twelfth 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 most recent geological data and building engineering assessments, beginning with facilities classified as very high risk.

(2) In the development of school seismic safety retrofit project priorities for the 2021-2023 fiscal biennium, in addition to prioritizing projects based on their seismic risk classification, the superintendent of public instruction shall also give due consideration to the following: (a) Prioritizing improvements of school buildings used for the instruction of students in kindergarten through twelfth grade; (b) the financial capacity of low property value school districts in the sizing of grant awards; and (c) facilities' seismic needs in light of the useful life of the facilities.

Appropriation:

State Building Construction Account— State.....	\$13,240,000
Prior Biennia (Expenditures).....	\$0
Future Biennia (Projected Costs) .....	\$120,000,000
TOTAL.....	\$133,240,000

**Sec. 5007.** 2019 c 413 s 5032 (uncodified) is amended to read as follows:

**FOR THE STATE SCHOOL FOR THE BLIND**

Independent Living Skills Center (30000107)

Reappropriation:

State Building Construction Account— State.....	\$143,000
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Appropriation:

State Building Construction Account— State.....	\$1,192,000
Prior Biennia (Expenditures).	\$27,000
Future Biennia (Projected Costs) .....	<del>(\$0)</del>
	\$8,076,000
TOTAL.....	\$170,000
	\$9,438,000

Sec. 5008. 2019 c 413 s 5033 (uncodified) is amended to read as follows:

FOR THE STATE SCHOOL FOR THE BLIND

2019-21 Campus Preservation (40000004)

Appropriation:

Table with 2 columns: Description and Amount. Rows include State Building Construction Account-State, Prior Biennia (Expenditures), Future Biennia (Projected Costs), and TOTAL.

Sec. 5009. 2019 c 413 s 5034 (uncodified) is amended to read as follows:

FOR THE WASHINGTON ((STATE)) CENTER FOR ((CHILDHOOD DEAFNESS AND HEARING LOSS)) DEAF AND HARD OF HEARING YOUTH

Academic and Physical Education Building (30000036)

The ((reappropriation)) appropriations in this section ((is)) are subject to the following conditions and limitations: The ((reappropriation is)) appropriations are subject to the provisions of section 5009, chapter 298, Laws of 2018.

Reappropriation:

Table with 2 columns: Description and Amount. Row includes State Building Construction Account-State.

Appropriation:

Table with 2 columns: Description and Amount. Rows include State Building Construction Account-State, Prior Biennia (Expenditures), Future Biennia (Projected Costs), and TOTAL.

Sec. 5010. 2019 c 413 s 5035 (uncodified) is amended to read as follows:

FOR THE WASHINGTON ((STATE)) CENTER FOR ((CHILDHOOD DEAFNESS AND HEARING LOSS)) DEAF AND HARD OF HEARING YOUTH

Minor Works: Preservation 2019-21 (30000045)

Appropriation:

Table with 2 columns: Description and Amount. Rows include State Building Construction Account-State, Prior Biennia (Expenditures), Future Biennia (Projected Costs), and TOTAL.

Sec. 5011. 2019 c 413 s 5044 (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, ((and)) design costs, enabling projects, and early work packages. 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 long-term civil commitment beds, fifty geriatric/voluntary psychiatric beds, and fifty licensed medical/surgery beds, with the capacity to treat patients with psychiatric diagnoses and/or substance use disorders. The project construction must also include construction of a 24/7 telehealth consultation program within the facility.

Appropriation:

Table with 2 columns: Description and Amount. Rows include State Building Construction Account-State, Prior Biennia (Expenditures), Future Biennia (Projected Costs), and TOTAL.

NEW SECTION. **Sec. 5012.** A new section is added to 2019 c 413 (uncodified) to read as follows:**FOR THE UNIVERSITY OF WASHINGTON**

Magnuson Health Sciences Phase II - Renovation/Replacement (40000049)

Appropriation:

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

Prior Biennia (Expenditures) ..... \$0

Future Biennia (Projected Costs) ..... \$59,000,000

TOTAL ..... \$60,000,000

NEW SECTION. **Sec. 5013.** A new section is added to 2019 c 413 (uncodified) to read as follows:**FOR THE WASHINGTON STATE UNIVERSITY**

Washington State University Vancouver - Life Sciences Building (30000840)

Appropriation:

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

Prior Biennia (Expenditures) ..... \$500,000

Future Biennia (Projected Costs) ..... \$52,600,000

TOTAL ..... \$57,100,000

**Sec. 5014.** 2019 c 413 s 5060 (uncodified) is amended to read as follows:

**FOR THE EASTERN WASHINGTON UNIVERSITY**

Engineering Building (30000556)

Reappropriation:

Eastern Washington University Capital Projects

Account—State ..... (~~(\$245,000)~~)  
\$345,000

Prior Biennia (Expenditures) ..... (~~(\$100,000)~~)

\$0

Future Biennia (Projected Costs) ..... \$56,695,000

TOTAL ..... \$57,040,000

**Sec. 5015.** 2019 c 413 s 5072 (uncodified) is amended to read as follows:

**FOR THE CENTRAL WASHINGTON UNIVERSITY**

Minor Works Preservation: 2019-21 (40000041)

Appropriation:

State Building Construction Account—State.....\$2,463,000

Central Washington University Capital Projects

Account—State.....(~~(\$7,000,000)~~)

\$4,537,000

Subtotal Appropriation....\$7,000,000

Prior Biennia (Expenditures).....\$0

Future Biennia (Projected Costs) .....\$28,000,000

TOTAL.....\$35,000,000

NEW SECTION. **Sec. 5016.** A new section is added to 2019 c 413 (uncodified) to read as follows:**FOR THE CENTRAL WASHINGTON UNIVERSITY**

Campus Security Enhancements (40000074)

Appropriation:

Central Washington University Capital Projects

Account—State.....\$2,463,000

Prior Biennia (Expenditures).....\$0

Future Biennia (Projected Costs)..\$0

TOTAL.....\$2,463,000

**Sec. 5017.** 2019 c 413 s 5079 (uncodified) is amended to read as follows:

**FOR THE EVERGREEN STATE COLLEGE**

Historic Lord Mansion (91000029)

The (~~reappropriation~~) appropriations in this section (~~is~~) are subject to the following conditions and limitations: The (~~reappropriation is~~) appropriations are subject to the provisions of section 5016, chapter 298, Laws of 2018.

Reappropriation:

State Building Construction Account—State.....\$100,000

Appropriation:

State Building Construction Account—State.....\$300,000

Prior Biennia (Expenditures) ..... (~~\$404,000~~)  
\$337,000  
 Future Biennia (Projected Costs) . \$0  
 TOTAL ..... ~~\$504,000~~  
\$737,000

**NEW SECTION. Sec. 5018.** A new section is added to 2019 c 413 (uncodified) to read as follows: **FOR THE WASHINGTON STATE ARTS COMMISSION**

Yakima Sun Dome Reflectors (92000002)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section, or as much thereof as may be necessary, is provided solely for evaluating the replacement of the reflectors on the Yakima Sun Dome.

Appropriation:

State Building Construction Account- State ..... \$80,000  
 Prior Biennia (Expenditures) ..... \$0  
 Future Biennia (Projected Costs) . \$0  
 TOTAL ..... \$80,000

**Sec. 5019.** 2019 c 413 s 5093 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE HISTORICAL SOCIETY**

Washington Heritage Grants (30000237)

Reappropriation:

State Building Construction Account- State ..... \$643,000  
 Prior Biennia (Expenditures) ..... (~~\$9,054,000~~)  
\$8,411,000  
 Future Biennia (Projected Costs) . \$0  
 TOTAL ..... ~~\$9,697,000~~  
\$9,054,000

**Sec. 5020.** 2019 c 413 s 5097 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE HISTORICAL SOCIETY**

Heritage Capital Grant Projects: 2019-21 (40000014)

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

(1) The appropriation is subject to the provisions of RCW 27.34.330.

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

- Metro Parks Tacoma - W.W. Seymour Botanical
- Conservatory Rehab.....\$773,000
- Discover Your Northwest - Chittenden Locks Fish
- Ladder Viewing.....\$382,000
- Foss Waterway Seaport - Balfour Dock Building:
- Phase IIIIE.....\$307,000
- City of Tumwater, WA - Old Brewhouse Tower Rehab.....\$513,000
- Gig Harbor - Harbor History Museum - Fishing
- Vessel Shenandoah.....\$100,000
- City of Vancouver, Washington - Re-roof 3 Bldgs
- Officer's Row.....\$150,000
- NW School of Wooden Boatbuilding - Expanding Public
- Access.....\$240,000
- Kalispel Tribe - Restoration of Our Lady of
- Sorrows Church.....\$33,000
- KC Dept. of Natural Resources - Mukai Farmstead & Garden
- Preserv.....\$600,000
- City of Edmonds - Edmonds Museum (Carnegie Library
- Restoration).....\$74,000
- Vancouver National Historic Reserve Trust - Renovate
- Providence.....\$490,000
- Washington Trust for Historic Preservation - Stimson-Green
- Mansion.....\$100,000
- Phinney Neighborhood Association - John B.
- Allen School.....\$30,000

PNW Railroad Archive - Mounting rails  
 ..... \$47,000

City of Roslyn - Historic Community  
 Center, Library,  
 & City Hall ..... \$233,000

Quincy Valley Historical Society &  
 Museum - Comm  
 Heritage Barn ..... \$41,000

The NW Railway Museum - Puget Sound  
 Electric Railway  
 Interurban ..... \$229,000

The Cutter Theatre - 1912 Metaline  
 Falls School  
 Re-Roofing ..... \$26,000

Delridge Neighborhoods Dev Assoc -  
 Structural  
 improvements ..... \$299,000

Seattle City Light - Continue  
 Georgetown Steam  
 Plan ..... \$773,000

Skagit County Historical Society -  
 Skagit City  
 School Rehab ..... \$22,000

Mount Baker Theatre - Mount Baker  
 Theatre  
 Preservation ..... \$1,000,000

North Bay Historical Society -  
 Sargent Oyster House  
 Restoration ..... \$160,000

City of Lynnwood - Heritage Park  
 Water Tower Phase II  
 Renovation ..... \$124,000

Town of Waverly - Restoration of  
 Prairie View  
 Schoolhouse ..... \$55,000

City of Lacey - Renovating Lacey  
 warehouse for  
 new museum ..... \$979,000

Northwest Schooner Society -  
 Restoration 1906 Keepers  
 Quarters ..... \$82,000

Sammamish Heritage Society - Reard  
 House Phase III:  
 Reconstruct ..... \$123,000

Cheney Depot Society - Cheney Depot  
 Relocation &

Rehabilitation.....\$367,000

The 5th Ave Theatre Assoc - Theatre  
 Upgrade:  
 Auditorium.....\$560,000

Highline Historical Society - Phase  
 3: Highline Heritage  
 Museum.....\$71,000

University Place Historical Society  
 - Curran House  
 History Museum.....\$41,000

Coupeville Maritime Heritage  
 Foundation - Preserv of  
 vessel Suva.....\$71,000

~~((Fort Worden Public Development  
 Authority - Sage Arts &  
 Ed Ctr.....\$560,000))~~

South Pierce County Historical  
 Society - Eatonville  
 Tofu House.....\$15,000

City of Everett - Van Valley Home  
 lead Abatement &  
 Pres.....\$67,000

Appropriation:  
 State Building Construction Account-  
 State.....((~~\$9,737,000~~))  
\$9,177,000

Prior Biennia (Expenditures).....\$0

Future Biennia (Projected Costs)..\$0

TOTAL.....~~\$9,737,000~~  
\$9,177,000

**Sec. 5021.** 2019 c 413 s 5098  
 (uncodified) is amended to read as  
 follows:

**FOR THE WASHINGTON STATE HISTORICAL  
 SOCIETY**

Minor Works - Preservation: 2019-21  
 (40000086)

Appropriation:  
 State Building Construction Account-  
 State.....((~~\$1,545,000~~))  
\$2,608,000

Prior Biennia (Expenditures).....\$0

Future Biennia (Projected Costs)  
 .....\$9,543,000

TOTAL.....~~\$11,088,000~~



\$12,151,000

NEW SECTION. Sec. 5022. A new section is added to 2019 c 413 (uncodified) to read as follows: **FOR THE WASHINGTON STATE HISTORICAL SOCIETY**

Black History Commemoration (91000008)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the Washington State Historical Society to lead a commemoration of Black History Month in 2021 at the State Capitol to include the planning and presentation of events and/or exhibitions on the Capitol campus, development of digital educational resources, and the creation or refurbishment of permanent fixtures and/or structures commemorating the history of African Americans in Washington state.

Appropriation:

State Building Construction Account-State ..... \$100,000
Prior Biennia (Expenditures) ..... \$0
Future Biennia (Projected Costs) . \$0
TOTAL ..... \$100,000

Sec. 5023. 2019 c 413 s 5101 (uncodified) is amended to read as follows:

**FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY**

Minor Works - Preservation: 2019-21 (40000026)

Appropriation:

State Building Construction Account-State ..... ((\$800,000))
\$1,559,000
Prior Biennia (Expenditures) ..... \$0
Future Biennia (Projected Costs) ..... \$3,200,000
TOTAL ..... \$4,000,000
\$4,759,000

Sec. 5024. 2019 c 413 s 5109 (uncodified) is amended to read as follows:

**FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

North Seattle Community College: Technology Building Renewal (30000129)

It is the intent of the legislature that all remaining work on this project be completed by June 30, 2023.

Reappropriation:

State Building Construction Account-State.....\$569,000
Prior Biennia (Expenditures) .....\$24,847,000
Future Biennia (Projected Costs)..\$0
TOTAL.....\$25,416,000

Sec. 5025. 2019 c 413 s 5122 (uncodified) is amended to read as follows:

**FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Shoreline: Allied Health, Science & Manufacturing Replacement (30000990)

Reappropriation:

State Building Construction Account-State.....\$2,902,000
((Appropriation:
State Building Construction Account-State.....\$36,642,000))
Prior Biennia (Expenditures) .....\$690,000
Future Biennia (Projected Costs) .....(((\$0))
\$36,642,000
TOTAL.....\$40,234,000

Sec. 5026. 2019 c 413 s 5103 (uncodified) is amended to read as follows:

**FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Yakima Valley Community College: Palmer Martin Building (30000121)

Reappropriation:

State Building Construction Account-State.....\$953,000
Prior Biennia (Expenditures) .....(((\$19,287,000))
\$19,196,000
Future Biennia (Projected Costs)..\$0
TOTAL.....\$20,240,000
\$20,149,000

**Sec. 5027.** 2019 c 413 s 5126 (uncodified) is amended to read as follows:

**FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Spokane Falls: Fine and Applied Arts Replacement (30001458)

The appropriation in this section is subject to the following conditions and limitations: The appropriation authorizes Spokane Falls to enter into a contract for the construction of this project. It is the intent of the legislature that \$17,140,000 will be appropriated for this project in the 2021-2023 fiscal biennium.

Reappropriation:

State Building Construction Account—State ..... \$2,616,000

Appropriation:

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

Prior	Biennia	(Expenditures)	
.....			\$211,000

Future	Biennia	(Projected Costs)	
.....			(\$0)

\$17,140,000

TOTAL ..... \$2,827,000

\$39,967,000

**NEW SECTION. Sec. 5028.** A new section is added to 2019 c 413 (uncodified) to read as follows:**FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Everett: Baker Hall Replacement (40000190)

Appropriation:

State Building Construction Account—State ..... \$275,000

Prior	Biennia	(Expenditures)	.....	\$0
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Future	Biennia	(Projected Costs)	.....	\$32,279,000
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TOTAL ..... \$32,554,000

**PART 6**

**2017-2019 BIENNIUM PROVISIONS**

**Sec. 6001.** 2019 c 413 s 6005 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

2017-19 Housing Trust Fund Program (30000872)

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

(1) \$83,500,000 of the state taxable building construction account—state appropriation, \$19,631,000 of the state building construction account—state appropriation, and \$8,658,000 of the Washington housing trust account—state appropriation are provided solely for affordable housing and preservation of affordable housing. Of the amounts in this subsection:

(a) \$24,370,000 is provided solely for housing projects that provide supportive housing and case-management services to persons with chronic mental illness. The department must prioritize low-income supportive housing unit proposals that provide services or include a partner community behavioral health treatment provider;

(b) \$10,000,000 is provided solely for housing preservation grants or loans to be awarded competitively. The grants 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 that a capital needs assessment is performed to estimate the cost of the preservation project at contract execution. Funds may not be used to add or expand the capacity of the property. To receive grants, housing projects must meet the following requirements:

(i) The property is more than fifteen years old;

(ii) At least 50 percent of the housing units are occupied by families and individuals at or below 30 percent area median income.

(iii) The improvements will result in reduction of operating or utilities costs, or both; and

(iv) Other criteria that the department considers necessary to achieve the purpose of this program.

(c) \$5,000,000 is provided solely for housing projects that benefit people at or below 80 percent of the area median income who have been displaced by a natural disaster declared by the governor, including people who have been displaced within the last two biennia.

(d) \$1,000,000 of the Washington housing trust account—state appropriation is provided solely for the department to work with the communities of concern commission to focus on creating capital assets that will help reduce poverty and build stronger and more sustainable communities using the communities' cultural understanding and vision. The funding must be used for predevelopment costs for capital projects identified by the commission and for other activities to assist communities in developing capacity to create community-owned capital assets.

(e) \$1,000,000 of the Washington housing trust account—state appropriation and \$1,500,000 of the state taxable building construction account—state appropriation are 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 1530 Broadway, 1534 Broadway, and 909 East Pine street to one or more nonprofits or public development authorities selected by the department, if the selected entities agree to use the properties to provide services and housing for homeless youth or young adults for a minimum of twenty five years. The transfer agreement between the state board for community and technical colleges and the selected entities must specify a mutually agreed transfer date and require the selected entities to cover any closing costs with a total purchase price of nine million dollars for all three properties))~~ department to contract directly with YouthCare Service Center to purchase the 1534 Broadway site from Capitol Hill Housing in order for YouthCare Service Center to develop a youth community center.

(f) \$25,506,000 is provided solely for the following list of housing projects:

- (i) Spokane Housing Predesign ..... \$500,000
- (ii) El Centro de la Raza .. \$737,000
- (iii) Highland Village Preservation ..... \$1,500,000
- (iv) King County Modular Housing Project ..... \$1,500,000
- (v) Nisqually Tribal Housing ..... \$1,250,000

(vi) Othello Homesight Community Center.....\$3,000,000

(vii) Parkview Apartments Affordable Housing.....\$100,000

(viii) Supported Housing and Employment (Longview).....\$129,000

(ix) \$2,000,000 is provided solely for homeownership assistance for low-income households displaced from their manufactured/mobile homes due the closure or conversion of a mobile home park or manufactured housing community in south King County. \$1,500,000 of this amount in this subsection is provided solely for low-income residents displaced from the Firs Mobile Home Park located in SeaTac.

(x) \$6,000,000 is provided solely for grants for high quality low-income housing projects that will quickly move people from homelessness into secure housing, and are significantly less expensive to construct than traditional housing. It is the intent of the legislature that these grants serve projects with a total project development cost per housing unit of less than ~~(((\$125,000))~~ \$135,000, excluding the value of land, and with a commitment by the applicant to maintain the housing units for at least a twenty-five year period. Amounts provided that are subject to this subsection must be used to plan, predesign, design, provide technical assistance and financial services, purchase land for, and build innovative low-income housing units. \$3,000,000 of the appropriation that is subject to this subsection is provided solely for innovative affordable housing in Shelton and \$3,000,000 of the appropriation that is subject to this subsection is provided solely for innovative affordable housing for veterans in Orting. Mental health and substance abuse counseling services must be offered to residents of housing projects supported by appropriations in this subsection. \$500,000 of the appropriation for housing units in Shelton can be released for purchase of land, planning, or predesign services before the project is fully funded. \$500,000 of the appropriation for housing units in Orting can be released for purchase of land, planning, or predesign services before the project is fully funded.

(xi) \$7,290,000 is provided solely for grants to the following organizations using innovative methods to address

homelessness: \$4,290,000 for THA Arlington drive youth campus in Tacoma and \$3,000,000 for a King county housing project.

(xii) \$1,500,000 is provided solely for Valley Cities modular housing project in Auburn.

(g) Of the amounts appropriated remaining after (a) through (f) of this subsection, the department must allocate the funds as follows:

(i) 10 percent is provided solely for housing projects that benefit veterans;

(ii) 10 percent is provided solely for housing projects that benefit homeownership;

(iii) 5 percent is provided solely for housing projects that benefit people with developmental disabilities;

(iv) The remaining amount is provided solely for projects that serve low-income and special needs populations in need of housing, including, but not limited to, homeless families with children, homeless youth, farmworkers, and seniors.

(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) The department must strive to allocate all of the amounts appropriated in this section within the 2017-2019 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.

Appropriation:

State Building Construction Account—State ..... \$19,631,000

State Taxable Building Construction Account—State ..... \$83,500,000

Washington Housing Trust Account—State ..... \$8,658,000

Subtotal Appropriation . \$111,789,000

Prior Biennia (Expenditures) ..... \$0

Future Biennia (Projected Costs) .....\$400,000,000  
 TOTAL.....\$511,789,000

**Sec. 6002.** 2019 c 413 s 1024 (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 may be directed to the Puyallup Meeker Mansion Public Plaza.

(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.....(~~\$91,142,000~~)  
\$90,642,000

Prior Biennia (Expenditures) .....\$39,799,000

Future Biennia (Projected Costs)..\$0

TOTAL.....~~\$130,941,000~~  
\$130,441,000

**Sec. 6003.** 2019 c 413 s 6006 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

Clean Energy Funds 3 (30000881)

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

(1) The appropriations 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.

(2) 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.

(3) (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 twenty-four 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.

(4) The requirements in subsections (2) and (3) of this section must be specified in funding agreements issued by the department.

(5) \$11,000,000 of the state building construction account, is provided solely for grid modernization grants for projects that advance clean and renewable energy technologies, and transmission and distribution control systems; that support integration of renewable energy sources, deployment of distributed energy resources, and sustainable microgrids; and that increase utility customer options for energy sources, energy efficiency, energy equipment, and utility services.

(a) Projects must be implemented by public and private electrical utilities that serve retail customers in the state. Eligible utilities may partner with other public and private sector research organizations and businesses in applying for funding.

(b) 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, allow smaller utilities or consortia of small utilities to apply for funding.

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

(6) \$7,900,000 of the state building construction account and \$3,100,000 of the energy efficiency account are provided solely for grants to demonstrate new approaches to electrification of transportation systems.

(a) Projects must be implemented by local governments, federally recognized tribal governments, or by public and private electrical utilities that serve retail customers in the state. Eligible parties may partner with other public and private sector research organizations and businesses in applying for funding. The department of commerce must coordinate with other electrification programs, including projects the department of transportation is developing and projects funded by the Volkswagen consent decree, to determine the most effective distribution of the systems.

