

**FIFTY NINTH DAY**

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MORNING SESSION

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Senate Chamber, Olympia  
 Wednesday, March 9, 2022

The Senate was called to order at 10:00 o'clock a.m. by the President of the Senate, Lt. Governor Heck presiding. The Secretary called the roll and announced to the President that all Senators were present.

The Washington State Patrol Honor Guard presented the Colors.

Students of St. Stephen the Martyr Homeschool Co-Op in Renton led the Senate in the Pledge of Allegiance. The students were guests of Senator Fortunato.

The prayer was offered by Reverend Belladonna LaVeau, Aquarian Tabernacle Church, Index.

MOTION

On motion of Senator Pedersen, the reading of the Journal of the previous day was dispensed with and it was approved.

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

March 8, 2022

SGA 9408 JOCELYN P MCCURTAIN COONEY, appointed on February 7, 2022, for the term ending December 31, 2026, as Member of the Public Disclosure Commission. Reported by Committee on State Government & Elections

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Wilson, J., Ranking Member; Hunt, Chair; Kuderer, Vice Chair; Hasegawa and Hawkins.

Referred to Committee on Rules for second reading.

MOTION

On motion of Senator Pedersen, the measure listed on the Standing Committee report was referred to the committee as designated.

MOTION

On motion of Senator Pedersen, the Senate advanced to the third order of business.

MESSAGE FROM THE GOVERNOR

March 7, 2022

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON  
 Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

MARC SILVA, appointed March 7, 2022, for the term ending September 30, 2026, as Member of the Lower Columbia College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9420.

MOTION

On motion of Senator Pedersen, the appointee listed on the Gubernatorial Appointment report was referred to the committee as designated.

MOTION

On motion of Senator Pedersen, the Senate advanced to the fourth order of business.

MESSAGES FROM THE HOUSE

March 8, 2022

MR. PRESIDENT:

The House has passed:

SECOND SUBSTITUTE SENATE BILL NO. 5085,  
 SENATE BILL NO. 5898,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

March 8, 2022

MR. PRESIDENT:

The House concurred in the Senate amendments to the following bills and passed the bills as amended by the Senate:

ENGROSSED SECOND SUBSTITUTE  
 HOUSE BILL NO. 1015,

ENGROSSED SECOND SUBSTITUTE  
 HOUSE BILL NO. 1153,

SUBSTITUTE HOUSE BILL NO. 1389,  
 HOUSE BILL NO. 1430,

SUBSTITUTE HOUSE BILL NO. 1590,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1643,  
 SUBSTITUTE HOUSE BILL NO. 1655,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1673,  
 ENGROSSED SECOND SUBSTITUTE

HOUSE BILL NO. 1691,

HOUSE BILL NO. 1748,

SECOND SUBSTITUTE HOUSE BILL NO. 1751,  
 HOUSE BILL NO. 1785,

ENGROSSED SECOND SUBSTITUTE  
 HOUSE BILL NO. 1799,

SUBSTITUTE HOUSE BILL NO. 1800,  
 HOUSE BILL NO. 1805,

ENGROSSED SECOND SUBSTITUTE  
 HOUSE BILL NO. 1815,

SECOND SUBSTITUTE HOUSE BILL NO. 1835,  
 HOUSE BILL NO. 1859,

SECOND SUBSTITUTE HOUSE BILL NO. 1860,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1881,

SUBSTITUTE HOUSE BILL NO. 1901,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1956,  
 ENGROSSED SECOND SUBSTITUTE

HOUSE BILL NO. 2075,

SECOND SUBSTITUTE HOUSE BILL NO. 2078,  
 and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

March 8, 2022

MR. PRESIDENT:

The House grants the request for a conference on ENGROSSED SUBSTITUTE SENATE BILL NO. 5693. The Speaker has appointed the following members as Conferees: Representatives Ormsby, Macri, Stokesbary and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

March 8, 2022

MR. PRESIDENT:

The Speaker has signed:

SUBSTITUTE HOUSE BILL NO. 1074,  
ENGROSSED SECOND SUBSTITUTE  
HOUSE BILL NO. 1181,  
HOUSE BILL NO. 1376,  
SUBSTITUTE HOUSE BILL NO. 1571,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1630,  
SUBSTITUTE HOUSE BILL NO. 1644,  
SUBSTITUTE HOUSE BILL NO. 1646,  
SUBSTITUTE HOUSE BILL NO. 1703,  
SUBSTITUTE HOUSE BILL NO. 1725,  
SUBSTITUTE HOUSE BILL NO. 1779,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

March 8, 2022

MR. PRESIDENT:

The Speaker has signed:

ENGROSSED SENATE BILL NO. 5017,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 5078,  
SENATE BILL NO. 5196,  
SECOND ENGROSSED SUBSTITUTE  
SENATE BILL NO. 5275,  
SENATE BILL NO. 5505,  
SENATE BILL NO. 5519,  
SUBSTITUTE SENATE BILL NO. 5548,  
SUBSTITUTE SENATE BILL NO. 5590,  
SENATE BILL NO. 5615,  
SENATE BILL NO. 5624,  
SUBSTITUTE SENATE BILL NO. 5678,  
SECOND SUBSTITUTE SENATE BILL NO. 5736,  
SUBSTITUTE SENATE BILL NO. 5745,  
SENATE BILL NO. 5750,  
SUBSTITUTE SENATE BILL NO. 5756,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 5758,  
SUBSTITUTE SENATE BILL NO. 5785,  
SENATE BILL NO. 5787,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

March 8, 2022

MR. PRESIDENT:

The Speaker has signed:

SECOND SUBSTITUTE HOUSE BILL NO. 1173,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1329,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1357,  
SUBSTITUTE HOUSE BILL NO. 1616,  
SECOND SUBSTITUTE HOUSE BILL NO. 1664,  
ENGROSSED SECOND SUBSTITUTE  
HOUSE BILL NO. 1688,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1689,  
SUBSTITUTE HOUSE BILL NO. 1706,  
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.  
1723,

SUBSTITUTE HOUSE BILL NO. 1728,  
SUBSTITUTE HOUSE BILL NO. 1773,  
ENGROSSED SECOND SUBSTITUTE  
HOUSE BILL NO. 1812,  
HOUSE BILL NO. 1825,  
ENGROSSED HOUSE BILL NO. 1851,  
SECOND SUBSTITUTE HOUSE BILL NO. 1890,  
SUBSTITUTE HOUSE BILL NO. 1893,  
SUBSTITUTE HOUSE BILL NO. 1902,  
HOUSE BILL NO. 1975,  
SECOND SUBSTITUTE HOUSE BILL NO. 2008,  
SUBSTITUTE HOUSE BILL NO. 2057,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2076,  
and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

March 8, 2022

MR. PRESIDENT:

The Speaker has signed:

SENATE BILL NO. 5042,  
SENATE BILL NO. 5504,  
SENATE BILL NO. 5508,  
SENATE BILL NO. 5539,  
SUBSTITUTE SENATE BILL NO. 5558,  
SENATE BILL NO. 5565,  
SUBSTITUTE SENATE BILL NO. 5589,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 5593,  
SECOND SUBSTITUTE SENATE BILL NO. 5616,  
SENATE BILL NO. 5715,  
SUBSTITUTE SENATE BILL NO. 5765,  
SUBSTITUTE SENATE BILL NO. 5791,  
SUBSTITUTE SENATE BILL NO. 5814,  
SUBSTITUTE SENATE BILL NO. 5838,  
SENATE BILL NO. 5854,  
SUBSTITUTE SENATE BILL NO. 5862,  
SENATE BILL NO. 5895,  
SUBSTITUTE SENATE BILL NO. 5933,  
SENATE BILL NO. 5972,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

On motion of Senator Pedersen, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 5985 by Senator Fortunato

AN ACT Relating to setting a different direction on environmental policy in order to reduce the skyrocketing prices of basic goods and services; creating new sections; and repealing RCW 19.27A.200, 19.27A.210, 19.27A.220, 19.27A.230, 19.27A.240, 19.285.010, 19.285.020, 19.285.030, 19.285.040, 19.285.045, 19.285.050, 19.285.060, 19.285.070, 19.285.080, 19.285.900, 19.285.902, 19.405.010, 19.405.020, 19.405.030, 19.405.040, 19.405.050, 19.405.060, 19.405.070, 19.405.080, 19.405.090, 19.405.100, 19.405.110, 19.405.120, 19.405.130, 19.405.140, 19.405.150, 19.405.900, 19.405.901, 70A.65.005, 70A.65.010, 70A.65.020, 70A.65.030, 70A.65.040, 70A.65.050, 70A.65.060, 70A.65.070, 70A.65.080, 70A.65.090, 70A.65.100, 70A.65.110, 70A.65.120, 70A.65.130, 70A.65.140, 70A.65.150, 70A.65.160, 70A.65.170, 70A.65.180, 70A.65.190, 70A.65.200, 70A.65.210,

FIFTY NINTH DAY, MARCH 9, 2022

2022 REGULAR SESSION

70A.65.220, 70A.65.230, 70A.65.240, 70A.65.250,  
 70A.65.260, 70A.65.270, 70A.65.280, 70A.65.290,  
 70A.65.300, 70A.65.900, 70A.65.901, 70A.535.005,  
 70A.535.010, 70A.535.020, 70A.535.030, 70A.535.040,  
 70A.535.050, 70A.535.060, 70A.535.070, 70A.535.080,  
 70A.535.090, 70A.535.100, 70A.535.110, 70A.535.120,  
 70A.535.130, and 70A.535.140.

Referred to Committee on Environment, Energy & Technology.

MOTIONS

On motion of Senator Pedersen, the measure listed on the Introduction and First Reading report was referred to the committee as designated.

On motion of Senator Pedersen, the Senate advanced to the eighth order of business.

MOTION

Senator Keiser moved adoption of the following resolution:

SENATE RESOLUTION  
 8648

By Senators Keiser and King

WHEREAS, Vickie Kennedy began her 50-plus year career with the Washington State Department of Labor & Industries (L&I) in 1971 as an eager file clerk; and

WHEREAS, Vickie received her first accolades when her supervisor stated in her first evaluation that she had an excellent attitude and showed a lot of initiative by looking for better ways to do her job and improve her performance; and

WHEREAS, Vickie devoted her entire career to L&I, holding numerous positions, including secretary, editorial assistant, claims adjudicator, supervisor, program manager, assistant director for legislative and governmental affairs, and assistant director for insurance services; and

WHEREAS, Vickie has often referred to herself as a "workers' compensation policy geek"; and

WHEREAS, Many of Vickie's colleagues and staff have heard her proclaim that leading the workers' compensation system since 2013 has been her "dream job" because she was driven to make a difference for injured workers; and

WHEREAS, Vickie was always known for recognizing others for their accomplishments, especially at Public Service Recognition Week events for her staff where she was famous for photobombing; and

WHEREAS, Vickie was known as the unofficial ringleader for L&I Seahawks fans, bringing hundreds together for group photos on Blue Fridays in the agency's rotunda; and

WHEREAS, Vickie will be remembered for signing staff birthday cards with personalized "Roses are Red" poems; and

WHEREAS, Vickie received the 2016 Governor's Award for Leadership in Management for helping injured workers return to meaningful work rather than a life of disability, which helped reduce the rate of long-term disability from workplace injuries by more than nearly 15 percent; and

WHEREAS, Vickie was awarded the 2017 Joe Dear Agent of Change Award presented by L&I Director Joel Sacks for her outstanding leadership, commitment to public service, and making a difference; and

WHEREAS, Vickie sits on the Board of Directors for the International Association of Industrial Accident Boards and

Commissions (IAIABC) and also chairs its Work Disability Prevention and Return to Work Committee; and

WHEREAS, Vickie received the international Frances Perkins President's Award in 2021 from the IAIABC for demonstrating commitment and achievement in advancing workers' compensation systems throughout the world; and

WHEREAS, Vickie received the Comp Laude award in 2021 from workcompcentral.com for being a thought leader and embodying the Comp Laude mission: To change the narrative of the workers' compensation industry to a more positive dialogue; and

WHEREAS, Vickie's visionary approach to helping injured workers heal and return to work has helped them lead meaningful and productive lives while reducing the number of long-term disabled cases, cutting premium costs for workers and employers, and saving the workers' compensation system more than a billion dollars; and

WHEREAS, Vickie has become a national leader in reducing work disability by demonstrating the effectiveness of engaging workers in a return-to-work mindset early in the claim process and making it easier for workers to return to work; and

WHEREAS, Vickie led a team that has helped more than one million injured workers during her time as assistant director; and

WHEREAS, Vickie is the single most trusted voice with L&I's leadership and staff across the agency, external stakeholders, and legislators on workers' compensation policy and approaches to improve Washington's system for employers and injured workers;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate express its deepest gratitude for more than 50 years of service and sacrifice that Vickie Kennedy has given to both L&I and the State of Washington; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to Vickie Kennedy.

Senators Keiser, King, Saldaña, and Conway spoke in favor of adoption of the resolution.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Mrs. Vickie Kennedy who was present in the gallery and recognized by the Senate.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8648.

The motion by Senator Keiser carried and the resolution was adopted by voice vote.

MOTION

On motion of Senator Pedersen, the Senate reverted to the fourth order of business.

MESSAGE FROM THE HOUSE

March 8, 2022

MR. PRESIDENT:

The House refuses to concur in the Senate amendment(s) to SUBSTITUTE HOUSE BILL NO. 1876 and asks the Senate for a conference thereon. The Speaker has appointed the following members as conferees; Representatives: Valdez, Gregerson, Volz and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

On motion of Senator Hunt, the Senate granted the request of the House for a conference on Substitute House Bill No. 1876 and the Senate amendment(s) thereto by voice vote.

#### APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as members of the Conference Committee on Substitute House Bill No. 1876 and the House amendment(s) there to: Senators Hunt and Wilson, J.

#### MOTION

On motion of Senator Hunt, the appointments to the conference committee were confirmed.

#### PERSONAL PRIVILEGE

Senator Sheldon: "Thank you Mr. President. I do, I want to thank everyone for wishing me a happy birthday. It's been a, my mom said. 'You know they don't count if they don't end in, uh, fi-, uh, ze-, uh. five and zero. When they occur, They count.' So anyway, this one counts."

President Heck: "You're way past five zero. [Laughter] But Happy Birthday Senator Sheldon. You may now sit down."

Senator Sheldon: "If I might just speak to another point of personal privilege."

President Heck: "Tread carefully, please proceed."

#### PERSONAL PRIVILEGE

Senator Sheldon: "Kind of a sad subject, but I want to bring to our attention. Jerry Patten, who was a member of our security team here, passed away at Capital Medical Center in February. He was 81. He battled lymphoma. And he worked as security in the Flag Circle parking post. Now remember where that is, right outside, between here and the Temple of Justice. He was born in Seattle in 1941. He served in the U.S. Marine Corps as a Lance Corporal in the 1960s. He also served as a Deputy Sheriff in Douglas County and also near Santa Barbara. Now Jerry loved cars. He was car guy. He owned thirteen Corvettes during his lifetime. Now you get a little more picture about Jerry. He was past president of the Washington Air Stream Trailer Club. Everybody loved Air Streams, still do. So he went to many car shows and trailer events and he also was an enthusiastic member of the Sons of Italy. So, Senator Fortunato note that. So, there will be a service for Jerry on the twelfth of this month at Olympia-Lacey Church of God and he will be interred at the Tacoma National Cemetery. If you didn't know Jerry, Jerry was a really a fun guy and imagine the job of directing traffic and organizing - and demonstrations. Two, three, four thousand people would show up out there. So, he did a wonderful job. And the last point I want to make for Jerry, and this was not given to me, but he had a board, and this was the time that everyone that came through that Circle to park. Jerry had the board and you could pick the date and the time, down to the minute that we were going to adjourn sine die, Mr. President. And when those gavels dropped and you put a dollar in the kitty you were the winner. Now it might have been sixty, seventy-five dollars but it went along for quite a few years and was a lot of fun until the word came down one day, he said from the head shed, that the lotto, the game, could not continue. So, that was a sad day when that was ended. So, Jerry will be sorely missed here. He was a fine, fine gentleman. Thank you Mr. President."

Mr. Gerard Joseph "Jerry" Patten, February 19, 1941-February 3, 2022, former Senate Security staff.

#### PERSONAL PRIVILEGE

Senator Schoesler: "Thank you Mr. President. Just over thirty years ago today, or this year, I met Senator Sheldon for the first time with his colleague, Senator Hargrove, at an ALEC meeting. And for the last thirty years, they've been two of the colleagues that I've always worked with, enjoyed the company of, and we're having a celebration of sorts. I don't think Tim knows about it but there's going to be Olympic Ice Cream out in the rotunda when we break at noon, if the Floor Leader will be so gracious to make sure we are available before it melts, to celebrate the work of our colleague, Tim. For those of you that are newer, Tim has worked in tribal economic development, county economic development, public power, regional power, three-term county commissioner. More than one party as a county commissioner, one year, one term as an Independent. That was a little interesting process. I've had the privilege to spend a lot of happy afternoons in Tim's district. Hanging out, learning tree farming the way I've taught him wheat farming. Lunch with our friends. He's going to be sorely missed amongst this body for the institutional memory. Have a little card from a couple of us here because we're really grateful Tim. With your departure, Senator Honeyford and I become the most senior members of the body, if not the entire Legislature. So, there is a little something in it for me and for Jim as you leave us in seniority. There's a parking spot I want back. There is an office that looks pretty good right now. So, from all of us, for all the years, thank you very much for your service and your friendship. Thank you."

#### MESSAGE FROM THE HOUSE

March 8, 2022

MR. PRESIDENT:

The House passed SUBSTITUTE SENATE BILL NO. 5651 with the following amendment(s): 5651-S AMH THAR H2984.1

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A supplemental capital budget is hereby adopted and, subject to the provisions set forth in this act, the several dollar amounts hereinafter specified, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be incurred for capital projects during the period beginning with the effective date of this act and ending June 30, 2023, out of the several funds specified in this act.

#### PART 1

#### GENERAL GOVERNMENT

**Sec. 1001.** 2021 c 332 s 1008 (uncodified) is amended to read as follows:

#### FOR THE DEPARTMENT OF COMMERCE

Public Works Assistance Account Program 2013 Loan List (30000184)

Reappropriation:

Public Works Assistance Account—State	(( <del>\$1,523,000</del> )) \$815,000
Prior Biennia (Expenditures)	(( <del>\$32,378,000</del> )) \$31,343,000
Future Biennia (Projected Costs)	\$0
TOTAL	(( <del>\$33,901,000</del> )) \$32,158,000

**Sec. 1002.** 2021 c 332 s 1009 (uncodified) is amended to read

FIFTY NINTH DAY, MARCH 9, 2022

2022 REGULAR SESSION

as follows:

**FOR THE DEPARTMENT OF COMMERCE**

Clean Energy and Energy Freedom Program (30000726)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 6003, chapter 4, Laws of 2017 3rd sp. sess.

Reappropriation:

State Building Construction Account—State ~~(((\$6,302,000))~~  
\$6,350,000

State Taxable Building Construction Account—State  
 \$2,997,000

Subtotal Reappropriation ~~(((\$9,299,000))~~  
\$9,347,000

Prior Biennia (Expenditures) ~~(((\$31,101,000))~~  
\$31,053,000

Future Biennia (Projected Costs) \$0  
 TOTAL \$40,400,000

**Sec. 1003.** 2021 c 332 s 1014 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

2017 Local and Community Projects (30000846)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 6004, chapter 4, Laws of 2017 3rd sp. sess.

Reappropriation:

State Building Construction Account—State ~~(((\$1,750,000))~~  
\$1,763,000

Prior Biennia (Expenditures) ~~(((\$9,128,000))~~  
\$8,983,000

Future Biennia (Projected Costs) \$0  
 TOTAL ~~(((\$10,878,000))~~  
\$10,746,000

**Sec. 1004.** 2021 c 332 s 1015 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

2017-19 Housing Trust Fund Program (30000872)

(1) The ~~((reappropriations))~~ appropriations in this section are subject to the following conditions and limitations: The ~~((reappropriations))~~ appropriations are subject to the provisions of section 6001, chapter 356, Laws of 2020, except that subsection (2) of this section supersedes the requirements of section 6001(1)(f)(x), chapter 356, Laws of 2020.

(2) \$7,500,000 is provided solely for grants for high quality low-income housing projects that will quickly move people from homelessness into secure housing and are significantly less expensive to construct than traditional housing. It is the intent of the legislature that these grants serve projects with a total project development cost per housing unit of less than \$200,000, excluding the value of land, and with a commitment by the applicant to maintain the housing units for at least a 25 year period. Amounts provided that are subject to this subsection (2) must be used to plan, predesign, design, provide technical assistance and financial services, purchase land for, and build innovative low-income housing units. \$4,500,000 of the appropriation that is subject to this subsection is provided solely for innovative affordable housing in Shelton and \$3,000,000 of the appropriation that is subject to this subsection (2) is provided solely for innovative affordable housing for veterans in Orting. Mental health and substance abuse counseling services must be offered to residents of housing projects supported by appropriations in this subsection (2). \$500,000 of the appropriation for housing units in Shelton can be released for purchase of land, planning, or predesign services before the project is fully funded. \$500,000 of the appropriation for housing units in Orting can be released for purchase of land, planning, or

predesign services before the project is fully funded.

predesign services before the project is fully funded.

Reappropriation:

State Building Construction Account—State ~~(((\$5,716,000))~~  
\$6,246,000

State Taxable Building Construction Account—State  
 \$24,810,000

Washington Housing Trust Account—State \$1,578,000  
 Subtotal Reappropriation ~~(((\$32,104,000))~~  
\$32,634,000

Appropriation:

State Building Construction Account—State \$1,500,000  
Prior Biennia (Expenditures) ~~(((\$79,386,000))~~  
\$78,856,000

Future Biennia (Projected Costs) \$0  
 TOTAL ~~(((\$111,490,000))~~  
\$112,990,000

**Sec. 1005.** 2021 c 332 s 1018 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

2017-19 Building for the Arts Grant Program (30000877)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1009, chapter 2, Laws of 2018.

Reappropriation:

State Building Construction Account—State \$1,000,000  
 Prior Biennia (Expenditures) ~~(((\$11,000,000))~~  
\$10,954,000

Future Biennia (Projected Costs) \$0  
 TOTAL ~~(((\$12,000,000))~~  
\$11,954,000

**Sec. 1006.** 2021 c 332 s 1020 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

Weatherization Plus Health Matchmaker Program (30000879)

The reappropriations in this section ~~((is))~~ are subject to the following conditions and limitations: The reappropriations ~~((is))~~ are subject to the provisions of section 1014, chapter 298, Laws of 2018.

Reappropriation:

State Building Construction Account—State \$222,000  
 State Taxable Building Construction Account—State  
~~(((\$376,000))~~  
\$3,868,000

Subtotal Reappropriation \$4,090,000  
 Prior Biennia (Expenditures) ~~(((\$23,124,000))~~  
\$19,410,000

Future Biennia (Projected Costs) \$0  
 TOTAL \$23,500,000

**Sec. 1007.** 2021 c 332 s 1021 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

Clean Energy Funds 3 (30000881)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 6006, chapter 413, Laws of 2019, except that funding may not be provided for an aluminum smelter restart project in Whatcom county because this project is transitioning to the 2021-23 Clean Energy V - Investing in Washington's Clean Energy (40000148) project pursuant to section 1018 of this act.

Reappropriation:

Energy Efficiency Account—State \$5,362,000  
 State Building Construction Account—State ~~(((\$29,402,000))~~  
\$27,002,000

Subtotal Reappropriation ~~(((\$34,764,000))~~  
\$32,364,000

**Sec. 1007.** 2021 c 332 s 1021 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

Clean Energy Funds 3 (30000881)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 6006, chapter 413, Laws of 2019, except that funding may not be provided for an aluminum smelter restart project in Whatcom county because this project is transitioning to the 2021-23 Clean Energy V - Investing in Washington's Clean Energy (40000148) project pursuant to section 1018 of this act.

Reappropriation:

Energy Efficiency Account—State \$5,362,000  
 State Building Construction Account—State ~~(((\$29,402,000))~~  
\$27,002,000

Subtotal Reappropriation ~~(((\$34,764,000))~~  
\$32,364,000

**Sec. 1007.** 2021 c 332 s 1021 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

Clean Energy Funds 3 (30000881)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 6006, chapter 413, Laws of 2019, except that funding may not be provided for an aluminum smelter restart project in Whatcom county because this project is transitioning to the 2021-23 Clean Energy V - Investing in Washington's Clean Energy (40000148) project pursuant to section 1018 of this act.

Reappropriation:

Energy Efficiency Account—State \$5,362,000  
 State Building Construction Account—State ~~(((\$29,402,000))~~  
\$27,002,000

Subtotal Reappropriation ~~(((\$34,764,000))~~  
\$32,364,000

Prior Biennia (Expenditures)	\$11,336,000
Future Biennia (Projected Costs)	\$0
TOTAL	<u>(\$46,100,000)</u>
	<u>\$43,700,000</u>

**Sec. 1008.** 2021 c 332 s 1023 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

2017-19 Building Communities Fund Grant (30000883)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1015, chapter 2, Laws of 2018.

Reappropriation:

State Building Construction Account—State	<u>(\$1,700,000)</u>
	<u>\$1,884,000</u>
Prior Biennia (Expenditures)	<u>(\$26,200,000)</u>
	<u>\$25,379,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	<u>(\$27,900,000)</u>
	<u>\$27,263,000</u>

**Sec. 1009.** 2021 c 332 s 1025 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

Early Learning Facility Grants (40000006)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 1005, chapter 298, Laws of 2018.

Reappropriation:

Early Learning Facilities Development Account—State	\$999,000
Early Learning Facilities Revolving Account—State	<u>(\$3,000,000)</u>
	<u>\$3,062,000</u>
Subtotal Reappropriation	<u>(\$3,999,000)</u>
	<u>\$4,061,000</u>
Prior Biennia (Expenditures)	<u>(\$11,501,000)</u>
	<u>\$11,404,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	<u>(\$15,500,000)</u>
	<u>\$15,465,000</u>

**Sec. 1010.** 2021 c 332 s 1036 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

2019-21 Early Learning Facilities (40000044)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 1006, chapter 356, Laws of 2020.

Reappropriation:

State Building Construction Account—State	\$8,000,000
Early Learning Facilities Revolving Account—State	\$20,000,000
Early Learning Facilities Development Account—State	<u>(\$1,500,000)</u>
	<u>\$1,839,000</u>
Subtotal Reappropriation	<u>(\$29,500,000)</u>
	<u>\$29,839,000</u>
Prior Biennia (Expenditures)	<u>(\$5,520,000)</u>
	<u>\$5,181,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	<u>\$35,020,000</u>

**Sec. 1011.** 2021 c 332 s 1046 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

CERB Administered Broadband Infrastructure (91000943)

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

(1) ~~(The appropriation and reappropriations are subject to the~~

~~provisions of section 1008, chapter 298, Laws of 2018.~~

(2)) The board may make rural broadband loans and grants to local governments and to federally recognized Indian tribes for the purposes of financing the cost to build infrastructure to provide high-speed, open-access broadband service, to rural and underserved communities, for the purposes of economic development or community development. However, no more than 50 percent of all financial assistance approved by the board in any biennium may consist of grants to local governments or federally recognized Indian tribes.

(2) Application for funding must be made in the form and manner as the board may prescribe. In making grants or loans the board must conform to the following requirements:

(a) The board may not provide financial assistance:

(i) For a project the primary purpose of which is to facilitate or promote a retail shopping development or expansion;

(ii) For any project that evidence exists would result in a development or expansion that would displace existing jobs in any other community in the state;

(iii) For a project the primary purpose of which is to facilitate or promote gambling;

(iv) For a project located outside the jurisdiction of the applicant local government or federally recognized Indian tribe; or

(v) For the deployment of publicly-owned telecommunication network infrastructure ("backbone") solely for the sake of creating competitive, publicly-owned telecommunication network infrastructure.

(b) The board may provide financial assistance only for projects located in a rural community as defined by the board, or located in a rural county, that encourage, foster, develop, and improve broadband within the state in order to:

(i) Drive job creation, promote innovation, and expand markets for local businesses;

(ii) Serve the ongoing and growing needs of local education systems, health care systems, public safety systems, industries and businesses, governmental operations, and citizens; and

(iii) Improve accessibility for underserved communities and populations.

(c) An application must be approved by the local government and supported by the local associate development organization or local workforce development council or approved by the governing body of the federally recognized Indian tribe.

(d) The board may allow de minimis general system improvements to be funded if they are critically linked to the viability of the project.

(e) When evaluating and prioritizing projects, the board must give consideration, at a minimum, to the following factors:

(i) The project's value to the community, including evidence of support from affected local businesses and government;

(ii) The project's feasibility, using standard economic principles;

(iii) Commitment of local matching resources and local participation;

(iv) The project's inclusion in a capital facilities plan, comprehensive plan, or local economic development plan consistent with applicable state planning requirements; and

(v) The project's readiness to proceed.

(3) A responsible official of the local government or the federally recognized Indian tribe must be present during community economic revitalization board deliberations and provide information that the board requests.

(4) Before any financial assistance application is approved, the local government or the federally recognized Indian tribe seeking the assistance must demonstrate to the community economic revitalization board that no other timely source of funding is

FIFTY NINTH DAY, MARCH 9, 2022

2022 REGULAR SESSION

available to it at costs reasonably similar to financing available from the board.

(5) The appropriations must be used for projects that use a technology-neutral approach in order to expand access at the lowest cost to the most unserved or underserved residents.

(6) For purposes of this section:

(a) "Broadband" means networks of deployed telecommunications equipment and technologies necessary to provide high-speed internet access and other advanced telecommunications services.

(b) "Local governments" means cities, towns, counties, municipal corporations, public port districts, quasi-municipal corporations, and special purpose districts.

Reappropriation:

Public Works Assistance Account—State	\$3,450,000
State Taxable Building Construction Account—State	\$6,600,000
Subtotal Reappropriation	\$10,050,000

Appropriation:

Coronavirus Capital Projects Account—Federal	\$25,000,000
Prior Biennia (Expenditures)	\$3,400,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$38,450,000

**NEW SECTION. Sec. 1012.** A new section is added to 2021 c 332 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

CERB Rural Broadband (40000250)

The appropriation in this section is subject to the following conditions and limitations: \$25,000,000 of the general fund—federal appropriation in this section is provided solely as expenditure authority for grant funding received by the department for the broadband equity, access, and deployment state grants program in section 60102 of P.L. 117-58 (infrastructure investment and jobs act), not to exceed the actual amount of grant funding awarded. Expenditure of the amount in this subsection is contingent on the receipt of this grant funding. If the department does not receive the grant funding by June 30, 2023, the expenditure authority in this section shall lapse.

Appropriation:

General Fund—Federal	\$25,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$25,000,000

**NEW SECTION. Sec. 1013.** A new section is added to 2021 c 332 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

Public Works Broadband (40000251)

The appropriation in this section is subject to the following conditions and limitations: \$25,000,000 of the general fund—federal appropriation in this section is provided solely as expenditure authority for grant funding received by the department for the broadband equity, access, and deployment state grants program in section 60102 of P.L. 117-58 (infrastructure investment and jobs act), not to exceed the actual amount of grant funding awarded. Expenditure of the amount in this subsection is contingent on the receipt of this grant funding. If the department does not receive the grant funding by June 30, 2023, the expenditure authority in this section shall lapse.

Appropriation:

General Fund—Federal	\$25,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$25,000,000

**Sec. 1014.** 2021 c 332 s 1055 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

Seattle Vocational Institute (40000136)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 1009, chapter 356, Laws of 2020.

Reappropriation:

State Building Construction Account—State	<del>(\$1,105,000)</del>	\$1,106,000
State Taxable Building Construction Account—State		\$175,000
Subtotal Reappropriation	<del>(\$1,280,000)</del>	\$1,281,000
Prior Biennia (Expenditures)	<del>(\$20,000)</del>	\$19,000
Future Biennia (Projected Costs)		\$0
TOTAL		\$1,300,000

**Sec. 1015.** 2021 c 332 s 1058 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

2021-23 Public Works Assistance Account—Construction (40000141)

Appropriation:

Public Works Assistance Account—State	<del>(\$129,000,000)</del>	\$249,000,000
Prior Biennia (Expenditures)		\$0
Future Biennia (Projected Costs)		\$0
TOTAL	<del>(\$129,000,000)</del>	\$249,000,000

**Sec. 1016.** 2021 c 332 s 1061 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

2021-23 CERB Capital Construction (40000144)

Appropriation:

Public Facility Construction Loan Revolving Account—State	\$10,000,000
State Taxable Building Construction Account—State	\$15,000,000
<u>Capital Community Assistance Account—State</u>	<u>\$40,000,000</u>
Subtotal Appropriation	<del>(\$25,000,000)</del>
	\$65,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	<del>(\$25,000,000)</del>
	\$65,000,000

**Sec. 1017.** 2021 c 332 s 1063 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

2021-23 Library Capital Improvement Program (LCIP) Grants (40000147)

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

(1) The appropriation in this section is provided solely for a local library capital improvement grant program for the following list of projects:

City of Colville	\$264,000
Sno-Isle Regional Inter-County Libraries (Langley)	\$700,000
Stevens County Rural Library District (Loon Lake)	\$649,000
Stevens County Rural Library District (Chewelah)	\$90,000
North Olympic Library System (Sequim)	\$2,000,000
Spokane County Library District (Spokane Valley)	\$2,000,000
Jefferson County Rural Library District (Port Hadlock)	\$285,000
Stevens County Rural Library District (Northport)	\$50,000
North Central Regional Library (Wenatchee)	\$798,000
City of Seattle	\$1,889,000

Pend Oreille County Library District (Metaline Falls)	\$40,000
Upper Skagit Library District (Concrete)	\$209,000
City of Cashmere	\$14,000
Town of Coulee City	\$760,000
Sno-Isle Regional Inter-County Libraries (Darrington)	\$250,000
Fort Vancouver Regional Library Foundation (Woodland)	\$2,000,000
City of Mount Vernon	\$2,000,000
<del>((Sno-Isle Regional Inter-County Libraries (Lake Stevens)</del>	<del>\$1,100,000))</del>
Camas Library Improvements (Camas)	\$515,000
Ephrata Public Library (Ephrata)	\$91,000
Lake Stevens Early Learning Library (Lake Stevens)	\$2,000,000

(2) The department must establish a competitive process to solicit proposals for and prioritize projects whose primary objective is to assist libraries operated by governmental units, as defined in RCW 27.12.010, in acquiring, constructing, repairing, or rehabilitating facilities.

(3) The department must establish a committee to develop the grant program criteria and review proposals. The committee must be composed of five members as provided in this subsection. The committee must include: (a) A representative from the department of commerce; (b) a representative from the department of archaeology and historic preservation; (c) the state librarian; (d) a representative from a library district; and (e) a representative from a municipal library.

(4) The department must conduct a statewide solicitation of project applications. The department must evaluate and rank applications in consultation with the committee established in subsection (3) of this section, using objective criteria. The ranking of projects must prioritize library district facilities listed on a local, state, or federal register of historic places and those located in distressed or rural counties. The evaluation and ranking process must also include an examination of existing assets that applicants propose to apply to projects. Grant assistance under this section may not exceed 50 percent of the total cost of the project. The nonstate portion of the total project cost may include cash, the value of real property when acquired solely for the purpose of the project, and in-kind contributions.

(5) The department must submit a prioritized list of recommended projects to the governor and the legislature by October 1, 2022, for inclusion in the department of commerce's 2023-2025 biennial capital budget request. The list must include a description of each project, the amount of recommended state funding, and documentation of nonstate funds to be used for the project. Individual grants may not exceed \$2,000,000. The total amount of recommended state funding for the projects on a biennial project list may not exceed \$10,000,000.

(6) In contracts for grants authorized under this section, the department must include provisions that require that capital improvements be held by the grantee for a specified period of time appropriate to the amount of the grant and that facilities be used for the express purpose of the grant. If the grantee is found to be out of compliance with provisions of the contract, the grantee must repay to the state general fund the principal amount of the grant plus interest calculated at the rate of interest on state of Washington general obligation bonds issued on the date most close in time to the date of authorization of the grant.

(7) The department must assist grant recipients under this section to apply for applicable competitive federal grant funding and, upon receipt of any such funding, an equal amount of the state building construction account—state appropriation must be placed in unallotted status.

Appropriation:

State Building Construction Account—State	<del>(\$17,704,000)</del>
	<u>\$16,604,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$30,000,000
TOTAL	<del>(\$47,704,000)</del>
	<u>\$46,604,000</u>

**Sec. 1018.** 2021 c 332 s 1064 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

2021-23 Clean Energy V - Investing in Washington's Clean Energy (40000148)

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

(1) The appropriations in this section are provided solely for projects that provide a benefit to the public through development, demonstration, and deployment of clean energy technologies that save energy and reduce energy costs, reduce harmful air emissions, or increase energy independence for the state. Priority must be given to projects that benefit vulnerable populations and overburdened communities, including tribes and communities with high environmental or energy burdens.

(2) The 2021 state energy strategy must guide the department in the design of programs under this section, using an equity and environmental justice lens for program structure and participation. To the extent practicable, the department must prioritize projects that build upon Washington's existing strengths in communities, aerospace, maritime, information and communications technology (particularly data center infrastructure, artificial intelligence and machine learning), grid modernization, advanced materials, and decarbonizing the built environment.

(3) Subject to the availability of funds, the department must reconvene an advisory committee to support involvement of a broad range of stakeholders in the design and implementation of programs implemented under this section to encourage collaboration, leverage partners, and engage communities and organizations in improving the equitable distribution of benefits from the program.

(4) In soliciting and evaluating proposals, awarding contracts, and monitoring projects under this section, the department must:

(a) Ensure that competitive processes, rather than sole source contracting processes, are used to select all projects, except as otherwise noted in this section; and

(b) Conduct due diligence activities associated with the use of public funds including, but not limited to, oversight of the project selection process, project monitoring, and ensuring that all applications and contracts fully comply with all applicable laws including disclosure and conflict of interest statutes.

(5) During project solicitation periods for grants funded with this appropriation, the department must maintain a list of applicants by grant program that scored competitively but did not receive a grant award due to lack of available funding. These applicants must be considered for funding during future grant award cycles. If the department submits a 2022 supplemental budget request for this program, the request must include a list of prioritized projects by grant type.

(6)(a) Pursuant to chapter 42.52 RCW, the ethics in public service act, the department must require a project applicant to identify in application materials any state of Washington employees or former state employees employed by the firm or on the firm's governing board during the past 24 months. Application materials must identify the individual by name, the agency previously or currently employing the individual, job title or position held, and separation date. If it is determined by the department that a conflict of interest exists, the applicant may be disqualified from further consideration for award of funding.



FIFTY NINTH DAY, MARCH 9, 2022

2022 REGULAR SESSION

(b) If the department finds, after due notice and examination, that there is a violation of chapter 42.52 RCW, or any similar statute involving a grantee who received funding under this section, either in procuring or performing under the grant, the department in its sole discretion may terminate the funding grant by written notice. If the grant is terminated, the department must reserve its right to pursue all available remedies under law to address the violation.

(7) The requirements in subsections (4) and (6) of this section must be specified in funding agreements issued by the department.

(8) \$17,594,000 of the state building construction account—state appropriation is provided solely for grid modernization grants.

(a)(i) \$11,000,000 is provided solely for projects that: Advance community resilience, clean and renewable energy technologies and transmission and distribution control systems; support integration of renewable energy sources, deployment of distributed energy resources and sustainable microgrids; and support state decarbonization goals pursuant to the clean energy transformation act, including requirements placed upon retail electric utilities.

(ii) Projects must be implemented by community organizations, local governments, federally recognized tribal governments, or by public and private electrical utilities that serve retail customers in the state (retail electric utilities). Projects submitted by applicants other than retail electric utilities must demonstrate partnership with their load serving entity to apply. Priority must be given to:

(A) Projects that benefit vulnerable populations, including tribes and communities with high environmental or energy burden; and

(B) Projects that demonstrate partnerships between eligible applicants in applying for funding, including utilities, public and private sector research organizations, businesses, tribes, and nonprofit organizations.

(iii) The department shall develop a grant application process to competitively select projects for grant awards, to include scoring conducted by a group of qualified experts with application of criteria specified by the department. In development of the application criteria, the department shall, to the extent possible, develop program guidelines that encourage smaller utilities or consortia of small utilities to apply for funding. Where suitable, this may include funding for projects consisting solely of planning, predesign and/or predevelopment activities.

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

(b) \$3,550,000 of the appropriation in this section is provided solely for a grant to the Public Utility District No. 1 of Lewis county for land acquisition and construction of the Winlock Industrial Park and South County Substation and Transmission facility, located on North Military Road in Winlock.

(c) \$3,044,000 of the appropriation in this section is provided solely for a grant to the Klickitat County Public Hospital District #1 for the Electrical Upgrade and Smart Grid project at the Klickitat Valley Health Hospital in Goldendale.

(9) \$10,830,000 of the state building construction account—state appropriation is provided solely for grants for strategic research and development for new and emerging clean energy technologies. These grants must be used to match federal or other nonstate funds to research, develop, and demonstrate clean energy technologies, focusing on areas that help develop technologies to meet the state's climate goals, offer opportunities for economic and job growth, and strengthen technology supply chains. The program may include, but is not limited to: Solar technologies,

advanced bioenergy and biofuels, development of new earth abundant materials or lightweight materials, advanced energy storage, recycling energy system components, and new renewable energy and energy efficiency technologies.

(a) \$5,000,000 of the appropriation in this section is provided solely for competitive grants.

(b) \$4,800,000 of the appropriation in this section is provided solely for a grant to the Pacific Northwest National Laboratory for a renewable energy platform to support ocean energy research and development testbeds for the Marine and Coastal Research Laboratory in Sequim.

(c) \$1,030,000 of the appropriation in this section is provided solely for a grant to the Chelan County Public Utility District for the hydroelectric turbine hub project at Rocky Reach dam near Wenatchee.

(10)(a) \$2,500,000 of the state taxable building construction account—state appropriation is provided solely as grants to nonprofit lenders to create a revolving loan fund to support the widespread use of proven energy efficiency and renewable energy technologies by households, or for the benefit of households, with high energy burden or environmental health risk now inhibited by lack of access to capital.

(b) The department shall provide grant funds to one or more competitively selected nonprofit lenders that must provide matching private capital and administer the loan fund. The department shall select the loan fund administrator or administrators through a competitive process, with scoring conducted by a group of qualified experts, applying criteria specified by the department.

(c) The department must establish guidelines that specify applicant eligibility, the screening process, and evaluation and selection criteria. The guidelines must be used by the nonprofit lenders.

(11) \$5,550,000 of the state building construction account—state appropriation is provided solely for grants to demonstrate innovative approaches to electrification of transportation systems.

(a)(i) \$3,000,000 of the appropriation is provided solely for competitive grants, prioritizing projects that:

(A) Demonstrate meaningful and enduring benefits to communities and populations disproportionately burdened by air pollution, climate change, or lack of transportation investments;

(B) Beneficially integrate load using behavioral, software, hardware, or other demand-side management technologies, such as demand response, time-of-use rates, or behavioral programming;

(C) Accelerate the transportation electrification market in Washington using market transformation principles; or

(D) Develop electric vehicle charging and hydrogen fueling infrastructure along highways, freeways, and other heavily trafficked corridors across the state to support long-distance travel.

(ii) Projects must be implemented by local governments, federally recognized tribal governments, by public and private electrical utilities that serve retail customers in the state, or state agencies. Eligible parties may partner with other public and private sector research organizations and businesses in applying for funding. The department shall consult and coordinate with the Washington state department of transportation on project selection and implementation. The department shall also coordinate with other state agencies that have other electrification programs, in order to determine to optimally accomplish each agency's respective policy and program goals.

(iii) Projects must be related to on-road end-uses and nonmaritime off-road uses.

(iv) Eligible technologies for these projects include, but are not

limited to:

- (A) Battery electric vehicle supply equipment;
- (B) On-site generation or storage, where the technology directly supplies electricity to the electric vehicle supply equipment;
- (C) Electric grid distribution system infrastructure upgrades, where the upgrade is needed as a result of the installed electric vehicle supply equipment;
- (D) Hydrogen refueling station infrastructure that:
  - (I) Dispenses renewable hydrogen or hydrogen produced in Washington with electrolysis; and
  - (II) Aligns with the 2021 state energy strategy's recommended uses of hydrogen in the transportation sector.
- (v) \$2,000,000 of the state building construction account—state appropriation is provided solely for federally recognized tribal governments and for local governments in rural communities, for projects aligning with the above objectives and addressing electric vehicle supply infrastructure gaps in rural communities.

(b) \$2,550,000 of the appropriation in this section is provided solely for a grant to the Lewis Public Transportation Benefit Area to construct a hydrogen fueling station that dispenses renewable hydrogen or hydrogen produced in Washington with electrolysis for electric vehicles at Exit 74 on Interstate 5, near Chehalis.

(12)(a) \$10,000,000 of the state building construction account—state appropriation is provided solely for the purpose of building electrification projects that advance the goals of the 2021 state energy strategy to demonstrate grid-enabled, high-efficiency, all electric buildings.

(b) The program may include, but is not limited to: Shifting from fossil fuels to high-efficiency electric heat pumps and other electric equipment, control systems that enable grid integration or demand control, and on-site renewable generation and efficiency measures that significantly reduce building energy loads.

(c) Preference must be given to projects based on total greenhouse gas emissions reductions, accelerating the path to zero-energy, or that demonstrate early adoption of grid integration technology.

(d) Program funding may be administered to entities also receiving incentives provided according to RCW 19.27A.220 for buildings covered by the state energy performance standard, RCW 19.27A.210.

(e) \$5,000,000 of the appropriation in this section is provided solely for the purpose of supporting the transition of residential and commercial buildings away from fossil fuels through the installation of high-efficiency electric heat pumps and other electric equipment.

(13) \$4,924,000 of the state building construction account—state appropriation is provided solely for maritime electrification grants.

(a) \$4,450,000 of the appropriation in this section is provided solely for a grant to the Northwest Seaport Alliance to upgrade the reefer plug capacity at the Port of Seattle's Terminal 5, located in west Seattle.

(b) \$474,000 of the appropriation in this section is provided solely for a grant to the Skagit County Public Works Department for electric ferry charging infrastructure in Anacortes.

(14) \$4,900,000 of the state building construction account—state appropriation is provided solely for the department to develop targeted rural clean energy innovation projects as provided in this subsection (14).

(a) \$150,000 of the appropriation is provided solely for the department to develop targeted rural clean energy strategies informed by rural community and business engagement, outreach, and research. The department must convene a rural energy work group to identify investments, programs, and policy

changes that align with the 2021 state energy strategy and increase access to clean energy opportunities in rural communities and agricultural and forestry management practices. The group must identify existing federal funding opportunities and strategies to leverage these funds with state capital investment. By June 30, 2022, the department shall report recommendations and findings from the rural energy work group to the office of financial management, the governor, and the appropriate legislative committees and present a strategic plan for state rural clean energy investment.

(b) \$4,750,000 of the appropriation is provided solely for rural clean energy innovation grants.

(i) The department must award at least 40 percent of the funding to projects that enhance the viability of dairy digester bioenergy projects through advanced resource recovery systems that produce renewable natural gas and value-added biofertilizers, reduce greenhouse gas emissions, and improve soil health and air and water quality.

(ii) Grants may also be awarded to other clean energy innovation projects in rural communities, including, but not limited to, projects that enhance energy efficiency, demand response, energy storage, renewable energy, beneficial electrification, resilience, organic waste management, and biological carbon sequestration.

(iii) Grants may fund project predevelopment, research, and development, pilot projects, strategic implementation, field trials, and data dashboards and tools to inform rural project development.

(c) The department is encouraged to make 20 percent of the funds under (b) of this subsection (14) to tribal governments, designated subdivisions, and agencies.

(d) If a grant is awarded to purchase heating devices or systems, the agency must, whenever possible and most cost effective, select devices and systems that do not use fossil fuels.

(15) \$10,072,000 of the state building construction account—state appropriation is provided solely for the first phase of an aluminum smelter restart project which, when fully deployed, will reduce emissions of greenhouse gases by a minimum of 750,000 tons per year, increase energy efficiency, and protect or create aluminum manufacturing jobs located in Whatcom county. It is the intent of the legislature that if the appropriation in this subsection is not spent by June 30, 2025, the funding provided in this subsection shall not be reappropriated.

(16) \$10,000,000 of the state building construction account—state appropriation is provided solely for the Grant county public utility district for expenses related to public infrastructure development benefiting a large-scale solar manufacturing facility in central Washington. If the department has not received a signed agreement between the Grant county public utility district and the large-scale solar manufacturer indicating the manufacturer's intent to develop the site in central Washington by December 31, 2025, the funding provided in this subsection shall not be reappropriated.

Appropriation:

State Building Construction Account—State	(( <del>\$53,798,000</del> ) \$73,870,000)
State Taxable Building Construction Account—State	\$2,500,000
Subtotal Appropriation	(( <del>\$56,298,000</del> ) \$76,370,000)
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$100,000,000
TOTAL	(( <del>\$156,298,000</del> ) \$176,370,000)

**Sec. 1019.** 2021 c 332 s 1066 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

2021-23 Weatherization Plus Health (40000150)

The appropriations in this section ~~(is)~~ are subject to the following conditions and limitations:

(1) \$5,000,000 of the ~~state building construction account—state~~ appropriation in this section is provided solely for grants for the Washington State University energy extension community energy efficiency program (CEEP) to support homeowners, tenants, and small business owners in making sound energy efficiency investments by providing consumer education and marketing, workforce support through training and lead generation, and direct consumer incentives for upgrades to existing homes and small commercial buildings. This is the maximum amount the department may expend for this purpose.

(2) The department, in collaboration with the Washington State University, shall make recommendations to the appropriate committees of the legislature on strategies to expand and align the weatherization program and the rural rehabilitation loan program. The department shall report the recommendations to the appropriate committees of the legislature and the governor by November 1, 2022. The recommendations must include strategies to:

(a) Recruit community energy efficiency program sponsors that are community-based organizations located in geographic areas of the state that have not received funding for low-income weatherization programs, targeting hard to reach market segments;

(b) Leverage funding from community energy efficiency program sponsors in an amount greater than or equal to the amount provided by the state through the weatherization program;

(c) Ensure that community energy efficiency program utility sponsors work with non-profit community-based organizations to deliver community energy efficiency program services; and

(d) Identify community energy efficiency program sponsors that support the conversion of space and water heating from fossil fuels to electricity, as part of a set of energy efficiency investments.

(3) If funding from this appropriation is used to purchase heating devices or systems, the agency shall, whenever possible and most cost effective, select devices and systems that do not use fossil fuels.

(4) \$69,766,000 of the general fund—federal appropriation in this section is provided solely as expenditure authority for grant funding received by the department for the weatherization assistance program in section 40551 of P.L. 117-58 (infrastructure investment and jobs act), not to exceed the actual amount of grant funding awarded. Expenditure of the amount in this subsection is contingent on the receipt of this grant funding. If the department does not receive the grant funding by June 30, 2023, the expenditure authority in this section shall lapse.

