
SENATE BILL 5096

State of Washington

64th Legislature

2015 Regular Session

By Senators Honeyford and Keiser; by request of Governor Inslee

1 AN ACT Relating to the capital budget; making appropriations and
2 authorizing expenditures for capital improvements; amending RCW
3 43.160.080, 70.148.020, and 27.34.330; amending 2013 2nd sp.s. c 19
4 ss 1073, 1074, 1077, 1078, 1091, 1093, 1099, 1108, 1104, 1105, 2024,
5 2028, 3067, 3058, 3101, 3190, 3212, 5007, 5020, 5015, 5025, 5055,
6 5108, 5110, and 7043 (uncodified); amending 2013 3rd sp.s. c 1 s 3
7 (uncodified); reenacting and amending RCW 70.105D.070; adding new
8 sections to 2013 2nd sp.s. c 19 (uncodified); creating a new section;
9 repealing 2013 2nd sp.s. c 19 ss 7004 and 7013 (uncodified); and
10 declaring an emergency.

11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

12 NEW SECTION. **Sec. 1.** A supplemental capital budget is hereby
13 adopted and, subject to the provisions set forth in this act, the
14 several dollar amounts hereinafter specified, or so much thereof as
15 shall be sufficient to accomplish the purposes designated, are hereby
16 appropriated and authorized to be incurred for capital projects
17 during the period beginning with the effective date of this section
18 and ending June 30, 2015, out of the several funds specified in this
19 act.

1 **GENERAL GOVERNMENT**

2 NEW SECTION. **Sec. 1001.** A new section is added to 2013 2nd
3 sp.s. c 19 (uncodified) to read as follows:

4 **FOR THE DEPARTMENT OF COMMERCE**

5 Building for the Arts Grants (30000006)

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

8 (1) The reappropriation in this section is subject to the
9 provisions of section 1011, chapter 36, Laws of 2010 1st sp. sess.

10 (2) The reappropriation in this section is provided solely for
11 the Federal Way performing arts center.

12 Reappropriation:

13	State Building Construction Account—State.	\$218,000
14	Prior Biennia (Expenditures).	\$8,481,000
15	Future Biennia (Projected Costs).	\$0
16	TOTAL.	\$8,699,000

17 **Sec. 1002.** 2013 2nd sp.s. c 19 s 1073 (uncodified) is amended to
18 read as follows:

19 **FOR THE DEPARTMENT OF COMMERCE**

20 Drinking Water State Revolving Fund Loan Program (30000189)

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

23 (1) (~~(\$4,400,000 for fiscal year 2014 and~~) \$4,400,000 from the
24 drinking water assistance account—state for fiscal year 2015 is
25 provided solely as state match for federal safe drinking water funds.

26 (2) For projects involving repair, replacement, or improvement of
27 a clean water infrastructure facility or other public works facility
28 for which an investment grade efficiency audit is obtainable, the
29 public works board must require as a contract condition that the
30 project sponsor undertake an investment grade efficiency audit. The
31 project sponsor may finance the costs of the audit as part of its
32 drinking water state revolving fund program loan.

33 Appropriation:

34	((State Building Construction Account—State. \$8,800,000))
35	<u>Drinking Water Assistance Account—State. \$4,400,000</u>
36	Drinking Water Assistance Repayment Account—

1	State.	\$200,000,000
2	Subtotal Appropriation.	(\$208,800,000)
3		<u>\$204,400,000</u>
4	Prior Biennia (Expenditures).	\$0
5	Future Biennia (Projected Costs).	\$680,000,000
6	TOTAL.	(\$888,800,000)
7		<u>\$884,400,000</u>

8 **Sec. 1003.** 2013 3rd sp.s. c 1 s 3 (uncodified) is amended to
9 read as follows:

10 **FOR THE DEPARTMENT OF COMMERCE**

11 Renton Aerospace Training Center Construction (~~(92000151)~~)
12 (30000724)

13 The appropriation in this section is subject to the following
14 conditions and limitations: The appropriation in this section is
15 provided solely for construction of the Renton aerospace training
16 center.

17 **Appropriation:**

18	State Building Construction Account—State.	(\$5,000,000)
19		<u>\$10,000,000</u>
20	Prior Biennia (Expenditures).	\$0
21	Future Biennia (Projected Costs).	\$0
22	TOTAL.	(\$5,000,000)
23		<u>\$10,000,000</u>

24 **Sec. 1004.** 2013 2nd sp.s. c 19 s 1074 (uncodified) is amended to
25 read as follows:

26 **FOR THE DEPARTMENT OF COMMERCE**

27 Clean Energy and Energy Freedom Program (91000582)

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

30 (1) All expenditures from the state taxable building construction
31 account—state appropriation in this section must be used for projects
32 that provide a benefit to the public through development,
33 demonstration, and deployment of clean energy technologies that save
34 energy and reduce energy costs, reduce harmful air emissions or
35 otherwise increase energy independence for the state. All
36 expenditures must be used for projects that develop and acquire

1 assets that have a useful life of at least thirteen years. These
2 requirements must be specified in funding agreements issued by the
3 department.

4 (2) For any project funded from the state taxable building
5 construction account—state appropriation in this section, state funds
6 must not exceed fifty percent of the estimated cost of a project, and
7 funding preference must be provided to projects that offer a higher
8 percentage of nonstate match funds.

9 (3)(a) \$15,000,000 of the state taxable building construction
10 account—state appropriation in this section is provided solely to
11 create a revolving loan fund to support the widespread use of proven
12 building energy efficiency and renewable energy technologies now
13 inhibited by lack of access to capital.

14 (b) To create the loan fund, the department shall provide grant
15 funds to a competitively selected nonprofit lender that will provide
16 matching private capital and will administer the loan fund. The
17 department must select the loan fund administrator through a
18 competitive process, with scoring conducted by a group of qualified
19 experts, applying criteria specified by the department.