(b) Priorities must be given to eligible technologies that reduce the top two hundred hours of demand and the demand side.

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

(i) Electric vehicle and transportation system charging and open source control infrastructure, including inductive charging systems;

(ii) Electric vehicle sharing in low-income, multi-unit housing communities in urban areas;

(iii) Grid-related vehicle electrification, connecting vehicle fleets to grid operations, including school and transit buses;

(iv) Electric vehicle fleet management tools with open source software;

(v) Maritime electrification, such as electric ferries, water taxis, and shore power infrastructure.

(7) (a) \$8,600,000 of the state building construction account is provided solely for strategic research and development for new and emerging clean energy technologies, as needed to match federal or other nonstate funds to research, develop, and demonstrate clean energy technologies.

(b) The department shall consult and coordinate with the University of Washington, Washington State University, the Pacific Northwest national laboratory and other clean energy organizations to design the grant program unless the organization prefers to compete for the grants. If the organization prefers to receive grants from the program they may not participate in the consultant process determining how the grant process is structured. The program shall offer matching funds for competitively selected clean energy projects, including but not limited to: Solar technologies, advanced bioenergy and biofuels, development of new earth abundant materials or lightweight materials, advanced energy storage, battery components recycling, and new renewable energy and energy efficiency technologies. Criteria for the grant program must include life cycle cost analysis for projects that are part of the competitive process.

(c) \$750,000 of this subsection (7) is provided solely for the state efficiency and environmental program.

(8) \$8,000,000 of the state taxable construction account is provided solely for scientific instruments to help

accelerate research in advanced materials at the proposed science laboratories infrastructure facility at the Pacific Northwest national laboratory. These state funds are contingent on securing federal funds for the new facility, and are provided as match to the federal funding. The instruments will support researchers at the bioproducts sciences and engineering laboratory, the joint center for deployment research in earth abundant materials, the center for advanced materials and clean energy technology, and other energy and materials collaborations with the University of Washington and Washington State University.

(9) \$1,600,000 of the state building construction account and \$2,400,000 of the energy efficiency account are provided solely for grants to be awarded in competitive rounds for the deployment of solar projects located in Washington state.

(a) Priority must be given to distribution side projects that reduce peak electricity demand.

(b) Projects must be capable of generating more than one hundred kilowatts of direct current generating capacity.

(c) Except as provided in (d) of this subsection, grants shall not exceed \$200,000 per megawatt of direct current generating capacity and total grant funds per project shall not exceed \$1,000,000 per applicant. Applicants may not use other state grants.

(d) At least 35 percent of the total allocation of a project must be for community solar projects that provide solar electricity to low-income households, low-income tribal housing programs, affordable housing providers, and nonprofit organizations providing services to low-income communities. The provisions of (c) of this subsection do not apply to projects funded under this subsection (9) (d).

(e) Priority must be given to major components made in Washington.

(f) The department must attempt to prioritize an equitable geographic distribution and a diversity of project sizes.

(10) \$2,400,000 of the state building construction account is provided solely

for the first phase of a project which, when fully deployed, will reduce emissions of greenhouse gases by a minimum of seven hundred fifty thousand tons per year, increase energy efficiency, and protect or create aluminum manufacturing jobs located in Whatcom county.

(11) \$1,100,000 of the state building construction account—state appropriation is provided solely for a grant to the public utility district no. 1 of Klickitat county for the remediation, survey, and evaluation of a closed-loop pump storage hydropower project at the John Day pool.

Appropriation:

State Building Construction Account—State .....	\$32,600,000
State Taxable Building Construction Account—State .....	\$8,000,000
Energy Efficiency Account—State .....	\$5,500,000
Subtotal Appropriation ..	\$46,100,000
Prior Biennia (Expenditures) .....	\$0
Future Biennia (Projected Costs) .....	\$200,000,000
TOTAL .....	\$246,100,000

**PART 7**

**MISCELLANEOUS PROVISIONS**

**Sec. 7001.** 2019 c 413 s 7001 (uncodified) is amended to read as follows:

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 (~~forty-eight million six hundred eighteen thousand two hundred eighteen dollars for the 2019-2021 biennium, three hundred six million nine hundred two thousand nine hundred ninety-six dollars for the 2021-2023 biennium, and four hundred thirty-three million two hundred fifty-nine thousand five hundred seventy-three dollars for the 2023-2025 biennium~~) forty-three million three hundred fourteen thousand six hundred forty-two dollars for the 2019-2021 biennium, three hundred million four hundred twenty-two thousand three hundred forty-three dollars for the 2021-2023 biennium, and four hundred seventeen million four hundred fifty-

five thousand six hundred sixty dollars for the 2023-2025 biennium.

**Sec. 7002.** 2019 c 413 s 7002 (uncodified) is amended to read as follows:

**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 \$103,143,000 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 \$7,450,000 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 \$3,600,000 plus financing expenses and required reserves pursuant

to chapter 39.94 RCW to purchase the King county secure community transition center.

(6) Department of fish and wildlife: Enter into a financing contract for up to \$3,099,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to purchase automated salmon marking trailers.

(7) Department of natural resources: Enter into a financing contract for up to \$1,800,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to remodel spaces within agency-owned commercial buildings that will benefit the common school trust.

(8) Western Washington University: Enter into a financing contract for up to \$9,950,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to construct a consolidated academic support services facility. Debt service for this facility may not be paid from additional student fees.

(9) Community and technical colleges:

(a) Enter into a financing contract on behalf of Columbia Basin Community College for up to \$27,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to construct a student recreation center.

(b) Enter into a financing contract on behalf of Pierce College Puyallup for up to \$2,831,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to purchase land and construct parking.

(c) Enter into a financing contract on behalf of Walla Walla Community College for up to \$1,500,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to build a student activity center on the Clarkston campus.

(d) Enter into a financing contract on behalf of Walla Walla Community College for up to \$6,500,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to build a student recreation center.

(e) Enter into a financing contract on behalf of Wenatchee Valley College for up to \$4,500,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW for the Wells Hall replacement project.

(f) Enter into a financing contract on behalf of Yakima Valley Community College for up to \$22,700,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to build additional instructional and lab classroom space.

(g) Enter into a financing contract on behalf of Everett Community College for up to \$10,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to purchase one or more properties adjacent to the campus.

(h) Enter into a financing contract on behalf of South Seattle College for up to \$10,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to build a student wellness and fitness center.

(10) Eastern Washington University: Enter into a financing contract for up to \$3,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW for roof replacement projects.

**Sec. 7003.** 2019 c 413 s 7003 (uncodified) is amended to read as follows:

(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 some or all of 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)). The office of financial management shall report any exception to the fiscal committees of the legislature and include: (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.

NEW SECTION. Sec. 7004. If Substitute House Bill No. 2936 (predesign) is not enacted by June 30, 2020, section 7003 of this act is null and void.

**Sec. 7005.** RCW 43.19.501 and 2018 c 2 s 7027 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. ~~((For the 2015-2017 biennium, moneys in the account may be used for studies related to real estate.))~~

During the ~~((2017-2019))~~ 2019-2021 fiscal biennium, 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.

**Sec. 7006.** 2019 c 413 s 7021 (uncodified) is amended to read as follows:

(1) The department of enterprise services, in consultation with the office of financial management, is granted the authority to sell the real property known as the Tacoma Rhodes complex. The property consists of the Broadway building, Market building, and parking garage.

(2) The department may negotiate a sale with the city of Tacoma for less than fair market value, but the purchase price must cover appraisal costs, all debt service, all closing costs, all financing contracts, and the cost of outstanding liabilities necessary to keep the department whole.

(3) If the department and the city of Tacoma are unable to negotiate agreed upon terms and execute a purchase and sale agreement by December 31, 2019, the department may sell the property to any purchaser for no less than fair market value.

(4) The terms and conditions of the sale must meet the business needs of the state tenants.

(5) Any sale proceeds remaining after the department has satisfied all of the obligations, including appraisal costs, all debt service, all closing costs, all financing contracts, and the cost of outstanding liabilities, must be deposited into the Thurston county capital facilities account. It is the

intent of the legislature to use the sale proceeds for projects on the Capitol Campus.

**NEW SECTION. Sec. 7007.** A new section is added to 2019 c 413 (uncodified) to read as follows:

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.

**Sec. 7008.** RCW 43.63A.750 and 2006 c 371 s 235 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 fiscal biennium 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.

**Sec. 7009.** 2019 c 413 s 7038 (uncodified) is amended to read as follows:

UNIVERSITY OF WASHINGTON TRANSFER TO SEATTLE.

By June 30, 2020, the University of Washington must transfer the deed of the property and general purpose facility, King County parcel numbers 308500-2100, 713830-0015, and 713880-0025, located ((at)) near 2901 27th Avenue South, Seattle, to the city of Seattle for the purposes of developing affordable housing, including supportive housing,

for households at or below eighty percent of the area median income and ~~((providing health care services in partnership with a public hospital system))~~ for other potential educational, research, and clinical uses by the university, including an early learning facility. ((The University of Washington may reserve easements in the transferred property at no cost to the university.)) If the university constructs and occupies space for its potential uses on the transferred property, then such space must be occupied at no base rent paid by the university. The transfer shall count toward the ((obligation)) commitment to build affordable housing under the university's institutional campus master plan agreement. The city shall seek to maximize the affordable housing development potential of the property consistent with transit-oriented development principles. Liabilities existing on the property at the time of transfer will transfer with the property. When the deed is transferred to the city, any existing leases of the property expire, except those leases that the university and city have agreed to extend beyond the transfer date. The transfer must be at no cost to the city. As a condition of the transfer, the city of Seattle may only transfer the property to a nonprofit corporation or a unit of state or local government. For purposes of this section, a nonprofit corporation includes a:

(1) Nonprofit as defined in RCW 84.36.800 that is exempt from income tax under section 501(c) of the federal internal revenue code, a public corporation established under RCW 35.21.660, 35.21.670, or 35.21.730, a housing authority created under RCW 35.82.030 or 35.82.300, or a housing authority meeting the definition in RCW 35.82.210(2)(a); or

(2) Limited partnership or limited liability limited partnership where a nonprofit as defined in subsection (1) of this section is a general partner or a member of a single purpose entity serving as a general partner, in which all of the members meet the definition of subsection (1) of this section; or

(3) Limited liability company where a nonprofit as defined in subsection (1) of this section is a managing member or a member of a single purpose entity serving as a managing member in which all

of the members meet the definition of subsection (1) of this section.

NEW SECTION. Sec. 7010. 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. 7011. 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."

Correct the title.

Representatives Tharinger and DeBolt spoke in favor of the adoption of the striking amendment.

The striking amendment (2183) was adopted.

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

Representatives Tharinger, DeBolt, Doglio, Smith, Steele and Callan spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 6248 as amended by the House.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 6248, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Boehnke, Caldier, Callan, Chambers, Chandler, Chapman, Chopp, Cody, Corry, Davis, DeBolt, Dent, Doglio, Dolan, Duerr, Dufault, Dye, Entenman, Eslick, Fey, Fitzgibbon, Frame, Gildon, Goehner, Goodman, Graham, Gregerson, Griffey, Hansen, Harris, Hoff, Hudgins, Irwin, Jenkin, J. Johnson, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Leavitt, Lekanoff, Lovick, MacEwen, Macri, Maycumber, McCaslin, Mead, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Ramel, Ramos, Riccelli, Robinson, Rude, Ryu, Santos, Schmick, Sells, Senn, Shea, Shewmake, Slatter, Smith, Springer, Steele, Stokesbary, Stonier, Sullivan, Sutherland, Tarleton, Thai, Tharinger, Valdez, Van Werven, Vick, Volz, Walen, Walsh, Wilcox, Wylie, Ybarra, Young and Mme. Speaker.

Excused: Representative Paul.

ENGROSSED SUBSTITUTE SENATE BILL NO. 6248, as amended by the House, having received the necessary constitutional majority, was declared passed.

**POINT OF PERSONAL PRIVILEGE**

Representative Tharinger thanked the staff of the committee on Capital Budget for their hard work and dedication.

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

**MOTION**

There being no objection, the Committee on Appropriations was relieved of the following bill and the bill was placed on the second reading calendar:

ENGROSSED SECOND SUBSTITUTE SENATE  
BILL NO. 6515

The Speaker (Representative Orwall presiding) called upon Representative Callan to preside.

The Speaker assumed the chair.

**SIGNED BY THE SPEAKER**

The Speaker signed the following bills:

ENGROSSED HOUSE BILL NO. 1390  
THIRD SUBSTITUTE HOUSE BILL NO. 1504  
ENGROSSED THIRD SUBSTITUTE HOUSE BILL  
NO. 1775  
HOUSE BILL NO. 1841  
ENGROSSED HOUSE BILL NO. 1948  
HOUSE BILL NO. 2189  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2421  
HOUSE BILL NO. 2458  
SECOND SUBSTITUTE HOUSE BILL NO. 2499  
HOUSE BILL NO. 2505  
SECOND SUBSTITUTE HOUSE BILL NO. 2513  
SUBSTITUTE HOUSE BILL NO. 2554  
SUBSTITUTE HOUSE BILL NO. 2634  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2642  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2645  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2660  
HOUSE BILL NO. 2669  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2676  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2723  
SUBSTITUTE HOUSE BILL NO. 2728  
HOUSE BILL NO. 2739  
ENGROSSED HOUSE BILL NO. 2811  
ENGROSSED SECOND SUBSTITUTE HOUSE  
BILL NO. 2870  
HOUSE BILL NO. 2903  
SUBSTITUTE HOUSE BILL NO. 2905  
HOUSE BILL NO. 2926  
HOUSE BILL NO. 2943  
ENGROSSED SUBSTITUTE SENATE BILL NO.  
5147  
SECOND SUBSTITUTE SENATE BILL NO. 5149  
ENGROSSED SUBSTITUTE SENATE BILL NO.  
5323

ENGROSSED SUBSTITUTE SENATE BILL NO.  
5385  
ENGROSSED SUBSTITUTE SENATE BILL NO.  
5434  
SECOND SUBSTITUTE SENATE BILL NO. 5601  
SENATE BILL NO. 5613  
SUBSTITUTE SENATE BILL NO. 5640  
SENATE BILL NO. 5792  
SENATE BILL NO. 5811  
SECOND ENGROSSED SENATE BILL NO. 5887  
SECOND SUBSTITUTE SENATE BILL NO. 6027  
ENGROSSED SECOND SUBSTITUTE SENATE  
BILL NO. 6087  
SUBSTITUTE SENATE BILL NO. 6088  
SENATE BILL NO. 6090  
ENGROSSED SECOND SUBSTITUTE SENATE  
BILL NO. 6128  
ENGROSSED SUBSTITUTE SENATE BILL NO.  
6287  
ENGROSSED SUBSTITUTE SENATE BILL NO.  
6300  
SENATE BILL NO. 6305  
SENATE BILL NO. 6312  
SUBSTITUTE SENATE BILL NO. 6429  
SECOND SUBSTITUTE SENATE BILL NO. 6561  
SENATE BILL NO. 6565  
SUBSTITUTE SENATE BILL NO. 6570  
ENGROSSED SUBSTITUTE SENATE BILL NO.  
6592  
SUBSTITUTE SENATE BILL NO. 6613  
SUBSTITUTE SENATE BILL NO. 6660

The Speaker called upon Representative Orwall to preside.

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

**MESSAGES FROM THE SENATE**

March 11, 2020

Mme. SPEAKER:

The Senate has passed:

HOUSE BILL NO. 2903,  
HOUSE BILL NO. 2943,

and the same are herewith transmitted.

Brad Hendrickson, Secretary

March 11, 2020

Mme. SPEAKER:

The Senate has passed:

SECOND SUBSTITUTE SENATE BILL NO. 6231,

and the same is herewith transmitted.

Brad Hendrickson, Secretary

March 11, 2020

Mme. SPEAKER:

The Senate concurred in the House amendment(s) to the following bills and passed the bills as amended by the House:

SECOND SUBSTITUTE SENATE BILL NO. 6478,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 6641,

and the same are herewith transmitted.

Brad Hendrickson, Secretary

March 11, 2020

Mme. SPEAKER:

The President has signed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1023,  
SECOND SUBSTITUTE HOUSE BILL NO. 1191,  
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.  
1521,  
ENGROSSED HOUSE BILL NO. 1552,  
HOUSE BILL NO. 1590,  
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.  
1783,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1793,  
SECOND SUBSTITUTE HOUSE BILL NO. 1888,  
HOUSE BILL NO. 2051,  
HOUSE BILL NO. 2230,  
SUBSTITUTE HOUSE BILL NO. 2302,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2327,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2342,  
SUBSTITUTE HOUSE BILL NO. 2374,

and the same are herewith transmitted.

Brad Hendrickson, Secretary

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

### THIRD READING

#### MESSAGE FROM THE SENATE

March 10, 2020

Madame Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 2116 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** The legislature recognizes that the federal every student succeeds act of 2015, P.L. 114-95, reauthorized and amended the elementary and secondary education act of

1965, the federal policy and funding assistance framework for the nation's public education system.

Two of the stated purposes of the every student succeeds act are to provide all children with a significant opportunity to receive a fair, equitable, and high quality education, and to close educational achievement gaps.

The legislature further recognizes that Article IX of the state Constitution provides that it is the paramount duty of the state to make ample provision for the education of all children residing within its borders, without distinction or preference on account of race, color, caste, or sex.

While the partnership of federal and state law is critical in ensuring that the civil and education rights of students are upheld, efforts in Washington to fully realize state and federal objectives, especially with respect to the delivery of education services in institutional facilities, remain unfinished.

The legislature, therefore, intends to establish a task force on improving institutional education programs and outcomes, with tasks and duties generally focused on educational programs in the juvenile justice system. In so doing, the legislature intends to examine issues that have not been significantly explored in recent years, build a shared understanding of past and present circumstances, and develop recommendations for improving the delivery of education services, and associated outcomes, for youth in institutional facilities.

NEW SECTION. **Sec. 2.** (1) (a) The task force on improving institutional education programs and outcomes is established, with members as provided in this subsection.

(i) The president of the senate shall appoint one member from each of the two largest caucuses of the senate, with each member serving on the committee with jurisdiction over education issues, and one member serving on the committee with jurisdiction over basic education funding.

(ii) The speaker of the house of representatives shall appoint one member from each of the two largest caucuses of the house of representatives, with one member serving on the committee with

jurisdiction over education issues, and one member serving on the committee with jurisdiction over basic education funding.

(iii) The governor shall appoint one member each from the state board of education and the department of children, youth, and families, and one member representing an organization that provides free legal advice to youth who are involved in, or at risk of being involved in, the juvenile justice system.

(iv) The superintendent of public instruction shall appoint three members: One member representing the superintendent of public instruction; one member who is a principal from a school district with at least twenty thousand enrolled students that provides education services to a juvenile rehabilitation facility; and one member who is a teacher with expertise in providing education services to residents of a juvenile rehabilitation facility.

(v) The task force must also include one member representing the educational opportunity gap oversight and accountability committee, selected by the educational opportunity gap oversight and accountability committee.

(b) The task force shall choose its cochairs from among its legislative membership. One cochair must be from a minority caucus in one of the two chambers of the legislature. A member from the majority caucus of the house of representatives shall convene the initial meeting of the task force by May 1, 2020.

(2) The task force shall examine the following issues:

(a) Goals and strategies for improving the coordination and delivery of education services to youth involved with the juvenile justice system, especially youth in juvenile rehabilitation facilities, and children receiving education services, including home or hospital instruction, under RCW 28A.155.090;

(b) The transmission of student records, including individualized education programs and plans developed under section 504 of the rehabilitation act of 1973, for students in institutional facilities, and recommendations for ensuring that those records are available to the applicable

instructional staff within two business days of a student's admission to the institution;

(c) Goals and strategies for increasing the graduation rate of youth in institutional facilities, and in recognition of the transitory nature of youth moving through the juvenile justice system, issues related to grade level progression and academic credit reciprocity and consistency to ensure that:

(i) Core credits earned in an institutional facility are considered core credits by public schools that the students subsequently attend; and

(ii) Public school graduation requirements, as they applied to a student prior to entering an institutional facility, remain applicable for the student upon returning to a public school;

(d) Goals and strategies for assessing adverse childhood experiences of students in institutional education and providing trauma-informed care;

(e) An assessment of the level and adequacy of basic and special education funding for institutional facilities. The examination required by this subsection (2)(e) must include information about the number of students receiving special education services in institutional facilities, and a comparison of basic and special education funding in institutional facilities and public schools during the previous ten school years;

(f) An assessment of the delivery methods, and their adequacy, that are employed in the delivery of special education services in institutional facilities, including associated findings;

(g) School safety, with a focus on school safety issues that are applicable in institutional facilities; and

(h) Special skills and services of faculty and staff, including associated professional development and nonacademic supports necessary for addressing social emotional and behavioral health needs presenting as barriers to learning for youth in institutional facilities.

(3) The task force, in completing the duties prescribed by this section, shall solicit and consider information and perspectives provided by the department

of corrections and persons and entities with relevant interest and expertise, including from persons with experience reintegrating youth from institutional facilities into school and the community at large, and from persons who provide education services in secure facilities housing persons under the age of twenty-five, examples of which include county jails, juvenile justice facilities, and community facilities as defined in RCW 72.05.020.

(4) Staff support for the task force must be provided by the senate committee services and the house of representatives office of program research. The office of financial management, the office of the superintendent of public instruction, the department of children, youth, and families, and the department of corrections shall cooperate with the task force and provide information as the cochairs may reasonably request.

(5) Legislative members of the task force are to 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, government entity, or other organization. Any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW.

(6) The expenses of the task force must be paid jointly by the senate and the house of representatives. Task force expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees.

(7) In accordance with RCW 43.01.036, the task force shall report its findings and recommendations to the governor and the appropriate committees of the house of representatives and the senate by December 15, 2020, in time for the legislature to take action on legislation that is consistent with the findings and recommendations during the 2021 legislative session. The findings and recommendations may also include recommendations for extending the duration of the task force.

(8) This section expires June 30, 2021.

**NEW SECTION. Sec. 3.** 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 "outcomes;" strike the remainder of the title and insert "creating new sections; 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 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2116 and advanced the bill as amended by the Senate to final passage.

#### **FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED**

Representatives Callan and Steele spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2116, as amended by the Senate.

#### **ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2116, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Boehnke, Caldier, Callan, Chambers, Chandler, Chapman, Chopp, Cody, Corry, Davis, DeBolt, Dent, Doglio, Dolan, Duerr, Dufault, Dye, Entenman, Eslick, Fey, Fitzgibbon, Frame, Gildon, Goehner, Goodman, Graham, Gregerson, Griffey, Hansen, Harris, Hoff, Hudgins, Irwin, Jenkin, J. Johnson, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Leavitt, Lekanoff, Lovick, MacEwen, Macri, Maycumber, McCaslin, Mead, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Ramel, Ramos, Riccelli, Robinson, Rude, Ryu, Santos, Schmick, Sells, Senn, Shea, Shewmake, Slatter, Smith, Springer, Steele, Stokesbary, Stonier, Sullivan, Sutherland, Tarleton, Thai, Tharinger, Valdez, Van Werven, Vick, Volz, Walen, Walsh, Wilcox, Wylie, Ybarra, Young and Mme. Speaker.