Appropriation:

State Building Construction Account—State	\$10,000,000
<u>General Fund—Federal</u>	<u>\$69,766,000</u>
Capital Community Assistance Account—State	\$10,000,000
<u>Subtotal Appropriation</u>	<u>\$89,766,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$50,000,000
TOTAL	( <del>\$60,000,000</del> )
	<u>\$139,766,000</u>

**Sec. 1020.** 2021 c 332 s 1068 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

2021-23 Housing Trust Fund Investment in Affordable Housing (40000153)

The appropriations in this section are subject to the following

conditions and limitations:

(1) (~~(\$129,903,000)~~) \$58,347,000 of the state taxable building construction account—state appropriation ~~(and)~~, \$73,606,000 of the coronavirus state fiscal recovery fund—federal appropriation, \$20,000,000 of the state building construction account—state appropriation, and \$96,028,000 of the capital community assistance account—state appropriation are provided solely for production and preservation of affordable housing projects that serve and benefit low-income and special needs populations including, but not limited to, people with chronic mental illness, people with developmental disabilities, farmworkers, people who are homeless, and people in need of permanent supportive housing. The department shall strive to allocate at least 30 percent of these funds to projects located in rural areas of the state, as defined by the department.

(a) In addition to the definition of "first-time home buyer" in RCW 43.185A.010, for the purposes of awarding homeownership projects during the 2021-2023 fiscal biennium "first-time home buyer" also includes:

(i) A single parent who has only owned a home with a former spouse while married;

(ii) An individual who is a displaced homemaker as defined in 24 C.F.R. Sec. 93.2 as it existed on the effective date of this section, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section, and who has only owned a home with a spouse;

(iii) An individual who has only owned a principal residence not permanently affixed to a permanent foundation in accordance with applicable regulations; or

(iv) An individual who has only owned a property that is discerned by a licensed building inspector as being uninhabitable.

(b) \$5,000,000 of the appropriation provided in this subsection (1) is provided solely for housing that serves people with developmental disabilities;

(c)(i) \$20,000,000 of the appropriation in this subsection (1) is provided solely for housing preservation grants or loans to be awarded competitively.

(ii) The funds may be provided for major building improvements, preservation, and system replacements, necessary for the existing housing trust fund portfolio to maintain long-term viability. The department must require a capital needs assessment be provided prior to contract execution. Funds may not be used to add or expand the capacity of the property.

(iii) To allocate preservation funds, the department must review applications and evaluate projects based on the following criteria:

(A) The age of the property, with priority given to buildings that are more than 15 years old;

(B) The population served, with priority given to projects with at least 50 percent of the housing units being occupied by families and individuals at or below 50 percent area median income;

(C) The degree to which the applicant demonstrates that the improvements will result in a reduction of operating or utilities costs, or both;

(D) The potential for additional years added to the affordability period of the property; and

(E) Other criteria that the department considers necessary to achieve the purpose of this program.

(d) \$25,000,000 of the capital community assistance account—state appropriation in subsection (1) of this section is provided to nonprofit agencies for the development of homeownership projects affordable to low-income households throughout the state.

(2) \$10,000,000 of the state building construction account—state appropriation is provided solely for grant awards for the

development of community housing and cottage communities to shelter individuals or households experiencing homelessness.

(a) \$8,775,000 of the state building construction account—state appropriation is provided solely for competitive grant awards. This funding must be awarded to projects that develop a minimum of four individual structures in the same location. Individual structures must contain insulation, electricity, overhead lights, and heating. Kitchens and bathrooms may be contained within the individual structures or offered as a separate facility that is shared with the community. When evaluating applications for this grant program, the department must prioritize projects that demonstrate:

- (i) The availability of land to locate the community;
- (ii) A strong readiness to proceed to construction;
- (iii) A longer term of commitment to maintain the community;
- (iv) A commitment by the applicant to provide, directly or through a formal partnership, case management and employment support services to the tenants;
- (v) Access to employment centers, health care providers, and other services; and
- (vi) A community engagement strategy.

(b) \$1,225,000 of the state building construction account—state appropriation is provided solely for Eagle Haven Cottage Village located in Bellingham.

(3)(a) \$11,500,000 of the state taxable building construction account—state appropriation is provided solely for the following list of projects:

Bellwether Affordable Housing (Seattle)	\$4,000,000
Didgwalic Transitional Housing (Anacortes)	\$4,500,000
Redondo Heights TOD (Federal Way)	\$3,000,000

(b) \$3,497,000 of the state building construction account—state appropriation is provided solely for the following list of projects:

Habitat for Humanity (North Bend)	\$250,000
Manette Affordable Housing Project (Bremerton)	\$515,000
OlyCAP Port Townsend Affordable Housing and Child (Port Townsend)	\$412,000
Shelton Young Adult Transitional Housing (Shelton)	\$515,000
Willapa Center (Raymond)	\$1,805,000

(4) ~~\$14,922,000 of the capital community assistance account—state appropriation in subsection (1) of this section is provided for the following list of projects:~~

<u>Boat Street (Lakewood)</u>	<u>\$464,000</u>
<u>Heron Park (Langley)</u>	<u>\$875,000</u>
<u>Highland Village (Airway Heights)</u>	<u>\$3,000,000</u>
<u>Mary's Place Burien Project Shelter Replacement (Burien)</u>	<u>\$3,000,000</u>
<u>Oxford Housing Program (Lacey)</u>	<u>\$515,000</u>
<u>Skyway Affordable Housing and Early Learning (Skyway)</u>	<u>\$500,000</u>
<u>Sno Valley Senior Housing (Carnation)</u>	<u>\$309,000</u>
<u>South Park Riverside Affordable Housing Preservation (Seattle)</u>	<u>\$309,000</u>
<u>Squire Park Plaza Affordable Housing Preservation (Seattle)</u>	<u>\$3,000,000</u>
<u>Veteran Housing &amp; Resource Ctr (Raymond)</u>	<u>\$2,300,000</u>
<u>Yakima Valley Partners Habitat for Humanity (Yakima)</u>	<u>\$650,000</u>

(5) In evaluating projects in this section, the department must give preference for applications based on some or all of the criteria in RCW 43.185.070(5).

~~((5))~~ (6) The appropriations in this section are subject to the following reporting requirements:

(a) By June 30, 2023, the department must report on its website the following for every previous funding cycle: The number of homeownership and multifamily rental projects funded by

housing trust fund moneys; the percentage of housing trust fund investments made to homeownership and multifamily rental projects; and the total number of households being served at up to 80 percent of the area median income, up to 50 percent of the area median income, and up to 30 percent of the area median income, for both homeownership and multifamily rental projects.

(b) Beginning December 1, 2021, and continuing annually, the department must provide the legislature with a report of its final cost data for each project under this section. Such cost data must, at a minimum, include total development cost per unit for each project completed within the past year, descriptive statistics such as average and median per unit costs, regional cost variation, and other costs that the department deems necessary to improve cost controls and enhance understanding of development costs. The department must coordinate with the housing finance commission to identify relevant development costs data and ensure that the measures are consistent across relevant agencies.

~~((6))~~ (7) \$100,000 of the state building construction account—state appropriation is provided solely for the department of social and health services to complete a study of the community-based housing needs of adults with intellectual and developmental disabilities. The department of social and health services shall collaborate with appropriate stakeholders and the department in completing this study and the study shall:

(a) Estimate the number of adults with intellectual and developmental disabilities who are facing housing insecurity;

(b) Make recommendations for how to improve housing stability for adults with intellectual and developmental disabilities who are facing housing insecurity;

(c) Make recommendations for how to increase the capacity of developers to support increasing the supply of housing that meets the needs of the intellectual and developmental disabilities population; and

(d) Be submitted to the appropriate committees of the legislature no later than December 1, 2022.

~~((7))~~ (8) The legislature finds that there are insufficient data sources to identify adults with intellectual and developmental disabilities facing housing insecurity in Washington state and that the absence of reliable data limits the ability for the legislature to make informed decisions that will improve the outcomes of these individuals. The legislature further finds that reliable, current information about the unmet housing needs of this population will position Washington state to leverage community-based partnerships and funding to establish greater housing choice and increased community integration of individuals with intellectual and developmental disabilities.

Appropriation:

State Building Construction Account—State	\$33,597,000
State Taxable Building Construction Account—State	<del>(\$141,403,000)</del>
	<u>\$69,847,000</u>
Coronavirus State Fiscal Recovery Fund—Federal	<u>\$73,606,000</u>
Capital Community Assistance Account—State	<u>\$110,950,000</u>
Subtotal Appropriation	<del>(\$175,000,000)</del>
	<u>\$288,000,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$620,000,000
TOTAL	<del>(\$795,000,000)</del>
	<u>\$908,000,000</u>

**Sec. 1021.** 2021 c 332 s 1071 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

2021-23 Rapid Capital Housing Acquisition (40000222)

The appropriations in this section ~~((8))~~ are subject to the following conditions and limitations:

FIFTY NINTH DAY, MARCH 9, 2022

2022 REGULAR SESSION

(1) Except as provided in subsections (7) through ~~((9))~~ (8) of this section, the appropriations in this section ~~((is))~~ are provided solely for the department to issue competitive financial assistance to eligible organizations under RCW 43.185A.040 to acquire or rent real property for a rapid conversion into enhanced emergency shelters, permanent supportive housing, transitional housing, permanent housing, youth housing, drop-in center, or shelter for extremely low-income people, as well as individuals, families, unaccompanied youth, and young people experiencing sheltered and unsheltered homelessness. Amounts provided in this section may be also used for renovation and building update costs associated with establishment of the acquired or rented facilities. For youth housing, drop-in centers, and shelter projects, renovation of existing properties is an allowable activity. The department may only approve funding for projects resulting in increased shelter or housing capacity. Amounts provided in this section may not be used for operating or maintenance costs associated with providing housing, supportive services, or debt service.

(2) Funds may also be used for permanent financing for real estate acquired using other short term acquisition sources. To expand availability of permanent housing, financing of acquisition of unoccupied multifamily housing is a priority. Funds must also be provided specifically for the city of Seattle to move people experiencing unsheltered homelessness into safe spaces, including, but not limited to, tiny homes, hotels, enhanced emergency shelters, or other rapid housing alternatives.

(3) While emphasizing the rapid deployment of the amounts appropriated under this section to alleviate the immediate crisis of homelessness throughout the state, the department shall establish criteria for the issuance of the grants, ~~((which may include provisions that require that capital improvements be held by the grantee for a specified period of time appropriate to the amount of the grant,))~~ during which time the property must be used for the express purpose of the grant. If the grantee is found to be out of compliance with provisions of the contract, the grantee shall repay to the state general fund the principal amount of the grant plus interest calculated at the rate of interest on state of Washington general obligation bonds issued on the date most close in time to the date of authorization of the grant. The criteria must include:

(a) The date upon which structural modifications or construction would begin and the anticipated date of completion of the project;

(b) A detailed estimate of the costs associated with the acquisition and any updates or improvements necessary to make the property habitable for its intended use;

(c) A detailed estimate of the costs associated with opening the beds or units; and

(d) A financial plan demonstrating the ability to maintain and operate the property and support its intended tenants throughout the end of the grant contract.

(4) The department must provide a progress report on its website by December 1, 2022. The report must include:

(a) The total number of applications and amount of funding requested; and

(b) A list and description of the projects approved for funding including state funding, total project cost, services anticipated to be provided, housing units, and anticipated completion date.

(5) The funding provided under this section is not subject to the 90-day application periods in RCW 43.185.070 or 43.185A.050. The department of commerce shall dispense funds to the city of Seattle and other qualifying applicants within 45 days of receipt of documentation from the applicant for qualifying uses and execution of any necessary contracts with the department in order

to effect the purpose of rapid deployment of funds under this section.

(6) If the department receives simultaneous applications for funding under this program, proposals that reach the greatest public benefit, as defined by the department, must be prioritized. For purposes of this subsection (6), "greatest public benefit" must include, but is not limited to:

(a) The greatest number of accommodations or increased shelter capacity that will benefit extremely low-income people, as well as individuals, families, and youth experiencing homelessness.

(b) Whether the project has federally funded rental assistance tied to it;

(c) The scarcity of the affordable housing or shelter capacity applied for compared to the number of available affordable housing units or shelter capacity in the same geographic location; and

(d) The program's established funding priorities under RCW 43.185.070(5).

~~(7) (\$900,000 of the state building construction account—state appropriation in this section is provided solely for the public building conversion pilot program. The pilot program must be implemented in Grays Harbor county in collaboration with Community House on Broadway, in partnership with CORE Health.~~

~~(a) The appropriation may be used only for costs related to rehabilitation, retrofitting, and conversion of the publicly owned building for use as housing for homeless persons.~~

~~(b) The appropriation may not be used for staffing or maintaining buildings converted to housing for homeless persons. Costs for staffing and maintenance must be borne by the county or the contractor.~~

~~(c) In the contract for the pilot program, the department shall include provisions that require that capital improvements be held by the grantee for a specified period of time appropriate to the amount of the grant and that facilities be used for the express purpose of the grant. If the grantee is found to be out of compliance with provisions of the contract, the grantee shall repay to the state general fund the principal amount of the grant plus interest calculated at the rate of interest on state of Washington general obligation bonds issued most closely to the date of authorization of the grant.~~

~~(d) The pilot program should help inform the development of a public building conversion grant program to encourage counties to convert unused, publicly owned buildings into housing for homeless persons. The department must report to the office of financial management and fiscal committees of the legislature by November 1, 2022, regarding the establishment of the pilot program and any recommendations related to implementation of a public building conversion grant program.~~

~~(8) \$17,800,000))~~ \$17,500,000 of the state building construction account—state appropriation is provided solely for the following list of projects:

\$5,000,000 for the Tacoma Housing Authority affordable housing acquisition;

\$4,000,000 for the Keiro nursing home acquisition in Seattle;

\$1,500,000 for the Parkland/Spanaway homeless shelter;

~~(\$300,000 for the Concord apartments acquisition in Seattle);)~~

\$2,000,000 for the ((Eastgate supportive housing)) Illahee Affordable Housing project in Bellevue; and

\$5,000,000 for the City of Seattle for the acquisition of the Clay Apartments in partnership with a low-income housing provider.

~~((9))~~ (8)(a) (((\$7,903,000 of the coronavirus capital projects account—federal)) \$6,565,000 of the coronavirus state fiscal recovery account—federal appropriation and \$1,338,000 of the

state building construction account—state appropriation ((is)) are provided solely for the following list of youth housing projects identified by the office of homeless youth protection and prevention programs:

- FYRE's Village: Housing Stability for Young Adults (Omak) \$3,350,000
- NWYS Young Adult Shelter Services (Bellingham)\$438,000
- OlyCap Pfeiffer House (Port Townsend) \$127,000
- Ryan's House for Youth Campus (Coupeville) \$1,015,000
- Shelton Young Adult Transitional Housing (Shelton)\$773,000
- Volunteers of America Crosswalk 2.0 (Spokane) \$2,200,000

(b) If funding provided in (a) of this subsection needs to be reallocated, the department shall consult with the office of homeless youth prevention and protection programs to identify other eligible youth housing projects.

(9) The department must ensure compliance with conditions of the federal coronavirus state fiscal recovery fund. All expenditures from the coronavirus state fiscal recovery account—federal appropriation in this section must be obligated by December 31, 2024.

Appropriation:	
State Building Construction Account—State	<del>(\$90,000,000)</del>
	\$90,138,000
<del>((Coronavirus Capital Projects Account Federal</del>	<del>\$30,435,000))</del>
<u>Coronavirus State Fiscal Recovery Fund—Federal</u>	<u>\$29,097,000</u>
Subtotal Appropriation	<del>(\$120,435,000)</del>
	\$119,235,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	<del>(\$120,435,000)</del>
	\$119,235,000

**Sec. 1022.** 2021 c 332 s 1075 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

2022 Local & Community Projects (40000230)

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

(1) The department may not expend the appropriation in this section unless and until the nonstate share of project costs have been either expended or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by the legislature. This requirement does not apply to projects where a share of the appropriation is for design costs only.

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

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

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

(5) In contracts for grants authorized under this section, the department must include provisions that require that capital improvements be held by the grantee for a specified period of time appropriate to the amount of the grant and that facilities be used for the express purpose of the grant. If the grantee is found to be out of compliance with provisions of the contract, the grantee shall repay to the state general fund the principal amount of the grant plus interest calculated at the rate of interest on state of

Washington general obligation bonds issued most closely to the date of authorization of the grant.

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

(7) The department must comply with the requirements set forth in executive order 21-02 and must consult with the department of archaeology and historic preservation and affected tribes on the potential effects of these projects on cultural resources and historic properties. Consultation with the department of archaeology and historic preservation and affected tribes must be initiated before project funds are made available.

(8)(a) The appropriation is provided solely for the following list of projects:

Adams County Property/Evidence Processing Facility (Othello)	\$900,000
Amara 29 Acre Opportunity in Pierce County (Tacoma)	\$246,000
American Lake Park ADA Improvement Project (Lakewood)	\$258,000
American Legion Building Renovation (Goldendale)	\$262,000
American Legion Veterans Housing & Resource Ctr (Raymond)	\$88,000
Arlington Innovation Center (Arlington)	\$372,000
Ashley House (Spokane)	\$552,000
<u>Auburn Resource Center (Auburn)</u>	<u>\$1,500,000</u>
Aurora Commons Acquisition (Seattle)	\$2,500,000
Ballinger Park - Hall Creek Restoration (Mountlake Terrace)	\$824,000
Battle Ground HealthCare Free Clinic Relocation (Battle Ground)	\$1,000,000
Bellevue High School Automotive Dynamometer Install (Bellevue)	\$277,000
Bigelow House Museum Preservation (Olympia)	\$52,000
BIPOC Artist Installation at Kraken Training Center (Seattle)	\$155,000
Brewery Park Visitor Center (Tumwater)	\$1,200,000
Bridges To Home (Shoreline)	\$2,000,000
Camp Kilworth - YMCA Day Camp/Environmental Educ (Federal Way)	\$1,030,000
Campus Towers Roofing Project (Longview)	\$301,000
Capitol Theatre Curtains/Soft Goods Replacement (Yakima)	\$250,000
Central Klickitat County Parks Improvements (Goldendale)	\$25,000
Chehalis Centralia Steam Locomotive Repair/Restore (Chehalis)	\$123,000
<u>Chelan Municipal Airport Extension (Chelan)</u>	<u>\$5,700,000</u>
Children's Village Neurodevelopmental Center Expansion (Yakima)	\$750,000
City of Wenatchee Community Center (Wenatchee)	\$2,500,000
Civic Park Mika's Playground (Edmonds)	\$258,000
Clallam Joint Emergency Services (Port Angeles)	<del>(\$1,200,000)</del>
	\$1,700,000
Class A Biosolids Dryer (Yelm)	\$850,000
Clemans View Park (Naches)	\$442,000
Coastal Community Action Program Service Ctr (Aberdeen)	\$500,000
Communications Tower (Ocean Shores)	\$77,000
Community Action Resource and Training Center (Omak)	\$400,000
Community Multi-Use Center (Carnation)	\$1,030,000
Cornforth Campbell Demolition & Infrastructure (Puyallup)	\$330,000

FIFTY NINTH DAY, MARCH 9, 2022

2022 REGULAR SESSION

Coulee City Medical Clinic (Coulee City)	\$846,000	Joya Child & Family Development Center (Spokane)	\$1,200,000
Coulon North Water Walk Repair and Enhancement (Renton)	\$1,339,000	JV Memorial Pool Roof (Oak Harbor)	\$250,000
Coupeville Boys & Girls Club (Coupeville)	<del>(\$1,030,000)</del>	Kitsap Lake Park Renovation & Accessibility (Bremerton)	\$258,000
	<u>\$1,236,000</u>	Kittitas Valley Healthcare Laboratory Services Reno (Ellensburg)	\$397,000
Cow Skull Creek and Rushingwater Creek Acclimation Ponds (Orting)	\$690,000	La Center City Hall Improvements (La Center)	\$1,236,000
Craft Beverage Lab & Instrumentation (Tumwater)	\$773,000	Lake Lawrence Fire Station (Yelm)	\$515,000
Cross Park Trail and Picnic Shelter (Tacoma)	\$206,000	Lake Sacajawea Renovation Project (Longview)	\$900,000
CSML Food Bank Facility (Moses Lake)	\$1,900,000	Lake Stevens Civic Center Phase 3 (Lake Stevens)	\$2,100,000
Cultural Anchor Village (Tukwila)	\$1,500,000	Lakefront Property Acquisition (Lake Forest Park)	\$432,000
Curran House Museum (University Place)	\$85,000	LASA Client Services Center (Lakewood)	\$515,000
Dawson Place Facilities (Everett)	\$258,000	Leavenworth Ski Hill ADA Restroom (Leavenworth)	\$52,000
Day/Night House Exhibit Rebuild - Design Phase (Seattle)	\$300,000	Lewis County Public Safety Radio Infrastructure (Chehalis)	\$129,000
Daybreak Star Indian Cultural Center (Seattle)	\$2,600,000	Lewis County Youth Services Renovation and Addition (Chehalis)	\$824,000
Delridge Wetland Park (Seattle)	\$244,000	LGBTQ-Affirming Senior Center (Seattle)	\$1,030,000
Des Moines North Marina Bulkhead Replacement Ph II (Des Moines)	\$2,000,000	Links to Opportunity (Tacoma)	\$2,000,000
Doris Morrison Learning Center (Greenacres)	\$1,030,000	Little League Field Improvement (Federal Way)	\$200,000
Downtown Puyallup Redevelopment Infrastructure (Puyallup)	\$257,000	Longview Hospice Care Center Renovation (Longview)	\$765,000
Downtown Revitalization (Blaine)	\$500,000	Lopez Island Swim Center (Lopez Island)	\$245,000
Duffy's Pond Pathway Completion (Kennewick)	\$38,000	Lynnwood Neighborhood Center (Lynnwood)	\$500,000
Early Learning Facility Project for Licensed Childcare (Hoquiam)	\$721,000	Maddie's Place (Spokane)	\$644,000
East County Family Resource Center Renovation (Washougal)	\$721,000	Madrona Day Treatment School (Bremerton)	\$321,000
Edmonds Marsh Restoration (Edmonds)	\$258,000	Magnuson Park Hangar 2 (Seattle)	\$1,130,000
Edmonds Waterfront Center (Edmonds)	\$250,000	Main Street Phase 2 (Mountlake Terrace)	\$1,200,000
Ejido Farm Project (Everson)	\$200,000	Mariner Community Campus (Everett)	\$1,670,000
Ellensburg Masonic Temple (Ellensburg)	\$258,000	Martin Luther King Center Improvements (Pasco)	\$1,000,000
Ellensburg Rodeo Grandstands (Ellensburg)	\$1,500,000	Mary's Place Shelter Renovation (Burien)	\$352,000
Ephrata Rec Center Upgrade (Ephrata)	\$621,000	Marysville Trail Connector (Marysville)	\$515,000
Esther's Home (Pasco)	\$1,000,000	Mason County Veterans Memorial Hall Refurbishment (Shelton)	\$62,000
Ethiopian Community Affordable Housing (Seattle)	\$3,000,000	McKinney Center Renovations (Seattle)	\$1,000,000
Extruded Curb Improvements (Kirkland)	\$515,000	Meadowglen Community Park (Spokane)	\$77,000
Family Engagement Center (Seattle)	\$1,030,000	Medical Examiner's Facility Upgrades (Spokane)	\$600,000
Felts Field Gateway Project (Spokane)	\$400,000	Miller Park (Yakima)	\$642,000
Ferry County Airport Runway Lighting System (Republic)	\$450,000	MLK Community Center Roof Replacement (Spokane)	\$1,380,000
Flag Plaza Redevelopment (Kennewick)	\$46,000	Moses Lake Business Incubator (Moses Lake)	\$1,313,000
FOE Meeting and Dance Hall (Puyallup)	\$77,000	Mountain Rescue Center (North Bend)	\$222,000
Fourth Plain Community Commons (Vancouver)	\$1,236,000	Nelson Dam Removal Project (Naches)	\$1,325,000
Franklin Pierce Farm Agricultural Resource Center (Tacoma)	\$3,900,000	New Ground Kirkland (Kirkland)	\$258,000
Frontier Park - Goat Barn Roof (Graham)	\$89,000	Next Chapter Morgan Shelter (Tacoma)	\$16,000
Frontier Park-Horse Arena Cover (Graham)	\$1,811,000	NJROTC/NNDC Program Peninsula School District (Gig Harbor)	\$170,000
Garfield Pool Upgrade (Garfield)	\$500,000	North Bend Depot Rehab (North Bend)	\$151,000
Gas Station Park Improvements (Tacoma)	\$515,000	North Clear Zone Land Acquisition (Lakewood)	\$1,400,000
Gold Mountain Communications Zone - Upgraded Telecomm (Bremerton)	\$835,000	North Creek Trail (Bothell)	\$618,000
Granger Historical Society Museum (Granger)	\$300,000	North Seattle Boys & Girls Club Safety Upgrades (Seattle)	\$361,000
Green Lake Community Boathouse (Seattle)	\$100,000	Northwest Kidney Centers Clinic (Port Angeles)	\$900,000
Grounds Improvement Proposal (Ritzville)	\$150,000	Ocean Beach Medical Group - Ilwaco Clinic (Ilwaco)	\$309,000
Health Care Kiosk Deployment (Federal Way)	\$75,000	Panther Lake Community Park (Kent)	\$2,000,000
Historic Downtown Chelan Infrastructure Predesign (Chelan)	\$150,000	Patterson Park Preservation & Upgrade (Republic)	\$300,000
Immigrant and Refugee Community Hub (Tukwila)	\$960,000	Pedestrian Overcrossing Replacement (Kalama)	\$2,250,000
Island County Criminal Justice Renovation (Coupeville)	\$600,000	Perfect Passage (Tonasket)	\$1,698,000
IT3 Discovery Center (Ridgefield)	\$1,350,000	Perry Technical Institute Auditorium Renovation (Yakima)	\$1,550,000
Japanese Gulch Daylighting (Mukilteo)	\$206,000	Peter Kirk Community Center Roof and Retrofitted Emerg (Kirkland)	\$773,000
Jim Kaemingk Sr. Trail (Lynden)	\$200,000	Phase 1 Master Plan - COVID Mitigation (Lake Stevens)	

	\$103,000	Valley)	\$750,000
Phase 1 of Trails Plan Improvements (Issaquah)	\$251,000	Sprinkler Recreation Center Outdoor Improvements (Tacoma)	
Planning & Upgrades Edmonds Boys & Girls Club (Edmonds)	\$200,000	Squire's Landing Park Waterfront & Open Space Access Pr	\$400,000
Point Hudson Breakwater (Port Townsend)	\$1,000,000	(Kenmore)	\$927,000
Police Station Renovations - City of Duvall (Duvall)	\$107,000	Steilacoom Tribal Cultural Center (Steilacoom)	\$814,000
Port of Olympia Marine Center (Olympia)	\$250,000	Stonehenge Memorial Public Restroom Project (Maryhill)	\$129,000
Port of Vancouver Waterfront T1 Building Demo/Deconst	\$1,000,000	Sultan Basin Park Design (Sultan)	\$26,000
(Vancouver)	\$1,000,000	Sumas Sidewalks and Trails (Sumas)	\$75,000
Port Susan Trail (Stanwood)	\$742,000	Teaching & Commercial Kitchen (Kent)	\$515,000
Port Townsend Affordable Housing Development (Port	\$1,400,000	The Campaign for Wesley Des Moines (Des Moines)	\$500,000
Townsend)	\$1,400,000	The Eli's Park Project (Seattle)	\$900,000
Proclaim Liberty Affordable Housing (Spokane)	\$2,000,000	The Ethiopian Village (Seattle)	\$515,000
Project Chairlift: Lifting Up Washington State ((Chair - 1)	\$750,000	The Hilltop (Tacoma)	\$1,545,000
(Mead)	\$750,000	The Landing (Redmond)	\$258,000
Pts of Ilwaco/Chinook Nav Infrastructure (Ilwaco & Chinook)	\$634,000	The Millworks (Bellingham)	\$1,000,000
Public Pavilion for Shoreline Park (Shoreline)	\$361,000	The Podium (Spokane)	\$774,000
Puyallup Recreation Center (Puyallup)	\$1,030,000	The Way Station (Bellingham)	\$4,050,000
Puyallup Valley Cultural Heritage Center (Puyallup)	\$335,000	Therapeutic Play Spaces (Spokane)	\$108,000
Rainier View Covered Court (Sumner)	\$245,000	Tiny (( <del>Homes</del> ) <u>House Villages and Cottages</u> (Seattle)	\$2,000,000
Ramstead Regional Park (Everson)	\$1,500,000	Together Center (Redmond)	\$1,030,000
Redmond Senior and Community Center (Redmond)	\$1,250,000	Toppenish Junior Livestock Facility Planning (Toppenish)	\$21,000
Redondo Fishing Pier (Des Moines)	\$900,000	Trails End Community Meeting Space (Tumwater)	\$155,000
Replacement Hospice House (Richland)	\$900,000	Treatment Plant Remodel (Duvall)	\$742,000
Resource Center Planning (Pasco)	\$250,000	Turf Field Lighting (Yakima)	\$500,000
Ridgefield I-5 Pedestrian Screen (Ridgefield)	\$335,000	Turning Pointe Youth Advocacy Addition (Shelton)	\$82,000
Ridgefield YMCA (Ridgefield)	\$258,000	Twisp Civic Center (Twisp)	\$1,500,000
Ridgetop DNR Trust Land Purchase (Silverdale)	\$2,050,000	United Way of King County Building Restoration (Seattle)	\$566,000
Ritzville Downtown Improvements (Ritzville)	\$105,000	University Heights Center Renovation (Seattle)	\$595,000
Sargent Oyster House Restoration (Allyn)	\$344,000	Upper Kittitas County Medic One - Station 99 (Cle Elum)	\$784,000
School Based Health Care Clinic (Tacoma)	\$750,000	Vaughn Library Hall Restoration (Vaughn)	\$103,000
SE 168th St. Bike Lanes/Safe Crossings (Renton)	\$500,000	Wards Lake Park Improvement Project (Lakewood)	\$258,000
Seattle Aquarium Expansion (Seattle)	\$2,000,000	Water Efficiency Improvements (Royal City)	\$193,000
Seattle Kraken Multisport Courts (Seattle)	\$103,000	Wenas Creek Screening, Passage Engineering Design (Selah)	\$150,000
Selah-Moxee Irrigation District (Moxee)	\$300,000	West Biddle Lake Dam Restoration (Vancouver)	\$1,881,000
Seminary Hill Natural and Heritage Trail Project (Centralia)	\$52,000	Whatcom County Integrated Public Safety Radio System	\$400,000
Sheffield Trail (Fife)	\$1,030,000	(Bellingham)	\$400,000
Shipleigh Senior Center (Sequim)	\$463,000	Woodland Scott Hill Park & Sports Complex (Woodland)	\$600,000
Shoreline Parks Restrooms (Shoreline)	\$412,000	Yakima County Fire Communications Radio Repeaters	\$103,000
SIHB Thunderbird Treatment Center (Seattle)	\$309,000	(Yakima)	\$103,000
Silver Crest Park (Mill Creek)	\$90,000	Yakima Valley Fair (Grandview)	\$235,000
Skabob House Cultural Center Art Studio (Skokomish)	\$500,000	Yelm Senior Center Repairs (Yelm)	\$36,000
Skagit County Morgue (Mount Vernon)	\$139,000	Youth Resource Center (Federal Way)	\$82,000
Sky Valley Teen Center (Sultan)	\$773,000	(b) The funding for the Magnuson Park Historic Hanger 2	
<u>Sno-Isle Regional Inter-County Libraries (Lake Stevens)</u>	<u>\$1,100,000</u>	(Seattle) project is contingent on the contribution of at least	
Snohomish County Food and Farming Center (Everett)	\$2,550,000	\$6,000,000 for the Magnuson Park Center For Excellence. If the	
Snoqualmie Valley Youth Activity Center (North Bend)	\$361,000	Magnuson Park Center For Excellence has not certified to the	
Soap Lake City Hall Reactivation (Soap Lake)	\$157,000	department of commerce that the project has secured at least	
SoCo Park (Covington)	\$1,300,000	\$6,000,000 in total funding for the capital phase of the project by	
South Bend School Multi-Use Field Upgrades (South Bend)	\$361,000	July 31, 2022, the funds in this subsection (8)(b) shall lapse. The	
South Kitsap Community Events Center (Port Orchard)	\$1,236,000	lapse date of July 31, 2022, must be extended to the same extent	
South Kitsap HS Phys Ed Support (Port Orchard)	\$15,000	that the city of Seattle grants an extension, if any, beyond that date	
Southwest Washington Grain Project (Chehalis)	\$1,750,000	for the same project, provided that no further extension may be	
Spokane Public Radio (Spokane)	\$1,000,000	granted past July 31, 2023. The Magnuson Park Center For	
Spokane Valley Boys & Girls Club (Spokane Valley)	\$1,030,000	Excellence must ensure that the long-term lease with Seattle	
Spokane Valley Fairgrounds Exhibition Center (Spokane)		Parks and Recreation stipulates meaningful public benefits that	
		prioritize low-income, black, indigenous, and people of color	
		youth and families of the Magnuson park and neighborhood and	



FIFTY NINTH DAY, MARCH 9, 2022

2022 REGULAR SESSION

Northeast Seattle. The lease must include provisions to proactively recruit and provide no-cost access to the residents as well as the creation of a scholarship fund dedicated to the residents for the center's events and programming. Additional public benefits to improve accessibility for Magnuson Park residents must be considered in the lease negotiations.

Appropriation:

State Building Construction Account—State	( <del>\$160,910,000</del> )
	<u>\$169,916,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	( <del>\$160,910,000</del> )
	<u>\$169,916,000</u>

**NEW SECTION. Sec. 1023.** A new section is added to 2021 c 332 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

Economic Opportunity Grants Authority (40000246)

Appropriation:

Rural Washington Loan Account—State	\$903,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$903,000

**NEW SECTION. Sec. 1024.** A new section is added to 2021 c 332 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

2022 Rapid Capital Housing Acquisition (40000260)

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

(1)(a) \$207,628,000 of the capital community assistance account—state appropriation in this section is provided solely for the department to issue competitive financial assistance to eligible organizations under RCW 43.185A.040 to acquire real property for a rapid conversion into enhanced emergency shelters, permanent supportive housing, transitional housing, permanent housing, youth housing, or shelter for extremely low-income people, as well as individuals, families, unaccompanied youth, and young people experiencing sheltered and unsheltered homelessness. The department shall prioritize housing projects that will rapidly move people experiencing unsheltered homelessness into housing, including, but not limited to, individuals living in unsanctioned encampments, the public rights-of-way, or other public spaces. Amounts provided in this section may also be used for renovation and building update costs associated with establishment of the acquired facilities. The department may only approve funding for projects resulting in increased shelter or housing capacity. Amounts provided in this section may not be used for operating or maintenance costs associated with providing housing, supportive services, or debt service.

(b) \$20,000,000 of the capital community assistance account—state appropriation in this section is provided solely for housing projects in rural areas as defined by the department under RCW 43.185.050 and underserved communities with the goal of maximizing the investment and increasing the number of supportive housing units in rural, underserved communities.

(c) \$2,000,000 of the capital community assistance account—state appropriation in this section is provided solely for the Woodley Place by Bayside Housing and Services project in Port Hadlock.

(d) \$172,000 of the capital community assistance account—state appropriation in this section is provided solely for Building Transitional Tiny Homes for the Homeless project in Seattle.

(e) \$200,000 of the capital community assistance account—state appropriation in this section is provided solely for the department to contract and work with a professional real estate

broker to identify opportunities for rapid acquisition or conversion of properties.

(f) \$10,000,000 of the capital community assistance account—state appropriation in this section is provided solely for unexpected cost increases experienced by projects funded by prior rapid capital appropriations. The department must create a process by which providers that received prior rapid capital awards may request additional funding for unexpected costs of affordable housing projects that are under or ready for construction

(g) When selecting projects, the department shall balance the state's interest in quickly approving and financing projects, the degree to which the project will leverage other funds, the extent to which the project promotes racial equity, and the extent to which the project will promote priorities on a statewide basis, including in rural areas and in geographically diverse parts of the state.

(h) Amounts appropriated under this section may also be used for permanent financing for real estate acquired using other short-term acquisition sources. To expand availability of permanent housing, financing of acquisition of multifamily housing is a priority.

(i) While emphasizing the rapid deployment of the amounts appropriated under this section to alleviate the immediate crisis of homelessness throughout the state, the department shall use criteria for the issuance of funds that were developed to administer prior rapid capital appropriations, and which must include:

(i) The date upon which the units can be placed in service and occupied by the intended population, or the date any necessary structural modifications would begin and the anticipated date of completion of the project;

(ii) A detailed estimate of the costs associated with the acquisition and any updates or improvements necessary to make the property habitable for its intended use;

(iii) A detailed estimate of the costs associated with placing the beds or units in service; and

(iv) A financial plan demonstrating the ability to maintain and operate the property and support its intended tenants.

(j) If the recipient is found to be out of compliance with provisions of the contract, the recipient shall repay to the state general fund the principal amount of the award plus interest calculated at the rate of interest on state of Washington general obligation bonds issued on the date most close in time to the date of authorization of the award.

(k) The department must provide a progress report on its website by December 30, 2023. The report must include:

(i) The total number of applications and amount of funding requested; and

(ii) A list and description of the projects approved for funding including state funding, total project cost, services anticipated to be provided, housing units, and anticipated completion date.

(l) The funding provided under this section is not subject to the 90-day application periods in RCW 43.185.070 or 43.185A.050.

(m) The department shall prioritize proposals that reach the greatest public benefit, as defined by the department. For purposes of this subsection (1)(m), "greatest public benefit" must include, but is not limited to:

(i) The rapid transition of people living unsheltered or chronically homeless, into housing;

(ii) The greatest number of accommodations or increased shelter capacity that will benefit extremely low-income people, as well as individuals, families, and youth experiencing homelessness;

(iii) Whether the project has local funding commitments and

rental assistance;

(iv) The scarcity of the affordable housing or shelter capacity applied for compared to the number of available affordable housing units or shelter capacity in the same geographic location; and

(v) The program's established funding priorities under RCW 43.185.070(5).

(n) The department must strive to allocate all of the amounts appropriated in this section within the 2021-2023 fiscal biennium in the manner prescribed in this section. However, if upon review of applications the department determines there are not adequate suitable projects in (a) of this subsection, the department may allocate funds to (f) of this subsection or to projects serving other low-income and special needs populations, provided those projects are located in an area with an identified need for the type of housing proposed.

(2) \$60,000,000 of the apple health and homes account—state appropriation in this section is provided solely for the rapid permanent supportive housing program created under chapter . . . , Laws of 2022 (Engrossed Substitute House Bill No. 1866) and the creation of a housing dashboard providing permanent supportive housing need and current capacity data. Of the amounts in this subsection, \$1,500,000 is provided solely for the St. Agnes Haven project in Spokane. If Engrossed Substitute House Bill No. 1866 is not enacted by June 30, 2022, the amount provided in this subsection shall lapse.

Appropriation:

Capital Community Assistance Account—State	\$240,000,000
Apple Health and Homes Account—State	\$60,000,000
Subtotal Appropriation	\$300,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$300,000,000

**NEW SECTION. Sec. 1025.** A new section is added to 2021 c 332 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

2022 Crisis Stabilization Facilities (92001286)

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

(1)(a) The appropriation in this section is provided solely for the department to issue grants to expand and establish new capacity for 23-hour crisis triage facilities, crisis stabilization facilities with capacity up to 16 beds, and youth residential crisis triage and stabilization facilities, that are not subject to federal funding restrictions that apply to institutions of mental disease. Eligible grantees are limited to nonprofit or for-profit businesses, public entities, and tribes, that are also community hospitals or other community-based behavioral health providers. Facilities of less than 16 beds are permitted, but the department shall consider, as a factor in awards, the economies of scale created by facilities with higher numbers of beds and the operational costs and funding sources available to the applicant.

(b) The department shall work with the department of health, health care authority, and other relevant agencies to ensure that there is equitable distribution of these projects across the state, relative to need, and shall work affirmatively with all behavioral health administrative services organizations regions, with the goal that all areas of the state are adequately served.

(c) The department shall ascertain the areas of Washington state with the most acute behavioral health crisis needs using emergency department data and other data available including existing and forthcoming committed capacity and shall ensure that these areas receive grants to help facilitate placement and construction of facilities in an expeditious manner.

(2) Amounts provided in this section may be used for construction and equipment costs associated with establishment

of the facilities. The department may approve funding for the acquisition of a facility if the project will result in increased crisis triage and stabilization capacity. Amounts provided in this section may not be used for operating costs associated with the treatment of patients using these services.

(3) \$12,000,000 of the appropriation in this section is provided solely for the department to issue grants for at least two residential crisis triage and stabilization facilities for youth. These facilities must increase behavioral health services and capacity for children and minor youth including, but not limited to, services for substance use disorder treatment, sexual assault and traumatic stress, anxiety, depression, suicidality, and interventions for children exhibiting aggressive or depressive behaviors.

(4)(a) \$10,000,000 of the appropriation in this section is provided solely for the King County Crisis Walk-In/Stabilization; and

(b) \$12,000,000 of the appropriation in this section is provided solely for the Lynnwood Community Recovery Center.

(5) The department must provide a progress report to the fiscal committees of the legislature by March 1, 2023. The report must include:

(a) The total number of applications and amount of funding requested; and

(b) A list and description of the projects approved for funding including state funding, total project cost, services anticipated to be provided, bed capacity, and anticipated completion date.

Appropriation:

Capital Community Assistance Account—State	\$72,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$72,000,000

**NEW SECTION. Sec. 1026.** A new section is added to 2021 c 332 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

2023 Local and Community Projects (40000266)

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

(1) The department may not expend the appropriation provided in this section unless and until the nonstate share of project costs have been either expended or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by the legislature. This requirement does not apply to projects where a share of the appropriation is for design costs only.

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

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

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

(5) In contracts for grants authorized under this section, the department must include provisions that require that capital improvements be held by the grantee for a specified period of time appropriate to the amount of the grant and that facilities be used for the express purpose of the grant. If the grantee is found to be out of compliance with provisions of the contract, the grantee shall repay to the state general fund the principal amount of the grant plus interest calculated at the rate of interest on state of Washington general obligation bonds issued most closely to the date of authorization of the grant.

FIFTY NINTH DAY, MARCH 9, 2022

2022 REGULAR SESSION

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

(7) The department must comply with the requirements set forth in executive order 21-02 and must consult with the department of archaeology and historic preservation and affected tribes on the potential effects of these projects on cultural resources and historic properties. Consultation with the department of archaeology and historic preservation and affected tribes must be initiated before project funds are made available.

(8) The appropriation is provided solely for the following list of projects:

57th Avenue Sewer Project (University Place)	\$100,000
988 Expansion (Everett)	\$300,000
Accessibility and Upgrades for WHO (Vancouver)	\$283,000
Allyn Community Center (Allyn)	\$300,000
Anacortes Family Center (Anacortes)	\$50,000
Ballard Boys & Girls Club Teen Ctr Remodel & Expansion (Seattle)	\$241,000
Black Diamond Community Skatepark (Black Diamond)	\$85,000
Boys & Girls Club Fire Safety Upgrade (Federal Way)	\$361,000
Bremerton Library Building - HVAC (Bremerton)	\$412,000
Burton Water Company Cooperative Conversion (Vashon)	\$26,000
Camp Korey Internet & Telemedicine (Mount Vernon)	\$330,000
Children's Therapy Center (Tacoma)	\$250,000
CHOB Electrical Upgrade to Emergency Shelter (Longview)	\$258,000
City Hall Preservation Phase II (Enumclaw)	\$289,000
City of Tenino Playground (Tenino)	\$515,000
City of Yelm Dog Park (Yelm)	\$52,000
Civil Air Patrol Hangar (Ephrata)	\$1,200,000
Columbia Basin Dive Rescue's New Boat (Richland)	\$270,000
Communication Devices for Football Officials (Olympia)	\$36,000
Community Boating Center for All - Magnuson Park (Seattle)	\$100,000
Confluence Health Treatment Center (Moses Lake)	\$1,236,000
Craft Beverage (Tumwater)	\$200,000
Darrington Wood Innovation Center (Darrington)	\$1,700,000
Edmonds Boys & Girls Club Feasibility Study (Edmonds)	\$206,000
Electrical & Safety Upgrades at N Seattle Boys & Girls (Seattle)	\$304,000
Eli's Park Project (Seattle)	\$200,000
Elks 1450 Roof Replacement (Puyallup)	\$381,000
Felts Field Gateway Project (Spokane)	\$200,000
Ferndale Civic and Community Campus (Ferndale)	\$1,500,000
Field Arts and Events Hall	\$250,000
Fircrest Campus Master Plan (Shoreline)	\$300,000
First Street Downtown Revitalization (Cle Elum)	\$465,000
Flooring Replacement Kirkland Boys & Girls Club (Kirkland)	\$53,000
Foss Waterway Seaport Public Restrooms (Tacoma)	\$258,000
Frontier Park Goat Barns (Graham)	\$70,000
GenPride LGBTQ+ Senior Community Center (Seattle)	\$530,000
GH Senior Center Office/Education Container (Gig Harbor)	\$61,000
Goldsborough Switching Station (Shelton)	\$103,000

Granger Historical Society New Museum Project (Granger)	\$100,000
Harlequin Productions Theater Renovation (Olympia)	\$250,000
Harper Estuary Restoration and Bridge Construction (Port Orchard)	\$100,000
Historic Neptune Theatre HVAC Upgrade (Seattle)	\$100,000
Historic Newcastle Cemetery (Newcastle)	\$75,000
Historic Paramount Theatre HVAC Upgrade (Seattle)	\$198,000
Howard Bowen Memorial Events Complex (Sumas)	\$319,000
HVAC Upgrade with New System and Heat Pumps (Shelton)	\$250,000
Illahee Preserve 'Homestead, Ph 1' Acquisition (Bremerton)	\$196,000
Imagine Children's Museum (Everett)	\$250,000
Interfaith Family Shelter (Everett)	\$800,000
Island County Jail Intake Body Sensor (Coupeville)	\$200,000
Jim Kaemingk Sr. Trail Missing Link (Lynden)	\$300,000
Kitsap Humane Society (Silverdale)	\$258,000
Kiwanis Park Playground Accessibility Upgrades (Bremerton)	\$165,000
Klickitat County Animal Shelter (Goldendale)	\$670,000
La Conner Regional Library (La Conner)	\$640,000
Lake Boren Park Fishing Dock and Viewing Platform (Newcastle)	\$62,000
Lake Wilderness Lodge Emergency Generator (Maple Valley)	\$412,000
Lewis County Regional Tennis and Wrestling Facility (Chehalis)	\$875,000
Library Commons Project (Mount Vernon)	\$4,000,000
Logistics Facility (Vancouver)	\$160,000
Longview Senior Center Roof and Energy Upgrades (Longview)	\$273,000
Luther Burbank Pk Waterfront Activity Center (Mercer Island)	\$85,000
Marina View Building Renovation (Olympia)	\$103,000
Marymount/Spana-Park Senior Center Roof (Spanaway)	\$103,000
Mason Co Housing Authority Roof & Electrical (Shelton)	\$201,000
McKinney Center Minor Works (Seattle)	\$560,000
Mill Creek Library Project (Mill Creek)	\$200,000
Mill Creek Parks Master Plan (Mill Creek)	\$206,000
Mount Spokane Lodge Renovations (Mead)	\$397,000
Mukai's Fruit Barreling Plant (Vashon, WA)	\$50,000
Naches Rearing Pond (Naches)	\$50,000
New Beginnings Homes (Puyallup)	\$201,000
Newman Lake Milfoil Wash Station (Newman Lake)	\$100,000
Non Destructive Weld Testing (Sunnyside)	\$30,000
Nooksack River Integrated Floodplain Mitigation (Whatcom County)	\$2,000,000
North Creek Trail (Bothell)	\$500,000
North Trailhead Restroom & Covered Structure (Castle Rock)	\$155,000
Northwest Kidney Centers - Port Angeles Clinic (Port Angeles)	\$235,000
ODMF Multicultural Village (Kent)	\$450,000
Old Fort Lake Subarea (DuPont)	\$400,000
Pacific Co. Fair Three M Project (Raymond)	\$412,000
Pattison Property Redevelopment (Federal Way)	\$1,250,000
Pedestrian Boardwalk May Creek Trail (Renton)	\$258,000
Peshastin Cross Over Siphon Pipe (Peshastin)	\$309,000
Pilchuck Glass School Ventilation (Stanwood)	\$103,000

Pipe Lake Water Quality Improvement Project (Covington)	\$319,000	WGC - Accessibility and Education Support (Waitsburg)	\$42,000
Planning Land Acquisition for Veteran Rites (Tacoma)	\$46,000	Whelan Community Building (Pullman)	\$153,000
Port Gamble Forest Restoration (Port Gamble)	\$300,000	White Center Food Bank Grow2Give Relocation (Seattle)	\$200,000
Port Marine Transportation Infrastructure (Friday Harbor)	\$258,000	Wilkeson Water Treatment System (Wilkeson)	\$300,000
Port of Mattawa Event Center (Mattawa)	\$125,000	Willows Road Pedestrian Safety Connection (Kirkland)	\$206,000
Public Electric Vehicle Infrastructure (Lacey)	\$103,000	Woodland Community Library Building Project (Woodland)	\$515,000
Pump Station Modernization: Design and Permitting (Mount Vernon)	\$100,000	Yakima Canyon Interpretive Center (Ellensburg)	\$150,000
Rejuvenation Community Day Center & Shower/Laundry (Bremerton)	\$250,000	Yakima Greenway Master Plan (Yakima)	\$67,000
Ridgefield Splashpad (Ridgefield)	\$258,000	Yakima YMCA Park Development (Yakima)	\$232,000
Rimrock Grange Renovation (Washtucna)	\$105,000	Youth Achievement Center (Seattle)	\$500,000
Rister Stadium Elevator Lift (Kelso)	\$33,000	YVT Bucket Truck (Yakima)	\$70,000
Roslyn Downtown Association Gazebo (Roslyn)	\$171,000	Total	\$53,318,000
Rotary Morrow Community Park (Poulsbo)	\$50,000	Appropriation:	
Salmon Reintroduction in the Upper Columbia (Spokane)	\$375,000	State Building Construction Account—State	\$53,318,000
Seattle Aquarium Ocean Pavilion (Seattle)	\$500,000	Prior Biennia (Expenditures)	\$0
Secure Parking for Shelton Police (Shelton)	\$206,000	Future Biennia (Projected Costs)	\$0
Seismic Upgrade and Roof Replacement (Vancouver)	\$309,000	TOTAL	\$53,318,000
Senior Resources Svc HUB Feasibility Study (Freeland)	\$273,000	<b>NEW SECTION. Sec. 1027.</b> A new section is added to	
Serving the Community Through Capital Improvements (Walla Walla)	\$336,000	2021 c 332 (uncodified) to read as follows:	
Skokomish Water Line Extension (Skokomish)	\$50,000	<b>FOR THE DEPARTMENT OF COMMERCE</b>	
Smokey Point Park (Arlington)	\$278,000	Ports Infrastructure (40000278)	
Snohomish Teen Center Addition (Snohomish)	\$515,000	The appropriation in this section is subject to the following	
South Area Commercial Sewer Infrastructure Ext. (Airway Heights)	\$300,000	conditions and limitations:	
South Sound Innovation and Education Center (Federal Way)	\$300,000	(1) The department may not expend the appropriation in this	
South Whidbey Aquatic Wellness Center (Langley)	\$400,000	section unless and until the nonstate share of project costs have	
Starbuck Rodeo Arena Remodel (Dayton)	\$98,000	been either expended or firmly committed, or both, in an amount	
Steilacoom Electrical Charging Station Project (Steilacoom)	\$50,000	sufficient to complete the project or a distinct phase of the project	
Sultan-Monroe Commercial Kitchen (Monroe)	\$134,000	that is useable to the public for the purpose intended by the	
The Tacoma Recovery Cafe Site Acquisition (Tacoma)	\$500,000	legislature. This requirement does not apply to projects where a	
Titlow Park Bridge Replacement (Tacoma)	\$350,000	share of the appropriation is for design costs only.	
Toppenish Hospital (Toppenish)	\$2,000,000	(2) Prior to receiving funds, project recipients must	
Town Center to Burke-Gilman Trail Connector (Lake Forest Park)	\$103,000	demonstrate that the project site is under control for a minimum	
Town of Naches Mobile Stage (Naches)	\$250,000	of 10 years, either through ownership or a long-term lease. This	
Transitions (Spokane)	\$103,000	requirement does not apply to appropriations for preconstruction	
Tubman Health Clinic (Seattle)	\$4,500,000	activities or appropriations in which the sole purpose is to	
Tukwila Teen Center and Senior Intergenerational Center (Tukwila)	\$258,000	purchase real property that does not include a construction or	
Urban League of Metropolitan Seattle Building (Seattle)	\$500,000	renovation component.	
Vandercook Park Restroom (Longview)	\$309,000	(3) Projects funded in this section may be required to comply	
Veteran Housing at Stratford Apartments (Longview)	\$206,000	with Washington's high-performance building standards as	
VOA Veteran Transitional Housing Energy Efficiency (Spokane)	\$195,000	required by chapter 39.35D RCW.	
Wa Na Wari Capital Improvements (Seattle)	\$258,000	(4) Project funds are available on a reimbursement basis only,	
WA Soldiers Home Cemetery Road Pavement Project (Orting)	\$180,000	and may not be advanced under any circumstances.	
Weld Collaborative Reintegration Resource (Seattle)	\$775,000	(5) In contracts for grants authorized under this section, the	
Wenatchee City Pool Repairs (Wenatchee)	\$550,000	department must include provisions that require that capital	
Wenatchee Valley YMCA (Wenatchee)	\$515,000	improvements be held by the grantee for a specified period of time	
West Plains Childcare Center (Airway Heights)	\$191,000	appropriate to the amount of the grant and that facilities be used	
Westport Marina Gear Yard (Westport)	\$412,000	for the express purpose of the grant. If the grantee is found to be	
		out of compliance with provisions of the contract, the grantee	
		shall repay to the state general fund the principal amount of the	
		grant plus interest calculated at the rate of interest on state of	
		Washington general obligation bonds issued most closely to the	
		date of authorization of the grant.	
		(6) Projects funded in this section, including those that are	
		owned and operated by nonprofit organizations, are generally	
		required to pay state prevailing wages.	
		(7) The department must comply with the requirements set	
		forth in Executive Order 21-02 and must consult with the	
		department of archaeology and historic preservation and affected	
		tribes on the potential effects of these projects on cultural	
		resources and historic properties. Consultation with the	
		department of archaeology and historic preservation and affected	
		tribes must be initiated before project funds are made available.	