20 (c) The department must establish guidelines for the lender
21 related to applicant eligibility, the screening process, and
22 evaluation and selection criteria. The criteria must include
23 requiring evidence of support for the proposed project from the
24 impacted community and consistency with economic growth strategies
25 and plans of the affected local governments. Applications for loans
26 from the revolving fund must disclose all sources of public funding
27 to be provided for a project. The nonprofit lender must use the
28 revolving loan fund to make affordable loans for projects including,
29 but not limited to: Residential and commercial energy retrofits,
30 residential and community-scale solar installations, anaerobic
31 digesters to treat dairy and organic waste, and combined heat and
32 power projects using woody biomass as a fuel source.

33 (d) The department must conduct due diligence activities
34 associated with the use of public funds, including oversight of the
35 project selection process and project monitoring.

36 (e) Projects seeking financing of solar installations under this
37 section must agree in contract to not participate in the cost-
38 recovery program under RCW 82.16.120.

1 (4) \$15,000,000 of the state taxable building construction
2 account—state appropriation in this section is provided solely for
3 grants to advance renewable energy technologies by public and private
4 electrical utilities that serve retail customers in the state. The
5 department shall work with utilities to offer matching grants for
6 projects that demonstrate new smart grid technologies. The department
7 shall develop a grant application process to competitively select
8 projects for grant awards, to include scoring conducted by a group of
9 qualified experts with application of criteria specified by the
10 department. Applications for grants must disclose all sources of
11 public funding to be provided for a project. The grant funds must be
12 used to fund projects that demonstrate how to: Integrate intermittent
13 renewables through energy storage and information technology,
14 dispatch energy storage resources from utility control rooms, use the
15 thermal properties and electric load of commercial buildings and
16 district energy systems to store energy, or otherwise improve the
17 reliability and reduce the costs of intermittent or distributed
18 renewable energy.

19 (5) \$6,000,000 of the state taxable building construction account
20 —state appropriation in this section is provided solely for grants to
21 match federal funds used to develop and demonstrate clean energy
22 technologies. The department shall work with the University of
23 Washington, Washington State University, and the Pacific Northwest
24 National Laboratory to offer matching funds for projects including,
25 but not limited to: Advancing energy storage and solar technologies,
26 and federal manufacturing innovation centers related to use of light-
27 weight carbon fiber components to advance energy efficiency in the
28 aeronautical, automotive, and marine sectors.

29 (6) The department must report on number and results of projects
30 funded through the clean energy fund, including the number of job
31 hours created and the number of jobs maintained and created, to the
32 governor and the legislature, by November 1, 2014.

33 (7) The energy recovery act account—federal appropriation in this
34 section is provided solely for loans, loan guarantees, and grants
35 that encourage the establishment of innovative and sustainable
36 industries for renewable energy and energy efficiency technology,
37 consistent with provisions of RCW 43.325.040 (energy freedom
38 account).

39 Appropriation:

1	State Taxable Building Construction Account—	
2	State.	\$36,000,000
3	Energy Recovery Act Account—(Federal) <u>State</u>	\$4,000,000
4	Subtotal Appropriation.	\$40,000,000
5	Prior Biennia (Expenditures).	\$0
6	Future Biennia (Projected Costs).	\$0
7	TOTAL.	\$40,000,000

8 **Sec. 1005.** 2013 2nd sp.s. c 19 s 1077 (uncodified) is amended to
9 read as follows:

10 **FOR THE DEPARTMENT OF COMMERCE**

11 Projects for Jobs and Economic Development (92000151)

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

14 (1) Except as directed otherwise prior to the effective date of
15 this section, the department shall not expend the appropriations in
16 this section unless and until the nonstate share of project costs
17 have been either expended, or firmly committed, or both, in an amount
18 sufficient to complete the project or a distinct phase of the project
19 that is useable to the public for the purpose intended by the
20 legislature. This requirement does not apply to projects where a
21 share of the appropriations are released for design costs only.

22 (2) Prior to receiving funds, project recipients must demonstrate
23 that the project site is under control for a minimum of ten years,
24 either through ownership or a long-term lease. This requirement does
25 not apply to appropriations for preconstruction activities or
26 appropriations whose sole purpose is to purchase real property that
27 does not include a construction or renovation component.

28 (3) Projects funded in this section may be required to comply
29 with Washington's high performance building standards as required by
30 chapter 39.35D RCW.

31 (4) Project funds are available on a reimbursement basis only,
32 and shall not be advanced under any circumstances.

33 (5) Projects funded in this section must be held by the recipient
34 for a minimum of ten years and used for the same purpose or purposes
35 intended by the legislature as required in RCW 43.63A.125(6).

36 (6) Projects funded in this section, including those that are
37 owned and operated by nonprofit organizations, are generally required
38 to pay state prevailing wages.

1 (7) The appropriations are provided solely for the following list
2 of projects:

3	Projects for Jobs & Economic Development	Authorized Amount
4	City of Bremerton Puget Sound Naval Safety Project	\$1,300,000
5	Fairchild Airforce Base	\$2,700,000
6	City of Lynnwood Main Street Improvements	\$250,000
7	Port of Everett: Roll-On/Roll-Off Cargo Berth	\$1,500,000
8	Kittitas County Infrastructure and Facilities	\$5,000,000
9	City of Kennewick Industrial Land	\$1,000,000
10	Perry Tech Institute Building	\$1,000,000
11	City of Buckley Drinking Water Improvements	\$350,000
12	((Coronado)) <u>Carbonado</u> Reservoir Replacement	\$525,000
13	Hopelink Cleveland Street Project	\$1,000,000
14	Redmond Connector	\$1,300,000
15	Washougal ((Storm Water Decant Facility)) <u>Wastewater Treatment Plant</u>	\$1,000,000
16	Roslyn Renaissance Northwest Improvement Company Building	\$500,000
17	Everett/Tulalip Water Pipeline Construction	\$1,000,000
18	((Renton Aerospace Training Center Construction)) \$5,000,000))
19	Renton Riverview Bridge Replacement	\$1,100,000
20	Omak City Sewer, Collection System, and Treatment Plant	\$2,000,000
21	Harper Pier Replacement	\$800,000
22	University Place Main Street Redevelopment	\$975,000
23	Sultan Alder Avenue Water/Sewer Line Replacement	\$185,000
24	Quincy Industrial Water Reclamation & Reuse	\$700,000
25	NW Medical School	\$136,000
26	Ione - 8th St Lift Station Replacement	\$165,000
27	Stevens PUD Projects	\$532,000
28	Port Orchard Bay St. Pedestrian Path - Phase 2	\$336,000
29	Dekalb Pier - Phase 2	\$255,000
30	Kenmore Village	\$300,000
31	South Kirkland TOD/Cross Kirkland Corridor	\$1,300,000
32	Washington Agriculture Discovery Center	\$100,000