Excused: Representative Paul.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2116, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

#### **MESSAGE FROM THE SENATE**

March 5, 2020

Madame Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 2441 with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 74.08A.260 and 2018 c 126 s 5 and 2018 c 58 s 8 are each reenacted and amended to read as follows:

(1) Each recipient shall be assessed after determination of program eligibility and before referral to job search. Assessments shall be based upon factors that are critical to obtaining employment, including but not limited to education, availability of child care, history of family violence, history of substance abuse, and other factors that affect the ability to obtain employment. Assessments may be performed by the department or by a contracted entity. The assessment shall be based on a uniform, consistent, transferable format that will be accepted by all agencies and organizations serving the recipient.

(2) Based on the assessment, an individual responsibility plan shall be prepared that: (a) Sets forth an employment goal and a plan for maximizing the recipient's success at meeting the employment goal; (b) considers WorkFirst educational and training programs from which the recipient could benefit; (c) contains the obligation of the recipient to participate in the program by complying with the plan; (d) moves the recipient into full-time WorkFirst activities as quickly as possible; and (e) describes the services available to the recipient either during or after WorkFirst to enable the recipient to obtain and keep employment and to advance in the workplace and increase the recipient's wage earning potential over time.

(3) Recipients who are not engaged in work and work activities, and do not qualify for a good cause exemption under RCW 74.08A.270, shall engage in self-directed service as provided in RCW 74.08A.330.

(4) If a recipient refuses to engage in work and work activities required by the department, after two months of continuous noncompliance, the family's grant shall be reduced by the recipient's share (~~7~~ and may, if the department determines it appropriate, be

~~terminated~~) or by forty percent, whichever is greater, and must be terminated after twelve months of continuous noncompliance.

(5) The department (~~may~~) shall waive the penalties required under subsection (4) of this section, subject to a finding that the recipient refused to engage in work for good cause provided in RCW 74.08A.270.

(6) In consultation with the recipient, the department or contractor shall place the recipient into a work activity that is available in the local area where the recipient resides.

(7) Assessments conducted under this section shall include a consideration of the potential benefit to the recipient of engaging in financial literacy activities. The department shall consider the options for financial literacy activities available in the community, including information and resources available through the financial education public-private partnership created under RCW 28A.300.450. The department may authorize up to ten hours of financial literacy activities as a core activity or an optional activity under WorkFirst.

(8) Subsections (2) through (6) of this section are suspended for a recipient who is a parent or other relative personally providing care for a child under the age of two years. This suspension applies to both one and two parent families. However, both parents in a two-parent family cannot use the suspension during the same month. Nothing in this subsection shall prevent a recipient from participating in the WorkFirst program on a voluntary basis.

NEW SECTION. Sec. 2. This act takes effect July 1, 2021.

NEW SECTION. Sec. 3. This act applies prospectively only and not retroactively.

NEW SECTION. Sec. 4. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2020, in the supplemental omnibus appropriations act, this act is null and void."

On page 1, line 2 of the title, after "families;" strike the remainder of the title and insert "reenacting and amending



RCW 74.08A.260; creating new sections; and providing an effective date."

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. 2441 and advanced the bill as amended by the Senate to final passage.

### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representative Entenman spoke in favor of the passage of the bill.

Representative Eslick spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2441, as amended by the Senate.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2441, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 56; Nays, 41; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Callan, Chapman, Chopp, Cody, Davis, Doglio, Dolan, Duerr, Entenman, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, J. Johnson, Kilduff, Kirby, Kloba, Leavitt, Lekanoff, Lovick, Macri, Mead, Morgan, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Ramel, Ramos, Riccelli, Robinson, Ryu, Santos, Sells, Senn, Shewmake, Slatter, Springer, Stonier, Sullivan, Tarleton, Thai, Tharinger, Valdez, Walen, Wylie and Mme. Speaker.

Voting nay: Representatives Barkis, Boehnke, Caldier, Chambers, Chandler, Corry, DeBolt, Dent, Dufault, Dye, Eslick, Gildon, Goehner, Graham, Griffey, Harris, Hoff, Irwin, Jenkin, Klippert, Kraft, Kretz, MacEwen, Maycumber, McCaslin, Mosbrucker, Orcutt, Rude, Schmick, Shea, Smith, Steele, Stokesbary, Sutherland, Van Werven, Vick, Volz, Walsh, Wilcox, Ybarra and Young.

Excused: Representative Paul.

SUBSTITUTE HOUSE BILL NO. 2441, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

### MESSAGE FROM THE SENATE

March 10, 2020

Madame Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 2711 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** (1) The legislature finds that students in foster care, experiencing homelessness, or both, have the lowest high school graduation and postsecondary completion outcomes compared to other student populations. The legislature also finds that these students change schools at significantly higher rates than their general student population peers, and that these changes can disrupt academic progress. The legislature further finds that these students have disproportionate suspension and expulsion rates, and require special education services at much higher rates than other students.

(2) The legislature acknowledges that, as a result, only forty-six percent of Washington students who experienced foster care during high school, and fifty-five percent of students experiencing homelessness, graduated from high school on time in 2018. By comparison, the statewide four-year graduation rate for the class of 2019 was nearly eighty-one percent. Furthermore, students of color are disproportionately represented in the foster care system and in homeless student populations, and their academic outcomes are significantly lower than their white peers. Additionally, students who do not achieve positive education outcomes experience high rates of unemployment, poverty, adult homelessness, and incarceration.

(3) The legislature, therefore, intends to provide the opportunity for an equitable education for students in foster care, experiencing homelessness, or both. In accomplishing this goal, the legislature intends to achieve parity in education outcomes for these students, both in comparison to their general student population peers and throughout the education continuum of prekindergarten to postsecondary education.

(4) In 2018 the legislature directed the department of children, youth, and families and other entities in chapter 299, Laws of 2018, to convene a work group focused on students in foster care and students experiencing homelessness. The legislature resolves to continue this work group to improve education outcomes for these students.

NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.300 RCW to read as follows:

(1) The office of the superintendent of public instruction, in collaboration with the department of children, youth, and families, the office of homeless youth prevention and protection programs of the department of commerce, and the student achievement council, shall convene a work group to address the needs of students in foster care, experiencing homelessness, or both. Nothing in this section prevents the office of the superintendent of public instruction from using an existing work group created under the authority of section 223(1)(bb), chapter 299, Laws of 2018, with modifications to the membership and duties, to meet the requirements of this section. The work group, which shall seek to promote continuity with efforts resulting from section 223(1)(bb), chapter 299, Laws of 2018, must include representatives of nongovernmental agencies and representation from the educational opportunity gap oversight and accountability committee. The work group must also include four legislative members who possess experience in issues of education, the foster care system, and homeless youth, appointed as follows:

(a) The president of the senate shall appoint one member from each of the two largest caucuses of the senate.

(b) The speaker of the house of representatives shall appoint one member from each of the two largest caucuses of the house of representatives.

(2) The work group shall develop recommendations to promote the following for students who are in foster care, experiencing homelessness, or both:

(a) The achievement of parity in education outcomes with the general student population; and

(b) The elimination of racial and ethnic disparities for education outcomes in comparison to the general student population.

(3) In developing the recommendations required by subsection (2) of this section, the work group shall:

(a) Review the education outcomes of students in foster care, experiencing homelessness, or both, by examining data, disaggregated by race and ethnicity, on:

(i) Kindergarten readiness, early grade reading and math, eighth and ninth grade students on track to graduate, high school completion, postsecondary enrollment, and postsecondary completion; and

(ii) School attendance, school mobility, special education status, and school discipline;

(b) Evaluate the outcomes, needs, and service array for students in foster care, experiencing homelessness, or both, and the specific needs of students of color and students with special education needs;

(c) Engage stakeholders, including students in foster care, experiencing homelessness, or both, foster parents and relative caregivers, birth parents, caseworkers, school districts and educators, early learning providers, postsecondary institutions, and federally recognized tribes, to provide input on the development of recommendations; and

(d) (i) Submit annual reports to the governor, the appropriate committees of the legislature, and the educational opportunity gap oversight and accountability committee by October 31, 2021, 2022, and 2023 that identify:

(A) Progress the state has made toward achieving education parity for students in foster care, experiencing homelessness, or both; and

(B) Recommendations that can be implemented using existing resources, rules, and regulations, and those that would require policy, administrative, and resource allocation changes prior to implementation.

(ii) Reports required by (d) of this subsection may include findings and recommendations regarding the feasibility of developing a case study to examine or implement recommendations of the work group.

(4) The work group, in accordance with RCW 43.01.036, must submit a final report to the governor, the appropriate committees of the legislature, and the educational opportunity gap oversight and accountability committee by July 1, 2024. The final report must include the recommendations required by subsection (2) of this section and may include a plan for achieving the recommendations

specified in subsection (2) of this section.

(5) To assist the work group in the completion of its duties, the following apply:

(a) The office of the superintendent of public instruction, department of children, youth, and families, the student achievement council, and the office of homeless youth prevention and protection programs of the department of commerce shall provide updated education data and other necessary data to the education data center established under RCW 43.41.400; and

(b) The education data center shall provide annual reports to the work group regarding education outcomes specified in subsection (3)(a)(i) and (ii) of this section by March 31, 2021, 2022, and 2023. If state funds are not available to produce the reports, the work group may pursue supplemental private funds to fulfill the requirements of this subsection (5)(b).

(6) Nothing in this section permits disclosure of confidential information protected from disclosure under federal or state law, including but not limited to information protected under chapter 13.50 RCW. Confidential information received by the work group retains its confidentiality and may not be further disseminated except as permitted by federal and state law.

(7) For the purposes of this section, "students in foster care, experiencing homelessness, or both" includes students who are in foster care or experiencing homelessness, and students who have been homeless or in foster care, or both.

(8) This section expires December 31, 2024.

**Sec. 3.** RCW 74.13.1051 and 2017 3rd sp.s. c 6 s 405 are each amended to read as follows:

(1) In order to proactively support foster youth to complete high school, enroll and complete postsecondary education, and successfully implement their own plans for their futures, the department, the student achievement council, and the office of the superintendent of public instruction shall enter into, or revise existing, memoranda of understanding that:

(a) Facilitate student referral, data and information exchange, agency

roles and responsibilities, and cooperation and collaboration among state agencies and nongovernmental entities; and

(b) Effectuate the transfer of responsibilities from the department to the office of the superintendent of public instruction with respect to the programs in RCW 28A.300.592, and from the department to the student achievement council with respect to the program in RCW 28B.77.250 in a smooth, expedient, and coordinated fashion.

(2) The student achievement council and the office of the superintendent of public instruction shall establish a set of indicators relating to the outcomes provided in RCW 28A.300.590 and 28A.300.592 to provide consistent services for youth, facilitate transitions among contractors, and support outcome-driven contracts. The student achievement council and the superintendent of public instruction shall collaborate with nongovernmental contractors and the department to develop a list of the most critical indicators, establishing a common set of indicators to be used in the outcome-driven contracts in RCW 28A.300.590 and 28A.300.592. ~~((A list of these indicators must be included in the report provided in subsection (3) of this section.~~

~~(3) By November 1, 2017, and biannually thereafter, the department, the student achievement council, and the office of the superintendent of public instruction, in consultation with the nongovernmental entities engaged in public-private partnerships shall submit a joint report to the governor and the appropriate education and human services committees of the legislature regarding each of these programs, individually, as well as the collective progress the state has made toward the following goals:~~

~~(a) To make Washington number one in the nation for foster care graduation rates;~~

~~(b) To make Washington number one in the nation for foster care enrollment in postsecondary education; and~~

~~(c) To make Washington number one in the nation for foster care postsecondary completion.~~

~~(4) The department, the student achievement council, and the office of the superintendent of public instruction, in consultation with the~~

~~nongovernmental entities engaged in public-private partnerships, shall also submit one report by November 1, 2018, to the governor and the appropriate education and human service committees of the legislature regarding the transfer of responsibilities from the department to the office of the superintendent of public instruction with respect to the programs in RCW 28A.300.592, and from the department to the student achievement council with respect to the program in RCW 28B.77.250 and whether these transfers have resulted in better coordinated services for youth.)~~

**NEW SECTION. Sec. 4.** RCW 28A.300.8001 (Plan for cross-system collaboration to promote educational stability and improve educational outcomes for foster children-Reports) and 2012 c 163 s 10 are each repealed."

On page 1, line 3 of the title, after "education;" strike the remainder of the title and insert "amending RCW 74.13.1051; adding a new section to chapter 28A.300 RCW; creating a new section; repealing RCW 28A.300.8001; and providing an expiration date."

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. 2711 and advanced the bill as amended by the Senate to final passage.

**FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED**

Representatives Johnson and Corry spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2711, as amended by the Senate.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 2711, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Boehnke, Caldier, Callan, Chambers, Chandler, Chapman, Chopp, Cody, Corry, Davis, DeBolt, Dent, Doglio, Dolan, Duerr, Dufault, Dye, Entenman, Eslick, Fey, Fitzgibbon, Frame, Gildon, Goehner, Goodman, Graham, Gregerson, Griffey, Hansen, Harris, Hoff, Hudgins,

Irwin, Jenkin, J. Johnson, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Leavitt, Lekanoff, Lovick, MacEwen, Macri, Maycumber, McCaslin, Mead, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Ramel, Ramos, Riccelli, Robinson, Rude, Ryu, Santos, Schmick, Sells, Senn, Shea, Shewmake, Slatter, Smith, Springer, Steele, Stokesbary, Stonier, Sullivan, Sutherland, Tarleton, Thai, Tharinger, Valdez, Van Werven, Vick, Volz, Walen, Walsh, Wilcox, Wylie, Ybarra, Young and Mme. Speaker.

Excused: Representative Paul.

SUBSTITUTE HOUSE BILL NO. 2711, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

**CONFERENCE COMMITTEE REPORT**

March 11, 2020  
House Bill No. 2322

Includes "New Item": YES

Madame Speaker:

We of your Conference Committee, to whom was referred SUBSTITUTE HOUSE BILL NO. 2322, Making supplemental transportation appropriations for the 2019-2021 fiscal biennium, have had the same under consideration and we recommend that:

Do pass as amended by the Conference Committee

and that the bill do pass as recommended by the Conference Committee:

Strike everything after the enacting clause and insert the following:

**"2019-2021 FISCAL BIENNIUM**

<b>GENERAL OPERATING</b>	<b>GOVERNMENT</b>	<b>AGENCIES-</b>
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**Sec. 101.** 2019 c 416 s 103 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Motor Vehicle Account-State Appropriation .....	(\$1,403,000)
	<u>\$1,419,000</u>

Multimodal Transportation Account-State Appropriation.....	\$300,000
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Puget Sound Ferry Operations Account-State Appropriation .....	(\$116,000)
	<u>\$121,000</u>

TOTAL APPROPRIATION.....	<u>\$1,819,000</u>
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\$1,840,000

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. 102.** 2019 c 416 s 105 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF AGRICULTURE**

Motor	Vehicle	Account—State
Appropriation	.....	(( <del>\$1,357,000</del> ))
		<u>\$1,359,000</u>

**Sec. 103.** 2019 c 416 s 108 (uncodified) is amended to read as follows:

**FOR THE BOARD OF PILOTAGE COMMISSIONERS**

Pilotage Account—State	Appropriation
.....	(( <del>\$5,228,000</del> ))
	<u>\$6,040,000</u>

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

(1) \$3,125,000 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 one hundred fifty thousand dollars collected through Puget Sound pilotage district pilotage tariffs into the pilotage account; and

(b) Assessing a self-insurance premium surcharge of sixteen dollars 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, 2019, 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.

**Sec. 104.** 2019 c 416 s 109 (uncodified) is amended to read as follows:

**FOR THE HOUSE OF REPRESENTATIVES**

Motor	Vehicle	Account—State
Appropriation	.....	(( <del>\$2,861,000</del> ))
		<u>\$3,082,000</u>

**Sec. 105.** 2019 c 416 s 110 (uncodified) is amended to read as follows:

**FOR THE SENATE**

Motor	Vehicle	Account—State
Appropriation	.....	(( <del>\$2,998,000</del> ))
		<u>\$2,999,000</u>

**NEW SECTION. Sec. 106.** A new section is added to 2019 c 416 (uncodified) to read as follows: **FOR THE UNIVERSITY OF WASHINGTON**

Motor	Vehicle	Account—State
Appropriation	.....	\$250,000

The appropriation in this section is subject to the following conditions and limitations: \$250,000 of the motor vehicle account—state appropriation is provided solely for the University of Washington, Foster School of Business' Consulting and Business Development Center to conduct an analysis of workforce development needs of the Washington state ferries. Plan development should consider the findings

from the 2019 Washington state ferries overtime report, including data trend analysis and insight gathered from discussions with Washington state ferries staff and unions. The report of the study findings and recommendations is due to the transportation committees of the legislature by January 11, 2021. The study must include, but is not limited to, the following:

(1) A description of the current workforce, including demographic composition, use of relief and temporary employees, and the numbers of management and supervisory staff compared to line workers;

(2) An analysis of vacancies by job class and collective bargaining unit, the causes of vacancies, and projections of how these dynamics may change going forward;

(3) An analysis of current strategies for filling vacancies, including the use of overtime, relief staff, on-call staff, hiring of additional or new employees, and a comparison of these strategies to determine which may be more cost-effective;

(4) An inventory of mandatory training and certification requirements as compared to training provided currently to state ferries employees;

(5) An analysis of the role of federal requirements and collective bargaining agreements in determining staffing levels, as well as current practices in workforce management and development;

(6) An analysis of barriers to implementing changes in workforce management or innovative approaches to workforce development; and

(7) Findings and recommendations regarding recruitment methods and needs, strategies on how to recruit and conduct outreach to underrepresented communities throughout the state, management of overtime and leave usage, ratio of management employees to line employees as compared to industry and public sector standards, and adequacy of training budgets to meet workforce development needs.

**TRANSPORTATION AGENCIES—OPERATING**

**Sec. 201.** 2019 c 416 s 201 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION**

Highway Safety Account—State Appropriation .....	<del>(\$4,588,000)</del>
	<u>\$4,675,000</u>
Highway Safety Account—Federal Appropriation .....	<del>(\$27,035,000)</del>
	<u>\$27,051,000</u>
Highway Safety Account—Private/Local Appropriation .....	\$118,000
School Zone Safety Account—State Appropriation .....	\$850,000
TOTAL APPROPRIATION.....	<del>\$32,591,000</del>
	<u>\$32,694,000</u>

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 (~~(Substitute Senate Bill No. 5710)~~), Laws of 2019 (Cooper Jones Active Transportation Safety Council). If chapter 54 (~~(Substitute Senate Bill No. 5710)~~), 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, (~~2019~~) 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 ((plainly mark the locations)) 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 ((by placing signs on street locations that clearly indicate to a driver that he or she is entering a zone where traffic laws violations are being detected by automated vehicle noise enforcement cameras that record both audio and video)) that state "Street Racing Noise Pilot Program in Progress";~~

(iii) ~~Cities testing the use of automated vehicle noise enforcement cameras must ((provide periodic notice by mail to its residents)) 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 . . . (Engrossed Substitute House Bill No. 1793), 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 . . . (Engrossed Substitute House Bill No. 1793), 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. 202.** 2019 c 416 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 .....	<del>(\$2,803,000)</del>
	\$2,920,000
County Arterial Preservation Account-State Appropriation .....	\$1,677,000
TOTAL APPROPRIATION .....	<del>\$5,617,000</del>
	\$5,734,000

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. 203.** 2019 c 416 s 203 (uncodified) is amended to read as follows:

**FOR THE TRANSPORTATION IMPROVEMENT BOARD**

Transportation Improvement Account-State

Appropriation .....	<del>(\$4,526,000)</del>	\$3,854,000
<b>Sec. 204.</b> 2019 c 416 s 204 (uncodified) is amended to read as follows:		
<b>FOR THE JOINT TRANSPORTATION COMMITTEE</b>		
Motor Vehicle Account-State Appropriation .....	<del>(\$1,938,000)</del>	\$2,187,000
Multimodal Transportation Account-State Appropriation.....	<del>(\$750,000)</del>	\$917,000
Highway Safety Account-State Appropriation.....		\$275,000
TOTAL APPROPRIATION.....	<del>\$2,963,000</del>	\$3,379,000

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; ~~((and))~~ (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) (~~(\$450,000)~~) \$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 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. 205. 2019 c 416 s 205 (uncodified) is amended to read as follows:

**FOR THE TRANSPORTATION COMMISSION**

Motor Vehicle Account-State  
Appropriation ..... ((\$2,893,000))  
\$2,324,000

~~((Multimodal Transportation Account-State Appropriation.....\$112,000))~~

Interstate 405 and state Route Number 167 Express Toll Lanes ~~((Operations))~~

Account-State Appropriation  
..... ((\$250,000))

\$410,000

State Route Number 520 Corridor  
Account-State

<u>Appropriation</u> .....	\$271,000
<u>Tacoma Narrows Toll Bridge Account-State</u>	
<u>Appropriation</u> .....	\$158,000
<u>Alaskan Way Viaduct Replacement Project</u>	
<u>Account-State Appropriation</u>	\$136,000
TOTAL APPROPRIATION .....	\$3,255,000
	\$3,299,000

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 ~~((may))~~ shall be developed that ~~((, at a minimum,))~~ propose to:

~~((i)) (A) ((Update the recommended road usage charge operational concepts and business case presented to the road usage charge steering committee to reflect a range of scenarios regarding~~

~~fleet electrification and use of shared vehicles. The operational concepts must include technological or system features necessary to ensure collection of the road usage charge from electric vehicles and fleets of shared and/or autonomous vehicles, if applicable. The business case must assess a range of gross revenue impacts to a road usage charge and fuel taxes resulting from changes to total vehicle miles traveled under scenarios with varying degrees of shared, autonomous, and/or electric vehicle adoption rates;~~

~~(B) Develop a detailed plan for phasing in the implementation of road usage charges for vehicles operated in Washington, incorporating any updates to road usage charge policy recommendations made in (a) and (b) (i) (A) of this subsection and including consideration of methods for reducing the cost of collections for a road usage charge system in Washington state; and~~

~~(C) Examine the allocation of current gas tax revenues and possible frameworks for the allocation of road usage charge revenues that could be used to evaluate policy choices once road usage charge revenues comprise a significant share of state revenues for transportation purposes.) 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 ((operations)) 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.

