

2 **ESHB 2875** - S COMM AMD
3 By Committee on Ecology & Parks

4

5 Strike everything after the enacting clause and insert the
6 following:

7 "NEW SECTION. **Sec. 1.** INTENT. The legislature finds that since
8 its creation in 1985, the Puget Sound water quality authority has been
9 largely successful in adopting a comprehensive management plan for the
10 restoration and long-term protection of Puget Sound, which is the
11 principal guiding document for the coordination and strengthening of
12 programs by local governments, the private sector, and federal and
13 state agencies. The authority has continually revised the plan to
14 reflect new information regarding the water quality and other
15 environmental conditions of Puget Sound, and to respond to changing
16 state and federal funding and programmatic requirements. The
17 legislature finds that increased emphasis should now be placed upon
18 implementing the plan, upon assisting those primarily responsible for
19 implementing the plan, upon the long-term monitoring of Puget Sound's
20 environmental conditions, and upon measuring progress in the overall
21 implementation of the management plan.

22 **Sec. 2.** RCW 90.70.001 and 1985 c 451 s 1 are each amended to read
23 as follows:

24 FINDINGS--POLICY. The legislature finds that Puget Sound and
25 related inland marine waterways of Washington state represent a unique
26 and unparalleled resource. A rich and varied range of marine
27 organisms, composing an interdependent, sensitive communal ecosystem
28 reside in these sheltered waters. The legislature finds that Puget
29 Sound is a gift of nature, central to the quality of life of all
30 Washington citizens.

31 Residents of this region enjoy a way of life centered around the
32 waters of Puget Sound, featuring accessible recreational opportunities,
33 world-class port facilities and water transportation systems, harvest
34 of marine food resources, shoreline-oriented life styles, water-
35 dependent industries, tourism, irreplaceable aesthetics and other

1 activities, all of which to some degree depend upon a clean and healthy
2 marine resource.

3 ~~((The legislature further finds that the consequences of careless
4 husbanding of this resource have been dramatically illustrated in
5 inland waterways associated with older and more extensively developed
6 areas of the nation. Recent reports concerning degradation of water
7 quality within this region's urban embayments raise alarming
8 possibilities of similar despoliation of Puget Sound and other state
9 waterways. These examples emphasize that the costs of restoration of
10 aquatic resources, where such restoration is possible, greatly exceed
11 the costs of responsible preservation.~~

12 ~~The legislature declares that utilization of the Puget Sound
13 resource carries a custodial obligation for preserving it. The people
14 of the state have the unique opportunity to preserve this gift of
15 nature, an understanding of the results of inattentive stewardship, the
16 technical knowledge needed for control of degradation, and the
17 obligation to undertake such control.))~~

18 The legislature further finds that the large number of governmental
19 entities that now affect the ~~((water quality))~~ health of Puget Sound
20 have diverse interests and limited jurisdictions which cannot
21 adequately address the cumulative, wide-ranging impacts which
22 contribute to the degradation of Puget Sound. ~~((It is therefore the
23 policy of the state of Washington to create a single entity with
24 adequate resources to develop a comprehensive plan for water quality
25 protection in Puget Sound to be implemented by existing state and local
26 government agencies.))~~

27 These entities can benefit by better coordination among themselves
28 with state agencies and citizen organizations, and efficiencies of
29 effort can be obtained from such coordination. Further, the
30 legislature finds that positive incentives and technical assistance can
31 foster a cooperative spirit that will lead to better protection of
32 Puget Sound.

33 It is therefore the policy of the state of Washington that
34 protection of Puget Sound, including continued economic and
35 recreational uses, can be best achieved by establishing an entity to
36 periodically revise the Puget Sound water quality management plan, and
37 to focus its efforts on helping other state and federal agencies, local
38 and tribal governments, businesses, and citizen organizations to
39 implement the plan. The legislature declares that this entity, in its

1 planning activity, shall foster coordinated research and education
2 efforts, identify efficiencies and positive incentives that promote
3 implementation of the plan, and provide technical assistance to state
4 and federal agencies, local and tribal governments, and citizen
5 organizations in their activities to implement the plan.

6 It is further the policy of the state of Washington to coordinate
7 the activities of state and local agencies by establishing a biennial
8 work plan that clearly delineates state and local actions necessary to
9 protect and restore the biological health and diversity of Puget Sound.

10 **Sec. 3.** RCW 90.70.005 and 1985 c 451 s 2 are each amended to read
11 as follows:

12 DEFINITIONS. Unless the context clearly requires otherwise, the
13 definitions in this section apply throughout this chapter:

14 (1) "Authority" means the Puget Sound water quality authority.

15 (2) "Chair" means the presiding officer of the Puget Sound water
16 quality authority.

17 (3) "Council" means the Puget Sound interagency advisory council
18 created by section 6 of this act.