1	Mountlake Terrace Mainstreet Grant	\$2,000,000
2	Issaquah - North Roadway Network Improvement	\$5,000,000
3	TRIDEC Development of Small Modular Reactor Proposal	\$500,000
4	City of Shelton Wastewater	\$1,500,000
5	Port of Moses Lake Firefighting System	\$300,000
6	Seattle Chinatown/ID Development	\$500,000
7		
8	TOTAL	(\$42,109,000)
9		<u>\$37,109,000</u>

10 Appropriation:

11	State Building Construction Account—State. . . .	(\$35,009,000)
12		<u>\$30,009,000</u>
13	Public Facility Construction Loan Revolving	
14	Account—State.	\$7,100,000
15	Subtotal Appropriation.	(\$42,109,000)
16		<u>\$37,109,000</u>
17	Prior Biennia (Expenditures).	\$0
18	Future Biennia (Projected Costs).	\$0
19	TOTAL.	(\$42,109,000)
20		<u>\$37,109,000</u>

21 **Sec. 1006.** 2013 2nd sp.s. c 19 s 1078 (uncodified) is amended to
22 read as follows:

23 **FOR THE DEPARTMENT OF COMMERCE**

24 Projects That Strengthen Communities and Quality of Life
25 (92000230)

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

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

1 (2) Prior to receiving funds, project recipients must demonstrate
2 that the project site is under control for a minimum of ten years,
3 either through ownership or a long-term lease. This requirement does
4 not apply to appropriations for preconstruction activities or
5 appropriations whose sole purpose is to purchase real property that
6 does not include a construction or renovation component.

7 (3) Projects funded in this section may be required to comply
8 with Washington's high performance building standards as required by
9 chapter 39.35D RCW.

10 (4) Project funds are available on a reimbursement basis only,
11 and shall not be advanced under any circumstances.

12 (5) Projects funded in this section must be held by the recipient
13 for a minimum of ten years and used for the same purpose or purposes
14 intended by the legislature as required in RCW 43.63A.125(6).

15 (6) Projects funded in this section, including those that are
16 owned and operated by nonprofit organizations, are generally required
17 to pay state prevailing wages.

18 (7) \$1,500,000 of the appropriation in this section from the
19 state building construction account—state is provided solely for
20 design development to align ongoing planning for the replacement of
21 the Seattle multimodal terminal at Colman dock with the creation of a
22 public park. The scope of work must provide a design plan that
23 includes an elevated park and corresponding amenities above the
24 terminal. Design development shall be delivered through the city of
25 Seattle. The scope of this project does not preclude any current
26 plans for Colman dock to replace or seismically upgrade the facility,
27 nor does it reduce the amount of general and commercial traffic, high
28 occupancy vehicles, transit, bicyclist and pedestrian movement.

29 (8) \$500,000 of the appropriation from the environmental legacy
30 stewardship account—state is provided solely for an investigation of
31 possible contaminated soils around the Colman dock.

32 (9) The appropriation is provided solely for the following list
33 of projects:

Projects that Strengthen Communities & Quality of Life	Authorized Amount
Ft. Vancouver - Mother Joseph Academy & Infantry Barracks	\$1,000,000
LaConner Boardwalk	\$1,600,000
Kent Interurban Trail Connector	\$750,000
Town of Concrete Public Safety Building	\$785,000

1	Complete Development of Ashford Park Facilities	\$1,000,000
2	Jackson Park Renovation	\$1,000,000
3	South Whatcom Library Construction	\$90,000
4	Guemes Channel Trail Project	\$700,000
5	Seabrook Trail	\$437,000
6	Vashon Island Allied Arts	\$2,000,000
7	Federal Way Performing Arts	\$2,000,000
8	Japanese Gulch Land Acquisition	\$1,000,000
9	Milton - Triangle Park ADA Upgrades	\$225,000
10	Langston Hughes Performing Arts Center - Storage	\$150,000
11	Wood Pellet Heat in Schools Pilot	\$500,000
12	Snohomish County Sheriff's Office South Precinct	\$1,000,000
13	Ravensdale Park	\$650,000
14	Worthington Park	\$210,000
15	Eastside Tacoma Community Center	\$400,000
16	((228th Street Trail	\$500,000))
17	Institute for Community Leadership	\$275,000
18	FISH of Vancouver/Nonprofit Community Service Center	\$1,000,000
19	Yelm Community Center	\$1,000,000
20	Ellensburg Depot	\$500,000
21	Roslyn City Hall	\$400,000
22	Northwest Carriage Museum	\$375,000
23	People's Community Center and Pool	\$500,000
24	((Town of Concrete Fire and Life Safety Facility	\$500,000))
25	Chehalis Pool	\$250,000
26	Mount Rainier Park Ranger Memorial	\$60,000
27	McAllister Air Museum	\$500,000
28	Repairs to Stevenson Grange	\$50,000
29	Meydenbauer Park Improvements	\$3,000,000
30	Sixty Acres Park Enhancements	\$750,000
31	Covington Community Park Phase 2	\$2,100,000
32	Johnson Farm Museum - Anderson Island	\$250,000

