
SENATE BILL 6020

State of Washington

63rd Legislature

2014 Regular Session

By Senators Honeyford and Keiser; by request of Governor Inslee

Read first time 01/14/14. Referred to Committee on Ways & Means.

1 AN ACT Relating to the capital budget; making appropriations and
2 authorizing expenditures for capital improvements; amending RCW
3 43.160.080; amending 2013 2nd sp.s. c 19 ss 1073, 1074, 1077, 1078,
4 1064, 1065, 1066, 1067, 1084, 1102, 1109, 2037, 3002, 3067, 3014, 3032,
5 3043, 3050, 3055, 3056, 3059, 3065, 3160, 5020, 5019, 5078, 5117, and
6 7014 (uncodified); amending 2013 3rd sp.s. c 1 s 3 (uncodified);
7 reenacting and amending RCW 70.105D.070; adding new sections to 2013
8 2nd sp.s. c 19 (uncodified); creating new sections; repealing 2013 2nd
9 sp.s. c 19 ss 7004 and 7013 (uncodified); making appropriations; and
10 declaring an emergency.

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

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

Archives Facilities Maintenance Environmental Control (30000028)

Appropriation:

State Building Construction Account--State	\$46,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$46,000

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 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))	
<u>Drinking Water Assistance Account--State</u>	<u>\$4,400,000</u>
Drinking Water Assistance Repayment Account--State . .	\$200,000,000
Subtotal Appropriation	((\$208,800,000))
	<u>\$204,400,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$680,000,000
TOTAL	((\$888,800,000))

NEW SECTION. **Sec. 1003.** A new section is added to 2013 2nd sp.s. c 19 (uncodified) to read as follows:

FOR THE DEPARTMENT OF COMMERCE

High Energy Efficient Housing Demonstration (30000708)

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

(1) The appropriation in this section is provided solely for loans or grants to low-income housing developers to design and construct ultra-high energy efficient housing projects including single and multifamily units;

(2) In consultation with professional building, energy efficiency, and housing finance organizations, the office of financial management, and the appropriate legislative staff, the department shall develop and implement a competitive program by December 1, 2014, that is designed to fund and evaluate ultra-high energy efficient housing projects;

(3) The department must partner with the private sector to create an affordable performance-based design-build process;

(4) To receive funding, a project must demonstrate energy-saving and renewable energy systems designed to reach net-zero energy use after housing is fully occupied and provide a life-cycle cost analysis report to the department; and

(5) The department must consider, at a minimum and in any order, the following factors in assigning a numerical ranking to a project:

(a) Whether the proposed design has demonstrated that the project will achieve net-zero energy use when fully occupied;

(b) The life cycle cost of the project;

(c) That the project demonstrates a design, use of materials, and construction process that can be replicated by the Washington building industry;

(d) The extent to which the project leverages nonstate funds;

(e) The extent to which the project is ready to proceed to construction;

(f) Whether the project promotes sustainable use of resources and environmental quality;

(g) Whether the project is being well-managed to fund maintenance and capital depreciation;

- 1 (h) Reduction of housing and utilities carbon footprint; and
- 2 (i) Other criteria that the department considers necessary to
- 3 achieve the purpose of this program.

4 Appropriation:

5	State Taxable Building Construction Account--State . . .	\$5,000,000
6	Prior Biennia (Expenditures)	\$0
7	Future Biennia (Projected Costs)	\$0
8	TOTAL	\$5,000,000

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

11 **FOR THE DEPARTMENT OF COMMERCE**

12 Clean Energy and Energy Freedom Program (910000582)

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

15 (1) All expenditures from the state taxable building construction
16 account--state appropriation in this section must be used for projects
17 that provide a benefit to the public through development,
18 demonstration, and deployment of clean energy technologies that save
19 energy and reduce energy costs, reduce harmful air emissions or
20 otherwise increase energy independence for the state. All expenditures
21 must be used for projects that develop and acquire assets that have a
22 useful life of at least thirteen years. These requirements must be
23 specified in funding agreements issued by the department.

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

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

34 (b) To create the loan fund, the department shall provide grant
35 funds to a competitively selected nonprofit lender that will provide
36 matching private capital and will administer the loan fund. The

1 department must select the loan fund administrator through a
2 competitive process, with scoring conducted by a group of qualified
3 experts, applying criteria specified by the department.

4 (c) The department must establish guidelines for the lender related
5 to applicant eligibility, the screening process, and evaluation and
6 selection criteria. The criteria must include requiring evidence of
7 support for the proposed project from the impacted community and
8 consistency with economic growth strategies and plans of the affected
9 local governments. Applications for loans from the revolving fund must
10 disclose all sources of public funding to be provided for a project.
11 The nonprofit lender must use the revolving loan fund to make
12 affordable loans for projects including, but not limited to:
13 Residential and commercial energy retrofits, residential and community-
14 scale solar installations, anaerobic digesters to treat dairy and
15 organic waste, and combined heat and power projects using woody biomass
16 as a fuel source.

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

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

23 (4) \$15,000,000 of the state taxable building construction
24 account--state appropriation in this section is provided solely for
25 grants to advance renewable energy technologies by public and private
26 electrical utilities that serve retail customers in the state. The
27 department shall work with utilities to offer matching grants for
28 projects that demonstrate new smart grid technologies. The department
29 shall develop a grant application process to competitively select
30 projects for grant awards, to include scoring conducted by a group of
31 qualified experts with application of criteria specified by the
32 department. Applications for grants must disclose all sources of
33 public funding to be provided for a project. The grant funds must be
34 used to fund projects that demonstrate how to: Integrate intermittent
35 renewables through energy storage and information technology, dispatch
36 energy storage resources from utility control rooms, use the thermal
37 properties and electric load of commercial buildings and district

1 energy systems to store energy, or otherwise improve the reliability
2 and reduce the costs of intermittent or distributed renewable energy.

3 (5) \$6,000,000 of the state taxable building construction account--
4 state appropriation in this section is provided solely for grants to
5 match federal funds used to develop and demonstrate clean energy
6 technologies. The department shall work with the University of
7 Washington, Washington State University, and the Pacific Northwest
8 National Laboratory to offer matching funds for projects including, but
9 not limited to: Advancing energy storage and solar technologies, and
10 federal manufacturing innovation centers related to use of light-weight
11 carbon fiber components to advance energy efficiency in the
12 aeronautical, automotive, and marine sectors.

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

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

22 Appropriation:

23	State Taxable Building Construction Account--State . . .	\$36,000,000
24	Energy Recovery Act Account--(Federal) <u>State</u>	\$4,000,000
25	Subtotal Appropriation	\$40,000,000
26	Prior Biennia (Expenditures)	\$0
27	Future Biennia (Projected Costs)	\$0
28	TOTAL	\$40,000,000

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

31 **FOR THE DEPARTMENT OF COMMERCE**

32 Projects for Jobs and Economic Development (92000151)

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

35 (1) Except as directed otherwise prior to the effective date of
36 this section, the department shall not expend the appropriations in

1 this section unless and until the nonstate share of project costs have
2 been either expended, or firmly committed, or both, in an amount
3 sufficient to complete the project or a distinct phase of the project
4 that is useable to the public for the purpose intended by the
5 legislature. This requirement does not apply to projects where a share
6 of the appropriations are released for design costs only.

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

13 (3) Projects funded in this section may be required to comply with
14 Washington's high performance building standards as required by chapter
15 39.35D RCW.