19 (4) "Plan" means the Puget Sound water quality management plan.

20 ~~((4))~~ (5) "Puget Sound" means all salt waters of the state of
21 Washington inside the international boundary line between the state of
22 Washington and the province of British Columbia, lying east of one
23 hundred twenty-three degrees, twenty-four minutes west longitude.

24 (6) "Local plans" means local watershed action plans developed
25 pursuant to chapter 400-12 WAC.

26 (7) "Work plan" means the work plan and budget developed by the
27 authority.

28 **Sec. 4.** RCW 90.70.011 and 1990 c 115 s 2 are each amended to read
29 as follows:

30 AUTHORITY--MEMBERSHIP. (1) There is established the Puget Sound
31 water quality authority composed of eleven members. ~~((Nine members~~
32 ~~shall be appointed by the governor and confirmed by the senate. In~~
33 ~~addition, the commissioner of public lands or the commissioner's~~
34 ~~designee and the director of ecology or the director's designee shall~~
35 ~~serve as ex officio members. Three of the members shall include a~~
36 ~~representative from the counties, a representative from the cities, and~~
37 ~~a tribal representative. The director of ecology shall be chair of the~~

1 authority. ~~In making these appointments, the governor shall seek to~~
2 ~~include representation of the variety of interested parties concerned~~
3 ~~about Puget Sound water quality. Of the appointed members, at least~~
4 ~~one shall be selected from each of the six congressional districts~~
5 ~~surrounding Puget Sound.))~~ Nine members shall be appointed by the
6 governor and confirmed by the senate. In making these appointments,
7 the governor shall include representation from business, the
8 environmental community, agriculture, the shellfish industry, counties,
9 cities, and the tribes. The representative of counties and the
10 representative of cities shall be a current or former elected city or
11 county official. One member shall be a member of the senate selected
12 by the president of the senate and one member shall be a member of the
13 house of representatives selected by the speaker of the house of
14 representatives. The legislative members shall be nonvoting members of
15 the authority. Appointments to the authority shall reflect
16 geographical balance and the diversity of population within the Puget
17 Sound basin. Members shall serve four-year terms. Of the initial
18 members appointed to the authority, two shall serve for two years, two
19 shall serve for three years, and two shall serve for four years.
20 Thereafter members shall be appointed to four-year terms. Members
21 representing cities, counties, and the tribes shall also serve four-
22 year staggered terms, as determined by the governor. Vacancies shall
23 be filled by appointment in the same manner as the original appointment
24 for the remainder of the unexpired term of the position being vacated.
25 ~~((The executive director of the authority shall be selected by the~~
26 ~~governor and shall serve at the pleasure of the governor. The~~
27 ~~executive director shall not be a member of the authority.~~

28 ~~(2))~~ Members shall be compensated as provided in RCW 43.03.250.
29 Members shall be reimbursed for travel expenses as provided in RCW
30 43.03.050 and 43.03.060. Legislative members shall be reimbursed as
31 provided in RCW 44.04.120.

32 (2) The executive director of the authority shall be selected by
33 the governor and shall serve at the pleasure of the governor. The
34 executive director shall not be a member of the authority.

35 (3) The executive director of the authority shall be a full-time
36 employee responsible for the administration of all functions of the
37 authority, including hiring and terminating staff, budget preparation,
38 contracting, coordinating with the governor, the legislature, and other
39 state and local entities, and the delegation of responsibilities as

1 deemed appropriate. The salary of the executive director shall be
2 fixed by the governor, subject to RCW 43.03.040.

3 ~~(4) ((The authority shall prepare a budget and a work plan.~~
4 ~~(5)))~~ Not more than four employees of the authority may be exempt
5 from the provisions of chapter 41.06 RCW.

6 ~~((6)))~~ (5) The executive director and staff of the authority shall
7 be located in the Olympia area, as space becomes available. The
8 department of general administration shall house the authority within
9 the department of ecology.

10 NEW SECTION. Sec. 5. A new section is added to chapter 90.70 RCW
11 to read as follows:

12 CHAIR. (1) The authority shall select a chair, who shall perform
13 such duties and perform them for such period as the authority
14 determines.

15 (2) Beginning in December 1998, and every two years thereafter, the
16 authority shall submit a report to the appropriate policy and fiscal
17 committees of the legislature. The report shall:

18 (a) Describe and evaluate the successes and shortcomings of the
19 current work plan relative to the priority problems identified for each
20 geographic area of Puget Sound;

21 (b) Describe the priority problems and actions proposed for
22 inclusion into the next biennium's work plan for each geographic area
23 of Puget Sound, including a description of new and ongoing activities
24 and a breakdown of the costs of each activity, by geographic area;

25 (c) Describe how the work plan responds to the evaluation required
26 under (a) of this subsection; and

27 (d) Describe any proposed amendments to the Puget Sound management
28 plan.