1	Nikolai Project	\$40,000
2	Ft. Steilacoom Building Preservation	\$250,000
3	Plaza Roberto Maestas - Building the Beloved Community	\$1,000,000
4	Seattle Multimodal Terminal at Colman Dock/Public Park	\$2,000,000
5	Confluence Project	\$747,000
6	Castle Rock Citywide Residential Street Project	\$504,000
7	UWAVE	\$30,000
8	Transit-Community Center	\$800,000
9	Mt. Spokane Lodge	\$250,000
10		
11	TOTAL	(\$33,128,000)
12		<u>\$32,128,000</u>

13 Appropriation:

14	State Building Construction Account—State. . . .	(\$32,628,000)
15		<u>\$31,628,000</u>
16	Environmental Legacy Stewardship Account—	
17	State.	\$500,000
18	Subtotal Appropriation.	(\$33,128,000)
19		<u>\$32,128,000</u>
20	Prior Biennia (Expenditures).	\$0
21	Future Biennia (Projected Costs).	\$0
22	TOTAL.	(\$33,128,000)
23		<u>\$32,128,000</u>

24 **Sec. 1007.** 2013 2nd sp.s. c 19 s 1091 (uncodified) is amended to
25 read as follows:

26 **FOR THE OFFICE OF FINANCIAL MANAGEMENT**

27 Construction Contingency Pool (91000428)

28 The appropriation in this section is subject to the following
29 conditions and limitations: The appropriation in this section is
30 provided solely for construction projects that confront emergent and
31 unavoidable costs in excess of the construction contingency and
32 management reserves included in the project appropriation. For
33 requests occurring during a legislative session, an agency must
34 notify the legislative fiscal committees before requesting
35 contingency funds from the office of financial management. Eligible

1 agencies that may apply to the pool include higher education
2 institutions, the state parks and recreation commission, the
3 department of corrections, the department of enterprise services, and
4 the department of health. Eligible construction projects are only
5 projects that had project cost reductions. The office of financial
6 management must notify the legislative evaluation and accountability
7 program committee, the house capital budget committee, and senate
8 ways and means committee as projects are approved for funding.

9 Appropriation:

10	State Building Construction Account—State.	((\$4,000,000))
11		<u>\$1,875,000</u>
12	Prior Biennia (Expenditures).	\$0
13	Future Biennia (Projected Costs).	\$0
14	TOTAL.	((\$4,000,000))
15		<u>\$1,875,000</u>

16 **Sec. 1008.** 2013 2nd sp. s. c 19 s 1093 (uncodified) is amended
17 to read as follows:

18 **FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

19 Natural Resource Building Roof Replacement/Exterior Foam
20 Insulation Repairs (30000546)

21 Reappropriation:

22	State Building Construction Account—State.	((\$510,000))
23		<u>\$33,000</u>
24	Prior Biennia (Expenditures).	((\$3,972,000))
25		<u>\$4,409,000</u>
26	Future Biennia (Projected Costs).	\$0
27	TOTAL.	((\$4,482,000))
28		<u>\$4,442,000</u>

29 **Sec. 1009.** 2013 2nd sp.s. c 19 s 1099 (uncodified) is amended to
30 read as follows:

31 **FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

32 Legislative Building Critical Hydronic Loop Repairs (30000584)

33 Reappropriation:

34	State Building Construction Account—State.	((\$1,075,000))
35		<u>\$1,013,000</u>

1	Appropriation:	
2	State Building Construction Account—State.	((\$851,000))
3		<u>\$410,000</u>
4	Prior Biennia (Expenditures).	((\$104,000))
5		<u>\$166,000</u>
6	Future Biennia (Projected Costs).	\$0
7	TOTAL.	((\$2,030,000))
8		<u>\$1,589,000</u>

9 **Sec. 1010.** 2013 2nd sp.s. c 19 s 1108 (uncodified) is amended to
10 read as follows:

11 **FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

12 Legislative Building Exterior Repairs (30000604)

13	Appropriation:	
14	State Building Construction Account—State.	((\$1,000,000))
15		<u>\$1,075,000</u>
16	Prior Biennia (Expenditures).	\$0
17	Future Biennia (Projected Costs).	\$0
18	TOTAL.	((\$1,000,000))
19		<u>\$1,075,000</u>

20 **Sec. 1011.** 2013 2nd sp.s. c 19 s 1104 (uncodified) is amended to
21 read as follows:

22 **FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

23 Capitol Campus Underground Utility Repairs (30000687)

24	Appropriation:	
25	State Building Construction Account—State.	((\$1,983,000))
26		<u>\$2,613,000</u>
27	Prior Biennia (Expenditures).	\$0
28	Future Biennia (Projected Costs).	((\$8,827,000))
29		<u>\$0</u>
30	TOTAL.	((\$10,810,000))
31		<u>\$2,613,000</u>

32 **Sec. 1012.** 2013 2nd sp.s. c 19 s 1105 (uncodified) is amended to
33 read as follows:

34 **FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

1 Natural Resource Building Repairs Phase 1 (91000009)

2 The appropriations in this section are subject to the following
3 conditions and limitations: The natural resource building repairs
4 phase 1 project must include at a minimum the multipurpose room water
5 infiltration project and the roof project. After this work is
6 completed, the department may include work that was in the
7 department's 2013-2015 capital budget request for other repairs to
8 the building.