FIFTY NINTH DAY, MARCH 9, 2022

2022 REGULAR SESSION

(8) The appropriation in this section is provided solely for the following list of projects:

Dredge River Access (Port of Clarkston)	\$1,550,000
Off Dock Container Yard (Port of Tacoma)	\$2,000,000
Pier 66 Shore Power (Port of Seattle)	\$2,000,000
Point Hudson Breakwater Project (Port Townsend)	\$1,500,000
SE 41st Street Project (Port of Camas-Washougal)	\$2,400,000
Terminal 1 Dock Design and Permitting (Port of Vancouver)	\$1,596,000
Terminal and Warehouse Upgrades (Port of Everett)	\$2,000,000
Trades District (Chelan-Douglas Regional Port)	\$3,000,000
Appropriation:	
State Building Construction Account—State	\$16,046,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$16,046,000

**Sec. 1028.** 2021 c 332 s 1045 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

Clean Energy and Energy Freedom Program (91000582)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1074, chapter 19, Laws of 2013 2nd sp. sess.

Reappropriation:

State Building Construction Account—State	<del>(\$625,000)</del>
	\$750,000
Prior Biennia (Expenditures)	<del>(\$35,369,000)</del>
	\$35,244,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$35,994,000

**Sec. 1029.** 2021 c 332 s 1048 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

Library Capital Improvement Program (91001239)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1053, chapter 413, Laws of 2019.

Reappropriation:

State Building Construction Account—State	<del>(\$6,000,000)</del>
	\$6,279,000
Prior Biennia (Expenditures)	<del>(\$6,838,000)</del>
	\$6,559,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$12,838,000

**Sec. 1030.** 2021 c 332 s 1053 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

Local & Community Projects 2016 (92000369)

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

(1) The reappropriation is subject to the provisions of section 6009, chapter 413, Laws of 2019, except that subsection (2) of this section supersedes the requirements of subsection (7) in section 6009, chapter 413, Laws of 2019.

(2) \$2,209,000 of the appropriation in this section is provided solely for the Fairchild air force base protection and community empowerment project, including the purchase of 20 acres of land by Spokane county or the city of Airway Heights for development of affordable housing, the purchase of mobile home parks or mobile homes by Spokane county or the city of Airway Heights in order to reduce the use of the accident potential zone for residential purposes, and \$70,000 for a pilot project. The pilot project shall include payment of moving costs and down payment or closing costs of up to \$7,000 for 10 individuals or families

living in mobile homes located in the accidental potential zone whose mobile homes are purchased and who relocate to affordable housing constructed on the 20 acres of land purchased by Spokane county or the city of Airway Heights through the appropriation in this subsection. There shall be no limitations on the sequence of the purchase of mobile home parks or mobile homes. If Spokane county or the city of Airway Heights subsequently rezones, develops, and leases the mobile home park property for commercial or industrial uses contrary to the allowed uses in the accident potential zone, Spokane county or the city of Airway Heights must repay to the state the amount spent on the purchase of mobile home parks in its entirety within 10 years. Mobile home parks purchased under the provisions of this subsection may be sold by Spokane county or the city of Airway Heights, provided that the uses of the mobile home park property are not contrary to the allowed uses in the accident potential zone. Any moneys from this sale must be used to purchase other mobile home parks or mobile homes in the Fairchild air force base protection and community empowerment project. The 20 acres of land purchased under this subsection for development as affordable housing may be sold, in whole or in part, by the recipient, provided the property sold is used for affordable housing as required in the Fairchild air force base protection and community empowerment project. Recipients of funds provided under this subsection are not required to demonstrate that the project site is under their control for a minimum of 10 years but they must demonstrate that the project site is under their control through ownership or long-term lease. Projects funded under this subsection are not required to meet the provisions of RCW 43.63A.125(6) and section 6009(5), chapter 298, Laws of 2019.

Reappropriation:

State Building Construction Account—State	\$11,000,000
Prior Biennia (Expenditures)	\$117,919,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$128,919,000

**Sec. 1031.** 2021 c 332 s 1082 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

Substance Use Disorder Recovery Housing (91001675)

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

(1) The appropriation in this section is provided solely for an agreement with Catholic Community Services/Catholic Housing Services to fund a master planning process for the development of a family-centered drug treatment and housing program in western Washington that supports families staying together while they recover from addiction and rebuild their lives. Housing developers, service providers, and other stakeholders must be included in this master planning process.

(2) The master planning process under this section must model the project to be developed after Rising Strong in Spokane and must include units for families that are experiencing substance use disorder and that are involved in the child welfare system. The site must include living quarters for families, space for services, play areas for children, and space for child care. The program services located at the site must include, but are not limited to, case management, counseling, substance use disorder treatment, and parenting skills classes. The site must be located in King County, or located near King county, to provide services to families in the western area of the state.

(3) Phase two of the planning process must: Further define the community needs; work with the department, the health care authority, and the department of children, youth, and families in identifying a sponsoring agency or organization and service partners; make preferred site recommendations; determine the

project budget and establish the model and sources for funding the program located in the facility, including the conditions for sustainable funding; and include additional components identified by Catholic Community Services/Catholic Housing Services or its consultants needed to prepare for a 2023-2025 biennium capital budget request.

(4) The master plan developed under this section must be submitted to the appropriate committees of the legislature by December 31, ~~((2024))~~ 2022.

Appropriation:

State <u>Taxable</u> Building Construction Account—State	\$150,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$150,000

**Sec. 1032.** 2021 c 332 s 1074 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

Grants for Affordable Housing Development Connections (91001685)

The appropriations in this section ~~((is))~~ are subject to the following conditions and limitations:

(1) The appropriations in this section ~~((is))~~ are provided solely for grants to local governments and public utility districts for system development charges and utility improvements for new affordable housing projects that serve and benefit low-income households. Where applicable, the extension must be consistent with the approved comprehensive plans under the growth management act and must be within the established boundaries of the urban growth area.

(2) \$7,600,000 of the state building construction account—state appropriation, \$4,500,000 of the capital community assistance account—state appropriation, and \$16,300,000 of the coronavirus state fiscal recovery fund—federal appropriation in this section are provided solely for grants to local governments or public utilities located within a jurisdiction that imposed a sales and use tax under RCW 82.14.530(1)(a)(ii), 82.14.530(1)(b)(i)(B), 82.14.540, or 84.52.105.

(3) \$10,700,000 of the coronavirus state fiscal recovery fund—federal appropriation and \$4,500,000 of the capital community assistance account—state appropriation in this section ~~((is))~~ are provided solely for grants to local governments or public utilities located within:

(a) A city or county with a population of 150,000 or less; and

(b) A jurisdiction that imposed a sales and use tax under RCW 82.14.530(1)(a)(ii) or 82.14.530(1)(b)(i)(B).

(4) The department shall coordinate with the office of financial management and the governor's office to develop a process for project submittal, project selection criteria, review, and monitoring, and tracking the housing development projects that receive affordable housing development connections grants under this section. To be eligible for funding under this section, an applicant must demonstrate, at minimum:

(a) That affordable housing development will begin construction within 24 months of the grant award; and

(b) A strong probability of serving the original target group or income level for a period of at least 25 years.

(5) \$1,700,000 of the state building construction account—state appropriation in this section is provided solely for the Port Townsend Utility Connection Project.

(6) ~~(\$5,700,000 of the state building construction account—state appropriation in this section is provided solely for the Chelan municipal airport extension.~~

~~((7))~~ To ensure compliance with conditions of the federal coronavirus state fiscal recovery fund, all expenditures from the coronavirus state fiscal recovery account—federal appropriation

in this section must be ~~((incurred))~~ obligated by December 31, 2024.

~~((8))~~ (7) For purposes of this section, the following definitions apply.

(a) "Affordable housing" and has the same meaning as in RCW 43.185A.010.

(b) "Low-income household" has the same meaning as in RCW 43.185A.010.

(c) "System development charges" means charges for new drinking water, wastewater, or stormwater connections when a local government or public utility has waived standard fees normally applied to developers for connection charges on affordable housing projects.

(d) "Utility improvements" means drinking water, wastewater, or stormwater utility improvements.

Appropriation:

Coronavirus State Fiscal Recovery Account—Federal	\$27,000,000
State Building Construction Account—State <del>(((\$15,000,000))</del>	<del>(((\$15,000,000))</del>
	\$18,300,000
Subtotal Appropriation	<del>(((\$42,000,000))</del>
	\$45,300,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	<del>(((\$42,000,000))</del>
	\$45,300,000

**Sec. 1033.** 2021 c 332 s 1085 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

Infrastructure Projects (91001687)

The appropriations in this section ~~((is))~~ are subject to the following conditions and limitations:

(1) The department may not expend the appropriation in this section unless and until the nonstate share of project costs have been either expended or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by the legislature. This requirement does not apply to projects where a share of the appropriation is for design costs only.

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

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

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

(5) In contracts for grants authorized under this section, the department must include provisions that require that capital improvements be held by the grantee for a specified period of time appropriate to the amount of the grant and that facilities be used for the express purpose of the grant. If the grantee is found to be out of compliance with provisions of the contract, the grantee shall repay to the state general fund the principal amount of the grant plus interest calculated at the rate of interest on state of Washington general obligation bonds issued most closely to the date of authorization of the grant.

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

(7) The department must comply with the requirements set forth in executive order 21-02 and must consult with the

FIFTY NINTH DAY, MARCH 9, 2022

2022 REGULAR SESSION

department of archaeology and historic preservation and affected tribes on the potential effects of these projects on cultural resources and historic properties. Consultation with the department of archaeology and historic preservation and affected tribes must be initiated before project funds are made available.

(8) To ensure compliance with conditions of the federal coronavirus state fiscal recovery fund, all expenditures of amounts appropriated in this section must be ~~((incurred))~~ obligated by December 31, 2024.

(9) ~~((The))~~ \$12,795,000 of the state building construction account—state appropriation and \$97,926,000 of the coronavirus state fiscal recovery account—federal appropriation in this section ~~((is))~~ are provided solely for the following list of projects:

Airway Heights Water Resources Replacement (Airway Heights)	\$14,950,000
Anderson Road Project Design (Chelan)	\$258,000
<del>((Belfair Water Reclamation Facility (Belfair)</del>	<del>\$500,000))</del>
Boat Haven Stormwater Improvement (Port Townsend)	\$2,050,000
<del>((Centralia School District Gemini &amp; LTE (Centralia)</del>	<del>\$1,529,000))</del>
Cheney Purple Pipe Project (Cheney)	\$11,050,000
City of Fircrest Water Meter Replacement (Fircrest)	\$171,000
City of Ilwaco – Drinking Water Source Protection (Ilwaco)	\$721,000
Crusher Canyon Sewer Line (Selah)	\$1,000,000
Dryden Wastewater Improvement Project (Dryden)	\$1,030,000
Fall City Waste Management System (Fall City)	\$6,500,000
Fry Creek Pump Station (Aberdeen)	\$8,975,000
Index Phased Water Line Replacement (Index)	\$1,351,000
Lacamas Lake Management Plan (Camas)	\$155,000
Leach Creek Interceptor Extension (University Place)	\$2,100,000
Louis Thompson Road Tightline (Sammamish)	\$3,000,000
Malaga Industrial Park Waterline Extension (Malaga)	\$1,545,000
<del>((Malden USDA Water (Malden)</del>	<del>\$247,000))</del>
Mill Creek Flood Control Channel (Walla Walla)	\$1,545,000
NE 92nd Avenue Pump Station & Force Main (Battle Ground)	\$2,050,000
New Well for the Community of Peshastin (Peshastin)	\$1,100,000
Omak Water Reservoir (Omak)	\$4,300,000
Othello Water Conservation System (Othello)	\$515,000
Packwood Sewer System (Packwood)	\$8,050,000
PFAS Treatment at City of DuPont Water Wells (DuPont)	\$5,950,000
Port Hadlock Wastewater Facility (Port Hadlock)	\$20,175,000
Port of Mattawa Wastewater Infrastructure (Mattawa)	\$618,000
Reservoir No. 2, Water Supply & Distribution (Bridgeport)	\$3,200,000
Shelton: Well 1 Water Main (Shelton)	\$2,050,000
Skamania County Well Installation (Stevenson)	\$52,000
Vader Wastewater Treatment Plant Improvements (Vader)	\$1,850,000
Wallula Dodd Water System Ph2 (Wallula)	\$2,050,000
Wanapum Indian Village Fiber infrastructure Project (Mattawa)	\$155,000
Water Main Infrastructure Extension Project (George)	\$155,000
WWTP Reclaimed Water (Shelton)	\$2,050,000

(10) \$25,832,000 of the capital community assistance account—state appropriation in this section is provided solely for

the following list of projects:

<u>223rd Green Street Planning (Des Moines)</u>	<u>\$309,000</u>
<u>4th St. NW Stormwater System Upgrade (Puyallup)</u>	<u>\$800,000</u>
<u>Alger I-5 Waterline Relocation (Bellingham)</u>	<u>\$250,000</u>
<u>Boulevard Park Sanitary Sewer Extension (Burien)</u>	<u>\$2,400,000</u>
<u>City of Brewster Canyon Well House (Brewster)</u>	<u>\$480,000</u>
<u>City of Brewster Sewer Upgrade (Brewster)</u>	<u>\$2,800,000</u>
<u>Curtin Creek Ph. 1 Septic Elimination (Vancouver)</u>	<u>\$800,000</u>
<u>East Blaine Water Pump Station (Blaine)</u>	<u>\$500,000</u>
<u>Lake Chelan EMS Design (Chelan)</u>	<u>\$191,000</u>
<u>Langley Infrastructure (Langley)</u>	<u>\$250,000</u>
<u>Lewis County Fire District #5 (Napavine)</u>	<u>\$2,000,000</u>
<u>Lincoln County Fire District 1 Helipad (Sprague)</u>	<u>\$103,000</u>
<u>Port of Allyn Well &amp; Water Pump Facility (Allyn)</u>	<u>\$400,000</u>
<u>Rustlewood Water System Upgrades (Grapeview)</u>	<u>\$550,000</u>
<u>Shelton Water Reclamation Facility (Shelton)</u>	<u>\$3,250,000</u>
<u>Swan Creek Bridge (Tacoma)</u>	<u>\$400,000</u>
<u>Town of Elmer City Fire Station Improvements (Elmer City)</u>	<u>\$772,000</u>
<u>Wastewater Lift Stations Improvements/Upgrades (Concrete)</u>	<u>\$550,000</u>
<u>Water System Improvement Project (Morton)</u>	<u>\$6,017,000</u>
<u>WCFD #8 Station 34 Replacement (Bellingham)</u>	<u>\$2,000,000</u>
<u>Western Ranchettes Water Distribution System (Puyallup)</u>	<u>\$1,000,000</u>
<u>Yakima County Fire District 12 (Yakima)</u>	<u>\$10,000</u>

(11) \$747,000 of the public works assistance account—state appropriation in this section is provided solely for the following list of projects:

<u>Belfair Water Reclamation Facility (Belfair)</u>	<u>\$500,000</u>
<u>Malden USDA Water (Malden)</u>	<u>\$247,000</u>
Appropriation:	
<u>State Building Construction Account—State</u>	<u>\$12,795,000</u>
<u>Public Works Assistance Account—State</u>	<u>\$747,000</u>
<u>Coronavirus State Fiscal Recovery Account—Federal</u>	<u><del>(((\$112,997,000))</del></u>
	<u>\$97,926,000</u>
<u>Capital Community Assistance Account—State</u>	<u>\$25,832,000</u>
<u>Subtotal Appropriation</u>	<u>\$137,300,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	<u><del>(((\$112,997,000))</del></u>
	<u>\$137,300,000</u>

**Sec. 1034.** 2021 c 332 s 1084 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

Food Banks (91001690)

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

(1) The department may not expend the appropriation in this section unless and until the nonstate share of project costs have been either expended or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by the legislature. This requirement does not apply to projects where a share of the appropriation is for design costs only.

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

(3) Projects funded in this section may be required to comply with Washington's high-performance building standards as

required by chapter 39.35D RCW.

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

(5) In contracts for grants authorized under this section, the department must include provisions that require that capital improvements be held by the grantee for a specified period of time appropriate to the amount of the grant and that facilities be used for the express purpose of the grant. If the grantee is found to be out of compliance with provisions of the contract, the grantee shall repay to the state general fund the principal amount of the grant plus interest calculated at the rate of interest on state of Washington general obligation bonds issued most closely to the date of authorization of the grant.

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

(7) The department must comply with the requirements set forth in executive order 21-02 and must consult with the department of archaeology and historic preservation and affected tribes on the potential effects of these projects on cultural resources and historic properties. Consultation with the department of archaeology and historic preservation and affected tribes must be initiated before project funds are made available.

(8) The appropriation in this section is provided solely for the following list of projects:

<u>Chelan Douglas Food Distribution Center (Malaga)</u>	<u>\$1,030,000</u>
FISH Community Food Bank and Food Pantry (Ellensburg)	\$1,545,000
Gig Harbor Peninsula FISH New Facility Construction (Gig Harbor)	\$2,050,000
Hunger Solution Center Cold Storage Expansion (Seattle)	\$827,000
Issaquah Food Bank Expansion (Issaquah)	\$1,030,000
La Center Community Center Repairs and Improvements (La Center)	\$515,000
<u>Northwest Harvest (Yakima)</u>	<u>\$3,200,000</u>
Port Angeles Food Bank (Port Angeles)	\$1,050,000
Puyallup Food Bank Capital Campaign (Puyallup)	\$257,000
<u>Selah Naches Food Bank (Selah)</u>	<u>\$52,000</u>
White Center Food Bank Relocation (Seattle)	\$1,030,000
Appropriation:	
State Building Construction Account—State	(( <del>\$8,304,000</del> ))
	<u>\$12,586,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	(( <del>\$8,304,000</del> ))
	<u>\$12,586,000</u>

**NEW SECTION. Sec. 1035.** A new section is added to 2021 c 332 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

2022 Permanent Supportive Housing Remediation (91002160)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for permanent supportive housing remediation grants to be provided on a first-come, first-served basis. The funding may be provided for building improvements, rehabilitation, clean-up expenses, and temporary relocation costs associated with property damage, destruction, or contamination of properties providing permanent supportive housing as defined in RCW 36.70A.030. The maximum amount of total funding that the department may provide to any applicant is \$50,000 per biennium.

Appropriation:

State Building Construction Account—State	\$200,000
Prior Biennia (Expenditures)	\$0

Future Biennia (Projected Costs)	\$0
TOTAL	\$200,000

**Sec. 1036.** 2021 c 332 s 1091 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

Enhanced Shelter Capacity Grants (92000939)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 1022, chapter 356, Laws of 2020, except that no funding may be directed to the Auburn Resource Center.

Reappropriation:

State Building Construction Account—State	(( <del>\$6,318,000</del> ))
	<u>\$4,818,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	(( <del>\$6,318,000</del> ))
	<u>\$4,818,000</u>

**Sec. 1037.** 2021 c 332 s 1083 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

2021-23 Early Learning Facilities (91001677)

The appropriations in this section ((~~is~~)) are subject to the following conditions and limitations:

(1) \$1,089,000 of the state building construction account—state appropriation and \$6,863,000 of the capital community assistance account—state appropriation in this section ((~~is~~)) are provided solely for the following list of early learning facility projects in the following amounts:

<u>Early Learning Classrooms at Logan Elementary (Spokane)</u>	<u>\$1,000,000</u>
<u>Laurel Forest Childcare Center (Bellingham)</u>	<u>\$773,000</u>
<u>Learning to Grow (Elma)</u>	<u>\$500,000</u>
Monroe ECEAP Facility (Monroe)	(( <del>\$364,000</del> ))
	<u>\$876,000</u>
Petah Villages Outdoor Preschool (Renton)	\$370,000
<u>Rainier Valley Early Learning Center (Seattle)</u>	<u>\$4,000,000</u>
Site Study and Pre-design for Two ECEAP Classrooms (Spokane)	\$40,000
<u>Walla Walla YMCA ECEAP (Walla Walla)</u>	<u>\$75,000</u>
Willapa Center (Raymond)	\$318,000

(2) \$23,911,000 of the Ruth Lecocq Kagi early learning facilities development account—state appropriation and \$23,137,000 of the capital community assistance account—state appropriation in this section ((~~is~~)) are provided solely for the early learning facility grant and loan program, subject to the provisions of RCW 43.31.573 through 43.31.583 and 43.84.092, to provide state assistance for designing, constructing, purchasing, expanding, or modernizing public or private early learning education facilities for eligible organizations. Up to four percent of the funding in this subsection may be used by the department of children, youth, and families to provide technical assistance to early learning providers interested in applying for the early learning facility grant or loan program.

(3)(a) \$7,500,000 of the Ruth Lecocq Kagi early learning facilities revolving account—state appropriation in this section is provided solely for the Washington early learning loan fund. Up to four percent of the funding in this appropriation may be used by the contractor to provide technical assistance to early learning providers interested in applying for the early learning facility grant or loan program.

(b) In addition to the reporting requirements in RCW 43.31.573(5), the department must require the contractor to include the following information in the annual reports due to the department:

(i) Audited financial statements or reports independently verified by an accountant showing operating costs, including a



FIFTY NINTH DAY, MARCH 9, 2022

2022 REGULAR SESSION

clear delineation of the operating costs incurred due to administering grants and loans under this subsection (3);

(ii) Independently verified information regarding the interest rates and terms of all loans provided to early learning facilities under this subsection (3);

(iii) Independently verified or audited information showing all private matching dollars, public matching dollars, and revenues received by the contractor from the repayment of loans, clearly delineating revenues received from the repayment of loans provided under this subsection (3); and

(iv) A forward-looking financial plan that projects the timing and public funding level at which the Washington early learning loan fund will become self-sustaining and will no longer need state matching dollars to provide loans to early learning facilities. The plan must include scenarios based upon a range of state investment in the fund.

(4) The department of children, youth, and families must develop methodology to identify, at the school district boundary level, the geographic locations of where early childhood education and assistance program slots are needed to meet the entitlement specified in RCW 43.216.556. This methodology must be linked to the caseload forecast produced by the caseload forecast council and must include estimates of the number of slots needed at each school district. This methodology must inform any early learning facilities needs assessment conducted by the department and the department of children, youth, and families. This methodology must be included as part of the budget submittal documentation required by RCW 43.88.030.

(5) When prioritizing areas with the highest unmet need for early childhood education and assistance program slots, the committee of early learning experts convened by the department pursuant to RCW 43.31.581 must first consider those areas at risk of not meeting the entitlement specified in RCW 43.216.556.

(6) The department must track the number of slots being renovated separately from the number of slots being constructed and, within these categories, must track the number of slots separately by program for the working connections child care program and the early childhood education and assistance program.

(7) When prioritizing applications for projects pursuant to RCW 43.31.581, the department must award priority points to applications from a rural county or from extreme child care deserts as defined by the department of children, youth, and families.

(8) The department shall, in consultation with the department of children, youth, and families, prepare a report to the office of financial management and the fiscal committees of the legislature regarding the geographical diversity of early learning facilities grants. The report must be submitted by December 1, 2022, and must provide the following information:

(a) Geographical disbursement of school district early learning grants, early learning facilities grants to eligible organizations, and early learning loans or grants provided by a nongovernmental private-public partnership contracted by the department, including type of grant, size of award, number of early childhood education and assistance program or working connections child care program slots added, and any other information that the department deems relevant;

(b) Disbursement of early learning grants or loans to providers in rural and nonrural counties, including type of grant, size of award, number of early childhood education and assistance program or working connections child care program slots added, and any other information that the department deems relevant; and

(c) Disbursement of early learning grants or loans to providers

by type of provider, including school district, child care center, licensed family home, or other, including type of grant, size of award, number of early childhood education and assistance program or working connections child care program slots added, and any other information that the department deems relevant.

(9) For early learning facilities collocated with affordable or supportive housing developments, the department may remit state funding on a reimbursement basis for 100 percent of eligible project costs, regardless of the project's match amount, once the nonstate share of project costs have been either expended or firmly committed in an amount sufficient to complete the entire project or a distinct phase of the project that is useable to the public as an early learning facility. These projects are not subject to section 7017, chapter 332, Laws of 2021 or RCW 43.88.150.

(10) It is the intent of the legislature to reappropriate funding in the 2023-2025 omnibus capital appropriations act for early learning facilities appropriated in this section.

Appropriation:

State Building Construction Account—State	\$1,089,000
Early Learning Facilities Revolving Account—State	\$7,500,000
Early Learning Facilities Development Account—State	\$23,911,000
<u>Capital Community Assistance Account—State</u>	<u>\$30,000,000</u>
Subtotal Appropriation	<del>(\$32,500,000)</del>
	<u>\$62,500,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	<del>(\$32,500,000)</del>
	<u>\$62,500,000</u>

**Sec. 1038.** 2021 c 332 s 1052 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

Projects that Strengthen Communities & Quality of Life (92000230)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 6006, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:

State Building Construction Account—State	\$1,000,000
Prior Biennia (Expenditures)	<del>(\$31,088,000)</del>
	<u>\$31,045,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	<del>(\$32,088,000)</del>
	<u>\$32,045,000</u>

**Sec. 1039.** 2021 c 332 s 1069 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

2021-23 Behavioral Health Community Capacity Grants (40000219)

The appropriations in this section ~~((is))~~ are subject to the following conditions and limitations:

(1) The appropriations in this section ~~((is))~~ are provided solely for the department to issue grants to community hospitals or other community providers to expand and establish new capacity for behavioral health services in communities. The department must consult an advisory group consisting of representatives from the department of social and health services, the health care authority, one representative from a managed care organization, one representative from an accountable care organization, and one representative from the association of county human services. Amounts provided in this section may be used for construction and equipment costs associated with establishment of the facilities. The department may approve funding for the acquisition of a facility if the project will result in increased

behavioral health capacity. Amounts provided in this section may not be used for operating costs associated with the treatment of patients using these services.

(2) The department must establish criteria for the issuance of the grants, which must include:

(a) Evidence that the application was developed in collaboration with one or more regional behavioral health entities that administer the purchasing of services;

(b) Evidence that the applicant has assessed and would meet gaps in geographical behavioral health services needs in their region;

(c) Evidence that the applicant is able to meet applicable licensing and certification requirements in the facility that will be used to provide services;

(d) A commitment by applicants to serve persons who are publicly funded and persons detained under the involuntary treatment act under chapter 71.05 RCW;

(e) A commitment by the applicant to maintain and operate the beds or facility for a time period commensurate to the state investment, but for at least a 15-year period;

(f) The date upon which structural modifications or construction would begin and the anticipated date of completion of the project;

(g) A detailed estimate of the costs associated with opening the beds;

(h) A financial plan demonstrating the ability to maintain and operate the facility; and

(i) The applicant's commitment to work with local courts and prosecutors to ensure that prosecutors and courts in the area served by the hospital or facility will be available to conduct involuntary commitment hearings and proceedings under chapter 71.05 RCW.

(3) In awarding funding for projects in subsection (5) of this section, the department, in consultation with the advisory group established in subsection (1) of this section, must strive for geographic distribution and allocate funding based on population and service needs of an area. The department must consider current services available, anticipated services available based on projects underway, and the service delivery needs of an area.

(4) The department must prioritize projects that increase capacity in unserved and underserved areas of the state.

(5) \$71,400,000 of the state building construction account—state appropriation in this section is provided solely for a competitive process for each category listed and is subject to the criteria in subsections (1), (2), (3), and (4) of this section:

(a) \$11,600,000 of the state building construction account—state appropriation in this section is provided solely for at least six enhanced service facilities for long-term placement of patients discharged or diverted from the state psychiatric hospitals and that are not subject to federal funding restrictions that apply to institutions of mental diseases;

(b) \$10,000,000 of the state building construction account—state appropriation in this section is provided solely for enhanced adult residential care facilities for long-term placements of dementia discharged or diverted from the state psychiatric hospitals and are not subject to federal funding restrictions that apply to institutions of mental diseases;

(c) \$2,000,000 of the state building construction account—state appropriation in this section is provided solely for at least one facility with secure withdrawal management and stabilization treatment beds that are not subject to federal funding restrictions that apply to institutions of mental diseases;

(d) \$2,000,000 of the state building construction account—state appropriation in this section is provided solely for at least one crisis triage and stabilization facility that is not subject to federal funding restrictions that apply to institutions of mental

diseases;

(e) \$12,000,000 of the state building construction account—state appropriation in this section is provided solely for two 16-bed crisis triage and stabilization facilities in the King county region (~~(one within the city of Seattle and one in south King county)~~) consistent with the settlement agreement in *A.B. by and through Trueblood, et al., v. DSHS, et al.*, No. 15–35462, and that are not subject to federal funding restrictions that apply to institutions of mental disease;

(f) \$2,000,000 of the state building construction account—state appropriation in this section is provided solely for at least two mental health peer respite centers that are not subject to federal funding restrictions that apply to institutions of mental diseases. No more than one mental health peer respite center should be funded in each of the nine regions;

(g) \$18,000,000 of the state building construction account—state appropriation in this section is provided solely for the department to provide grants to community hospitals, freestanding evaluation and treatment providers, or freestanding psychiatric hospitals to develop capacity for beds to serve individuals on 90-day or 180-day civil commitments as an alternative to treatment in the state hospitals. In awarding this funding, the department must coordinate with the department of social and health services, the health care authority, and the department of health and must only select facilities that meet the following conditions:

(i) The funding must be used to increase capacity related to serving individuals who will be transitioned from or diverted from the state hospitals;

(ii) The facility is not subject to federal funding restrictions that apply to institutions of mental diseases;

(iii) The provider has submitted a proposal for operating the facility to the health care authority;

(iv) The provider has demonstrated to the department of health and the health care authority that it is able to meet the applicable licensing and certification requirements for the facility that will be used to provide services; and

(v) The health care authority has confirmed that it intends to contract with the facility for operating costs within funds provided in the operating budget for these purposes;

(h) \$2,400,000 of the state building construction account—state appropriation in this section is provided solely for competitive community behavioral health grants to address regional needs;

(i) \$9,400,000 of the state building construction account—state appropriation in this section is provided solely for at least three intensive behavioral health treatment facilities for long-term placement of behavioral health patients with complex needs and that are not subject to federal funding restrictions that apply to institutions of mental diseases; and

(j) \$2,000,000 of the state building construction account—state appropriation in this section is provided solely for grants to community providers to increase behavioral health services and capacity for children and minor youth including, but not limited to, services for substance use disorder treatment, sexual assault and traumatic stress, anxiety, or depression, and interventions for children exhibiting aggressive or depressive behaviors in facilities that are not subject to federal funding restrictions. Consideration must be given to programs that incorporate outreach and treatment for youth dealing with mental health or social isolation issues.

(6)(a) \$15,648,000 of the state building construction account—state appropriation and \$8,748,000 of the capital community assistance account—state appropriation in this section (~~(\*)~~) are provided solely for the following list of projects and is subject to the criteria in subsection (1) of this section:

FIFTY NINTH DAY, MARCH 9, 2022

2022 REGULAR SESSION

Astria Toppenish Hospital (Toppenish)	\$1,648,000
Compass Health Broadway (Everett)	\$14,000,000
<u>Evergreen Recovery Residential Treatment (Everett)</u>	<u>\$1,000,000</u>
<u>EvergreenHealth Monroe (Monroe)</u>	<u>\$4,275,000</u>
<u>NE Spokane Community Behavioral Health Center (Spokane)</u>	<u>\$700,000</u>
<u>Red Road Clean and Sober Housing (Renton)</u>	<u>\$773,000</u>
<u>Seattle Clinic at Evergreen Treatment (Seattle)</u>	<u>\$2,000,000</u>
(b) \$8,116,000 of the <u>state building construction account—state appropriation</u> and \$17,575,000 of the <u>capital community assistance account—state appropriation</u> in this section ((*) are provided solely for the following list of projects and is subject to the criteria in subsection (1) of this section, except that the following projects are not required to establish new capacity:	
<u>Cascade Hall (Seattle)</u>	<u>\$6,000,000</u>
<u>Comprehensive Health Care - Goldendale Facility (Goldendale)</u>	<u>\$1,030,000</u>
<u>Jamestown S'Klallam (Sequim)</u>	<u>\$3,250,000</u>
<u>Lummi Nation Healing Wellness Center (Bellingham)</u>	<u>\$1,250,000</u>
<u>Maplewood Enhanced Services Facility (Bellingham)</u>	<u>\$1,500,000</u>
<u>SIHB Thunderbird Treatment Center (Seattle)</u>	<u>\$3,000,000</u>
Family Solutions (Vancouver)	\$2,050,000
Renovation Youth Evaluation & Treatment Facility (Bremerton)	\$316,000
Sound Enhanced Services Facility (Auburn)	\$3,000,000
Three Rivers Behavioral Health Recovery Center (Kennewick)	<del>(\$2,750,000)</del>
	<u>\$4,295,000</u>

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

(8) To accommodate the emergent need for behavioral health services, the department and the department of health, in collaboration with the health care authority and the department of social and health services, must establish a concurrent and expedited process to assist grant applicants in meeting any applicable regulatory requirements necessary to operate inpatient psychiatric beds, freestanding evaluation and treatment facilities, enhanced services facilities, triage facilities, crisis stabilization facilities, or secure detoxification/secure withdrawal management and stabilization facilities.

(9) The department must strive to allocate all of the amounts appropriated within subsection (5) of this section in the manner prescribed. However, if upon review of applications, the department determines, in consultation with the advisory group established in subsection (1) of this section, that there are not adequate suitable projects in a category of projects under subsection (5) of this section, the department may allocate funds to other behavioral health capacity project categories within subsection (5) of this section, prioritizing projects under subsections (5)(a), (g), and (i) of this section. Underserved areas of the state may also be considered.

(10) The department must provide a progress report by November 1, 2022. The report must include:

(a) The total number of applications and amount of funding requested;

(b) A list and description of the projects approved for funding including state funding, total project cost, services anticipated to be provided, bed capacity, and anticipated completion date; and

(c) A status report of projects that received funding in prior funding rounds, including details about the project completion and the date the facility began providing services.

Appropriation:	
State Building Construction Account—State	\$95,164,000
<u>Capital Community Assistance Account—State</u>	<u>\$26,323,000</u>
<u>Subtotal Appropriation</u>	<u>\$121,487,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$120,000,000
TOTAL	<del>(\$215,164,000)</del>
	<u>\$241,487,000</u>

**Sec. 1040.** 2021 c 332 s 1078 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

Rapid Response Community Preservation Pilot Program (91001278)

Reappropriation:

State Building Construction Account—State	\$1,518,000
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Appropriation:

<u>Capital Community Assistance Account—State</u>	<u>\$2,000,000</u>
Prior Biennia (Expenditures)	\$482,000
Future Biennia (Projected Costs)	\$0
TOTAL	<del>(\$2,000,000)</del>
	<u>\$4,000,000</u>

**Sec. 1041.** 2021 c 332 s 1086 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

2021-23 Broadband Office (92000953)

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

(1)(a) The appropriations in this section are provided solely to the statewide broadband office for qualifying broadband infrastructure projects.

(b) Unless otherwise stated, eligible applicants for grants awarded under subsections (2) and (3) of this section are:

(i) Local governments, including ports and public utility districts;

(ii) Federally recognized tribes;

(iii) Nonprofit organizations;

(iv) Nonprofit cooperative organizations; and

(v) Multiparty entities comprised of a combination of public entity members or private entity members. A multiparty entity cannot be solely comprised of private entities.

(c) The department must prioritize eligible applications where the lead applicant is a public entity.

(d) Projects receiving grants under this section must:

(i) Demonstrate that the project site is under the applicant's control for a minimum of 25 years, either through ownership or a long-term lease; and

(ii) Commit to using the infrastructure funded by the grant for the purposes of providing broadband connectivity for a minimum of 25 years.

~~((d))~~ (e) Unless otherwise stated, priority must be given to projects:

(i) Located in unserved areas of the state, which for the purposes of this section means areas of Washington in which households and businesses lack access to broadband service of speeds at a minimum of 100 megabits per second download and at a minimum 20 megabits per second upload;

(ii) Located in geographic areas of greatest priority for the deployment of broadband infrastructure to achieve the state's broadband goals, as provided in RCW 43.330.536, identified with department and board mapping tools; or

(iii) That construct last mile infrastructure, as defined in RCW 43.330.530.

~~((e))~~ (f) Unless otherwise stated, appropriations may not be used for projects where a broadband provider currently provides, or has begun construction to provide, broadband service, as

defined in RCW 43.330.530, to end users in the proposed project area (~~at speeds equal to or greater than the state speed goals provided in RCW 43.330.536~~).

~~((f))~~ (g) The appropriations must be used for projects that use a technology-neutral approach in order to expand access at the lowest cost to the most unserved or underserved residents.

~~((g))~~ (h)(i) The statewide broadband office must act as fiscal agent for the grants authorized in subsections (2) and (3) of this section.

(ii) No more than 1.5 percent of the funds appropriated for the program may be expended by the statewide broadband office for administration purposes.

(i) The statewide broadband office must impose grant or contract conditions to help ensure that any project funded under this section will result in an enduring public benefit, where feasible, for at least 25 years.

(2)(a) \$50,000,000 of the state building construction account—state appropriation is provided solely to the statewide broadband office to award as grants to eligible applicants as match funds to leverage federal broadband infrastructure program funding.

(b)(i) For the purposes of this subsection (2), "state broadband infrastructure funders" are the state broadband office, the public works board, and the community economic revitalization board.

(ii) The statewide broadband office must develop a project evaluation process to assist in coordination among state broadband infrastructure funders to maximize opportunities to leverage federal funding and ensure efficient state investment. The project evaluation process must help determine whether a project is a strong candidate for a known federal funding opportunity and if a project can be packaged as part of a regional or other coordinated federal grant proposal. The state broadband infrastructure funders are encouraged to enter into a memorandum of understanding outlining how coordination will take place so that the process can help with a coordinated funding strategy across these entities.

(3)(a) ~~(\$260,003,000)~~ \$150,996,000 of the coronavirus state fiscal recovery fund—federal appropriation ~~(and \$16,000,000)~~, \$124,749,000 of the coronavirus capital projects account—federal appropriation, and \$258,000 of the state building construction account—state appropriation are provided solely for grants to eligible applicants for qualifying broadband infrastructure projects.

(b)(i) Projects that receive grant funding under this subsection (3) must be eligible for funds under section 9901 of the American rescue plan act.

(ii) To ensure compliance with conditions of the federal coronavirus state fiscal recovery fund and coronavirus capital projects account, all expenditures of amounts appropriated in this subsection (3) must be ~~(incurred)~~ obligated by December 31, 2024.

(c)(i) \$5,000,000 of the appropriation in this subsection is provided for broadband equity and affordability grants.

(ii) Grants must be provided to eligible applicants located in areas:

(A) With existing broadband service with speeds at a minimum of 100 megabits per second download and at a minimum 20 megabits per second upload; and

(B) Where the state broadband office, in consultation with the department of equity, determine that access to existing broadband service is not affordable or equitable.

(iii) Eligible applicants for grants awarded under this subsection (3)(c) are:

(A) Local governments, including ports and public utility districts;

(B) Federally recognized tribes;

(C) Public school districts;

(D) Nonprofit organizations; and

(E) Multiparty entities comprised of public entity members to fund broadband deployment.

~~(d) \$258,000 of the ((coronavirus capital projects account—federal))~~ state building construction account—state appropriation in this subsection is provided solely for the Precision Agriculture and Broadband pilot project.

~~(e) \$225,000 of the coronavirus capital projects account—federal appropriation in this subsection is provided solely for the Point Roberts rural broadband project.~~

(4) By January 30, 2022, and January 30, 2023, the statewide broadband office must develop and submit a report regarding the grants established in subsections (2) and (3) of this section to the office of financial management and appropriate fiscal committees of the legislature. The report must include:

(a) The total number of applications and amount of funding requested;

(b) A list and description of projects approved for grant funding in the preceding fiscal year;

(c) The total amount of grant funding that was disbursed during the preceding fiscal year;

(d) The total amount of funds obligated and timing of when the funds were obligated in the preceding fiscal year; and

(e) For projects funded in the prior biennium, the outcomes achieved by the approved projects.

(5) For eligible applicants providing service outside of their jurisdictional boundary, no more than three percent of the award amount may be expended for administration purposes.

Appropriation:

State Building Construction Account—State ~~(\$50,000,000)~~  
\$50,258,000

Coronavirus State Fiscal Recovery Account—Federal ~~(\$260,003,000)~~  
\$150,996,000

Coronavirus Capital Projects Account—Federal ~~(\$16,000,000)~~  
\$124,749,000

Subtotal Appropriation \$326,003,000  
Prior Biennia (Expenditures) \$0  
Future Biennia (Projected Costs) \$0  
TOTAL \$326,003,000

NEW SECTION. Sec. 1042. A new section is added to 2021 c 332 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

2022 Broadband Office (92001178)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely as expenditure authority for grant funding received by the department for the broadband equity, access, and deployment state grants program in section 60102 of P.L. 117-58 (infrastructure investment and jobs act), not to exceed the actual amount of grant funding awarded. Expenditure of the amount in this subsection is contingent on the receipt of this grant funding. If the department does not receive the grant funding by June 30, 2023, the expenditure authority in this subsection shall lapse.

Appropriation:

General Fund—Federal \$50,000,000  
Prior Biennia (Expenditures) \$0  
Future Biennia (Projected Costs) \$0  
TOTAL \$50,000,000

**Sec. 1043.** 2021 c 332 s 1081 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

2021-23 Dental Capacity Grants (91001660)

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

FIFTY NINTH DAY, MARCH 9, 2022

2022 REGULAR SESSION

(1) Funding provided in this section must be used for the construction and equipment directly associated with dental facilities. The funding provided in this section is for projects that are maintained for at least a 10-year period and provide capacity to address unmet patient need and increase efficiency in dental access.

(2) ~~((\$5,355,000 of the))~~ The amount provided in this section is provided solely for the following list of projects:

Dental Expansion for Maple Street Clinic (Spokane)	\$309,000
HealthPoint (Auburn)	\$721,000
HealthPoint (Renton)	\$309,000
ICHS Holly Park (Seattle)	\$106,000
ICHS International District (Seattle)	\$106,000
International Community Health Services (Bellevue)	\$106,000
International Community Health Services (Shoreline)	\$106,000
NEW Health CHC Dental Expansion (Newport)	\$1,900,000
Peninsula Community Health Services (Gig Harbor)	\$490,000
Sea Mar Community Health Center (Kent)	\$1,042,000
Yakima Valley Farm Workers Clinic (Kennewick)	\$1,030,000
Appropriation:	
State Building Construction Account—State	\$6,225,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$6,225,000

**Sec. 1044.** 2021 c 332 s 1087 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

2021-23 Community Relief (92000957)

The appropriations in this section ~~((is))~~ are subject to the following conditions and limitations:

(1) ~~((\$500,000))~~ \$300,000 of the state taxable building construction account—state appropriation is provided solely for the department to contract with the Communities of Concern Commission for development of a list of community-led capital projects that serve underserved communities. Eligible expenses include costs incurred by the Communities of Concern Commission in conducting outreach, developing an application process, providing technical assistance, assisting project proponents with project readiness, and assisting the department with identifying barriers faced in accessing capital grant programs. The department must present the list prepared by the Communities of Concern Commission to the fiscal committees of the legislature for consideration for funding in the 2022 supplemental capital budget with the list of identified projects. ~~((\$2,500,000 of the appropriation in this subsection (1) shall remain in unallotted status for purposes of legislative review of the joint list prepared by the Communities of Concern Commission and the department until the legislature appropriates funds for these projects in the budget process. The legislature retains the right to review and consider all such funding as it does with other requests for project funding.))~~ Following the development and submission of the list of community-led capital projects, the Communities of Concern Commission, in consultation with the department, may use up to \$250,000 of the appropriation in this section to fund predevelopment designs leading to the development of community-led capital projects that serve underserved communities. The intent of the legislature is to only provide funding in the 2021-2023 fiscal biennium in order to inform the department's comprehensive equity review required in the operating budget and allow the opportunity for the department to implement the steps necessary to improve equitable delivery of all of their capital grant programs. The department must submit an interim report to the legislature by December 31, 2021, on the barriers identified and lessons learned through

projects identified through this section and in section 1093 of this act and the connection to the equity review required in the operating budget.

(2)(a) ~~((The))~~ \$2,500,000 of the state building construction account—state appropriation is provided solely for the following list of Communities of Concern Commission projects:

<u>Community to Community, Ejidos Cooperative Farm (Everson)</u>	<u>\$250,000</u>
<u>Foundation for Homeless &amp; Poverty Management, Community Rejuvenation Center (Bremerton)</u>	<u>\$1,200,000</u>
<u>Northwest Native Canoe Center (Seattle)</u>	<u>\$800,000</u>
<u>FAME/Equity Alliance Washington, FAME Plaza (Seattle)</u>	<u>\$25,000</u>

Lummi Stepping Stones/Lhaq'temish Foundation, Eagle Haven Cottage Village (Bellingham) \$225,000

(b) \$11,950,000 of the state building construction account—state appropriation is provided solely for the following list of projects:

<u>?al?al (means "Home" in Lushootseed) (Seattle)</u>	<u>\$900,000</u>
<u>Asberry Historic Home Site Acquisition (Tacoma)</u>	<u>\$919,000</u>
<u>Be'er Sheva Park Improvements and Shoreline Restoration (Seattle)</u>	<u>\$500,000</u>
<u>Cham Community Center (CCC) (Seattle)</u>	<u>\$515,000</u>
<u><del>((Communities of Concern Commission (Seattle))</del></u>	<u><del>\$3,000,000</del></u>
<u>Elevate Youngstown Capital Project (Seattle)</u>	<u>\$515,000</u>
<u>Feast Collective Capital Request (Spokane)</u>	<u>\$103,000</u>
<u>Feeding Change Campaign (Seattle)</u>	<u>\$1,000,000</u>
<u>Khmer Community Center &amp; Cultural Hub (Seattle)</u>	<u>\$309,000</u>
<u>Martin Luther King Jr. Park Community Pool (Yakima)</u>	<u>\$1,000,000</u>

North Seattle Social Services Hub (Seattle) \$300,000

Neighborhood House Early Learning Facilities (Seattle) \$2,050,000

Shiloh Baptist Housing Development Project (Tacoma) \$2,100,000

Skyway Resource Center Renovation Project (Seattle) \$400,000

Wadajir Residences & Souq (Tukwila) \$1,339,000

~~((b))~~ (c) For the Asberry Historic Home Site Acquisition, the department must work with the department of archaeology and historic preservation and the grantee to develop a historic preservation easement. The easement must be held through the department of archaeology and historic preservation and must be placed on the title in perpetuity.

Appropriation:  
State Building Construction Account—State ~~((\$13,150,000))~~ \$14,450,000

State Taxable Building Construction Account—State ~~((\$500,000))~~ \$300,000

Subtotal Appropriation ~~((\$13,650,000))~~ \$14,750,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL ~~((\$13,650,000))~~ \$14,750,000

**Sec. 1045.** 2021 c 332 s 1089 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

Child Care Minor Renovation Grants (92001109)

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

~~((\$10,000,000))~~ \$28,522,000 of the appropriation is provided solely for the department to provide grants to childcare providers for minor renovations and small capital purchases and projects.

The grants are intended to support childcare providers so that they may maintain operations or expand operations during and after the COVID-19 public health emergency.

(1) The department shall collaborate with the department of children, youth, and families to conduct outreach to licensed family homes to ensure they are made aware of the grant opportunity.

(2) The department shall give priority to projects that make minor renovations without adding capacity and are therefore ineligible for the early learning facilities program.

(3) All grants provided in this section must be awarded by September 30, ~~((2022))~~ 2023.

(4) Of the amounts provided in this section, no more than four percent may be retained by the department for administrative purposes.

Appropriation:

General Fund—Federal	<del>(\$10,000,000)</del>
	<u>\$28,522,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	<del>(\$10,000,000)</del>
	<u>\$28,522,000</u>

**Sec. 1046.** 2021 c 332 s 1092 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

Work, Education, Health Monitoring Projects (91001686)

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

(1) The department may not expend the appropriation in this section unless and until the nonstate share of project costs have been either expended or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by the legislature. This requirement does not apply to projects where a share of the appropriation is for design costs only.

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

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

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

(5) In contracts for grants authorized under this section, the department must include provisions that require that capital improvements be held by the grantee for a specified period of time appropriate to the amount of the grant and that facilities be used for the express purpose of the grant. If the grantee is found to be out of compliance with provisions of the contract, the grantee shall repay to the state general fund the principal amount of the grant plus interest calculated at the rate of interest on state of Washington general obligation bonds issued most closely to the date of authorization of the grant.