29 NEW SECTION. Sec. 6. A new section is added to chapter 90.70 RCW
30 to read as follows:

31 PUGET SOUND INTERAGENCY ADVISORY COUNCIL. (1) The Puget Sound
32 interagency advisory council is created. The council shall consist of:
33 The directors of the departments of ecology; agriculture; natural
34 resources; fish and wildlife; and community, trade, and economic
35 development; the secretaries of the departments of health and
36 transportation; the director of the parks and recreation commission;
37 the director of the interagency committee for outdoor recreation; the

1 administrative officer of the conservation commission designated in RCW
2 89.08.050; the president of the University of Washington; and the
3 president of the Washington State University. The governor shall
4 appoint the chair of the council, who may be a staff person in the
5 governor's office or a council member designated under this subsection.
6 Members of the council may designate a person to act for them on the
7 council, except that each member shall participate in the annual summit
8 required by subsection (3) of this section. The university presidents
9 may designate members of the sciences faculties to act as their
10 designees on the council.

11 (2) The council shall convene periodically at the request of the
12 authority to provide recommendations for improving state agency
13 coordination and setting of priorities in plan implementation, and for
14 improving the integration of the Puget Sound plan with other state
15 agency programs, plans, and activities that relate to the biological
16 health and diversity of Puget Sound.

17 (3) In addition to the periodic meetings under subsection (2) of
18 this section, the council shall convene an annual summit of the council
19 in conjunction with a meeting of the authority to address improving
20 state agency coordination and participation in activities identified by
21 the work plan for state agency implementation. The council shall
22 obtain public comments at the summit to assist the council and
23 authority in making these improvements.

24 (4) On or before January 1, 1997, the council, with the assistance
25 of the authority, shall review the need for additional state assistance
26 in the development and implementation of plans for the protection of
27 the state's marine waters other than Puget Sound, including technical
28 and financial assistance, and the development of comprehensive ambient
29 monitoring programs. The review shall include assessment of the need
30 for a state coordination mechanism or entity for this purpose. The
31 council shall consult with local governments and other interested
32 parties in areas adjacent to the state's marine waters in conducting
33 the review. The council shall provide a report of its review and
34 recommendations to the governor and the appropriate committees of the
35 legislature by January 1, 1997.

36 **Sec. 7.** RCW 90.70.025 and 1985 c 451 s 5 are each amended to read
37 as follows:

1 DUTIES. In order to carry out its responsibilities under this
2 chapter, the authority may:

3 ~~(1) ((Develop interim proposals and recommendations, before the
4 plan is adopted, concerning the elements identified in RCW 90.70.060;~~

5 ~~(2))~~ Enter into, amend, and terminate contracts with individuals,
6 corporations, or research institutions for the purposes of this
7 chapter;

8 ~~((+3))~~ (2) Receive such gifts, grants, and endowments, in trust or
9 otherwise, for the use and benefit of the purposes of the authority.
10 The authority may expend the same or any income therefrom according to
11 the terms of the gifts, grants, or endowments;

12 ~~((+4))~~ (3) Conduct studies and research relating to Puget Sound
13 water quality;

14 ~~((+5))~~ (4) Obtain information relating to Puget Sound from other
15 state and local agencies;

16 ~~((+6))~~ (5) Conduct appropriate public hearings, solicit extensive
17 public participation, and otherwise seek to broadly disseminate
18 information concerning Puget Sound;

19 ~~((+7))~~ (6) Receive and expend funding from other public agencies;

20 (7) Establish priorities for funding the implementation of the
21 plan;

22 ~~(8) ((Prepare a biennial budget request for consideration by the
23 governor and the legislature; and~~

24 ~~(9))~~ Adopt rules under chapter 34.05 RCW as it deems necessary for
25 the purposes of this chapter; and

26 (9) Sponsor an annual conference or workshop where all interested
27 parties will have the opportunity to share information about the status
28 of efforts to protect and restore Puget Sound and make recommendations
29 for future actions to protect and restore Puget Sound.

30 **Sec. 8.** RCW 90.70.055 and 1990 c 115 s 4 are each amended to read
31 as follows:

32 The authority shall:

33 (1) ~~((Prepare and adopt a))~~ Serve the needs of state, local, and
34 tribal governments and agencies in implementing the plan in a
35 coordinated and timely manner by:

36 (a) Providing technical assistance to state, local, and tribal
37 governments and agencies in the design, funding, and implementation of
38 water quality programs and projects;

1 (b) Assisting state, local, and tribal governments and agencies to
2 implement the plan in ways that are consistent with other planning,
3 regulatory, and capital facility requirements;

4 (c) Encouraging and assisting in the development of local
5 comprehensive strategies for water quality and watershed health that
6 are consistent with the goals of the plan;