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

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

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

24 (7) The appropriations are provided solely for the following list
25 of projects:

26 **Projects for Jobs & Economic Development**

27 City of Bremerton Puget Sound Naval Safety Project	\$1,300,000
28 Fairchild Airforce Base	\$2,700,000
29 City of Lynnwood Main Street Improvements	\$250,000
30 Port of Everett: Roll-On/Roll-Off Cargo Berth	\$1,500,000
31 Kittitas County Infrastructure and Facilities	\$5,000,000
32 City of Kennewick Industrial Land	\$1,000,000
33 Perry Tech Institute Building	\$1,000,000
34 City of Buckley Drinking Water Improvements	\$350,000
35 ((Coronado)) Carbonado Reservoir Replacement	\$525,000
36 Hopelink Cleveland Street Project	\$1,000,000

1	Redmond Connector	\$1,300,000
2	Washougal Storm Water Decant Facility	\$1,000,000
3	Roslyn Renaissance Northwest Improvement Company Building	\$500,000
4	Everett/Tulalip Water Pipeline Construction	\$1,000,000
5	((Renton Aerospace Training Center Construction	\$5,000,000))
6	Renton Riverview Bridge Replacement	\$1,100,000
7	Omak City Sewer, Collection System, and Treatment Plant	\$2,000,000
8	Harper Pier Replacement	\$800,000
9	University Place Main Street Redevelopment	\$975,000
10	Sultan Alder Avenue Water/Sewer Line Replacement	\$185,000
11	Quincy Industrial Water Reclamation & Reuse	\$700,000
12	NW Medical School	\$136,000
13	Ione - 8th St Lift Station Replacement	\$165,000
14	Stevens PUD Projects	\$532,000
15	Port Orchard Bay St. Pedestrian Path - Phase 2	\$336,000
16	Dekalb Pier - Phase 2	\$255,000
17	Kenmore Village	\$300,000
18	South Kirkland TOD/Cross Kirkland Corridor	\$1,300,000
19	Washington Agriculture Discovery Center	\$100,000
20	Mountlake Terrace Mainstreet Grant	\$2,000,000
21	Issaquah - North Roadway Network Improvement	\$5,000,000
22	TRIDEC Development of Small Modular Reactor Proposal	\$500,000
23	City of Shelton Wastewater	\$1,500,000
24	Port of Moses Lake Firefighting System	\$300,000
25	Seattle Chinatown/ID Development	\$500,000
26		
27	TOTAL	(((\$42,109,000))
28		<u>\$37,109,000</u>
29	Appropriation:	
30	State Building Construction Account--State	(((\$35,009,000))
31		<u>\$30,009,000</u>
32	Public Facility Construction Loan Revolving	
33	Account--State	\$7,100,000
34	Subtotal Appropriation	(((\$42,109,000))
35		<u>\$37,109,000</u>
36	Prior Biennia (Expenditures)	\$0

1	Future Biennia (Projected Costs)	\$0
2	TOTAL	(\$42,109,000)
3		<u>\$37,109,000</u>

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

6 **FOR THE DEPARTMENT OF COMMERCE**

7 Projects That Strengthen Communities and Quality of Life (92000230)

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

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

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

24 (3) Projects funded in this section may be required to comply with
25 Washington's high performance building standards as required by chapter
26 39.35D RCW.

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

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

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

35 (7) \$1,500,000 of the appropriation in this section from the state
36 building construction account--state is provided solely for design
37 development to align ongoing planning for the replacement of the

1 Seattle multimodal terminal at Colman dock with the creation of a
2 public park. The scope of work must provide a design plan that
3 includes an elevated park and corresponding amenities above the
4 terminal. Design development shall be delivered through the city of
5 Seattle. The scope of this project does not preclude any current plans
6 for Colman dock to replace or seismically upgrade the facility, nor
7 does it reduce the amount of general and commercial traffic, high
8 occupancy vehicles, transit, bicyclist and pedestrian movement.

9 (8) \$500,000 of the appropriation from the environmental legacy
10 stewardship account--state is provided solely for an investigation of
11 possible contaminated soils around the Colman dock.

12 (9) The appropriation is provided solely for the following list of
13 projects:

14	Projects that Strengthen Communities & Quality of Life	
15	Ft. Vancouver - Mother Joseph Academy & Infantry Barracks	\$1,000,000
16	LaConner Boardwalk	\$1,600,000
17	Kent Interurban Trail Connector	\$750,000
18	Town of Concrete Public Safety Building	\$785,000
19	Complete Development of Ashford Park Facilities	\$1,000,000
20	Jackson Park Renovation	\$1,000,000
21	South Whatcom Library Construction	\$90,000
22	Guemes Channel Trail Project	\$700,000
23	Seabrook Trail	\$437,000
24	Vashon Island Allied Arts	\$2,000,000
25	Federal Way Performing Arts	\$2,000,000
26	Japanese Gulch Land Acquisition	\$1,000,000
27	Milton - Triangle Park ADA Upgrades	\$225,000
28	Langston Hughes Performing Arts Center - Storage	\$150,000
29	Wood Pellet Heat in Schools Pilot	\$500,000
30	Snohomish County Sheriff's Office South Precinct	\$1,000,000
31	Ravensdale Park	\$650,000
32	Worthington Park	\$210,000
33	Eastside Tacoma Community Center	\$400,000
34	((228th Street Trail	(\$500,000))
35	Institute for Community Leadership	\$275,000

1	FISH of Vancouver/Nonprofit Community Service Center	\$1,000,000
2	Yelm Community Center	\$1,000,000
3	Ellensburg Depot	\$500,000
4	Roslyn City Hall	\$400,000
5	Northwest Carriage Museum	\$375,000
6	People's Community Center and Pool	\$500,000
7	((Town of Concrete Fire and Life Safety Facility	(\$500,000))
8	Chehalis Pool	\$250,000
9	Mount Rainier Park Ranger Memorial	\$60,000
10	McAllister Air Museum	\$500,000
11	Repairs to Stevenson Grange	\$50,000
12	Meydenbauer Park Improvements	\$3,000,000
13	Sixty Acres Park Enhancements	\$750,000
14	Covington Community Park Phase 2	\$2,100,000
15	Johnson Farm Museum - Anderson Island	\$250,000
16	Nikolai Project	\$40,000
17	Ft. Steilacoom Building Preservation	\$250,000
18	Plaza Roberto Maestas - Building the Beloved Community	\$1,000,000
19	Seattle Multimodal Terminal at Colman Dock/Public Park	\$2,000,000
20	Confluence Project	\$747,000
21	Castle Rock Citywide Residential Street Project	\$504,000
22	UWAVE	\$30,000
23	Transit-Community Center	\$800,000
24	Mt. Spokane Lodge	\$250,000
25		
26	TOTAL	(\$33,128,000)
27		<u>\$32,128,000</u>
28	Appropriation:	
29	State Building Construction Account--State	(\$32,628,000)
30		<u>\$31,628,000</u>
31	Environmental Legacy Stewardship Account--State	\$500,000
32	Subtotal Appropriation	(\$33,128,000)
33		<u>\$32,128,000</u>
34	Prior Biennia (Expenditures)	\$0
35	Future Biennia (Projected Costs)	\$0
36	TOTAL	(\$33,128,000)

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NEW SECTION. **Sec. 1007.** A new section is added to 2013 2nd sp.s. c 19 (uncodified) to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Public Works Preconstruction Loan Program (30000706)

The appropriation in this section is subject to the following conditions and limitations: The public works board shall prioritize applications for funding for a preconstruction loan program based on the following criteria:

- (1) The ability of the applicant to leverage optimum use of federal funding for construction; and
- (2) The ability of the preconstruction funding to leverage construction-ready projects in fiscal years 2015 through 2017.

Appropriation:

Public Works Assistance Account--State	\$10,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$10,000,000

Sec. 1008. 2013 2nd sp.s. c 19 s 1064 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Housing for Homeless Veterans (91000455)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided for the ranked list of projects in the category "Housing for Homeless Veterans" in LEAP capital document No. 2013-1A, developed April 10, 2013. The department shall evaluate projects on the LEAP list and allocate the funding based on the requirements of RCW 43.185.050 and 43.185.070. Upon review of a completed application, if the department determines that a project is not eligible or is not ready to proceed, the department may reallocate the funding to a project in another category in the LEAP list, or to the highest ((ranking)) ranked, ready-to-proceed project on the alternate list in LEAP capital document No. 2013-1A, developed April 10, 2013. The

1 department shall, at its discretion, determine the actual amount of
2 funding to be allocated to each project, provided that the total
3 allocation does not exceed the appropriation provided in this section.