\$535,441,000

**Sec. 206.** 2019 c 416 s 206 (uncodified) is amended to read as follows:

**FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD**

Freight Mobility Investment Account—State

Appropriation ..... (~~(\$813,000)~~)  
\$772,000

**Sec. 207.** 2019 c 416 s 207 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE PATROL**

State Patrol Highway Account—State Appropriation ..... (~~(\$508,503,000)~~)

\$501,294,000

State Patrol Highway Account—Federal Appropriation ..... (~~(\$16,069,000)~~)

\$16,081,000

State Patrol Highway Account—Private/Local

Appropriation ..... (~~(\$4,257,000)~~)  
\$4,258,000

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

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 .... ~~\$537,313,000~~

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) (~~(\$514,000)~~) \$2,342,000 of the state patrol highway account—state appropriation is provided solely (~~for additional staff~~) 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 (~~of this act~~), 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 (~~((Engrossed—Second Substitute Senate Bill No. 5497))~~), Laws of 2019 (immigrants in the workplace). If chapter 440 (~~((Engrossed—Second Substitute Senate Bill No. 5497))~~), 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, 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, Laws of 2020 is not enacted by June 30, 2020, the amount provided in this subsection lapses.

(15) The Washington state patrol is directed to terminate its "Agreement for Utility Connection and Reimbursement of Water Extension Expenses" with the city of Shelton, executed on June 12, 2017,

subject to the city of Shelton's consent to terminate the agreement. 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. Therefore, the legislature determines that under the public policy of this state, reimbursement by any other entity is not required, notwithstanding any prior condition regarding contributions of other entities that Washington state patrol was required to satisfy prior to expenditure of the funds for construction of the extension, and that the Washington state patrol shall terminate the agreement.

(16) \$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) \$830,000 of the state patrol highway account-state appropriation is provided solely for information technology security enhancements.

(18) \$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. 208.** 2019 c 416 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 .....	<del>(\$5,044,000)</del>
	\$5,052,000
State Wildlife Account-State Appropriation .....	<del>(\$536,000)</del>
	\$511,000
Highway Safety Account-State Appropriation .....	<del>(\$243,189,000)</del>
	\$242,965,000
Highway Safety Account-Federal Appropriation .....	\$1,294,000
Motor Vehicle Account-State Appropriation .....	<del>(\$77,219,000)</del>
	\$71,447,000
Motor Vehicle Account-Federal Appropriation .....	\$186,000
Motor Vehicle Account-Private/Local Appropriation .....	<del>(\$2,858,000)</del>
	\$10,008,000
Ignition Interlock Device Revolving Account-State Appropriation .....	<del>(\$6,143,000)</del>
	\$5,779,000
Department of Licensing Services Account-State Appropriation .....	<del>(\$8,012,000)</del>
	\$7,696,000



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	
<u>Appropriation .....</u>	<u>\$264,000</u>
DOL Technology Improvement & Data Management	
Account-State	Appropriation
.....	\$2,250,000
Agency Financial Transaction Account-State	
Appropriation .....	\$11,903,000
TOTAL APPROPRIATION ....	<del>\$365,770,000</del>
	<u>\$366,677,000</u>

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 (~~(Substitute House Bill No. 1116)~~), Laws of 2019 (motorcycle safety). If chapter 65 (~~(Substitute House Bill No. 1116)~~), Laws of 2019 is not enacted by June 30, 2019, the amount provided in this subsection lapses.

~~(2) (\$404,000 of the highway safety account-state appropriation is provided solely for a new driver testing system at the department. Pursuant to RCW 43.135.055 and 46.82.310, the department is authorized to increase driver training school license application and renewal fees in fiscal years 2020 and 2021, as necessary to fully support the cost of activities related to administration of the driver training school program, including the cost of the new driver testing system described in this subsection.~~

~~(3))~~ \$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 (~~(, other than data stewards,)~~) 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. (~~Appropriations provided for the data stewardship and privacy project described in this subsection are subject to the conditions, limitations, and review provided in section 701 of this act.~~

~~(4))~~ (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.

~~((6))~~ (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.

~~((8))~~ (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 (~~(Engrossed House~~

~~Bill No. 1789~~)), Laws of 2019 (vehicle service fees). If neither chapter . . . (Substitute Senate Bill No. 5419), Laws of 2019 or chapter 417 (~~Engrossed House Bill No. 1789~~)), Laws of 2019 are enacted by June 30, 2019, the amount provided in this subsection lapses.

~~((410))~~ (6) \$25,000 of the motor vehicle account-state appropriation is provided solely for the implementation of chapter 177 (~~Engrossed House Bill No. 1996~~)), Laws of 2019 (San Juan Islands license plate). If chapter 177 (~~Engrossed House Bill No. 1996~~)), Laws of 2019 is not enacted by June 30, 2019, the amount provided in this subsection lapses.

~~((411))~~ (7) \$24,000 of the motor vehicle account-state appropriation is provided solely for the implementation of chapter 384 (~~House Bill No. 2062~~)), Laws of 2019 (Seattle Storm license plate). If chapter 384 (~~House Bill No. 2062~~)), Laws of 2019 is not enacted by June 30, 2019, the amount provided in this subsection lapses.

~~((413))~~ (8) \$65,000 of the highway safety account-state appropriation is provided solely for the implementation of chapter 440 (~~Engrossed Second Substitute Senate Bill No. 5497~~)), Laws of 2019 (immigrants in the workplace). If chapter 440 (~~Engrossed Second Substitute Senate Bill No. 5497~~)), Laws of 2019 is not enacted by June 30, 2019, the amount provided in this subsection lapses.

~~((414))~~ (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 (~~of this act~~), chapter 416, Laws of 2019 on a quarterly basis.

~~((418))~~ (10) \$1,281,000 of the department of licensing service account-

state appropriation is provided solely for savings from the implementation of chapter 417 (~~Engrossed House Bill No. 1789~~)), Laws of 2019 (vehicle service fees). If chapter 417 (~~Engrossed House Bill No. 1789~~)), Laws of 2019 is enacted by June 30, 2019, the amount provided in this subsection lapses.

~~((419))~~ (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.

~~((420))~~ (12) \$20,000 of the motor vehicle account-state appropriation is provided solely for the implementation of chapter 210 (~~Substitute House Bill No. 1197~~)), Laws of 2019 (Gold Star license plate). If chapter 210 (~~Substitute House Bill No. 1197~~)), Laws of 2019 is not enacted by June 30, 2019, the amount provided in this subsection lapses.

~~((421))~~ (13) \$31,000 of the motor vehicle account-state appropriation is provided solely for the implementation of chapter 262 (~~Substitute House Bill No. 1436~~)), Laws of 2019 (snow bikes). If chapter 262 (~~Substitute House Bill No. 1436~~)), Laws of 2019 is not enacted by June 30, 2019, the amount provided in this subsection lapses.

~~((422))~~ (14) \$24,000 of the motor vehicle account-state appropriation is provided solely for the implementation of chapter 139 (~~House Bill No. 2058~~)), Laws of 2019 (Purple Heart license plate). If chapter 139 (~~House Bill No. 2058~~)), Laws of 2019 is not enacted by June 30, 2019, the amount provided in this subsection lapses.

~~((423))~~ (15) \$24,000 of the motor vehicle account-state appropriation is provided solely for the implementation of chapter 278 (~~Engrossed House Bill No. 2067~~)), Laws of 2019 (vehicle and vessel owner information). If chapter 278 (~~Engrossed House Bill No. 2067~~)), Laws of 2019 is not enacted by June 30, 2019, the amount provided in this subsection lapses.

~~((425))~~ (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.

~~((26))~~ (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.

~~((30))~~ (18) \$91,000 of the highway safety account-state appropriation is provided solely for the department's costs related to the one Washington project.

~~((31) \$974,000)~~ (19) \$1,674,000 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.

(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.

(22) \$24,000 of the motor vehicle account-state appropriation is provided solely for the implementation of chapter . . . (Substitute House Bill No. 1255), Laws of 2020 (Patches pal special license plate). If chapter . . . (Substitute House Bill No. 1255), Laws of 2020 is not enacted by June 30, 2020, the amount provided in this subsection lapses.

(23) \$24,000 of the motor vehicle account-state appropriation is provided solely for the implementation of chapter . . . (Engrossed Second Substitute House Bill No. 2050), Laws of 2020 (Washington wine special license plate). If chapter . . . (Engrossed Second Substitute House Bill No. 2050), Laws of 2020 is not enacted by June 30, 2020, the amount provided in this subsection lapses.

(24) \$24,000 of the motor vehicle account-state appropriation is provided solely for the implementation of chapter . . . (Engrossed Substitute House Bill No. 2085), Laws of 2020 (Mt. St. Helens special license plate). If chapter . . . (Engrossed Substitute House Bill No. 2085), Laws of 2020 is not enacted by June 30, 2020, the amount provided in this subsection lapses.

(25) \$24,000 of the motor vehicle account-state appropriation is provided solely for the implementation of chapter . . . (Substitute House Bill No. 2187), Laws of 2020 (women veterans special license plate) or chapter . . . (Senate Bill No. 6433), Laws of 2020 (women veterans special license plate). If neither chapter . . . (Substitute House Bill No. 2187), Laws of 2020 nor chapter . . . (Senate Bill No. 6433), Laws of 2020 is enacted by June 30, 2020, the amount provided in this subsection lapses.

(26) \$107,000 of the highway safety account-state appropriation is provided solely for the implementation of chapter . . . (Engrossed House Bill No. 2188), 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 . . . (Engrossed House Bill No. 2188), 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.

(27) \$50,000 of the motor vehicle account-state appropriation is provided solely for the implementation of chapter . . . (Substitute House Bill No. 2353), Laws of 2020 (fire trailer registrations). If chapter . . . (Substitute House Bill No. 2353), Laws of 2020 is not enacted by June 30, 2020, the amount provided in this subsection lapses.

(28) \$114,000 of the highway safety account-state appropriation is provided solely for the implementation of chapter . . . (Substitute House Bill No. 2607), Laws of 2020 (homeless youth identicards) or chapter . . . (Senate Bill No. 6304), Laws of 2020 (homeless youth identicards). If neither chapter . . . (Substitute House Bill No. 2607), 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) \$24,000 of the motor vehicle account-state appropriation is provided solely for the implementation of chapter . . . (House Bill No. 2669), 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 . . . (House Bill No. 2669), 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) \$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) \$105,000 of the motor vehicle account-state appropriation is provided solely for the implementation of chapter . . . (House Bill No. 2491), Laws of 2020 (tribal vehicles compact) or chapter . . . (Senate Bill No. 6251), Laws of 2020 (tribal vehicles compact). If neither chapter . . . (House Bill No. 2491), 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) \$57,000 of the state wildlife account-state appropriation is provided solely for the implementation of chapter . . . (Substitute Senate Bill No. 6072), Laws of 2020 (state wildlife account). If chapter . . . (Substitute Senate Bill No. 6072), Laws of 2020 is not enacted by June 30, 2020, the amount provided in this subsection lapses.

(33) \$19,000 of the motor vehicle account-state appropriation is provided solely for the implementation of chapter . . . (Engrossed Senate Bill No. 6032), Laws of 2020 (apples special license plate). If chapter . . . (Engrossed Senate Bill No. 6032), Laws of 2020 is not enacted by June 30, 2020, the amount provided in this subsection lapses.

(34) \$19,000 of the motor vehicle account-state appropriation is provided solely for the implementation of chapter . . . (Engrossed Substitute Senate Bill No. 5591), Laws of 2020 (stolen vehicle check). If chapter . . . (Engrossed Substitute Senate Bill No. 5591), Laws of 2020 is not enacted by June 30, 2020, the amount provided in this subsection lapses.

(35) Within the amounts appropriated in this section, the department shall relocate, or finish relocating, the licensing service offices in Lacey, Tacoma, and Bellevue-Redmond and make emergency repairs to the licensing service office in Vancouver.

(36) \$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) (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. 209.** 2019 c 416 s 209 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION-TOLL OPERATIONS AND MAINTENANCE-PROGRAM B**

~~((High Occupancy Toll Lanes Operations Account-State~~

~~Appropriation . . . . . \$3,774,000~~

~~Motor Vehicle Account-State Appropriation . . . . . \$513,000))~~

State Route Number 520 Corridor Account-State

Appropriation . . . . . ~~(\$43,773,000))~~  
\$59,059,000

State Route Number 520 Civil Penalties Account-State

Appropriation . . . . . \$4,145,000

Tacoma Narrows Toll Bridge Account-State

Appropriation . . . . . ~~(\$27,807,000))~~  
\$33,806,000

Alaskan Way Viaduct Replacement Project Account-State

Appropriation . . . . . ~~(\$20,061,000))~~  
\$21,616,000

Interstate 405 and State Route Number 167 Express

Toll Lanes ~~((Operations))~~ Account-State

Appropriation . . . . . ~~(\$18,329,000))~~  
\$27,457,000

TOTAL APPROPRIATION . . . . . ~~\$118,402,000~~  
\$146,083,000

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) (~~(\$71,000)~~) \$2,114,000 of the (~~high occupancy~~) Interstate 405 and state route number 167 express toll lanes (~~operations~~) account-state appropriation, (~~(\$1,238,000)~~) \$4,920,000 of the state route number 520 corridor account-state appropriation, (~~(\$532,000)~~) \$2,116,000 of the Tacoma Narrows toll bridge account-state appropriation, (~~(\$460,000)~~ of the Interstate 405 express toll lanes operations account-state appropriation,) and (~~(\$699,000)~~) \$2,776,000 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.

(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 (~~high occupancy~~) express toll lane systems, and an itemized depiction of the use of that revenue.

(5) (~~(\$17,517,000)~~) \$24,735,000 of the Interstate 405 and state route number 167 express toll lanes (~~operations~~) account-state appropriation is provided solely for operational costs related to the express toll lane facility.

(6) 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) (~~(\$19,362,000)~~) \$18,840,000 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.

(8) (~~(\$256,000)~~) \$608,000 of the (~~high occupancy toll lanes operations~~ account-state appropriation and \$352,000 of the) Interstate 405 and state route number 167 express toll lanes (~~operations~~) account-state appropriation are provided solely for increased levels of service from the Washington state patrol for enforcement of toll lane violations on the (~~state route number 167 high occupancy toll lanes and 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.

(9) 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. 210. 2019 c 416 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 .....	((\$94,993,000))
	\$96,331,000
Puget Sound Ferry Operations Account-State	
Appropriation .....	\$263,000
Multimodal Transportation Account-State	

Appropriation .....	\$2,878,000
Transportation 2003 Account (Nickel Account)-State	
Appropriation .....	\$1,460,000
TOTAL APPROPRIATION .....	<del>\$101,054,000</del>
	<u>\$102,392,000</u>

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. 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) (~~(\$198,000)~~) \$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, 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 (~~is prohibited from using~~) may use the distributed direct program support or (~~any~~) other cost allocation method to fund (~~any~~) a new (~~financial and~~) capital systems replacement or modernization project (~~without having the project evaluated and prioritized by the office of the chief information officer and submitting~~). 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. 211.** 2019 c 416 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 .....	<del>(\$33,149,000)</del>
	<u>\$34,807,000</u>
State Route Number 520 Corridor Account-State	
Appropriation .....	\$34,000
TOTAL APPROPRIATION.....	<del>\$33,183,000</del>
	<u>\$34,841,000</u>

**Sec. 212.** 2019 c 416 s 212 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION-AVIATION-PROGRAM F**

Aeronautics Account-State	
Appropriation .....	<del>(\$7,635,000)</del>
	<u>\$7,743,000</u>
Aeronautics Account-Federal	
Appropriation .....	<del>(\$2,542,000)</del>
	<u>\$3,043,000</u>
Aeronautics Account-Private/Local	
Appropriation .....	\$60,000
TOTAL APPROPRIATION.....	<del>\$10,237,000</del>



\$10,846,000

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

(1) (~~(\$2,751,000)~~) \$2,862,000 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) (~~(\$468,000)~~) \$268,000 of the aeronautics account-state appropriation is provided solely for one FTE dedicated to planning aviation emergency services and addressing emerging aeronautics requirements (~~(, and for the implementation of chapter . . . (House Bill No. 1397), Laws of 2019 (electric aircraft work group), which extends the electric aircraft work group past its current expiration and allows WSDOT to employ a consultant to assist with the work group. If chapter . . . (House Bill No. 1397), Laws of 2019 is not enacted by June 30, 2019, \$200,000 of the amount in this subsection lapses.)~~).

(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)~~) 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.

~~((d) If chapter . . . (House Bill No. 1397), Laws of 2019 is enacted by June 30, 2019, the amount provided in this subsection (3) lapses.)~~

(4) (~~(\$150,000)~~) \$350,000 of the aeronautics account-state appropriation is provided solely for the implementation of chapter 396 (~~(Substitute Senate Bill No. 5370)~~), Laws of 2019 (aviation coordinating commission). (~~If chapter 396 (Substitute Senate Bill No. 5370), Laws of 2019 is not enacted by June 30, 2019, the amount provided in this subsection lapses.)~~)

(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. 213.** 2019 c 416 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 .....	<del>(\$59,801,000)</del>
	\$59,788,000
Motor Vehicle Account—Federal Appropriation .....	\$500,000
Multimodal Transportation Account—State Appropriation .....	\$258,000
TOTAL APPROPRIATION .....	<del>\$60,559,000</del>
	\$60,546,000

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. 214. 2019 c 416 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
Electric Vehicle Account-State Appropriation .....	\$2,000,000
Multimodal Transportation Account-State Appropriation .....	\$1,634,000
TOTAL APPROPRIATION .....	\$4,304,000

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 of the electric vehicle account-state appropriation is provided solely for the clean alternative fuel vehicle charging and refueling infrastructure program in chapter 287 (~~((Engrossed Second Substitute House Bill No. 2042))), Laws of 2019 (advancing green transportation adoption). ((If chapter 287 (Engrossed Second Substitute House Bill No. 2042), Laws of 2019 is not enacted by June 30, 2019, the amount provided in this subsection lapses.))~~

(4) \$1,200,000 of the multimodal transportation account-state appropriation is provided solely for the pilot program established under chapter 287 (~~((Engrossed Second Substitute House Bill No. 2042))), 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. ((If chapter 287 (Engrossed Second Substitute House Bill No. 2042), Laws of 2019 is not enacted by June 30, 2019, the amount provided in this subsection lapses.))~~

(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 (~~((Engrossed Second Substitute House Bill No. 2042))), 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. ((If chapter 287 (Engrossed Second Substitute House Bill No. 2042), Laws of 2019 is not enacted by June 30, 2019, the amount provided in this subsection lapses.))~~

(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. 215.** 2019 c 416 s 215 (uncodified) is amended to read as follows:

<b>FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY PROGRAM M</b>	<b>MAINTENANCE—</b>	
Motor Vehicle Account—State Appropriation .....	<del>(\$495,228,000)</del>	\$486,514,000
Motor Vehicle Account—Federal Appropriation .....	\$7,000,000	
State Route Number 520 Corridor Account—State		
Appropriation .....	\$4,447,000	
Tacoma Narrows Toll Bridge Account— State		
Appropriation .....	\$1,549,000	
Alaskan Way Viaduct Replacement Project		
Account—State Appropriation .....	<del>(\$9,533,000)</del>	\$9,537,000
Interstate 405 <u>and State Route Number 167 Express</u>		
Toll Lanes ( <del>Operations</del> ) Account— State		
Appropriation .....	<del>(\$1,370,000)</del>	\$4,528,000
TOTAL APPROPRIATION ....	<del>\$519,127,000</del>	\$513,575,000

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 (~~(Senate Bill No. 5505)~~), 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 (~~(Senate Bill No. 5505)~~), Laws of 2019 (local stormwater charges) is enacted by June 30, 2019, this subsection (1)(b) does not take effect.

(2) \$4,447,000 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 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) (~~(\$1,370,000)~~) \$2,050,000 of the Interstate 405 and state route number 167 express toll lanes (operations) 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.

~~((6))~~ (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.

~~((7))~~ (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.

~~((8))~~ (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. 216.** 2019 c 416 s 216 (uncodified) is amended to read as follows:

<b>FOR</b>	<b>THE</b>	<b>DEPARTMENT</b>	<b>OF</b>
<b>TRANSPORTATION-TRAFFIC</b>	<b>OPERATIONS-</b>		
<b>PROGRAM Q-OPERATING</b>			
Motor Vehicle Account-State	Appropriation .....	<del>((70,681,000))</del>	
			<u>\$76,211,000</u>
Motor Vehicle Account-Federal	Appropriation .....	\$2,050,000	
Motor Vehicle Account-Private/Local	Appropriation .....	\$250,000	
<u>State Route Number 520 Corridor</u>			
<u>Account-State</u>			
<u>Appropriation.....</u>			
			<u>\$53,000</u>
<u>Tacoma Narrows Toll Bridge Account-</u>			
<u>State Appropriation.....</u>			
			<u>\$31,000</u>
<u>Alaskan Way Viaduct Replacement</u>			
<u>Project Account-</u>			
<u>State Appropriation.....</u>			
			<u>\$26,000</u>
<u>Interstate 405 and State Route Number</u>			
<u>167 Express</u>			
<u>Toll Lanes Account-State</u>			
<u>Appropriation.....</u>			
			<u>\$32,000</u>
<u>TOTAL APPROPRIATION.....</u>			
			<u>\$72,981,000</u>
			<u>\$78,653,000</u>

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.

~~((4))~~ (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 ~~((high-occupancy))~~ 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 of the Interstate 405 and state route number 167 express toll lanes account-state appropriation, \$53,000 of the state route number 520 corridor account-state appropriation, \$31,000 of the Tacoma Narrows toll bridge account-state appropriation, and \$26,000 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. 217.** 2019 c 416 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 .....	<del>((38,782,000))</del>	<u>\$38,251,000</u>
Motor Vehicle Account-Federal Appropriation .....	\$1,380,000	
Motor Vehicle Account-Private/Local Appropriation .....	\$500,000	
Multimodal Transportation Account-State Appropriation .....	\$1,129,000	

<u>State Route Number 520 Corridor</u>	
<u>Account-State</u>	
<u>Appropriation</u> .....	<u>\$199,000</u>
<u>Tacoma Narrows Toll Bridge Account-</u>	
<u>State Appropriation</u> .....	
	<u>\$116,000</u>
<u>Alaskan Way Viaduct Replacement</u>	
<u>Project Account-</u>	
<u>State Appropriation</u> .....	
	<u>\$100,000</u>
<u>Interstate 405 and State Route Number</u>	
<u>167 Express</u>	
<u>Toll Lanes</u> .....	<u>Account-State</u>
<u>Appropriation</u> .....	<u>\$119,000</u>
TOTAL APPROPRIATION .....	
	<u>\$41,791,000</u>
	<u>\$41,794,000</u>

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) ((\$138,000 of the motor vehicle account-state appropriation is provided solely for the implementation of chapter . . . (Second Substitute Senate Bill No. 5489), Laws of 2019 (concerning environmental health disparities). If chapter . . . (Second Substitute Senate Bill No. 5489), Laws of 2019 is not enacted by June 30, 2019, the amount provided in this subsection lapses)) \$119,000 of the Interstate 405 and state route number 167 express toll lanes account-state appropriation, \$199,000 of the state route number 520 corridor account-state appropriation, \$116,000 of the Tacoma Narrows toll bridge account-state appropriation, and \$100,000 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. 218.** 2019 c 416 s 218 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION-TRANSPORTATION PLANNING, DATA, AND RESEARCH-PROGRAM T**

<del>((High Occupancy))</del> <u>Interstate 405</u>	
<u>and State Route</u>	
<u>Number 167 Express</u> Toll Lanes	
<del>((Operations))</del>	
<u>Account-State</u> Appropriation	
.....	<del>((3,000,000))</del>
	<u>\$3,123,000</u>

Motor Vehicle Account-State Appropriation .....	<del>(\$29,403,000)</del> \$26,587,000
Motor Vehicle Account-Federal Appropriation .....	<del>(\$29,485,000)</del> \$35,385,000
Motor Vehicle Account-Private/Local Appropriation .....	<del>(\$800,000)</del> \$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
Tacoma Narrows Toll Bridge Account- State Appropriation .....	\$121,000
Alaskan Way Viaduct Replacement Project Account- State Appropriation .....	\$104,000
TOTAL APPROPRIATION .....	<del>\$66,307,000</del> \$70,902,000

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 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) \$3,000,000 of the ~~((high occupancy))~~ Interstate 405 and state route number 167 express toll lanes ~~((operations))~~ account-state appropriation is provided solely for updating the state route number 167 master plan. If ~~((neither))~~ chapter 421 ~~((Engrossed Substitute Senate Bill No. 5825))~~, Laws of 2019 (addressing tolling) ~~((nor chapter . . . (House Bill No. 2132), Laws of 2019 (addressing tolling))~~ is not enacted by June 30, 2019, the amount provided in this subsection lapses.