7 (d) Seeking incentives for the development of local comprehensive
8 water quality and watershed health strategies that support the plan by
9 advocating for federal and state financial assistance and for
10 flexibility in federal and state regulatory requirements to allow
11 implementation of local strategies; and

12 (e) Providing dispute resolution and mediation services between
13 public agencies and between public and private entities to achieve
14 coordinated implementation of the plan;

15 (2) Revise on an ongoing basis the comprehensive Puget Sound water
16 quality management plan(~~(, as defined in RCW 90.70.060)~~) adopted by the
17 authority in May 1994. In preparing the plan and any substantial
18 revisions to the plan, the authority shall consult with its advisory
19 (~~committee or~~) committees (~~and~~); appropriate federal, state, and
20 local agencies(~~(. The authority shall also solicit extensive~~
21 participation by the public by whatever means it finds appropriate,
22 including public hearings throughout communities bordering or near
23 Puget Sound, dissemination of information through the news media,
24 public notices, and mailing lists, and the organization of workshops,
25 conferences, and seminars)); tribal governments; and private interests;

26 (~~(2) During the plan's initial development and any subsequent~~
27 revisions, submit annual progress reports on plan revisions and
28 implementation to the governor and the legislature.)

29 (3) (~~Submit the plan to the governor and the legislature no later~~
30 than January 1, 1987. The authority shall)) Review the plan at least
31 every (~~four~~) six years and revise the plan, as deemed appropriate(~~(,~~
32 and shall submit the plan by July 1, 1994)). A revised plan shall be
33 submitted to the governor and the legislature by July 1, 2000, and
34 every (~~four~~) six years thereafter;

35 (4) Prepare a biennial "state of the Sound" report and submit such
36 report to the governor, the legislature, and the state agencies and
37 local governments identified in the plan. Copies of the report shall
38 be made available to the public. The report shall describe the current
39 condition of water quality and related resources in Puget Sound and

1 ~~((shall))~~ include an assessment of the extent to which implementation
2 of the plan has occurred and resulted in progress toward improving and
3 protecting water quality in Puget Sound. Information about problems
4 and progress shall be sought from the public and reflected in the
5 report. The assessment shall be based upon an evaluation of
6 performance measures required by subsection (6) of this section. The
7 report may also include, but not be limited to:

8 (a) The status and condition of the resources of Puget Sound,
9 including the results of ecological monitoring, including an assessment
10 of the economic value of Puget Sound;

11 (b) Current and foreseeable trends in water quality of Puget Sound
12 and the management of its resources;

13 (c) Review of significant public and private activities affecting
14 Puget Sound and an assessment of whether such activities are consistent
15 with the plan; and

16 (d) Recommendations to the governor, the legislature, and
17 appropriate state and local agencies for actions needed to remedy any
18 deficiencies in current policies, plans, programs, or activities
19 relating to the water quality of Puget Sound, and recommendations
20 concerning changes necessary to protect and improve Puget Sound water
21 quality; ~~((and))~~

22 (5) Review the ~~((Puget Sound related budgets and regulatory and~~
23 ~~enforcement activities))~~ status of plan implementation efforts of state
24 agencies with responsibilities for water quality and related resources
25 in Puget Sound;

26 (6) In consultation with state agencies, local and tribal
27 governments, and other public and private interests, develop and track
28 quantifiable performance measures that can be used by the governor and
29 the legislature to assess the effectiveness over time of programs and
30 actions initiated under the plan to improve and protect Puget Sound
31 water quality and biological resources. The performance measures shall
32 be developed by June 30, 1997. State agencies shall assist the
33 authority in the development and tracking of these performance
34 measures. The performance measures may be limited to a selected
35 geographic area;

36 (7) Appoint ad hoc advisory committees and solicit public
37 participation as necessary to facilitate plan revision, plan
38 implementation, coordination of the ambient monitoring program, and the
39 conduct of other duties under this chapter. The authority may form a

1 local government advisory council and private sector advisory council
2 for this purpose;

3 (8) Ensure implementation and coordination of the Puget Sound
4 ambient monitoring program, which includes:

5 (a) Developing a baseline and examining differences among areas of
6 Puget Sound for environmental conditions, natural resources, and
7 contaminants in sediments and marine life, against which future changes
8 can be measured;

9 (b) Taking measurements relating to specific program elements
10 identified in the plan;

11 (c) Measuring the progress of the ambient monitoring programs
12 implemented under the plan;

13 (d) Providing a permanent record of significant natural and human-
14 caused changes in key environmental indicators in Puget Sound;

15 (e) Supporting research on Puget Sound; and

16 (f) Participation of each agency with responsibilities for
17 implementing the program, as specified in the plan;

18 (9) Provide, promote, coordinate, and publish research on Puget
19 Sound water quality issues;

20 (10) Provide and promote education and involvement of the public on
21 the preservation and protection of water quality and marine habitat in
22 Puget Sound; and

23 (11) To reduce costs and improve efficiency, review by December 1,
24 1996, all requirements for reports and documentation from state
25 agencies and local governments specified in the plan and in this
26 chapter. Based on this review, the authority shall, if appropriate,
27 eliminate and consolidate reports, modify reporting schedules to
28 correspond to publication of the state of the Sound report, and modify
29 reporting requirements to support evaluation of performance measures
30 required by subsection (6) of this section.