4 Appropriation:

5	State Taxable Building Construction	
6	Account--State	\$9,367,000
7	Prior Biennia (Expenditures) . . . . .	.\$0
8	Future Biennia (Projected Costs)	\$0
9	TOTAL	\$9,367,000

10 **Sec. 1009.** 2013 2nd sp.s. c 19 s 1065 (uncodified) is amended to
11 read as follows:

12 **FOR THE DEPARTMENT OF COMMERCE**

13 Housing for Farmworkers (91000457)

14 The appropriation in this section is subject to the following
15 conditions and limitations: The appropriation in this section is
16 provided for the ranked list of projects in the category "Housing for
17 Farmworkers" in LEAP capital document No. 2013-1A, developed April 10,
18 2013. The department shall evaluate projects on the LEAP list and
19 allocate the funding based on the requirements of RCW 43.185.050 and
20 43.185.070. Upon review of a completed application, if the department
21 determines that a project is not eligible or is not ready to proceed,
22 the department may reallocate the funding to a project in another
23 category on the LEAP list, or to the highest (~~ranking~~) ranked, ready-
24 to-proceed project on the alternate list in LEAP capital document No.
25 2013-1A, developed April 10, 2013. The department shall, at its
26 discretion, determine the actual amount of funding to be allocated to
27 each project, provided that the total allocation does not exceed the
28 appropriation provided in this section.

29 Appropriation:

30	State Taxable Building Construction	
31	Account--State	\$27,050,000
32	Prior Biennia (Expenditures) . . . . .	.\$0
33	Future Biennia (Projected Costs)	\$0
34	TOTAL	\$27,050,000

1 **Sec. 1010.** 2013 2nd sp.s. c 19 s 1066 (uncodified) is amended to
2 read as follows:

3 **FOR THE DEPARTMENT OF COMMERCE**

4 Housing for People with Developmental Disabilities (91000458)

5 The appropriation in this section is subject to the following
6 conditions and limitations: The appropriation in this section is
7 provided for the ranked list of projects in the category "Housing for
8 People with Developmental Disabilities" in LEAP capital document No.
9 2013-1A, developed April 10, 2013. The department shall evaluate
10 projects on the LEAP list and allocate the funding based on the
11 requirements of RCW 43.185.050 and 43.185.070. Upon review of a
12 completed application, if the department determines that a project is
13 not eligible or is not ready to proceed, the department may reallocate
14 the funding to a project in another category on the LEAP list, or to
15 the highest ((ranking)) ranked, ready-to-proceed project on the
16 alternate list in LEAP capital document No. 2013-1A, developed April
17 10, 2013. The department shall, at its discretion, determine the
18 actual amount of funding to be allocated to each project, provided that
19 the total allocation does not exceed the appropriation provided in this
20 section.

21 Appropriation:

22	State Taxable Building Construction	
23	Account--State	\$9,019,000
24	25	
25	Prior Biennia (Expenditures) . . . . .	.\$0
26	Future Biennia (Projected Costs)	\$0
27	TOTAL	\$9,019,000

28 **Sec. 1011.** 2013 2nd sp.s. c 19 s 1067 (uncodified) is amended to
29 read as follows:

30 **FOR THE DEPARTMENT OF COMMERCE**

31 Housing for People with Chronic Mental Illness (91000459)

32 The appropriation in this section is subject to the following
33 conditions and limitations: The appropriation in this section is
34 provided for the ranked list of projects in the category "Housing for
35 People with Chronic Mental Illness" in LEAP capital document No. 2013-
36 1A, developed April 10, 2013. The department shall evaluate projects
37 on the LEAP list and allocate the funding based on the requirements of

1 RCW 43.185.050 and 43.185.070. Upon review of a completed application,
2 if the department determines that a project is not eligible or is not
3 ready to proceed, the department may reallocate the funding to a
4 project in another category in the LEAP list, or to the highest
5 ((~~ranking~~)) ranked, ready-to-proceed project on the alternate list in
6 LEAP capital document No. 2013-1A, developed April 10, 2013. The
7 department shall, at its discretion, determine the actual amount of
8 funding to be allocated to each project, provided that the total
9 allocation does not exceed the appropriation provided in this section.

10 Appropriation:

11	State Taxable Building Construction	
12	Account--State	\$6,064,000
13	Prior Biennia (Expenditures)	\$0
14	Future Biennia (Projected Costs)	\$0
15	TOTAL	\$6,064,000

16 **Sec. 1012.** 2013 2nd sp.s. c 19 s 1084 (uncodified) is amended to
17 read as follows:

18 **FOR THE OFFICE OF FINANCIAL MANAGEMENT**

19 Catastrophic Flood Relief (20084850)

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

22 (1) Up to \$9,200,000 of the appropriation is for design
23 alternatives for large capital flood damage reduction projects,
24 including basin-level water retention and Interstate 5 protection
25 projects.

26 (2) Up to \$15,092,000 of the appropriation is for construction of
27 priority local flood protection projects, including multipurpose
28 projects that reduce flood damage and benefit fish habitat.

29 (3) Up to \$1,750,000 of the appropriation is for projects to reduce
30 damage to residential and other structures in the floodplain, through
31 flood proofing and buyouts.

32 (4) Up to \$2,160,000 of the appropriation is for state agency
33 technical assistance, stakeholder project management, project support,
34 and coordination.

35 Reappropriation:

36	State Building Construction Account--State	\$752,000
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1	Appropriation:	
2	State Building Construction Account--State	((\$28,202,000))
3		<u>\$33,202,000</u>
4	Prior Biennia (Expenditures)	\$8,733,000
5	Future Biennia (Projected Costs)	\$0
6	TOTAL	((\$37,687,000))
7		<u>\$42,687,000</u>

8 **Sec. 1013.** 2013 2nd sp.s. c 19 s 1102 (uncodified) is amended to
9 read as follows:

10 **FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

11 Natural Resources Building Garage Fire Suppression System Repairs
12 (30000578)

13	Appropriation:	
14	State Vehicle Parking Account--State	((\$738,000))
15		<u>\$238,000</u>
16	State Building Construction Account--State	((\$1,500,000))
17		<u>\$2,000,000</u>
18	Subtotal Appropriation	\$2,238,000
19	Prior Biennia (Expenditures) . . . . .	.\$0
20	Future Biennia (Projected Costs)	\$0
21	TOTAL	\$2,238,000

22 **Sec. 1014.** 2013 2nd sp.s. c 19 s 1109 (uncodified) is amended to
23 read as follows:

24 **FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

25 1063 Block Replacement (91000016)

26 The appropriation in this section is subject to the following
27 conditions and limitations: The appropriation in this section is
28 provided solely for predesign and bridging documents, design,
29 competition honoraria, project management, demolition, and other
30 planning activities including permits. The predesign must specify the
31 tenants of the building as directed by the office of financial
32 management. The predesign must indicate the estimated annual cost
33 increase for state agency tenants compared to the cost of their
34 existing leases. The estimated cost increase may take into account
35 estimated cost savings in staff costs and other costs that may result

1 in more efficient building design and layout of office space. The
 2 director of the office of financial management must review these cost
 3 estimates and submit a report to the appropriate committees of the
 4 legislature indicating the budget increase that would be required sixty
 5 days prior to executing any construction contracts for the building.
 6 The lease for any prospective tenant may not be extended beyond the
 7 anticipated occupancy date of the building. The building will be
 8 alternatively financed as authorized in section 7014 of this act. The
 9 building will be delivered using design build, as defined by chapter
 10 39.10 RCW, with a guarantee for energy, operations, and maintenance
 11 performance. The term for performance validation must not be less than
 12 five years. The state may use state employees for services not related
 13 to building performance. Criteria for selecting a contractor must
 14 include life cycle costs, energy costs, or energy use index. The scope
 15 of the building shall be between two hundred thousand and two hundred
 16 twenty-five thousand square feet of office space based on the office of
 17 financial management's direction for square feet and tenants identified
 18 in the programming phase including the Washington State Patrol.
 19 Initial tenant lease costs for the building may not exceed six dollars
 20 per gross square foot not including debt services. Proposals must be
 21 received by January 31, 2014. This is phase one of a two-phase process
 22 that includes future demolition of the current general administration
 23 building and construction of a similar facility which may include the
 24 state library as a tenant.