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

(7) The department must comply with the requirements set forth in executive order 21-02 and must consult with the department of archaeology and historic preservation and affected tribes on the potential effects of these projects on cultural resources and historic properties. Consultation with the department of archaeology and historic preservation and affected

tribes must be initiated before project funds are made available.

(8) \$926,000 of the ~~((coronavirus capital projects account—federal))~~ state building construction account—state appropriation is provided solely for the following list of projects:

Camp Waskowitz Restrooms (North Bend)	\$250,000
Mary's Place Burien Shelter COVID Updates (Seattle)	\$550,000
Nordic Heritage Museum HVAC Renovation (Seattle)	\$26,000
Sherwood COVID Mitigation (Lake Stevens)	\$100,000
Appropriation:	
<del>(((<u>Coronavirus Capital Projects Account—Federal</u>) \$926,000))</del>	
<u>State Building Construction Account—State</u>	<u>\$926,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$926,000

**Sec. 1047.** 2021 c 332 s 1094 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

Early Learning COVID-19 Renovation Grants (91001681)

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

(1) \$8,500,000 of the ~~((coronavirus capital projects account—federal))~~ coronavirus state fiscal recovery fund—federal appropriation is provided solely for the Washington early learning loan fund to provide grants to early learning facilities for emergency renovation and remodeling changes in response to the public health emergency with respect to the coronavirus disease.

(2) The grants may not be used for operating expenditures, but must be used for capital needs to:

(a) Support increased social distancing requirements;

(b) Support increased health and safety measures;

(c) Provide increased outdoor space; or

(d) Increase or preserve early learning slots within a facility or community.

(3) Grant recipients must meet the requirements in RCW 43.31.575.

(4) Up to four percent of the funding in this appropriation may be used by the contractor to provide technical assistance to early learning providers interested in applying for the early learning facility grant or loan program.

Appropriation:

<del>(((<u>Coronavirus Capital Projects Account—Federal</u>) \$8,500,000))</del>	
<u>Coronavirus State Fiscal Recovery Fund—Federal</u>	<u>\$8,500,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$8,500,000

**NEW SECTION. Sec. 1048.** A new section is added to 2021 c 332 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

Homeless Youth Facilities (91001991)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the following list of projects:

Access to Our Community (Tukwila)	\$250,000
Communities of Color Coalition (Everett)	\$3,400,000
Community Youth Services (Olympia)	\$100,000
Friends of Youth (Redmond)	\$2,500,000
HopeSource (Ellensburg)	\$3,300,000
Northwest Youth Services (Burlington)	\$100,000
Skagit Valley Family YMCA (Mt. Vernon)	\$495,000
Transitional Youth Housing and Services (Seattle)	\$750,000
YouthCare Workforce Development Center (Seattle)	\$4,000,000

Appropriation:

FIFTY NINTH DAY, MARCH 9, 2022

2022 REGULAR SESSION

Capital Community Assistance Account—State	\$14,895,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
<b>TOTAL</b>	<b>\$14,895,000</b>

**NEW SECTION. Sec. 1049.** A new section is added to 2021 c 332 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

2022 Dental Capacity Grants (92001175)

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

(1) Funding in this section is provided solely for the construction and equipment directly associated with dental facilities that provide capacity to address unmet patient need and increased efficiency in dental access. Projects funded in this section must maintain dental services for a period of at least 10 years.

(2) The appropriation in this section is provided solely for the following list of projects:

Battle Ground HealthCare Dental Expansion (Battle Ground)	\$283,000
Community Health Care (Puyallup)	\$1,500,000
Family Health Center (Omak)	\$2,500,000
NEW Health CHC Dental Capital Expansion (Newport)	\$555,000
Peninsula Community Health Services (Bremerton)	\$463,000
Yakima Valley Farmworkers Clinic (Kennewick)	\$500,000

Appropriation:

State Building Construction Account—State	\$5,801,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
<b>TOTAL</b>	<b>\$5,801,000</b>

**NEW SECTION. Sec. 1050.** A new section is added to 2021 c 332 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

Dig-Once Pilot Program (91002171)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the department, in coordination with the system improvement team, to implement a dig-once pilot program to identify opportunities to dig once and bury fiber optic cables and conduits, repair water or sewer pipes, and repair roads, bridges, and sidewalks at the same time. The goals of the pilot program include minimizing local disruption, maximizing efficiencies, and demonstrating the ability to achieve cost savings to state and local governments. The pilot program must be implemented in Lewis county in collaboration with the department of transportation and the economic alliance of Lewis county.

(1) The department of transportation and local governments must collaborate with the department to identify and coordinate projects in Lewis county that require excavation work on public property, such as projects improving fish passage barriers, roads, broadband, water, wastewater, or stormwater infrastructure.

(2) The department must report to the office of financial management and fiscal committees of the legislature by December 1, 2022, regarding the implementation and potential cost savings of the dig-once pilot program and any recommendations related to implementation of a statewide dig-once policy.

Appropriation:

State Building Construction Account—State	\$40,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
<b>TOTAL</b>	<b>\$40,000</b>

**NEW SECTION. Sec. 1051.** A new section is added to

2021 c 332 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

Energy Efficiency Revolving Loan Fund Capitalization Program (92001179)

The appropriation in this section is subject to the following conditions and limitations: \$1,869,000 of the energy efficiency revolving loan capital account—state appropriation in this section is provided solely as expenditure authority for grant funding received by the department for the energy efficiency revolving loan fund capitalization program in section 40502 of P.L. 117-58 (infrastructure investment and jobs act), not to exceed the actual amount of grant funding awarded. Expenditure of the amount in this subsection is contingent on the receipt of this grant funding. If the department does not receive the grant funding by June 30, 2023, the expenditure authority in this section shall lapse.

Appropriation:

Energy Efficiency Revolving Loan Capital Account—State	\$1,869,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
<b>TOTAL</b>	<b>\$1,869,000</b>

**Sec. 1052.** 2021 c 332 s 1024 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

2018 Local and Community Projects (40000005)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 6002, chapter 356, Laws of 2020, except that no funding may be directed to the Sunnyside Community Hospital (Sunnyside) as this project is transitioning to Toppenish Hospital (Toppenish) pursuant to section 1026 of this act.

Reappropriation:

State Building Construction Account—State	<del>(\$42,896,000)</del>
	\$40,896,000
Prior Biennia (Expenditures)	\$87,441,000
Future Biennia (Projected Costs)	\$0
<b>TOTAL</b>	<del>(\$130,337,000)</del>
	\$128,337,000

**Sec. 1053.** 2021 c 332 s 1095 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Cowlitz River Dredging (20082856)

The appropriations in this section are subject to the following conditions and limitations: The appropriation in this section is provided solely for the office of financial management to contract with Cowlitz county to acquire land and rights of way along the Cowlitz river for the United States army corps of engineers to dredge. The land is necessary for dredged material deposit sites for the Mt. St. Helen's flood protection project.

Reappropriation:

State Building Construction Account—State	\$800,000
Appropriation:	
State Building Construction Account—State	\$1,200,000
Prior Biennia (Expenditures)	\$700,000
Future Biennia (Projected Costs)	\$0
<b>TOTAL</b>	<b>\$2,700,000</b>

**Sec. 1054.** 2021 c 332 s 1096 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Oversight of State Facilities (30000039)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the office of financial management to cover staffing and support costs of the facilities oversight team.

Appropriation:

Thurston County Capital Facilities—State	\$2,610,000
Prior Biennia (Expenditures)	\$4,769,000
Future Biennia (Projected Costs)	\$10,440,000
<b>TOTAL</b>	<b>\$17,819,000</b>

**Sec. 1055.** 2021 c 332 s 1097 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT**

OFM Capital Budget Staff (30000040)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the office of financial management to cover staffing and support costs of the capital budget team.

Appropriation:

Thurston County Capital Facilities—State	\$1,315,000
Prior Biennia (Expenditures)	\$2,469,000
Future Biennia (Projected Costs)	\$5,260,000
<b>TOTAL</b>	<b>\$9,044,000</b>

**NEW SECTION. Sec. 1056.** A new section is added to 2021 c 332 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Inflation and Contingency Fund (92001124)

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

(1) The appropriation in this section is provided solely for inflationary cost increases of materials for state agency projects funded in an omnibus capital appropriations act that are currently active in the construction phase. Projects in the design phase are not eligible and must submit a budget decision package for the 2023 legislative session. The office of financial management shall allocate funds based on project necessity.

(2) To be eligible for funds from this inflation and contingency fund, a request letter signed by the affected agency director must be submitted to the office of financial management and the appropriate legislative fiscal committees. The request must include:

- (a) A statement describing the unexpected costs;
- (b) The ways the agency has already mitigated project costs; and
- (c) The identification of other funding that may be applied to the project.

(3) For requests during a legislative session, an agency must notify the legislative fiscal committees before requesting these funds from the office of financial management.

(4) The office of financial management must notify the legislative evaluation and accountability program committee and the fiscal committees of the legislature as inflation and contingency funds are approved, including the approved funding level by fund type, and a copy of all the materials submitted in subsection (2) of this section.

(5) The office of financial management must report quarterly, beginning October 1, 2022, on the funding approved by agency, by project number, and type of funds authorized, to the fiscal committees of the legislature.

Appropriation:

Capital Community Assistance Account—State	\$8,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
<b>TOTAL</b>	<b>\$8,000,000</b>

**Sec. 1057.** 2021 c 332 s 1101 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Capitol Lake Long-Term Management Planning (30000740)

The appropriations in this section are subject to the following conditions and limitations: The appropriations and reappropriation are subject to the provisions of section 1026,

chapter 356, Laws of 2020, except that the final environmental impact statement that includes identification of a preferred alternative for Capitol Lake management must be submitted to the legislative fiscal committees by October 31, 2022.

Reappropriation:

General Fund—Private/Local	\$156,000
State Building Construction Account—State	\$1,663,000
<b>Subtotal Reappropriation</b>	<b>\$1,819,000</b>

Appropriation:

State Building Construction Account—State	\$715,000
<u>Thurston County Capital Facilities—State</u>	<u>\$150,000</u>
<u>Subtotal Appropriation</u>	<u>\$865,000</u>
Prior Biennia (Expenditures)	\$4,165,000
Future Biennia (Projected Costs)	\$0
<b>TOTAL</b>	<b><del>(\$6,699,000)</del></b>
	<b>\$6,849,000</b>

**Sec. 1058.** 2021 c 332 s 1104 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Statewide Minor Works - Preservation Projects (30000825)

Reappropriation:

State Building Construction Account—State	\$170,000
Prior Biennia (Expenditures)	<del>(\$3,416,000)</del>
	<u>\$2,983,000</u>

Future Biennia (Projected Costs) \$0

<b>TOTAL</b>	<b><del>(\$3,586,000)</del></b>
	<b>\$3,153,000</b>

**Sec. 1059.** 2021 c 332 s 1111 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Legislative Campus Modernization (92000020)

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

(1) The reappropriations are subject to the provisions of section 6024 of this act.

(2) The department must consult with the senate facilities and operations committee or its designee(s) and the house of representatives executive rules committee or its designee(s) at least every other month.

(3) \$11,585,000 of the Thurston county capital facilities account—state appropriation is provided solely for the global legislative campus modernization subproject, which includes, but is not limited to, modular building leases or purchases and associated costs, site development work on campus to include Columbia street, stakeholder outreach, and historic mitigation for the project.

(4) \$69,037,000 of the amount provided in this section is provided solely for Irv Newhouse building replacement design and construction subproject on opportunity site six.

(a) The department must:

- (i) Have a design contractor selected by September 1, 2021;
- (ii) Start design validation by October 1, 2021; and
- (iii) Start design by December 1, 2021.

(b) The design and construction must result in:

(i) A high performance building that meets net-zero-ready energy standards, with an energy use intensity of no greater than 35;

(ii) Sufficient program space required to support senate offices and support functions;

(iii) A building façade similar to the American neoclassical style with a base, shaft, and capitol expression focus with some relief expressed in modern construction methods to include adding more detailing and depth to the exterior so that it will fit with existing legislative buildings on west capitol campus, like



FIFTY NINTH DAY, MARCH 9, 2022

2022 REGULAR SESSION

the John Cherberg building;

(iv) Member offices of similar size as member offices in the John A. Cherberg building;

(v) Demolition of the buildings located on opportunity site six;

(vi) Consultation with the leadership of the senate, or their designee(s), at least every month, effective July 1, 2021; and

(vii) Ensure the subproject meets legislative intent to complete design by April 30, 2023, and start construction by September 1, 2023.

(5) \$8,538,000 of the amount provided in this section is provided solely for the Pritchard building and the John L. O'Brien renovation design subproject. The design contractor must be selected by ~~(January 1, 2023))~~ September 1, 2022, and the design must result in:

(a) A high performance building that meets net-zero-ready energy standards, with an energy use intensity of no greater than 35;

(b) Sufficient program space required to support house of representatives offices and support functions; and

(c) Additional office space in the Pritchard building necessary to offset house of representatives members and staff office space that ~~(may)~~ will be eliminated in the renovation of the third and fourth floors of the John L. O'Brien building.

(6) All appropriations must be coded and tracked as separate discrete subprojects in the agency financial reporting system.

(7) The state capitol committee, in consultation with capitol campus design advisory committee, may review architectural design proposals for continuity with the 2006 master plan for the capitol of the state of Washington and 2009 west capitol campus historic landscape preservation and vegetation management plan. As part of planning efforts, the state capitol committee may conduct a review of current design criteria and standards.

(8) The Irv Newhouse building replacement and Pritchard building designs should include an analysis of comprehensive impacts to the campus and the surrounding neighborhood, an evaluation of future workforce projections and an analysis of traffic impacts, parking needs, visual buffers, and campus aesthetics. The designs should include a public engagement process including the capitol campus design advisory committee and state capitol committee.

(9) \$180,000 of the appropriation in this section is provided solely for the department to conduct a preservation study of the Pritchard building as a continuation of the predesign in section 6024 of this act. The study must include an analysis of seismic, geotechnical, building codes, constructability, and costs associated with renovation and expansion of the Pritchard building to accommodate tenant space needs. The department shall contract with a third-party historic preservation specialist to ensure the study is in compliance with the secretary of the interior's standards and any other applicable standards for historic rehabilitation. The study must include a public engagement process including the capitol campus design advisory committee and state capitol committee. The study is subject to review and approval by the state capitol committee by March 31, 2022, to inform the design of a renovation, expansion, or replacement of the Pritchard building.

(10) The department may sell by auction the Ayers and Carlyon houses, known as the press houses, separate and apart from the underlying land, subject to the following conditions:

(a) The purchaser, at its sole cost and expense, must remove the houses by December 31, 2021;

(b) The state is not responsible for any costs or expenses associated with the sale, removal, or relocation of the buildings from opportunity site six; and

(c) Any sale proceeds must be deposited into the Thurston

county capital facilities account.

(11) Implementation of subsections (7) through (10) of this section is not intended to delay the design and construction of any of the subprojects included in the legislative campus modernization project.

(12) If the department receives information that projected costs for any of the subprojects in subsections (3), (4), or (5) of this section will exceed the amount provided in the respective subsections and the future biennia projected costs, the department must provide that information to the project executive team committee. The department must provide at least two options to reduce subproject costs to stay within the amount provided for that subproject and to stay on schedule. Before proceeding with a reduced cost option, the department must consult with the project executive team committee. The project executive team must reach majority consensus to either move forward with a lower cost option or to request additional capital budget funding.

Reappropriation:

State Building Construction Account—State \$9,900,000

Appropriation:

State Building Construction Account—State \$67,855,000

Thurston County Capital Facilities Account—State

\$11,585,000

Subtotal Appropriation \$79,440,000

Prior Biennia (Expenditures) \$596,000

Future Biennia (Projected Costs) ~~(\$90,812,000))~~

\$130,034,000

TOTAL ~~(\$180,748,000))~~

\$219,970,000

**Sec. 1060.** 2021 c 332 s 1114 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

Temple of Justice HVAC, Lighting & Water Systems (92000040)

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

(1)(a) To assist in funding this project, the department must work with the office of financial management to access federal funding for the total project cost.

(b) If the agency receives more than \$26,000,000 in federal funds, an amount of the state building construction account—state appropriation equal to the additional federal funds must be placed in unallotted status.

(c) For purposes of this subsection, "additional federal funds" means the difference between the total amount of federal funds received under (a) of this subsection and \$26,000,000.

(2) The department must:

(a) Submit the final predesign to the office of financial management by June 1, 2021;

(b) Submit the final energy services proposal to the senate ways and means committee and the house capital budget committee prior to the department starting the design phase; and

(c) Start design by August 31, 2021.

Appropriation:

State Building Construction Account—State ~~(\$4,000,000))~~

\$30,000,000

~~((Coronavirus Capital Projects Account—Federal \$26,000,000~~

~~Subtotal Appropriation \$30,000,000))~~

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$30,000,000

NEW SECTION. **Sec. 1061.** A new section is added to 2021 c 332 (uncodified) to read as follows:

**FOR THE MILITARY DEPARTMENT**

Thurston County Readiness Center (30000594)  
 Reappropriation:  
 Military Department Capital Account—State \$65,000  
 Prior Biennia (Expenditures) \$47,887,000  
 Future Biennia (Projected Costs) \$0  
 TOTAL \$47,952,000

**Sec. 1062.** 2021 c 332 s 1120 (uncodified) is amended to read as follows:

**FOR THE MILITARY DEPARTMENT**  
 Snohomish Readiness Center (30000930)  
 Appropriation:  
 General Fund—Federal ~~(\$3,562,000)~~  
\$4,349,000  
 State Building Construction Account—State ~~(\$1,188,000)~~  
\$1,566,000  
 Subtotal Appropriation ~~(\$4,750,000)~~  
\$5,915,000  
 Prior Biennia (Expenditures) \$0  
 Future Biennia (Projected Costs) \$0  
 TOTAL ~~(\$4,750,000)~~  
\$5,915,000

**Sec. 1063.** 2021 c 332 s 1121 (uncodified) is amended to read as follows:

**FOR THE MILITARY DEPARTMENT**  
 Anacortes Readiness Center Major Renovation (40000004)  
 Reappropriation:  
 Military Department Capital Account—State \$75,000  
 Appropriation:  
 General Fund—Federal \$3,551,000  
 State Building Construction Account—State \$3,551,000  
 Subtotal Appropriation \$7,102,000  
 Prior Biennia (Expenditures) ~~(\$75,000)~~  
\$74,000  
 Future Biennia (Projected Costs) \$0  
 TOTAL ~~(\$7,252,000)~~  
\$7,251,000

**Sec. 1064.** 2021 c 332 s 1123 (uncodified) is amended to read as follows:

**FOR THE MILITARY DEPARTMENT**  
 Minor Works Program 2019-21 Biennium (40000037)  
 Reappropriation:  
 General Fund—Federal \$20,000,000  
 State Building Construction Account—State ~~(\$2,200,000)~~  
\$2,243,000  
 Military Department Capital Account—State \$109,000  
 Subtotal Reappropriation ~~(\$22,309,000)~~  
\$22,352,000  
 Prior Biennia (Expenditures) ~~(\$691,000)~~  
\$648,000  
 Future Biennia (Projected Costs) \$0  
 TOTAL \$23,000,000

**PART 2  
 HUMAN SERVICES**

NEW SECTION. **Sec. 2001.** A new section is added to 2021 c 332 (uncodified) to read as follows:

**FOR THE CRIMINAL JUSTICE TRAINING COMMISSION**

Omnibus Minor Works (40000014)  
 Appropriation:  
 State Building Construction Account—State \$735,000  
 Prior Biennia (Expenditures) \$0  
 Future Biennia (Projected Costs) \$0  
 TOTAL \$735,000

**Sec. 2002.** 2021 c 332 s 2002 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF LABOR AND**

**INDUSTRIES**

L&I HQ Elevators (30000018)  
 Reappropriation:  
 Accident Account—State ~~(\$425,000)~~  
\$612,000  
 Medical Aid Account—State ~~(\$425,000)~~  
\$612,000  
 Subtotal Reappropriation ~~(\$850,000)~~  
\$1,224,000  
 Prior Biennia (Expenditures) ~~(\$3,084,000)~~  
\$2,710,000  
 Future Biennia (Projected Costs) \$0  
 TOTAL \$3,934,000

**Sec. 2003.** 2021 c 332 s 2006 (uncodified) is amended to read as follows:

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

Western State Hospital New Kitchen and Commissary Building (20081319)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 2003, chapter 2, Laws of 2018.

Reappropriation:  
 State Building Construction Account—State ~~(\$2,358,000)~~  
\$2,441,000  
 Prior Biennia (Expenditures) ~~(\$27,832,000)~~  
\$27,749,000  
 Future Biennia (Projected Costs) \$0  
 TOTAL \$30,190,000

**Sec. 2004.** 2021 c 332 s 2012 (uncodified) is amended to read as follows:

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

Fircrest School-Nursing Facilities: Replacement (30002755)

The appropriations in this section ~~(is)~~ are subject to the following conditions and limitations:

(1) It is the intent of the legislature to further the recommendations of the December 2019 report from the William D. Ruckleshaus center to redesign the intermediate care facility of the Fircrest Residential Habilitation Center to function as short-term crisis stabilization and intervention. It is also the intent of the legislature to concentrate the footprint of the Fircrest Residential Habilitation Center on the northern portion of the property. As a result, \$7,750,000 of the appropriation in this section is provided solely for design of a 120-bed nursing facility.

(2) \$2,243,000 of the appropriation is provided solely to relocate the adult training program to a different location on the Fircrest Rehabilitation Center campus. The department must consider the proposal to redesign the facility as a short-term crisis stabilization and intervention when devising options for relocation of the adult training program and submit a report of these options to the legislature no later than December 1, 2022.

(3) The department must seek input from individuals with intellectual and developmental disabilities, including the residents at Fircrest and their families or guardians, in design of a nursing facility.

Reappropriation:  
State Building Construction Account—State \$58,000  
 Appropriation:  
 State Building Construction Account—State \$9,993,000  
 Prior Biennia (Expenditures) ~~(\$242,000)~~  
\$184,000  
 Future Biennia (Projected Costs) \$0  
 TOTAL \$10,235,000

**Sec. 2005.** 2021 c 332 s 2014 (uncodified) is amended to read as follows:

FIFTY NINTH DAY, MARCH 9, 2022

2022 REGULAR SESSION

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

Eastern State Hospital-Westlake: New HVAC DDC Controls (30002759)

Reappropriation:

State Building Construction Account—State	\$1,227,000
Appropriation:	
<del>((Coronavirus Capital Projects Account Federal</del>	<del>\$1,450,000))</del>
<u>State Building Construction Account—State</u>	<u>\$1,450,000</u>
Prior Biennia (Expenditures)	\$1,173,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,850,000

**Sec. 2006.** 2021 c 332 s 2016 (uncodified) is amended to read as follows:

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

DOC/DSHS McNeil Island-Infrastructure: Repairs & Upgrades (30003211)

Reappropriation:

State Building Construction Account—State	\$1,234,000
Appropriation:	
<u>State Building Construction Account—State</u>	<u>\$685,000</u>
Prior Biennia (Expenditures)	\$36,000
Future Biennia (Projected Costs)	\$0
TOTAL	<del>((1,270,000))</del> <u>\$1,955,000</u>

**Sec. 2007.** 2021 c 332 s 2028 (uncodified) is amended to read as follows:

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

Fircrest School: Campus Master Plan & Rezone (30003601)

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

(1) The appropriations are subject to the provisions of section 2012, chapter 298, Laws of 2018.

(2) The department shall collaborate with the city of Shoreline on the future siting of three 16-bed behavioral health facilities on the northeast corner of the campus and a 120-bed nursing facility on the northwest portion of the campus.

(3) The department shall collaborate with the city to rezone portions of the Fircrest campus that are under used and not necessary for department operations, including the southwest corner, for long-term, revenue-generating opportunities.

Reappropriation:

Charitable, Educational, Penal, and Reformatory Institutions Account—State	\$102,000
Appropriation:	
Charitable, Educational, Penal, and Reformatory Institutions Account—State	\$125,000
<u>State Building Construction Account—State</u>	<u>\$168,000</u>
<u>Subtotal Appropriation</u>	<u>\$293,000</u>
Prior Biennia (Expenditures)	\$98,000
Future Biennia (Projected Costs)	\$0
TOTAL	<del>((325,000))</del> <u>\$493,000</u>

**Sec. 2008.** 2021 c 332 s 2047 (uncodified) is amended to read as follows:

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

Minor Works Preservation Projects: Statewide 2021-23 (40000571)

Appropriation:

State Building Construction Account—State	<del>((6,950,000))</del> <u>\$9,745,000</u>
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Charitable, Educational, Penal, and Reformatory Institutions Account—State	\$1,845,000
Subtotal Appropriation	<del>((8,795,000))</del> <u>\$11,590,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$21,000,000
TOTAL	<del>((29,795,000))</del> <u>\$32,590,000</u>

**Sec. 2009.** 2021 c 332 s 2048 (uncodified) is amended to read as follows:

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

Transitional Care Center-Main Building: Patient Rooms Cooling (40000574)

Appropriation:

<del>((Coronavirus Capital Projects Account Federal</del>	<del>\$2,335,000))</del>
<u>Coronavirus State Fiscal Recovery Fund—Federal</u>	<u>\$2,335,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,335,000

**Sec. 2010.** 2021 c 332 s 2050 (uncodified) is amended to read as follows:

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

Western State Hospital-Building 29: Roofing Replacement (40000589)

Appropriation:

State Building Construction Account—State	<del>((2,285,000))</del> <u>\$5,035,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	<del>((2,285,000))</del> <u>\$5,035,000</u>

**NEW SECTION. Sec. 2011.** A new section is added to 2021 c 332 (uncodified) to read as follows:

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

Fircrest School-ICF Cottages: HVAC and Water Heater Improvements (40000946)

Appropriation:

State Building Construction Account—State	\$5,780,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,780,000

**NEW SECTION. Sec. 2012.** A new section is added to 2021 c 332 (uncodified) to read as follows:

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

Western State Hospital-Building 29: CMS Certification (40000948)

Appropriation:

State Building Construction Account—State	\$220,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$220,000

**Sec. 2013.** 2021 c 332 s 2056 (uncodified) is amended to read as follows:

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

BH: State Owned, Mixed Use Community Civil 48-Bed Capacity (91000077)

The appropriations in this section are subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 2054, chapter 413, Laws of 2019.

Reappropriation:	
State Building Construction Account—State	\$18,235,000
Appropriation:	
State Building Construction Account—State	<del>(\$37,700,000)</del>
	<u>\$38,125,000</u>
Prior Biennia (Expenditures)	\$1,765,000
Future Biennia (Projected Costs)	\$0
TOTAL	<del>(\$57,700,000)</del>
	<u>\$58,125,000</u>

**Sec. 2014.** 2021 c 332 s 2062 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF HEALTH**

Drinking Water Preconstruction Loans (30000334)

Reappropriation:

Drinking Water Assistance Account—State	<del>(\$5,115,000)</del>
	<u>\$5,415,000</u>
Prior Biennia (Expenditures)	\$585,000
Future Biennia (Projected Costs)	\$0
TOTAL	<del>(\$5,700,000)</del>
	<u>\$6,000,000</u>

**Sec. 2015.** 2021 c 332 s 2063 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF HEALTH**

Public Health Lab South Laboratory Addition (30000379)

Appropriation:

<del>(Coronavirus Capital Projects Account Federal</del>	<del>\$4,933,000)</del>
State Building Construction Account—State	<u>\$4,933,000</u>
Prior Biennia (Expenditures)	\$196,000
Future Biennia (Projected Costs)	\$66,519,000
TOTAL	\$71,648,000

**Sec. 2016.** 2021 c 332 s 2065 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF HEALTH**

Drinking Water Construction Loans (30000409)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 2034, chapter 2, Laws of 2018.

Reappropriation:

Drinking Water Assistance Account—State	<del>(\$38,529,000)</del>
	<u>\$48,390,000</u>
Prior Biennia (Expenditures)	<del>(\$69,609,000)</del>
	<u>\$69,610,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	<del>(\$108,138,000)</del>
	<u>\$118,000,000</u>

**Sec. 2017.** 2021 c 332 s 2066 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF HEALTH**

Drinking Water System Repairs and Consolidation (40000006)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 2035, chapter 2, Laws of 2018.

Reappropriation:

State Building Construction Account—State	<del>(\$1,000,000)</del>
	<u>\$1,462,000</u>
Prior Biennia (Expenditures)	<del>(\$2,858,000)</del>
	<u>\$3,538,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	<del>(\$3,858,000)</del>
	<u>\$5,000,000</u>

**Sec. 2018.** 2021 c 332 s 2068 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF HEALTH**

2019-21 Drinking Water Assistance Program (40000025)

Reappropriation:

Drinking Water Assistance Account—Federal	<del>(\$31,000,000)</del>
	<u>\$33,697,000</u>
Prior Biennia (Expenditures)	<del>(\$4,000,000)</del>
	<u>\$1,303,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	\$35,000,000

**Sec. 2019.** 2021 c 332 s 2069 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF HEALTH**

2019-21 Drinking Water System Repairs and Consolidation (40000027)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 2068, chapter 413, Laws of 2019.

Reappropriation:

State Building Construction Account—State	<del>(\$750,000)</del>
	<u>\$1,380,000</u>
Prior Biennia (Expenditures)	<del>(\$21,000)</del>
	<u>\$120,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	<del>(\$771,000)</del>
	<u>\$1,500,000</u>

**Sec. 2020.** 2021 c 332 s 2070 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF HEALTH**

Small & Disadvantaged Communities DW (40000031)

The appropriation in this section is subject to the following conditions and limitations: \$20,063,000 of the general fund—federal appropriation in this section is provided solely as expenditure authority for grant funding received by the department for assistance to small and disadvantaged communities in section 50104 of P.L. 117-58 (infrastructure investment and jobs act), not to exceed the actual amount of grant funding awarded. Expenditure of the amount in this subsection is contingent on the receipt of this grant funding. If the department does not receive the grant funding by June 30, 2023, the expenditure authority in this section shall lapse.

Appropriation:

General Fund—Federal	<del>(\$743,000)</del>
	<u>\$20,806,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	<del>(\$743,000)</del>
	<u>\$20,806,000</u>

**Sec. 2021.** 2021 c 332 s 2071 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF HEALTH**

E-wing Remodel to a Molecular Laboratory (40000032)

Appropriation:

<del>(Coronavirus Capital Projects Account—Federal</del>	<del>\$216,000)</del>
State Building Construction Account—State	<u>\$216,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$14,179,000
TOTAL	\$14,395,000

**Sec. 2022.** 2021 c 332 s 2072 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF HEALTH**

Replace Air Handling Unit (AHU) in A/Q-wings (40000034)

Appropriation:

<del>(Coronavirus Capital Projects Account—Federal</del>	<del>\$1,894,000)</del>
Coronavirus State Fiscal Recovery Fund—Federal	<u>\$1,894,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,894,000

**Sec. 2023.** 2021 c 332 s 2075 (uncodified) is amended to read

FIFTY NINTH DAY, MARCH 9, 2022

2022 REGULAR SESSION

as follows:

**FOR THE DEPARTMENT OF HEALTH**

2021-23 Drinking Water Assistance Program (40000049)

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

(1) 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 reasonably obtainable, the department 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.

(2) The department must encourage local government use of federally funded drinking water infrastructure programs operated by the United States department of agriculture rural development.

(3) \$78,900,000 of the drinking water assistance account—federal appropriation in this section is provided solely as expenditure authority for grant funding received by the department for the drinking water state revolving fund program in section 50102 of P.L. 117-58 (infrastructure investment and jobs act), not to exceed the actual amount of grant funding awarded. Expenditure of the amount in this subsection is contingent on the receipt of this grant funding. If the department does not receive the grant funding by June 30, 2023, the expenditure authority in this subsection shall lapse.

Appropriation:

Drinking Water Assistance Account—Federal	(( <del>\$34,000,000</del> ))
	<u>\$112,900,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	(( <del>\$34,000,000</del> ))
	<u>\$112,900,000</u>

**Sec. 2024.** 2021 c 332 s 2076 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF HEALTH**

2021-23 Drinking Water Construction Loans - State Match (40000051)

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

(1) 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 reasonably obtainable, the department of health 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.

(2) The department must encourage local government use of federally funded drinking water infrastructure programs operated by the United States department of agriculture rural development.

Appropriation:

Drinking Water Assistance Account—State	(( <del>\$11,000,000</del> ))
	<u>\$20,400,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	(( <del>\$11,000,000</del> ))
	<u>\$20,400,000</u>

**NEW SECTION. Sec. 2025.** A new section is added to 2021 c 332 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF HEALTH**

Generator for New Central Boiler Plant (40000053)

Appropriation:

State Building Construction Account—State	\$1,837,000
Prior Biennia (Expenditures)	\$0

Future Biennia (Projected Costs)	\$0
TOTAL	\$1,837,000

**NEW SECTION. Sec. 2026.** A new section is added to 2021 c 332 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF HEALTH**

Improve Critical Water Infrastructure (40000058)

Appropriation:

Drinking Water Assistance Account—State	\$20,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$70,000,000
TOTAL	\$90,000,000

**NEW SECTION. Sec. 2027.** A new section is added to 2021 c 332 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF HEALTH**

2023 DWSRF Preconstruction Loans (40000059)

Appropriation:

Drinking Water Assistance Account—State	\$400,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$5,600,000
TOTAL	\$6,000,000

**Sec. 2028.** 2021 c 332 s 2080 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF VETERANS AFFAIRS**

WVH HVAC Retrofit (40000006)

Reappropriation:

State Building Construction Account—State	(( <del>\$250,000</del> ))
	<u>\$441,000</u>
Prior Biennia (Expenditures)	(( <del>\$162,000</del> ))
	<u>\$309,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	(( <del>\$412,000</del> ))
	<u>\$750,000</u>

**NEW SECTION. Sec. 2029.** A new section is added to 2021 c 332 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF VETERANS AFFAIRS**

Transitional Housing Capital Improvements (40000066)

Appropriation:

General Fund—Federal	\$2,400,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,400,000

**Sec. 2030.** 2021 c 332 s 2082 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF VETERANS AFFAIRS**

DVA ARPA Federal Funds & State Match (91000013)

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

(1) The department is granted federal expenditure authority in anticipation of the receipt of federal competitive grant funding for which it is eligible to apply under section 8004 of the American rescue plan act of 2021, P.L. 117-2.

(2) Funding appropriated in this section must be used for projects in the following priority order:

(a) The WVH HVAC Retrofit project (40000006); and

(b) Minor works projects that meet the requirements set forth in section 8004 of the American rescue plan act of 2021, P.L. 117-2.

~~((3) The state building construction account state appropriation in this section must be used as state match funds to leverage the federal funding described in subsection (1) of this section. Any amount that exceeds the level of state match funds required to maximize the federal funding opportunity must be placed in unallotted status.))~~

Appropriation:

General Fund—Federal	\$24,515,000
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State Building Construction Account—State	(( <del>\$8,584,000</del> ))
	<u>\$10,884,000</u>
Subtotal Appropriation	(( <del>\$33,099,000</del> ))
	<u>\$35,399,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	(( <del>\$33,099,000</del> ))
	<u>\$35,399,000</u>

**Sec. 2031.** 2021 c 332 s 2084 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES**

Echo Glen-Housing Unit: Acute Mental Health Unit (30002736)

Reappropriation:

State Building Construction Account—State	(( <del>\$7,000,000</del> ))
	<u>\$9,174,000</u>

Prior Biennia (Expenditures)	(( <del>\$2,600,000</del> ))
	<u>\$426,000</u>

Future Biennia (Projected Costs)	\$0
TOTAL	\$9,600,000

**Sec. 2032.** 2021 c 332 s 2085 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES**

Green Hill School-Recreation Building: Replacement (30003237)

Reappropriation:

State Building Construction Account—State	<u>\$181,000</u>
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State Building Construction Account—State	\$29,962,000
Prior Biennia (Expenditures)	(( <del>\$1,800,000</del> ))
	<u>\$1,619,000</u>

Future Biennia (Projected Costs)	\$0
TOTAL	\$31,762,000

**Sec. 2033.** 2021 c 332 s 2086 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES**

Minor Works Preservation Projects: Statewide 2019-21 (40000400)

Reappropriation:

State Building Construction Account—State	\$750,000
Prior Biennia (Expenditures)	(( <del>\$2,250,000</del> ))
	<u>\$1,690,000</u>

Future Biennia (Projected Costs)	\$0
TOTAL	(( <del>\$3,000,000</del> ))
	<u>\$2,440,000</u>

**NEW SECTION. Sec. 2034.** A new section is added to 2021 c 332 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF CORRECTIONS**

WCC: Paint and Repair 300,000 Gallon Water Storage Tank (30000697)

Appropriation:

State Building Construction Account—State	\$500,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$500,000

**NEW SECTION. Sec. 2035.** A new section is added to 2021 c 332 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF CORRECTIONS**

ECWR: Foundation and Siding Repair (40000067)

Appropriation:

State Building Construction Account—State	\$850,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0

TOTAL	\$850,000
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**Sec. 2036.** 2021 c 332 s 2105 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CORRECTIONS**

Minor Works - Preservation Projects (40000187)

Reappropriation:	
State Building Construction Account—State	(( <del>\$3,500,000</del> ))
	<u>\$1,856,000</u>

Prior Biennia (Expenditures)	(( <del>\$2,973,000</del> ))
	<u>\$9,812,000</u>

Future Biennia (Projected Costs)	\$0
TOTAL	(( <del>\$6,473,000</del> ))
	<u>\$11,668,000</u>

**NEW SECTION. Sec. 2037.** A new section is added to 2021 c 332 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF CORRECTIONS**

WCC: Interim Mental Health Building (40000260)

Appropriation:	
State Building Construction Account—State	\$1,275,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,275,000

**Sec. 2038.** 2021 c 332 s 2095 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CORRECTIONS**

MCC: TRU Support Building HVAC Replacement (40000379)

Appropriation:	
(( <del>Coronavirus Capital Projects Account Federal</del> ))	<u>\$4,646,000</u>

Coronavirus State Fiscal Recovery Fund—Federal	<u>\$4,646,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,646,000

**Sec. 2039.** 2021 c 332 s 2104 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CORRECTIONS**

MCC: Sewer System HABU (Highest and Best Use) (40000185)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 2103, chapter 413, Laws of 2019.

Reappropriation:	
State Building Construction Account—State	(( <del>\$500,000</del> ))
	<u>\$720,000</u>

Prior Biennia (Expenditures)	(( <del>\$300,000</del> ))
	<u>\$80,000</u>

Future Biennia (Projected Costs)	\$0
TOTAL	\$800,000

**Sec. 2040.** 2021 c 332 s 2102 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CORRECTIONS**

Minor Works - Preservation Projects (40000254)

Appropriation:	
State Building Construction Account—State	(( <del>\$11,800,000</del> ))
	<u>\$10,323,000</u>

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$60,833,000
TOTAL	(( <del>\$72,633,000</del> ))
	<u>\$71,156,000</u>

**NEW SECTION. Sec. 2041.** A new section is added to 2021 c 332 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF CORRECTIONS**

Inpatient Psychiatric Unit (40000413)

Appropriation:	
State Building Construction Account—State	\$350,000

FIFTY NINTH DAY, MARCH 9, 2022

2022 REGULAR SESSION

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
<b>TOTAL</b>	<b>\$350,000</b>

**NEW SECTION. Sec. 2042.** A new section is added to 2021 c 332 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF CORRECTIONS**

CRCC: Sage Unit Move to AHCC (40000414)

Appropriation:

State Building Construction Account—State	\$1,050,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
<b>TOTAL</b>	<b>\$1,050,000</b>

**NEW SECTION. Sec. 2043.** A new section is added to 2021 c 332 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF CORRECTIONS**

AHCC: Modular Building for Health Service Staff (40000415)

Appropriation:

State Building Construction Account—State	\$791,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
<b>TOTAL</b>	<b>\$791,000</b>

**NEW SECTION. Sec. 2044.** A new section is added to 2021 c 332 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF CORRECTIONS**

CRCC: Modular Building for Health Service Staff (40000416)

Appropriation:

State Building Construction Account—State	\$777,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
<b>TOTAL</b>	<b>\$777,000</b>

**NEW SECTION. Sec. 2045.** A new section is added to 2021 c 332 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF CORRECTIONS**

CBCC: Utilidor Mechanical and Electrical System Repair (91000432)

Appropriation:

State Building Construction Account—State	\$2,977,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
<b>TOTAL</b>	<b>\$2,977,000</b>

**Sec. 2046.** 2021 c 332 s 2106 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CORRECTIONS**

WSP: Unit Six Roof Replacement (92000037)

Reappropriation:

State Building Construction Account—State	( <del>\$650,000</del> )
	<u>\$786,000</u>
Prior Biennia (Expenditures)	( <del>\$277,000</del> )
	<u>\$141,000</u>

Future Biennia (Projected Costs) \$0

**TOTAL** \$927,000

**Sec. 2047.** 2021 c 332 s 2107 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CORRECTIONS**

WCCW: AC for MSU (92000039)

Reappropriation:

State Building Construction Account—State \$1,250,000

Appropriation:

State Building Construction Account—State \$160,000

Prior Biennia (Expenditures) (~~\$46,000~~)

Future Biennia (Projected Costs) \$0

**TOTAL** (~~\$1,296,000~~)

\$1,509,000

**NEW SECTION. Sec. 2048.** The following acts or parts of

acts are each repealed:

- (1)2021 c 332 s 2054 (uncodified); and
- (2)2021 c 332 s 2093 (uncodified).

**PART 3**

**NATURAL RESOURCES**

**Sec. 3001.** 2021 c 332 s 3016 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

ASARCO Cleanup (30000334)

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

(1) The reappropriation is subject to the provisions of section 3020, chapter 413, Laws of 2019.

(2) \$400,000 of the reappropriation in this section is provided solely for the department to provide to the city of Tacoma to reimburse the developer of the former ASARCO smelter site for costs incurred by the site developer in cleanup and remediation of the former Ruston Way tunnel, including cleanup and remediation costs that occurred prior to June 30, 2019. Before the city of Tacoma may issue the reimbursement, the city must verify that the city and the site developer have properly documented the cleanup costs and that the site developer has released all affected public entities for liability for an amount at least equal to the amount provided in this subsection.

Reappropriation:

Cleanup Settlement Account—State	\$1,273,000
Prior Biennia (Expenditures)	\$34,987,000
Future Biennia (Projected Costs)	\$0
<b>TOTAL</b>	<b>\$36,260,000</b>

**Sec. 3002.** 2021 c 332 s 3071 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

2019-21 Streamflow Restoration Program (40000177)

Reappropriation:

Watershed Restoration and Enhancement Bond

Account—State (~~(\$31,504,000)~~)

\$31,542,000

Prior Biennia (Expenditures) (~~(\$8,496,000)~~)

\$8,458,000

Future Biennia (Projected Costs) \$0

**TOTAL** \$40,000,000

**Sec. 3003.** 2021 c 332 s 3084 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

2021-23 Water Pollution Control Revolving Program (40000337)

The appropriations in this section are subject to the following conditions and limitations: \$33,000,000 of the water pollution control revolving—federal appropriation in this section is provided solely as expenditure authority for grant funding received by the department for the clean water state revolving fund program in section 50210 of P.L. 117-58 (infrastructure investment and jobs act), not to exceed the actual amount of grant funding awarded. Expenditure of the amount in this section is contingent on the receipt of this grant funding. If the department does not receive the grant funding by June 30, 2023, the expenditure authority in this section shall lapse.

Appropriation:

Water Pollution Control Revolving Fund—State \$225,000,000

Water Pollution Control Revolving Fund—Federal

(~~(\$75,000,000)~~)

\$108,000,000

Subtotal Appropriation (~~(\$300,000,000)~~)

\$333,000,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs)	\$1,200,000,000
TOTAL	<del>(\$1,500,000,000)</del>
	<u>\$1,533,000,000</u>

**Sec. 3004.** 2021 c 332 s 3086 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

2021-23 State Match - Water Pollution Control Revolving Program (40000339)

Appropriation:	
Water Pollution Control Revolving Fund—State	<del>(\$15,000,000)</del>
	<u>\$18,000,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$60,000,000
TOTAL	<del>(\$75,000,000)</del>
	<u>\$78,000,000</u>

**NEW SECTION. Sec. 3005.** A new section is added to 2021 c 332 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

Pacific Wood Treating Site Cleanup – Cleanup Settlement Account (40000464)

Appropriation:	
Cleanup Settlement Account—State	\$2,326,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,326,000

**NEW SECTION. Sec. 3006.** A new section is added to 2021 c 332 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

2022 Clean Up Toxic Sites – Puget Sound (40000465)

Appropriation:	
Model Toxics Control Capital Account—State	\$4,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,000,000

**NEW SECTION. Sec. 3007.** A new section is added to 2021 c 332 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

Failing Main Electrical Service Panel (40000467)

Appropriation:	
State Building Construction Account—State	\$663,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$663,000

**NEW SECTION. Sec. 3008.** A new section is added to 2021 c 332 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

2022 Community-Based Public-Private Stormwater Partnership (40000470)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the department to establish a community-based public-private partnership stormwater pilot program, using the Washington state stormwater community-based public-private partnership feasibility assessment as a guide. The department must work with partner agencies to develop local capacity and attract private investment.

Appropriation:	
Model Toxics Control Stormwater Account—State	\$1,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$28,000,000
TOTAL	\$29,000,000

**NEW SECTION. Sec. 3009.** A new section is added to 2021 c 332 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

2022 Water Pollution Control Revolving Program (40000473)

Appropriation:

Water Pollution Control Revolving Fund—State	\$200,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$200,000,000

**Sec. 3010.** 2021 c 332 s 3112 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

2021-23 Water Banking (91000373)

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

(1)(a) The appropriations in this section are provided solely for the department to administer a pilot grant program for water banking strategies to meet local water needs.

(b) \$2,000,000 is provided solely for qualified applicants located within the Methow River Basin.

(2)(a) Grant awards may only be used for:

(i) Development of water banks in rural counties as defined in RCW 82.14.370(5);

(ii) Acquisition of water rights appropriate for use in a water bank including all costs necessary to evaluate the water right for eligibility for its intended use; and

(iii) Activities necessary to facilitate the creation of a water bank.

(b) For applicants located outside of the Methow River Basin, grant awards may only be used for the development of water banks in rural counties that have the headwaters of a major watershed within their borders and only for water banking strategies within the county of origin. For purposes of this section, "major watershed" has the same meaning as shoreline of statewide significance in RCW 90.58.030(2)(f)(v) (A) and (B).

(3) Grant awards may not exceed \$2,000,000 per applicant.

(4) For the purposes of a grant pursuant to this section, a water bank must meet water needs, which include, but are not limited to, agricultural use and instream flow for fish and wildlife. The water bank must preserve water rights for use in the county of origin and for permanent instream flows for fish and wildlife through the primary and secondary reaches of the water right.

(5) To be eligible to receive a grant under this section, an applicant must:

(a) Be a public entity or a participant in a public-private partnership with a public entity;

(b) Exhibit sufficient expertise and capacity to develop and maintain a water bank consistent with the purposes of this appropriation;

(c) Secure a valid interest to purchase a water right;

(d) Show that the water rights appear to be adequate for the intended use; and

(e) Agree to have one-third of any water right purchased with the funds appropriated under this section to have its purpose of use changed permanently to instream flow benefiting fish and wildlife.

(6) If the amounts provided in subsection (1)(b) of this section are not obligated by June 30, 2023, the water banking pilot program established in this section is null and void, and funding is not reappropriated.

Appropriation:

State Building Construction Account—State	\$5,000,000
<u>State Drought Preparedness and Response Account—State</u>	<u>\$9,000,000</u>
<u>Subtotal Appropriation</u>	<u>\$14,000,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	<del>(\$5,000,000)</del>
	<u>\$14,000,000</u>

**NEW SECTION. Sec. 3011.** A new section is added to



FIFTY NINTH DAY, MARCH 9, 2022

2022 REGULAR SESSION

2021 c 332 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

2022 Stormwater Projects (92000195)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the following list of projects:

Urban Stormwater Partnership-I5 Ship Canal Bridge Pilot (Seattle)	\$4,000,000
Port of Port Angeles Stormwater Project (Port Angeles)	\$855,000
Appropriation:	
Model Toxics Control Stormwater Account—State	\$4,855,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,855,000

**Sec. 3012.** 2021 c 332 s 3129 (uncodified) is amended to read as follows:

**FOR THE STATE PARKS AND RECREATION COMMISSION**

Steamboat Rock Build Dunes Campground (30000729)

Reappropriation:	
State Building Construction Account—State	\$200,000
Prior Biennia (Expenditures)	(( <del>\$4,137,000</del> ))
	<u>\$4,026,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	(( <del>\$4,337,000</del> ))
	<u>\$4,226,000</u>

**Sec. 3013.** 2021 c 332 s 3130 (uncodified) is amended to read as follows:

**FOR THE STATE PARKS AND RECREATION COMMISSION**

Kopachuck Day Use Development (30000820)

Reappropriation:	
State Building Construction Account—State	\$4,914,000
<u>Appropriation:</u>	
State Building Construction Account—State	\$2,070,000
Prior Biennia (Expenditures)	\$1,024,000
Future Biennia (Projected Costs)	(( <del>\$0</del> ))
	<u>\$1,035,000</u>
TOTAL	(( <del>\$5,938,000</del> ))
	<u>\$9,043,000</u>

**Sec. 3014.** 2021 c 332 s 3133 (uncodified) is amended to read as follows:

**FOR THE STATE PARKS AND RECREATION COMMISSION**

Lake Sammamish Dock Grant Match (30000872)

Reappropriation:	
State Building Construction Account—State	\$938,000
Prior Biennia (Expenditures)	(( <del>\$142,000</del> ))
	<u>\$128,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	(( <del>\$1,080,000</del> ))
	<u>\$1,066,000</u>

**Sec. 3015.** 2021 c 332 s 3134 (uncodified) is amended to read as follows:

**FOR THE STATE PARKS AND RECREATION COMMISSION**

Birch Bay - Repair Failing Bridge (30000876)

Reappropriation:	
State Building Construction Account—State	\$55,000
Prior Biennia (Expenditures)	(( <del>\$193,000</del> ))
	<u>\$191,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	(( <del>\$248,000</del> ))
	<u>\$246,000</u>

**Sec. 3016.** 2021 c 332 s 3136 (uncodified) is amended to read as follows:

**FOR THE STATE PARKS AND RECREATION COMMISSION**

Field Spring Replace Failed Sewage Syst & Non-ADA Comfort Station (30000951)

Reappropriation:	
State Building Construction Account—State	\$1,023,000
<u>Appropriation:</u>	
State Building Construction Account—State	\$480,000
Prior Biennia (Expenditures)	\$245,000
Future Biennia (Projected Costs)	\$0
TOTAL	(( <del>\$1,268,000</del> ))
	<u>\$1,748,000</u>

**Sec. 3017.** 2021 c 332 s 3138 (uncodified) is amended to read as follows:

**FOR THE STATE PARKS AND RECREATION COMMISSION**

Parkland Acquisition (30000976)

Appropriation:	
Parkland Acquisition Account—State	(( <del>\$2,000,000</del> ))
	<u>\$2,500,000</u>
Prior Biennia (Expenditures)	\$2,245,000
Future Biennia (Projected Costs)	\$8,000,000
TOTAL	(( <del>\$12,245,000</del> ))
	<u>\$12,745,000</u>

**Sec. 3018.** 2021 c 332 s 3143 (uncodified) is amended to read as follows:

**FOR THE STATE PARKS AND RECREATION COMMISSION**

Statewide Water System Renovation (30001016)

Reappropriation:	
State Building Construction Account—State	\$103,000
Prior Biennia (Expenditures)	(( <del>\$397,000</del> ))
	<u>\$392,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	(( <del>\$500,000</del> ))
	<u>\$495,000</u>

**Sec. 3019.** 2021 c 332 s 3147 (uncodified) is amended to read as follows:

**FOR THE STATE PARKS AND RECREATION COMMISSION**

Statewide Fish Barrier Removal (40000010)

Reappropriation:	
State Building Construction Account—State	(( <del>\$1,605,000</del> ))
	<u>\$1,718,000</u>
Prior Biennia (Expenditures)	(( <del>\$300,000</del> ))
	<u>\$187,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,905,000

**Sec. 3020.** 2021 c 332 s 3149 (uncodified) is amended to read as follows:

**FOR THE STATE PARKS AND RECREATION COMMISSION**

Preservation Minor Works 2019-21 (40000151)

Reappropriation:	
State Building Construction Account—State	(( <del>\$1,139,000</del> ))
	<u>\$1,196,000</u>
Prior Biennia (Expenditures)	(( <del>\$3,308,000</del> ))
	<u>\$3,251,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,447,000

**Sec. 3021.** 2021 c 332 s 3151 (uncodified) is amended to read as follows:

**FOR THE STATE PARKS AND RECREATION**

**COMMISSION**

Palouse to Cascade Trail - Crab Creek Trestle Replacement (40000162)

Reappropriation:

State Building Construction Account—State \$79,000

Appropriation:

State Building Construction Account—State \$2,031,000

Prior Biennia (Expenditures) \$171,000

Future Biennia (Projected Costs) \$0

TOTAL (\$250,000)

\$2,281,000

**Sec. 3022.** 2021 c 332 s 3154 (uncodified) is amended to read as follows:

**FOR THE STATE PARKS AND RECREATION COMMISSION**

Saint Edward Maintenance Facility (40000218)

Appropriation:

State Building Construction Account—State (\$2,199,000)

\$2,524,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL (\$2,199,000)

\$2,524,000

**NEW SECTION. Sec. 3023.** A new section is added to 2021 c 332 (uncodified) to read as follows:

**FOR THE STATE PARKS AND RECREATION COMMISSION**

Anderson Lake - New Day Use Facilities and Trail Development (91000441)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the design of new day use facilities and trail development at Anderson Lake State Park.