31 NEW SECTION. Sec. 9. A new section is added to chapter 90.70 RCW
32 to read as follows:

33 WORK PLANS. (1) Each biennium the authority shall prepare a Puget
34 Sound work plan and budget recommendations for funding of the plan and
35 for state agency implementation of plan responsibilities, for submittal
36 to the office of financial management to be included in the development
37 of the governor's biennial budget. The work plan shall prescribe the
38 necessary federal, state, and local actions to maintain and enhance

1 water quality in Puget Sound, including the enhancement of recreational
2 opportunities and the restoration of a balanced population of
3 indigenous shellfish, fish, and wildlife.

4 (2) The work plan shall:

5 (a) Use the plan elements of the Puget Sound management plan to
6 prioritize local and state actions necessary to restore and protect the
7 biological health and diversity of Puget Sound. The work plan may
8 describe the specific priorities for local actions necessary in the
9 following locations:

10 (i) Area 1: Island and San Juan counties;

11 (ii) Area 2: Skagit and Whatcom counties;

12 (iii) Area 3: Clallam and Jefferson counties;

13 (iv) Area 4: Snohomish, King, and Pierce counties;

14 (v) Area 5: Kitsap, Mason, and Thurston counties;

15 (b) Coordinate the work plan activities with other state agency
16 activities that have not been funded through the plan, with other local
17 plans, and with other governmental and nongovernmental watershed
18 restoration activities;

19 (c) Provide for interagency and interdisciplinary teams to provide
20 technical assistance and watershed assessments to local governments in
21 the areas identified in (a) of this subsection. The number of teams
22 and the number and qualifications of personnel for each team shall be
23 prioritized within available resources and determined to meet the
24 priorities for actions identified in (a) of this subsection;

25 (d) Coordinate monitoring and research activities;

26 (e) Provide for funding to assist local jurisdictions to implement
27 elements of the work plan and to develop and implement local plans; and

28 (f) Identify and assist in resolving policy or regulatory conflicts
29 that may exist between agencies responsible for implementing the Puget
30 Sound plan.

31 (3) Before adopting the work plan the authority shall hold public
32 hearings to obtain public comments on the proposed work plan.

33 (4) The work plan shall be submitted to the appropriate policy and
34 fiscal committees of the legislature by December 20th of each even-
35 numbered year.

36 (5) The work plan shall be implemented consistent with the
37 legislative provisos of the biennial appropriation acts.

1 NEW SECTION. **Sec. 10.** A new section is added to chapter 90.70 RCW
2 to read as follows:

3 LOCAL PLANS. (1) Local governments shall implement local elements
4 of the work plan subject to the availability of appropriated funds or
5 other funding sources.

6 (2) The authority shall review the progress of local governments
7 regarding the timely implementation of local elements of the work plan.
8 Where prescribed actions have not been accomplished in accordance with
9 the work plan, the responsible local government shall, at the request
10 of the authority, submit a written explanation for the shortfalls to
11 the authority, together with the local government's proposed remedies.

12 NEW SECTION. **Sec. 11.** A new section is added to chapter 90.70 RCW
13 to read as follows:

14 STATE FUNDING PROGRAMS. (1) The authority shall review and make
15 recommendations for a consolidated state financial assistance program
16 to support the implementation of local plans. The recommendations
17 should:

18 (a) Include measures to simplify application and funding
19 procedures;

20 (b) Give priority to implementation over planning;

21 (c) Achieve cost-efficiencies;

22 (d) Give priority to local plans that have secured local funding;
23 and

24 (e) Give priority to counties that exercise their authority under
25 RCW 36.94.020 as amended by chapter . . . , Laws of 1996 (Second
26 Substitute Senate Bill No. 5247) to consolidate and coordinate their
27 water pollution activities under a sewerage and/or water general plan.

28 (2) The authority shall identify administrative and legislative
29 modifications necessary to implement the consolidated financial
30 assistance program and shall report to the governor and the legislature
31 by December 1, 1996.

