PROPOSED 2015 SUPPLEMENTAL CAPITAL APPROPRIATIONS BILL

Governor Jay Inslee
December 18, 2014

BILL REQUEST - CODE REVISER'S OFFICE

BILL REQ. #: Z-0300.2/15 2nd draft

ATTY/TYPIST: AL:lel

BRIEF DESCRIPTION: Concerning the supplemental capital budget.

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

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

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 section and ending June 30, 2015, out of the several funds specified in this act.

PART 1

GENERAL GOVERNMENT

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

FOR THE DEPARTMENT OF COMMERCE

Building for the Arts Grants (30000006)

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

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

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

Reappropriation:

State Building Construction Account—State. $218,000

Prior Biennia (Expenditures). $8,481,000

Future Biennia (Projected Costs). $0

TOTAL. $8,699,000

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

FOR THE DEPARTMENT OF COMMERCE

Drinking Water State Revolving Fund Loan Program (30000189)

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

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

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

Appropriation:

((~~State Building Construction Account—State~~. . . . . ~~$8,800,000~~))

Drinking Water Assistance Account—State. $4,400,000

Drinking Water Assistance Repayment Account—

State. $200,000,000
Subtotal Appropriation. . . . . ((~~$208,800,000~~)) $204,400,000

Prior Biennia (Expenditures). $0
Future Biennia (Projected Costs). $680,000,000
TOTAL. . . . . ((~~$888,800,000~~)) $884,400,000

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

FOR THE DEPARTMENT OF COMMERCE

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

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

Appropriation:

State Building Construction Account—State. . . . . ((~~$5,000,000~~)) $10,000,000

Prior Biennia (Expenditures). $0
Future Biennia (Projected Costs). $0
TOTAL. . . . . ((~~$5,000,000~~)) $10,000,000

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

FOR THE DEPARTMENT OF COMMERCE

Clean Energy and Energy Freedom Program (91000582)

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

(1) All expenditures from the state taxable building construction account—state appropriation in this section must be used 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 otherwise increase energy independence for the state. All expenditures must be used for projects that develop and acquire

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

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

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

(b) To create the loan fund, the department shall provide grant funds to a competitively selected nonprofit lender that will provide matching private capital and will administer the loan fund. The department must select the loan fund administrator 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 for the lender related to applicant eligibility, the screening process, and evaluation and selection criteria. The criteria must include requiring evidence of support for the proposed project from the impacted community and consistency with economic growth strategies and plans of the affected local governments. Applications for loans from the revolving fund must disclose all sources of public funding to be provided for a project. The nonprofit lender must use the revolving loan fund to make affordable loans for projects including, but not limited to: Residential and commercial energy retrofits, residential and community-scale solar installations, anaerobic digesters to treat dairy and organic waste, and combined heat and power projects using woody biomass as a fuel source.

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

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

(4) $15,000,000 of the state taxable building construction account—state appropriation in this section is provided solely for grants to advance renewable energy technologies by public and private electrical utilities that serve retail customers in the state. The department shall work with utilities to offer matching grants for projects that demonstrate new smart grid technologies. 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. Applications for grants must disclose all sources of public funding to be provided for a project. The grant funds must be used to fund projects that demonstrate how to: Integrate intermittent renewables through energy storage and information technology, dispatch energy storage resources from utility control rooms, use the thermal properties and electric load of commercial buildings and district energy systems to store energy, or otherwise improve the reliability and reduce the costs of intermittent or distributed renewable energy.

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

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

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

Appropriation:

State Taxable Building Construction Account——
State. $36,000,000
Energy Recovery Act Account——((~~Federal~~)) State. $4,000,000
Subtotal Appropriation. $40,000,000

Prior Biennia (Expenditures). $0
Future Biennia (Projected Costs). $0
TOTAL. $40,000,000

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

FOR THE DEPARTMENT OF COMMERCE

Projects for Jobs and Economic Development (92000151)

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

(1) Except as directed otherwise prior to the effective date of this section, the department shall not expend the appropriations 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 appropriations are released 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 whose 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) Projects funded in this section must be held by the recipient for a minimum of ten years and used for the same purpose or purposes intended by the legislature as required in RCW 43.63A.125(6).

(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 appropriations are provided solely for the following list of projects:

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

Mountlake Terrace Mainstreet Grant	$2,000,000
Issaquah - North Roadway Network Improvement	$5,000,000
TRIDEC Development of Small Modular Reactor Proposal	$500,000
City of Shelton Wastewater	$1,500,000
Port of Moses Lake Firefighting System	$300,000
Seattle Chinatown/ID Development	$500,000
TOTAL	((~~$42,109,000~~))
	$37,109,000

Appropriation:

State Building Construction Account—State. . . . ((~~$35,009,000~~))
$30,009,000

Public Facility Construction Loan Revolving
Account—State. $7,100,000

Subtotal Appropriation. . . . . ((~~$42,109,000~~))
$37,109,000

Prior Biennia (Expenditures). $0

Future Biennia (Projected Costs). $0

TOTAL. . . . . ((~~$42,109,000~~))
$37,109,000

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

FOR THE DEPARTMENT OF COMMERCE

Projects That Strengthen Communities and Quality of Life (92000230)

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

(1) Except as directed otherwise prior to the effective date of this section, 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 released 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 whose 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) Projects funded in this section must be held by the recipient for a minimum of ten years and used for the same purpose or purposes intended by the legislature as required in RCW 43.63A.125(6).