25 Appropriation:

26	State Building Construction Account--State	\$13,000,000
27	Prior Biennia (Expenditures) . . . . .	.\$0
28	Future Biennia (Projected Costs)	\$0
29	TOTAL	\$13,000,000

30 NEW SECTION. Sec. 1015. A new section is added to 2013 2nd sp.s.
 31 c 19 (uncodified) to read as follows:

32 **FOR THE DEPARTMENT OF LABOR AND INDUSTRIES**
 33 Predesign for Relocation of Industrial Hygiene Lab and Safety
 34 Training (30000015)

35 Appropriation:

36	Medical Aid Account--State Appropriation\$75,000
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1	Accident Account--State Appropriation	\$75,000
2	Subtotal Appropriation	\$150,000
3	Prior Biennia (Expenditures) . . . . .	.\$0
4	Future Biennia (Projected Costs)	\$0
5	TOTAL	\$150,000

(End of part)

1 PART 2

2 HUMAN SERVICES

3 NEW SECTION. **Sec. 2001.** A new section is added to 2013 2nd sp.s.
4 c 19 (uncodified) to read as follows:

5 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

6 Western State Hospital New Kitchen and Commissary Building
7 (20081319)

8 Appropriation:

9	State Building Construction Account--State	\$1,100,000
10	Prior Biennia (Expenditures)	\$827,989
11	Future Biennia (Projected Costs)	\$0
12	TOTAL	\$1,927,989

13 NEW SECTION. **Sec. 2002.** A new section is added to 2013 2nd sp.s.
14 c 19 (uncodified) to read as follows:

15 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

16 Lakeland Village Chiller Replacement (30002569)

17 Appropriation:

18	State Building Construction Account--State	\$1,400,000
19	Prior Biennia (Expenditures) . . . . .	.\$0
20	Future Biennia (Projected Costs)	\$0
21	TOTAL	\$1,400,000

22 NEW SECTION. **Sec. 2003.** A new section is added to 2013 2nd sp.s.
23 c 19 (uncodified) to read as follows:

24 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

25 Fircrest School Electrical Service Repairs (30002570)

26 Appropriation:

27	State Building Construction Account--State	\$2,500,000
28	Prior Biennia (Expenditures) . . . . .	.\$0
29	Future Biennia (Projected Costs)	\$0
30	TOTAL	\$2,500,000

1 NEW SECTION. **Sec. 2004.** A new section is added to 2013 2nd sp.s.
2 c 19 (uncodified) to read as follows:

3 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

4 McNeil Island Still Harbor Dock Repairs (30002573)

5 Appropriation:

6	State Building Construction Account--State	\$500,000
7	Prior Biennia (Expenditures) . . . . .	.\$0
8	Future Biennia (Projected Costs)	\$0
9	TOTAL	\$500,000

10 **Sec. 2005.** 2013 2nd sp.s. c 19 s 2037 (uncodified) is amended to
11 read as follows:

12 **FOR THE DEPARTMENT OF CORRECTIONS**

13 Department of Corrections Centralized Pharmacy Westside (92000034)

14 Appropriation:

15	State Building Construction Account--State	\$700,000
16	Prior Biennia (Expenditures) . . . . .	.\$0
17	Future Biennia (Projected Costs)	\$0
18	TOTAL	\$700,000

20 NEW SECTION. **Sec. 2006.** A new section is added to 2013 2nd sp.s.
21 c 19 (uncodified) to read as follows:

22 **FOR THE DEPARTMENT OF CORRECTIONS**

23 Monroe Corrections Complex Contaminated Soil Remediation
24 (30000994)

25 Appropriation:

26	State Building Construction Account--State	\$700,000
27	Prior Biennia (Expenditures) . . . . .	.\$0
28	Future Biennia (Projected Costs)	\$0
29	TOTAL	\$700,000

30 NEW SECTION. **Sec. 2007.** A new section is added to 2013 2nd sp.s.
31 c 19 (uncodified) to read as follows:

32 **FOR THE DEPARTMENT OF CORRECTIONS**

33 Centralized Pharmacy Eastside (30000995)

34 Appropriation:

1 State Building Construction Account--State \$697,000
 2 Prior Biennia (Expenditures) \$0
 3 Future Biennia (Projected Costs) \$0
 4 TOTAL \$697,000

5 NEW SECTION. Sec. 2008. A new section is added to 2013 2nd sp.s.
 6 c 19 (uncodified) to read as follows:

7 **FOR THE DEPARTMENT OF CORRECTIONS**
 8 Prison Capacity Predesign (30000996)

9 Appropriation:

10 State Building Construction Account--State \$1,800,000
 11 Prior Biennia (Expenditures) \$0
 12 Future Biennia (Projected Costs) \$0
 13 TOTAL \$1,800,000

14 NEW SECTION. Sec. 2009. A new section is added to 2013 2nd sp.s.
 15 c 19 (uncodified) to read as follows:

16 **FOR THE EMPLOYMENT SECURITY DEPARTMENT**
 17 Elevator Repairs (30000003)

18 Appropriation:

19 State Building Construction Account--State \$469,000
 20 Prior Biennia (Expenditures) \$0
 21 Future Biennia (Projected Costs) \$0
 22 TOTAL \$469,000

(End of part)

1 **PART 3**

2 **NATURAL RESOURCES**

3 **Sec. 3001.** 2013 2nd sp.s. c 19 s 3002 (uncodified) is amended to
4 read as follows:

5 **FOR THE DEPARTMENT OF ECOLOGY**

6 Low-Level Nuclear Waste Disposal Trench Closure (19972012)

7 Reappropriation:

8 Site Closure Account--State \$11,885,000

9 Appropriation:

10 Site Closure Account--State \$3,354,000

11 Prior Biennia (Expenditures) \$3,548,000

12 Future Biennia (Projected Costs) \$0

13 TOTAL (~~(\$15,433,000)~~)

14 \$18,787,000

15 NEW SECTION. **Sec. 3002.** A new section is added to 2013 2nd sp.s.
16 c 19 (uncodified) to read as follows:

17 **FOR THE DEPARTMENT OF ECOLOGY**

18 Clean-Up Toxic Sites - Puget Sound (30000395)

19 The appropriation in this section is subject to the following
20 conditions and limitations: Funding is provided solely for the clean-
21 up of contaminated sites that lie adjacent to and are within one-half
22 mile of Puget Sound. Clean-ups must include orphaned and abandoned
23 sites that pose a threat to Puget Sound with the highest priority sites
24 being cleaned up first. The department must provide the Puget Sound
25 partnership the opportunity to review and provide comment on proposed
26 projects and activities recommended for funding. This review must be
27 consistent with the funding schedule for the program.