9 Appropriation:

10	State Building Construction Account—State.	((\$4,161,000))
11		<u>\$4,041,000</u>
12	Thurston County Capital Facilities Construction	
13	Account—State.	\$940,000
14	Subtotal Appropriation.	((\$5,101,000))
15		<u>\$4,981,000</u>
16	Prior Biennia (Expenditures).	\$0
17	Future Biennia (Projected Costs).	\$0
18	TOTAL.	((\$5,101,000))
19		<u>\$4,981,000</u>

(End of part)

PART 2
HUMAN SERVICES

Sec. 2001. 2013 2nd sp.s. c 19 s 2024 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

Monroe Corrections Center: WSR Living Units Roofs (30000542)

Appropriation:

State Building Construction Account—State.	(\$1,785,000)
	<u>\$1,868,000</u>
Prior Biennia (Expenditures).	\$0
Future Biennia (Projected Costs).	\$0
TOTAL.	(\$1,785,000)
	<u>\$1,868,000</u>

Sec. 2002. 2013 2nd sp.s. c 19 s 2028 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

Washington Corrections Center for Women: Replace Fire Alarm System (30000727)

Appropriation:

State Building Construction Account—State.	(\$2,569,000)
	<u>\$2,649,000</u>
Prior Biennia (Expenditures).	\$0
Future Biennia (Projected Costs).	\$0
TOTAL.	(\$2,569,000)
	<u>\$2,649,000</u>

(End of part)

PART 3
NATURAL RESOURCES

Sec. 3001. 2013 2nd sp.s. c 19 s 3067 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

Water Pollution Control Revolving Program (30000327)

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

(1) (~~(\$7,750,000 for fiscal year 2014 and \$7,750,000)~~) \$15,500,000 for fiscal year 2015 of the (~~state building construction~~) water pollution control revolving account—state is provided solely as state match for federal clean water funds.

(2) For projects involving repair, replacement, or improvement of a wastewater treatment plant or other public works facility for which an investment grade efficiency audit is obtainable, the department of ecology must require as a contract condition that the project sponsor undertake an investment grade efficiency audit. The project sponsor may finance the costs of the audit as part of its water pollution control loan program (~~loan~~).

Appropriation:

((State Building Construction Account—State. . . .	\$15,500,000))
Water Pollution Control Revolving Account—	
State.	((\$184,500,000))
	<u>\$200,000,000</u>
Water Pollution Control Revolving	
Account—Federal.	\$50,000,000
Subtotal Appropriation.	\$250,000,000
Prior Biennia (Expenditures).	\$0
Future Biennia (Projected Costs).	\$510,000,000
TOTAL.	\$760,000,000

Sec. 3002. 2013 2nd sp.s. c 19 s 3058 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

Skagit Mitigation (91000181)

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

1 provided solely for the department to develop mitigation options and
2 alternative water sources or tools to make water available for stream
3 flows and for rural domestic permit-exempt uses within the
4 ((Carpenter/Fisher, East Nookachamps, and Upper Nookachamps
5 subbasins)) Skagit River watershed. Up to \$500,000 of the amount
6 specified shall be used to develop a rural domestic demonstration
7 project to determine if surface or groundwater infiltration can
8 mitigate for ground water use during low flow periods to meet the
9 mitigation requirements of chapter 173-503 WAC.

10 Reappropriation:

11	State Building Construction Account—State.	\$2,156,000
12	Prior Biennia (Expenditures).	\$69,000
13	Future Biennia (Projected Costs).	\$0
14	TOTAL.	\$2,225,000

15 **Sec. 3003.** 2013 2nd sp.s. c 19 s 3101 (uncodified) is amended to
16 read as follows:

17 **FOR THE STATE PARKS AND RECREATION COMMISSION**

18 Dosewallips: Wastewater Treatment System (30000523)

19 Appropriation:

20	State Building Construction Account—State.	((\$4,079,000))
21		<u>\$4,532,000</u>
22	Prior Biennia (Expenditures).	\$0
23	Future Biennia (Projected Costs).	\$0
24	TOTAL.	((\$4,079,000))
25		<u>\$4,532,000</u>

26 **Sec. 3004.** 2013 2nd sp.s. c 19 s 3190 (uncodified) is amended to
27 read as follows:

28 **FOR THE DEPARTMENT OF FISH AND WILDLIFE**

29 Mitchell Act Federal Grant (91000021)

30 Reappropriation:

31	General Fund—Federal.	((\$2,328,000))
32		<u>\$2,244,000</u>

33 Appropriation:

34	<u>General Fund—Federal.</u>	<u>\$4,000,000</u>
35	Prior Biennia (Expenditures).	((\$672,000))

1		<u>\$756,000</u>
2	Future Biennia (Projected Costs)	\$0
3	TOTAL	((\$3,000,000))
4		<u>\$7,000,000</u>

5 **Sec. 3005.** 2013 2nd sp.s. c 19 s 3212 (uncodified) is amended to
6 read as follows:

7 **FOR THE PUGET SOUND PARTNERSHIP**

8 Community Partnership Restoration Grants (30000007)

9 Reappropriation:

10	General Fund—Federal	((\$1,155,000))
11		<u>\$1,575,000</u>
12	Prior Biennia (Expenditures)	((\$445,000))
13		<u>\$50,000</u>
14	Future Biennia (Projected Costs)	\$0
15	TOTAL	((\$1,600,000))
16		<u>\$1,625,000</u>

(End of part)

PART 4
EDUCATION

Sec. 4001. 2013 2nd sp.s. c 19 s 5007 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Yakima Valley Technical Skills Center (30000076)

Reappropriation:

State Building Construction Account—State.	((\$12,962,000))
	<u>\$11,082,000</u>
Prior Biennia (Expenditures).	\$12,481,000
Future Biennia (Projected Costs).	\$0
TOTAL.	((\$25,443,000))
	<u>\$23,563,000</u>

Sec. 4002. 2013 2nd sp.s. c 19 s 5020 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

2013-2015 School Construction Assistance Program - Maintenance (30000145)

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

(1) \$1,340,000 of the common school construction account—state appropriation is provided solely for study and survey grants and for completing inventory and building condition assessments for all public school districts once every six years.

(2) \$933,000 of the common school construction account—state appropriation is provided solely for mapping the design of new facilities and remapping the design of facilities to be remodeled, for school construction projects funded through the school construction assistance program.

(3) The office of the superintendent of public instruction must improve web-based access by taxpayers to school capacity and actual enrollment in order to understand possible opportunities to increase efficiency through consolidation. The office of the superintendent of public instruction must post this capacity and enrollment information on its web site.