32 **Sec. 12.** RCW 43.88.030 and 1994 c 247 s 7 and 1994 c 219 s 2 are
33 each reenacted and amended to read as follows:

34 (1) The director of financial management shall provide all agencies
35 with a complete set of instructions for submitting biennial budget
36 requests to the director at least three months before agency budget
37 documents are due into the office of financial management. The

1 director shall provide agencies that are required under RCW 44.40.070
2 to develop comprehensive six-year program and financial plans with a
3 complete set of instructions for submitting these program and financial
4 plans at the same time that instructions for submitting other budget
5 requests are provided. The budget document or documents shall consist
6 of the governor's budget message which shall be explanatory of the
7 budget and shall contain an outline of the proposed financial policies
8 of the state for the ensuing fiscal period, as well as an outline of
9 the proposed six-year financial policies where applicable, and shall
10 describe in connection therewith the important features of the budget.
11 The message shall set forth the reasons for salient changes from the
12 previous fiscal period in expenditure and revenue items and shall
13 explain any major changes in financial policy. Attached to the budget
14 message shall be such supporting schedules, exhibits and other
15 explanatory material in respect to both current operations and capital
16 improvements as the governor shall deem to be useful to the
17 legislature. The budget document or documents shall set forth a
18 proposal for expenditures in the ensuing fiscal period, or six-year
19 period where applicable, based upon the estimated revenues as approved
20 by the economic and revenue forecast council or upon the estimated
21 revenues of the office of financial management for those funds,
22 accounts, and sources for which the office of the economic and revenue
23 forecast council does not prepare an official forecast, including those
24 revenues anticipated to support the six-year programs and financial
25 plans under RCW 44.40.070. In estimating revenues to support financial
26 plans under RCW 44.40.070, the office of financial management shall
27 rely on information and advice from the interagency revenue task force.
28 Revenues shall be estimated for such fiscal period from the source and
29 at the rates existing by law at the time of submission of the budget
30 document, including the supplemental budgets submitted in the even-
31 numbered years of a biennium. However, the estimated revenues for use
32 in the governor's budget document may be adjusted to reflect budgetary
33 revenue transfers and revenue estimates dependent upon budgetary
34 assumptions of enrollments, workloads, and caseloads. All adjustments
35 to the approved estimated revenues must be set forth in the budget
36 document. The governor may additionally submit, as an appendix to each
37 supplemental, biennial, or six-year agency budget or to the budget
38 document or documents, a proposal for expenditures in the ensuing

1 fiscal period from revenue sources derived from proposed changes in
2 existing statutes.

3 Supplemental and biennial documents shall reflect a six-year
4 expenditure plan consistent with estimated revenues from existing
5 sources and at existing rates for those agencies required to submit
6 six-year program and financial plans under RCW 44.40.070. Any
7 additional revenue resulting from proposed changes to existing statutes
8 shall be separately identified within the document as well as related
9 expenditures for the six-year period.

10 The budget document or documents shall also contain:

11 (a) Revenues classified by fund and source for the immediately past
12 fiscal period, those received or anticipated for the current fiscal
13 period, those anticipated for the ensuing biennium, and those
14 anticipated for the ensuing six-year period to support the six-year
15 programs and financial plans required under RCW 44.40.070;

16 (b) The undesignated fund balance or deficit, by fund;

17 (c) Such additional information dealing with expenditures,
18 revenues, workload, performance, and personnel as the legislature may
19 direct by law or concurrent resolution;

20 (d) Such additional information dealing with revenues and
21 expenditures as the governor shall deem pertinent and useful to the
22 legislature;

23 (e) Tabulations showing expenditures classified by fund, function,
24 activity and object;

25 (f) A delineation of each agency's activities, including those
26 activities funded from nonbudgeted, nonappropriated sources, including
27 funds maintained outside the state treasury;

28 (g) Identification of all proposed direct expenditures to implement
29 the Puget Sound water quality plan under chapter 90.70 RCW, shown by
30 agency and in total. At the same time the authority provides the work
31 plan and associated budget to the office of financial management
32 according to the budget instructions required in subsection (1) of this
33 section, the authority shall provide a copy to the appropriate policy
34 and fiscal committees of the legislature; and

35 (h) Tabulations showing each postretirement adjustment by
36 retirement system established after fiscal year 1991, to include, but
37 not be limited to, estimated total payments made to the end of the
38 previous biennial period, estimated payments for the present biennium,
39 and estimated payments for the ensuing biennium.

1 (2) The budget document or documents shall include detailed
2 estimates of all anticipated revenues applicable to proposed operating
3 or capital expenditures and shall also include all proposed operating
4 or capital expenditures. The total of beginning undesignated fund
5 balance and estimated revenues less working capital and other reserves
6 shall equal or exceed the total of proposed applicable expenditures.
7 The budget document or documents shall further include:

8 (a) Interest, amortization and redemption charges on the state
9 debt;

10 (b) Payments of all reliefs, judgments and claims;

11 (c) Other statutory expenditures;

12 (d) Expenditures incident to the operation for each agency;

13 (e) Revenues derived from agency operations;

14 (f) Expenditures and revenues shall be given in comparative form
15 showing those incurred or received for the immediately past fiscal
16 period and those anticipated for the current biennium and next ensuing
17 biennium, as well as those required to support the six-year programs
18 and financial plans required under RCW 44.40.070;