28 Appropriation:

29 Environmental Legacy Stewardship Account--State \$15,381,000

30 Prior Biennia (Expenditures) \$0

31 Future Biennia (Projected Costs) \$0

32 TOTAL \$15,381,000

1 **Sec. 3003.** 2013 2nd sp.s. c 19 s 3067 (uncodified) is amended to
2 read as follows:

3 **FOR THE DEPARTMENT OF ECOLOGY**

4 Water Pollution Control Revolving Program (30000327)

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

7 ~~((1) \$7,750,000 for fiscal year 2014 and \$7,750,000 for fiscal~~
8 ~~year 2015 of the state building construction account--state is provided~~
9 ~~solely as state match for federal clean water funds.~~

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

17 Appropriation:

18	((State Building Construction Account--State	\$15,500,000))
19	Water Pollution Control Revolving	
20	Account--State	((\$184,500,000))
21		<u>\$200,000,000</u>
22	Water Pollution Control Revolving	
23	Account--Federal	\$50,000,000
24	Subtotal Appropriation	\$250,000,000
25	Prior Biennia (Expenditures) . . . . .	.\$0
26	Future Biennia (Projected Costs)	\$510,000,000
27	TOTAL	\$760,000,000

28 NEW SECTION. **Sec. 3004.** A new section is added to 2013 2nd sp.s.
29 c 19 (uncodified) to read as follows:

30 **FOR THE DEPARTMENT OF ECOLOGY**

31 Remedial Action Grants (30000394)

32 Appropriation:

33	Environmental Legacy Stewardship Account--State	\$7,937,000
34	Local Toxics Control Account--State	\$1,000,000
35	Subtotal Appropriation	\$8,937,000
36	Prior Biennia (Expenditures) . . . . .	.\$0

1 Future Biennia (Projected Costs) \$0
2 TOTAL \$8,937,000

3 NEW SECTION. **Sec. 3005.** A new section is added to 2013 2nd sp.s.
4 c 19 (uncodified) to read as follows:

5 **FOR THE DEPARTMENT OF ECOLOGY**

6 Water Pollution Control Revolving Program (30000393)

7 The appropriation in this section is subject to the following
8 condition and limitation: For projects involving repair, replacement,
9 or improvement of a wastewater treatment plant or other public works
10 facility for which an investment grade efficiency audit is obtainable,
11 the department of ecology must require as a contract condition that the
12 project sponsor undertake an investment grade efficiency audit. The
13 project sponsor may finance the costs of the audit as part of its
14 pollution control loan program.

15 Appropriation:

16 Water Pollution Control Revolving Account--State . . . \$70,500,000
17 Prior Biennia (Expenditures) \$0
18 Future Biennia (Projected Costs) \$0
19 TOTAL \$70,500,000

20 NEW SECTION. **Sec. 3006.** A new section is added to 2013 2nd sp.s.
21 c 19 (uncodified) to read as follows:

22 **FOR THE DEPARTMENT OF ECOLOGY**

23 Eastern Washington Clean Sites Initiative (30000417)

24 Appropriation:

25 State Toxics Control Account--State \$3,000,000
26 Prior Biennia (Expenditures) \$0
27 Future Biennia (Projected Costs) \$0
28 TOTAL \$3,000,000

29 **Sec. 3007.** 2013 2nd sp.s. c 19 s 3014 (uncodified) is amended to
30 read as follows:

31 **FOR THE DEPARTMENT OF ECOLOGY**

32 Centennial Clean Water Program (20084010)

33 Reappropriation:

1	State Building Construction Account--State	\$771,000
2	Water Quality Capital Account--State	\$401,000
3	((State Toxics Control Account--State	\$997,000))
4	Subtotal Reappropriation	((\$2,169,000))
5		<u>\$1,172,000</u>

6 Appropriation:

7	<u>State Building Construction Account--State</u>	<u>\$997,000</u>
8	Prior Biennia (Expenditures)	\$64,314,000
9	Future Biennia (Projected Costs)	\$0
10	TOTAL	\$66,483,000

11 **Sec. 3008.** 2013 2nd sp.s. c 19 s 3032 (uncodified) is amended to
12 read as follows:

13 **FOR THE DEPARTMENT OF ECOLOGY**
14 Centennial Clean Water Program (30000208)

15 The ~~((reappropriation))~~ appropriation in this section is subject to
16 the following conditions and limitations: The ~~((reappropriation))~~
17 appropriation is subject to the provisions of section 3024, chapter 48,
18 Laws of 2011 1st sp. sess.

19 ~~((Reappropriation:~~

20	State Toxics Control Account--State	\$20,904,000))
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22 Appropriation:

23	<u>State Building Construction Account--State</u>	<u>\$18,280,841</u>
24	Prior Biennia (Expenditures)	((\$13,196,000))
25		<u>\$15,819,159</u>
26	Future Biennia (Projected Costs)	\$0
27	TOTAL	\$34,100,000

28 **Sec. 3009.** 2013 2nd sp.s. c 19 s 3043 (uncodified) is amended to
29 read as follows:

30 **FOR THE DEPARTMENT OF ECOLOGY**
31 Clean Up Toxics Sites - Puget Sound (30000265)

32 Reappropriation:

33	State Toxics Control Account--State	((\$15,410,000))
34		<u>\$4,397,834</u>

35 Appropriation:

36	<u>State Building Construction Account--State</u>	<u>\$10,000,000</u>
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1	Prior Biennia (Expenditures)	(\$990,000)
2		<u>\$2,002,166</u>
3	Future Biennia (Projected Costs)	\$0
4	TOTAL	\$16,400,000

5 **Sec. 3010.** 2013 2nd sp.s. c 19 s 3050 (uncodified) is amended to
6 read as follows:

7 **FOR THE DEPARTMENT OF ECOLOGY**

8 Statewide Storm Water Projects (30000294)

9 The (~~reappropriation~~) appropriation in this section is subject to
10 the following conditions and limitations: The (~~reappropriation~~)
11 appropriation is provided solely for construction projects or
12 design/construction projects statewide that result in the greatest
13 improvements necessary to meet national pollution discharge elimination
14 system requirements for communities least able to pay for those
15 projects or for jurisdictions that are early adopters of new
16 regulations and effective new technology. The department must develop
17 specific evaluative criteria to award grants on a competitive basis to
18 projects that meet the policy objectives in this section, demonstrate
19 readiness to proceed, and have a minimum cash match of twenty-five
20 percent.

21 (~~Reappropriation:~~
22 ~~Local Toxics Control Account--State \$29,334,000)~~

23 Appropriation:

24	<u>State Building Construction Account--State</u>	<u>\$27,853,315</u>
25	Prior Biennia (Expenditures)	(\$666,000)
26		<u>\$2,146,685</u>
27	Future Biennia (Projected Costs)	\$0
28	TOTAL	\$30,000,000

29 **Sec. 3011.** 2013 2nd sp.s. c 19 s 3055 (uncodified) is amended to
30 read as follows:

31 **FOR THE DEPARTMENT OF ECOLOGY**

32 Fiscal Year 2012 Statewide Storm Water Grant Program (91000053)

33 The (~~reappropriation~~) appropriation in this section is subject to
34 the following conditions and limitations: The (~~reappropriation~~)

1 appropriation is subject to the provisions of section 3004, chapter 2,
2 Laws of 2012 2nd sp. sess.

3 (~~Reappropriation:~~
4 ~~Local Toxics Control Account--State \$23,161,000)~~)

5 Appropriation:
6 State Building Construction Account--State \$22,512,207
7 Prior Biennia (Expenditures) ((~~\$912,000~~))
8 \$1,560,793
9 Future Biennia (Projected Costs) \$0
10 TOTAL \$24,073,000

11 **Sec. 3012.** 2013 2nd sp.s. c 19 s 3056 (uncodified) is amended to
12 read as follows:

13 **FOR THE DEPARTMENT OF ECOLOGY**

14 Storm Water Retrofit and Local Improvement District Competitive
15 Grants (91000054)

16 The reappropriation and appropriation in this section (~~is~~) are
17 subject to the following conditions and limitations: The
18 reappropriation and appropriation (~~is~~) are subject to the provisions
19 of section 3005, chapter 2, Laws of 2012 2nd sp. sess.

20 Reappropriation:
21 Local Toxics Control Account--State ((~~\$14,459,000~~))
22 \$2,821,860

23 Appropriation:
24 State Building Construction Account--State \$10,000,000
25 Prior Biennia (Expenditures) ((~~\$4,000~~))
26 \$1,641,140
27 Future Biennia (Projected Costs) \$0
28 TOTAL \$14,463,000

29 **Sec. 3013.** 2013 2nd sp.s. c 19 s 3059 (uncodified) is amended to
30 read as follows:

31 **FOR THE DEPARTMENT OF ECOLOGY**

32 Flood Levee Improvements (92000057)

33 The reappropriation(~~s~~) and appropriation in this section are
34 subject to the following conditions and limitations:

1 (1) The reappropriation in this section from the state building
2 construction account is provided solely for the Mt. Vernon flood
3 protection project.