(6) \$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 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 1, 2021.

(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. 219.** 2019 c 416 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 ..... (~~(\$71,996,000)~~)  
\$79,474,000

Multimodal Transportation Account—  
State  
Appropriation ..... (~~(\$2,491,000)~~)  
\$2,833,000

Interstate 405 and State Route Number 167 Express

Toll Lanes Account—State  
Appropriation ..... \$122,000

State Route Number 520 Corridor  
Account—State  
Appropriation ..... \$205,000

Tacoma Narrows Toll Bridge Account—  
State

Appropriation.....\$120,000

Alaskan Way Viaduct Replacement  
Project Account—State

Appropriation.....\$102,000

TOTAL APPROPRIATION.....\$74,487,000

\$82,856,000

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

(1) (~~Prior to entering into~~) 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 of the Interstate 405 and state route number 167 express toll lanes account-state appropriation, \$205,000 of the state route number 520 corridor account-state appropriation, \$120,000 of the Tacoma Narrows toll bridge account-state appropriation, and \$102,000 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. 220.** 2019 c 416 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 .....	<del>(\$96,630,000)</del> \$88,698,000
Rural Mobility Grant Program Account-State Appropriation .....	\$32,223,000
Multimodal Transportation Account-State Appropriation .....	<del>(\$128,554,000)</del> \$122,355,000
Multimodal Transportation Account-Federal Appropriation .....	\$3,574,000
Multimodal Transportation Account-Local Appropriation .....	\$100,000
TOTAL APPROPRIATION .....	<del>\$261,865,000</del> \$247,734,000

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

~~(1) (~~\$62,679,000~~) \$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. ((If ~~chapter 287 (Engrossed Second Substitute House Bill No. 2042), Laws of 2019 (advancing green transportation adoption) is not enacted by June 30, 2019, \$10,000,000 of the amount in this subsection lapses.~~)~~) Of this amount:

~~(a) (~~\$14,278,000~~) \$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. ((If ~~chapter 287 (Engrossed Second Substitute House Bill No. 2042), Laws of 2019 (advancing green transportation adoption) is not enacted by June 30, 2019, \$2,278,000 of the amount in this subsection lapses.~~)~~)

~~(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. ((If ~~chapter 287 (Engrossed Second Substitute House Bill No. 2042), Laws of 2019 (advancing green transportation adoption) is not enacted by June 30, 2019, \$7,722,000 of the amount in this subsection lapses.~~)~~)

(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.

(3) (a) (~~(\$10,290,000)~~) \$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.

(b) At least \$1,600,000 of the amount provided in this subsection must be used for vanpool grants in congested corridors.

(4) (~~(\$19,951,000)~~) \$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 ((~~2019-2~~) 2020-2 ALL PROJECTS as developed ((~~April 27, 2019~~) March 11, 2020, Program - Public Transportation Program (V).

(5) (a) (~~(\$77,679,000)~~) \$61,215,000 of the regional mobility grant program account-state appropriation is provided solely for the regional mobility grant projects identified in LEAP Transportation Document ((~~2019-2~~) 2020-2 ALL PROJECTS as developed ((~~April 27, 2019~~) March 11, 2020, 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.

(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. 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 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, ~~(\$28,048,000)~~ \$33,370,000 of the multimodal transportation account-state appropriation is provided solely for

connecting Washington transit projects identified in LEAP Transportation Document ~~((2019-2))~~ 2020-2 ALL PROJECTS as developed ~~((April 27, 2019))~~ March 11, 2020. 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) ~~(\$2,000,000)~~ \$1,000,000 of the multimodal transportation account-state appropriation is provided solely for transit coordination grants.

(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 ~~((G2000046))~~ (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 of the multimodal transportation account-state

appropriation is provided solely for the green transportation capital grant program established in chapter 287 (~~((Engrossed Second Substitute House Bill No. 2042))~~), Laws of 2019 (advancing green transportation adoption). (~~(If chapter 287 (Engrossed Second Substitute House Bill No. 2042), Laws of 2019 is not enacted by June 30, 2019, the amount provided in this subsection lapses.)~~)

(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. (~~(If chapter 287 (Engrossed Second Substitute House Bill No. 2042), Laws of 2019 (advancing green transportation adoption) is not enacted by June 30, 2019, \$375,000 of the amount provided in this subsection lapses.)~~)

(16) As a short-term solution, appropriation authority for the public transportation program in this section is reduced to reflect anticipated underruns in this program, based on historical reappropriation levels. It is the intent of the legislature that no public transportation grants or projects be eliminated or substantially delayed as a result of revenue reductions.

(17) 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 2020-2 ALL PROJECTS as developed March 11, 2020;

(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)(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. 221.** 2019 c 416 s 221 (uncodified) is amended to read as follows:

<b>FOR</b>	<b>THE</b>	<b>DEPARTMENT</b>	<b>OF</b>
<b>TRANSPORTATION-MARINE-PROGRAM X</b>			
Motor Vehicle	Account-State	Appropriation.....	\$250,000
Puget Sound Ferry	Operations	Account-State	
Appropriation .....	(( <del>\$540,746,000</del> ))		<u>\$545,997,000</u>
Puget Sound Ferry	Operations	Account-Federal	
Appropriation .....			\$7,932,000
Puget Sound Ferry	Operations	Account-Private/Local	
Appropriation .....			\$121,000
TOTAL APPROPRIATION.....			<del>\$549,049,000</del> <u>\$554,300,000</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) (~~(\$76,261,000)~~) \$73,161,000 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 (~~(of this act)~~), 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.

~~((e) If at least \$50,000,000 is not made available, by means of transfer, deposit, appropriation, or other similar conveyance, to the motor vehicle account for stormwater related activities through the enactment of chapter 422 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control program reform) by June 30, 2019, the amount provided in this subsection (9) lapses.))~~

(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.

**Sec. 222.** 2019 c 416 s 222 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION-RAIL-PROGRAM Y-OPERATING**

Multimodal Transportation Account-State	
Appropriation .....	<del>(\$75,576,000)</del>
	\$70,244,000
Multimodal Transportation Account-Private/Local	
Appropriation .....	\$717,000
Multimodal Transportation Account-Federal	
Appropriation .....	\$500,000
TOTAL APPROPRIATION.....	<del>\$76,793,000</del>
	\$71,461,000

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) ~~((An assessment of current laws in state and provincial jurisdictions and identification of any proposed changes to laws, regulations, and/or agreements that are needed to proceed with development))~~ 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 ~~((general recommendations for the authorization needed to advance the development of the corridor))~~ 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.

~~((e))~~ (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))~~ (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. 223.** 2019 c 416 s 223 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION-LOCAL PROGRAMS-PROGRAM Z-OPERATING**

Motor Vehicle	Account-State
Appropriation .....	<del>(\$12,190,000)</del>
	\$12,187,000
Motor Vehicle	Account-Federal
Appropriation .....	\$2,567,000
Multiuse Roadway Safety	Account-State
State Appropriation .....	<del>(\$132,000)</del>
	\$450,000
Multimodal Transportation	Account-State
Appropriation .....	\$350,000
TOTAL APPROPRIATION.....	<del>\$15,239,000</del>
	\$15,554,000

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.

**TRANSPORTATION AGENCIES-CAPITAL**

**Sec. 301.** 2019 c 416 s 301 (uncodified) is amended to read as follows:

**FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD**

Freight Mobility Investment Account-State

Appropriation .....(~~(\$18,094,000)~~)  
\$23,015,000

Highway Safety Account-State  
Appropriation.....\$81,000

Motor Vehicle Account-State  
Appropriation.....\$4,907,000

Freight Mobility Multimodal Account-State

Appropriation .....(~~(\$21,220,000)~~)  
\$4,992,000

Motor Vehicle Account-Federal  
Appropriation .....(~~(\$2,250,000)~~)

\$1,899,000

Freight Mobility Multimodal Account-Private/Local

Appropriation .....(~~(\$1,320,000)~~)  
\$1,250,000

TOTAL APPROPRIATION.....~~\$42,884,000~~

\$36,144,000

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 (~~(2019-3 as developed April 27, 2019,)~~) 2020-3 as developed March 11, 2020, Conference FMSIB Project List.

(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.

(3) It is the intent of the legislature that no capital projects be

eliminated or substantially delayed as a result of revenue reductions, but that as a short-term solution appropriation authority for the freight mobility strategic investment board's capital grant programs is reduced to reflect anticipated underruns in this program, based on historical reappropriation levels.

(4) 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. 302.** 2019 c 416 s 303 (uncodified) is amended to read as follows:

**FOR THE COUNTY ROAD ADMINISTRATION BOARD**

Rural Arterial Trust Account-State Appropriation .....	(\$65,996,000)	
		\$62,884,000
Motor Vehicle Account-State Appropriation .....	\$1,456,000	
County Arterial Preservation Account-State		
Appropriation .....	\$39,590,000	
TOTAL APPROPRIATION ....	\$107,042,000	\$103,930,000

The appropriations in this section are subject to the following conditions and limitations: It is the intent of the legislature that no capital projects be eliminated or substantially delayed as a result of revenue reductions, but that as a short-term solution appropriation authority for the county road administration board's capital grant programs is reduced to reflect anticipated underruns in this program, based on historical reappropriation levels.

**Sec. 303.** 2019 c 416 s 304 (uncodified) is amended to read as follows:

**FOR THE TRANSPORTATION IMPROVEMENT BOARD**

Small City Pavement and Sidewalk Account-State		
Appropriation .....	\$5,890,000	

Transportation Improvement Account-State		
Appropriation .....	(\$228,510,000)	\$224,568,000
Complete Streets Grant Program Account-State		
Appropriation .....	(\$14,670,000)	\$10,200,000
TOTAL APPROPRIATION.....	\$249,070,000	\$240,658,000

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

(1) \$9,315,000 of the transportation improvement account-state appropriation is provided solely for the Relight Washington Program. The transportation improvement board shall conduct a survey of all cities that are not currently eligible for the Relight Washington Program to determine demand for the program regardless of the current eligibility criteria. The transportation improvement board shall report the results of the survey to the governor and the transportation committees of the legislature by August 1, 2020.

(2) It is the intent of the legislature that no capital projects be eliminated or substantially delayed as a result of revenue reductions, but that as a short-term solution appropriation authority for the transportation improvement board's capital grant programs is reduced to reflect anticipated underruns in this program, based on historical reappropriation levels.

**Sec. 304.** 2019 c 416 s 305 (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 .....	(\$50,990,000)	\$51,187,000
Connecting Washington Account-State Appropriation .....	(\$42,497,000)	\$51,523,000
TOTAL APPROPRIATION.....	\$93,487,000	

\$102,710,000

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

(1) (~~(\$42,497,000)~~) \$51,523,000 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) (~~(\$43,100,000)~~) \$43,297,000 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.

(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. (~~The amount provided in this subsection is the maximum the department may spend on furniture for this facility.~~)

**Sec. 305.** 2019 c 416 s 306 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION-IMPROVEMENTS-PROGRAM I**

~~((High Occupancy Toll Lanes Operations~~

~~Account-State Appropriation~~  
~~..... (\$7,000,000))~~

Transportation Partnership Account-State

Appropriation ..... (~~(\$325,275,000)~~)

\$385,619,000

Motor Vehicle Account-State  
 Appropriation ..... (~~(\$92,504,000)~~)

\$102,543,000

Motor Vehicle Account-Federal  
 Appropriation ..... (~~(\$154,337,000)~~)

\$151,857,000

Motor Vehicle Account-Private/Local  
 Appropriation ..... (~~(\$26,839,000)~~)

\$70,404,000

Connecting Washington Account-State  
 Appropriation .... (~~(\$2,137,381,000)~~)

\$2,355,205,000

Special Category C Account-State  
 Appropriation ..... (~~(\$81,000,000)~~)

\$36,134,000

Multimodal Transportation Account-State

Appropriation ..... (~~(\$5,408,000)~~)

\$3,853,000

Alaskan Way Viaduct Replacement  
 Project Account-State

Appropriation ..... \$77,956,000

Transportation 2003 Account (Nickel  
 Account)-State

Appropriation ..... (~~(\$21,819,000)~~)

\$10,429,000

Interstate 405 and State Route Number  
 167 Express

Toll Lanes (~~(Operations)~~) Account-State

Appropriation ..... (~~(\$48,036,000)~~)

\$90,027,000

TOTAL APPROPRIATION... ~~\$2,977,555,000~~

\$3,284,027,000

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 ((2019-1)) 2020-1 as developed ((April 27, 2019)) March 11, 2020, 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 ((2019-2)) 2020-2 ALL PROJECTS as developed ((April 27, 2019)) March 11, 2020, Program - Highway Improvements Program (I). 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) The connecting Washington account-state appropriation includes up to ((~~\$1,519,899,000~~)) \$1,835,325,000 in proceeds from the sale of bonds authorized in RCW 47.10.889.

(5) The special category C account-state appropriation includes up to ((~~\$75,274,000~~)) \$24,910,000 in proceeds from the sale of bonds authorized in RCW ((47.10.861)) 47.10.812.

(6) The transportation partnership account-state appropriation includes up to ((~~\$150,232,000~~)) \$162,658,000 in proceeds from the sale of bonds authorized in RCW ((47.10.812)) 47.10.873.

(7) The Alaskan Way viaduct replacement project account-state appropriation includes up to \$77,956,000 in proceeds from the sale of bonds authorized in RCW 47.10.873.

(8) ((~~The multimodal transportation account-state appropriation includes up~~

~~to \$5,408,000 in proceeds from the sale of bonds authorized in RCW 47.10.867.~~

~~((9) \$90,464,000))~~ \$168,757,000 of the transportation partnership account-state appropriation, ((~~\$7,006,000~~)) \$19,790,000 of the motor vehicle account-private/local appropriation, ((~~\$3,383,000~~)) \$3,384,000 of the transportation 2003 account (nickel account)-state appropriation, \$77,956,000 of the Alaskan Way viaduct replacement project account-state appropriation, and \$1,838,000 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 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.

((~~(10)~~)) (9) \$3,000,000 of the multimodal transportation account-state appropriation is provided solely for transit mitigation for the SR 99/Viaduct Project - Construction Mitigation project (809940B).

((~~(11) \$164,000,000~~)) (10) \$168,655,000 of the connecting Washington account-state appropriation ((~~is~~)), \$1,052,000 of the special category C account-state appropriation, and \$738,000 of the motor vehicle account-private/local appropriation are provided solely for the US 395 North Spokane Corridor project (M00800R).

((~~(12)(a) \$22,195,000 of the transportation partnership account-state appropriation, \$12,805,000 of the transportation 2003 account (nickel account)-state appropriation, and \$48,000,000~~)) (11) \$82,991,000 of the Interstate 405 and state route number 167 express toll lanes ((~~operations~~)) account-state appropriation ((~~are~~)) 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. ~~((The transportation partnership account state appropriation and transportation 2003 account (nickel account) state appropriation are a transfer or a reappropriation of a transfer from the I-405/Kirkland Vicinity Stage 2 - Widening project (8BI1002) due to savings and will fund right of way and construction for an additional phase of this I-405 project.~~

~~(b) If sufficient bonding authority to complete this project is not provided within chapter 421 (Engrossed Substitute Senate Bill No. 5825), Laws of 2019 (addressing tolling) or chapter 421 (House Bill No. 2132), Laws of 2019 (addressing tolling), or within a bond authorization act referencing chapter . . . (Engrossed Substitute Senate Bill No. 5825), Laws of 2019 or chapter . . . (House Bill No. 2132), Laws of 2019, by June 30, 2019, \$21,000,000 of the Interstate 405 express toll lanes operations account state appropriation provided in this subsection lapses, and it is the intent of the legislature to reduce the Interstate 405 express toll lanes operations account state appropriation in the 2021-2023 biennium to \$5,000,000, and in the 2023-2025 biennium to \$0 on the list referenced in subsection (2) of this section.~~

~~(13))~~ (12) (a) ~~((395,822,000))~~ \$422,099,000 of the connecting Washington account-state appropriation ~~((, \$60,000 of the motor vehicle account-state appropriation,))~~ and ~~((342,000))~~ \$456,000 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.

~~((14))~~ (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.

~~((15) \$265,100,000))~~ (14) \$310,469,000 of the connecting Washington account-state appropriation is 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 (~~((Engrossed Substitute Senate Bill No. 5825))~~), Laws of 2019 (addressing tolling) (~~((or chapter . . . (House Bill No. 2132), Laws of 2019 (addressing tolling))~~), or within a bond

authorization act referencing chapter 421 (~~((Engrossed Substitute Senate Bill No. 5825))~~), Laws of 2019 (~~((or chapter . . . (House Bill No. 2132), 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.

~~((16))~~ (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.

~~((18) \$950,000))~~ (16) \$1,029,000 of the transportation partnership account-state appropriation is provided solely for the U.S. 2 Trestle IJR project (L1000158).

~~((19))~~ (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.

~~((20))~~ (18) Any advisory group that the department convenes during the 2019-2021 fiscal biennium must consider the interests of the entire state of Washington.

~~((21))~~ (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.

~~((22)) (20) (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-82 Yakima - Union Gap Economic Development Improvements (T21100R);~~

~~(ii) I-5 Federal Way - Triangle Vicinity Improvements (T20400R); or~~

~~(iii) SR 522/Paradise Lk Rd Interchange & Widening on SR 522 (Design/Engineering) (NPARADI).~~

~~(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.~~

~~(e)) For connecting Washington projects that have already begun and are eligible for the authority granted in section 601 of this act, 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).

~~((d)) (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.

~~((23)) (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.

~~((24))~~ (22) (a) \$17,500,000 of the motor vehicle account-state appropriation is provided solely for staffing of a project office to replace the Interstate 5 bridge across the Columbia river (G2000088). If at least a \$9,000,000 transfer is not authorized in section 406(29) ~~((of this act))~~, 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.

(c) 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) Within the amount provided in this subsection, the department must implement chapter 137 ~~((Engrossed Substitute House Bill No. 1994))~~, Laws of 2019 (projects of statewide significance).

(e) 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.

~~((25))~~ (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 (G2000088) ~~((+ however, if at least \$50,000,000 is not made available, by means of transfer, deposit, appropriation, or other similar conveyance, to the motor vehicle account for stormwater-related activities through the enactment of chapter 422 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control program reform) by June 30, 2019, the amount provided in this subsection lapses))~~.

~~((26))~~ (24) (a) ~~(((\$36,500,000))~~ \$191,360,000 of the connecting Washington account-state appropriation, ~~(((\$44,961,000))~~ \$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 ~~(((\$18,539,000))~~ \$18,706,000 of the transportation partnership account-state appropriation are provided solely for the Fish Passage Barrier 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 project (OBI4001) 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.

((427) \$14,750,000) (25) (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.

(26) \$16,649,000 of the connecting Washington account-state appropriation, \$373,000 of the motor vehicle account-state appropriation, and \$6,000,000 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 ((2019-1)) 2020-1 as developed ((April 27, 2019)) March 11, 2020, Program - Highway Improvements (I).

((428)) (27) (a) (((\$7,060,000)) \$6,799,000 of the motor vehicle account-federal appropriation, ((\$72,000)) \$31,000 of the motor vehicle account-state appropriation, ((\$3,580,000)) \$3,812,000 of the transportation partnership account-state appropriation, and \$7,000,000 of the ((high occupancy)) Interstate 405 and state route number 167 express toll lanes ((operations)) 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 ((Engrossed Substitute Senate Bill No. 5825)), Laws of 2019 (addressing tolling) ((or chapter . . . (House Bill No. 2132), Laws of 2019 (addressing tolling)), or within a bond authorization act referencing chapter 421 ((Engrossed Substitute Senate Bill No. 5825)), Laws of 2019 ((or chapter . . . (House Bill No. 2132), 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.

((429)) (28) 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 (~~((Engrossed Substitute Senate Bill No. 5825))~~), Laws of 2019 (addressing tolling) (~~((or chapter . . . (House Bill No. 2132), Laws of 2019 (addressing tolling))~~), or within a bond authorization act referencing chapter 421 (~~((Engrossed Substitute Senate Bill No. 5825))~~), Laws of 2019 (~~((or chapter . . . (House Bill No. 2132), Laws of 2019, by June 30, 2019))~~), it is the intent of the legislature to remove the project from the list referenced in subsection (2) of this section.

~~((30) \$7,900,000))~~ (29) \$7,985,000 of the Special Category C account-state appropriation and \$1,000,000 of the motor vehicle account-private/local appropriation are 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.

~~((31))~~ (30) \$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.

~~((32) \$1,290,000))~~ (31) \$622,000 of the motor vehicle account-state appropriation is provided solely for the US 101/East Sequim Corridor Improvements project (L2000343) (~~((; however, if at least \$50,000,000 is not made available, by means of transfer, deposit, appropriation, or other similar conveyance, to the motor vehicle account for stormwater-related activities through the enactment of chapter 422 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control program reform) by June 30, 2019, the amount provided in this subsection lapses))~~).

~~((33) \$12,800,000))~~ (32) \$12,916,000 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) (~~((; however, if at least \$50,000,000 is not made available, by means of transfer, deposit,~~

~~appropriation, or other similar conveyance, to the motor vehicle account for stormwater-related activities through the enactment of chapter 422 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control program reform) by June 30, 2019, the amount provided in this subsection lapses))~~).