19 (g) A showing and explanation of amounts of general fund and other
20 funds obligations for debt service and any transfers of moneys that
21 otherwise would have been available for appropriation;

22 (h) Common school expenditures on a fiscal-year basis;

23 (i) A showing, by agency, of the value and purpose of financing
24 contracts for the lease/purchase or acquisition of personal or real
25 property for the current and ensuing fiscal periods; and

26 (j) A showing and explanation of anticipated amounts of general
27 fund and other funds required to amortize the unfunded actuarial
28 accrued liability of the retirement system specified under chapter
29 41.45 RCW, and the contributions to meet such amortization, stated in
30 total dollars and as a level percentage of total compensation.

31 (3) A separate capital budget document or schedule shall be
32 submitted that will contain the following:

33 (a) A statement setting forth a long-range facilities plan for the
34 state that identifies and includes the highest priority needs within
35 affordable spending levels;

36 (b) A capital program consisting of proposed capital projects for
37 the next biennium and the two biennia succeeding the next biennium
38 consistent with the long-range facilities plan. Inasmuch as is
39 practical, and recognizing emergent needs, the capital program shall

1 reflect the priorities, projects, and spending levels proposed in
2 previously submitted capital budget documents in order to provide a
3 reliable long-range planning tool for the legislature and state
4 agencies;

5 (c) A capital plan consisting of proposed capital spending for at
6 least four biennia succeeding the next biennium;

7 (d) A statement of the reason or purpose for a project;

8 (e) Verification that a project is consistent with the provisions
9 set forth in chapter 36.70A RCW;

10 (f) A statement about the proposed site, size, and estimated life
11 of the project, if applicable;

12 (g) Estimated total project cost;

13 (h) For major projects valued over five million dollars, estimated
14 costs for the following project components: Acquisition, consultant
15 services, construction, equipment, project management, and other costs
16 included as part of the project. Project component costs shall be
17 displayed in a standard format defined by the office of financial
18 management to allow comparisons between projects;

19 (i) Estimated total project cost for each phase of the project as
20 defined by the office of financial management;

21 (j) Estimated ensuing biennium costs;

22 (k) Estimated costs beyond the ensuing biennium;

23 (l) Estimated construction start and completion dates;

24 (m) Source and type of funds proposed;

25 (n) Estimated ongoing operating budget costs or savings resulting
26 from the project, including staffing and maintenance costs;

27 (o) For any capital appropriation requested for a state agency for
28 the acquisition of land or the capital improvement of land in which the
29 primary purpose of the acquisition or improvement is recreation or
30 wildlife habitat conservation, the capital budget document, or an
31 omnibus list of recreation and habitat acquisitions provided with the
32 governor's budget document, shall identify the projected costs of
33 operation and maintenance for at least the two biennia succeeding the
34 next biennium. Omnibus lists of habitat and recreation land
35 acquisitions shall include individual project cost estimates for
36 operation and maintenance as well as a total for all state projects
37 included in the list. The document shall identify the source of funds
38 from which the operation and maintenance costs are proposed to be
39 funded;

1 (p) Such other information bearing upon capital projects as the
2 governor deems to be useful;

3 (q) Standard terms, including a standard and uniform definition of
4 maintenance for all capital projects;

5 (r) Such other information as the legislature may direct by law or
6 concurrent resolution.

7 For purposes of this subsection (3), the term "capital project"
8 shall be defined subsequent to the analysis, findings, and
9 recommendations of a joint committee comprised of representatives from
10 the house capital appropriations committee, senate ways and means
11 committee, legislative transportation committee, legislative evaluation
12 and accountability program committee, and office of financial
13 management.

14 (4) No change affecting the comparability of agency or program
15 information relating to expenditures, revenues, workload, performance
16 and personnel shall be made in the format of any budget document or
17 report presented to the legislature under this section or RCW
18 43.88.160(1) relative to the format of the budget document or report
19 which was presented to the previous regular session of the legislature
20 during an odd-numbered year without prior legislative concurrence.
21 Prior legislative concurrence shall consist of (a) a favorable majority
22 vote on the proposal by the standing committees on ways and means of
23 both houses if the legislature is in session or (b) a favorable
24 majority vote on the proposal by members of the legislative evaluation
25 and accountability program committee if the legislature is not in
26 session.

27 NEW SECTION. **Sec. 13.** The following acts or parts of acts are
28 each repealed:

29 (1) RCW 90.70.035 and 1985 c 451 s 6;

30 (2) RCW 90.70.045 and 1994 c 264 s 97, 1990 c 115 s 3, 1988 c 36 s
31 72, & 1985 c 451 s 7;

32 (3) RCW 90.70.060 and 1990 c 115 s 5, 1989 c 11 s 31, & 1985 c 451
33 s 8;

34 (4) RCW 90.70.065 and 1995 c 269 s 3501, 1994 c 264 s 98, & 1990 c
35 115 s 9;

36 (5) RCW 90.70.090 and 1990 c 115 s 8; and

37 (6) RCW 90.70.100 and 1991 c 200 s 502.