4 (2) The reappropriation in this section from the (~~local toxics~~
5 ~~control~~) state building construction account is provided solely for
6 the King county flood district for the Briscoe-Desimone levee
7 improvement project.

8 Reappropriation:

9 State Building Construction Account--State \$1,500,000
10 (~~Local Toxics Control Account--State \$7,000,000~~
11 ~~Subtotal Reappropriation \$8,500,000~~)

12 Appropriation:

13 State Building Construction Account--State \$6,998,675
14 Prior Biennia (Expenditures) ((\$0))
15 \$1,325
16 Future Biennia (Projected Costs) \$0
17 TOTAL \$8,500,000

18 **Sec. 3014.** 2013 2nd sp.s. c 19 s 3065 (uncodified) is amended to
19 read as follows:

20 **FOR THE DEPARTMENT OF ECOLOGY**

21 Reducing Toxic Wood Stove Emissions (30000325)

22 Appropriation:

23 (~~(State Toxics Control Account--State)~~) State
24 Building Construction Account--State \$4,000,000
25 Prior Biennia (Expenditures) \$0
26 Future Biennia (Projected Costs) \$16,000,000
27 TOTAL \$20,000,000

28 NEW SECTION. **Sec. 3015.** A new section is added to 2013 2nd sp.s.
29 c 19 (uncodified) to read as follows:

30 **FOR THE DEPARTMENT OF ECOLOGY**

31 Headquarters Energy Conservation and HVAC Replacement (30000396)

32 Appropriation:

33 State Building Construction Account--State \$750,000
34 Prior Biennia (Expenditures) \$0

1 Future Biennia (Projected Costs) \$11,273,900
 2 TOTAL \$12,023,900

3 NEW SECTION. Sec. 3016. A new section is added to 2013 2nd sp.s.
 4 c 19 (uncodified) to read as follows:

5 **FOR THE DEPARTMENT OF ECOLOGY**

6 Headquarters Emergency Generator Replacement (30000397)

7 Appropriation:

8 State Building Construction Account--State \$4,968,000
 9 Prior Biennia (Expenditures) \$0
 10 Future Biennia (Projected Costs) \$0
 11 TOTAL \$4,968,000

12 **Sec. 3017.** 2013 2nd sp.s. c 19 s 3160 (uncodified) is amended to
 13 read as follows:

14 **FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

15 Family Forest Fish Passage Program (91000097)

16 ~~((Reappropriation:~~

17 ~~State Toxics Control Account--State \$8,981,000))~~

18 Appropriation:

19 State Building Construction Account--State \$8,605,529
 20 Prior Biennia (Expenditures) ((~~\$1,019,000~~))
 21 \$1,394,471
 22 Future Biennia (Projected Costs) \$0
 23 TOTAL \$10,000,000

24 NEW SECTION. Sec. 3018. A new section is added to 2013 2nd sp.s.
 25 c 19 (uncodified) to read as follows:

26 **FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

27 Boating Facilities Program (30000219)

28 Appropriation:

29 State Building Construction Account--State \$2,000,000
 30 Prior Biennia (Expenditures) \$0
 31 Future Biennia (Projected Costs) \$0
 32 TOTAL \$2,000,000

1 NEW SECTION. **Sec. 3019.** A new section is added to 2013 2nd sp.s.
2 c 19 (uncodified) to read as follows:

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

4 Marblemount Hatchery Replace Barrier Culverts (30000657)

5 Appropriation:

6 State Building Construction Account--State	\$1,098,000
7 Prior Biennia (Expenditures) . . . . .	.\$0
8 Future Biennia (Projected Costs)	\$0
9 TOTAL	\$1,098,000

10 NEW SECTION. **Sec. 3020.** A new section is added to 2013 2nd sp.s.
11 c 19 (uncodified) to read as follows:

12 **FOR THE DEPARTMENT OF NATURAL RESOURCES**

13 Replace Barrier Culverts on Department of Natural Resources Land
14 (30000232)

15 Appropriation:

16 State Building Construction Account--State	\$3,350,000
17 Prior Biennia (Expenditures) . . . . .	.\$0
18 Future Biennia (Projected Costs)	\$0
19 TOTAL	\$3,350,000

20 NEW SECTION. **Sec. 3021.** A new section is added to 2013 2nd sp.s.
21 c 19 (uncodified) to read as follows:

22 **FOR THE DEPARTMENT OF NATURAL RESOURCES**

23 Olympic Region Shop Fire Recovery (30000226)

24 Appropriation:

25 State Building Construction Account--State	\$1,760,000
26 Prior Biennia (Expenditures) . . . . .	.\$0
27 Future Biennia (Projected Costs)	\$0
28 TOTAL	\$1,760,000

29 NEW SECTION. **Sec. 3022.** A new section is added to 2013 2nd sp.s.
30 c 19 (uncodified) to read as follows:

31 **FOR THE DEPARTMENT OF NATURAL RESOURCES**

32 Teanaway Community Forest Trust (30000230)

1 The appropriation in this section is subject to the following
 2 conditions and limitations: The appropriation in this section is
 3 provided solely to correct barriers and meet road maintenance and
 4 abandonment planning (RMAP) responsibilities, upgrade outhouses and
 5 fire rings, install gates, signs and other mechanisms to control
 6 unauthorized use of the community forest, and conduct forest health and
 7 high-risk wildfire fuels treatments near high-risk communities.

8 Appropriation:

9	State Building Construction Account--State	\$1,620,000
10	Prior Biennia (Expenditures) . . . . .	.\$0
11	Future Biennia (Projected Costs)	\$0
12	TOTAL	\$1,620,000

13 NEW SECTION. Sec. 3023. A new section is added to 2013 2nd sp.s.
 14 c 19 (uncodified) to read as follows:

15 **FOR THE DEPARTMENT OF NATURAL RESOURCES**

16 Marine Station (30000229)

17 Appropriation:

18	Aquatic Lands Enhancement Account--State	\$235,000
19	State Building Construction Account--State	\$300,000
20	Subtotal Appropriation	\$535,000
21	Prior Biennia (Expenditures) . . . . .	.\$0
22	Future Biennia (Projected Costs)	\$0
23	TOTAL	\$535,000

(End of part)

1 **PART 4**
2 **EDUCATION**

3 **Sec. 4001.** 2013 2nd sp.s. c 19 s 5020 (uncodified) is amended to
4 read as follows:

5 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

6 2013-2015 School Construction Assistance Program - Maintenance
7 (30000145)

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

10 (1) \$1,340,000 of the common school construction account--state
11 appropriation is provided solely for study and survey grants and for
12 completing inventory and building condition assessments for all public
13 school districts once every six years.

14 (2) \$933,000 of the common school construction account--state
15 appropriation is provided solely for mapping the design of new
16 facilities and remapping the design of facilities to be remodeled, for
17 school construction projects funded through the school construction
18 assistance program.

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

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

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

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

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

Appropriation:

State Building Construction Account--State	((\$285,355,000))
	<u>\$227,461,000</u>
Common School Construction Account--State	((\$208,232,000))
	<u>\$188,096,000</u>
Common School Construction Account--Federal	\$1,500,000
Subtotal Appropriation	((\$495,087,000))
	<u>\$417,057,000</u>
Prior Biennia (Expenditures)	\$.0
Future Biennia (Projected Costs)	\$3,099,310,000
TOTAL	((\$3,594,397,000))
	<u>\$3,516,367,000</u>

Sec. 4002. 2013 2nd sp.s. c 19 s 5019 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Capital Program Administration (30000128)

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

(1) \$100,000 of the common school construction account--state appropriation is provided solely for the superintendent of public instruction to develop a new K-12 capital budget model, in consultation with the office of financial management, legislative fiscal staff, and the legislative evaluation and accountability program committee for use in developing biennial appropriations for the school construction assistance program. The model must be submitted to the office of financial management and the appropriate committees of the legislature by May 1, 2014, and must include improved forecasting of the school

1 construction assistance program through analysis of existing data
2 including, but not limited to:

3 (a) Local school district bond and levy elections and bond sales;

4 (b) Actual pace of state assistance reimbursement including front-
5 funded projects and other conditions that contribute to variations in
6 reimbursements;

7 (c) Local school district study and survey results specific to
8 estimated capital costs, cost/benefit analyses on the need to modernize
9 and/or replace existing school facilities, timelines for completing
10 school facilities projects, and ability to provide capital funds by
11 local efforts; and

12 (d) Analysis of actual inventory and condition of schools.