Appropriation:

State Building Construction Account—State \$335,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$335,000

**Sec. 3024.** 2021 c 332 s 3161 (uncodified) is amended to read as follows:

**FOR THE STATE PARKS AND RECREATION COMMISSION**

State Parks Capital Preservation Pool (92000014)

Reappropriation:

State Building Construction Account—State (\$11,239,000)

\$10,204,000

Prior Biennia (Expenditures) \$19,761,000

Future Biennia (Projected Costs) \$0

TOTAL (\$31,000,000)

\$29,965,000

**Sec. 3025.** 2021 c 332 s 3163 (uncodified) is amended to read as follows:

**FOR THE STATE PARKS AND RECREATION COMMISSION**

2021-23 State Parks Capital Preservation Pool (92000017)

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

(1) The appropriation in this section is provided solely for a pool of eligible projects owned by the state parks and recreation commission.

(2) The following projects are the only projects eligible for funding in this section:

(a) Larrabee Water System Replacement;

(b) Cape Disappointment - Welcome Center and Entrance Improvements;

(c) Blake Island Marine Facilities Improvements;

(d) Cape Disappointment: Campground Access Road Culverts;

(e) Twenty-Five Mile Creek - Replace Moorage Floats;

(f) Maryhill Parkwide Septic System Overhaul;

(g) Palouse to Cascade Trail - Crab Creek Trestle Replacement;

(h) Mount Spokane - Maintenance Facility Relocation from Harms Way;

(i) Sun Lakes Replace Primary Lift Station;

(j) Lyons Ferry Campground Reestablishment;

(k) Pearrygin Lake West Campground Development;

(l) Palouse Falls Day Use Area Renovation;

(m) Birch Bay - Repair Failing Bridge;

(n) Centennial Trail Paving Repair and Overlay;

(o) Deception Pass - Bowman Bay Pier Replacement;

(p) Ike Kinswa: Main Campground Loop Utility Upgrades;

(q) South Whidbey - Campground to Day Use Conversion;

(r) Wallace Falls Water System Replacement;

(s) Willapa Hills Trail: Bridge 48 and Trail Relocation;

(t) Statewide - Facility & Infrastructure Backlog Reduction 2021-23;

(u) Statewide - ADA Compliance 2021-23;

(v) Statewide - Code/Regulatory Compliance 2021-23;

(w) Statewide - Marine Facilities Rehabilitation 2021-23;

(x) Palouse to Cascades Trail - Repair Trestles and Trail Access;

(y) Electrical, Water and Sewer Infrastructure Preservation 2021-23;

(z) Statewide Park Paving Projects 2021-23;

(aa) Statewide Park Comfort Station Replacements 2021-23;

(bb) Wallace Falls Parking Expansion;

(cc) Lake Wenatchee-Pedestrian Bridge; and

(dd) Twanoh-Shoreline Restoration.

(3) The commission shall report to the governor and the appropriate committees of the legislature the list of projects with funding levels, allotments, and schedules for the projects in this section by January 1, 2022.

Appropriation:

State Building Construction Account—State (\$39,500,000)

\$40,250,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL (\$39,500,000)

\$40,250,000

**Sec. 3026.** 2021 c 332 s 3164 (uncodified) is amended to read as follows:

**FOR THE RECREATION AND CONSERVATION OFFICE**

Washington Wildlife Recreation Grants (30000139)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is provided solely for the list of projects in LEAP capital document No. 2011-3A, developed May 24, 2011.

Reappropriation:

Outdoor Recreation Account—State (\$637,000)

\$785,000

Prior Biennia (Expenditures) (\$41,363,000)

\$41,215,000

Future Biennia (Projected Costs) \$0

TOTAL \$42,000,000

**Sec. 3027.** 2021 c 332 s 3165 (uncodified) is amended to read as follows:

**FOR THE RECREATION AND CONSERVATION OFFICE**

Washington Wildlife Recreation Grants (30000205)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3161, chapter 19, Laws of 2013 2nd sp. sess.

FIFTY NINTH DAY, MARCH 9, 2022

2022 REGULAR SESSION

Reappropriation:	
Farm and Forest Account—State	<del>(\$616,000)</del>
	<u>\$843,000</u>
Habitat Conservation Account—State	<del>(\$132,000)</del>
	<u>\$464,000</u>
Outdoor Recreation Account—State	<del>(\$2,189,000)</del>
	<u>\$2,647,000</u>
Riparian Protection Account—State	<del>(\$470,000)</del>
	<u>\$494,000</u>
Subtotal Reappropriation	<del>(\$3,407,000)</del>
	<u>\$4,448,000</u>
Prior Biennia (Expenditures)	<del>(\$61,593,000)</del>
	<u>\$60,552,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	\$65,000,000

**Sec. 3028.** 2021 c 332 s 3168 (uncodified) is amended to read as follows:

**FOR THE RECREATION AND CONSERVATION OFFICE**

Puget Sound Acquisition and Restoration (30000211)	
Reappropriation:	
State Building Construction Account—State	<del>(\$903,000)</del>
	<u>\$3,657,000</u>
Prior Biennia (Expenditures)	<del>(\$69,097,000)</del>
	<u>\$66,343,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	\$70,000,000

**Sec. 3029.** 2021 c 332 s 3171 (uncodified) is amended to read as follows:

**FOR THE RECREATION AND CONSERVATION OFFICE**

Washington Wildlife Recreation Grants (30000220)  
 The reappropriations in this section are subject to the following conditions and limitations: The reappropriations in this section are provided solely for the list of projects in LEAP capital document No. 2015-1, developed June 30, 2015.

Reappropriation:	
Farm and Forest Account—State	<del>(\$1,181,000)</del>
	<u>\$1,563,000</u>
Habitat Conservation Account—State	<del>(\$2,910,000)</del>
	<u>\$2,814,000</u>
Outdoor Recreation Account—State	<del>(\$3,268,000)</del>
	<u>\$3,085,000</u>
Riparian Protection Account—State	<del>(\$1,345,000)</del>
	<u>\$117,000</u>
Subtotal Reappropriation	<del>(\$8,704,000)</del>
	<u>\$7,579,000</u>
Prior Biennia (Expenditures)	<del>(\$46,619,000)</del>
	<u>\$47,744,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	\$55,323,000

**Sec. 3030.** 2021 c 332 s 3173 (uncodified) is amended to read as follows:

**FOR THE RECREATION AND CONSERVATION OFFICE**

Boating Facilities Program (30000222)  
 The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3024, chapter 35, Laws of 2016 sp. sess.

Reappropriation:	
Recreation Resources Account—State	<del>(\$49,000)</del>
	<u>\$137,000</u>
Prior Biennia (Expenditures)	<del>(\$14,161,000)</del>
	<u>\$14,073,000</u>
Future Biennia (Projected Costs)	\$0

TOTAL \$14,210,000

**Sec. 3031.** 2021 c 332 s 3178 (uncodified) is amended to read as follows:

**FOR THE RECREATION AND CONSERVATION OFFICE**

Puget Sound Estuary and Salmon Restoration Program (30000227)

Reappropriation:	
State Building Construction Account—State	<del>(\$82,000)</del>
	<u>\$670,000</u>
Prior Biennia (Expenditures)	<del>(\$7,918,000)</del>
	<u>\$7,330,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	\$8,000,000

**Sec. 3032.** 2021 c 332 s 3183 (uncodified) is amended to read as follows:

**FOR THE RECREATION AND CONSERVATION OFFICE**

Family Forest Fish Passage Program (30000233)	
Reappropriation:	
State Building Construction Account—State	<del>(\$160,000)</del>
	<u>\$204,000</u>
Prior Biennia (Expenditures)	<del>(\$4,840,000)</del>
	<u>\$4,796,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,000,000

**Sec. 3033.** 2021 c 332 s 3184 (uncodified) is amended to read as follows:

**FOR THE RECREATION AND CONSERVATION OFFICE**

Salmon Recovery Funding Board Programs (30000408)  
 The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3070, chapter 2, Laws of 2018.

Reappropriation:	
General Fund—Federal	\$32,369,000
State Building Construction Account—State	<del>(\$1,642,000)</del>
	<u>\$6,231,000</u>
Subtotal Reappropriation	<del>(\$34,011,000)</del>
	<u>\$38,600,000</u>
Prior Biennia (Expenditures)	<del>(\$32,202,000)</del>
	<u>\$27,613,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	\$66,213,000

**Sec. 3034.** 2021 c 332 s 3185 (uncodified) is amended to read as follows:

**FOR THE RECREATION AND CONSERVATION OFFICE**

2017-19 Washington Wildlife Recreation Grants (30000409)  
 The reappropriations in this section are subject to the following conditions and limitations: The reappropriations in this section are provided solely for the list of projects in LEAP capital document No. 2017-42, developed July 20, 2017, and LEAP capital document No. 2018-6H, developed January 3, 2018.

Reappropriation:	
Farm and Forest Account—State	<del>(\$5,860,000)</del>
	<u>\$5,002,000</u>
Habitat Conservation Account—State	<del>(\$12,592,000)</del>
	<u>\$12,878,000</u>
Outdoor Recreation Account—State	<del>(\$12,474,000)</del>
	<u>\$14,248,000</u>
Subtotal Reappropriation	<del>(\$30,926,000)</del>
	<u>\$32,128,000</u>
Prior Biennia (Expenditures)	<del>(\$49,074,000)</del>
	<u>\$47,872,000</u>

Future Biennia (Projected Costs) \$0  
 TOTAL \$80,000,000

**Sec. 3035.** 2021 c 332 s 3187 (uncodified) is amended to read as follows:

**FOR THE RECREATION AND CONSERVATION OFFICE**

Nonhighway Off-Road Vehicle Activities (30000411)  
 Reappropriation:  
 NOVA Program Account—State ~~(\$895,000)~~  
\$2,991,000  
 Prior Biennia (Expenditures) ~~(\$12,300,000)~~  
\$10,204,000

Future Biennia (Projected Costs) \$0  
 TOTAL \$13,195,000

**Sec. 3036.** 2021 c 332 s 3188 (uncodified) is amended to read as follows:

**FOR THE RECREATION AND CONSERVATION OFFICE**

Youth Athletic Facilities (30000412)  
 Reappropriation:  
 State Building Construction Account—State ~~(\$1,302,000)~~  
\$1,522,000  
 Prior Biennia (Expenditures) ~~(\$2,775,000)~~  
\$2,555,000

Future Biennia (Projected Costs) \$0  
 TOTAL \$4,077,000

**Sec. 3037.** 2021 c 332 s 3189 (uncodified) is amended to read as follows:

**FOR THE RECREATION AND CONSERVATION OFFICE**

Aquatic Lands Enhancement Account (30000413)  
 The reappropriations in this section are subject to the following conditions and limitations: The reappropriations in this section are provided solely for the list of projects in LEAP capital document No. 2018-9H, developed March 5, 2018.

Reappropriation:  
 Aquatic Lands Enhancement Account—State \$884,000  
 State Building Construction Account—State ~~(\$2,732,000)~~  
\$4,013,000  
 Subtotal Reappropriation ~~(\$3,616,000)~~  
\$4,897,000  
 Prior Biennia (Expenditures) ~~(\$8,669,000)~~  
\$7,388,000

Future Biennia (Projected Costs) \$0  
 TOTAL \$12,285,000

**Sec. 3038.** 2021 c 332 s 3190 (uncodified) is amended to read as follows:

**FOR THE RECREATION AND CONSERVATION OFFICE**

Puget Sound Acquisition and Restoration (30000414)  
 Reappropriation:  
 State Building Construction Account—State ~~(\$16,640,000)~~  
\$20,763,000  
 Prior Biennia (Expenditures) ~~(\$23,360,000)~~  
\$19,237,000

Future Biennia (Projected Costs) \$0  
 TOTAL \$40,000,000

**Sec. 3039.** 2021 c 332 s 3195 (uncodified) is amended to read as follows:

**FOR THE RECREATION AND CONSERVATION OFFICE**

Washington Coastal Restoration Initiative (30000420)  
 The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3082, chapter 2, Laws of 2018.

Reappropriation:

State Building Construction Account—State ~~(\$5,769,000)~~  
\$5,790,000

Prior Biennia (Expenditures) ~~(\$6,731,000)~~  
\$6,710,000

Future Biennia (Projected Costs) \$0  
 TOTAL \$12,500,000

**Sec. 3040.** 2021 c 332 s 3197 (uncodified) is amended to read as follows:

**FOR THE RECREATION AND CONSERVATION OFFICE**

2019-21 - Washington Wildlife Recreation Grants (40000002)  
 The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3200, chapter 413, Laws of 2019.

Reappropriation:  
 Farm and Forest Account—State ~~(\$6,880,000)~~  
\$6,687,000  
 Habitat Conservation Account—State ~~(\$20,349,000)~~  
\$25,791,000  
 Outdoor Recreation Account—State ~~(\$28,025,000)~~  
\$24,390,000  
 Subtotal Reappropriation ~~(\$55,254,000)~~  
\$56,868,000

Prior Biennia (Expenditures) ~~(\$29,746,000)~~  
\$28,132,000

Future Biennia (Projected Costs) \$0  
 TOTAL \$85,000,000

**Sec. 3041.** 2021 c 332 s 3201 (uncodified) is amended to read as follows:

**FOR THE RECREATION AND CONSERVATION OFFICE**

2019-21 - Youth Athletic Facilities (40000007)  
 The reappropriation in this section is subject to the following conditions and limitations: The amounts reappropriated in this section may be awarded only to projects approved by the legislature, as identified in LEAP capital documents No. 2020-467-HSBA, developed February 25, 2020, and No. 2020-467-HB, developed February 14, 2020.

Reappropriation:  
 State Building Construction Account—State ~~(\$7,597,000)~~  
\$7,833,000  
 Prior Biennia (Expenditures) ~~(\$4,403,000)~~  
\$4,167,000

Future Biennia (Projected Costs) \$0  
 TOTAL \$12,000,000

**Sec. 3042.** 2021 c 332 s 3214 (uncodified) is amended to read as follows:

**FOR THE RECREATION AND CONSERVATION OFFICE**

2021-23 - Salmon Recovery Funding Board Programs (40000021)

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

(1) \$2,400,000 of the state building construction account—state appropriation is provided solely to maintain the lead entity program as described in chapter 77.85 RCW.

(2) \$640,000 of the state building construction account—state appropriation is provided solely for regional fisheries enhancement groups created in RCW 77.95.060.

(3) \$15,000,000 of the general fund—federal appropriation in this section is provided solely as expenditure authority for grant funding received by the recreation and conservation office for the pacific coastal salmon recovery fund in P.L. 117-58 (infrastructure investment and jobs act), not to exceed the actual amount of grant funding awarded. Expenditure of the amount in this subsection is contingent on the receipt of this grant funding.

FIFTY NINTH DAY, MARCH 9, 2022

2022 REGULAR SESSION

If the department does not receive the grant funding by June 30, 2023, the expenditure authority in this subsection shall lapse.

Appropriation:	
General Fund—Federal	(( <del>\$50,000,000</del> ))
	<u>\$65,000,000</u>
State Building Construction Account—State	\$30,000,000
Subtotal Appropriation	(( <del>\$80,000,000</del> ))
	<u>\$95,000,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$400,000,000
TOTAL	(( <del>\$480,000,000</del> ))
	<u>\$495,000,000</u>

**Sec. 3043.** 2021 c 332 s 3221 (uncodified) is amended to read as follows:

**FOR THE RECREATION AND CONSERVATION OFFICE**

2021-23 - Brian Abbott Fish Barrier Removal Board (40000035)

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

(1) The appropriation in this section is provided solely for projects approved by the legislature, as identified in LEAP capital document No. ((~~RCO-5-HB-2021~~)) RCO-5.1-HB-2022, developed ((~~April 15, 2021~~)) February 3, 2022.

(2) The recreation and conservation funding board may retain a portion of the funds appropriated in this section for the administration of the grants. The portion of the funds retained for administration may not exceed three percent of the appropriation.

(3) The department of fish and wildlife may retain a portion of the funds appropriated in this section for the Brian Abbott fish barrier removal board for technical assistance in developing projects for consideration. The portion of the funds retained for technical assistance may not exceed 4.12 percent of the appropriation.

Appropriation:	
State Building Construction Account—State	\$26,795,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$107,180,000
TOTAL	\$133,975,000

**Sec. 3044.** 2021 c 332 s 3229 (uncodified) is amended to read as follows:

**FOR THE RECREATION AND CONSERVATION OFFICE**

Coastal Restoration Grants (91000448)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3177, chapter 3, Laws of 2015 3rd sp. sess.

Reappropriation:	
State Building Construction Account—State	(( <del>\$152,000</del> ))
	<u>\$622,000</u>
Prior Biennia (Expenditures)	(( <del>\$11,033,000</del> ))
	<u>\$10,563,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	\$11,185,000

**Sec. 3045.** 2021 c 332 s 3230 (uncodified) is amended to read as follows:

**FOR THE RECREATION AND CONSERVATION OFFICE**

Upper Quinault River Restoration Project (91000958)

Reappropriation:	
State Building Construction Account—State	\$1,359,000
Appropriation:	
State Building Construction Account—State	(( <del>\$1,000,000</del> ))
	<u>\$2,000,000</u>
Prior Biennia (Expenditures)	\$641,000

Future Biennia (Projected Costs)	\$0
TOTAL	(( <del>\$3,000,000</del> ))
	<u>\$4,000,000</u>

**NEW SECTION. Sec. 3046.** A new section is added to 2021 c 332 (uncodified) to read as follows:

**FOR THE RECREATION AND CONSERVATION OFFICE**

Fish Barrier Removal Projects in Skagit County (91001662)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for a direct payment to Skagit county for the design of 11 high priority fish barrier removal projects located on the county's roads. Skagit county must ensure that the projects designed with funding from this section meet applicable state and federal grant program standards to facilitate the county's application to such programs for the purpose of receiving capital funding for the projects' construction.

Appropriation:	
State Building Construction Account—State	\$1,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,000,000

**Sec. 3047.** 2021 c 332 s 3232 (uncodified) is amended to read as follows:

**FOR THE RECREATION AND CONSERVATION OFFICE**

Recreation & Conservation Office Recreation Grants (92000131)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are subject to the provisions of section 3049, chapter 356, Laws of 2020.

Reappropriation:	
Outdoor Recreation Account—State	(( <del>\$132,000</del> ))
	<u>\$497,000</u>
State Building Construction Account—State	(( <del>\$5,859,000</del> ))
	<u>\$8,050,000</u>
Subtotal Reappropriation	(( <del>\$5,991,000</del> ))
	<u>\$8,547,000</u>
Prior Biennia (Expenditures)	(( <del>\$28,790,000</del> ))
	<u>\$26,234,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	\$34,781,000

**Sec. 3048.** 2021 c 332 s 3218 (uncodified) is amended to read as follows:

**FOR THE RECREATION AND CONSERVATION OFFICE**

2021-23 - Aquatic Lands Enhancement Account (40000029)

The appropriations in this section ((~~is~~)) are subject to the following conditions and limitations:

(1) The state building construction account—state appropriation in this section is provided solely for projects approved by the legislature, as identified in LEAP capital document No. RCO-3.1-HB-2021, developed April 15, 2021.

(2) The aquatic lands enhancement account—state appropriation in this section is provided solely for the following project:

<u>Dash Point Park and Pier (Tacoma)</u>	<u>\$418,000</u>
Appropriation:	
<u>Aquatic Lands Enhancement Account—State</u>	<u>\$418,000</u>
State Building Construction Account—State	\$9,100,000
<u>Subtotal Appropriation</u>	<u>\$9,518,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$36,400,000
TOTAL	(( <del>\$45,500,000</del> ))
	<u>\$45,918,000</u>

**NEW SECTION. Sec. 3049.** A new section is added to 2021 c 332 (uncodified) to read as follows:

**FOR THE RECREATION AND CONSERVATION OFFICE**

Springwood Ranch in Kittitas County (91001663)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the acquisition of the Springwood Ranch in Kittitas county for the Kittitas County Riparian Protection and Water Storage Facility Project, which must include the following elements: Protection of riparian habitat; conservation of agricultural lands; provision of public recreational access; and siting of a water storage facility to improve Yakima river instream flows. If title to the real property purchased under this section is not held by the state, the recreation and conservation office shall enter into appropriate agreements to protect the public investment pursuant to the appropriation in this section. The agency may use up to one percent of the appropriation, if necessary, to recover its administrative costs.

Appropriation:

State Building Construction Account—State	\$10,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$12,000,000
<b>TOTAL</b>	<b>\$22,000,000</b>

**NEW SECTION. Sec. 3050.** A new section is added to 2021 c 332 (uncodified) to read as follows:

**FOR THE STATE CONSERVATION COMMISSION**

2021-2023 Farmland Protection and Land Access (40000020)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for the state conservation commission to implement and administer the farmland protection and land access program. In administering this program, the state conservation commission shall support opportunities for all producers but shall prioritize: (a) Conservation of high priority agricultural land at imminent risk of development; and (b) grants for the purchase of agricultural easements to historically underserved producers, as defined in 7 C.F.R. Sec. 1470.3 (2022), including young and beginning farmers, people of color, and veterans.

(2) In contracts for grants authorized under this section, the state conservation commission must include provisions that require that easements be held by the grantee for a specified period, appropriate to protect the public investment and to the conservation purpose of the grant. If the state conservation commission finds the grantee to be out of compliance with provisions of the contract, the grantee shall repay to the state general fund the principal amount of the grant plus interest calculated at the rate of interest on state of Washington general obligation bonds issued most closely to the date of authorization of the grant.

Appropriation:

State Building Construction Account—State	\$2,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$2,000,000
<b>TOTAL</b>	<b>\$4,000,000</b>

**Sec. 3051.** 2021 c 332 s 3253 (uncodified) is amended to read as follows:

**FOR THE STATE CONSERVATION COMMISSION**

CREP PIP Loan Program 2017-19 (92000014)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 6019, chapter 413, Laws of 2019.

Reappropriation:

Conservation Assistance Revolving Account—State	<del>(\$350,000)</del>
	<u>\$270,000</u>

Prior Biennia (Expenditures)	\$50,000
Future Biennia (Projected Costs)	\$0
<b>TOTAL</b>	<b><del>(\$400,000)</del></b>
	<u>\$320,000</u>

**NEW SECTION. Sec. 3052.** A new section is added to 2021 c 332 (uncodified) to read as follows:

**FOR THE STATE CONSERVATION COMMISSION**

Voluntary Stewardship Program (92000016)

Appropriation:

State Building Construction Account—State	\$3,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
<b>TOTAL</b>	<b>\$3,000,000</b>

**Sec. 3053.** 2021 c 332 s 3254 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Deschutes Watershed Center (20062008)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3063, chapter 356, Laws of 2020.

Reappropriation:

State Building Construction Account—State	\$2,387,000
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Appropriation:

State Building Construction Account—State	\$2,200,000
Prior Biennia (Expenditures)	<del>(\$13,108,000)</del>
	<u>\$13,191,000</u>
Future Biennia (Projected Costs)	<del>(\$36,000,000)</del>
	<u>\$48,616,000</u>
<b>TOTAL</b>	<b><del>(\$51,495,000)</del></b>
	<u>\$66,394,000</u>

**Sec. 3054.** 2021 c 332 s 3255 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Migratory Waterfowl Habitat (20082045)

~~(Reappropriation:~~

Limited Fish and Wildlife Account—State	\$350,000)
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Appropriation:

Limited Fish and Wildlife Account—State	<del>(\$600,000)</del>
	<u>\$752,000</u>
Prior Biennia (Expenditures)	<del>(\$1,923,000)</del>
	<u>\$2,336,000</u>
Future Biennia (Projected Costs)	\$1,800,000
<b>TOTAL</b>	<b><del>(\$4,673,000)</del></b>
	<u>\$4,888,000</u>

**NEW SECTION. Sec. 3055.** A new section is added to 2021 c 332 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Beaver Creek Hatchery - Renovation (30000680)

Appropriation:

State Building Construction Account—State	\$135,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$22,337,000
<b>TOTAL</b>	<b>\$22,472,000</b>

**Sec. 3056.** 2021 c 332 s 3273 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Hurd Creek - Relocate Facilities out of Floodplain (30000830)

Reappropriation:

State Building Construction Account—State	\$200,000
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Appropriation:

State Building Construction Account—State	\$11,894,000
Prior Biennia (Expenditures)	<del>(\$577,000)</del>
	<u>\$504,000</u>
Future Biennia (Projected Costs)	\$0
<b>TOTAL</b>	<b><del>(\$12,671,000)</del></b>
	<u>\$12,598,000</u>

FIFTY NINTH DAY, MARCH 9, 2022

2022 REGULAR SESSION

**Sec. 3057.** 2021 c 332 s 3274 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Dungeness Hatchery - Replace Main Intake (30000844)

Reappropriation:

State Building Construction Account—State	\$300,000
Prior Biennia (Expenditures)	<del>(\$3,606,000)</del>
	<u>\$3,102,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	<del>(\$3,906,000)</del>
	<u>\$3,402,000</u>

**Sec. 3058.** 2021 c 332 s 3281 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Toutle River Fish Collection Facility - Match (40000021)

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

(1) The reappropriation in this section is provided solely for the department to purchase ~~fee-title and/or easements as ((part of) necessary for sediment abatement, fish release and collection sites, and for project obligations related to the state's participation in design review and design cost share of the fish collection facility.~~

(2) The appropriation in this section is provided solely for project obligations related to modular housing replacement.

Reappropriation:

State Building Construction Account—State	<del>(\$6,371,000)</del>
	<u>\$2,066,000</u>

Appropriation:

State Building Construction Account—State	\$239,000
Prior Biennia (Expenditures)	\$404,000
Future Biennia (Projected Costs)	\$4,312,000
TOTAL	<del>(\$11,326,000)</del>
	<u>\$7,021,000</u>

**NEW SECTION. Sec. 3059.** A new section is added to 2021 c 332 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Klickitat WLA - Simcoe Fencing (40000161)

Appropriation:

State Building Construction Account—State	\$450,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$450,000

**NEW SECTION. Sec. 3060.** A new section is added to 2021 c 332 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Taneum Creek Property Acquisition Post Closing Activities (40000162)

Appropriation:

State Building Construction Account—State	\$200,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$200,000

**NEW SECTION. Sec. 3061.** A new section is added to 2021 c 332 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Western Pond Turtle Nest Hill Restoration (91000161)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the restoration of the western pond turtle nest hill at the Pierce county recovery site.

Appropriation:

State Building Construction Account—State	\$200,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0

TOTAL	\$200,000
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**NEW SECTION. Sec. 3062.** A new section is added to 2021 c 332 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Kalama Creek Hatchery (91000160)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the department to provide a grant to the Nisqually Tribe for the Kalama Creek Hatchery project.

Appropriation:

State Building Construction Account—State	\$3,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,000,000

**Sec. 3063.** 2021 c 332 s 3292 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Leque Island Highway 532 Road Protection (92000019)

Reappropriation:

State Building Construction Account—State	\$160,000
Prior Biennia (Expenditures)	<del>(\$520,000)</del>
	<u>\$519,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	<del>(\$680,000)</del>
	<u>\$679,000</u>

**NEW SECTION. Sec. 3064.** A new section is added to 2021 c 332 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Recreational Fishing Access on the Grande Ronde River (92000051)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the department to develop or establish an alternative recreational access point for anglers along the Grande Ronde river with the express purpose of alleviating tensions between property owners who own river frontage and the general public who may interfere with the owners' private enjoyment of their property. The department may not develop access requiring expenditure of state moneys that interferes with an owner's private property rights and may not develop access to easement 106165 or easement 113860 in Anatone, Washington, commonly referred to as the Dreamz Road easements.

Appropriation:

State Building Construction Account—State	\$500,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$500,000

**NEW SECTION. Sec. 3065.** A new section is added to 2021 c 332 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Upper Indian Creek Fish Screen Removal (92001248)

Appropriation:

State Building Construction Account—State	\$65,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$65,000

**Sec. 3066.** 2021 c 332 s 3298 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF NATURAL RESOURCES**

2021-23 Structurally Deficient Bridges (40000086)

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

The appropriation in this section is provided solely for the following projects: (a) The Naked Falls/Stebbins Creek bridge replacement in Skamania county; (b) the Shale Creek timber

bridge repair in Jefferson county; ~~(and)~~ (c) the Coal Creek bridge replacement in Clallam county; (d) the Shale Creek concrete bridge repair in Jefferson county; (e) the 5970 #1 bridge replacement in Pacific county; (f) the Rock Creek bridge replacement in Skamania county; (g) the EF Dickey River bridge design in Clallam county; (h) the Steep Creek bridge replacement in Skamania county; (i) the Sollecks High bridge repair in Jefferson county; (j) the 5973 bridge replacement in Pacific county; (k) the Cedar Creek bridge repair in Grays Harbor county; (l) the Arvid Creek bridge replacement in Jefferson county; (m) the Susie Creek bridge repair in Jefferson county; (n) the YR-Jones bridge replacement in Yakima county; (o) the Middle Creek railcar bridge replacement in Pend Oreille county; and (p) the Butler Mill bridge replacement in Grays Harbor county.

Appropriation:

State Building Construction Account—State	\$1,050,000
Access Road Revolving Account—State	<u>\$2,250,000</u>
<b>Subtotal Appropriation</b>	<u>\$3,300,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$10,000,000
<b>TOTAL</b>	<del>(\$11,050,000)</del>
	<u>\$13,300,000</u>

**Sec. 3067.** 2021 c 332 s 3305 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF NATURAL RESOURCES**

Omak Consolidation, Expansion and Relocation (40000033)

Reappropriation:

State Building Construction Account—State	<del>(\$107,000)</del>
	<u>\$108,000</u>
Prior Biennia (Expenditures)	<del>(\$1,000)</del>
	<u>\$0</u>
Future Biennia (Projected Costs)	\$0
<b>TOTAL</b>	\$108,000

**Sec. 3068.** 2021 c 332 s 3306 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF NATURAL RESOURCES**

Trust Land Transfer Program (40000034)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 3281, chapter 413, Laws of 2019.

Reappropriation:

State Building Construction Account—State	<del>(\$1,675,000)</del>
	<u>\$1,696,000</u>
Prior Biennia (Expenditures)	<del>(\$4,725,000)</del>
	<u>\$4,704,000</u>
Future Biennia (Projected Costs)	\$0
<b>TOTAL</b>	\$6,400,000

**Sec. 3069.** 2021 c 332 s 3308 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF NATURAL RESOURCES**

Teanaway (40000038)

Reappropriation:

State Building Construction Account—State	<del>(\$1,220,000)</del>
	<u>\$1,305,000</u>
Prior Biennia (Expenditures)	<del>(\$636,000)</del>
	<u>\$551,000</u>
Future Biennia (Projected Costs)	\$0
<b>TOTAL</b>	\$1,856,000

**Sec. 3070.** 2021 c 332 s 3313 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF NATURAL RESOURCES**

Natural Areas Facilities 2019-21 (40000046)

Reappropriation:

State Building Construction Account—State	<del>(\$295,000)</del>
	<u>\$527,000</u>
Prior Biennia (Expenditures)	<del>(\$1,705,000)</del>

	<u>\$1,473,000</u>
Future Biennia (Projected Costs)	\$0
<b>TOTAL</b>	\$2,000,000

**Sec. 3071.** 2021 c 332 s 3317 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF NATURAL RESOURCES**

Grouse Ridge Fish Barriers & RMAP Compliance (40000056)

Reappropriation:

State Building Construction Account—State	<del>(\$3,210,000)</del>
	<u>\$3,217,000</u>

Appropriation:

State Building Construction Account—State	\$1,730,000
Prior Biennia (Expenditures)	<del>(\$35,000)</del>
	<u>\$28,000</u>

Future Biennia (Projected Costs)	\$0
<b>TOTAL</b>	\$4,975,000

**Sec. 3072.** 2021 c 332 s 3319 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF NATURAL RESOURCES**

2021-23 Minor Works Preservation (40000070)

The appropriation in this section is subject to the following conditions and limitations: \$205,000 of the appropriation in this section is provided solely for communication site preservation and repairs.

Appropriation:

State Building Construction Account—State	<del>(\$2,183,000)</del>
	<u>\$3,122,000</u>

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
<b>TOTAL</b>	<del>(\$2,183,000)</del>
	<u>\$3,122,000</u>

**Sec. 3073.** 2021 c 332 s 3328 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF NATURAL RESOURCES**

Rural Broadband Investment (40000082)

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

(1) \$600,000 of the appropriation in this section is provided solely for installation of new communication towers at Ellis Peak, Striped Peak, and Paradise Peak.

(2) \$400,000 of the appropriation in this section is provided solely for communication tower upgrades at Blyn Mountain and Capitol Peak.

(3) \$20,000 of the appropriation in this section is provided solely for a new generator in Okanogan county.

(4) \$5,000 of the appropriation in this section is provided solely for a utility connection project in Clallam county.

Appropriation:

<del>(Coronavirus Capital Projects Account Federal</del>	<del>\$2,000,000)</del>
	<u>\$2,000,000</u>

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

**Sec. 3074.** 2021 c 332 s 3332 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF NATURAL RESOURCES**

DNR and Camp Colman Collaboration (92000037)

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

(1) ~~(\$100,000)~~ \$20,000 is provided solely for the department to contract with a third party facilitator for the purpose of collaborating with the YMCA of greater Seattle, Camp Colman, on finding solutions for maintaining a high-quality camp experience while establishing a barrier free passage for migrating fish species at Whiteman cove.



FIFTY NINTH DAY, MARCH 9, 2022

2022 REGULAR SESSION

(2) \$500,000 is provided solely for the department to grant to the YMCA of greater Seattle to retain expertise to scope, plan, and advance the future of the Camp Colman experience given the restoration of the Whiteman cove estuary. The planning process should be inclusive of tribal input, with an open invitation for their participation, and must include department technical experts, participation from the departments of ecology and fish and wildlife, and any other resources needed. The plan should include a vision for how the cove can be returned to a fully functioning estuary, benefiting native flora and fauna, as well as serve as an environmental outdoor educational opportunity that will serve youth and families, especially those from historically marginalized and underrepresented communities, and include educational opportunities for youth and families to learn of native cultural heritage unique and specific to the natural and human history of the site. The plan must identify specific projects and estimated costs, given estuary restoration, for physical improvements for the camp, such as water access structures or swimming facilities, with recommendations for funding. The department, on behalf of the YMCA, must submit the plan in a report to the fiscal committees of the legislature by December 31, 2021.

(3) (~~(\$300,000)~~) \$450,000 is provided solely for the department to design the fish blockage removal and predesign enhancements for a new bridge and roadway across Whiteman cove that are part of the fish blockage removal project and necessary as part of maintaining the route as access to the camp. The predesign must take into consideration the means to maintain continuous road access to Camp Colman for campers and camp staff without disruption, ensure the continuation, mitigation and innovation of Camp Colman's recreational, water safety, and environmental education programs in the salt water estuary, and maintain the critical outdoor experiences for historically marginalized and underrepresented communities.

Appropriation:

State Building Construction Account—State	( <del>(\$900,000)</del> )
	<u>\$970,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	( <del>(\$900,000)</del> )
	<u>\$970,000</u>

NEW SECTION. Sec. 3075. A new section is added to 2021 c 332 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF NATURAL RESOURCES**

Camp Colman Cabin Preservation and Upgrades (92000039)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for a grant for the YMCA Camp Colman cabin preservation and system upgrades at Whiteman Cove.

Appropriation:

State Building Construction Account—State	\$1,400,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,400,000

**PART 4  
TRANSPORTATION**

NEW SECTION. Sec. 4001. A new section is added to 2021 c 332 (uncodified) to read as follows:

**FOR THE WASHINGTON STATE PATROL**

Crime Laboratory I-5 Corridor Consolidated Facility (30000290)

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

- (1) The appropriation is provided solely for a predesign.
- (2) The predesign must include:

(a) An assessment of current forensic services operations, including volumes processed by sample type (e.g., DNA, material analysis, firearms, latent prints), locations from which evidentiary samples and materials were sent to the lab, how samples are processed, how results are delivered, and other duties conducted by forensic services staff as part of their operations that impact availability for forensic analysis including, but not limited to, evidence collection and testimony;

(b) An evaluation of a consolidated lab model compared to distributed lab models, including an examination of advantages and disadvantages associated with each model, which model is preferred, and why. The evaluation should include an analysis on the impacts of the factors listed in subsection (2)(a) of this section, including the impacts on the delivery of samples and materials to the lab and staffing impacts, including for responsibilities such as testimony and evidence collection;

(c) An evaluation of state-owned compared to leased lab approach, including costs associated with each approach, the anticipated source of funds for each option, which approach is preferred, and why; and

(d) A projected volume of evidentiary samples able to be processed in the preferred alternative and a comparison to the current processing model.

(3) The predesign must align with the most recent master plan.

Appropriation:

State Building Construction Account—State	\$333,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$333,000

**PART 5  
EDUCATION**

**Sec. 5001.** 2021 c 332 s 5002 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

2013-15 School Construction Assistance Program - Maintenance (30000145)

Reappropriation:

State Building Construction Account—State	\$1,529,000
Prior Biennia (Expenditures)	( <del>(\$385,701,000)</del> )
	<u>\$385,645,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	( <del>(\$387,230,000)</del> )
	<u>\$387,174,000</u>

**Sec. 5002.** 2021 c 332 s 5005 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Skill Centers - Minor Works (30000187)

Reappropriation:

School Construction and Skill Centers Building Account—Bonds—State	( <del>(\$521,000)</del> )
	<u>\$512,000</u>
Prior Biennia (Expenditures)	\$2,479,000
Future Biennia (Projected Costs)	\$0
TOTAL	( <del>(\$3,000,000)</del> )
	<u>\$2,991,000</u>

**Sec. 5003.** 2021 c 332 s 5010 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

West Sound Technical Skills Center Modernization (40000015)

The (~~reappropriation~~) appropriations in this section (~~is~~) are subject to the following conditions and limitations: (~~The~~)

reappropriation is subject to provisions of section 5002, chapter 356, Laws of 2020-))

(1) The appropriations in this section are provided solely for grant funding to the Bremerton school district to complete design and begin construction of a new career and technical education facility at the West Sound technical skills center in Bremerton.

(2) In coordination with the office of the superintendent of public instruction, the Bremerton school district's West Sound technical skills center must: (a) Ensure the career and technical programs planned for in the design of the skills center support high-demand and high-wage sector program needs; (b) ensure that space needs are reasonable and appropriate for the programs planned and enrollment projections; (c) evaluate the proposed project budget using value engineering and life-cycle cost analysis techniques; and (d) use this information to inform the proposed design.

(3) The office of the superintendent of public instruction must approve the skill center programs, design, and budget before requesting allotment of construction phase funding.

Reappropriation:

State Building Construction Account—State \$274,000

Appropriation:

State Building Construction Account—State \$10,900,000

Prior Biennia (Expenditures) \$226,000

Future Biennia (Projected Costs) ((\$0))

\$39,443,000

TOTAL ((\$500,000))

\$50,843,000

**Sec. 5004.** 2021 c 332 s 5015 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

2021-23 School Construction Assistance Program (40000034)

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

(1) ((\$727,780,000)) \$537,824,000 of the appropriation in this section is provided solely for school construction assistance grants for qualifying public school construction projects.

(2) \$2,836,000 of the appropriation in this section is provided solely for study and survey grants and for completing inventory and building condition assessments for public school districts every six years.

(3) \$20,000 of the appropriations in this section is provided solely for the Sunnyside School District for the transfer of the Yakima Valley Technical Skills Center Sunnyside Satellite Campus and its related property and equipment.

Appropriation:

State Building Construction Account—State((\$702,657,000))

\$505,306,000

Common School Construction Account—State

(\$24,959,000))

\$29,374,000

Common School Construction Account—Federal

(\$3,000,000))

\$6,000,000

Subtotal Appropriation ((\$730,616,000))

\$540,680,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$3,899,490,000

TOTAL ((\$4,630,106,000))

\$4,440,170,000

**Sec. 5005.** 2021 c 332 s 5018 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

2021-23 Small District and Tribal Compact Schools

Modernization (40000039)

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

(1) \$3,000,000 of the state building construction account—state appropriation in this section is provided solely for a modernization grant to the Mount Adams school district to complete the replacement of Harrah Elementary School.

(2)(a) ((\$21,795,000)) \$33,795,000 of the state building construction account—state appropriation ((and \$12,000,000 of the coronavirus capital projects account—federal appropriation in this section are)) is provided solely for modernization grants for small school districts with total enrollments of 1,000 students or less with significant building system deficiencies and limited financial capacity as approved by the superintendent of public instruction's small district modernization grant advisory committee.

(b) The superintendent of public instruction must submit a list of small school district modernization projects, as prioritized by the advisory committee, to the legislature by January 15, 2023. The list must include: (i) A description of the project; (ii) the proposed state funding level, not to exceed \$5,000,000; (iii) estimated total project costs; and (iv) local funding resources.

(3) \$1,100,000 of the state building construction account—state appropriation in this section is provided solely for planning grants for small school districts with enrollments of 1,000 students or less interested in seeking modernization grants. The superintendent of public instruction may prioritize planning grants for school districts with the most serious building deficiencies and the most limited financial capacity. Planning grants may not exceed \$50,000 per district. Planning grants may only be awarded to school districts with an estimated total project cost of \$5,000,000 or less.

(4)(a) \$4,218,000 of the state building construction account—state appropriation in this section is provided solely for planning grants and modernization grants to state tribal compact schools. The superintendent may prioritize planning grants for state tribal compact schools with the most serious building deficiencies and the most limited financial capacity.

(b) The superintendent of public instruction must submit a prioritized list of state-tribal compact school modernization projects to the legislature by January 15, 2023. The list must include: (i) A description of the project; (ii) the planning grant amount; and (iii) estimated total project costs.

(5) The appropriated funds in this section may be awarded only to projects approved by the legislature, as identified in LEAP capital document No. OSPI-1.1-CD-2021, developed April 15, 2021.

Appropriation:

State Building Construction Account—State ((\$30,113,000))

\$42,113,000

((Coronavirus Capital Projects Account—Federal \$12,000,000

\$42,113,000))

Subtotal Appropriation \$42,113,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$290,592,000

TOTAL \$332,705,000

**Sec. 5006.** 2021 c 332 s 5019 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

2021-23 Skills Centers Minor Works (40000040)

The appropriations in this section are subject to the following conditions and limitations: In addition to the conditions and limitations specified in section 7019 of this act, no skill center shall receive funding for more than two minor works projects within the 2021-2023 fiscal biennium.

Appropriation:

FIFTY NINTH DAY, MARCH 9, 2022

2022 REGULAR SESSION

State Building Construction Account—State	<del>(\$1,556,000)</del>	<u>\$3,388,000</u>
<del>(Coronavirus Capital Projects Account—Federal)</del>	<del>\$1,832,000</del>	
<b>Subtotal Appropriation</b>		<b>\$3,388,000</b>
Prior Biennia (Expenditures)		\$0
Future Biennia (Projected Costs)		\$0
<b>TOTAL</b>		<b>\$3,388,000</b>

**Sec. 5007.** 2021 c 332 s 5023 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

2021-23 School District Health and Safety (40000052)

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

(1) \$643,000 of the common school construction account—state appropriation and ~~((\$1,357,000))~~ \$3,057,000 of the state building construction account—state appropriation in this section are provided solely for emergency repair grants to address unexpected and imminent health and safety hazards at K-12 public schools, including skill centers, that will impact the day-to-day operations of the school facility, and this is the maximum amount that may be spent for this purpose. For emergency repair grants only, an emergency declaration must be signed by the school district board of directors and submitted to the superintendent of public instruction for consideration. The emergency declaration must include a description of the imminent health and safety hazard, the possible cause, the proposed scope of emergency repair work and related cost estimate, and identification of local funding to be applied to the project. Grants of emergency repair moneys must be conditioned upon the written commitment and plan of the school district board of directors to repay the grant with any insurance payments or other judgments that may be awarded, if applicable.

(2) \$965,000 of the common school construction account—state appropriation~~((\$2,035,000))~~ and \$3,228,000 of the state building construction account—state appropriation~~((— and \$1,193,000 of the coronavirus capital projects account—federal appropriation))~~ in this section are provided solely for urgent repair grants to address nonrecurring urgent small repair projects at K-12 public schools, excluding skill centers, that could impact the health and safety of students and staff if not completed, and this is the maximum amount that may be spent for this purpose. The office of the superintendent of public instruction, after consulting with maintenance and operations administrators of school districts, shall develop criteria and assurances for providing funding for specific projects through a competitive grant program. The criteria and assurances must include, but are not limited to, the following: (a) Limiting school districts to one grant, not to exceed \$200,000, per three-year period; (b) prioritizing applications based on limited school district financial resources for the project; and (c) requiring any district receiving funding provided in this section to demonstrate a consistent commitment to addressing school facility needs. The grant applications must include a comprehensive description of the health and safety issues to be addressed, a detailed description of the remedy, including a detailed cost estimate of the repair or replacement work to be performed, and identification of local funding, if any, which will be applied to the project. Grants may be used for, but are not limited to: Repair or replacement of failing building systems, abatement of potentially hazardous materials, and safety-related structural improvements.

(3) \$322,000 of the common school construction account—state appropriation and \$678,000 of the state building construction account—state appropriation in this section are provided solely for equal access grants for facility repairs and

alterations at K-12 public schools, including skills centers, to improve compliance with the Americans with disabilities act and individuals with disabilities education act, and this is the maximum amount that may be spent for this purpose. The office of the superintendent of public instruction shall develop criteria and assurances for providing funding for specific projects through a competitive grant program. The criteria and assurances must include, but are not limited to, the following: (a) Limiting districts to one grant, not to exceed \$100,000, per three-year period; (b) prioritizing applications based on limited school district financial resources for the project; and (c) requiring recipient districts to demonstrate a consistent commitment to addressing school facility needs. The grant applications must include a description of the Americans with disabilities act or individuals with disabilities education act compliance deficiency, a comprehensive description of the facility accessibility issues to be addressed, a detailed description of the remedy including a detailed cost estimate of the repair or replacement work to be performed, and identification of local funding, if any, which will be applied to the project. Priority for grant funding must be given to school districts that demonstrate a lack of capital resources to address the compliance deficiencies outlined in the grant application.

(4) The superintendent of public instruction must notify the office of financial management, the legislative evaluation and accountability program committee, the house capital budget committee, and the senate ways and means committee as projects described in subsection (1) of this section are approved for funding.

Appropriation:

<del>(Coronavirus Capital Projects Account—Federal)</del>	<del>\$1,193,000</del>
Common School Construction Account—State	\$1,930,000
State Building Construction Account—State	<del>(\$4,070,000)</del>
	<u>\$6,963,000</u>
<b>Subtotal Appropriation</b>	<b><del>(\$7,193,000)</del></b>
	<u>\$8,893,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$52,000,000
<b>TOTAL</b>	<b><del>(\$59,193,000)</del></b>
	<u>\$60,893,000</u>

**NEW SECTION. Sec. 5008.** A new section is added to 2021 c 332 (uncodified) to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

2021-23 School Seismic Safety Grant Program (5933) (92000923)

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

(1) Except as provided in subsection (2) of this section, the appropriation in this section is provided solely for the implementation of Substitute Senate Bill No. 5933 (school seismic safety grant program).

(2) In addition to grants awarded under Substitute Senate Bill No. 5933 (school seismic safety grant program), the office of the superintendent of public instruction may award school seismic safety grant funding appropriated in this section to the following projects that were previously identified as having very high seismic risk: (a) North Beach, Pacific Beach Elementary; (b) South Bend, South Bend Junior/Senior High School; (c) Boistfort, Boistfort Elementary; (d) Cosmopolis, Cosmopolis Elementary; and (e) Marysville, Totem Middle School. The total amount awarded under subsection (2) of this section may not exceed \$8,561,000.

(3) If Substitute Senate Bill No. 5933 is not enacted by June

30, 2022, \$91,439,000 of the amount provided in this section shall lapse.

Appropriation:

State Building Construction Account—State	\$100,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$400,000,000
<b>TOTAL</b>	<b>\$500,000,000</b>

**NEW SECTION. Sec. 5009.** A new section is added to 2021 c 332 (uncodified) to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Healthy Kids / Healthy Schools - T-12 Lighting (91000483)

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

(1) \$1,500,000 of the appropriation in this section is provided solely for grants to public schools, including charter schools and state-tribal education compact schools, for the removal, disposal, and replacement of T-12 lighting fixtures and ballasts manufactured in or before 1979 with energy-efficient LED lighting. State grant funding provided under this section may be used for all school district, state-tribal education compact, and charter school buildings, but must be prioritized for buildings that are not under contract to be replaced or modernized. State grant funding provided under this section may only be expended after all applicable funding from utility company rebate programs available to schools in the state has been exhausted.