~~((34))~~ (33) \$1,000,000 of the motor vehicle account-state appropriation is provided solely for the US 101/Morse Creek Safety Barrier project (L1000247) (~~((; however, if at least \$50,000,000 is not made available, by means of transfer, deposit, appropriation, or other similar conveyance, to the motor vehicle account for stormwater-related activities through the enactment of chapter 422 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control program reform) by June 30, 2019, the amount provided in this subsection lapses))~~).

~~((35))~~ (34) \$1,000,000 of the motor vehicle account-state appropriation is provided solely for the SR 162/410 Interchange Design and Right of Way project (L1000276) (~~((; however, if at least \$50,000,000 is not made available, by means of transfer, deposit, appropriation, or other similar conveyance, to the motor vehicle account for stormwater-related activities through the enactment of chapter 422 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control program reform) by June 30, 2019, the amount provided in this subsection lapses))~~).

~~((36) \$1,000,000 of the motor vehicle account state appropriation is provided solely for the I-5/Rush Road Interchange Improvements project (L1000223); however, if at least \$50,000,000 is not made available, by means of transfer, deposit, appropriation, or other similar conveyance, to the motor vehicle account for stormwater-related activities through the enactment of chapter 422 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control program reform) by June 30, 2019, the amount provided in this subsection lapses-))~~

(35) It is the intent of the legislature that no capital projects be eliminated or substantially delayed as a result of revenue reductions, but that as

a short-term solution appropriation authority for this program is reduced to reflect anticipated underruns in this program, based on historical reapportionment levels.

(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. 306. 2019 c 416 s 307 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION-PRESERVATION-PROGRAM P**

Recreational Vehicle Account-State  
Appropriation ..... ((\$1,744,000))  
\$2,971,000

Transportation Partnership Account-State

Appropriation .....	(\$23,706,000))	
		\$20,248,000
Motor Vehicle Account-State Appropriation .....	(\$74,885,000))	
		\$82,447,000
Motor Vehicle Account-Federal Appropriation .....	(\$454,758,000))	
		\$490,744,000
Motor Vehicle Account-Private/Local Appropriation .....	(\$5,159,000))	
		\$7,408,000
State Route Number 520 Corridor Account-State Appropriation .....	(\$544,000))	
		\$326,000
Connecting Washington Account-State Appropriation .....	(\$189,771,000))	
		\$204,630,000
Tacoma Narrows Toll Bridge Account-State Appropriation .....	(\$7,906,000))	
		\$8,350,000
Alaskan Way Viaduct Replacement Project Account-State Appropriation.....		\$10,000
Interstate 405 and State Route Number 167 Express Toll Lanes Account-State Appropriation.....		\$3,018,000
Transportation 2003 Account (Nickel Account)-State Appropriation .....	(\$9,617,000))	
		\$17,892,000
TOTAL APPROPRIATION.....		\$768,100,000
		\$838,044,000

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 ((2019-1)) 2020-1 as developed

(~~April 27, 2019~~) March 11, 2020, 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 (~~2019-2~~) 2020-2 ALL PROJECTS as developed (~~April 27, 2019~~) March 11, 2020, 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) (~~(\$25,036,000)~~) \$26,683,000 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) (~~(\$2,500,000)~~) \$4,000,000 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) (~~(\$22,729,000)~~) \$21,289,000 of the motor vehicle account-federal appropriation and (~~(\$553,000)~~) \$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) ((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 SR 4/Abernathy Creek Br Replace Bridge project (400411A).~~

~~(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 and in section 601 of this act to minimize the amount of reappropriations needed each biennium.~~

~~(11))~~ 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. 307.** 2019 c 416 s 308 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION-TRAFFIC OPERATIONS-PROGRAM Q-CAPITAL**

Motor Vehicle Account-State  
Appropriation ..... ((\$7,311,000))  
\$7,746,000

Motor Vehicle Account-Federal  
Appropriation ..... ((\$5,331,000))  
\$6,137,000

Motor Vehicle Account-Private/Local  
Appropriation ..... ((\$500,000))  
\$579,000

Interstate 405 and State Route Number 167 Express

Toll Lanes Account-State  
Appropriation.....\$100,000

TOTAL APPROPRIATION.....\$13,142,000  
\$14,562,000

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

(1) \$700,000 of the motor vehicle account-state appropriation is provided solely for the SR 99 Aurora Bridge ITS project (L2000338) (~~however, if at least \$50,000,000 is not made available, by means of transfer, deposit, appropriation, or other similar conveyance, to the motor vehicle account for stormwater-related activities through the enactment of chapter 422 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control program reform) by June 30, 2019, the amount provided in this subsection lapses~~)).

(2) It is the intent of the legislature that no capital projects be eliminated or substantially delayed as a result of revenue reductions, but that as a short-term solution appropriation authority for this program is reduced to reflect anticipated underruns in this program, based on historical reappropriation levels.

**Sec. 308.** 2019 c 416 s 309 (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 ..... ((\$111,076,000))  
\$116,253,000

Puget Sound Capital Construction Account-Federal	
Appropriation .....	<del>(\$141,750,000)</del>
	<u>\$198,688,000</u>
Puget Sound Capital Construction Account-Private/Local	
Appropriation .....	<del>(\$350,000)</del>
	<u>\$4,779,000</u>
Transportation Partnership Account-State	
Appropriation .....	<del>(\$4,936,000)</del>
	<u>\$6,582,000</u>
Connecting Washington Account-State	
Appropriation .....	<del>(\$92,766,000)</del>
	<u>\$112,426,000</u>
Capital Vessel Replacement Account-State	
Appropriation .....	<del>(\$99,000,000)</del>
	<u>\$96,030,000</u>
<u>Transportation 2003 Account (Nickel Account)-State</u>	
Appropriation .....	<u>\$986,000</u>
TOTAL APPROPRIATION ....	<u>\$449,878,000</u>
	<u>\$535,744,000</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 ((~~2019-2~~) 2020-2 ALL PROJECTS as developed ((~~April 27, 2019~~) March 11, 2020, Program - Washington State Ferries Capital Program (W) .

(2) (~~(\$1,461,000)~~) \$2,857,000 of the Puget Sound capital construction account-state appropriation, (~~(\$59,650,000)~~) \$17,832,000 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) (~~(\$73,089,000)~~) \$102,641,000 of the Puget Sound capital construction account-federal appropriation, (~~(\$33,089,000)~~) \$47,819,000 of the connecting Washington account-state appropriation, and (~~(\$8,778,000)~~) \$4,355,000 of the Puget Sound capital construction account-((state)) local appropriation are provided solely for the Seattle Terminal Replacement project (900010L).

(4) (~~(\$5,000,000)~~) \$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 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 of the Puget Sound capital construction account-state appropriation and (~~(\$6,500,000)~~) \$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.

(9) (~~(\$99,000,000)~~) \$96,030,000 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. (~~(Unless (a) chapter 431 (Engrossed Substitute House Bill No. 2161), Laws of 2019 (capital surcharge) or chapter . . . (Substitute Senate Bill No. 5992), Laws of 2019 (capital surcharge) is enacted by June 30, 2019, and (b) chapter 417 (Engrossed House Bill No. 1789), Laws of 2019 (service fees) or chapter . . . (Substitute Senate Bill No. 5419), Laws of 2019 (service fees) is enacted by June 30, 2019, the amount provided in this subsection lapses.))~~ 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 (~~(\$99,000,000)~~) \$96,030,000 in proceeds from the sale of bonds authorized in RCW 47.10.873.

(11) It is the intent of the legislature that no capital projects be eliminated or substantially delayed as a result of revenue reductions, but that as a short-term solution appropriation authority for this program is reduced to reflect anticipated underruns in this program, based on historical reappropriation levels.

(12) 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: 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. 309.** 2019 c 416 s 310 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION-RAIL-PROGRAM Y-CAPITAL**

Motor Vehicle Account-State Appropriation .....	<del>(\$1,750,000)</del>	<u>\$3,300,000</u>
Essential Rail Assistance Account-State Appropriation .....	<del>(\$500,000)</del>	<u>\$851,000</u>
Transportation Infrastructure Account-State Appropriation .....	\$7,554,000	
Multimodal Transportation Account-State Appropriation .....	<del>(\$85,441,000)</del>	<u>\$74,876,000</u>
Multimodal Transportation Account-Federal Appropriation .....	<del>(\$8,302,000)</del>	<u>\$8,601,000</u>
Multimodal Transportation Account-Local Appropriation .....	\$336,000	
TOTAL APPROPRIATION ....	<del>\$103,893,000</del>	<u>\$95,518,000</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 ((2019-2)) 2020-2 ALL PROJECTS as developed ((April 27, 2019)) March 11, 2020, Program - Rail Program (Y).

(2) \$7,136,000 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) (~~(\$8,112,000)~~) \$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) (~~(\$365,000)~~) \$716,000 of the essential rail assistance account-state appropriation (~~(is)~~) 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 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 ~~((new train sets))~~ replacement equipment that ((have)) has been competitively procured and for service recovery needs and corrective actions related to the December 2017 derailment.

(8) ~~(((\$600,000))~~ \$898,000 of the multimodal transportation account-state federal appropriation and ~~(((\$6,000))~~ \$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 ~~(((\$19,592,000))~~ \$25,000,000 in proceeds from the sale of bonds authorized in RCW 47.10.867.

(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) \$1,500,000 of the multimodal transportation account-state appropriation is provided solely for the Chelatchie Prairie railroad roadbed rehabilitation project (L1000233).

(13) \$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) \$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) ~~((; however, if at least \$50,000,000 is not made available, by means of transfer, deposit, appropriation, or other similar conveyance, to the motor vehicle account for stormwater-related activities through the enactment of chapter 422 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control program reform) by June 30, 2019, the amount provided in this subsection lapses)).~~

(16) \$750,000 of the motor vehicle account-state appropriation ~~((is))~~ 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) (~~however, if at least \$50,000,000 is not made available, by means of transfer, deposit, appropriation, or other similar conveyance, to the motor vehicle account for stormwater-related activities through the enactment of chapter 422 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control program reform) by June 30, 2019, the amount provided in this subsection lapses~~)).

(17) It is the intent of the legislature that no capital projects be eliminated or substantially delayed as a result of revenue reductions, but that as a short-term solution appropriation authority for this program is reduced to reflect anticipated underruns in this program, based on historical reappropriation levels.

(18) 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 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. 310.** 2019 c 416 s 311 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION-LOCAL PROGRAMS-PROGRAM Z-CAPITAL**

Highway Infrastructure Account-State Appropriation .....	(\$793,000)	
		\$1,276,000
Highway Infrastructure Account-Federal Appropriation .....	(\$981,000)	
		\$1,337,000
Transportation Partnership Account-State Appropriation .....	(\$750,000)	
		\$2,380,000
Highway Safety Account-State Appropriation .....	(\$800,000)	
		\$1,314,000
Motor Vehicle Account-State Appropriation .....	(\$30,878,000)	
		\$35,607,000
Motor Vehicle Account-Federal Appropriation .....	(\$33,813,000)	
		\$41,420,000
Motor Vehicle Account-Private/Local Appropriation .....	(\$21,500,000)	
		\$24,600,000
Connecting Washington Account-State Appropriation .....	(\$172,454,000)	
		\$155,550,000
Multimodal Transportation Account-State Appropriation .....	(\$72,269,000)	
		\$77,469,000
TOTAL APPROPRIATION.....	\$334,238,000	
		\$340,953,000

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 ((2019-2)) 2020-2 ALL PROJECTS

as developed (~~(April 27, 2019)~~) March 11, 2020, 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 of the multimodal transportation account-state appropriation is provided solely for newly selected pedestrian and bicycle safety program projects. (~~(\$5,940,000)~~) \$18,577,000 of the multimodal transportation account-state appropriation and (~~(\$750,000)~~) \$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 of the motor vehicle account-federal appropriation and \$7,750,000 of the multimodal transportation account-state appropriation are provided solely for newly selected safe routes to school projects. (~~(\$6,690,000)~~) \$11,354,000 of the motor vehicle account-federal appropriation, (~~(\$2,320,000)~~) \$4,640,000 of the multimodal transportation account-state appropriation, and (~~(\$800,000)~~) \$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) (~~(\$28,319,000)~~) \$37,537,000 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) (~~(\$19,160,000)~~) \$23,926,000 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) (~~(East West Corridor Overpass and Bridge (L2000067))~~);

(ii) ~~41st Street Rucker Avenue Freight Corridor Phase 2 (L2000134)~~;

(iii) ~~Mottman Rd Pedestrian & Street Improvements (L1000089)~~;

(iv) I-5/Port of Tacoma Road Interchange (L1000087);

(v) ~~Complete SR 522 Improvements Kenmore (T10600R)~~;

(vi) (i) SR 99 Revitalization in Edmonds (NEDMOND); or

(vii) (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 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) ~~((In advance of the expiration of the fixing America's surface transportation (FAST) act in 2020, the department must work with the Washington state freight advisory committee to agree on a framework for allocation of any new national highway freight funding that may be approved in a new federal surface transportation reauthorization act. The department and representatives of the advisory committee must report to the joint transportation committee by October 1, 2020, on the status of planning for allocating new funds for this program.))~~ 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) ~~((; however, if at least \$50,000,000 is not made available, by means of transfer, deposit, appropriation, or other similar conveyance, to the motor vehicle account for stormwater-related activities through the enactment of chapter 422 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control program reform) by June 30, 2019, the amount provided in this subsection lapses)).~~

(10) \$3,900,000 of the motor vehicle account-state appropriation is provided solely for the Dupont-Steilacoom road improvements project (L1000224) ~~((; however, if at least \$50,000,000 is not made available, by means of transfer, deposit, appropriation, or other similar conveyance, to the motor vehicle account for stormwater-related activities through the enactment of chapter 422 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control program reform) by June 30, 2019, the amount provided in this subsection lapses)).~~

(11) \$650,000 of the motor vehicle account-state appropriation is provided solely for the SR 104/40th place northeast roundabout project (L1000244) ~~((; however, if at least \$50,000,000 is not made available, by means of transfer, deposit, appropriation, or other similar conveyance, to the motor vehicle account for stormwater-related activities through the enactment of chapter 422 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control program reform) by June 30, 2019, the amount provided in this subsection lapses)).~~

(12) \$860,000 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-scaping improvements project (L1000250) (~~(; however, if at least \$50,000,000 is not made available, by means of transfer, deposit, appropriation, or other similar conveyance, to the motor vehicle account for stormwater-related activities through the enactment of chapter 422 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control program reform) by June 30, 2019, the amount provided in this subsection lapses)~~).

(14) (~~(\$750,000 of the multimodal transportation account-state appropriation is provided solely for the Edmonds waterfront connector project (L1000252).~~

~~(15)) \$650,000 of the motor vehicle account-state appropriation is provided solely for the Wallace Kneeland and Shelton springs road intersection improvements project (L1000260) (~~(; however, if at least \$50,000,000 is not made available, by means of transfer, deposit, appropriation, or other similar conveyance, to the motor vehicle account for stormwater-related activities through the enactment of chapter 422 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control program reform) by June 30, 2019, the amount provided in this subsection lapses)~~).~~

~~((16)) (15) \$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) (~~(; however, if at least \$50,000,000 is not made available, by means of transfer, deposit, appropriation, or other similar conveyance, to the motor vehicle account for stormwater-related activities through the enactment of chapter 422 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control program reform) by June 30, 2019, the amount in this subsection provided from the motor vehicle account-state appropriation lapses)~~).~~

~~((17)) (16) \$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).

~~((18)) (17) \$700,000 of the motor vehicle account-state appropriation is provided solely for the Ballard-Interbay Regional Transportation system plan project (L1000281) (~~(; however, if at least \$50,000,000 is not made available, by means of transfer, deposit, appropriation, or other similar conveyance, to the motor vehicle account for stormwater-related activities through the enactment of chapter 422 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control program reform) by June 30, 2019, the amount provided in this subsection lapses)~~).~~

(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.

~~((19)) (18) \$750,000 of the motor vehicle account-state appropriation is provided solely for the Mickelson Parkway project (L1000282) (~~(; however, if at least \$50,000,000 is not made available, by means of transfer, deposit, appropriation, or other similar conveyance, to the motor vehicle account for stormwater-related activities through the enactment of chapter 422 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control~~~~

program reform) by June 30, 2019, the amount provided in this subsection lapses)).

~~((20))~~ (19) \$300,000 of the motor vehicle account-state appropriation is provided solely for the South 314th Street Improvements project (L1000283) (~~(; however, if at least \$50,000,000 is not made available, by means of transfer, deposit, appropriation, or other similar conveyance, to the motor vehicle account for stormwater-related activities through the enactment of chapter 422 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control program reform) by June 30, 2019, the amount provided in this subsection lapses))~~).

~~((21))~~ (20) \$250,000 of the motor vehicle account-state appropriation is provided solely for the Ridgfield South I-5 Access Planning project (L1000284) (~~(; however, if at least \$50,000,000 is not made available, by means of transfer, deposit, appropriation, or other similar conveyance, to the motor vehicle account for stormwater-related activities through the enactment of chapter 422 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control program reform) by June 30, 2019, the amount provided in this subsection lapses))~~).

~~((22))~~ (21) \$300,000 of the motor vehicle account-state appropriation is provided solely for the Washougal 32nd Street Underpass Design and Permitting project (L1000285) (~~(; however, if at least \$50,000,000 is not made available, by means of transfer, deposit, appropriation, or other similar conveyance, to the motor vehicle account for stormwater-related activities through the enactment of chapter 422 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control program reform) by June 30, 2019, the amount provided in this subsection lapses))~~).

~~((23))~~ (22) \$600,000 of the connecting Washington account-state appropriation, \$150,000 of the motor vehicle account-state appropriation, and ~~((50,000))~~ \$267,000 of the multimodal transportation account-state appropriation are provided solely for the Bingen Walnut Creek and Maple Railroad Crossing (L2000328) (~~(; however, if at least \$50,000,000 is not made available,~~

~~by means of transfer, deposit, appropriation, or other similar conveyance, to the motor vehicle account for stormwater-related activities through the enactment of chapter 422 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control program reform) by June 30, 2019, the amount in this subsection provided from the motor vehicle account-state appropriation lapses))~~).

~~((24))~~ (23) \$1,500,000 of the motor vehicle account-state appropriation is provided solely for the SR 303 Warren Avenue Bridge Pedestrian Improvements project (L2000339) (~~(; however, if at least \$50,000,000 is not made available, by means of transfer, deposit, appropriation, or other similar conveyance, to the motor vehicle account for stormwater-related activities through the enactment of chapter 422 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control program reform) by June 30, 2019, the amount provided in this subsection lapses))~~).

~~((25))~~ (24) \$1,000,000 of the motor vehicle account-state appropriation is provided solely for the 72nd/Washington Improvements in Yakima project (L2000341) (~~(; however, if at least \$50,000,000 is not made available, by means of transfer, deposit, appropriation, or other similar conveyance, to the motor vehicle account for stormwater-related activities through the enactment of chapter 422 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control program reform) by June 30, 2019, the amount provided in this subsection lapses))~~).

~~((26))~~ (25) \$650,000 of the motor vehicle account-state appropriation is provided solely for the 48th/Washington Improvements in Yakima project (L2000342) (~~(; however, if at least \$50,000,000 is not made available, by means of transfer, deposit, appropriation, or other similar conveyance, to the motor vehicle account for stormwater-related activities through the enactment of chapter 422 (Engrossed Substitute Senate Bill No. 5993), Laws of 2019 (model toxics control program reform) by June 30, 2019, the amount provided in this subsection lapses))~~).

(26) It is the intent of the legislature that no capital projects will

be eliminated or substantially delayed as a result of revenue reductions, but that as a short-term solution appropriation authority for this program is reduced to reflect anticipated underruns in this program, based on historical reappropriation levels.

(27) 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: 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.

**Sec. 311.** 2019 c 416 s 313 (uncodified) is amended to read as follows:

**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 the following reports for all capital programs:

(1) For active projects, the report must include:

(a) A TEIS version containing actual capital expenditures for all projects consistent with the structure of the most recently enacted budget;

(b) Anticipated cost savings, cost increases, reappropriations, and schedule adjustments for all projects consistent with the structure of the most recently enacted budget;

(c) 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;

(d) Projected costs and schedule for individual projects that are funded at a programmatic level for projects relating to bridge rail, guard rail, fish passage barrier removal, roadside safety projects, and seismic bridges. Projects within this programmatic level funding must be completed on a priority basis and scoped to be completed within the current programmatic budget;

(e) Highway projects that may be reduced in scope and still achieve a functional benefit;

(f) Highway projects that have experienced scope increases and that can be reduced in scope;

(g) Highway projects that have lost significant local or regional contributions that were essential to completing the project; and

(h) Contingency amounts for all projects consistent with the structure of the most recently enacted budget.

(2) For completed projects, the report must:

(a) Compare the costs and operationally complete date for projects with budgets of twenty million dollars or more that are funded with preexisting funds to the original project cost estimates and schedule; and

(b) Provide a list of nickel (~~and~~), TPA, and connecting Washington projects charging to the nickel/TPA/CWA environmental mitigation reserve (OBI4ENV) and the amount each project is charging.

(3) For prospective projects, the report must:



(a) Identify the estimated advertisement date for all projects consistent with the structure of the most recently enacted transportation budget that are going to advertisement during the current fiscal biennium;

(b) Identify the anticipated operationally complete date for all projects consistent with the structure of the most recently enacted transportation budget that are going to advertisement during the current fiscal biennium; and

(c) Identify the estimated cost of completion for all projects consistent with the structure of the most recently enacted transportation budget that are going to advertisement during the current fiscal biennium.