(4) Funds from this appropriation may be used to match federal dollars provided by the office of economic adjustment for school replacement facilities located on military bases.

(5) The office of the superintendent of public instruction must expedite allocation and distribution of any eligible funds under the school construction assistance grant program to the Evergreen (Clark County) School District to address the school construction emergency resulting from the fire that destroyed the Crestline School.

(6) The space allocations for state funding assistance purposes for districts with senior or four-year high schools with fewer than four hundred students, as outlined in WAC 392-343-035, must be computed in accordance with the following formula:

Number of Headcount	Maximum Space
Student-Grades 9-12	Allocation Per Facility
0-200	42,000 square feet
201-300	48,000 square feet
301-or more	52,000 square feet

Appropriation:

State Building Construction Account—State.	\$285,355,000
Common School Construction Account—State.	((\$208,232,000))
	<u>\$100,593,000</u>
Common School Construction Account—Federal.	\$1,500,000
Subtotal Appropriation.	((\$495,087,000))
	<u>\$387,448,000</u>
Prior Biennia (Expenditures).	\$0
Future Biennia (Projected Costs).	((\$3,099,310,000))
	<u>\$3,099,270,000</u>
TOTAL.	((\$3,594,397,000))
	<u>\$3,486,718,000</u>

Sec. 4003. 2013 2nd sp.s. c 19 s 5015 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

WA-NIC (Washington Network for Innovative Careers) Skills Center - Snoqualmie Valley School District/Bellevue Community College (92000006)

Reappropriation:

PART 5

MISCELLANEOUS PROVISIONS

Sec. 5001. 2013 2nd sp.s. c 19 s 7043 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—TRANSFERS

State Toxic Control Account: For transfer to the	
Local Toxic Control Account.	\$4,000,000
Environmental Legacy Stewardship Account: For	
transfer to the Local Toxic Control Account.	\$12,000,000
<u>State Taxable Building Construction Account: For</u>	
<u>transfer to the drinking water assistance</u>	
<u>account, \$4,400,000 for fiscal year 2015.</u>	<u>\$4,400,000</u>
<u>State Taxable Building Construction Account: For</u>	
<u>transfer to the water pollution control</u>	
<u>revolving account, \$15,500,000 for fiscal</u>	
<u>year 2015.</u>	<u>\$15,500,000</u>

Sec. 5002. RCW 70.105D.070 and 2013 2nd sp.s. c 19 s 7033 and 2013 2nd sp.s. c 4 s 992 are each reenacted and amended to read as follows:

(1) The state toxics control account and the local toxics control account are hereby created in the state treasury.

(2)(a) Moneys collected under RCW 82.21.030 must be deposited as follows: Fifty-six percent to the state toxics control account under subsection (3) of this section and forty-four percent to the local toxics control account under subsection (4) of this section. When the cumulative amount of deposits made to the state and local toxics control accounts under this section reaches the limit during a fiscal year as established in (b) of this subsection, the remainder of the moneys collected under RCW 82.21.030 during that fiscal year must be deposited into the environmental legacy stewardship account created in RCW 70.105D.170.

(b) The limit on distributions of moneys collected under RCW 82.21.030 to the state and local toxics control accounts for the fiscal year beginning July 1, 2013, is one hundred forty million dollars.

(c) In addition to the funds required under (a) of this subsection, the following moneys must be deposited into the state toxics control account: (i) The costs of remedial actions recovered

1 under this chapter or chapter 70.105A RCW; (ii) penalties collected
2 or recovered under this chapter; and (iii) any other money
3 appropriated or transferred to the account by the legislature.

4 (3) Moneys in the state toxics control account must be used only
5 to carry out the purposes of this chapter, including but not limited
6 to the following activities:

7 (a) The state's responsibility for hazardous waste planning,
8 management, regulation, enforcement, technical assistance, and public
9 education required under chapter 70.105 RCW;

10 (b) The state's responsibility for solid waste planning,
11 management, regulation, enforcement, technical assistance, and public
12 education required under chapter 70.95 RCW;

13 (c) The hazardous waste clean-up program required under this
14 chapter;

15 (d) State matching funds required under federal cleanup law;

16 (e) Financial assistance for local programs in accordance with
17 chapters 70.95, 70.95C, 70.95I, and 70.105 RCW;

18 (f) State government programs for the safe reduction, recycling,
19 or disposal of paint and hazardous wastes from households, small
20 businesses, and agriculture;

21 (g) Oil and hazardous materials spill prevention, preparedness,
22 training, and response activities;

23 (h) Water and environmental health protection and monitoring
24 programs;

25 (i) Programs authorized under chapter 70.146 RCW;

26 (j) A public participation program;

27 (k) Public funding to assist potentially liable persons to pay
28 for the costs of remedial action in compliance with clean-up
29 standards under RCW 70.105D.030(2)(e) but only when the amount and
30 terms of such funding are established under a settlement agreement
31 under RCW 70.105D.040(4) and when the director has found that the
32 funding will achieve both: (i) A substantially more expeditious or
33 enhanced cleanup than would otherwise occur; and (ii) the prevention
34 or mitigation of unfair economic hardship;

35 (l) Development and demonstration of alternative management
36 technologies designed to carry out the hazardous waste management
37 priorities of RCW 70.105.150;

38 (m) State agriculture and health programs for the safe use,
39 reduction, recycling, or disposal of pesticides;

1 (n) Storm water pollution control projects and activities that
2 protect or preserve existing remedial actions or prevent hazardous
3 clean-up sites;

4 (o) Funding requirements to maintain receipt of federal funds
5 under the federal solid waste disposal act (42 U.S.C. Sec. 6901 et
6 seq.);

7 (p) Air quality programs and actions for reducing public exposure
8 to toxic air pollution;

9 (q) Public funding to assist prospective purchasers to pay for
10 the costs of remedial action in compliance with clean-up standards
11 under RCW 70.105D.030(2)(e) if:

12 (i) The facility is located within a redevelopment opportunity
13 zone designated under RCW 70.105D.150;

14 (ii) The amount and terms of the funding are established under a
15 settlement agreement under RCW 70.105D.040(5); and

16 (iii) The director has found the funding meets any additional
17 criteria established in rule by the department, will achieve a
18 substantially more expeditious or enhanced cleanup than would
19 otherwise occur, and will provide a public benefit in addition to
20 cleanup commensurate with the scope of the public funding;

21 (r) Petroleum-based plastic or expanded polystyrene foam debris
22 cleanup activities in fresh or marine waters;

23 (s) Appropriations to the local toxics control account or the
24 environmental legacy stewardship account created in RCW 70.105D.170,
25 if the legislature determines that priorities for spending exceed
26 available funds in those accounts;

27 (t) During the 2013-2015 fiscal biennium, the department of
28 ecology's water quality, shorelands, environmental assessment,
29 administration, and air quality programs;

30 (u) During the 2013-2015 fiscal biennium, actions at the state
31 conservation commission to improve water quality for shellfish;
32 ((and))

33 (v) During the 2013-2015 fiscal biennium, actions at the
34 University of Washington for reducing ocean acidification;

35 (w) For the 2013-2015 fiscal biennium, moneys in the state toxics
36 control account may be spent on projects in section ((3159)) 3160,
37 chapter 19, Laws of 2013 2nd sp. sess. and for transfer to the local
38 toxics control account; and

1 (x) For the 2013-2015 fiscal biennium, moneys in the state toxics
2 control account may be transferred to the radioactive mixed waste
3 account.

4 (4)(a) The department shall use moneys deposited in the local
5 toxics control account for grants or loans to local governments for
6 the following purposes in descending order of priority:

7 (i) Extended grant agreements entered into under ~~((e)-(e))~~ (e)
8 (i) of this subsection;

9 (ii) Remedial actions, including planning for adaptive reuse of
10 properties as provided for under ~~((e)-(e))~~ (e)(iv) of this
11 subsection. The department must prioritize funding of remedial
12 actions at:

13 (A) Facilities on the department's hazardous sites list with a
14 high hazard ranking for which there is an approved remedial action
15 work plan or an equivalent document under federal cleanup law;

16 (B) Brownfield properties within a redevelopment opportunity zone
17 if the local government is a prospective purchaser of the property
18 and there is a department-approved remedial action work plan or
19 equivalent document under the federal cleanup law;

20 (iii) Storm water pollution source projects that: (A) Work in
21 conjunction with a remedial action; (B) protect completed remedial
22 actions against recontamination; or (C) prevent hazardous clean-up
23 sites;

24 (iv) Hazardous waste plans and programs under chapter 70.105 RCW;

25 (v) Solid waste plans and programs under chapters 70.95, 70.95C,
26 70.95I, and 70.105 RCW;

27 (vi) Petroleum-based plastic or expanded polystyrene foam debris
28 cleanup activities in fresh or marine waters; and

29 (vii) Appropriations to the state toxics control account or the
30 environmental legacy stewardship account created in RCW 70.105D.170,
31 if the legislature determines that priorities for spending exceed
32 available funds in those accounts.

33 (b) Funds for plans and programs must be allocated consistent
34 with the priorities and matching requirements established in chapters
35 70.105, 70.95C, 70.95I, and 70.95 RCW.

36 (c) During the 2013-2015 fiscal biennium, the local toxics
37 control account may also be used for local government storm water
38 planning and implementation activities.

1 (d) During the 2013-2015 fiscal biennium, the legislature may
2 transfer from the local toxics control account to the state general
3 fund, such amounts as reflect the excess fund balance in the account.

4 (e) To expedite cleanups throughout the state, the department may
5 use the following strategies when providing grants to local
6 governments under this subsection:

7 (i) Enter into an extended grant agreement with a local
8 government conducting remedial actions at a facility where those
9 actions extend over multiple biennia and the total eligible cost of
10 those actions exceeds twenty million dollars. The agreement is
11 subject to the following limitations:

12 (A) The initial duration of such an agreement may not exceed ten
13 years. The department may extend the duration of such an agreement
14 upon finding substantial progress has been made on remedial actions
15 at the facility;

16 (B) Extended grant agreements may not exceed fifty percent of the
17 total eligible remedial action costs at the facility; and

18 (C) The department may not allocate future funding to an extended
19 grant agreement unless the local government has demonstrated to the
20 department that funds awarded under the agreement during the previous
21 biennium have been substantially expended or contracts have been
22 entered into to substantially expend the funds;

23 (ii) Enter into a grant agreement with a local government
24 conducting a remedial action that provides for periodic reimbursement
25 of remedial action costs as they are incurred as established in the
26 agreement;

27 (iii) Enter into a grant agreement with a local government prior
28 to it acquiring a property or obtaining necessary access to conduct
29 remedial actions, provided the agreement is conditioned upon the
30 local government acquiring the property or obtaining the access in
31 accordance with a schedule specified in the agreement;

32 (iv) Provide integrated planning grants to local governments to
33 fund studies necessary to facilitate remedial actions at brownfield
34 properties and adaptive reuse of properties following remediation.
35 Eligible activities include, but are not limited to: Environmental
36 site assessments; remedial investigations; health assessments;
37 feasibility studies; site planning; community involvement; land use
38 and regulatory analyses; building and infrastructure assessments;
39 economic and fiscal analyses; and any environmental analyses under
40 chapter 43.21C RCW;

1 (v) Provide grants to local governments for remedial actions
2 related to areawide groundwater contamination. To receive the
3 funding, the local government does not need to be a potentially
4 liable person or be required to seek reimbursement of grant funds
5 from a potentially liable person;

6 (vi) The director may alter grant matching requirements to create
7 incentives for local governments to expedite cleanups when one of the
8 following conditions exists:

9 (A) Funding would prevent or mitigate unfair economic hardship
10 imposed by the clean-up liability;

11 (B) Funding would create new substantial economic development,
12 public recreational opportunities, or habitat restoration
13 opportunities that would not otherwise occur; or

14 (C) Funding would create an opportunity for acquisition and
15 redevelopment of brownfield property under RCW 70.105D.040(5) that
16 would not otherwise occur;

17 (vii) When pending grant applications under ~~((e)-(e))~~ (e)(iv)
18 and (v) of this subsection (4) exceed the amount of funds available,
19 designated redevelopment opportunity zones must receive priority for
20 distribution of available funds.