(2) The office of the superintendent of public instruction must provide information to state grant applicants under this section related to identifying the year of T-12 lighting fixture and ballast manufacture, which may include pertinent information developed by the United States environmental protection agency. In order to receive a state grant under this section, grant applicants must provide, as determined by the office of the superintendent of public instruction, supporting documentation that includes: (a) The number of T-12 lighting fixtures and ballasts manufactured before 1979 and after 1979 in their facilities; and (b) the age and primary use of each facility where the T-12 lighting fixtures and ballasts under (a) of this subsection are located. The office of the superintendent of public instruction may adopt rules to administer this section.

Appropriation:

State Building Construction Account—State	\$1,500,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
<b>TOTAL</b>	<b>\$1,500,000</b>

**Sec. 5010.** 2021 c 332 s 5038 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

2021-23 Distressed Schools (92000917)

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

(1) \$7,000,000 of the appropriation in this section is provided solely for a 12-classroom addition at Green Lake Elementary School in Seattle public schools.

(2) \$940,000 of the appropriation in this section is provided solely for the Healthy Schools pilot to reduce exposure to air pollution and improve air quality in schools.

(3) \$772,000 of the appropriation in this section is provided solely for a school-based health center at Spanaway Middle School.

(4) \$12,993,000 of the appropriation in this section is provided solely for the Almira school district to replace the Almira elementary school destroyed by fire. The appropriation must be combined with insurance proceeds to meet the project costs. The office of the superintendent of public instruction must expedite

allocation and distribution of state funding under this section for this use.

(5) \$2,850,000 of the appropriation in this section is provided solely for the Republic school district to complete design and renovation projects at Republic junior high school and Republic senior high school.

(6) \$2,600,000 of the appropriation in this section is provided solely for the completion of a two-classroom early learning addition at the John Muir Elementary School in Seattle public schools.

(7) \$2,000,000 of the appropriation in this section is provided solely for the Nooksack valley school district for facilities improvements responding to flood damage and future flood risks. State funding provided under this subsection must be repaid to the office of the superintendent of public instruction to the extent that the Nooksack valley school district receives an insurance settlement or federal emergency management agency funding for flood damage and future flood risks.

(8) \$750,000 of the appropriation in this section is provided for a roof replacement project at Oakview Elementary School in the Centralia school district.

(9) \$515,000 of the appropriation in this section is provided solely for a facilities accessibility and security improvement project in the Wahkiakum school district.

Appropriation:

State Building Construction Account—State	<del>(\$8,712,000)</del>
	<b>\$30,420,000</b>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
<b>TOTAL</b>	<b><del>(\$8,712,000)</del></b>
	<b>\$30,420,000</b>

**NEW SECTION. Sec. 5011.** A new section is added to 2021 c 332 (uncodified) to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

2022 Small District and Tribal Compact Schools Modernization (92000925)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the following list of projects:

SD Brewster School District	\$933,000
SD Creston School District	\$5,018,000
SD Oroville School District	\$1,661,000

Appropriation:

State Building Construction Account—State	\$7,612,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
<b>TOTAL</b>	<b>\$7,612,000</b>

**NEW SECTION. Sec. 5012.** A new section is added to 2021 c 332 (uncodified) to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Pierce College at New Bethel High School (92000036)

The appropriation in this section is subject to the following conditions and limitations: \$1,600,000 of the state building construction account—state appropriation in this section is provided solely for Bethel school district to begin construction on four classrooms and an office for operations by Pierce College within the new Bethel High School. If Pierce College does not occupy this space and offer college credit classes to the community at large as well as Running Start opportunities for Bethel High School students by June 30, 2025, any funds expended under this appropriation must be repaid to the state of Washington.

Appropriation:

State Building Construction Account—State	\$1,600,000
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Reappropriation:	
State Building Construction Account—State	\$380,000
Prior Biennia (Expenditures)	\$5,362,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,742,000

**Sec. 5023.** 2021 c 332 s 5093 (uncodified) is amended to read as follows:

**FOR THE EVERGREEN STATE COLLEGE**

Minor Works Preservation (40000034)	
Appropriation:	
The Evergreen State College Capital Projects Account—State	<del>(\$3,580,000)</del>
	<u>\$2,580,000</u>
State Building Construction Account—State	<del>(\$1,945,000)</del>
	<u>\$2,945,000</u>
Subtotal Appropriation	\$5,525,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$77,500,000
TOTAL	\$83,025,000

**Sec. 5024.** 2021 c 332 s 5094 (uncodified) is amended to read as follows:

**FOR THE EVERGREEN STATE COLLEGE**

Lab II HVAC Upgrades (40000047)	
Appropriation:	
<del>((Coronavirus Capital Projects Account Federal</del>	<del>\$4,000,000)</del>
<u>Coronavirus State Fiscal Recovery Fund—Federal</u>	<u>\$4,000,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,000,000

**NEW SECTION. Sec. 5025.** A new section is added to 2021 c 332 (uncodified) to read as follows:

**FOR THE EVERGREEN STATE COLLEGE**

Recreation and Athletic Center Critical Repairs (40000082)	
Appropriation:	
State Building Construction Account—State	\$1,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,000,000

**NEW SECTION. Sec. 5026.** A new section is added to 2021 c 332 (uncodified) to read as follows:

**FOR THE EVERGREEN STATE COLLEGE**

Emergency Dispatch & Communication System Replacement (40000084)

Appropriation:	
The Evergreen State College Capital Projects Account—State	\$1,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,000,000

**Sec. 5027.** 2021 c 332 s 5096 (uncodified) is amended to read as follows:

**FOR THE EVERGREEN STATE COLLEGE**

Minor Works - Preservation: 2019-21 (91000031)	
Reappropriation:	
The Evergreen State College Capital Projects Account—State	\$900,000
<u>State Building Construction Account—State</u>	<u>\$107,000</u>
<u>Subtotal Reappropriation</u>	<u>\$1,007,000</u>
Prior Biennia (Expenditures)	<del>(\$4,966,000)</del>
	<u>\$4,859,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,866,000

**Sec. 5028.** 2021 c 332 s 5101 (uncodified) is amended to read as follows:

**FOR WESTERN WASHINGTON UNIVERSITY**

Electrical Engineering/Computer Science Building (30000872)

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

(1) The reappropriation is subject to the provisions of section 5089, chapter 413, Laws of 2019.

(2) The University may pursue the living building challenge petal certification for this project instead of the LEED silver certification required by RCW 39.35D.030.

Reappropriation:	
State Building Construction Account—State	\$500,000
Appropriation:	
State Building Construction Account—State	\$51,000,000
<u>Western Washington University Capital Projects Account—State</u>	<u>\$1,500,000</u>
<u>Subtotal Appropriation</u>	<u>\$2,500,000</u>
Prior Biennia (Expenditures)	\$1,500,000
Future Biennia (Projected Costs)	\$0
TOTAL	<del>(\$53,000,000)</del>
	<u>\$54,500,000</u>

**Sec. 5029.** 2021 c 332 s 5107 (uncodified) is amended to read as follows:

**FOR WESTERN WASHINGTON UNIVERSITY**

Minor Works - Program 2021-2023 (30000918)	
Appropriation:	
Western Washington University Capital Projects Account—State	\$1,000,000
<u>State Building Construction Account—State</u>	<u>\$557,000</u>
<u>Subtotal Appropriation</u>	<u>\$1,557,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$7,000,000
TOTAL	<del>(\$8,000,000)</del>
	<u>\$8,557,000</u>

**Sec. 5030.** 2021 c 332 s 5104 (uncodified) is amended to read as follows:

**FOR WESTERN WASHINGTON UNIVERSITY**

2021-23 Classroom & Lab Upgrades (30000911)	
Appropriation:	
State Building Construction Account—State	<del>(\$2,500,000)</del>
	<u>\$3,850,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$10,500,000
TOTAL	<del>(\$13,000,000)</del>
	<u>\$14,350,000</u>

**Sec. 5031.** 2021 c 332 s 5111 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE HISTORICAL SOCIETY**

Heritage Capital Grants Projects (30000297)  
The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 5054, chapter 2, Laws of 2018.

Reappropriation:	
State Building Construction Account—State	\$1,800,000
Prior Biennia (Expenditures)	<del>(\$7,186,000)</del>
	<u>\$6,579,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	<del>(\$8,986,000)</del>
	<u>\$8,379,000</u>

**Sec. 5032.** 2021 c 332 s 5112 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE HISTORICAL SOCIETY**

Heritage Capital Grant Projects: 2019-21 (40000014)  
The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the

FIFTY NINTH DAY, MARCH 9, 2022

2022 REGULAR SESSION

provisions of section 5020, chapter 356, Laws of 2020.

Reappropriation:

State Building Construction Account—State	\$4,400,000
Prior Biennia (Expenditures)	<del>(\$4,777,000)</del>
	<u>\$4,731,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	<del>(\$9,177,000)</del>
	<u>\$9,131,000</u>

**Sec. 5033.** 2021 c 332 s 5115 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE HISTORICAL SOCIETY**

Preservation - Minor Works 2021-23 (40000136)

Appropriation:

State Building Construction Account—State	<del>(\$2,500,000)</del>
	<u>\$4,697,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$8,298,000
TOTAL	<del>(\$10,798,000)</del>
	<u>\$12,995,000</u>

**NEW SECTION. Sec. 5034.** A new section is added to 2021 c 332 (uncodified) to read as follows:

**FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY**

Complete HVAC Controls Replacement (40000052)

Appropriation:

State Building Construction Account—State	\$290,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$290,000

**NEW SECTION. Sec. 5035.** A new section is added to 2021 c 332 (uncodified) to read as follows:

**FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY**

Garage and Emergency Exit Concrete Remediation (40000053)

Appropriation:

State Building Construction Account—State	\$901,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$901,000

**Sec. 5036.** 2021 c 332 s 5153 (uncodified) is amended to read as follows:

**FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Facility Repairs (40000169)

Reappropriation:

Community and Technical College Capital Projects Account—State	\$2,826,000
State Building Construction Account—State	\$2,627,000
Subtotal Reappropriation	\$5,453,000
Prior Biennia (Expenditures)	<del>(\$33,074,000)</del>
	<u>\$32,587,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	<del>(\$38,527,000)</del>
	<u>\$38,040,000</u>

**NEW SECTION. Sec. 5037.** A new section is added to 2021 c 332 (uncodified) to read as follows:

**FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Minor Works - Infrastructure (40000431)

The appropriations in this section are subject to the following conditions and limitations: \$56,000 of the state building construction account—state appropriation in this section is provided solely for the following list of projects:

Yakima Valley Community College Gas Meter Replacement

	\$31,000
Yakima Valley Community College Potable Water Meter Replacement	\$25,000

Appropriation:

State Building Construction Account—State	\$8,517,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$8,517,000

**NEW SECTION. Sec. 5038.** A new section is added to 2021 c 332 (uncodified) to read as follows:

**FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Pierce College Olympic South Asbestos Abatement and Restoration (40000516)

Appropriation:

State Building Construction Account—State	\$13,159,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$13,159,000

**Sec. 5039.** 2021 c 332 s 5170 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE ARTS COMMISSION**

Yakima Sun Dome Reflectors (92000002)

Reappropriation:

State Building Construction Account—State	\$14,000
Appropriation:	
State Building Construction Account—State	\$508,000
Prior Biennia (Expenditures)	<del>(\$80,000)</del>
	<u>\$66,000</u>
Future Biennia (Projected Costs)	\$0
TOTAL	\$588,000

**NEW SECTION. Sec. 5040.** 2021 c 332 s 5024 (uncodified) is repealed.

**PART 6  
RESERVED**

**PART 7  
MISCELLANEOUS PROVISIONS**

**Sec. 7001.** 2021 c 332 s 7001 (uncodified) is amended to read as follows:

RCW 43.88.031 requires the disclosure of the estimated debt service costs associated with new capital bond appropriations. The estimated debt service costs for the appropriations contained in this act are ~~(\$46,768,901)~~ \$46,810,631 for the 2021-2023 biennium, ~~(\$314,662,796)~~ \$324,599,260 for the 2023-2025 biennium, and ~~(\$447,088,148)~~ 466,702,535 for the 2025-2027 biennium.

**Sec. 7002.** 2021 c 332 s 7002 (uncodified) is amended to read as follows:

**ACQUISITION OF PROPERTIES AND FACILITIES THROUGH FINANCIAL CONTRACTS.**

(1) The following agencies may enter into financial contracts, paid from any funds of an agency, appropriated or nonappropriated, for the purposes indicated and in not more than the principal amounts indicated, plus financing expenses and required reserves pursuant to chapter 39.94 RCW. When securing properties under this section, agencies shall use the most economical financial contract option available, including long-term leases, lease-purchase agreements, lease-development with option to purchase agreements or financial contracts using certificates of participation. Expenditures made by an agency for one of the indicated purposes before the issue date of the authorized financial contract and any certificates of participation therein are intended to be reimbursed from proceeds of the financial contract and any certificates of participation therein to

the extent provided in the agency's financing plan approved by the state finance committee.

(2) Those noninstructional facilities of higher education institutions authorized in this section to enter into financial contracts are not eligible for state funded maintenance and operations. Instructional space that is available for regularly scheduled classes for academic transfer, basic skills, and workforce training programs may be eligible for state funded maintenance and operations.

(3) Secretary of state: Enter into a financing contract for up to \$119,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to construct a new library-archives building.

(4) Washington state patrol: Enter into a financing contract for up to \$7,706,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to construct a burn building for live fire training.

(5) Department of social and health services: Enter into a financing contract for up to \$115,700,000 plus costs and financing expenses and required reserves pursuant to chapter 39.94 RCW to construct a nursing facility on the fircrest residential habilitation center campus. The department may contract to lease develop or lease purchase the facility. Before entering into a contract, the department must consult with the office of financial management and the office of the state treasurer. Should the department of social and health services choose to use a financing contract that does not provide for the issuance of certificates of participation, the financing contract shall be subject to approval by the state finance committee as required by RCW 39.94.010. In approving a financing contract not providing for the use of certificates of participation, the state finance committee should be reasonably certain that the contract is excluded from the computation of indebtedness, particularly that the contract is not backed by the full faith and credit of the state and the legislature is expressly not obligated to appropriate funds to make payments. For purposes of this subsection, "financing contract" includes but is not limited to a certificate of participation and tax exempt financing similar to that authorized in RCW 47.79.140.

(6) Community and technical colleges:

(a) Enter into a financing contract on behalf of Grays Harbor College for up to \$3,200,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to construct a student services and instructional building.

(b) Enter into a financing contract on behalf of Shoreline Community College for up to \$3,128,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to construct an allied health, science, and manufacturing replacement building.

(c) Enter into a financing contract on behalf of South Puget Sound Community College for up to \$5,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to renovate a health education building.

(d) Enter into a financing contract on behalf of Bates Technical College for up to \$1,350,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to purchase land and facilities.

(7) The department of ecology: ~~((Submit a financing contract proposal to fully fund the Lacey headquarters parking garage preservation project, including financing expenses and required reserves pursuant to chapter 39.94 RCW, in the department's 2022 supplemental capital budget request))~~ Enter into a financing contract for up to \$3,797,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW for the Lacey headquarters parking garage preservation project.

**Sec. 7003.** 2021 c 332 s 7012 (uncodified) is amended to read

as follows:

Executive Order No. 21-02, archaeological and cultural resources, was issued effective ~~((November 10, 2005))~~ April 7, 2021. Agencies shall comply with the requirements set forth in this executive order and must consult with the department of archaeology and historic preservation and affected tribes on the potential effects of projects on cultural resources and historic properties proposed in state-funded construction or acquisition projects, including grant or pass-through funding that culminates in construction or land acquisitions. Consultation with the department of archaeology and historic preservation and affected tribes must be initiated early in the project planning process, prior to construction or taking title.

**NEW SECTION. Sec. 7004.** A new section is added to 2021 c 332 (uncodified) to read as follows:

The public works board created in RCW 43.155.030 shall develop recommendations for a program design and administration, including but not limited to, prioritization and selection criteria, operation, and funding structure and levels for the types of innovative infrastructure projects that conserve water and energy, reduce greenhouse gas emissions, or reduce pollution and waste with a focus on those projects that achieve multiple benefits. In developing recommendations, the public works board shall, at a minimum, collaborate with the interagency, multijurisdictional system improvement team established by RCW 43.155.150, the department of commerce's state energy office, the industrial waste coordination program established by RCW 43.31.625, and local governments to evaluate barriers and gaps in incentives and funding for advancing innovative systems and technologies in public infrastructure that promote community and ecosystem resilience. Examples of innovative project types that should be addressed by the program include water reuse or reclaimed water systems, projects that integrate energy generation or water collection from waste products, and projects that reduce pollution discharges, treat or store water through green, or nature-based, infrastructure. The public works board shall provide recommendations to the governor's office, office of financial management, the senate ways and means committee and the house capital budget committee by October 1, 2022.

**Sec. 7005.** RCW 43.63A.125 and 2019 c 413 s 7030 are each amended to read as follows:

(1) The department shall establish the building communities fund program. Under the program, capital and technical assistance grants may be made to nonprofit organizations for acquiring, constructing, or rehabilitating facilities used for the delivery of nonresidential community services, including social service centers and multipurpose community centers, including those serving a distinct or ethnic population. Such facilities must be located in a distressed community or serve a substantial number of low-income or disadvantaged persons.

(2) The department shall establish a competitive process to solicit, evaluate, and rank applications for the building communities fund program as follows:

(a) The department shall conduct a statewide solicitation of project applications from nonprofit organizations.

(b) The department shall evaluate and rank applications in consultation with a citizen advisory committee using objective criteria. To be considered qualified, applicants must demonstrate that the proposed project:

(i) Will increase the range, efficiency, or quality of the services provided to citizens;

(ii) Will be located in a distressed community or will serve a substantial number of low-income or disadvantaged persons;

(iii) Will offer three or more distinct activities that meet a single community service objective or offer a diverse set of activities that meet multiple community service objectives, including but



FIFTY NINTH DAY, MARCH 9, 2022

2022 REGULAR SESSION

not limited to: Providing social services; expanding employment opportunities for or increasing the employability of community residents; or offering educational or recreational opportunities separate from the public school system or private schools, as long as recreation is not the sole purpose of the facility;

(iv) Reflects a long-term vision for the development of the community, shared by residents, businesses, leaders, and partners;

(v) Requires state funding to accomplish a discrete, usable phase of the project;

(vi) Is ready to proceed and will make timely use of the funds;

(vii) Is sponsored by one or more entities that have the organizational and financial capacity to fulfill the terms of the grant agreement and to maintain the project into the future;

(viii) Fills an unmet need for community services;

(ix) Will achieve its stated objectives; and

(x) Is a community priority as shown through tangible commitments of existing or future assets made to the project by community residents, leaders, businesses, and government partners.

(c)(i) The evaluation and ranking process shall also include an examination of existing assets that applicants may apply to projects. Grant assistance under this section shall not exceed ~~((twenty five))~~ 25 percent of the total cost of the project, except ~~(, under)~~ as provided in (c)(ii) and (iii) of this subsection (2).

(ii) For project lists submitted during the 2021-2023 fiscal biennium, grant assistance under this section may not exceed:

(A) One hundred percent of the total cost for projects up to \$100,000;

(B) Seventy-five percent of the total cost for projects that exceed \$100,000, up to \$250,000;

(C) Fifty percent of the total cost for projects that exceed \$250,000, up to \$500,000.

(iii) Under exceptional circumstances, the department may reduce the amount of nonstate match required. However, during the 2019-2021 biennium, the legislature may waive the match required for the projects specified in section 1009, chapter 413, Laws of 2019. No more than ~~((ten))~~ 10 percent of the total granted amount may be awarded to qualified eligible projects that meet the definition of exceptional circumstances defined in this subsection. For project lists submitted during the 2021-2023 fiscal biennium, there is no limit to the total granted amount awarded to qualified eligible projects that meet the definition of exceptional circumstances defined in this subsection. For purposes of this subsection, exceptional circumstances include but are not limited to: Natural disasters affecting projects; emergencies beyond an applicant's control, such as a fire or an unanticipated loss of a lease where services are currently provided; or a delay that could result in a threat to public health or safety. The nonstate portion of the total project cost may include cash, the value of real property when acquired solely for the purpose of the project, and in-kind contributions.

(d) The department may not set a monetary limit to funding requests.

(3) The department shall submit biennially to the governor and the legislature in the department's capital budget request a ranked list of the qualified eligible projects for which applications were received. The list must include a description of each project, its total cost, and the amount of state funding requested. The appropriate fiscal committees of the legislature shall use this list to determine building communities fund projects that may receive funding in the capital budget. The total amount of state capital funding available for all projects on the biennial list shall be determined by the capital budget beginning with the 2009-2011 biennium and thereafter. In addition, if cash funds have been

appropriated, up to ~~((three million dollars))~~ \$3,000,000 may be used for technical assistance grants. The department shall not sign contracts or otherwise financially obligate funds under this section until the legislature has approved a specific list of projects.

(4) In addition to the list of ranked qualified eligible projects, the department shall submit to the appropriate fiscal committees of the legislature a summary report that describes the solicitation and evaluation processes, including but not limited to the number of applications received, the total amount of funding requested, issues encountered, if any, and any recommendations for process improvements.

(5) After the legislature has approved a specific list of projects in law, the department shall develop and manage appropriate contracts with the selected applicants; monitor project expenditures and grantee performance; report project and contract information; and exercise due diligence and other contract management responsibilities as required.

(6) In contracts for grants authorized under this section the department shall include provisions which require that capital improvements shall be held by the grantee for a specified period of time appropriate to the amount of the grant and that facilities shall be used for the express purpose of the grant. If the grantee is found to be out of compliance with provisions of the contract, the grantee shall repay to the state general fund the principal amount of the grant plus interest calculated at the rate of interest on state of Washington general obligation bonds issued most closely to the date of authorization of the grant.

**Sec. 7006.** 2021 c 332 s 7020 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER—TRANSFERS**

(1) Public Works Assistance Account: For transfer to the drinking water assistance account, up to \$5,500,000 for fiscal year 2022 and up to ~~((5,500,000))~~ \$14,900,000 for fiscal year 2023  
~~((11,000,000))~~  
\$20,400,000

(2) Public Works Assistance Account: For transfer to the water pollution control revolving account, up to \$7,500,000 for fiscal year 2022 and up to ~~((7,500,000))~~ \$10,500,000 for fiscal year 2023  
~~((15,000,000))~~  
\$18,000,000

(3) Public Works Assistance Account: For transfer to the statewide broadband account, up to \$7,000,000 for fiscal year 2022 and up to \$7,000,000 for fiscal year 2023 \$14,000,000

(4) Capital Community Assistance Account: For transfer to the apple health and homes account, \$60,000,000 for fiscal year 2023  
\$60,000,000

**Sec. 7007.** 2021 c 332 s 7041 (uncodified) is amended to read as follows:

(1) The department of enterprise services shall convene a construction industry work group to recommend how to apply successful carbon reduction strategies, incorporate necessary parameters of design and construction considerations, and allow for efficient and cost effective state construction projects. The work group must be comprised of construction industry professionals as recommended by a leading association on Washington business in design, specification, construction, and material supply and construction professionals that have successfully realized real and measurable results. The work group must also include a representative from the department of enterprise services, representatives from environmental groups, and someone of applicable expertise from the Washington academy of sciences.

(2) The work group shall identify and recommend carbon reduction strategies and environmental product declaration

principles to successfully apply in state construction projects and:

(a) Clarify the definition of environmental product declaration to ensure that environmental product declarations (EPD) are applied properly, consistently, and as intended and provide a baseline of understanding based on accepted metrics to obtain measurable results for state construction projects;

(b) Suggest a pilot project or project review to apply construction industry recommendations and create an education and standards brief that accompanies the report required under subsection (3) of this section;

(c) Outline the environmental project review data collection process in functional detail and use existing data gathering resources such as EC3; and

(d) Identify measurable outcome criteria to establish a project baseline summary for use during design from estimated project material quantities using industry average environmental product declarations.

(3) The work group shall provide their recommendations in a report to the fiscal committees of the legislature by ~~((January 1, 2022))~~ June 30, 2022.

(d) Identify measurable outcome criteria to establish a project baseline summary for use during design from estimated project material quantities using industry average environmental product declarations; and

(e) Identify sustainable and low-carbon emitting building materials, including but not limited to, aggregate and recycled concrete materials, as described in subsection (4) of this section.

(3) The work group shall provide their recommendations in a report to the fiscal committees of the legislature by January 1, 2022.

(4)(a) The legislature continues to prioritize Washington state's sustainability goals and reaffirms its determination that recyclable construction aggregate and recycled concrete materials are too valuable to be wasted and landfilled. The legislature further finds that the reuse of construction aggregate and recycled concrete materials into construction projects is known to:

(i) Reduce the need for consumption of new construction aggregate materials and conserves existing aggregate resources;

(ii) Encourages reuse and recycling, reduces waste, and discourages landfilling of readily available natural resources;

(iii) Reduces truck trips and related transportation emissions; and

(iv) Reduces greenhouse gases related to the construction of state funded construction projects, reduce embodied energy, and improve and advance the sustainable principles and practices of Washington state.

(b) These recyclable materials have well established markets, are substantially a primary or secondary product of necessary construction processes and production, as a commodity substantially meets widely recognized international, national, and local standards and specifications, and are managed as an item of commercial value.

**Sec. 7008.** RCW 43.83B.430 and 2020 c 168 s 6 are each amended to read as follows:

The state drought preparedness and response account is created in the state treasury. All receipts from appropriated funds designated for the account and all cost recovery revenues collected under RCW 43.83B.410(5) must be deposited into the account. Expenditures from the account may be used for drought preparedness and response activities under this chapter, including grants issued under RCW 43.83B.415. Moneys in the account may be spent only after appropriation. During the 2021-2023 fiscal biennium, the legislature may appropriate moneys from the account for activities related to water banking.

**Sec. 7009.** RCW 43.155.050 and 2021 c 334 s 979 and 2021 c 332 s 7031 are each reenacted and amended to read as follows:

The public works assistance account is hereby established in the state treasury. Money may be placed in the public works assistance account from the proceeds of bonds when authorized by the legislature or from any other lawful source. Money in the public works assistance account shall be used to make loans and grants and to give financial guarantees to local governments for public works projects. Moneys in the account may also be appropriated or transferred to the water pollution control revolving fund and the drinking water assistance account to provide for state match requirements under federal law. Not more than twenty percent of the biennial capital budget appropriation to the public works board from this account may be expended or obligated for preconstruction loans and grants, emergency loans and grants, or loans and grants for capital facility planning under this chapter. Not more than ten percent of the biennial capital budget appropriation to the public works board from this account may be expended or obligated as grants for preconstruction, emergency, capital facility planning, and construction projects. During the 2017-2019 and 2019-2021 fiscal biennia, the legislature may appropriate moneys from the account for activities related to rural economic development, the growth management act, the aviation revitalization loan program, the community economic revitalization board broadband program, and the voluntary stewardship program. During the 2021-2023 biennium, the legislature may appropriate moneys from the account for activities related to the aviation revitalization board. During the 2019-2021 fiscal biennia, the legislature may direct the state treasurer to make transfers of moneys in the public works assistance account to the education legacy trust account. During the 2019-2021 and 2021-2023 fiscal biennia, the legislature may direct the state treasurer to make transfers of moneys in the public works assistance account to the statewide broadband account. During the 2021-2023 fiscal biennium, the legislature may appropriate moneys from the public works assistance account for activities related to the voluntary stewardship program, rural economic development, and the growth management act. During the 2021-2023 biennium, the legislature may appropriate moneys from the account for projects identified in section 1033 of this act.

**NEW SECTION. Sec. 7010.** The energy efficiency revolving loan capitalization account is created in the state treasury. All moneys received by the state from the energy efficiency revolving loan fund capitalization grant program created in section 40502 of P.L. 117-58 (infrastructure investment and jobs act) must be deposited into the account. The account may also receive legislative transfers and appropriations and all other revenues directed for deposit into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used to make grants or loans, and to provide technical assistance, to conduct energy audits and to implement audit strategies to increase the energy efficiency of residential and commercial buildings and facilities.

**Sec. 7011.** RCW 43.19.501 and 2021 c 332 s 7013 are each amended to read as follows:

The Thurston county capital facilities account is created in the state treasury. The account is subject to the appropriation and allotment procedures under chapter 43.88 RCW. Moneys in the account may be expended for capital projects in facilities owned and managed by the department in Thurston county.

During the 2019-2021 and 2021-2023 fiscal biennia, the Thurston county capital facilities account may be appropriated for costs associated with staffing to support capital budget and project activities and lease and facility oversight activities. During the 2021-2023 fiscal biennium, the Thurston county capital facilities account may be appropriated for activities related to Capitol Lake long-term management planning, as provided in section 1057 of this act.

**NEW SECTION. Sec. 7012.** The state board for community and technical colleges was tasked by the legislature in section 7038, chapter 332, Laws of 2021 to report on alternative methods of prioritizing and presenting the list of requested capital projects for community and technical colleges in the 2023-2025 fiscal biennium. The state board for community and technical colleges shall implement for the 2023-2025 fiscal biennium the report's option of a single prioritized request with minor projects above major projects and with all of the funding needed for design and construction included in a single biennium. However, in recognition of the transition to this new prioritized request method, projects that received funding for design only in the 2019-2021 or 2021-2023 fiscal biennia must receive priority over new major project requests in the 2023-2025 fiscal biennium request.

**NEW SECTION. Sec. 7013.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

**NEW SECTION. Sec. 7014.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

Senator Frockt moved that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 5651.

Senators Frockt, Honeyford, Schoesler and Mullet spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Frockt that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 5651.

The motion by Senator Frockt carried and the Senate concurred in the House amendment(s) to Substitute Senate Bill No. 5651 by voice vote.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5651, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5651, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Das, Dhingra, Dozier, Fortunato, Frockt, Gildon, Hasegawa, Hawkins, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Sefzik, Sheldon, Short, Stanford, Trudeau, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5651, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Frockt: "Thank you. Very briefly, and it was mentioned by Senator Mullet, normally in the pre-pandemic times we would have our staff come out here and we would give them a round of applause. And I was just wondering if the body could take a moment and give, give a round of applause to the Capital Budget staff who put this together for us today."

MESSAGE FROM THE HOUSE

March 3, 2022

MR. PRESIDENT:

The House passed ENGROSSED SUBSTITUTE SENATE BILL NO. 5874 with the following amendment(s): 5874-S.E AMH APP H2879.1

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 28B.15.012 and 2021 c 272 s 9 are each amended to read as follows:

Whenever used in this chapter:

(1) The term "institution" shall mean a public university, college, or community or technical college within the state of Washington.

(2) The term "resident student" shall mean:

(a) A financially independent student who has had a domicile in the state of Washington for the period of one year immediately prior to the time of commencement of the first day of the semester or quarter for which the student has registered at any institution and has in fact established a bona fide domicile in this state primarily for purposes other than educational;

(b) A dependent student, if one or both of the student's parents or legal guardians have maintained a bona fide domicile in the state of Washington for at least one year immediately prior to commencement of the semester or quarter for which the student has registered at any institution;

(c) A student classified as a resident based upon domicile by an institution on or before May 31, 1982, who was enrolled at a state institution during any term of the 1982-1983 academic year, so long as such student's enrollment (excepting summer sessions) at an institution in this state is continuous;

(d) Any student who has spent at least seventy-five percent of both his or her junior and senior years in high schools in this state, whose parents or legal guardians have been domiciled in the state for a period of at least one year within the five-year period before the student graduates from high school, and who enrolls in a public institution of higher education within six months of leaving high school, for as long as the student remains continuously enrolled for three quarters or two semesters in any calendar year;

(e) Any person who has completed and obtained a high school diploma, or a person who has received the equivalent of a diploma; who has continuously lived in the state of Washington for at least a year primarily for purposes other than postsecondary education before the individual is admitted to an institution of higher education under subsection (1) of this section; and who provides to the institution an affidavit indicating that the individual will file an application to become a permanent resident at the earliest opportunity the individual is eligible to do so and a willingness to engage in any other activities necessary to acquire citizenship, including but not limited to citizenship or civics review courses;

(f) Any person who has lived in Washington, primarily for purposes other than ~~((educational))~~ postsecondary education, for

at least one year immediately before the date on which the person has enrolled in an institution, and who holds lawful nonimmigrant status pursuant to 8 U.S.C. Sec. (a)(15) (E)(iii), (H)(i), or (L), or who holds lawful nonimmigrant status as the spouse or child of a person having nonimmigrant status under one of those subsections, or who, holding or having previously held such lawful nonimmigrant status as a principal or derivative, has filed an application for adjustment of status pursuant to 8 U.S.C. Sec. 1255(a);

(g) A student who is on active military duty stationed in the state or who is a member of the Washington national guard;

(h) A student who is on active military duty or a member of the Washington national guard who meets the following conditions:

- (i) Entered service as a Washington resident;
- (ii) Has maintained a Washington domicile; and
- (iii) Is stationed out-of-state;

(i) A student who is on active military duty who is stationed out-of-state after having been stationed in Washington and is either:

(i) Admitted to an institution of higher education in Washington before the reassignment and enrolls in that institution for the term the student was admitted;

(ii) Enrolled in an institution of higher education in Washington and remains continuously enrolled at the institution; or

(iii) Enrolls in an institution of higher education in Washington within three years from the date of reassignment out-of-state;

(j) A student who is the spouse, state registered domestic partner, or a dependent as defined in Title 10 U.S.C. Sec. 1072(2) as it existed on January 18, 2022, or such subsequent date as the student achievement council may determine by rule of a person defined in (g) or (h) of this subsection. If the person defined in (g) of this subsection is reassigned out-of-state, the student maintains the status as a resident student so long as the student is either:

(i) Admitted to an institution before the reassignment and enrolls in that institution for the term the student was admitted; ((or))

(ii) Enrolled in an institution and remains continuously enrolled at the institution; or

(iii) Enrolled in an institution of higher education in Washington within three years from the date of reassignment out-of-state;

((j)) A student who is the spouse or a dependent of a person defined in (h) of this subsection;

~~(k) A student who is eligible or entitled to transferred federal post 9/11 veterans educational assistance act of 2008 (38 U.S.C. Sec. 3301 et seq.) benefits based on the student's relationship as a spouse, former spouse, or child to an individual who is on active duty in the uniformed services;~~

~~(l) A student who resides in the state of Washington and is the spouse or a dependent of a person who is a member of the Washington national guard;~~

~~(m) A student who has separated from the uniformed services with any period of honorable service after at least ninety days of active duty service; is eligible for educational assistance benefits under Title 38 U.S.C.; and enters an institution of higher education in Washington within three years of the date of separation;~~

~~(n) A student who is on terminal, transition, or separation leave pending separation, or release from active duty, from the uniformed services with any period of honorable service after at least ninety days of active duty service and is eligible for educational assistance benefits under Title 38 U.S.C.;~~

~~(o) A student who is entitled to veterans administration educational assistance benefits based on the student's relationship as a spouse, former spouse, or child to an individual who has~~

~~separated from the uniformed services with any period of honorable service after at least ninety days of active duty service, and who enters an institution of higher education in Washington within three years of the service member's date of separation;~~

~~((p)) (k) A student who is eligible for veterans administration educational assistance or rehabilitation benefits under Title 38 U.S.C. or educational assistance under Title 10 U.S.C. chapter 1606 as the titles existed on January 18, 2022, or such subsequent date as the student achievement council may determine by rule;~~

~~(l) A student who ((is the spouse or child to an individual who)) has separated or retired from the uniformed services with at least ~~((ten))~~ 10 years of honorable service and at least ~~((ninety))~~ 90 days of active duty service, and who enters an institution of higher education in Washington within three years of the ~~((service member's))~~ date of separation or retirement;~~

~~((q)) (m) A student who is the spouse, state registered domestic partner, or child under the age of 26 years of an individual who has separated or retired from the uniformed services with at least 10 years of honorable service and at least 90 days of active duty service, and who enters an institution of higher education in Washington within three years of the service member's date of separation or retirement;~~

~~(n) A student who has separated from the uniformed services who was discharged due to the student's sexual orientation or gender identity or expression;~~

~~((r) A student who is entitled to veterans administration educational assistance benefits based on the student's relationship with a deceased member of the uniformed services who died in the line of duty;~~

~~(s) A student who is entitled to federal vocational rehabilitation and employment services for veterans with service connected disabilities under 38 U.S.C. Sec. 3102(a);~~

~~((t)) (o) A student who is defined as a covered individual in 38 U.S.C. Sec. 3679(c)(2) as it existed on ~~((July 28, 2019))~~ January 18, 2022, or such subsequent date as the student achievement council may determine by rule;~~

~~((u)) (p) A student of an out-of-state institution of higher education who is attending a Washington state institution of higher education pursuant to a home tuition agreement as described in RCW 28B.15.725;~~

~~((v)) (q) A student who meets the requirements of RCW 28B.15.0131 or 28B.15.0139: PROVIDED, That a nonresident student enrolled for more than six hours per semester or quarter shall be considered as attending for primarily educational purposes, and for tuition and fee paying purposes only such period of enrollment shall not be counted toward the establishment of a bona fide domicile of one year in this state unless such student proves that the student has in fact established a bona fide domicile in this state primarily for purposes other than educational;~~

~~((w)) (r) A student who resides in Washington and is on active military duty stationed in the Oregon counties of Columbia, Gilliam, Hood River, Multnomah, Clatsop, Clackamas, Morrow, Sherman, Umatilla, Union, Wallowa, Wasco, or Washington; or~~

~~((x)) (s) A student who resides in Washington and is the spouse or a dependent of a person defined in ~~((w))~~ (r) of this subsection. If the person defined in ~~((w))~~ (r) of this subsection moves from Washington or is reassigned out of the Oregon counties of Columbia, Gilliam, Hood River, Multnomah, Clatsop, Clackamas, Morrow, Sherman, Umatilla, Union, Wallowa, Wasco, or Washington, the student maintains the status as a resident student so long as the student resides in Washington and is either:~~

~~(i) Admitted to an institution before the reassignment and enrolls in that institution for the term the student was admitted; or~~

~~(ii) Enrolled in an institution and remains continuously enrolled~~

at the institution.

(3)(a) A student who qualifies under subsection (2)(k), (l), (m), (n), or (o)(~~(-p)~~, ~~(-q)~~, ~~(-r)~~, ~~(-s)~~, ~~or~~ ~~(-t)~~) of this section and who remains continuously enrolled at an institution of higher education shall retain resident student status.

(b) Nothing in subsection (2)(k), (l), (m), (n), or (o)(~~(-p)~~, ~~(-q)~~, ~~(-r)~~, ~~(-s)~~, ~~or~~ ~~(-t)~~) of this section applies to students who have a dishonorable discharge from the uniformed services, or to students who are the spouse or child of an individual who has had a dishonorable discharge from the uniformed services, unless the student is receiving veterans administration educational assistance benefits.

(4) The term "nonresident student" shall mean any student who does not qualify as a "resident student" under the provisions of this section and RCW 28B.15.013. Except for students qualifying under subsection (2)(e) or ~~((t))~~ (p) of this section, a nonresident student shall include:

(a) A student attending an institution with the aid of financial assistance provided by another state or governmental unit or agency thereof, such nonresidency continuing for one year after the completion of such semester or quarter. This condition shall not apply to students from Columbia, Multnomah, Clatsop, Clackamas, or Washington county, Oregon participating in the border county pilot project under RCW 28B.76.685, 28B.76.690, and 28B.15.0139.

(b) A person who is not a citizen of the United States of America, unless the person meets and complies with all applicable requirements in this section and RCW 28B.15.013 and is one of the following:

- (i) A lawful permanent resident;
- (ii) A temporary resident;
- (iii) A person who holds "refugee-parolee," "conditional entrant," or U or T nonimmigrant status with the United States citizenship and immigration services;
- (iv) A person who has been issued an employment authorization document by the United States citizenship and immigration services that is valid as of the date the person's residency status is determined;
- (v) A person who has been granted deferred action for childhood arrival status before, on, or after June 7, 2018, regardless of whether the person is no longer or will no longer be granted deferred action for childhood arrival status due to the termination, suspension, or modification of the deferred action for childhood arrival program; or
- (vi) A person who is otherwise permanently residing in the United States under color of law, including deferred action status.

(5) The term "domicile" shall denote a person's true, fixed and permanent home and place of habitation. It is the place where the student intends to remain, and to which the student expects to return when the student leaves without intending to establish a new domicile elsewhere. The burden of proof that a student, parent or guardian has established a domicile in the state of Washington primarily for purposes other than educational lies with the student.

(6) The term "dependent" shall mean a person who is not financially independent. Factors to be considered in determining whether a person is financially independent shall be set forth in rules adopted by the student achievement council and shall include, but not be limited to, the state and federal income tax returns of the person and/or the student's parents or legal guardian filed for the calendar year prior to the year in which application is made and such other evidence as the council may require.

(7) The term "active military duty" means the person is serving on active duty in:

- (a) The armed forces of the United States government; or
- (b) The Washington national guard; or
- (c) The coast guard, merchant mariners, or other nonmilitary organization when such service is recognized by the United States government as equivalent to service in the armed forces.

(8) The term "active duty service" means full-time duty, other than active duty for training, as a member of the uniformed services of the United States. Active duty service as a national guard member under Title 32 U.S.C. for the purpose of organizing, administering, recruiting, instructing, or training and active service under Title 32 U.S.C. Sec. 502(f) for the purpose of responding to a national emergency is recognized as active duty service.

(9) The term "uniformed services" is defined by Title 10 U.S.C.; subsequently structured and organized by Titles 14, 33, and 42 U.S.C.; consisting of the United States army, United States marine corps, United States navy, United States air force, United States coast guard, United States space force, United States public health service commissioned corps, and the national oceanic and atmospheric administration commissioned officer corps.

(10) "Washington national guard" means that part of the military force of the state that is organized, equipped, and federally recognized under the provisions of the national defense act of the United States, and in the event the national guard is called into federal service or in the event the state guard or any part or individual member thereof is called into active state service by the commander-in-chief. National guard service includes being subject to call up for active duty under Title 32 U.S.C. or Title 10 U.S.C. status or when called to state active service by the governor under the provisions of RCW 38.08.040.

(11) "Child" includes, but is not limited to:

- (a) A legitimate child;
- (b) An adopted child;
- (c) A stepchild;
- (d) A foster child; and
- (e) A legal dependent."

Correct the title.

and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

MOTION

Senator Nobles moved that the Senate concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 5874.

Senators Nobles and Holy spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Nobles that the Senate concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 5874.

The motion by Senator Nobles carried and the Senate concurred in the House amendment(s) to Engrossed Substitute Senate Bill No. 5874 by voice vote.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5874, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5874, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Das, Dhingra, Dozier, Fortunato, Frockt, Gildon,

Hasegawa, Hawkins, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Sefzik, Sheldon, Short, Stanford, Trudeau, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5874, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE HOUSE

March 7, 2022

MR. PRESIDENT:

The House passed SUBSTITUTE SENATE BILL NO. 5910 with the following amendment(s): 5910-S AMH ENGR H2899.E

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1. INTENT AND FINDINGS.** (1) The legislature finds that while hydrogen fuel has been used in a variety of applications in the state, the source of hydrogen has been derived from fossil fuel feedstocks, such as natural gas. Hydrogen is an essential building block and energy carrier molecule that is necessary in the production of conventional and renewable fuels and a valuable decarbonization tool when used in sectors such as marine, aviation, steel, aluminum, and cement, as well as surface transportation including heavy-duty vehicles, such as transit, trucking, and drayage equipment. Hydrogen can be a carbon-free fuel with an energy per unit mass that is three to four times greater than jet fuel, whose energy can be extracted either through thermochemical (combustion) or electrochemical (fuel cell) processes. In both cases, the only by-product is water, instead of the greenhouse gases and other conventional and toxic pollutants that are emitted from using fossil fuels.

(2) The legislature further finds that the use of renewable hydrogen and hydrogen produced from carbon-free feedstocks through electrolysis is an essential tool to a clean energy ecosystem and emissions reduction for challenging infrastructure needs. Clean hydrogen fuel can be produced or "charged" closer to the generation of the electricity when the electrical supply grid has surplus energy, at times of low electricity use, such as evenings, then made available at times of higher need and convenient locations, such as fueling stations, avoiding the need to build or upgrade larger electrical infrastructure, including distribution systems, to meet higher peak demand for electricity.

(3) Therefore, the legislature intends by this act to establish policies and a framework for the state to become a national and global leader in the production and use of these hydrogen fuels. This act will create an office of renewable fuels to: Promote partnerships among industrial, transportation, agriculture, and commercial interests as well as fuel producers, the technology research sector, and public sector agencies; identify barriers to and opportunities for market development; provide greater clarity and certainty in regulatory and siting standards; provide incentives and financial assistance in the deployment of hydrogen fuel infrastructure; support a clean and just energy transition; help create good quality, clean energy jobs; and improve air quality in degraded areas, particularly in communities that have borne disproportionate levels of air pollution from the combustion of fossil fuels.

#### Part 1

#### OFFICE OF RENEWABLE FUELS

**NEW SECTION. Sec. 101.** A new section is added to

chapter 43.330 RCW to read as follows:

The definitions in this section apply throughout sections 102, 103, and 104 of this act unless the context clearly requires otherwise.

(1) "Department" means the department of commerce.

(2) "Green electrolytic hydrogen" means hydrogen produced through electrolysis and does not include hydrogen manufactured using steam reforming or any other conversion technology that produces hydrogen from a fossil fuel feedstock.

(3) "Office" means the statewide office of renewable fuels established in section 102 of this act.

(4) "Overburdened communities" has the same meaning as defined in RCW 70A.02.010.

(5) "Renewable fuel" means fuel produced using renewable resources and includes renewable hydrogen.

(6) "Renewable hydrogen" has the same meaning as defined in RCW 54.04.190.

(7) "Renewable resource" has the same meaning as defined in RCW 19.405.020.

**NEW SECTION. Sec. 102.** A new section is added to chapter 43.330 RCW to read as follows:

(1) The statewide office of renewable fuels is established within the department. The office shall report to the director of the department. The office may employ staff as necessary to carry out the office's duties as prescribed by this act, subject to the availability of amounts appropriated for this specific purpose.

(2) The purpose of the office is to leverage, support, and integrate with other state agencies to:

(a) Accelerate comprehensive market development with assistance along the entire life cycle of renewable fuel projects;

(b) Support research into and development and deployment of renewable fuel and the production, distribution, and use of renewable and green electrolytic hydrogen and their derivatives, as well as product engineering and manufacturing relating to the production and use of such hydrogen and its derivatives;

(c) Drive job creation, improve economic vitality, and support the transition to clean energy;

(d) Enhance resiliency by using renewable fuels and green electrolytic hydrogen to support climate change mitigation and adaptations; and

(e) Partner with overburdened communities to ensure communities equitably benefit from renewable and clean fuels efforts.

**NEW SECTION. Sec. 103.** A new section is added to chapter 43.330 RCW to read as follows:

(1) The office shall:

(a) Coordinate with federally recognized tribes, local government, state agencies, federal agencies, private entities, the state's public four-year institutions of higher education, labor unions, and others to facilitate and promote multi-institution collaborations to drive research, development, and deployment efforts in the production, distribution, and use of renewable fuels including, but not limited to, green electrolytic hydrogen;

(b) Review existing renewable fuels and green electrolytic hydrogen initiatives, policies, and public and private investments;

(c) Consider funding opportunities that provide for the coordination of public and private funds for the purposes of developing and deploying renewable fuels and green electrolytic hydrogen;

(d) Assess opportunities for and barriers to deployment of renewable fuels and green electrolytic hydrogen in hard to decarbonize sectors of the state economy;

(e) Request recommendations from the Washington state association of fire marshals regarding fire and other safety standards adopted by the United States department of energy and recognized national and international fire and safety code

FIFTY NINTH DAY, MARCH 9, 2022

2022 REGULAR SESSION

development authorities regarding renewable fuels and green electrolytic hydrogen;

(f) By December 1, 2023, develop a plan and recommendations for consideration by the legislature and governor on renewable fuels and green electrolytic hydrogen policy and public funding including, but not limited to, project permitting, state procurement, and pilot projects; and

(g) Encourage new and support existing public-private partnerships to increase coordinated planning and deployment of renewable fuels and green electrolytic hydrogen.

(2) The office may take all appropriate steps to seek and apply for federal funds for which the office is eligible, and other grants, and accept donations, and must deposit these funds in the renewable fuels accelerator account created in section 104 of this act.

(3) In carrying out its duties, the office must collaborate with the department, the department of ecology, the department of transportation, the utilities and transportation commission, electric utilities in Washington state, the Washington State University extension energy program, and all other relevant state agencies. The office must also consult with and seek to involve federally recognized tribes, project developers, labor and industry trade groups, and other interested parties, in the development of policy analysis and recommended programs or projects.

(4) The office may cooperate with other state agencies in compiling data regarding the use of renewable fuels and green electrolytic hydrogen in state operations, including motor vehicle fleets, the state ferry system, and nonroad equipment.

**NEW SECTION. Sec. 104.** A new section is added to chapter 43.330 RCW to read as follows:

The renewable fuels accelerator account is created in the state treasury. Revenues to the account consist of appropriations made by the legislature, federal funds, gifts or grants from the private sector or foundations, and other sources deposited in the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for purposes designated in sections 102, 103, and 201 of this act. Only the director or the director's designee may authorize expenditures from the account.

**Part 2**

**FEDERAL FUNDING**

**NEW SECTION. Sec. 201.** (1)(a) The legislature finds that the federal infrastructure investment and jobs act, P.L. 117-58, provides \$8,000,000,000 over five years to support the development of regional clean hydrogen hubs. The federal infrastructure investment and jobs act requires the United States secretary of energy to establish a program to fund at least four regional hubs to aid in achieving a hydrogen fuel production carbon intensity standard provided in that legislation; to demonstrate the production, processing, delivery, storage, and end use of hydrogen; and that can be developed into a national network to facilitate a clean hydrogen economy. The federal infrastructure investment and jobs act requires the secretary of energy to select regional hubs that demonstrate a diversity of feedstocks, a diversity of end uses, and a diversity of geographic regions of the country. The federal infrastructure investment and jobs act requires the secretary of energy to solicit proposals for regional hubs by May 15, 2022, and to make selections of the hubs within one year after the deadline for submission of proposals.

(b) The legislature further finds that Washington state is strongly positioned to develop a regional clean energy hub meeting the criteria of the federal infrastructure investment and jobs act because the state:

(i) Has adopted a state energy strategy that recognizes

hydrogen as an integral part of the state's decarbonization pathway;

(ii) Has an abundance of low cost, low carbon, reliable electricity as the primary energy resource for production of clean hydrogen;

(iii) Already has under construction the nation's first renewable hydrogen electrolyzer and has several hydrogen fueling facilities as well as production facilities in planning and design phases;

(iv) Has multiple manufacturers designing, engineering, and manufacturing fuel cell electric engines and zero-emission vehicles, vessels, and airplanes;

(v) Has numerous industrial, maritime, and freight shipping concerns that are moving toward cleaner fuels and that would help provide demand for hydrogen, as well as state and local governments currently considering hydrogen uses;

(vi) Has a demonstrated track record of building partnerships across the public and private sector to advance clean energy technologies;

(vii) Has policies in place supporting and engaging overburdened communities, including the healthy environment for all act, which will facilitate alignment with the justice40 initiative; and

(viii) Has policies, including tax incentives, that support high labor standards in clean energy production.

(c) The legislature further finds that the state may help to promote and strengthen applications for regional hydrogen hub federal funding through state funding assistance to support a timely and competitive application to the United States department of energy by a public-private partnership entity that leverages private sector leadership and is composed of multiple interests, including public and private project developers, manufacturers and end users, research institutions, academia, government, and communities around the state.