**TRANSFERS AND DISTRIBUTIONS**

**Sec. 401.** 2019 c 416 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 ..... (~~(\$376,000)~~)  
\$105,000

Multimodal Transportation Account—State Appropriation ..... \$125,000

Transportation Partnership Account—State Appropriation ..... (~~(\$1,636,000)~~)  
\$1,407,000

Connecting Washington Account—State Appropriation ..... (~~(\$7,599,000)~~)  
\$7,723,000

Highway Bond Retirement Account—State Appropriation .... (~~(\$1,327,766,000)~~)  
\$1,378,835,000

Ferry Bond Retirement Account—State Appropriation ..... (~~(\$25,077,000)~~)  
\$25,078,000

Transportation Improvement Board Bond Retirement Account—State Appropriation ..... (~~(\$12,684,000)~~)  
\$12,452,000

Nondebt-Limit Reimbursable Bond Retirement

Account—State Appropriation ..... (~~(\$29,594,000)~~)  
\$31,253,000

Toll Facility Bond Retirement Account—State Appropriation..... (~~(\$86,493,000)~~)  
\$86,483,000

TOTAL APPROPRIATION...~~(\$1,491,340,000)~~  
\$1,543,461,000

**Sec. 402.** 2019 c 416 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..... (~~(\$327,000)~~)  
\$281,000

Connecting Washington Account—State Appropriation..... (~~(\$1,520,000)~~)  
\$1,599,000

Special Category C Account—State Appropriation..... (~~(\$75,000)~~)  
\$21,000

TOTAL APPROPRIATION.....~~(\$1,947,000)~~  
\$1,926,000

**Sec. 403.** 2019 c 416 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. (~~(\$518,198,000)~~)  
\$508,276,000

**Sec. 404.** 2019 c 416 s 404 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER—TRANSFERS**

\$8,070,000

Motor Vehicle Account—State  
Appropriation:

For motor vehicle fuel tax refunds  
and

statutory transfers  
..... (~~(\$2,188,945,000)~~)  
\$2,146,790,000

**Sec. 405.** 2019 c 416 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 ..... (~~(\$220,426,000)~~)  
\$235,788,000

**Sec. 406.** 2019 c 416 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 ..... (~~(\$10,000,000)~~)  
\$54,000,000

(2) Transportation Partnership  
Account—State

Appropriation: For transfer to the  
Motor Vehicle  
Account—State ..... (~~(\$50,000,000)~~)  
\$45,000,000

(3) Motor Vehicle Account—State  
Appropriation:

For transfer to the State Patrol  
Highway  
Account—State ..... (~~(\$7,000,000)~~)  
\$57,000,000

(4) Motor Vehicle Account—State  
Appropriation:

For transfer to the Freight Mobility  
Investment  
Account—State ..... (~~(\$8,511,000)~~)

(5) Motor Vehicle Account—State  
Appropriation:

For transfer to the Rural Arterial  
Trust  
Account—State..... (~~(\$4,844,000)~~)  
\$1,732,000

(6) Motor Vehicle Account—State  
Appropriation:

For transfer to the Transportation  
Improvement  
Account—State..... (~~(\$9,688,000)~~)  
\$5,067,000

(7) (~~Highway Safety Account—State~~  
~~Appropriation:~~

~~For transfer to the State Patrol~~  
~~Highway~~  
~~Account—State.....\$44,000,000~~

~~(8))~~ Motor Vehicle Account—State  
Appropriation: For transfer to the Puget  
Sound Capital Construction Account—State  
.....\$52,000,000

(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

(~~(9))~~ (10) State Route Number 520  
Civil Penalties

Account—State Appropriation: For  
transfer to  
the State Route Number 520 Corridor  
Account—State.....\$1,434,000

(~~(10))~~ (11) Capital Vessel  
Replacement Account—State

Appropriation: For transfer to the  
Connecting  
Washington Account—State  
..... (~~(\$50,000,000)~~)  
\$60,000,000

(~~(11))~~ Multimodal Transportation  
Account—State

~~Appropriation: For transfer to the Freight~~

~~Mobility Multimodal Account State ..... (\$8,511,000)~~

~~(12) ((Multimodal Transportation Account State~~

~~Appropriation: For transfer to the Puget Sound~~

~~Capital Construction Account State ..... \$15,000,000~~

~~(13) Multimodal Transportation Account State~~

~~Appropriation: For transfer to the Puget Sound~~

~~Ferry Operations Account State ..... \$45,000,000~~

~~(14)) Multimodal Transportation Account-State~~

Appropriation: For transfer to the Regional

Mobility Grant Program Account-State ..... ((~~\$27,679,000~~))

\$11,215,000

~~((15)) (13) Multimodal Transportation Account-State~~

Appropriation: For transfer to the Rural

Mobility Grant Program Account-State ..... \$15,223,000

~~((16)) (14) Transportation 2003 Account (Nickel Account)-~~

State Appropriation: For transfer to the Puget

Sound Capital Construction Account-State ..... ((~~\$20,000,000~~))

\$15,000,000

~~((17)) (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) ((~~of this act~~)), chapter 416, Laws of 2019.

~~((18)) (16) (a) Transportation Partnership Account-State~~

Appropriation: For transfer to the Alaskan Way Viaduct

Replacement Project Account-State ..... ((~~\$77,951,000~~))

\$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.

~~((19)) (17) Motor Vehicle Account-State Appropriation:~~

For transfer to the County Arterial Preservation

Account-State.....((~~\$4,844,000~~))

\$4,829,000

~~((20)) (18) (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) ((~~of this act~~)), chapter 416, Laws of 2019.

~~((21)) (19) Capital Vessel Replacement Account-State~~

Appropriation: For transfer to the Transportation

Partnership Account-State ..... ((~~\$3,293,000~~))

\$2,312,000

~~((22)) (20) (a) Alaskan Way Viaduct Replacement Project~~

Account-State Appropriation: For transfer to the

Transportation Partnership Account-State.....((~~\$19,262,000~~))

\$15,858,000

(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))~~ (21) Tacoma Narrows Toll Bridge Account-State

Appropriation: For transfer to the Motor

Vehicle Account-State ..... \$950,000

~~((24))~~ (22)(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.

~~((25))~~ (23)(a) Transportation 2003 Account (Nickel 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.

~~((26))~~ (24) Transportation Infrastructure Account-State

Appropriation: For transfer to the multimodal

Transportation Account-State ..... \$9,000,000

~~((27))~~ (25) Multimodal Transportation Account-State

Appropriation: For transfer to the Pilotage

Account-State ..... \$2,500,000

~~((28))~~ (26)(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 (~~Senate Bill No. 5923~~), Laws of 2019 is not enacted by June 30, 2019, the amount provided in this subsection lapses.

~~((29))~~ (27)(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.

~~((30) Motor Vehicle account State Appropriation:~~

~~For transfer to the Electric Vehicle Charging~~

~~Infrastructure Account State ..... \$12,255,000~~

~~((31))~~ (28) Multimodal Transportation Account-State

Appropriation: For transfer to the Electric Vehicle

Charging Infrastructure Account-State..... ~~(\$8,000,000)~~

\$1,000,000

~~((32))~~ (29) Multimodal Transportation Account-State

Appropriation: For transfer to the Complete Streets

Grant Program Account-State ..... ~~(\$14,670,000)~~

\$10,200,000

~~((33))~~ (30)(a) Transportation Partnership

Account-State Appropriation: For transfer to the Capital Vessel Replacement

Account-State ..... ~~(\$99,000,000)~~

\$96,030,000

(b) The amount transferred in this subsection represents proceeds from the sale of bonds authorized in RCW 47.10.873.

(31) Freight Mobility Multimodal Account-State

Appropriation: For transfer to the Multimodal Transportation

Account-State ..... \$7,296,000  
(32) Connecting Washington Account-State

Appropriation: For transfer to the Motor Vehicle

Account-State ..... \$115,000,000

**Sec. 407.** 2019 c 416 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. 408.** 2019 c 416 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

Toll Facility Bond Retirement Account-State

Appropriation ..... \$25,372,000

TOTAL APPROPRIATION .... \$225,273,000

\$224,894,000

**COMPENSATION**

NEW SECTION. **Sec. 501.** A new section is added to 2019 c 416 (uncodified) to read as follows:**COLLECTIVE BARGAINING AGREEMENTS**

Sections 502 and 503 of this act represent the results of the negotiations for fiscal year 2021 collective bargaining agreement changes, permitted under chapter 47.64 RCW. Provisions of the collective bargaining agreements contained in sections 502 and 503 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 502 and 503 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. 502.** A new section is added to 2019 c 416 (uncodified) to read as follows:**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 fiscal year. Funding is provided to ensure training opportunities are available to all bargaining unit employees.

NEW SECTION. **Sec. 503.** A new section is added to 2019 c 416 (uncodified) to read as follows:**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 fiscal year. Funding is provided to ensure training opportunities are available to all bargaining unit employees.

NEW SECTION. **Sec. 504.** A new section is added to 2019 c 416 (uncodified) to read as follows:**GENERAL STATE EMPLOYEE COMPENSATION ADJUSTMENTS**

Except as otherwise provided in sections 501 through 503 of this act, state employee compensation adjustments will be provided in accordance with funding adjustments provided in the 2020 supplemental omnibus appropriations act.

**IMPLEMENTING PROVISIONS**

**Sec. 601.** 2019 c 416 s 601 (uncodified) is amended to read as follows:

**FUND TRANSFERS**

(1) The 2005 transportation partnership projects or improvements and

2015 connecting Washington projects or improvements are listed in the LEAP Transportation Document ((2019-1)) 2020-1 as developed ((April 27, 2019)) March 11, 2020, 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 2019-2021 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 may not be made while the legislature is in session;

(f) Transfers to a project may not be made with funds designated as attributable to practical design savings as described in RCW 47.01.480;

(g) 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. Until the legislature

reconvenes to consider the 2020 supplemental omnibus transportation appropriations act, any unexpended 2017-2019 appropriation balance as approved by the office of financial management, in consultation with the chairs and ranking members of the house of representatives and senate transportation committees, may be considered when transferring funds between projects; and

(h) 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 does not exceed two hundred fifty thousand dollars or ten percent of the total project, 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.

(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 consider 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.

**Sec. 602.** 2019 c 416 s 606 (uncodified) is amended to read as follows:

**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 ((~~2019-2~~) 2020-2 ALL PROJECTS as developed ((~~April 27, 2019~~) March 11, 2020). 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.

**MISCELLANEOUS 2019-2021 FISCAL BIENNIUM**

**Sec. 701.** 2019 c 416 s 701 (uncodified) is amended to read as follows:

**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 discreet 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 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.

(b) As part of the development of a technology budget and at each request for funding, the agency shall submit detailed financial information to the office of financial management and the office of the state chief information officer. The technology budget must describe the total cost of the project by fiscal month to include and identify:

(i) Fund sources;

(ii) Full-time equivalent staffing level to include job classification assumptions;

(iii) A discreet appropriation index and program index;

(iv) Object and subobject codes of expenditures; and

(v) Anticipated deliverables.

(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 state 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 program index and subobject codes.

(4) Projects with estimated costs greater than one hundred million dollars 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 state 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;

(iii) Financial status of information technology projects under oversight; ~~(and)~~

(iv) Coordination with agencies;

(v) Monthly quality assurance reports, if applicable;

(vi) Monthly office of the state chief information officer status reports;

(vii) Historical project budget and expenditures through fiscal year 2019;

(viii) Budget and expenditures each fiscal month; and

(ix) Estimated annual maintenance and operations costs by fiscal year.

(b) The dashboard must retain a roll up of the entire project cost, including all subprojects, that can be displayed the subproject detail.

(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 two million dollars 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 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 thirty 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 state 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 state 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 state chief information officer must report on July 1st and December 1st each calendar year, beginning July 1, 2020, any suspension or termination of a project in the previous



six month period to legislative fiscal committees.

(10) The office of the state 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 state chief information officer must report on July 1st and December 1st each calendar year, beginning July 1, 2020, any additional projects to be subjected to this section that were identified in the previous six month period to legislative fiscal committees.

(11) The following department of transportation projects are subject to the conditions, limitations, and review provided in this section: Labor System Replacement, New Ferry Division Dispatch System, Maintenance Management System, Land Mobile Radio System Replacement, and New CSC System and Operator.

**Sec. 702.** RCW 46.68.310 and 2013 c 104 s 4 are each amended to read as follows:

The freight mobility multimodal 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 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. However, during the 2019-2021 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the freight mobility multimodal account to the multimodal transportation account.

**Sec. 703.** RCW 82.32.385 and 2015 3rd sp.s. c 44 s 420 are each amended to read as follows:

(1) Beginning September 2019 and ending ~~((June 2021))~~ December 2019, by the last day of ~~September((7))~~ and ~~December((, March, and June of each year))~~, the state treasurer must transfer from the general fund to the connecting Washington account created in RCW 46.68.395 thirteen million six hundred eighty thousand dollars.

(2) Beginning March 2020 and ending June 2021, by the last day of September, December, March, and June of each year,

the state treasurer must transfer from the general fund to the multimodal transportation account created in RCW 47.66.070 thirteen million six hundred eighty thousand dollars.

(3) Beginning September 2021 and ending June 2023, by the last day of September, December, March, and June of each year, the state treasurer must transfer from the general fund to the connecting Washington account created in RCW 46.68.395 thirteen million eight hundred five thousand dollars.

~~((4))~~ (4) Beginning September 2023 and ending June 2025, by the last day of September, December, March, and June of each year, the state treasurer must transfer from the general fund to the connecting Washington account created in RCW 46.68.395 thirteen million nine hundred eighty-seven thousand dollars.

~~((4))~~ (5) Beginning September 2025 and ending June 2027, by the last day of September, December, March, and June of each year, the state treasurer must transfer from the general fund to the connecting Washington account created in RCW 46.68.395 eleven million six hundred fifty-eight thousand dollars.

~~((5))~~ (6) Beginning September 2027 and ending June 2029, by the last day of September, December, March, and June of each year, the state treasurer must transfer from the general fund to the connecting Washington account created in RCW 46.68.395 seven million five hundred sixty-four thousand dollars.

~~((6))~~ (7) Beginning September 2029 and ending June 2031, by the last day of September, December, March, and June of each year, the state treasurer must transfer from the general fund to the connecting Washington account created in RCW 46.68.395 four million fifty-six thousand dollars.

**Sec. 704.** RCW 47.66.110 and 2015 3rd sp.s. c 11 s 4 are each amended to read as follows:

(1) The transit coordination grant program is created in the department. The purpose of the transit coordination grant program is to encourage joint planning and coordination on the part of central Puget Sound transit systems in order to improve the user experience, increase ridership, and make the most effective use of tax dollars. The department shall oversee, manage, score, select, and evaluate transit coordination grant

program project applications, and shall select transit coordination grant recipients annually. A transit agency located in a county or counties with a population of seven hundred thousand or more that border Puget Sound is eligible to apply to the department for transit coordination grants.

(2) Projects eligible for transit coordination grants include, but are not limited to, projects that:

- (a) Integrate marketing efforts;
- (b) Align fare structures;
- (c) Integrate service planning;

(d) Coordinate long-range planning, including capital projects planning and implementation;

(e) Integrate other administrative functions and internal business processes as appropriate; and

(f) Integrate certain customer-focused tools and initiatives.

(3) Transit coordination grants must, at a minimum, be proposed jointly by two or more eligible transit agencies and must include a description of the:

- (a) Issue or problem to be addressed;
- (b) Specific solution and measurable outcomes;

(c) Benefits such as cost savings, travel time improvements, improved coordination, and improved customer experience; and

(d) Performance measurements and an evaluation plan that includes the identification of milestones towards successful completion of the project.

(4) Transit coordination grant applications must include measurable outcomes for the project including, but not limited to, the following:

(a) Impacts on service, such as increased service, improved service delivery, and improved transfers and coordination across transit service;

(b) Impacts on customer service, such as: Improved reliability; improved outreach and coordination with customers, employers, and communities; improvements in customer service functions, such as customer response time and web-based and other communications; and

(c) Impacts on administration, such as improved marketing and outreach efforts, integrated customer-focused tools, and improved cross-agency communications.

(5) Transit coordination grant applications must also include:

(a) Project budget and cost details; and

(b) A commitment and description of local matching funding of at least ten percent of the project cost.

(6) Upon completion of the project, transit coordination grant recipients must provide a report to the department that includes an overview of the project, how the grant funds were spent, and the extent to which the identified project outcomes were met. In addition, such reports must include a description of best practices that could be transferred to other transit agencies faced with similar issues to those addressed by the transit coordination grant recipient. The department must report annually to the transportation committees of the legislature on the transit coordination grants that were awarded, and the report must include data to determine if completed transit coordination grant projects produced the anticipated outcomes included in the grant applications.

(7) This section expires (~~July 1, 2020~~) June 30, 2021.

**Sec. 705.** RCW 46.68.290 and 2019 c 416 s 707 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 fiscal biennia, the legislature may direct the state treasurer to make transfers of moneys in the transportation partnership account to the connecting Washington account ~~((and))~~, the motor vehicle fund, and the capital vessel replacement account.

**Sec. 706.** RCW 82.44.135 and 2006 c 318 s 9 are each amended to read as follows:

(1) Before a local government subject to this chapter may impose a motor vehicle excise tax, the local government must contract with the department for the collection of the tax. The department may charge a reasonable amount, not to exceed one percent of tax collections, or two and one-half percent during the 2019-2021 biennium, for the administration and collection of the tax.

(2) For fiscal year 2021, the department shall charge a minimum of seven million eight hundred two thousand dollars, which is the reasonable amount aimed at achieving full cost recovery for the administration and collection of a motor vehicle excise tax. The amount of the full reimbursement for the administration and collection of the motor vehicle excise tax must be deducted before distributing any revenues to a regional transit authority. Any reimbursement to ensure full cost recovery beyond the amount specified in this subsection may be negotiated between

the department and the regional transit authority if full cost recovery has not been achieved, or if based on emergent issues.

**Sec. 707.** RCW 46.68.395 and 2015 3rd sp.s. c 44 s 106 are each amended to read as follows:

(1) The connecting Washington account is created in the motor vehicle fund. Moneys in the account may be spent only after appropriation. Expenditures from the account must be used only for projects or improvements identified as connecting Washington projects or improvements in a transportation appropriations act, including any principal and interest on bonds authorized for the projects or improvements.

(2) Moneys in the connecting Washington account may not be expended on the state route number 99 Alaskan Way viaduct replacement project.

(3) During the 2019-2021 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the connecting Washington account to the motor vehicle fund.

#### MISCELLANEOUS

**NEW SECTION. Sec. 801.** 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. 802.** 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."

#### **ESHB 2322** - CONF REPT

By Conference Committee

**HOUSE ADOPTED 03/11/2020; SENATE ADOPTED 03/11/2020**

On page 1, line 1 of the title, after "appropriations;" strike the remainder of the title and insert "amending RCW 46.68.310, 82.32.385, 47.66.110, 46.68.290, 82.44.135, and 46.68.395; amending 2019 c 416 ss 103, 105, 108-110, 201-223, 301, 303-311, 313, 401-408, 601, 606, and 701 (uncodified); adding new sections to 2019 c 416 (uncodified); making appropriations and authorizing expenditures for capital improvements; and declaring an emergency."

Senators Hobbs, King and Saldaña  
Representatives Barkis, Fey and Wylie

There being no objection, the House adopted the conference committee report on SUBSTITUTE HOUSE BILL NO. 2322 and advanced the bill as recommended by the conference committee to final passage.

#### **FINAL PASSAGE OF HOUSE 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 Orwall presiding) stated the question before the House to be final passage of House Bill No. 2322, as recommended by the conference committee.

#### **ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 2322, as recommended by the conference committee, and the bill passed the House by the following votes: Yeas: 96 Nays: 1 Absent: 0 Excused: 1

Voting Yea: Representatives Appleton, Barkis, Bergquist, Blake, Boehnke, Caldier, Callan, Chambers, Chandler, Chapman, Chopp, Cody, Corry, Davis, DeBolt, Dent, Doglio, Dolan, Duerr, Dufault, Dye, Entenman, Eslick, Fey, Fitzgibbon, Frame, Gildon, Goehner, Goodman, Graham, Gregerson, Griffey, Hansen, Harris, Hoff, Hudgins, Irwin, Jenkin, Jinkins, Johnson, J., Kilduff, Kirby, Klippert, Kloba, Kretz, Leavitt, Lekanoff, Lovick, MacEwen, Macri, Maycumber, McCaslin, Mead, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Ramel, Ramos, Riccelli, Robinson, Rude, Ryu, Santos, Schmick, Sells, Senn, Shea, Shewmake, Slatter, Smith, Springer, Steele, Stokesbary, Stonier, Sullivan, Sutherland, Tarleton, Thai, Tharinger, Valdez, Van Werven, Vick, Volz, Walen, Walsh, Wilcox, Wylie, Ybarra, and Young

Voting Nay: Representative Kraft

Excused: Representative Paul

HOUSE BILL NO. 2322, as recommended by the conference committee, having received the constitutional majority, was declared passed.

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

#### **SECOND READING**

**SUBSTITUTE SENATE BILL NO. 6068, by Senate Committee on Ways & Means (originally sponsored by Warnick, Mullet, Wilson, L., Takko, Short, Liias and Honeyford)**

**Concerning sales and use tax exemptions for large private airplanes.**

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 Ybarra, Springer and Dent spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6068.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6068, and the bill passed the House by the following vote: Yeas, 91; Nays, 6; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Boehnke, Callan, Chambers, Chandler, Chapman, Chopp, Cody, Corry, Davis, DeBolt, Dent, Doglio, Dolan, Dufault, Dye, Entenman, Eslick, Fey, Gildon, Goehner, Goodman, Graham, Gregerson, Griffey, Hansen, Harris, Hoff, Hudgins, Irwin, Jenkin, J. Johnson, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Leavitt, Lekanoff, Lovick, MacEwen, Macri, Maycumber, McCaslin, Mead, Morgan, Mosbrucker, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Ramel, Riccelli, Robinson, Rude, Ryu, Santos, Schmick, Sells, Shea, Shewmake, Slatner, Smith, Springer, Steele, Stokesbary, Stonier, Sullivan, Sutherland, Tarleton, Thai, Tharinger, Valdez, Van Werven, Vick, Volz, Walen, Walsh, Wilcox, Wylie, Ybarra, Young and Mme. Speaker.

Voting nay: Representatives Caldier, Duerr, Fitzgibbon, Frame, Ramos and Senn.

Excused: Representative Paul.

SUBSTITUTE SENATE BILL NO. 6068, having received the necessary constitutional majority, was declared passed.

### SECOND READING

**ENGROSSED SENATE BILL NO. 6690, by Senators Liias and King**

**Concerning aerospace business and occupation taxes and world trade organization compliance.**

The bill was read the second time.

Representative Orcutt moved the adoption of amendment (2187):

On page 2, line 23, after "of" strike "0.357" and insert "0.2904"

On page 2, line 31, after "either" strike "0.357" and insert "0.2904"

On page 2, line 35, after "least" strike "0.357" and insert "0.2904"

On page 3, line 11, after "to" strike "0.357" and insert "0.2904"

On page 3, line 13, after "reduction to" strike "0.357" and insert "0.2904"

On page 9, line 6, after "to" strike "0.357" and insert "0.2904"

On page 9, line 14, after "of" strike "0.357" and insert "0.2904"

On page 9, line 17, after "of the" strike "0.357" and insert "0.2904"

On page 12, line 29, after "of" strike "0.357" and insert "0.2904"

On page 12, line 32, after "of the" strike "0.357" and insert "0.2904"

On page 12, line 39, after "of the" strike "0.357" and insert "0.2904"

Representative Orcutt spoke in favor of the adoption of the amendment.

Representative Sullivan spoke against the adoption of the amendment.

Amendment (2187) was not adopted.

Representative Sullivan moved the adoption of amendment (2189):

Beginning on page 1, line 7, strike all of sections 1 and 2 and insert the following:

**"NEW SECTION. Sec. 1.** (1) Over the past two decades, the legislature has taken significant action to promote a positive business environment for Washington's aerospace industry. The legislature finds that the industry plays a significant role not only in the health of Washington's economy, but also in the health of the United States economy. Moreover, the domestic aerospace industry has faced significant challenges with the large subsidies provided to international competitors.