1 **Sec. 14.** RCW 43.131.369 and 1990 c 115 s 11 are each amended to
2 read as follows:

3 The Puget Sound water quality authority and its powers and duties
4 shall be terminated on June 30, (~~(1995)~~) 2001, as provided in RCW
5 43.131.370.

6 **Sec. 15.** RCW 43.131.370 and 1990 c 115 s 12 are each amended to
7 read as follows:

8 The following acts or parts of acts, as now existing or hereafter
9 amended, are each repealed, effective June 30, (~~(1996)~~) 2002:

10 (1) Section 1, chapter 451, Laws of 1985 and RCW 90.70.001;

11 (2) Section 2, chapter 451, Laws of 1985 and RCW 90.70.005;

12 (3) Section 3, chapter 451, Laws of 1985, section 2, chapter 115,
13 Laws of 1990 and RCW 90.70.011;

14 (4) Section 5, chapter 451, Laws of 1985 and RCW 90.70.025;

15 (5) (~~(Section 6, chapter 451, Laws of 1985 and RCW 90.70.035;~~

16 ~~(6) Section 7, chapter 451, Laws of 1985, section 72, chapter 36,
17 Laws of 1988, section 3, chapter 115, Laws of 1990 and RCW 90.70.045;~~

18 ~~(7))~~ (6) Section 4, chapter 451, Laws of 1985, section 4, chapter 115,
19 Laws of 1990 and RCW 90.70.055;

20 (~~(8) Section 8, chapter 451, Laws of 1985, section 31, chapter 11,
21 Laws of 1989, section 5, chapter 115, Laws of 1990 and RCW 90.70.060;~~

22 ~~(9))~~ (6) Section 9, chapter 451, Laws of 1985, section 6, chapter
23 115, Laws of 1990 and RCW 90.70.070;

24 (~~(10))~~ (7) Section 10, chapter 451, Laws of 1985, section 7,
25 chapter 115, Laws of 1990 and RCW 90.70.080; and

26 (~~(11))~~ (8) Section 14, chapter 451, Laws of 1985 and RCW
27 90.70.901.

28 NEW SECTION. **Sec. 16.** A new section is added to chapter 90.70 RCW
29 to read as follows:

30 MARINE WATERS PROTECTION TRUST ACCOUNT. The marine waters
31 protection trust account is created in the state treasury. All
32 receipts from gifts, grants, and endowments, federal funds received to
33 develop and implement marine waters protection plans, and state
34 appropriations shall be deposited into the account. Moneys in the
35 account may be spent only after appropriation for the purposes of
36 developing and implementing marine waters protection plans.

1 NEW SECTION. **Sec. 17.** SHORT TITLE. This act may be known and
2 cited as the Puget Sound water quality protection act.

3 NEW SECTION. **Sec. 18.** CAPTIONS NOT LAW. Captions used in this
4 act do not constitute any part of the law.

5 NEW SECTION. **Sec. 19.** (1) The sum of one million dollars, or as
6 much thereof as may be necessary, is appropriated for the biennium
7 ending June 30, 1997, from the water quality account to the department
8 of ecology to provide grants to local government for on-site sewage
9 system projects or programs identified in local watershed action plans.
10 In issuing grants, the department shall give priority to areas that
11 have formed shellfish protection districts under chapter 90.72 RCW, to
12 areas that have created operation and maintenance programs, and to
13 areas where failing on-site systems have contaminated or threaten to
14 contaminate highly productive shellfish growing areas or public
15 beaches. The department shall also provide higher priority to areas
16 with substantial numbers of low-income households for which on-site
17 system upgrades are proposed.

18 (2) The sum of one hundred thousand dollars, or as much thereof as
19 may be necessary, is appropriated for the fiscal year ending June 30,
20 1997, from the general fund to the governor's office for the purposes
21 of the council functions pursuant to section 6 of this act.

22 NEW SECTION. **Sec. 20.** This act shall take effect June 30, 1996."

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24 By Committee on Ecology & Parks

25
26 On page 1, line 1 of the title, after "quality;" strike the
27 remainder of the title and insert "amending RCW 90.70.001, 90.70.005,
28 90.70.011, 90.70.025, 90.70.055, 43.131.369, and 43.131.370; reenacting
29 and amending RCW 43.88.030; adding new sections to chapter 90.70 RCW;
30 creating new sections; repealing RCW 90.70.035, 90.70.045, 90.70.060,
31 90.70.065, 90.70.090, and 90.70.100; making appropriations; and
32 providing an effective date."

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