(2) Subject to amounts appropriated for this specific purpose, the director of the department of commerce must provide support to a public-private partnership entity as described in subsection (1)(c) of this section, which may include department staff support and direct funding. The entity should:

(a) Agree to prepare a timely and responsive application for federal funding to develop a regional clean hydrogen hub in Washington state, consistent with the requirements of the federal application process and the policies and strategy of the state of Washington;

(b) Demonstrate meaningful engagement with a range of entities across the state, including federally recognized tribes, labor unions, and communities around the state including overburdened communities, in the development of a hydrogen hub;

(c) Include entities that provide training and expand employment opportunities for the hydrogen workforce, including labor organizations, institutions of higher education, community and technical colleges, and vocational institutions; and

(d) Include specific commitments, as required by the federal application, from industries, transportation agencies, utilities, and other public and private sector entities to assist in funding the application and to develop plans to either construct infrastructure for or to incorporate, or both, the production, distribution, and end use of renewable hydrogen and green electrolytic hydrogen fuels into their transition to cleaner energy.

(3) In addition to the assistance in applying for federal funding provided through subsection (2) of this section, the legislature intends that the state fully support a regional clean energy hub in the state, including further direct financial assistance in developing the hub and the acquisition of hydrogen fuels for state agency and local government uses.

**Part 3**  
**VALUATION OF PROPERTY RELATED TO**  
**RENEWABLE ENERGY**

NEW SECTION. **Sec. 301.** A new section is added to chapter 84.40 RCW to read as follows:

(1) It is the policy of this state to promote the development of renewable energy projects to support the state's renewable energy goals.

(2) The department must publish guidance, in cooperation with industry stakeholders, to advise county assessors when appraising renewable energy facilities for determining true and fair value, in accordance with RCW 84.40.030. This guidance must include a cost-based appraisal method, and the development of industry-specific valuation tables for the following types of renewable energy property:

(a) A cost-based appraisal method and industry-specific valuation tables for equipment used to generate solar power must be published by January 1, 2023, for property taxes levied for collection in calendar year 2024;

(b) A cost-based appraisal method and industry-specific valuation tables for equipment used to generate wind power must be published by January 1, 2023, for property taxes levied for collection in calendar year 2024; and

(c) A cost-based appraisal method and industry-specific valuation tables for equipment used to store electricity must be published by January 1, 2024, for property taxes levied for collection in calendar year 2025.

(3) County assessors must refer to this guidance, including cost-based appraisal method and industry-specific valuation tables, when valuing renewable energy property but may also consider one or more additional valuation methods in determining the true and fair value of a property when there is a compelling reason to do so.

(4) For the purposes of this section, "renewable energy property" means property that uses solar or wind energy as the sole fuel source for the generation of at least one megawatt of nameplate capacity, alternating current, and all other equipment and materials that comprise the property, including equipment used to store electricity from the property to be released at a later time. "Renewable energy property" does not include any equipment or materials attached to a single-family residential building.

**Part 4**  
**EXPANDING THE PRODUCTION, DISTRIBUTION,**  
**AND USE OF HYDROGEN NOT PRODUCED FROM A**  
**FOSSIL FUEL FEEDSTOCK**

**Sec. 401.** RCW 82.08.816 and 2019 c 287 s 11 are each amended to read as follows:

(1) The tax imposed by RCW 82.08.020 does not apply to:

(a) The sale of batteries or fuel cells for electric vehicles, including batteries or fuel cells sold as a component of an electric bus at the time of the vehicle's sale;

(b) The sale of or charge made for labor and services rendered in respect to installing, repairing, altering, or improving electric vehicle batteries or fuel cells;

(c) The sale of or charge made for labor and services rendered in respect to installing, constructing, repairing, or improving battery or fuel cell electric vehicle infrastructure, including hydrogen fueling stations;

(d) The sale of tangible personal property that will become a component of battery or fuel cell electric vehicle infrastructure during the course of installing, constructing, repairing, or improving battery or fuel cell electric vehicle infrastructure; and

(e) The sale of zero emissions buses.

(2) Sellers may make tax exempt sales under this section only if the buyer provides the seller with an exemption certificate in a

form and manner prescribed by the department. The seller must retain a copy of the certificate for the seller's files.

(3) On the last day of January, April, July, and October of each year, the state treasurer, based upon information provided by the department, must transfer from the multimodal transportation account to the general fund a sum equal to the dollar amount that would otherwise have been deposited into the general fund during the prior calendar quarter but for the exemption provided in this section. Information provided by the department to the state treasurer must be based on the best available data, except that the department may provide estimates of taxes exempted under this section until such time as retailers are able to report such exempted amounts on their tax returns.

(4) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Battery charging station" means an electrical component assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles, which meet or exceed any standards, codes, and regulations set forth by chapter 19.28 RCW and consistent with rules adopted under RCW 19.27.540.

(b) "Battery exchange station" means a fully automated facility that will enable an electric vehicle with a swappable battery to enter a drive lane and exchange the depleted battery with a fully charged battery through a fully automated process, which meets or exceeds any standards, codes, and regulations set forth by chapter 19.28 RCW and consistent with rules adopted under RCW 19.27.540.

(c) "Electric vehicle infrastructure" means structures, machinery, and equipment necessary and integral to support a battery or fuel cell electric vehicle, including battery charging stations, rapid charging stations, battery exchange stations, fueling stations that provide hydrogen for fuel cell electric vehicles, green electrolytic hydrogen production facilities, and renewable hydrogen production facilities.

(d) "Green electrolytic hydrogen" means hydrogen produced through electrolysis, and does not include hydrogen manufactured using steam reforming or any other conversion technology that produces hydrogen from a fossil fuel feedstock.

(e) "Rapid charging station" means an industrial grade electrical outlet that allows for faster recharging of electric vehicle batteries through higher power levels, which meets or exceeds any standards, codes, and regulations set forth by chapter 19.28 RCW and consistent with rules adopted under RCW 19.27.540.

~~((f))~~ (f) "Renewable hydrogen" means hydrogen produced using renewable resources both as the source for hydrogen and the source for the energy input into the production process.

~~((f))~~ (g) "Renewable resource" means (i) water; (ii) wind; (iii) solar energy; (iv) geothermal energy; (v) renewable natural gas; (vi) renewable hydrogen; (vii) wave, ocean, or tidal power; (viii) biodiesel fuel that is not derived from crops raised on land cleared from old growth or first growth forests; or (ix) biomass energy.

~~((g))~~ (h) "Zero emissions bus" means a bus that emits no exhaust gas from the onboard source of power, other than water vapor.

(5) This section expires July 1, 2025.

**Sec. 402.** RCW 82.12.816 and 2019 c 287 s 12 are each amended to read as follows:

(1) The tax imposed by RCW 82.12.020 does not apply to the use of:

(a) Electric vehicle batteries or fuel cells, including batteries or fuel cells sold as a component of an electric bus at the time of the vehicle's sale;

(b) Labor and services rendered in respect to installing, repairing, altering, or improving electric vehicle batteries or fuel



cells;

(c) Tangible personal property that will become a component of battery or fuel cell electric vehicle infrastructure during the course of installing, constructing, repairing, or improving battery or fuel cell electric vehicle infrastructure; and

(d) Zero emissions buses.

(2) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Battery charging station" means an electrical component assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles, which meet or exceed any standards, codes, and regulations set forth by chapter 19.28 RCW and consistent with rules adopted under RCW 19.27.540.

(b) "Battery exchange station" means a fully automated facility that will enable an electric vehicle with a swappable battery to enter a drive lane and exchange the depleted battery with a fully charged battery through a fully automated process, which meets or exceeds any standards, codes, and regulations set forth by chapter 19.28 RCW and consistent with rules adopted under RCW 19.27.540.

(c) "Electric vehicle infrastructure" means structures, machinery, and equipment necessary and integral to support a battery or fuel cell electric vehicle, including battery charging stations, rapid charging stations, battery exchange stations, fueling stations that provide hydrogen for fuel cell electric vehicles, green electrolytic hydrogen production facilities, and renewable hydrogen production facilities.

(d) "Green electrolytic hydrogen" means hydrogen produced through electrolysis, and does not include hydrogen manufactured using steam reforming or any other conversion technology that produces hydrogen from a fossil fuel feedstock.

(e) "Rapid charging station" means an industrial grade electrical outlet that allows for faster recharging of electric vehicle batteries through higher power levels, which meets or exceeds any standards, codes, and regulations set forth by chapter 19.28 RCW and consistent with rules adopted under RCW 19.27.540.

((~~e~~)) (f) "Renewable hydrogen" means hydrogen produced using renewable resources both as the source for hydrogen and the source for the energy input into the production process.

((~~f~~)) (g) "Renewable resource" means (i) water; (ii) wind; (iii) solar energy; (iv) geothermal energy; (v) renewable natural gas; (vi) renewable hydrogen; (vii) wave, ocean, or tidal power; (viii) biodiesel fuel that is not derived from crops raised on land cleared from old growth or first growth forests; or (ix) biomass energy.

((~~g~~)) (h) "Zero emissions bus" means a bus that emits no exhaust gas from the onboard source of power, other than water vapor.

(3) On the last day of January, April, July, and October of each year, the state treasurer, based upon information provided by the department, must transfer from the multimodal transportation account to the general fund a sum equal to the dollar amount that would otherwise have been deposited into the general fund during the prior calendar quarter but for the exemption provided in this section. Information provided by the department to the state treasurer must be based on the best available data, except that the department may provide estimates of taxes exempted under this section until such time as retailers are able to report such exempted amounts on their tax returns.

(4) This section expires July 1, 2025.

**Sec. 403.** RCW 82.29A.125 and 2019 c 287 s 14 are each amended to read as follows:

(1) Leasehold excise tax may not be imposed on leases to tenants of public lands for purposes of installing, maintaining, and

operating electric vehicle infrastructure.

(2) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Battery charging station" means an electrical component assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles, which meet or exceed any standards, codes, and regulations set forth by chapter 19.28 RCW and consistent with rules adopted under RCW 19.27.540.

(b) "Battery exchange station" means a fully automated facility that will enable an electric vehicle with a swappable battery to enter a drive lane and exchange the depleted battery with a fully charged battery through a fully automated process, which meets or exceeds any standards, codes, and regulations set forth by chapter 19.28 RCW and consistent with rules adopted under RCW 19.27.540.

(c) "Electric vehicle infrastructure" means structures, machinery, and equipment necessary and integral to support an electric vehicle, including battery charging stations, rapid charging stations, battery exchange stations, fueling stations that provide hydrogen for fuel cell electric vehicles, green electrolytic hydrogen production facilities, and renewable hydrogen production facilities.

(d) "Green electrolytic hydrogen" means hydrogen produced through electrolysis, and does not include hydrogen manufactured using steam reforming or any other conversion technology that produces hydrogen from a fossil fuel feedstock.

(e) "Rapid charging station" means an industrial grade electrical outlet that allows for faster recharging of electric vehicle batteries through higher power levels, which meets or exceeds any standards, codes, and regulations set forth by chapter 19.28 RCW and consistent with rules adopted under RCW 19.27.540.

((~~e~~)) (f) "Renewable hydrogen" means hydrogen produced using renewable resources both as the source for hydrogen and the source for energy input into the production process.

((~~f~~)) (g) "Renewable resource" means (i) water; (ii) wind; (iii) solar energy; (iv) geothermal energy; (v) renewable natural gas; (vi) renewable hydrogen; (vii) wave, ocean, or tidal power; (viii) biodiesel fuel that is not derived from crops raised on land cleared from old growth or first growth forests; or (ix) biomass energy.

(3) This section expires July 1, 2025.

**Sec. 404.** RCW 54.04.190 and 2019 c 24 s 1 are each amended to read as follows:

(1) In addition to any other authority provided by law, public utility districts are authorized to produce and distribute biodiesel, ethanol, and ethanol blend fuels, including entering into crop purchase contracts for a dedicated energy crop for the purpose of generating electricity or producing biodiesel produced from Washington feedstocks, cellulosic ethanol, and cellulosic ethanol blend fuels for use in internal operations of the electric utility and for sale or distribution.

(2) In addition to any other authority provided by law:

(a) Public utility districts are authorized to produce renewable natural gas, green electrolytic hydrogen, and renewable hydrogen and utilize the renewable natural gas, green electrolytic hydrogen, or renewable hydrogen they produce for internal operations.

(b) Public utility districts may sell renewable natural gas, green electrolytic hydrogen, or renewable hydrogen that is delivered into a gas transmission pipeline located in the state of Washington or delivered in pressurized containers:

(i) At wholesale;

(ii) To an end-use customer; or

(iii) If delivered in a pressurized container, or if the end-use customer takes delivery of the renewable natural gas, green

electrolytic hydrogen, or renewable hydrogen through a pipeline, and the end-use customer is an eligible purchaser of natural gas from sellers other than the gas company from which that end-use customer takes transportation service and:

(A) When the sale is made to an end-use customer in the state of Washington, the sale is made pursuant to a transportation tariff approved by the Washington utilities and transportation commission; or

(B) When the sale to an end-use customer is made outside of the state of Washington, the sale is made pursuant to a transportation tariff approved by the state agency which regulates retail sales of natural gas.

(c) Public utility districts may sell renewable natural gas, green electrolytic hydrogen, or renewable hydrogen at wholesale or to an end-use customer through a pipeline directly from renewable natural gas, green electrolytic hydrogen, or renewable hydrogen production facilities to facilities that compress, liquefy, or dispense compressed natural gas, liquefied natural gas, green electrolytic hydrogen, or renewable hydrogen fuel for end use as a transportation fuel.

(d) Public utility districts may sell green electrolytic hydrogen or renewable hydrogen at wholesale or to an end-use customer in pressurized containers directly from green electrolytic hydrogen or renewable hydrogen production facilities to facilities that utilize green electrolytic hydrogen or renewable hydrogen as a nonutility related input for a manufacturing process.

(3) Except as provided in subsection (2)(b)(iii) of this section, nothing in this section authorizes a public utility district to sell renewable natural gas, green electrolytic hydrogen, or renewable hydrogen delivered by pipeline to an end-use customer of a gas company.

(4)(a) Except as provided in this subsection (4), nothing in this section authorizes a public utility district to own or operate natural gas distribution pipeline systems used to serve retail customers.

(b) For the purposes of subsection (2)(b) of this section, public utility districts are authorized to own and operate interconnection pipelines that connect renewable natural gas, green electrolytic hydrogen, or renewable hydrogen production facilities to gas transmission pipelines.

(c) For the purposes of subsection (2)(c) of this section, public utility districts may own and/or operate pipelines to supply, and/or compressed natural gas, liquefied natural gas, green electrolytic hydrogen, or renewable hydrogen facilities to provide, renewable natural gas, green electrolytic hydrogen, or renewable hydrogen for end use as a transportation fuel if all such pipelines and facilities are located in the county in which the public utility district is authorized to provide utility service.

(5) Exercise of the authorities granted under this section to public utility districts does not subject them to the jurisdiction of the utilities and transportation commission, except that public utility districts are subject only to administration and enforcement by the commission of state and federal requirements related to pipeline safety and fees payable to the commission that are applicable to such administration and enforcement.

(6) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Green electrolytic hydrogen" means hydrogen produced through electrolysis, and does not include hydrogen manufactured using steam reforming or any other conversion technology that produces hydrogen from a fossil fuel feedstock.

(b) "Renewable natural gas" means a gas consisting largely of methane and other hydrocarbons derived from the decomposition of organic material in landfills, wastewater treatment facilities, and anaerobic digesters.

~~((b))~~ (c) "Renewable hydrogen" means hydrogen produced using renewable resources both as the source for the hydrogen and

the source for the energy input into the production process.

~~((e))~~ (d) "Renewable resource" means: (i) Water; (ii) wind; (iii) solar energy; (iv) geothermal energy; (v) renewable natural gas; (vi) renewable hydrogen; (vii) wave, ocean, or tidal power; (viii) biodiesel fuel that is not derived from crops raised on land cleared from old growth or first growth forests; or (ix) biomass energy.

~~((d))~~ (e) "Gas company" has the same meaning as in RCW 80.04.010.

**Sec. 405.** RCW 35.92.050 and 2002 c 102 s 3 are each amended to read as follows:

A city or town may also construct, condemn and purchase, purchase, acquire, add to, alter, maintain, and operate works, plants, facilities for the purpose of furnishing the city or town and its inhabitants, and any other persons, with gas, electricity, green electrolytic hydrogen as defined in RCW 54.04.190, renewable hydrogen as defined in RCW 54.04.190, and other means of power and facilities for lighting, including streetlights as an integral utility service incorporated within general rates, heating, fuel, and power purposes, public and private, with full authority to regulate and control the use, distribution, and price thereof, together with the right to handle and sell or lease, any meters, lamps, motors, transformers, and equipment or accessories of any kind, necessary and convenient for the use, distribution, and sale thereof; authorize the construction of such plant or plants by others for the same purpose, and purchase gas, electricity, or power from either within or without the city or town for its own use and for the purpose of selling to its inhabitants and to other persons doing business within the city or town and regulate and control the use and price thereof.

#### Part 5

#### MISCELLANEOUS

NEW SECTION. **Sec. 501.** Sections 104 and 201 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and take effect immediately.

NEW SECTION. **Sec. 502.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec. 503.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2022, in the omnibus appropriations act, this act is null and void.

#### Part 6

#### GAS COMPANY NOTICE

NEW SECTION. **Sec. 601.** A new section is added to chapter 80.28 RCW to read as follows:

(1) A gas company must file a notice with the utilities and transportation commission prior to replacing natural gas with renewable hydrogen or green electrolytic hydrogen to serve customers. The notice must establish that the company has received all necessary siting and permitting approvals. The notice must also include a description of the following:

(a) Whether the use of clean electricity to produce hydrogen is consistent with the company's most recent integrated resource plan;

(b) Potential impacts to electrical grid reliability, including resource adequacy, resulting from renewable hydrogen and green electrolytic hydrogen production and deployment; and

(c) Standards, including safety standards, for blending of green electrolytic hydrogen and renewable hydrogen into natural gas distribution infrastructure.

(2) The commission shall consider the recommendations made by the department of commerce through its work outlined in section 103(1)(d), the information contained in the notice, and

FIFTY NINTH DAY, MARCH 9, 2022

2022 REGULAR SESSION

additional relevant data and analyses when making a determination on a company's request for approval of any tariff related to the use of green electrolytic hydrogen or renewable hydrogen as a replacement for natural gas."

Correct the title.

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

Senator Carlyle moved that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 5910.

Senators Carlyle and Short spoke in favor of the motion.

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

- SECOND SUBSTITUTE SENATE BILL NO. 5664
- SENATE BILL NO. 5687
- SECOND SUBSTITUTE SENATE BILL NO. 5695
- ENGROSSED SECOND SUBSTITUTE
- SENATE BILL NO. 5702
- SENATE BILL NO. 5713
- SECOND SUBSTITUTE SENATE BILL NO. 5720
- SUBSTITUTE SENATE BILL NO. 5729
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5761
- ENGROSSED SECOND SUBSTITUTE
- SENATE BILL NO. 5764
- SENATE BILL NO. 5788
- SECOND SUBSTITUTE SENATE BILL NO. 5789
- SUBSTITUTE SENATE BILL NO. 5790
- SECOND SUBSTITUTE SENATE BILL NO. 5793

The President declared the question before the Senate to be the motion by Senator Carlyle that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 5910.

The motion by Senator Carlyle carried and the Senate concurred in the House amendment(s) to Substitute Senate Bill No. 5910 by voice vote.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5910, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5910, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Das, Dhingra, Dozier, Fortunato, Frockt, Gildon, Hasegawa, Hawkins, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Sezik, Sheldon, Short, Stanford, Trudeau, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5910, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 10:52 a.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President for the purposes of a lunch break and caucus, committee and conference committee meetings.

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AFTERNOON SESSION

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The Senate was called to order at 2:34 p.m. by the President of the Senate, Lt. Governor Heck presiding.

MOTION

On motion of Senator Pedersen, the Senate advanced to the seventh order of business.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Nobles moved that Astrid E. Aveledo, Senate Gubernatorial Appointment No. 9052, be confirmed as a member of the Grays Harbor College Board of Trustees.

Senators Nobles and Holy spoke in favor of passage of the motion.

APPOINTMENT OF ASTRID E. AVELEDO

The President declared the question before the Senate to be the confirmation of Astrid E. Aveledo, Senate Gubernatorial Appointment No. 9052, as a member of the Grays Harbor College Board of Trustees.

The Secretary called the roll on the confirmation of Astrid E. Aveledo, Senate Gubernatorial Appointment No. 9052, as a member of the Grays Harbor College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 1; Excused, 0.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Das, Dhingra, Dozier, Fortunato, Frockt, Gildon, Hasegawa, Hawkins, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Sezik, Sheldon, Short, Stanford, Trudeau, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Absent: Senator Honeyford

Astrid E. Aveledo, Senate Gubernatorial Appointment No. 9052, having received the constitutional majority was declared confirmed as a member of the Grays Harbor College Board of Trustees.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Nobles moved that Jeremy Jaech, Senate Gubernatorial Appointment No. 9054, be confirmed as a member of the University of Washington Board of Regents.

Senators Nobles and Holy spoke in favor of passage of the motion.

APPOINTMENT OF JEREMY JAECH

The President declared the question before the Senate to be the confirmation of Jeremy Jaech, Senate gubernatorial appointment No. 9054, as a member of the University of Washington Board of Regents.

The Secretary called the roll on the confirmation of Jeremy Jaech, Senate gubernatorial appointment No. 9054, as a member of the University of Washington Board of Regents and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yeas: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Das, Dhingra, Dozier, Fortunato, Frockt, Gildon, Hasegawa, Hawkins, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Sefzik, Sheldon, Short, Stanford, Trudeau, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Jeremy Jaech, Senate gubernatorial appointment No. 9054, having received the constitutional majority was declared confirmed as a member of the University of Washington Board of Regents.

MOTION

On motion of Senator Wilson, C., Senator Frockt was excused.

MOTION

On motion of Senator Pedersen, the Senate reverted to the fourth order of business.

MESSAGE FROM THE HOUSE

March 8, 2022

MR. PRESIDENT:

The House passed SUBSTITUTE SENATE BILL NO. 5741 with the following amendment(s): 5741-S AMH TR H2880.1

Strike everything after the enacting clause and insert the following:

"Sec. 602. RCW 46.17.220 and 2020 c 129 s 1 and 2020 c 93 s 2 are each reenacted and amended to read as follows:

In addition to all fees and taxes required to be paid upon application for a vehicle registration in chapter 46.16A RCW, the holder of a special license plate shall pay the appropriate special license plate fee as listed in this section.

PLATE TYPE	INITIAL RENEWAL FEE		DISTRIBUTED UNDER
	FEE	FEE	
(1) 4-H	\$ 40.00	\$ 30.00	RCW 46.68.420
(2) Amateur radio license	\$ 5.00	N/A	RCW 46.68.070
(3) Armed forces	\$ 40.00	\$ 30.00	RCW 46.68.425
(4) Breast cancer awareness	\$ 40.00	\$ 30.00	RCW 46.68.425
(5) Collector vehicle	\$ 35.00	N/A	RCW 46.68.030
(6) Collegiate	\$ 40.00	\$ 30.00	RCW 46.68.430
(7) Endangered wildlife	\$ 40.00	\$ 30.00	RCW 46.68.425
(8) Fred Hutch	\$ 40.00	\$ 30.00	RCW 46.68.420

(9) Gonzaga University alumni association	\$ 40.00	\$ 30.00	RCW 46.68.420
(10) Helping kids speak	\$ 40.00	\$ 30.00	RCW 46.68.420
(11) Horseless carriage	\$ 35.00	N/A	RCW 46.68.030
(12) Keep kids safe	\$ 45.00	\$ 30.00	RCW 46.68.425
(13) Law enforcement memorial	\$ 40.00	\$ 30.00	RCW 46.68.420
(14) Military affiliate radio system	\$ 5.00	N/A	RCW 46.68.070
(15) Music matters	\$ 40.00	\$ 30.00	RCW 46.68.420
(16) <u>Patches pal, or alternative name as designated by the department under section 4 of this act</u>	\$ 40.00	\$ 30.00	RCW 46.68.420
(17) Professional firefighters and paramedics	\$ 40.00	\$ 30.00	RCW 46.68.420
((17)) (18) Purple Heart	\$ 40.00	\$ 30.00	RCW 46.68.425
((18)) (19) Ride share	\$ 25.00	N/A	RCW 46.68.030
((19)) (20) San Juan Islands	\$ 40.00	\$ 30.00	RCW 46.68.420
((20)) (21) Seattle Mariners	\$ 40.00	\$ 30.00	RCW 46.68.420
((21)) (22) Seattle NHL hockey	\$ 40.00	\$ 30.00	RCW 46.68.420
((22)) (23) Seattle Seahawks	\$ 40.00	\$ 30.00	RCW 46.68.420
((23)) (24) Seattle Sounders FC	\$ 40.00	\$ 30.00	RCW 46.68.420
((24)) (25) Seattle Storm	\$ 40.00	\$ 30.00	RCW 46.68.420
((25)) (26) Seattle University	\$ 40.00	\$ 30.00	RCW 46.68.420
((26)) (27) Share the road	\$ 40.00	\$ 30.00	RCW 46.68.420
((27)) (28) Ski & ride Washington	\$ 40.00	\$ 30.00	RCW 46.68.420
((28)) (29) Square dancer	\$ 40.00	N/A	RCW 46.68.070
((29)) (30) State flower	\$ 40.00	\$ 30.00	RCW 46.68.420
((30)) (31) Volunteer firefighters	\$ 40.00	\$ 30.00	RCW 46.68.420
((31)) (32) Washington apples	\$ 40.00	\$ 30.00	RCW 46.68.420
((32)) (33) Washington farmers and ranchers	\$ 40.00	\$ 30.00	RCW 46.68.420
((33)) (34) Washington lighthouses	\$ 40.00	\$ 30.00	RCW 46.68.420
((34)) (35) Washington state	\$ 40.00	\$ 30.00	RCW 46.68.420

aviation			
((35)) (36)	Washington state parks	\$ 40.00	\$ 30.00 RCW 46.68.425
((36)) (37)	Washington state wrestling	\$ 40.00	\$ 30.00 RCW 46.68.420
((37)) (38)	Washington tennis	\$ 40.00	\$ 30.00 RCW 46.68.420
((38)) (39)	Washington's fish collection	\$ 40.00	\$ 30.00 RCW 46.68.425
((39)) (40)	Washington's national parks	\$ 40.00	\$ 30.00 RCW 46.68.420
((40)) (41)	Washington's wildlife collection	\$ 40.00	\$ 30.00 RCW 46.68.425
((41)) (42)	We love our pets	\$ 40.00	\$ 30.00 RCW 46.68.420
((42)) (43)	Wild on Washington	\$ 40.00	\$ 30.00 RCW 46.68.425

**Sec. 603.** RCW 46.18.200 and 2020 c 129 s 2 and 2020 c 93 s 1 are each reenacted and amended to read as follows:

(1) Special license plate series reviewed and approved by the department:

(a) May be issued in lieu of standard issue or personalized license plates for vehicles required to display one and two license plates unless otherwise specified;

(b) Must be issued under terms and conditions established by the department;

(c) Must not be issued for vehicles registered under chapter 46.87 RCW; and

(d) Must display a symbol or artwork approved by the department.

(2) The department approves and shall issue the following special license plates, subject to subsection (5) of this section:

LICENSE PLATE	DESCRIPTION, SYMBOL, OR ARTWORK
4-H	Displays the "4-H" logo.
Armed forces collection	Recognizes the contribution of veterans, active duty military personnel, reservists, and members of the national guard, and includes six separate designs, each containing a symbol representing a different branch of the armed forces to include army, navy, air force, marine corps, coast guard, and national guard.
Breast cancer awareness	Displays a pink ribbon symbolizing breast cancer awareness.
Endangered wildlife	Displays a symbol or artwork symbolizing endangered wildlife in Washington state.
Fred Hutch	Displays the Fred Hutch logo.
Gonzaga University alumni association	Recognizes the Gonzaga University alumni association.
Helping kids speak	Recognizes an organization that supports programs that provide no-cost speech pathology programs to children.

Keep kids safe	Recognizes efforts to prevent child abuse and neglect.
Law enforcement memorial	Honors law enforcement officers in Washington killed in the line of duty.
Music matters	Displays the "Music Matters" logo.
<u>Patches pal, or alternative name as designated by the department under section 4 of this act</u>	<u>Displays the likenesses of the J.P. Patches and Gertrude characters from the J.P. Patches show, or characters otherwise identified in accordance with section 4 of this act.</u>
Professional firefighters and paramedics	Recognizes professional firefighters and paramedics who are members of the Washington state council of firefighters.
San Juan Islands	Displays a symbol or artwork recognizing the San Juan Islands.
Seattle Mariners	Displays the "Seattle Mariners" logo.
Seattle NHL hockey	Displays the logo of the Seattle NHL hockey team.
Seattle Seahawks	Displays the "Seattle Seahawks" logo.
Seattle Sounders FC	Displays the "Seattle Sounders FC" logo.
Seattle Storm	Displays the "Seattle Storm" logo.
Seattle University	Recognizes Seattle University.
Share the road	Recognizes an organization that promotes bicycle safety and awareness education.
Ski & ride Washington	Recognizes the Washington snowsports industry.
State flower	Recognizes the Washington state flower.
Volunteer firefighters	Recognizes volunteer firefighters.
Washington apples	Displays the Washington apple logo that recognizes the state's apple industry, the growers and shippers who produce and pack the world famous apples, and the tree fruit community.
Washington farmers and ranchers	Recognizes farmers and ranchers in Washington state.
Washington lighthouses	Recognizes an organization that supports selected Washington state lighthouses and provides environmental education programs.
Washington state aviation	Displays a Stearman biplane in the foreground with an image of Mount Rainier in the background.
Washington state parks	Recognizes Washington state parks as premier destinations of uncommon quality that preserve significant natural, cultural, historical, and recreational resources.
Washington state wrestling	Promotes and supports college wrestling in the state of Washington.
Washington tennis	Builds awareness and year-round opportunities for tennis in Washington state. Displays a symbol or artwork recognizing tennis in Washington state.

Washington's fish collection	Recognizes Washington's fish.		Hutchinson cancer research center
Washington's national park fund	Builds awareness of Washington's national parks and supports priority park programs and projects in Washington's national parks, such as enhancing visitor experience, promoting volunteerism, engaging communities, and providing educational opportunities related to Washington's national parks.	Gonzaga University alumni association	Scholarship funds to needy and qualified students attending or planning to attend Gonzaga University
Washington's wildlife collection	Recognizes Washington's wildlife.	Helping kids speak	Provide free diagnostic and therapeutic services to families of children who suffer from a delay in language or speech development
We love our pets	Recognizes an organization that assists local member agencies of the federation of animal welfare and control agencies to promote and perform spay/neuter surgery on Washington state pets to reduce pet overpopulation.	Law enforcement memorial	Provide support and assistance to survivors and families of law enforcement officers in Washington killed in the line of duty and to organize, finance, fund, construct, utilize, and maintain a memorial on the state capitol grounds to honor those fallen officers
Wild on Washington	Symbolizes wildlife viewing in Washington state.	Lighthouse environmental programs	Support selected Washington state lighthouses that are accessible to the public and staffed by volunteers; provide environmental education programs; provide grants for other Washington lighthouses to assist in funding infrastructure preservation and restoration; encourage and support interpretive programs by lighthouse docents
<p>(3) Applicants for initial and renewal professional firefighters and paramedics special license plates must show proof of eligibility by providing a certificate of current membership from the Washington state council of firefighters.</p> <p>(4) Applicants for initial volunteer firefighters special license plates must (a) have been a volunteer firefighter for at least ten years or be a volunteer firefighter for one or more years and (b) have documentation of service from the district of the appropriate fire service. If the volunteer firefighter leaves firefighting service before ten years of service have been completed, the volunteer firefighter shall surrender the license plates to the department on the registration renewal date. If the volunteer firefighter stays in service for at least ten years and then leaves, the license plate may be retained by the former volunteer firefighter and as long as the license plate is retained for use the person will continue to pay the future registration renewals. A qualifying volunteer firefighter may have no more than one set of license plates per vehicle, and a maximum of two sets per applicant, for their personal vehicles. If the volunteer firefighter is convicted of a violation of RCW 46.61.502 or a felony, the license plates must be surrendered upon conviction.</p> <p>(5) The department shall not issue the Seattle NHL hockey special license plate until the department receives signature sheets satisfying the requirements identified in RCW 46.18.110(2)(f).</p> <p><b>Sec. 604.</b> RCW 46.68.420 and 2020 c 129 s 3 and 2020 c 93 s 3 are each reenacted and amended to read as follows:</p> <p>(1) The department shall:</p> <p>(a) Collect special license plate fees established under RCW 46.17.220;</p> <p>(b) Deduct an amount not to exceed twelve dollars for initial issue and two dollars for renewal issue for administration and collection expenses incurred by it; and</p> <p>(c) Remit the remaining proceeds to the custody of the state treasurer with a proper identifying detailed report.</p> <p>(2) The state treasurer shall credit the proceeds to the motor vehicle fund until the department determines that the state has been reimbursed for the cost of implementing the special license plate. Upon determination by the department that the state has been reimbursed, the state treasurer shall credit the remaining special license plate fee amounts for each special license plate to the following appropriate account as created in this section in the custody of the state treasurer:</p>		Music matters awareness	Promote music education in schools throughout Washington
		<u>Patches pal, or alternative name as designated by the department under section 4 of this act</u>	<u>Provide funds to the Seattle children's hospital strong against cancer program</u>
		San Juan Islands programs	Provide funds to the Madrona institute
		Seattle Mariners	Provide funds to the sports mentoring program and to support the Washington world fellows program in the following manner: (a) Seventy-five percent to the office of the lieutenant governor solely to administer the sports mentoring program established under RCW 43.15.100, to encourage youth who have economic needs or face adversities to experience spectator sports or get involved in youth sports, and (b) up to twenty-five percent to the office of the lieutenant governor solely to administer the Washington world fellows program, an equity focused program
		Seattle NHL hockey	Provide funds to the NHL Seattle foundation and to support the boundless Washington program in the following manner: (a) Fifty percent to the NHL Seattle foundation, or its successor organization, to help marginalized youth succeed in life through increased access to sports and other opportunities; (b) twenty-five percent to the office of the lieutenant governor solely to administer the boundless Washington program to facilitate opportunities for young people
ACCOUNT	CONDITIONS FOR USE OF FUNDS		
4-H programs	Support Washington 4-H programs		
Fred Hutch	Support cancer research at the Fred		

	with physical and sensory disabilities to enjoy and experience the outdoors; and (c) twenty-five percent to the NHL Seattle foundation, or its successor organization, for providing financial support to allow youth to participate in hockey		underprivileged youth ski and ride programs, and active, healthy lifestyle programs
Seattle Seahawks	Provide funds to InvestED and to support the Washington world fellows program in the following manner: (a) Seventy-five percent, to InvestED, to encourage secondary students who have economic needs to stay in school, return to school, or get involved within their learning community; and (b) twenty-five percent to the office of the lieutenant governor solely to administer the Washington world fellows program, including the provision of fellowships	State flower	Support Meerkerk Rhododendron Gardens and provide for grants to other qualified nonprofit organizations' efforts to preserve rhododendrons
		Volunteer firefighters	Receive and disseminate funds for purposes on behalf of volunteer firefighters, their families, and others deemed in need
		Washington apples	Provide scholarship funding to the tree fruit industry's official charity, the Washington apple education foundation, which provides financial support, professional employment preparedness training, and mentorship to students with ties to the apple industry pursuing a higher education
Seattle Sounders FC	Provide funds to Washington state mentors and the ((association of)) Washington ((generals)) <u>state leadership board</u> created in RCW 43.15.030 in the following manner: (a) Seventy percent and the remaining proceeds, if any, to Washington state mentors, to increase the number of mentors in the state by offering mentoring grants throughout Washington state that foster positive youth development and academic success, with up to twenty percent of these proceeds authorized for program administration costs; and (b) up to thirty percent, not to exceed forty-thousand dollars annually as adjusted for inflation by the office of financial management, to the association of Washington generals, to develop Washington state educational, veterans, international relations, and civics projects and to recognize the outstanding public service of individuals or groups in the state of Washington	Washington farmers and ranchers	Provide funds to the Washington FFA Foundation for educational programs in Washington state
		Washington state aviation	Provide funds to the department of transportation to support infrastructure improvements at public use airports in Washington state
		Washington state council of firefighters benevolent fund	Receive and disseminate funds for charitable purposes on behalf of members of the Washington state council of firefighters, their families, and others deemed in need
		Washington state wrestling	Provide funds to the Washington state wrestling foundation to fund new and existing college wrestling programs
		Washington tennis	Provide funds to cities to assist in the construction and maintenance of a public tennis facility with at least four indoor tennis courts. A city is eligible for construction funds if the city does not already have a public or private facility with at least four indoor tennis courts. Funds for construction must first be made available to the most populous eligible city, according to the most recent census, for a time period not to exceed five years after January 1, 2017. After the five-year time period, the funds for construction must be made available to the next most populous eligible city. Funds for the maintenance of a public tennis facility with at least four indoor tennis courts must first be made available to the first eligible city that utilizes funds for construction provided by chapter 16, Laws of 2016
Seattle Storm	Provide funds to the Washington state legislative youth advisory council and the ((association of)) Washington ((generals)) <u>state leadership board</u> created in RCW 43.15.030 in the following manner: Twenty-five thousand dollars per year of the net proceeds to the legislative youth advisory council, or its successor organization; and the remaining net proceeds on an annual basis, to the association of Washington generals for the purpose of providing grants to support and enhance athletic, recreational, and other opportunities for women and girls, and especially those with disabilities		
Seattle University	Fund scholarships for students attending or planning to attend Seattle University	Washington's national park fund	Build awareness of Washington's national parks and support priority park programs and projects in Washington's national parks, such as enhancing visitor experience, promoting volunteerism, engaging communities, and providing educational opportunities related to Washington's national parks
Share the road	Promote bicycle safety and awareness education in communities throughout Washington		
Ski & ride Washington	Promote winter snowsports, such as skiing and snowboarding, and related programs, such as ski and ride safety programs,		

We love our pets Support and enable the Washington federation of animal welfare and control agencies to promote and perform spay/neuter surgery of Washington state pets in order to reduce pet population

(3) Except as otherwise provided in this section, only the director or the director's designee may authorize expenditures from the accounts described in subsection (2) of this section. The accounts are subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

(4) Except as otherwise provided in this section, funds in the special license plate accounts described in subsection (2) of this section must be disbursed subject to the conditions described in subsection (2) of this section and under contract between the department and qualified nonprofit organizations that provide the services described in subsection (2) of this section.

(5) Funds from the Seattle Seahawks account may be provided to the lieutenant governor solely for the purpose of administering the Washington world fellows program. Of the amounts received by the lieutenant governor's office under this subsection, at least ninety percent must be provided as fellowships under the program.

(6) Beginning January 1, 2019, funds from the Seattle Mariners account may be provided to the office of lieutenant governor solely for the purpose of administering the sports mentoring program. Of the amounts received by the office of lieutenant governor, at least ninety percent must be applied towards services directly provided to youth participants.

(7) For the purposes of this section, a "qualified nonprofit organization" means a not-for-profit corporation operating in Washington that has received a determination of tax exempt status under 26 U.S.C. Sec. 501(c)(3). The qualified nonprofit organization must meet all the requirements under RCW 46.18.100(1).

**NEW SECTION. Sec. 605.** A new section is added to chapter 46.04 RCW to read as follows:

(1) "Patches pal license plates" means special license plates issued under RCW 46.18.200 that display the likenesses of the J.P. Patches and Gertrude characters from the J.P. Patches show, or children's characters that are changed in accordance with subsection (2) of this section.

(2) Beginning October 1, 2031, and each decade thereafter, the Seattle children's hospital may consult with the department regarding the design of the Patches pal license plate to determine whether the current design is the best design to support the Seattle children's hospital strong against cancer program in the following 10-year time period. Following this consultation, if Seattle children's hospital determines that another group of appropriate children's characters would better support the program due to public interest at the time, Seattle children's hospital may request a redesign of the Patches pal license plate with these new characters and a new corresponding plate name. The costs associated with this consultation and redesign may be paid from the proceeds from the special license plate sales or else shall be covered by Seattle children's hospital as the sponsoring organization.

**NEW SECTION. Sec. 606.** This act takes effect October 1, 2022."

Correct the title.

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

#### MOTION

Senator Lovick moved that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 5741.

Senator Lovick spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Lovick that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 5741.

The motion by Senator Lovick carried and the Senate concurred in the House amendment(s) to Substitute Senate Bill No. 5741 by voice vote.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5741, as amended by the House.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5741, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 46; Nays, 3; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Das, Dhingra, Dozier, Fortunato, Frockt, Gildon, Hasegawa, Hawkins, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Sefzik, Sheldon, Short, Stanford, Trudeau, Van De Wege, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Rivers, Schoesler and Wagoner

SUBSTITUTE SENATE BILL NO. 5741, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### MESSAGE FROM THE HOUSE

March 8, 2022

MR. PRESIDENT:

The House refuses to concur in the Senate amendment(s) to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1694 and asks the Senate to recede therefrom.

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

#### MOTION

Senator Lovelett moved that the Senate recede from its position on the Senate amendments to Engrossed Substitute House Bill No. 1694.

Senator Lovelett spoke in favor of the motion.

The President declared the question before the Senate to be motion by Senator Lovelett that the Senate recede from its position on the Senate amendments to Engrossed Substitute House Bill No. 1694.

The motion by Senator Lovelett carried and the Senate receded from its amendments to Engrossed Substitute House Bill No. 1694.

#### MOTIONS

On motion of Senator Lovelett, the rules were suspended, and Engrossed Substitute House Bill No. 1694 was returned to second reading for the purposes of amendment.

Senator Lovelett moved that the following amendment no. 1487 by Senator Lovelett be adopted:

On page 2, line 13, after "By" strike "~~(June)~~ September" and



FIFTY NINTH DAY, MARCH 9, 2022

2022 REGULAR SESSION

insert "June"

On page 2, line 16, after "deadline of" strike "September" and insert "June"

On page 2, line 19, after "By" strike "~~((June))~~ September" and insert "June"

On page 2, line 22, after "By" strike all material through "at least" and insert "June 1, 2024, and"

On page 2, line 26, after "By" strike all material through "at least" and insert "June 1, 2025, and"

On page 2, line 31, after "By" strike all material through "at least" and insert "June 1, 2027, and"

On page 2, line 35, after "By" strike all material through "at least" and insert "June 1, 2028, and"

On page 4, line 6, after "(1)" strike "~~((Every))~~ At least every" and insert "Every"

On page 4, beginning on line 10, after "must" strike all material through "publication" on line 13 and insert "submit a report"

On page 6, at the beginning of line 1, strike "~~((Every))~~ At least every" and insert "Every"

On page 6, beginning on line 3, after "must" strike all material through "publication" on line 5 and insert "report"

On page 7, line 10, after "(1)" strike "~~((Every))~~ At least every" and insert "Every"

On page 7, beginning on line 14, after "must" strike all material through "publication" on line 16 and insert "submit a report"

The President declared the question before the Senate to be the adoption of amendment no. 1487 by Senator Lovelett on page 2, line 13 to Engrossed Substitute House Bill No. 1694.

The motion by Senator Lovelett carried and amendment no. 1487 was adopted by voice vote.

MOTION

On motion of Senator Lovelett, the rules were suspended, Engrossed Substitute House Bill No. 1694 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1694 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1694 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 46; Nays, 3; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Das, Dhingra, Dozier, Fortunato, Frockt, Gildon, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Lias, Lovelett, Lovick, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Sefzik, Sheldon, Short, Stanford, Trudeau, Van De Wege, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Honeyford, Schoesler and Wagoner

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1694 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 2:55 p.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President.

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The Senate was called to order at 3:30 p.m. by the President of the Senate, Lt. Governor Heck presiding.

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

- SECOND SUBSTITUTE SENATE BILL NO. 5085
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5268
- SENATE BILL NO. 5498
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5544
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5628
- SENATE BILL NO. 5634
- SUBSTITUTE SENATE BILL NO. 5749
- ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5796
- SUBSTITUTE SENATE BILL NO. 5810
- SUBSTITUTE SENATE BILL NO. 5818
- SUBSTITUTE SENATE BILL NO. 5819
- ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5842
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5847
- SENATE BILL NO. 5855
- SENATE BILL NO. 5868
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5878
- SUBSTITUTE SENATE BILL NO. 5883
- SENATE BILL NO. 5898
- SENATE BILL NO. 5929
- SUBSTITUTE SENATE BILL NO. 5961
- SENATE BILL NO. 5002
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5245
- SUBSTITUTE SENATE BILL NO. 5376
- SUBSTITUTE SENATE BILL NO. 5528
- SENATE BILL NO. 5529
- SECOND SUBSTITUTE SENATE BILL NO. 5532
- SUBSTITUTE SENATE BILL NO. 5555
- SENATE BILL NO. 5566
- SENATE BILL NO. 5585
- ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5600
- SUBSTITUTE SENATE BILL NO. 5610
- SENATE BILL NO. 5612
- SECOND SUBSTITUTE SENATE BILL NO. 5619
- SUBSTITUTE SENATE BILL NO. 5644
- SECOND SUBSTITUTE SENATE BILL NO. 5649
- SUBSTITUTE SENATE BILL NO. 5651
- SENATE BILL NO. 5657
- SUBSTITUTE SENATE BILL NO. 5722
- SUBSTITUTE SENATE BILL NO. 5728
- SUBSTITUTE SENATE BILL NO. 5910

MOTION

On motion of Senator Pedersen, the Senate advanced to the sixth order of business.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2124, by House Committee on Appropriations (originally sponsored by Riccelli, Sullivan, Frame, Ramel, Chapman, Ryu, Paul, Simmons, Stonier, Bergquist, Wicks, Valdez, Gregerson, Santos, Ramos,

Johnson, J., Walen, Tharinger, Bateman, Callan, Thai, Taylor, Leavitt, Senn, Wylie, Macri, Ormsby, Pollet, Morgan, Bronoske, Kloba, Davis, Slatter, Berg, Lekanoff, Entenman, Ortiz-Self, Duerr, Peterson, Harris-Talley, Cody, Hackney, Chopp, Orwall and Rule)

Concerning extending collective bargaining to legislative employees.

The measure was read the second time.

#### MOTION

Senator Mullet moved that the following committee striking amendment by the Committee on Ways & Means be adopted:

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** The legislature intends to create the office of state legislative labor relations for the purposes of considering and managing the unique issues raised by legislative collective bargaining. By examining issues set forth in section 2 of this act, the office will provide the legislature with a fuller understanding of how the legislature as an employer can best implement legislation for collective bargaining for legislative employees, which would be administered by the public employment relations commission.

**NEW SECTION. Sec. 2.** (1) The office of state legislative labor relations is created to assist the house of representatives, the senate, and legislative agencies in implementing and managing the process of collective bargaining for employees of the legislative branch of state government.

(2)(a) Subject to (b) of this subsection, the secretary of the senate and the chief clerk of the house of representatives shall employ a director of the office. The director serves at the pleasure of the secretary of the senate and the chief clerk of the house of representatives, who shall fix the director's salary.

(b) The secretary of the senate and the chief clerk of the house of representatives shall, before employing a director, consult with legislative employees, the senate facilities and operations committee, the house executive rules committee, and the human resources officers of the house of representatives, the senate, and legislative agencies.

(c) The director serves as the executive and administrative head of the office and may employ additional employees to assist in carrying out the duties of the office. The duties of the office include, but are not limited to, conducting negotiations on behalf of the employer.

(d) The director shall contract with an external consultant for the purposes of gathering input from legislative employees, taking into consideration RCW 42.52.020 and rules of the house of representatives and the senate. The gathering of input must be in the form of, at a minimum, surveys.

(3) The director, in consultation with the secretary of the senate, the chief clerk of the house of representatives, and the administrative heads of legislative agencies shall:

(a) Examine issues related to collective bargaining for employees of the house of representatives, the senate, and legislative agencies; and

(b) After consultation with the external consultant, develop best practices and options for the legislature to consider in implementing and administering collective bargaining for employees of the house of representatives, the senate, and legislative agencies.

(4)(a) By December 1, 2022, the director shall submit a preliminary report to the appropriate committees of the legislature

that provides a progress report on the director's considerations.

(b) By October 1, 2023, the director shall submit a final report to the appropriate committees of the legislature. At a minimum, the final report must address considerations on the following issues:

(i) Which employees of the house of representatives, the senate, and legislative agencies for whom collective bargaining may be appropriate;

(ii) Mandatory, permissive, and prohibited subjects of bargaining;

(iii) Who would negotiate on behalf of the house of representatives, the senate, and legislative agencies, and which entity or entities would be considered the employer for purposes of bargaining;

(iv) Definitions for relevant terms;

(v) Common public employee collective bargaining agreement frameworks related to grievance procedures and processes for disciplinary actions;

(vi) Procedures related to the commission certifying exclusive bargaining representatives, determining bargaining units, adjudicating unfair labor practices, determining representation questions, and coalition bargaining;

(vii) The efficiency and feasibility of coalition bargaining;

(viii) Procedures for approving negotiated collective bargaining agreements;

(ix) Procedures for submitting requests for funding to the appropriate legislative committees if appropriations are necessary to implement provisions of the collective bargaining agreements; and

(x) Approaches taken by other state legislatures that have authorized collective bargaining for legislative employees.

(5) The report must include a summary of any statutory changes needed to address the considerations listed in subsection (4) of this section related to the collective bargaining process for legislative employees.

**NEW SECTION. Sec. 3.** The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Commission" means the public employment relations commission.

(2) "Director" means the director of the office of state legislative labor relations.

(3) "Employee organization" means any organization, union, or association in which employees participate and that exists for the purpose, in whole or in part, of collective bargaining with employers.

(4) "Exclusive bargaining representative" means any employee organization that has been certified under this chapter as the representative of the employees in an appropriate bargaining unit.

(5) "Legislative agencies" means the joint legislative audit and review committee, the statute law committee, the legislative ethics board, the legislative evaluation and accountability program committee, the office of the state actuary, the legislative service center, the office of legislative support services, the joint transportation committee, and the redistricting commission.

(6) "Office" means the office of state legislative labor relations.

**NEW SECTION. Sec. 4.** Collective bargaining negotiations under this chapter shall commence no earlier than May 1, 2024. No collective bargaining agreement entered into under this chapter may take effect prior to July 1, 2025.

**NEW SECTION. Sec. 5.** (1) Except as may be specifically limited by this chapter, legislative employees shall have the right to self-organization, to form, join, or assist employee organizations, and to bargain collectively through representatives of their own choosing for the purpose of collective bargaining free from interference, restraint, or coercion. Legislative employees

FIFTY NINTH DAY, MARCH 9, 2022

shall also have the right to refrain from any or all such activities.

(2) Except as may be specifically limited by this chapter, the commission shall determine all questions pertaining to ascertaining exclusive bargaining representatives for legislative employees and collectively bargaining under this chapter. However, no employee organization shall be recognized or certified as the exclusive bargaining representative of a bargaining unit of employees of the legislative branch unless it receives the votes of a majority of employees in the petitioned for bargaining unit voting in a secret election by mail ballot administered by the commission. The commission's process must allow for an employee, group of employees, employee organizations, employer, or their agents to have the right to petition on any question concerning representation.