21 ~~((d)-(f))~~ (f) To expedite multiparty clean-up efforts, the
22 department may purchase remedial action cost-cap insurance. For the
23 2013-2015 fiscal biennium, moneys in the local toxics control account
24 may be spent on projects in sections 3024, 3035, 3036, and 3059,
25 chapter 19, Laws of 2013 2nd sp. sess.

26 (5) Except for unanticipated receipts under RCW 43.79.260 through
27 43.79.282, moneys in the state and local toxics control accounts may
28 be spent only after appropriation by statute.

29 (6) No moneys deposited into either the state or local toxics
30 control account may be used for: Natural disasters where there is no
31 hazardous substance contamination; high performance buildings; solid
32 waste incinerator facility feasibility studies, construction,
33 maintenance, or operation; or after January 1, 2010, for projects
34 designed to address the restoration of Puget Sound, funded in a
35 competitive grant process, that are in conflict with the action
36 agenda developed by the Puget Sound partnership under RCW 90.71.310.
37 However, this subsection does not prevent an appropriation from the
38 state toxics control account to the department of revenue to enforce
39 compliance with the hazardous substance tax imposed in chapter 82.21
40 RCW.

1 (7) Except during the 2011-2013 fiscal biennium, one percent of
2 the moneys collected under RCW 82.21.030 shall be allocated only for
3 public participation grants to persons who may be adversely affected
4 by a release or threatened release of a hazardous substance and to
5 not-for-profit public interest organizations. The primary purpose of
6 these grants is to facilitate the participation by persons and
7 organizations in the investigation and remedying of releases or
8 threatened releases of hazardous substances and to implement the
9 state's solid and hazardous waste management priorities. No grant may
10 exceed sixty thousand dollars. Grants may be renewed annually. Moneys
11 appropriated for public participation that are not expended at the
12 close of any biennium revert to the state toxics control account.

13 (8) The department shall adopt rules for grant or loan issuance
14 and performance. To accelerate both remedial action and economic
15 recovery, the department may expedite the adoption of rules necessary
16 to implement chapter 1, Laws of 2013 2nd sp. sess. using the
17 expedited procedures in RCW 34.05.353. The department shall initiate
18 the award of financial assistance by August 1, 2013. To ensure the
19 adoption of rules will not delay financial assistance, the department
20 may administer the award of financial assistance through interpretive
21 guidance pending the adoption of rules through July 1, 2014.

22 (9) Except as provided under subsection (3)(k) and (q) of this
23 section, nothing in chapter 1, Laws of 2013 2nd sp. sess. effects
24 [affects] the ability of a potentially liable person to receive
25 public funding.

26 (10) During the 2013-2015 fiscal biennium the local toxics
27 control account may also be used for the centennial clean water
28 program and for storm water grants.

29 **Sec. 5003.** RCW 43.160.080 and 2010 1st sp.s. c 36 s 6011 are
30 each amended to read as follows:

31 There shall be a fund in the state treasury known as the public
32 facilities construction loan revolving account, which shall consist
33 of all moneys collected under this chapter and any moneys
34 appropriated to it by law. Disbursements from the revolving account
35 shall be on authorization of the board. In order to maintain an
36 effective expenditure and revenue control, the public facilities
37 construction loan revolving account shall be subject in all respects
38 to chapter 43.88 RCW. (~~During the 2009-2011 biennium, sums in the~~
39 ~~public facilities construction loan revolving account may be used for~~

1 ~~community economic revitalization board export assistance grants and~~
2 ~~loans in section 1018, chapter 36, Laws of 2010 1st sp. sess. and for~~
3 ~~matching funds for the federal energy regional innovation cluster in~~
4 ~~section 1017, chapter 36, Laws of 2010 1st sp. sess.)) During the~~
5 ~~2013-2015 biennium, sums in the public facilities construction loan~~
6 ~~revolving account may be used for the animal disease traceability~~
7 ~~project in section 3247, chapter 19, Laws of 2013 2nd sp. sess.,~~
8 ~~administered by the department of agriculture. During the 2013-2015~~
9 ~~biennium, sums in the public facilities construction loan revolving~~
10 ~~account may be used for the clean energy partnership project in~~
11 ~~section 1038, chapter 19, Laws of 2013 2nd sp. sess.~~

12 NEW SECTION. Sec. 5004. A new section is added to 2013 2nd
13 sp.s. c 19 (uncodified) to read as follows:

14 To the extent that any appropriation authorizes expenditures of
15 state funds from the state building construction account, or from any
16 other capital project account in the state treasury, for a capital
17 project or program that is specified to be funded with proceeds from
18 the sale of bonds, the legislature declares that any such
19 expenditures for that project or program made prior to the issue date
20 of the applicable bonds are intended to be reimbursed from proceeds
21 of those bonds in a maximum amount equal to the amount of such
22 appropriation.

23 NEW SECTION. Sec. 5005. The following acts or parts of acts are
24 each repealed:

- 25 (1) 2013 2nd sp.s. c 19 s 7004 (uncodified); and
26 (2) 2013 2nd sp.s. c 19 s 7013 (uncodified).

27 NEW SECTION. Sec. 5006. This act is necessary for the immediate
28 preservation of the public peace, health, or safety, or support of
29 the state government and its existing public institutions, and takes
30 effect immediately.

(End of Bill)

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