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

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

(9) The appropriation is provided solely for the following list 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

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

Nikolai Project	$40,000
Ft. Steilacoom Building Preservation	$250,000
Plaza Roberto Maestas - Building the Beloved Community	$1,000,000
Seattle Multimodal Terminal at Colman Dock/Public Park	$2,000,000
Confluence Project	$747,000
Castle Rock Citywide Residential Street Project	$504,000
UWAVE	$30,000
Transit-Community Center	$800,000
Mt. Spokane Lodge	$250,000
TOTAL	((~~$33,128,000~~))
	$32,128,000

Appropriation:

State Building Construction Account—State. . . . ((~~$32,628,000~~))
$31,628,000

Environmental Legacy Stewardship Account—
State. $500,000

Subtotal Appropriation. . . . . ((~~$33,128,000~~))
$32,128,000

Prior Biennia (Expenditures). $0

Future Biennia (Projected Costs). $0

TOTAL. . . . . ((~~$33,128,000~~))
$32,128,000

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

FOR THE OFFICE OF FINANCIAL MANAGEMENT

Construction Contingency Pool (91000428)

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

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

Appropriation:

State Building Construction Account—State. . . . . ((~~$4,000,000~~))
$1,875,000

Prior Biennia (Expenditures). $0

Future Biennia (Projected Costs). $0

TOTAL. . . . . ((~~$4,000,000~~))
$1,875,000

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

FOR THE DEPARTMENT OF ENTERPRISE SERVICES

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

Reappropriation:

State Building Construction Account—State. . . . . ((~~$510,000~~))
$33,000

Prior Biennia (Expenditures). . . . . ((~~$3,972,000~~))
$4,409,000

Future Biennia (Projected Costs). $0

TOTAL. . . . . ((~~$4,482,000~~))
$4,442,000

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

FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Legislative Building Critical Hydronic Loop Repairs (30000584)

Reappropriation:

State Building Construction Account—State. . . . . ((~~$1,075,000~~))
$1,013,000

Appropriation:

State Building Construction Account—State. . . . . ((~~$851,000~~))
$410,000

Prior Biennia (Expenditures). . . . . ((~~$104,000~~))
$166,000

Future Biennia (Projected Costs). $0

TOTAL. . . . . ((~~$2,030,000~~))
$1,589,000

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

FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Legislative Building Exterior Repairs (30000604)

Appropriation:

State Building Construction Account—State. . . . . ((~~$1,000,000~~))
$1,075,000

Prior Biennia (Expenditures). $0

Future Biennia (Projected Costs). $0

TOTAL. . . . . ((~~$1,000,000~~))
$1,075,000

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

FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Capitol Campus Underground Utility Repairs (30000687)

Appropriation:

State Building Construction Account—State. . . . . ((~~$1,983,000~~))
$2,613,000

Prior Biennia (Expenditures). $0

Future Biennia (Projected Costs). . . . . ((~~$8,827,000~~))
$0

TOTAL. . . . . ((~~$10,810,000~~))
$2,613,000

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

FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Natural Resource Building Repairs Phase 1 (91000009)

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

Appropriation:

State Building Construction Account—State. . . . . ((~~$4,161,000~~))
$4,041,000

Thurston County Capital Facilities Construction
Account—State. $940,000

Subtotal Appropriation. . . . . ((~~$5,101,000~~))
$4,981,000

Prior Biennia (Expenditures). $0

Future Biennia (Projected Costs). $0

TOTAL. . . . . ((~~$5,101,000~~))
$4,981,000

(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~~)) $1,868,000

Prior Biennia (Expenditures). $0

Future Biennia (Projected Costs). $0

TOTAL. . . . . ((~~$1,785,000~~)) $1,868,000

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~~)) $2,649,000

Prior Biennia (Expenditures). $0

Future Biennia (Projected Costs). $0

TOTAL. . . . . ((~~$2,569,000~~)) $2,649,000

(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~~)) $200,000,000

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

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

Reappropriation:

State Building Construction Account—State. $2,156,000

Prior Biennia (Expenditures). $69,000

Future Biennia (Projected Costs). $0

TOTAL. $2,225,000

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

FOR THE STATE PARKS AND RECREATION COMMISSION

Dosewallips: Wastewater Treatment System (30000523)

Appropriation:

State Building Construction Account—State. . . . . ((~~$4,079,000~~)) $4,532,000

Prior Biennia (Expenditures). $0

Future Biennia (Projected Costs). $0

TOTAL. . . . . ((~~$4,079,000~~)) $4,532,000

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

FOR THE DEPARTMENT OF FISH AND WILDLIFE

Mitchell Act Federal Grant (91000021)

Reappropriation:

General Fund—Federal. . . . . ((~~$2,328,000~~)) $2,244,000

Appropriation:

General Fund—Federal. $4,000,000

Prior Biennia (Expenditures). . . . . ((~~$672,000~~))

$756,000

Future Biennia (Projected Costs). $0

TOTAL. . . . . ((~~$3,000,000~~))

$7,000,000

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

FOR THE PUGET SOUND PARTNERSHIP

Community Partnership Restoration Grants (30000007)

Reappropriation:

General Fund—Federal. . . . . ((~~$1,155,000~~))

$1,575,000

Prior Biennia (Expenditures). . . . . ((~~$445,000~~))

$50,000

Future Biennia (Projected Costs). $0

TOTAL. . . . . ((~~$1,600,000~~))

$1,625,000

(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~~)) $11,082,000

Prior Biennia (Expenditures). $12,481,000

Future Biennia (Projected Costs). $0

TOTAL. . . . . ((~~$25,443,000~~)) $23,563,000

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 Student-Grades 9-12	**Maximum Space 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~~)) $100,593,000

Common School Construction Account—Federal. $1,500,000

Subtotal Appropriation. . . . . ((~~$495,087,000~~)) $387,448,000

Prior Biennia (Expenditures). $0

Future Biennia (Projected Costs). . . . . ((~~$3,099,310,000~~)) $3,099,270,000

TOTAL. . . . . ((~~$3,594,397,000~~)) $3,486,718,000

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:

State Building Construction Account—State. . . . . ((~~$1,715,000~~))
$31,000

Prior Biennia (Expenditures). $0
Future Biennia (Projected Costs). $0
TOTAL. . . . . ((~~$1,715,000~~))
$31,000

Sec. 4004. 2013 2nd sp.s. c 19 s 5025 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

School Security Improvement Grants (92000015)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for nonrecurring costs associated with school facility safety projects consistent with chapter 233, Laws of 2013 (Second Engrossed Substitute Senate Bill No. 5197).

Appropriation:

State Building Construction Account—State. . . . ((~~$10,000,000~~))
$6,656,000

Prior Biennia (Expenditures). $0
Future Biennia (Projected Costs). $0
TOTAL. . . . . ((~~$10,000,000~~))
$6,656,000

Sec. 4005. 2013 2nd sp.s. c 19 s 5055 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE UNIVERSITY

Washington State University Pullman Pedestrian Bridge (91000028)

Appropriation:

Washington State University Building
Account—State. . . . . ((~~$1,500,000~~))
$0

Prior Biennia (Expenditures). $0
Future Biennia (Projected Costs). $0
TOTAL. . . . . ((~~$1,500,000~~))
$0

Sec. 4006. 2013 2nd sp.s. c 19 s 5108 (uncodified) is amended to read as follows:

FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Bates Technical College: Mohler Communications Technology Center (20082703)

Reappropriation:

State Building Construction Account—State. $219,000

Appropriation:

State Building Construction Account—State. . . . ((~~$23,808,000~~)) $24,519,000

Prior Biennia (Expenditures). $1,709,000

Future Biennia (Projected Costs). $0

TOTAL. . . . . ((~~$25,736,000~~)) $26,447,000

Sec. 4007. 2013 2nd sp.s. c 19 s 5110 (uncodified) is amended to read as follows:

FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Clark College: Health and Advanced Technologies Building (20082705)

Reappropriation:

State Building Construction Account—State. $1,335,000

Appropriation:

State Building Construction Account—State. . . . ((~~$33,784,000~~)) $34,478,000

Prior Biennia (Expenditures). $1,239,000

Future Biennia (Projected Costs). $0

TOTAL. . . . . ((~~$36,358,000~~)) $37,052,000

(End of part)

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

State Taxable Building Construction Account: For transfer to the drinking water assistance account, $4,400,000 for fiscal year 2015. . . . . $4,400,000

State Taxable Building Construction Account: For transfer to the water pollution control revolving account, $7,750,000 for fiscal year 2014 and $7,750,000 for fiscal year 2015. . . . . $15,500,000

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

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

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

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

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

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

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

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

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

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

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

(i) Programs authorized under chapter 70.146 RCW;

(j) A public participation program;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(i) Extended grant agreements entered into under ((~~(c)[(e)]~~)) (e)(i) of this subsection;

(ii) Remedial actions, including planning for adaptive reuse of properties as provided for under ((~~(c)[(e)]~~)) (e)(iv) of this subsection. The department must prioritize funding of remedial actions at:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1) 2013 2nd sp.s. c 19 s 7004 (uncodified); and

(2) 2013 2nd sp.s. c 19 s 7013 (uncodified).

NEW SECTION. **Sec. 5006.** 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.

(End of Bill)

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