(2) The legislature finds that a commitment to the elimination of trade barriers for aerospace as well as several other vital Washington exports is important. The legislature also wishes to help bring the United States into full compliance with a recent world trade organization ruling asserting Washington's business and occupation tax rate of 0.2904 percent violates world

trade organization rules. The legislature hopes this action to help bring the United States into compliance will end the threat of retaliatory tariffs against many of Washington's industries, including agricultural products, fish, wine, and intellectual property.

(3) The legislature appreciates the state aerospace industry's commitment to complying with the world trade organization ruling by advocating for the repeal of the preferential business and occupation tax. The legislature hopes that the repeal of this Washington aerospace preference will ensure continued economic success and competitiveness for the industry as well as many other industries. The legislature further hopes that the repeal of the 0.2904 business and occupation tax will allow for the complete resolution of all trade disputes surrounding large civil aircraft.

(4) The legislature further finds that the people of Washington benefit from the presence of the aerospace industry in Washington state. The industry provides good wages and benefits for thousands of engineers, technicians, mechanics, and support staff working across the state. Furthermore, the legislature has a goal of preserving and growing employment in Washington state. The legislature intends that the future consideration of all tax measures will work to achieve this goal in a manner compliant with the world trade organization.

**NEW SECTION. Sec. 2.** A new section is added to chapter 82.04 RCW to read as follows:

The rate of 0.357 percent authorized pursuant to RCW 82.04.260(11)(e) may be imposed only if the following conditions are met:

(1) The department of commerce verifies with the United States trade representative that the United States and the European Union have entered into a written agreement that resolves any world trade organization disputes involving large civil aircraft.

(2) Such agreement expressly allows a business and occupation tax rate reduction for commercial airplane manufacturers to 0.357 percent or less.

(3) The department of commerce notifies the department in writing that

the conditions of subsections (1) and (2) of this section are met and provides a copy of the agreement between the United States and the European Union or other document providing for the business and occupation tax rate reduction to the department.

(4) The department of labor and industries notifies the department in writing that a significant commercial airplane manufacturer has at least a three-tenths of one percent aerospace apprenticeship utilization rate of its qualified apprenticeable workforce in Washington, as defined in section 4 of this act.

(5) Within thirty days of receiving the last of the written notices described in subsections (3) and (4) of this section, the department must provide written notice to the chief clerk of the house of representatives, the secretary of the senate, the office of the code reviser, and others as deemed appropriate by the department, that the tax rates in RCW 82.04.260(11)(e) are reduced to 0.357 percent and the effective date of the rate reduction.

(6) Any rate reduction to 0.357 percent pursuant to this section and RCW 82.04.260(11)(e) must occur on the first day of the next calendar quarter that is at least sixty days after the department receives the last of the written notices described in subsections (3) and (4) of this section.

(7) For the purpose of this section, "world trade organization disputes involving large civil airplanes" means any disputes filed by the United States or the European Union prior to the effective date of this section that involve either allegations of subsidies to large civil airplanes, or allegations of taxes imposed by Washington on commercial airplanes, or both."

Representatives Sullivan and Orcutt spoke in favor of the adoption of the amendment.

Amendment (2189) was adopted.

Representative Orcutt moved the adoption of striking amendment (2188):

Strike everything after the enacting clause and insert the following:

**"Sec. 1.** RCW 82.04.240 and 2004 c 24 s 4 are each amended to read as follows:

(1) Upon every person engaging within this state in business as a manufacturer or processor for hire, except persons taxable as manufacturers or processors for hire under other provisions of this chapter (~~(, as to such persons the amount of the tax with respect to such business shall be equal to the value of the products, including byproducts, manufactured, multiplied by the rate of 0.484 percent.~~

The measure of the tax)), and every manufacturer engaging within the state in the business of making sales, at retail or wholesale, of products manufactured by the manufacturer, as to such persons the amount of tax with respect to such business is equal to the taxable amount under this section multiplied by the rate of 0.2904 percent.

(2) The measure of the tax on engaging in the business of:

(a) Manufacturing is the value of the products, including byproducts, so manufactured regardless of the place of sale or the fact that deliveries may be made to points outside the state;

(b) Retailing and wholesaling products manufactured by the manufacturer is the gross proceeds of the sales; and

(c) Processing for hire is the total charges made for those services.

**Sec. 2.** RCW 82.04.240 and 2017 3rd sp.s. c 37 s 518 are each amended to read as follows:

(1) Upon every person engaging within this state in business as a manufacturer or processor for hire, except persons taxable as manufacturers or processors for hire under other provisions of this chapter (~~(, as to such persons the amount of the tax with respect to such business is equal to the value of the products, including byproducts, manufactured, multiplied by the rate of 0.484 percent)), and every manufacturer engaging within the state in the business of making sales, at retail or wholesale, of products manufactured by the manufacturer, as to such persons the amount of tax with respect to such business is equal to the taxable amount under this section multiplied by the rate of 0.2904 percent.~~

(2)(a) Upon every person engaging within this state in the business of manufacturing semiconductor materials,

as to such persons the amount of tax with respect to such business is, in the case of manufacturers, equal to the value of the product manufactured, or, in the case of processors for hire, equal to the gross income of the business, multiplied by the rate of 0.275 percent. For the purposes of this subsection "semiconductor materials" means silicon crystals, silicon ingots, raw polished semiconductor wafers, compound semiconductors, integrated circuits, and microchips.

(b) A person reporting under the tax rate provided in this subsection (2) must file a complete annual tax performance report with the department under RCW 82.32.534.

(3) The measure of the tax on engaging in the business of:

(a) Manufacturing is the value of the products, including byproducts, so manufactured regardless of the place of sale or the fact that deliveries may be made to points outside the state;

(b) Retailing and wholesaling products manufactured by the manufacturer is the gross proceeds of the sales; and

(c) Processing for hire is the total charges made for those services.

(4) This section expires January 1, 2024, unless the contingency in RCW 82.32.790(2) occurs.

**Sec. 3.** RCW 82.04.260 and 2019 c 425 s 1 and 2019 c 336 s 4 are each reenacted and amended to read as follows:

(1) Upon every person engaging within this state in the business of manufacturing:

(a) Wheat into flour, barley into pearl barley, soybeans into soybean oil, canola into canola oil, canola meal, or canola by-products, or sunflower seeds into sunflower oil; as to such persons the amount of tax with respect to such business is equal to the value of the flour, pearl barley, oil, canola meal, or canola by-product manufactured, multiplied by the rate of 0.138 percent;

(b) Beginning July 1, 2025, seafood products that remain in a raw, raw frozen, or raw salted state at the completion of the manufacturing by that person; or selling manufactured seafood products that remain in a raw, raw frozen, or raw salted state at the



completion of the manufacturing, to purchasers who transport in the ordinary course of business the goods out of this state; as to such persons the amount of tax with respect to such business is equal to the value of the products manufactured or the gross proceeds derived from such sales, multiplied by the rate of 0.138 percent. Sellers must keep and preserve records for the period required by RCW 82.32.070 establishing that the goods were transported by the purchaser in the ordinary course of business out of this state;

(c) (i) Except as provided otherwise in (c) (iii) of this subsection, from July 1, 2025, until January 1, 2036, dairy products; or selling dairy products that the person has manufactured to purchasers who either transport in the ordinary course of business the goods out of state or purchasers who use such dairy products as an ingredient or component in the manufacturing of a dairy product; as to such persons the tax imposed is equal to the value of the products manufactured or the gross proceeds derived from such sales multiplied by the rate of 0.138 percent. Sellers must keep and preserve records for the period required by RCW 82.32.070 establishing that the goods were transported by the purchaser in the ordinary course of business out of this state or sold to a manufacturer for use as an ingredient or component in the manufacturing of a dairy product.

(ii) For the purposes of this subsection (1) (c), "dairy products" means:

(A) Products, not including any marijuana-infused product, that as of September 20, 2001, are identified in 21 C.F.R., chapter 1, parts 131, 133, and 135, including by-products from the manufacturing of the dairy products, such as whey and casein; and

(B) Products comprised of not less than seventy percent dairy products that qualify under (c) (ii) (A) of this subsection, measured by weight or volume.

(iii) The preferential tax rate provided to taxpayers under this subsection (1) (c) does not apply to sales of dairy products on or after July 1, 2023, where a dairy product is used by the purchaser as an ingredient or component in the manufacturing in Washington of a dairy product;

(d) (i) Beginning July 1, 2025, fruits or vegetables by canning, preserving,

freezing, processing, or dehydrating fresh fruits or vegetables, or selling at wholesale fruits or vegetables manufactured by the seller by canning, preserving, freezing, processing, or dehydrating fresh fruits or vegetables and sold to purchasers who transport in the ordinary course of business the goods out of this state; as to such persons the amount of tax with respect to such business is equal to the value of the products manufactured or the gross proceeds derived from such sales multiplied by the rate of 0.138 percent. Sellers must keep and preserve records for the period required by RCW 82.32.070 establishing that the goods were transported by the purchaser in the ordinary course of business out of this state.

(ii) For purposes of this subsection (1) (d), "fruits" and "vegetables" do not include marijuana, useable marijuana, or marijuana-infused products; and

(e) Wood biomass fuel; as to such persons the amount of tax with respect to the business is equal to the value of wood biomass fuel manufactured, multiplied by the rate of 0.138 percent. For the purposes of this section, "wood biomass fuel" means a liquid or gaseous fuel that is produced from lignocellulosic feedstocks, including wood, forest, or field residue and dedicated energy crops, and that does not include wood treated with chemical preservations such as creosote, pentachlorophenol, or copper-chrome-arsenic.

(2) Upon every person engaging within this state in the business of splitting or processing dried peas; as to such persons the amount of tax with respect to such business is equal to the value of the peas split or processed, multiplied by the rate of 0.138 percent.

(3) Upon every nonprofit corporation and nonprofit association engaging within this state in research and development, as to such corporations and associations, the amount of tax with respect to such activities is equal to the gross income derived from such activities multiplied by the rate of 0.484 percent.

(4) Upon every person engaging within this state in the business of slaughtering, breaking and/or processing perishable meat products and/or selling the same at wholesale only and not at

retail; as to such persons the tax imposed is equal to the gross proceeds derived from such sales multiplied by the rate of 0.138 percent.

(5)(a) Upon every person engaging within this state in the business of acting as a travel agent or tour operator and whose annual taxable amount for the prior calendar year was two hundred fifty thousand dollars or less; as to such persons the amount of the tax with respect to such activities is equal to the gross income derived from such activities multiplied by the rate of 0.275 percent.

(b) Upon every person engaging within this state in the business of acting as a travel agent or tour operator and whose annual taxable amount for the calendar year was more than two hundred fifty thousand dollars; as to such persons the amount of the tax with respect to such activities is equal to the gross income derived from such activities multiplied by the rate of 0.275 percent through June 30, 2019, and 0.9 percent beginning July 1, 2019.

(6) Upon every person engaging within this state in business as an international steamship agent, international customs house broker, international freight forwarder, vessel and/or cargo charter broker in foreign commerce, and/or international air cargo agent; as to such persons the amount of the tax with respect to only international activities is equal to the gross income derived from such activities multiplied by the rate of 0.275 percent.

(7) Upon every person engaging within this state in the business of stevedoring and associated activities pertinent to the movement of goods and commodities in waterborne interstate or foreign commerce; as to such persons the amount of tax with respect to such business is equal to the gross proceeds derived from such activities multiplied by the rate of 0.275 percent. Persons subject to taxation under this subsection are exempt from payment of taxes imposed by chapter 82.16 RCW for that portion of their business subject to taxation under this subsection. Stevedoring and associated activities pertinent to the conduct of goods and commodities in waterborne interstate or foreign commerce are defined as all activities of a labor, service or transportation nature whereby cargo may be loaded or unloaded to or from vessels or barges, passing over,

onto or under a wharf, pier, or similar structure; cargo may be moved to a warehouse or similar holding or storage yard or area to await further movement in import or export or may move to a consolidation freight station and be stuffed, unstuffed, containerized, separated or otherwise segregated or aggregated for delivery or loaded on any mode of transportation for delivery to its consignee. Specific activities included in this definition are: Wharfage, handling, loading, unloading, moving of cargo to a convenient place of delivery to the consignee or a convenient place for further movement to export mode; documentation services in connection with the receipt, delivery, checking, care, custody and control of cargo required in the transfer of cargo; imported automobile handling prior to delivery to consignee; terminal stevedoring and incidental vessel services, including but not limited to plugging and unplugging refrigerator service to containers, trailers, and other refrigerated cargo receptacles, and securing ship hatch covers.

(8)(a) Upon every person engaging within this state in the business of disposing of low-level waste, as defined in RCW 43.145.010; as to such persons the amount of the tax with respect to such business is equal to the gross income of the business, excluding any fees imposed under chapter 43.200 RCW, multiplied by the rate of 3.3 percent.

(b) If the gross income of the taxpayer is attributable to activities both within and without this state, the gross income attributable to this state must be determined in accordance with the methods of apportionment required under RCW 82.04.460.

(9) Upon every person engaging within this state as an insurance producer or title insurance agent licensed under chapter 48.17 RCW or a surplus line broker licensed under chapter 48.15 RCW; as to such persons, the amount of the tax with respect to such licensed activities is equal to the gross income of such business multiplied by the rate of 0.484 percent.

(10) Upon every person engaging within this state in business as a hospital, as defined in chapter 70.41 RCW, that is operated as a nonprofit corporation or by the state or any of its political subdivisions, as to such persons, the amount of tax with respect

to such activities is equal to the gross income of the business multiplied by the rate of 0.75 percent through June 30, 1995, and 1.5 percent thereafter.

(11)(a) Beginning October 1, 2005, upon every person engaging within this state in the business of manufacturing commercial airplanes, or components of such airplanes, or making sales, at retail or wholesale, of commercial airplanes or components of such airplanes, manufactured by the seller, as to such persons the amount of tax with respect to such business is, in the case of manufacturers, equal to the value of the product manufactured and the gross proceeds of sales of the product manufactured, or in the case of processors for hire, equal to the gross income of the business, multiplied by the rate of:

(i) 0.4235 percent from October 1, 2005, through June 30, 2007; and

(ii) 0.2904 percent beginning July 1, 2007.

(b) Beginning July 1, 2008, upon every person who is not eligible to report under the provisions of (a) of this subsection (11) and is engaging within this state in the business of manufacturing tooling specifically designed for use in manufacturing commercial airplanes or components of such airplanes, or making sales, at retail or wholesale, of such tooling manufactured by the seller, as to such persons the amount of tax with respect to such business is, in the case of manufacturers, equal to the value of the product manufactured and the gross proceeds of sales of the product manufactured, or in the case of processors for hire, be equal to the gross income of the business, multiplied by the rate of 0.2904 percent.

(c) For the purposes of this subsection (11), "commercial airplane" and "component" have the same meanings as provided in RCW 82.32.550.

(d) In addition to all other requirements under this title, a person reporting under the tax rate provided in this subsection (11) must file a complete annual tax performance report with the department under RCW 82.32.534.

~~((c)(i) Except as provided in (c)(ii) of this subsection (11), this subsection (11) does not apply on and after July 1, 2040.~~

~~(ii) With respect to the manufacturing of commercial airplanes or making sales, at retail or wholesale, of commercial airplanes, this subsection (11) does not apply on and after July 1st of the year in which the department makes a determination that any final assembly or wing assembly of any version or variant of a commercial airplane that is the basis of a siting of a significant commercial airplane manufacturing program in the state under RCW 82.32.850 has been sited outside the state of Washington. This subsection (11)(c)(ii) only applies to the manufacturing or sale of commercial airplanes that are the basis of a siting of a significant commercial airplane manufacturing program in the state under RCW 82.32.850.)~~

(12)(a) Until July 1, 2045, upon every person engaging within this state in the business of extracting timber or extracting for hire timber; as to such persons the amount of tax with respect to the business is, in the case of extractors, equal to the value of products, including by-products, extracted, or in the case of extractors for hire, equal to the gross income of the business, multiplied by the rate of 0.4235 percent from July 1, 2006, through June 30, 2007, and 0.2904 percent from July 1, 2007, through June 30, 2045.

(b) Until July 1, 2045, upon every person engaging within this state in the business of manufacturing or processing for hire: (i) Timber into timber products or wood products; (ii) timber products into other timber products or wood products; or (iii) products defined in RCW 19.27.570(1); as to such persons the amount of the tax with respect to the business is, in the case of manufacturers, equal to the value of products, including by-products, manufactured, or in the case of processors for hire, equal to the gross income of the business, multiplied by the rate of 0.4235 percent from July 1, 2006, through June 30, 2007, and 0.2904 percent from July 1, 2007, through June 30, 2045.

(c) Until July 1, 2045, upon every person engaging within this state in the business of selling at wholesale: (i) Timber extracted by that person; (ii) timber products manufactured by that person from timber or other timber products; (iii) wood products manufactured by that person from timber or timber products; or (iv) products

defined in RCW 19.27.570(1) manufactured by that person (~~(H:\DATA\2020 JOURNAL\Journal2020\LegDay059\;.doc)~~); as to such persons the amount of the tax with respect to the business is equal to the gross proceeds of sales of the timber, timber products, wood products, or products defined in RCW 19.27.570(1) multiplied by the rate of 0.4235 percent from July 1, 2006, through June 30, 2007, and 0.2904 percent from July 1, 2007, through June 30, 2045.

(d) Until July 1, 2045, upon every person engaging within this state in the business of selling standing timber; as to such persons the amount of the tax with respect to the business is equal to the gross income of the business multiplied by the rate of 0.2904 percent. For purposes of this subsection (12)(d), "selling standing timber" means the sale of timber apart from the land, where the buyer is required to sever the timber within thirty months from the date of the original contract, regardless of the method of payment for the timber and whether title to the timber transfers before, upon, or after severance.

(e) For purposes of this subsection, the following definitions apply:

(i) "Biocomposite surface products" means surface material products containing, by weight or volume, more than fifty percent recycled paper and that also use nonpetroleum-based phenolic resin as a bonding agent.

(ii) "Paper and paper products" means products made of interwoven cellulosic fibers held together largely by hydrogen bonding. "Paper and paper products" includes newsprint; office, printing, fine, and pressure-sensitive papers; paper napkins, towels, and toilet tissue; kraft bag, construction, and other kraft industrial papers; paperboard, liquid packaging containers, containerboard, corrugated, and solid-fiber containers including linerboard and corrugated medium; and related types of cellulosic products containing primarily, by weight or volume, cellulosic materials. "Paper and paper products" does not include books, newspapers, magazines, periodicals, and other printed publications, advertising materials, calendars, and similar types of printed materials.

(iii) "Recycled paper" means paper and paper products having fifty percent or more of their fiber content that comes

from postconsumer waste. For purposes of this subsection (12)(e)(iii), "postconsumer waste" means a finished material that would normally be disposed of as solid waste, having completed its life cycle as a consumer item.

(iv) "Timber" means forest trees, standing or down, on privately or publicly owned land. "Timber" does not include Christmas trees that are cultivated by agricultural methods or short-rotation hardwoods as defined in RCW 84.33.035.

(v) "Timber products" means:

(A) Logs, wood chips, sawdust, wood waste, and similar products obtained wholly from the processing of timber, short-rotation hardwoods as defined in RCW 84.33.035, or both;

(B) Pulp, including market pulp and pulp derived from recovered paper or paper products; and

(C) Recycled paper, but only when used in the manufacture of biocomposite surface products.

(vi) "Wood products" means paper and paper products; dimensional lumber; engineered wood products such as particleboard, oriented strand board, medium density fiberboard, and plywood; wood doors; wood windows; and biocomposite surface products.

(f) Except for small harvesters as defined in RCW 84.33.035, a person reporting under the tax rate provided in this subsection (12) must file a complete annual tax performance report with the department under RCW 82.32.534.

(g) Nothing in this subsection (12) may be construed to affect the taxation of any activity defined as a retail sale in RCW 82.04.050(2)(b) or (c), defined as a wholesale sale in RCW 82.04.060(2), or taxed under RCW 82.04.280(1)(g).

(13) Upon every person engaging within this state in inspecting, testing, labeling, and storing canned salmon owned by another person, as to such persons, the amount of tax with respect to such activities is equal to the gross income derived from such activities multiplied by the rate of 0.484 percent.

(14)(a) Upon every person engaging within this state in the business of printing a newspaper, publishing a newspaper, or both, the amount of tax on such business is equal to the gross

income of the business multiplied by the rate of 0.35 percent until July 1, 2024, and 0.484 percent thereafter.

(b) A person reporting under the tax rate provided in this subsection (14) must file a complete annual tax performance report with the department under RCW 82.32.534.

NEW SECTION. **Sec. 4.** The provisions of RCW 82.32.805 and 82.32.808 do not apply to this act.

NEW SECTION. **Sec. 5.** 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."

Correct the title.

Representative Orcutt spoke in favor of the adoption of the amendment.

#### **POINT OF ORDER**

Representative Stonier requested a scope and object ruling on striking amendment (2188) to ENGROSSED SENATE BILL NO. 6690.

#### **SPEAKER'S RULING**

Madam Speaker: "Thank you for that request.

The bill modifies the preferential business and occupation tax related to aerospace manufacturing.

The amendment addresses the businesses and occupation taxes for all manufacturers.

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."

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

Representative Sullivan spoke in favor of the passage of the bill.

Representative Orcutt spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 6690, as amended by the House.

#### **ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 6690, as amended by the House, and the bill passed the House by the following vote: Yeas, 73; Nays, 24; Absent, 0; Excused, 1.

Voting yea: Representatives Barkis, Bergquist, Blake, Boehnke, Callan, Chambers, Chandler, Chapman, Cody, Corry, Davis, DeBolt, Dent, Doglio, Dolan, Duerr, Dufault, Dye, Entenman, Fey, Gildon, Goehner, Goodman, Graham, Gregerson, Hansen, Harris, Hoff, Hudgins, J. Johnson, Kilduff, Kirby, Klippert, Kretz, Leavitt, Lovick, Maycumber, Mead, Morgan, Mosbrucker, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Ramel, Ramos, Riccelli, Robinson, Ryu, Santos, Schmick, Sells, Senn, Shewmake, Slatter, Smith, Springer, Steele, Stonier, Sullivan, Tarleton, Thai, Tharinger, Valdez, Vick, Walen, Wilcox, Wylie, Ybarra and Mme. Speaker.

Voting nay: Representatives Appleton, Caldier, Chopp, Eslick, Fitzgibbon, Frame, Griffey, Irwin, Jenkin, Kloba, Kraft, Lekanoff, MacEwen, Macri, McCaslin, Orcutt, Rude, Shea, Stokesbary, Sutherland, Van Werven, Volz, Walsh and Young.

Excused: Representative Paul.

ENGROSSED SENATE BILL NO. 6690, as amended by the House, having received the necessary constitutional majority, was declared passed.

There being no objection, the House adjourned until 10:00 a.m., March 12, 2020, the 60th Day of the Regular Session.

LAURIE JINKINS, Speaker

BERNARD DEAN, Chief Clerk

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