13 (2) The superintendent of public instruction will publish to its
14 web site and report to the office of financial management, the
15 appropriate committees of the legislature, and the legislative
16 evaluation and accountability program a list of local school district
17 projects submitted for approval for school construction assistance
18 within seven business days of the school district deadline to submit
19 items for approval. The report must include, but not be limited to:

20 (a) School district;

21 (b) Project name;

22 (c) Estimated square footage by proposed project type;

23 (d) Estimated total of all project costs and estimated total
24 construction contract cost;

25 (e) Funding sources and election dates, if applicable; and

26 (f) Intent to front-fund the project.

27 Appropriation:

28	Common School Construction Account--State	\$3,854,000
29	Prior Biennia (Expenditures)	\$0
30	Future Biennia (Projected Costs)	\$16,246,000
31	TOTAL	\$20,100,000

32 NEW SECTION. Sec. 4003. A new section is added to 2013 2nd sp.s.
33 c 19 (uncodified) to read as follows:

34 **FOR THE WASHINGTON STATE CENTER FOR CHILDHOOD DEAFNESS AND HEARING**
35 **LOSS**

36 Lloyd Auditorium Emergency Repairs (30000012)

1 Appropriation:

2	State Building Construction Account--State	\$260,000
3	Prior Biennia (Expenditures)	\$2,350,297
4	Future Biennia (Projected Costs)	\$0
5	TOTAL	\$2,610,297

6 NEW SECTION. **Sec. 4004.** A new section is added to 2013 2nd sp.s.
7 c 19 (uncodified) to read as follows:
8 **FOR THE CENTRAL WASHINGTON UNIVERSITY**
9 Buried Oil Storage Tank Remediation (30000681)

10 Appropriation:

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

15 **Sec. 4005.** 2013 2nd sp.s. c 19 s 5078 (uncodified) is amended to
16 read as follows:
17 **FOR THE WESTERN WASHINGTON UNIVERSITY**
18 Carver Academic Renovation (20081060)

19 Reappropriation:

20	State Building Construction Account--State	\$2,000,000
21	<u>Appropriation:</u>	
22	<u>State Building Construction Account--State</u>	<u>\$5,000,000</u>
23	Prior Biennia (Expenditures)	\$5,374,000
24	Future Biennia (Projected Costs)	(\$73,531,000)
25		<u>\$68,531,000</u>
26	TOTAL	\$80,905,000

27 NEW SECTION. **Sec. 4006.** A new section is added to 2013 2nd sp.s.
28 c 19 (uncodified) to read as follows:
29 **FOR THE WASHINGTON STATE HISTORICAL SOCIETY**
30 History Museum Membrane System Replacement (30000220)

31 Appropriation:

32	State Building Construction Account--State	\$1,748,000
33	Prior Biennia (Expenditures) . . . . .	.\$0

1 Future Biennia (Projected Costs) \$0
 2 TOTAL \$1,748,000

3 **Sec. 4007.** 2013 2nd sp.s. c 19 s 5117 (uncodified) is amended to
 4 read as follows:

5 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

6 Centralia Community College: Student Services (30000123)

7 Appropriation:

8 State Building Construction Account--State \$2,517,000

9 Community/Technical College Capital

10 Projects Account--State \$3,162,000

11 Subtotal Appropriation \$5,679,000

12 Prior Biennia (Expenditures) \$0

13 Future Biennia (Projected Costs) (~~(\$33,075,000)~~)

14 \$31,793,000

15 TOTAL (~~(\$35,592,000)~~)

16 \$37,472,000

(End of part)

PART 5

SUPPLEMENTAL CAPITAL BUDGET

Sec. 5001. 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. This funding is in addition to funding provided in section 1077, chapter 19, Laws of 2013 2nd sp. sess. (uncodified).

Appropriation:

State Building Construction Account--State	(\$5,000,000)
	<u>\$10,000,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	(\$5,000,000)
	<u>\$10,000,000</u>

(End of part)

1 PART 6

2 MISCELLANEOUS PROVISIONS

3 NEW SECTION. Sec. 6001. FOR THE STATE TREASURER--TRANSFERS

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

7 State Taxable Building Construction Account: For transfer
8 to the water pollution control revolving account,
9 \$7,750,000 for fiscal year 2014 and \$7,750,000 for
10 fiscal year 2015 \$15,500,000

11 Sec. 6002. 2013 2nd sp.s. c 19 s 7014 (uncodified) is amended to
12 read as follows:

13 ACQUISITION OF PROPERTIES AND FACILITIES THROUGH FINANCIAL
14 CONTRACTS. The following agencies may enter into financial contracts,
15 paid from any funds of an agency, appropriated or nonappropriated, for
16 the purposes indicated and in not more than the principal amounts
17 indicated, plus financing expenses and required reserves pursuant to
18 chapter 39.94 RCW. When securing properties under this section,
19 agencies shall use the most economical financial contract option
20 available, including long-term leases, lease-purchase agreements,
21 lease-development with option to purchase agreements or financial
22 contracts using certificates of participation. Expenditures made by an
23 agency for one of the indicated purposes before the issue date of the
24 authorized financial contract and any certificates of participation
25 therein are intended to be reimbursed from proceeds of the financial
26 contract and any certificates of participation therein to the extent
27 provided in the agency's financing plan approved by the state finance
28 committee.

29 State agencies may enter into agreements with the department of
30 enterprise services and the state treasurer's office to develop
31 requests to the legislature for acquisition of properties and
32 facilities through financial contracts. The agreements may include
33 charges for services rendered.

34 Those noninstructional facilities of higher education institutions
35 authorized in this section to enter into financial contracts are not

1 eligible for state funded maintenance and operations. Instructional
2 space that is available for regularly scheduled classes for academic
3 transfer, basic skills, and workforce training programs may be eligible
4 for state funded maintenance and operations.

5 (1) Community and technical colleges:

6 (a) Enter into a financing contract on behalf of Peninsula College
7 for up to \$2,000,000 plus financing expenses and required reserves
8 pursuant to chapter 39.94 RCW to renovate or replace the Forks
9 satellite building.

10 (b) Enter into a financing contract on behalf of South Puget Sound
11 Community College for up to \$5,000,000 plus financing expenses and
12 required reserves pursuant to chapter 39.94 RCW to renovate the
13 downtown Lacey campus.

14 (c) Enter into a financing contract on behalf of Walla Walla
15 Community College for up to \$1,000,000 plus financing expenses and
16 required reserves pursuant to chapter 39.94 RCW to purchase up to forty
17 acres of land.

18 (d) Enter into a financing contract on behalf of Green River
19 Community College for up to \$15,000,000 plus financing expenses and
20 required reserves pursuant to chapter 39.94 RCW to construct a
21 replacement facility for the student life center.

22 (e) Enter into a financing contract on behalf of Whatcom Community
23 College for up to \$11,000,000 plus financing expenses and required
24 reserves pursuant to chapter 39.94 RCW to construct a student
25 recreation center.

26 (f) Enter into a financing contract on behalf of Spokane Community
27 College for up to \$3,100,000 plus financing expenses and required
28 reserves pursuant to chapter 39.94 RCW to construct an addition to the
29 student services building.

30 (g) Enter into a long-term lease on behalf of Spokane Community
31 College at Felts Field suitable for the aerospace training center
32 program, subject to the approval of the office of financial management
33 as required by chapter 43.82 RCW.

34 (h) Enter into a financing contract on behalf of Lower Columbia
35 College for up to \$3,000,000 plus financing expenses and required
36 reserves pursuant to chapter 39.94 RCW to renovate the main building.

37 (i) Enter into a financing contract on behalf of Lower Columbia

1 College for up to \$3,000,000 plus financing expenses and required
2 reserves pursuant to chapter 39.94 RCW to purchase interest in a mixed
3 use building for student housing.

4 (2) Department of enterprise services:

5 (a) Enter into a financing contract for up to \$1,000,000 plus
6 financing expenses and required reserves pursuant to chapter 39.94 RCW
7 for the modifications to the Yakima office building in preparation for
8 the department of social and health services use of the building.

9 (b) Enter into a financing contract for up to \$69,000,000 plus
10 financing expenses and required reserves pursuant to chapter 39.94 RCW
11 to construct a new office building at 1063 Capitol Way South, Olympia.
12 (~~The building will be delivered using design build, as defined by~~
13 ~~chapter 39.10 RCW, with a guarantee for energy, operations and~~
14 ~~maintenance performance. The term for performance validation must not~~
15 ~~be less than five years. The state may use state employees for~~
16 ~~services not related to building performance. Criteria for selecting~~
17 ~~a contractor must include life cycle costs, energy costs or energy use~~
18 ~~index. The scope of the building shall be between two hundred thousand~~
19 ~~and two hundred twenty five thousand square feet of office space based~~
20 ~~on the office of financial management's direction for square feet and~~
21 ~~tenants identified in the programming phase including the Washington~~
22 ~~State Patrol. Tenant lease costs for the building may not exceed \$26~~
23 ~~per gross square foot including debt services and operating expenses.~~
24 ~~Proposals must be received by January 31, 2014. This is phase one of~~
25 ~~a two phase process that includes future demolition of the current~~
26 ~~general administration building and construction of a similar facility~~
27 ~~which may include the state library as a tenant.))~~

28 (3) Eastern Washington University: Enter into a financing contract
29 for up to \$19,000,000 plus financing expenses and required reserves
30 pursuant to chapter 39.94 RCW to improve and expand recreational and
31 athletic facilities on the Cheney campus.

32 (4) The Evergreen State College: Enter into a financing contract
33 for up to \$12,500,000 plus financing expenses and required reserves
34 pursuant to chapter 39.94 RCW to purchase the currently leased
35 facilities for the Tacoma program.

36 **Sec. 6003.** RCW 70.105D.070 and 2013 2nd sp.s. c 19 s 7033 and 2013
37 2nd sp.s. c 4 s 992 are each reenacted and amended to read as follows:

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

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

13 (b) The limit on distributions of moneys collected under RCW
14 82.21.030 to the state and local toxics control accounts for the fiscal
15 year beginning July 1, 2013, is one hundred forty million dollars.

16 (c) In addition to the funds required under (a) of this subsection,
17 the following moneys must be deposited into the state toxics control
18 account: (i) The costs of remedial actions recovered under this
19 chapter or chapter 70.105A RCW; (ii) penalties collected or recovered
20 under this chapter; and (iii) any other money appropriated or
21 transferred to the account by the legislature.

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

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

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

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

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

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

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

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

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

5 (i) Programs authorized under chapter 70.146 RCW;

6 (j) A public participation program;

7 (k) Public funding to assist potentially liable persons to pay for
8 the costs of remedial action in compliance with clean-up standards
9 under RCW 70.105D.030(2)(e) but only when the amount and terms of such
10 funding are established under a settlement agreement under RCW
11 70.105D.040(4) and when the director has found that the funding will
12 achieve both: (i) A substantially more expeditious or enhanced cleanup
13 than would otherwise occur; and (ii) the prevention or mitigation of
14 unfair economic hardship;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24 (i) Extended grant agreements entered into under ~~((e)(e))~~
25 (e)(i) of this subsection;

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

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

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

37 (iii) Storm water pollution source projects that: (A) Work in

1 conjunction with a remedial action; (B) protect completed remedial
2 actions against recontamination; or (C) prevent hazardous clean-up
3 sites;

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

5 (v) Solid waste plans and programs under chapters 70.95, 70.95C,
6 70.95I, and 70.105 RCW;

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

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

13 (b) Funds for plans and programs must be allocated consistent with
14 the priorities and matching requirements established in chapters
15 70.105, 70.95C, 70.95I, and 70.95 RCW.

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

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

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

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

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

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

36 (C) The department may not allocate future funding to an extended
37 grant agreement unless the local government has demonstrated to the

1 department that funds awarded under the agreement during the previous
2 biennium have been substantially expended or contracts have been
3 entered into to substantially expend the funds;

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

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

13 (iv) Provide integrated planning grants to local governments to
14 fund studies necessary to facilitate remedial actions at brownfield
15 properties and adaptive reuse of properties following remediation.
16 Eligible activities include, but are not limited to: Environmental
17 site assessments; remedial investigations; health assessments;
18 feasibility studies; site planning; community involvement; land use and
19 regulatory analyses; building and infrastructure assessments; economic
20 and fiscal analyses; and any environmental analyses under chapter
21 43.21C RCW;

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

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

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

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

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

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

5 ~~((d)-(f))~~ (f) To expedite multiparty clean-up efforts, the
6 department may purchase remedial action cost-cap insurance. For the
7 2013-2015 fiscal biennium, moneys in the local toxics control account
8 may be spent on projects in sections 3024, 3035, 3036, and 3059,
9 chapter 19, Laws of 2013 2nd sp. sess.

10 (5) Except for unanticipated receipts under RCW 43.79.260 through
11 43.79.282, moneys in the state and local toxics control accounts may be
12 spent only after appropriation by statute.

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

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

36 (8) The department shall adopt rules for grant or loan issuance and
37 performance. To accelerate both remedial action and economic recovery,
38 the department may expedite the adoption of rules necessary to

1 implement chapter 1, Laws of 2013 2nd sp. sess. using the expedited
2 procedures in RCW 34.05.353. The department shall initiate the award
3 of financial assistance by August 1, 2013. To ensure the adoption of
4 rules will not delay financial assistance, the department may
5 administer the award of financial assistance through interpretive
6 guidance pending the adoption of rules through July 1, 2014.

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

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

14 **Sec. 6004.** RCW 43.160.080 and 2010 1st sp.s. c 36 s 6011 are each
15 amended to read as follows:

16 There shall be a fund in the state treasury known as the public
17 facilities construction loan revolving account, which shall consist of
18 all moneys collected under this chapter and any moneys appropriated to
19 it by law. Disbursements from the revolving account shall be on
20 authorization of the board. In order to maintain an effective
21 expenditure and revenue control, the public facilities construction
22 loan revolving account shall be subject in all respects to chapter
23 43.88 RCW. During the 2009-2011 biennium, sums in the public
24 facilities construction loan revolving account may be used for
25 community economic revitalization board export assistance grants and
26 loans in section 1018, chapter 36, Laws of 2010 1st sp. sess. and for
27 matching funds for the federal energy regional innovation cluster in
28 section 1017, chapter 36, Laws of 2010 1st sp. sess. During the 2013-
29 2015 biennium, sums in the public facilities construction loan
30 revolving account may be used for the animal disease traceability
31 project in section 3247, chapter 19, Laws of 2013 2nd sp. sess.,
32 administered by the department of agriculture.

33 NEW SECTION. **Sec. 6005.** The following acts or parts of acts are
34 each repealed:

35 (1) 2013 2nd sp.s. c 19 s 7004 (uncodified); and

36 (2) 2013 2nd sp.s. c 19 s 7013 (uncodified).

1 NEW SECTION. **Sec. 6006.** This act is necessary for the immediate
2 preservation of the public peace, health, or safety, or support of the
3 state government and its existing public institutions, and takes effect
4 immediately.

(End of bill)

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