(3) The employer and the exclusive bargaining representative of a bargaining unit of legislative employees may not enter into a collective bargaining agreement that requires the employer to deduct, from the salary or wages of an employee, contributions for payments for political action committees sponsored by employee organizations with legislative employees as members.

**NEW SECTION. Sec. 6.** During a legislative session or committee assembly days, nothing contained in this chapter permits or grants to any legislative employee the right to strike, participate in a work stoppage, or refuse to perform their official duties.

**NEW SECTION. Sec. 7.** (1) Collective bargaining negotiations under this chapter must commence no later than July 1st of each even-numbered year after a bargaining unit has been certified.

(2) The duration of any collective bargaining agreement shall not exceed one fiscal biennium.

**NEW SECTION. Sec. 8.** (1) It is an unfair labor practice for an employer in the legislative branch of state government:

(a) To interfere with, restrain, or coerce employees in the exercise of the rights guaranteed by this chapter;

(b) To dominate or interfere with the formation or administration of any employee organization or contribute financial or other support to it: PROVIDED, That subject to rules adopted by the commission, an employer shall not be prohibited from permitting employees to confer with it or its representatives or agents during working hours without loss of time or pay;

(c) To encourage or discourage membership in any employee organization by discrimination in regard to hire, tenure of employment, or any term or condition of employment;

(d) To discharge or discriminate otherwise against an employee because that employee has filed charges or given testimony under this chapter;

(e) To refuse to bargain collectively with the exclusive bargaining representatives of its employees.

(2) It is an unfair labor practice for an employee organization:

(a) To restrain or coerce an employee in the exercise of the rights guaranteed by this chapter: PROVIDED, That this subsection shall not impair the right of an employee organization to prescribe its own rules with respect to the acquisition or retention of membership in the employee organization or to an employer in the selection of its representatives for the purpose of bargaining or the adjustment of grievances;

(b) To cause or attempt to cause an employer to discriminate against an employee in violation of subsection (1)(c) of this section;

(c) To discriminate against an employee because that employee has filed charges or given testimony under this chapter;

(d) To refuse to bargain collectively with an employer.

(3) The expressing of any views, arguments, or opinion, or the dissemination thereof to the public, whether in written, printed,

graphic, or visual form, shall not constitute or be evidence of an unfair labor practice under this chapter, if such expression contains no threat of reprisal or force or promise of benefit.

**NEW SECTION. Sec. 9.** (1) The employer shall not bargain over rights of management which, in addition to all powers, duties, and rights established by constitutional provision or statute, shall include, but not be limited to, the following:

(a) The functions and programs of the employer, the use of technology, and the structure of the organization, including the size and composition of standing committees;

(b) The employer's budget and the size of the employer's workforce, including determining the financial basis for layoffs;

(c) The right to direct and supervise employees;

(d) The hours of work during legislative session and the cutoff calendar for a legislative session; and

(e) Retirement plans and retirement benefits, health care benefits, or other employee insurance benefits.

(2) Except for an applicable code of conduct policy adopted by a chamber of the legislature or a legislative agency, if a conflict exists between policies adopted by the legislature relating to wages, hours, and terms and conditions of employment and a provision of a collective bargaining agreement negotiated under this chapter, the collective bargaining agreement shall prevail. A provision of a collective bargaining agreement that conflicts with a statute or an applicable term of a code of conduct policy adopted by a chamber of the legislature or a legislative agency is invalid and unenforceable.

**NEW SECTION. Sec. 10.** Sections 1 through 9 and 11 of this act constitute a new chapter in Title 44 RCW.

**NEW SECTION. Sec. 11.** Sections 3 through 9 of this act take effect May 1, 2024."

On page 1, line 16 of the title, after "employment;" strike the remainder of the title and insert "adding a new chapter to Title 44 RCW; and providing an effective date."

#### MOTION

Senator Rivers moved that the following amendment no. 1489 by Senator Rivers be adopted:

On page 4, line 22, after "employer to" strike "deduct," and insert ":

(a) Deduct,"

On page 4, line 25, after "members" insert " or

(b) Provide the employee organization with the personal information of legislative employees. "Personal information" means an employee's residential address, residential telephone number, personal wireless number, social security number, social media handle or other identifying social media information, driver's license number, identicaid number, and personal email address"

Senator Rivers spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Keiser spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 1489 by Senator Rivers on page 4, line 22 to the committee striking amendment.

The motion by Senator Rivers did not carry and amendment no. 1489 was not adopted by voice vote.

#### MOTION

Senator Honeyford moved that the following amendment no.

1490 by Senator Honeyford be adopted:

On page 4, after line 25, insert the following:

"(4) No bargaining unit of employees of the legislative branch shall be appropriate for recognition or certification if it includes:

- (a) Staff of more than one caucus; or
- (b) Legislative assistants and session aides for members of more than one caucus."

Senator Honeyford spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Mullet spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 1490 by Senator Honeyford on page 4, after line 25 to the committee striking amendment.

The motion by Senator Honeyford did not carry and amendment no. 1490 was not adopted by voice vote.

#### MOTION

Senator Wagoner moved that the following amendment no. 1488 by Senator Wagoner be adopted:

On page 4, line 26, after "Sec. 6." insert "(1)"

On page 4, after line 29, insert the following:

"(2)(a) It is unlawful for any legislative employee, or any employee organization, directly or indirectly, to induce, instigate, encourage, authorize, ratify, or participate in a strike or work stoppage during legislative session or committee assembly days.

(b) In the event of any violation or imminently threatened violation of this section, any citizen domiciled within the jurisdictional boundaries of the state may petition the superior court for Thurston county for an injunction restraining the violation or imminently threatened violation. Rules of civil procedure regarding injunctions apply to the action. However, the court shall grant a temporary injunction if it appears to the court that a violation has occurred or is imminently threatened. The plaintiff need not show that the violation or threatened violation would greatly or irreparably injure him or her and no bond may be required of the plaintiff unless the court determines that a bond is necessary in the public interest.

(c) Failure to comply with any temporary or permanent injunction granted under (b) of this subsection is a contempt of court as provided in chapter 7.21 RCW. The court may impose a penalty of up to \$10,000 for an employee organization for each day during which the failure to comply continues. The sanctions for a legislative employee found to be in contempt shall be as provided in chapter 7.21 RCW. An individual or an employee organization which makes an active good faith effort to comply fully with the injunction shall not be deemed to be in contempt.

(d) An employee organization found in violation of this section, having such violation restrained under (b) of this subsection, must be decertified by the commission."

On page 6, line 26, after "RCW;" insert "prescribing penalties;"

Senator Wagoner spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Keiser spoke against adoption of the amendment to the committee striking amendment.

#### MOTION

On motion of Senator Wagoner, Senator Wilson, L. was excused.

The President declared the question before the Senate to be the adoption of amendment no. 1488 by Senator Wagoner on page 4, line 26 to the committee striking amendment.

The motion by Senator Wagoner did not carry and amendment no. 1488 was not adopted by voice vote.

#### MOTION

Senator Mullet moved that the following amendment no. 1486 by Senator Mullet be adopted:

On page 6, beginning on line 9, after "benefits" strike all material through "insurance benefits" on line 10

Senator Mullet spoke in favor of adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 1486 by Senator Mullet on page 6, line 9 to the committee striking amendment.

The motion by Senator Mullet carried and amendment no. 1486 was adopted by voice vote.

#### MOTION

Senator Padden moved that the following amendment no. 1491 by Senator Padden be adopted:

On page 6, line 17, after "statute" insert ", resolution, concurrent resolution,"

Senators Padden, Fortunato and Mullet spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Keiser spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 1491 by Senator Padden on page 6, line 17 to the committee striking amendment.

The motion by Senator Padden did not carry and amendment no. 1491 was not adopted by voice vote.

Senator Mullet spoke in favor of adoption of the committee striking amendment.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Ways & Means to Engrossed Substitute House Bill No. 2124.

The motion by Senator Mullet carried and the committee striking amendment was adopted by voice vote.

#### MOTION

On motion of Senator Pedersen, the rules were suspended, Engrossed Substitute House Bill No. 2124 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

#### POINT OF ORDER

Senator Braun: "I rise to a point of order that Engrossed Substitute House Bill No. 2124 violates Senate Rule No. 25, which requires the subject the bill to be expressed in the title."

President Heck: "Proceed."

Senator Braun: "Thank you Mr. President. So, as you know, Mr. President, Senate Rule No. 25 requires the subject of the bill to be expressed in its title. In recent years, we've all seen this trend

FIFTY NINTH DAY, MARCH 9, 2022

with ever more prescriptive and byzantine titles being employed. This bill before us today is an excellent example. It has 125 words in its title. Mr. President, as stated in a 2020 ruling from your office, which is supported by long standing case law, if I may read Mr. President?"

President Heck: "Proceed."

Senator Braun: "The President will caution members that selecting a narrow title or narrow in specific bill title is not without risk. Where a title is very specific, the language of the bill must follow the title very specifically, and the President will enforce the standards of Rule 25.' Now Mr. President, the language in Engrossed Substitute House Bill No. 2124 fails to comply with the senate rules as it does not follow the title very specifically and there are several instances in the bill where it deviates from this extremely specific title, and I'd just like to mention two of them.

First of all, the title asserts that collective bargaining is being extended to legislative employees by creating the Office of State Legislative Labor Relations. But the bill's contents do not extend collective bargaining to legislative employees by the creation of the office. This is factually false Mr. President.

The provisions extending collective bargaining are elsewhere in the bill. Specifically, section 4, 5 and 7. If these sections were omitted from the bill there would be no collective bargaining in spite of the fact that the Office of Legislative Labor Relations would still exist. And of course, vice versa is also true. If you were to omit the sections that had the Office of Legislative Labor Relations, but the other sections remained, you would have collective bargaining.

The second example, Mr. President, is that the bills title has a narrower focus on the Office of State Legislative Labor Relations, describing fifteen specific issues in which the office must consider. Yet, after you get past sections 1 and sections 2 the remainder of the bill is outside the scope of that very narrow and carefully crafted title.

These issues, Mr. President, frankly, would not be present if they used a broad bill title, such as the title used in the original bill on this topic, House Bill No. 1806. Just for the information the body the title on that bill was, if I may read?"

President Heck: "Proceed."

Senator Braun: "An act related to extending collective bargaining rights to employees of the legislature, legislative branch of the state government.' If that had been proposed, we wouldn't have an issue, but that is not the title before us today, Mr. President. And as the language of this bill does not follow this very near narrow title, I ask that you rule that Engrossed Substitute House Bill No. 2124 violates Senate Rule No. 25. Thank you Mr. President."

Senator Pedersen: "Well, thank you very much Mr. President. Although I appreciate very much the careful legal analysis by the gentleman from the Twentieth District, I guess I want to suggest an alternate grammatical understanding of the title of this bill.

There are several gerunds that are used in words. And so, I'm going to suggest that the way that the title proposes extending collective bargaining agreements to legislative employees is by creating the office, by determining bargaining units, by adjudicating unfair labor practices, determining representation questions, considering approaches taken by other legislatures, specifying unfair labor practices, but without mandating what the collective bargaining agreement must provide.

2022 REGULAR SESSION

So Mr. President, I think that what you see in the striking amendment and in the bill, is reflective of the title that that is to say, a broad, a broad approach for setting up a framework and a process for figuring out how the State would make, the State Legislature would make this momentous shift toward having, toward having the ability of the, of our employees to do collective bargaining with their employers in the legislative branch."

#### MOTION

On motion of Senator Pedersen, the Senate deferred further consideration of Engrossed Substitute House Bill No. 2124 and the bill held its place on the third reading calendar.

#### SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1530, by House Committee on Transportation (originally sponsored by Chambers, Springer, Klicker, Jacobsen, Sutherland and Eslick)

Creating Washington wine special license plates.

The measure was read the second time.

#### MOTION

On motion of Senator Liias, the rules were suspended, Engrossed Substitute House Bill No. 1530 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Liias and King spoke in favor of passage of the bill.

#### MOTION

On motion of Senator Randall, Senator Rolfes was excused.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1530.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1530 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Das, Dhingra, Dozier, Fortunato, Frockt, Gildon, Hasegawa, Hawkins, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Sefzik, Sheldon, Short, Stanford, Trudeau, Van De Wege, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Schoesler and Wagoner

Excused: Senator Rolfes

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1530, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PERSONAL PRIVILEGE

Senator Brown: "Thank you Mr. President. My almost decade of service has been truly a wild ride. And there are so very many people to thank. First and foremost, I thank my parents who have endured my many frantic phone calls and have talked me through

so many varied issues, teaching me to really listen to what people say. 'Don't get caught up in the emotion but listen to what they are trying to explain to you.' Second, to my girls who have supported this journey, ... despite its disruption to their lives. Finally, ... I thought I could hold it, but ... To my colleagues and staff and constituents: Thank you for engaging in such lively dialogue. I really wish the public understood the meaningful conversations that we have. Whether it's over coffee, or over dinner, or sometimes being pulled aside in a committee room, that's where truly great policy has been made for this state. Mr. President, do I have permission to read one of my dad's favorite poems? ... It's a short one."

President Heck: "Please proceed."

Senator Brown: "Thanks. It's by Robert Frost, and it's called *The Road Not Taken*."

Two roads diverged in a yellow wood,  
And sorry I could not travel both  
And be one traveler, long I stood  
And looked down one as far as I could  
To where it bent in the undergrowth;  
Then took the other, as just as fair,  
And having perhaps the better claim,  
Because it was grassy and wanted wear;  
Though as for that the passing there  
Had worn them really about the same,  
And both that morning equally lay  
In leaves no step had trodden black.  
Oh, I kept the first for another day!  
Yet knowing how way leads on to way,  
I doubted if I should ever come back.  
I shall be telling this with a sigh  
Somewhere ages and ages hence:  
Two roads diverged in a wood, and I—  
I took the one less traveled by,  
And that has made all the difference.'

No matter what road you embrace, please just embrace the journey. Approach your colleagues with open minds and civil discourse, and that, Mr. President, will make all the difference."

#### PERSONAL PRIVILEGE

Senator Hunt: "Thank you Mr. President. The silence is a bit overwhelming ... but silence for a really good person. Well, as I said, it's been very special serving with Senator Brown. Had the opportunity, what was it, six or seven years ago? To go with a delegation to the People's Republic of China where we walked on the great wall; we ate good food; we went to the panda bear reserve; and went to Hong Kong; and learned a lot about a foreign government; and saw some of the most amazing scenery. And, unfortunately some of the most amazing pollution that we've seen but, there again, one of the advantages of the trip was that the people on that trip really got to socialize and know each other and learn a little bit about them outside the legislative realm, which I think is very important. And another special thing, as some of you know, is that I spent seven years in the Tri-Cities, taught at Pasco High School so I have sort of an affinity for the Tri-Cities, as almost a second home to me, or maybe a third home. But I want to thank Senator Brown for all the work she's done. It's been a joy working with you and best adventures as you go about your fairly new job - and keep Carol Moser straight too. Thank you."

#### PERSONAL PRIVILEGE

Senator Warnick: "I also rise to honor my good friend, [choked up] woah! I didn't see this coming right now, so I wasn't prepared. ... but I have really gotten to know Senator Brown in the time that she's been here. Really appreciated her knowledge of the law. We worked together, in district, on issues. She is kind of small in stature but mighty in nature. Her passion for her district is just incredible. Her knowledge of what that district means to the state of Washington is incredible. And her passion for the next generation is incredible to me. She invited myself, my daughter, and my grandson to visit her district. And he's going to be like, some kind of, a scientist or something now because, he was only ten when we went down there but, he still remembers that visit to the facility that we visited in her district. She took the time to make sure that that was set up. Took the time to be available for young people who want to get into the work and it's very technical work in her district. But more so, I have enjoyed over the years kind of sitting in this little cluster when we are all here. That was just so much fun to work on the state's business, laugh a little bit, cry a little bit, and work together across the aisle. So really going to miss you. Don't stay a stranger. We are going to keep in touch but thank you for your service and thank you for all you've done for the state of Washington and your district."

#### PERSONAL PRIVILEGE

Senator Wellman: "It has been an honor and a pleasure to have worked with Senator Sharon Brown over these few years. I wish there were more. Sometimes when you get someplace, you think 'Let everything stay the way it is, I love it.' And I've enjoyed everybody. Then there are changes but those changes come and go, and I do appreciate that. There aren't too many fellow geeks in the Senate, Mr. President, and I consider Sharon Brown one of those favorite geeks of mine, where we can whale away on blockchain technology and other things of the future and see the significance that they can be to bring to the state. She has been a strong supporter of the future of nuclear energy and exploring that with her has been fascinating. We got to travel together. I guess Senator Brown has traveled a lot of places because we traveled to Denmark and Sweden learning about their production and their sustainability. I will never forget what was, I think about a three-hour train ride we took. Where we off in one section of the train and we just talked and found out so many things in common, so many points of connection with her family and my family. Her love for her daughters, me for mine. She will really be missed and hopefully our connection will remain long after this time. But just to appreciate her work here in the Senate, has been a privilege and a pleasure. Thank you."

#### PERSONAL PRIVILEGE

Senator Short: "Thank you Mr. President. Sharon, I have so loved serving with you. You know, when she got - came to the Legislature, I love energy issues. She was in the Senate. She loves energy issues. And we had the greatest conversations on all types of focused work to that end with her work in the Tri-Cities. But the thing that's impressed me about you, Sharon, is just the detailed work you do. Every nuance that you would learn and come to know to represent your district and your people to the fullest that you could. You amaze me with all of the work that you've done for college students. You know, struggling with depression and suicide. The increased suicide rates, with your work bringing training to nurses so we can bring nurses to our schools. You gave so many people in your district a voice. And the work that she does for everything that she can do, and the relationships that you have built, have just made you a champion."

FIFTY NINTH DAY, MARCH 9, 2022

I love being your friend, and I am going to miss you. Best of luck, and don't forget us."

PERSONAL PRIVILEGE

Senator Rivers: "Thank you so much Mr. President. Well, Senator Brown, it has been one heck of a ride. There are so many things that I think of, and will always think of, when it comes to you. Your character is second to none. You have been such an inspiration to me. Though many have taken a swipe at you, you have never swiped back which I think is simply remarkable. It really speaks about who you are. And your perseverance: But for you, where would we be – where would industrial symbiosis be? But it's not just that. It's that you're a person of your word. Anyone can take you to the bank because if you give your word, then we know that you will work your fingers to the bone to honor that word. And that is also something that we have benefited from. You've been like my sister for ten years. I don't think your leaving the Senate will change that one bit. So please know, whenever I think of you, I will think of the remarkable character traits that you have, and how you have made this Senate a better place. Thank you so much."

PERSONAL PRIVILEGE

Senator Wilson, L.: "Thank you. Well, I knew this was coming, but I wasn't thinking this was going to be today. So I haven't thought of everything I was going to say, and I'm not going to look at her while I am talking. ... So, I have known Sharon for six years now and, pretty much the whole time I've been here in the Senate, we've been roommates as well. I've had a really good opportunity to get to know her and get to know how close the relationship has become. How I appreciate your knowledge, and your expertise, and your counsel, and your guidance and how you, many times, have challenged my thinking. We would have - sit there until midnight sometimes, maybe longer - talking about things and challenged the way I'm thinking about some particular issue because we would have a lot of conversations about that. She has an, and her character is above reproach. I really appreciate how she sincerely cares for everyone. She has a good thing to say, something to say about pretty much everybody, regardless. And I appreciate the, how much she devotes to her girls. She goes to great lengths to do the right thing and make them happy and, and ... so I just want to thank her for being here, and for being my friend and everything she has done for the state of Washington. I wish you well in your next endeavors, but this won't be the last you see of me. So I will miss you here but thank you for being here."

PERSONAL PRIVILEGE

Senator Braun: "Thank you Mr. President. First, Mr. President, if you just pass my thanks to Senator Hunt for, for getting after that long awkward silence we had right at the beginning of this discussion. And pass my surprise onto Senator Brown, who did legitimately surprise us with that speech. But I welcome the opportunity to talk briefly about Senator Brown's work here in the Senate over the last ten years – we both came to the Senate the same year, 2013. We're both new, you know, – for Senator Brown it was particularly interesting because her predecessor, Jerome Delvin, was here for – I'd just shown up, I had met him. I worked with him for like three days and then, all of a sudden, he was gone, and Sharon Brown was there. And she came in, in beginning of session, zero time to ramp up, and she got right into it. Really impressive. Almost immediately a contributing member

2022 REGULAR SESSION

of the caucus and I was always impressed by that. Still am impressed by that. The other thing that has always impressed me is her ability to find a topic that was particularly important either to her district or she saw it, kind of looked head, and saw it as a topic that was important to our state. And we've heard about her work on nuclear power, on suicide prevention. She has worked specifically on Meals-on-Wheels. It is a small program but an important program in our state. But other things more recently, like Bitcoin, and blockchain, and digital currency. I can't count the number of conversations I've had with Senator Brown that started like, 'I'd like to tell you something about ...' Pick one of the topics I just mentioned. And she is very focused. She really wants to both, understand it deeply herself, and help us understand it. I think that deepens the substance of our discussion. Makes us better prepared to look at policy and look at things that will make our state more competitive in these areas in the future. So, I want to thank her for that. The other thing I want to mention is because, again from, when I came to the Legislature, I - I realized now of course - I didn't have a good appreciation for all the parts of our wonderful state. I certainly didn't fully understand everything that exists in the Tri-Cities. Sharon has been an undying advocate for all the things – we think about, sometimes us less knowledgeable folks, we think about eastern Washington and, of course, all the agriculture, and all the traditional strengths, but we sometimes don't realize the deep research and technical abilities that exists in places like the Tri-Cities. Sharon Brown would not let our ignorance stand. She had to tell us about all the great things up there. The world-leading research that happens right here in the northeast corner, or roughly northeast, corner of our state. I want to thank her for that. It has been a great pleasure to serve with her these last ten years. We will certainly miss her but she shouldn't think she gets off the hook just by leaving here. We will be back to work with her and ask for her help in the future. Thank you, Mr. President."

The Senate rose in appreciation and acknowledgment of The Honorable Sharon Brown, Senator, Eighth Legislative District, and her years of service to the Senate and the State. Senator Brown had been selected to be Executive Director of Greater Columbia Accountable Community of Health in Kennewick.

PERSONAL PRIVILEGE

Senator Carlyle: "Thank you Mr. President. It is my great honor to join my good friend, Senator Brown, in taking a moment to express my gratitude of being her partner in service, as well as all of my colleagues, as well as you, Mr. President. I feel a deep sense of fulfillment and completion and accomplishment in joining you, Mr. President, today as we prepare to end our legislative session. I've had the great honor for fourteen years being a partner in service on so many challenging issues. And I'd like to take just a moment; I know that it doesn't need to be said but, on occasion, it probably should, that the people of America's Thirty-sixth District are just the most entrepreneurial, passionate, engaged, spirited, and gracious, well-dressed, and humble people in this state. Just fabulous, fabulous community that I love so much. When I first ran for office my four wonderful and amazing children: Nava, Zev, Liat, and Adi, were 1, 3, uh, 7, er, 5, 7, and 9, and, now they're 15, 20, 22, and 24. And it's been the honor of my life, of course, along with my amazing wife, Wendy, to - the love of my life, and the spirit and soul that drives me - to raise my children during this time of service. At the same time, I've worked full time, like many of you, like many of my colleagues. It's a real challenge. You know, like everyone, my journey here has not been easy. I was raised as the only child of a hippie, single mother

who struggled with mental illness for many years. And was the only woman welder in a shipyard of 250 men and went through all those challenges. But my big break, actually, came when I walked into this capital building as a fourteen-year-old Page and walked into the House of Representatives and saw the name 'Whatcom County' up there, where I was from. I really just had an amazing, amazing experience. From there, I got to go for an amazing journey of my life to Washington D.C. where I served as a U.S. Congressional page for Senator Warren Magnuson, Senator Scoop Jackson, and, for a brief time, Speaker of the House Tip O'Neil. And what I learned from those legislative giants is something that I have thought about every day - and I've learned from so many of my colleagues, which is: the spirit of bipartisanship, and compromise, and negotiations, and smart incrementalism is the essence of representative democracy in this constitutional republic. It is powerful. It is what moves us forward. It's what keeps us safe and moving forward at the same time. I reject rigid, ideological purity. I really admire the deeper connections that we make in terms of relationships, trust, authenticity, and in very serious policy challenges. I have enjoyed, over the course of my time, working on some of the most challenging issues. I've been so honored to be a leader in so many of the toughest, toughest issues we've faced. I've learned a lot, I've failed a lot, and succeeded a bit. I'm very proud that we have the strongest 100 percent clean energy bill in the nation. I would say that that 100 percent clean energy bill in the nation, which is the toughest, is the only major clean energy bill in the nation that the utility industry supported. They supported it because they felt heard and seen. And so, we designed policies that actually worked. I'm proud of that. I'm proud that we have an economy-wide carbon pricing that is historic. I'm proud of so much of the climate work that sets us on the path towards Paris Agreement level emission reductions while growing our economy and protecting and growing jobs. I'm proud, Mr. President, of the fact that the value of a tax preference is now public information with accountability and measurements and metrics which didn't exist before. I'm proud and grateful for the support of my colleagues, that when I first entered the Legislature, the graduation rate of high school for foster youth in this state was in the mid-twenties and it's now in the mid-fifties. We've doubled it through investments in Treehouse and so many other investments that I hope my colleagues will for years to come. When I go to Magnolia, in my district, it's so exciting to see the kids line up and go to school. I played an instrumental role in re-opening that school. And it's just one of the small little things that you know you made a difference in the world. I've done my best, Mr. President, to leave it all on the field and to run through the tape and to try to serve with grace and authenticity. So much of my accomplishments and success came from an unbelievable staff that we have in this institution, of the Legislature, and also my legislative aides and so many others. I just am so grateful for the essence of a citizen legislature. I think it's powerful. Where it's real people, living real lives, and bringing our full selves to this work. I'm also, I think, known, in some ways, for what I failed to accomplish. I think that matters as well. I just want to take just a brief moment to thank Senator Warnick and others who stood with me on the issue of the death penalty when it was difficult and challenging and hard. But I know that bipartisan vote for multi-year, over the years, brought out something deep in that time of reflection. I feel so very strongly about that issue. I want to thank my colleagues for their support. I believe deeply in the issue of privacy, that we have a fundamental moral right to our own independence and freedom and not to be tracked every step of the way in our lives. I'm sorry to have not been successful at that. But ultimately, I think it's just such a fabulous institution. I have been so honored to work on really meaningful, historic issues and to

accomplish some on behalf of my community and to build relationships that are very meaningful to me. I am very grateful to my constituents, my family, my community, my friends, and to all of you. I also appreciate that when we are gone, we're gone. There is just a robust energy that continues with new people and new spirit and new drive and new passion for issues and that's what makes our quality of life is so special. It's hard to be a prophet in your own land, and we know that as a state, for all of us, we have a beautiful quality of life. We have a strong robust quality of infrastructure, of educated workforce, of education, of jobs and economic opportunity, and natural resources. I just hope and pray that we continue to value it and do that work with meaning and purpose. So, with that Mr. President, I could not be more grateful for the honor of having been your and all of my colleagues' partner in service. Thank you."

#### PERSONAL PRIVILEGE

Senator Billig: "Thank you Mr. President. Well, I want to thank my colleague, Senator Carlyle. I want to thank him for his service to our state and for his friendship. I've had the pleasure of working with him for twelve years, of having been to his home and met his family, shared meals with him. I'm going to miss his as a colleague here. I am also going to miss him because of the policy work he that he does. He is somebody that gets in the weeds and does the hard work of moving forward important policy for the people of this state. He is known, of course, for his leadership in climate and environmental policy, tax preference transparency, but he mentioned two other areas that I also think are important: his leadership on the death penalty, and the one that stands out to me actually the most, because I think he has made such a fundamental difference, is about foster care and supporting the foster children of this state. Foster children are our responsibility. They are our kids. They're the state's kids and Senator Carlyle has taken that to heart. The work that he has done, not just for education for foster children, but also for extended foster care, has made a difference for kids in this state and will continue to do so for generations to come. The good and gracious and good-looking people of the 36th District are going to miss Senator Carlyle as their senator, and we will certainly miss him as well."

#### PERSONAL PRIVILEGE

Senator Pedersen: "Thank you Mr. President. It has been my great pleasure for the last fourteen years to serve with the gentleman from the Thirty-sixth District. We sat together on the House floor, we sat together in the Ways and Means committee, we have commuted down to Olympia together from time to time, and, Mr. President, you know it's - there are a lot of people for whom one has great respect and develops great appreciation in this process but it is relatively rare to have someone who is a friend whom you would want to spend time with outside of the process and whom you feel you can really trust. And it has been a huge gift to me for these fourteen years to have that in Senator Carlyle. Mr. President, I want to tease him a little bit because I remember, vividly, coming out of one of our committees on committee processes a few years ago and delivering him the news that he was going to be asked to be the ranking member on what was then called Energy, Environment and Technology. He just scorned that. It wasn't enough of a human, a committee that would help human beings, he thought. He wanted, he was interested in something different. I talked him off the ledge. I said that I thought he could do some good things. And, Mr. President, how glad we all are for his service in that way. Our state has really led the country and, in some ways, is a leader in the entire world



FIFTY NINTH DAY, MARCH 9, 2022

2022 REGULAR SESSION

because of the incredible thought and energy that Senator Carlyle has put into that work, into try and figure out how we, as a state, can do not just our part but more than our part to lead on climate issues and to combat carbon emissions. Mr. President, it has been a great pleasure to work with Senator Carlyle on the death penalty and on a whole series of other issues. But what I appreciate more than anything else about him is the spirit of trying to get to an agreement that can help everyone, that can find sort of a middle path, that isn't a 25-vote strategy but that's a 40-vote strategy. I think it's not an accident, Mr. President, that Senator Carlyle's bills on privacy have gone out of the Senate nearly unanimously. I deeply regret that we have not been able to convince our colleagues across the way that significant progress would have been made with the passage of those bills, that we should not let the 'perfect' be the enemy of the good. I think that, for those of us that have been around enough, long enough to watch Scoop Jackson and Warren Magnuson, you can see that Senator Carlyle took really important lessons from those titans who represented our state and has, to great effect, applied them in the legislative process. We have all been the richer for that. So, Mr. President, it is for both professional loss and personal loss for me but as he's looking forward to an empty nest and thinking about how he is going to spend his final days, I know, Mr. President, that Senator Carlyle is going to continue to be an incredible public servant and will continue to leave the state better than he found it. I just want to join my colleagues in thanking him for having given us fourteen of these years."

PERSONAL PRIVILEGE

Senator Short: "Thank you Mr. President. You know, I was given an opportunity of the session that was born out of tragedy when we lost Doug Ericksen this year. Having served on the Energy Committee as a member, this year particularly, gave me the opportunity to serve side by side with Senator Carlyle. I tell you, we've had some spirited discussions. We love the energy issues and all of the things that go with it and the passion of moving forward while we're protecting, you know, ratepayer interests. I can tell you that I so appreciate his openness, his willingness to make sure I knew, as ranking member, what was going on in the Committee. He never hesitated to text or pick up the phone and say, 'Hey, things may be changing,' or, 'Hey would, would you do ...?' whatever we needed to do in that Committee. We did an awful lot of work. It was a little frustrating at times but the thing that was never frustrating was being able to work with Reuven and just to have that open line of communication and that friendship. Just the collegiality of, even though we come from different points of view, the ability to work together and figure if there are ways we could do things together. I can tell you, the thing that touched me most this year was, you know, the comments that he made ... about Doug ... after he passed.... It just shows the true man that he is and the true spirit of just what we all strive for. I'm going to miss the, the plaid suits that walk across the rotu-, that walk across the floor. But just mostly his personality, his perseverance, his ability to think on a dime and say many, many things that we all wish we could, in jest. But I am truly honored to have served with Represent-, 'Representative,' yeah, with Senator Carlyle in the Senate and just wish him the best in his future endeavors. Thank you, Mr. President."

PERSONAL PRIVILEGE

Senator Hunt: "Thank you. It is my honor to honor a long time and great friend of mine, Senator Reuven Carlyle. Reuven and I

go back probably further than anybody else in this chamber because ... No? I'm not sure, anyway..."

President Heck: "Were you here when he was a Page at age fourteen? Because I was."

Senator Hunt: "I was there what he was a snotty nose Page in the United States Senate, so it's close."

President Heck: "Which came later."

Senator Hunt: "Ok, I lose. Anyway, I was what we call, and he and I are the last two, by the way, standing, 'bumblebees.' The bumblebees were Senator Warren Magnuson's staff members. We got that name because, if you go around the U.S. Senate, you see a senator with all the staff members, you know, hanging around as they walked down the hall. Senator Magnuson's wife said, 'You're not going to be bumblebees if you're going to work for, for this guy.' So, we were very careful not to crowd around him in the hall and let him sprint up and down the hall as he would. But you know, so, I knew Reuven then. And we kept that friendship going for a number of years. We got out here and I got elected to the House and Reuven got elected to the House. And then we both came over here. So, we've had a very long relationship and I just want to talk about friendship and a guy who is true blue, loyal and hardworking. And, you know, it's been really great to work and he's not going away. I may still sneak up to his house down there, if they have fireworks or something on Elliot Bay. But you know, it's been really great. And I want to tell you, Senator Carlyle, we're going to uncover those. We're going to get the skylights open. And thank you for your service and leadership on that and so many other issues."

PERSONAL PRIVILEGE

Senator King: "Well, thank you Mr. President. I didn't, I guess it is called a privilege to have been on a committee with Senator Carlyle, so I didn't get to deal with him on that level but I have a great deal of respect for the gentleman. I like his coats. You know, I told him a few days ago we need to put up about three mannequins somewhere around here and hang his coats on them. You know, we'll think he never left. But I do, I do really respect the gentleman and all that he's accomplished even though I probably don't agree with half of it. But it's the way that he's done it. It's the style that he uses. I watched him and Senator Ericksen go back and forth. And, and yet, when I heard his words when he was referencing Senator Ericksen, it was very moving. He's just that kind of guy. He's done a lot for our environment, um, but I want to tell him that his accomplishments won't be complete on environmental issues until I see a windmill in his district. [Laughter] Thank you, Mr. President."

PERSONAL PRIVILEGE

Senator Mullet: "Thank you Mr. President, I, I first met Senator Carlyle in 2011. I had reached out because he had had a very tight House race in 2008 and I knew I had a tight Senate race coming up in 2012. So, I met him for lunch, I think the Dahlia Lounge downtown, for some advice and that was very helpful. He emphasized to me that, you know, legislative campaigns, the beauty of the numbers is you have enough time to go meet a lot of people face to face and you should spend your time doing, predominantly, just that. I thought it was really good campaign advice from somebody who had been through a very difficult race in 2008. But I'm going to echo the sentiments we heard from

Senator King just a second ago because my routine is, every summer I buy one brand new suit. And when I leave the house to go buy that suit, I am sick and tired of my wife giving one piece of advice and that is to buy something that looks like Senator Carlyle's suits. And I have to say, Senator Carlyle, your suit today is actually quite boring. I mean, I would have thought in his farewell, you know, his day, where he's going to make his farewell remarks, we would have seen the best he had to offer from his wardrobe. So, we'll see. Maybe tomorrow. There's one more day in the session. We'll see what shows up. Thank you very much."

#### PERSONAL PRIVILEGE

Senator Warnick: "Thank you Mr. President. And you know, we all teach each other here, whether we know it or not. I also was inspired by Scoop Jackson, believe it or not, to actually consider a political career but way, way, way - long time ago, but I, the first time I really understood what Senator Carlyle was about, and it may have happened in the House because, er, the other body, because we served together too but he used the term, 'good and gracious lady.' And when he stood up to talk about my amendment, 'Well, the good and gracious lady has' and I thought, 'Oh, he's going to take my amendment.' He never did [Laughter] but he made me feel really good for a moment. So, he taught me the value of agreeing to disagree. We, especially with the EFSEC situations, I had a different experience than he did with that. Never got the opportunity, I don't believe, to serve on a committee with him, especially the Energy and Environment Committee. That was something I didn't want to do. But - but he taught me the value of stating your case, doing the debate, participating in the debate. And I also want to mention his kind and warm remarks about former Senator Doug Ericksen. I didn't realize they had such a good personal relationship, and it was just, taught me an awful lot. Wish I'd known that we were going to be talking about you today because we planned to wear plaid. I agree with Senator Mullet that he's pretty sedate today but I, we will miss that good and gracious gentleman from the Thirty-sixth District. So, thank you Mr. President."

#### PERSONAL PRIVILEGE

Senator Frockt: "Thank you. As I started to say, I, I'm sorry I can't be on the floor at this hour to congratulate and to commend my, my friend from the Thirty-sixth. My neighboring district. I only want to say that it has been a pleasure to serve, publicly, that has been a pleasure to serve with you. I am so glad that when you came to the Senate, we became, I think, very close friends and good friends. And we confided in each other on many occasions, usually in agreement, not always, but always with great respect for each other. You are a phenomenal legislator and a good friend. I wish you all the best as you move forward and I look forward to hanging out with you more as, as the days go on. Thank you for your service."

#### PERSONAL PRIVILEGE

Senator Hawkins: "Thank you Mr. President. I too would like to congratulate Senator Carlyle on his many years of very successful service to the state. Like so many of the colleagues have shared, I've really enjoyed my time serving with him. In particular, I really appreciate, and I just want him to know, Mr. President, that I will never forget how he has sort of dedicated a little portion of his great capacity for legislative actions on, on my efforts over the years. So, I think it was back in 2017, I had an issue in the city of Leavenworth related to them disposing of

brush and yard waste related to this recently designated and redrawn apple maggot quarantine line. Sounds pretty, you know, probably in the weeds, literally, but you know, he really helped me on that, and I won't forget it. Then a couple years later, in 2019, when I worked on the PUD and renewable hydrogen authority, he had really, really big things that he was working on. But he was always sort of attentive to the smaller bills that I was working on and, also, that, the hydrogen vehicle bill in 2021. He was very helpful in that. Those bills, all those bills, came through his committee. He was there to co-sponsor those bills and hear from my stakeholders. I just want him to know, which is probably the case with so many of us, it's like we won't forget, we won't forget that. And it was impressive because he, I've always seen him as kind of like this big home run hitter. He was working on these grand slam progressive policies for the state. I was kind of like the Ichiro, trying to get my base hits, but he was doing these huge things but to, but never kind of forgot about me. And I appreciate that. I have this idea about his suit jacket. You know, if he has an extra one, maybe he can loan it to the Senate. Obviously, we'll get it dry cleaned but maybe then some of us who fit into it can kind of wear it over the years. I think that'd be kind of a cool thing. But yeah, I'll miss his floor speeches. He just had this, obviously this remarkable gift of communication that like what hear in his privacy speech and some of these things in years past, I just, when I was on the floor, I just would sit there and just sort of marvel at just how well he could clearly articulate what he wanted to say. And I personally, I struggle with things like that, but just wanted to tell him thank you, Mr. President, for his support of me and his dedicated service to state all these years and I wish him the best and all his future endeavors. Thank you."

#### PERSONAL PRIVILEGE

Senator Braun: "Thank you Mr. President. So, I to rise to honor the service of our, our colleague. I just want to share a couple historical facts. So again, I'll go back to when I first came to the Senate. 2013. I was fortunate enough to, we were fortunate to be in the majority that year but the penance for me, for being in the majority, is they sent me over to negotiate with the tax bogeyman from the other chamber, then-Representative Carlyle on the Bracken decision. If anybody remembers the Bracken decision, that essentially threw out our estate tax in the state. You know that we had, you know, opposite majorities in the two chambers and this was a very contentious issue. And here I was, a freshman, and I was sent to, to work this out with then-Representative Carlyle. That was tough. What I learned pretty quickly was he, we obviously had different political philosophies, that was plain, but it was also clear that he, he was thoughtful, that he was, recognized facts and logic, and that we could find places that we could agree. So that was a tough negotiation but, and I would not claim that I got the better end, but we did do some good things. He recognized some work we could do to help. So generational transfers for small businesses, we made it, you know, took off some of the soft edges on the estate tax. I think really did make it better for the citizens of the state of Washington and ultimately got the job done. And we both voted for the bill. I didn't want to vote for the bill, but I did. In return for that good work that we did in 2013, they teamed us up again in 2014 on cannabis. So that was right as, you know, it's 2012 and the initiative, it passed and, and if anybody remembers the initiative, there was a lot of complexity there. And, and of course we all had little, green crosses springing up in our neighborhoods because of the crossover between recreational marijuana - cannabis, excuse me, [Laughter] recreational cannabis and medical cannabis. So, we, we got to, we were asked to sit down and kind of work through that in a way that all, both of the chambers, could agree to. And that year in

FIFTY NINTH DAY, MARCH 9, 2022

2022 REGULAR SESSION

particular, I remember because they sent Representative Cody with him. That was a little bit intimidating but again, again, you know, willing to listen to the facts, willing to listen to logic. Even though we disagreed on certain issues, we were able to come to a solution that I'm, I'm very proud stayed in place actually until this year. We made some slight changes to this year but really got our state on a better path for regulating the, the sale of recreational cannabis. I hear those stories just to kind of highlight the kind of work I think that Senator Carlyle has always been involved in. He likes these large projects, things that are very detail oriented, really have to dig into and think through. He's not afraid of disagreement. In fact, sometimes, I think he enjoys disagreement. He likes to get in and work through and, if you embrace that, if you're willing to work in good faith, be clear about what you can do and can't do and find a path in between, you can get to a good, long-lasting, bipartisan solution. I think that will be, as much as anything, his legacy that he has left some, some challenging topics, challenging policy, that he's worked through with many people in our, in both chambers that will last for years, sometimes decade, perhaps, decades. And on, of course, on top of that, he is unfailingly courteous. He, you know, he never, if one adjective or adverb is good than two or three or four is better. [Laughter] And it just his, his approach to our work here, in spite of our differences, has always been, for me, enjoyable and I will very much miss serving with him here in this in this body. So, thank you Mr. President."

## PERSONAL PRIVILEGE

Senator Rolfes: "Thank you Mr. President. I rise to honor two people. I'd like to begin with Senator Brown briefly because I missed the opportunity to speak on the floor earlier. I don't know if Senator Brown has ever heard this but recently, I was speaking at a statewide conference, and they asked for a few introductory, they asked me a few introductory questions just to, as an ice breaker. And one of the questions was, 'If you had to be tied to somebody for the entire day in the State Senate, who would you pick?' I thought about it really seriously and I said, 'Sharon Brown.' I, that is because you can't find a more pleasant, level-headed, friendly, kind human. I wanted Senator Brown to know that. And, furthermore, we both who graduated from high school in adjacent towns in New Jersey so, occasionally, we refer to each other as, 'Hey Jersey girl.' And so, Mr. President, I just would like to be on record as saying how much I'm going to miss working with Senator Brown and that I hope we can remain friends.

Now, on to Senator Carlyle. Senator Carlyle is also one of my favorite people in the Senate and, no, I would never attach myself to him for the day [Laughter] but I want to address some of the comments that have been made today because I knew Senator Carlyle in the House when he was first elected. We cannot forget that he used to use the term 'rural socialism' with such force on the House floor that the Republicans would jump up and object. So, he has learned over the years how to become a gracious and diplomatic member of the Legislature, but he was a firebrand when he was first elected. Now, Mr. President, I would also like to say that we know Senator Carlyle because he works on big picture ideas. I don't even remember his term for it but like, 'We need to look at systemic change,' you know, big picture stuff, but, at the same time, he never forgets the details of his district. Whether that's the elementary school that he referenced earlier or the Pacific Science Center. He is big picture and he's small detail. That kind of statesperson is rare to find. So, Mr. President, before I conclude, I just also want to say on the record that in my opinion Senator Carlyle is such a good man. He's so honest. He's humble. He's transparent. He's authentic. He's passionate. He can stand

and make a speech with such grace and thoughtfulness that, even if you disagree with him, you say, 'Wow, he really believes that.' He means what he says, and he wouldn't stand up and say it if he didn't. And finally, Mr. President, in conclusion, only Senator Carlyle would stand up and talk about the disappointments he's had and kind of quietly urge us to be better and to go along with what he thinks are important to do but I stand here to say, Mr. President, that I hope that we pass the death penalty bill before we open the skylights."

## PERSONAL PRIVILEGE

Senator Sheldon: "Well, thank you Mr. President. You know, there's a lot of wonderful things said about our colleague today on the floor. I've had some great experiences with him, to visit the great Thirty-sixth District. Senator Carlyle put me in the passenger seat of his convertible. You know, he's a big car guy, big car guy. And drove me on a beautiful, sunny day around downtown Seattle pointing to the tall buildings, the tech world, all the great things that he was so excited about. I enjoyed that tremendously that day. Drove me back down to the ferry and, of course, we have adjacent districts. We're just separated by a body of water. I learned very, very soon here in the Legislature that you want to help your friends. I was a big supporter of the tunnel because I thought that was a wonderful addition to our state. When I visit the Pike Place Market today, which I think is not in your district, but when I visit the Pike Place Market today, I look out over the Elliot Bay and there's no noise. There's no dust. It's such a beautiful, beautiful place. He was so kind to visit my district as well. I think we went out to the track and saw cars and did all kinds of fun things. He is a big car guy if you guys didn't know that but visiting the tree farm was very special for me to have you come out. One thing I want to mention about the Senator Carlyle that maybe hasn't been mentioned yet, is that he is a man of deep, deep faith. He's very involved in his synagogue. I think that's a quality that you can see. He doesn't talk about it but you see it with Senator Carlyle. And had the great experience I talk about my friend Arnold Zweig who was an Auschwitz survivor. ... What a moving experience it was to bring him to the chamber here and to meet the, especially, the members of Jewish faith. That was a great experience for me. I just want to let you know he's doing fine. Ninety-four years old and he's still doing fine. And thank you, Senator Carlyle for your service. One, one last comment, I came down here to the Legislature and it wasn't in Territorial days, we were state then [Laughter] - and I testified before a committee in the Senate before I was a member, and I was not treated very well. The chair was not, Chairperson was not attentive to the person speaking, the members on the, on the dais were talking to each other and discussing things but, I want to say, that never happened in Senator Carlyle's committee. You always made everyone, everyone, feel welcome and I appreciate that very much. We'll miss you. Thank you."

The Senate rose in appreciation and acknowledgment of The Honorable Reuven Carlyle, Senator, Thirty-sixth Legislative District, and his years of service to the Senate and the State.

## MOTION

At 5:06 p.m., on motion of Senator Pedersen, the Senate adjourned until 10:00 o'clock a.m. Thursday, March 10, 2022.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate



1015-S2E		1691-S2E	
Messages .....	1	Messages .....	1
1074-S		1694-SE	
Messages .....	2	Messages .....	73
1153-S2E		Other Action.....	73
Messages .....	1	Second Reading .....	73
1173-S2		Third Reading Final Passage .....	74
Messages .....	2	1703-S	
1181-S2E		Messages .....	2
Messages .....	2	1706-S	
1329-SE		Messages .....	2
Messages .....	2	1723-S2E	
1357-SE		Messages .....	2
Messages .....	2	1725-S	
1376		Messages .....	2
Messages .....	2	1728-S	
1389-S		Messages .....	2
Messages .....	1	1748	
1430		Messages .....	1
Messages .....	1	1751-S2	
1530-SE		Messages .....	1
Second Reading .....	78	1773-S	
Third Reading Final Passage .....	78	Messages .....	2
1571-S		1779-S	
Messages .....	2	Messages .....	2
1590-S		1785	
Messages .....	1	Messages .....	1
1616-S		1799-S2E	
Messages .....	2	Messages .....	1
1630-SE		1800-S	
Messages .....	2	Messages .....	2
1643-SE		1805	
Messages .....	1	Messages .....	2
1644-S		1812-S2E	
Messages .....	2	Messages .....	2
1646-S		1815-S2E	
Messages .....	2	Messages .....	2
1655-S		1825	
Messages .....	1	Messages .....	2
1664-S2		1835-S2	
Messages .....	2	Messages .....	2
1673-SE		1851-E	
Messages .....	1	Messages .....	2
1688-S2E		1859	
Messages .....	2	Messages .....	2
1689-SE		1860-S2	
Messages .....	2	Messages .....	2

1876-S		5268-SE	
Messages .....	4	President Signed.....	74
Other Action.....	4	5275-SE2	
1881-SE		Messages .....	2
Messages .....	2	5376-S	
1890-S2		President Signed.....	74
Messages .....	2	5498	
1893-S		President Signed.....	74
Messages .....	2	5504	
1901-S		Messages .....	3
Messages .....	2	5505	
1902-S		Messages .....	2
Messages .....	2	5508	
1956-SE		Messages .....	3
Messages .....	2	5519	
1975		Messages .....	2
Messages .....	2	5528-S	
2008-S2		President Signed.....	74
Messages .....	2	5529	
2057-S		President Signed.....	74
Messages .....	2	5532-S2	
2075-S2E		President Signed.....	74
Messages .....	2	5539	
2076-SE		Messages .....	3
Messages .....	3	5544-SE	
2078-S2		President Signed.....	74
Messages .....	2	5548-S	
2124-S		Messages .....	2
Second Reading .....	75	5555-S	
2124-SE		President Signed.....	74
Other Action.....	77, 78	5558-S	
Second Reading .....	74, 76, 77	Messages .....	3
Third Reading and Final Passage.....	77	5565	
5002		Messages .....	3
President Signed.....	74	5566	
5017-E		President Signed.....	74
Messages .....	2	5585	
5042		President Signed.....	74
Messages .....	3	5589-S	
5078-SE		Messages .....	3
Messages .....	2	5590-S	
5085-S2		Messages .....	2
Messages .....	1	5593-SE	
President Signed.....	74	Messages .....	3
5196		5600-S2E	
Messages .....	2	President Signed.....	74
5245-SE		5610-S	
President Signed.....	74	President Signed.....	74

5612	Messages .....	2
President Signed.....	74	
5615	Messages .....	2
5616-S2	Messages .....	3
5619-S2	President Signed.....	74
5624	Messages .....	2
5628-SE	President Signed.....	74
5634	President Signed.....	74
5644-S	President Signed.....	74
5649-S2	President Signed.....	74
5651-S	Final Passage as amended by House.....	59
	Messages .....	5
	Other Action.....	59
	President Signed.....	74
5664-S2	President Signed.....	67
5678-S	Messages .....	2
5687	President Signed.....	67
5693-SE	Messages .....	2
5695-S2	President Signed.....	67
5702-S2E	President Signed.....	67
5713	President Signed.....	67
5715	Messages .....	3
5720-S2	President Signed.....	67
5722-S	President Signed.....	74
5728-S	President Signed.....	74
5729-S	President Signed.....	67
5736-S2	Messages .....	2
	Final Passage as amended by House.....	73
	Messages .....	69
	Other Action.....	73
5745-S	Messages .....	2
5749-S	President Signed.....	74
5750	Messages .....	2
5756-S	Messages .....	2
5758-SE	Messages .....	2
5761-SE	President Signed.....	67
5764-S2E	President Signed.....	67
5765-S	Messages .....	3
5785-S	Messages .....	2
5787	Messages .....	2
5788	President Signed.....	67
5789-S2	President Signed.....	67
5790-S	President Signed.....	67
5791-S	Messages .....	3
5793-S2	President Signed.....	67
5796-S2E	President Signed.....	74
5810-S	President Signed.....	74
5814-S	Messages .....	3
5818-S	President Signed.....	74
5819-S	President Signed.....	74
5838-S	Messages .....	3
5842-S2E		

President Signed.....	74	9408	
5847-SE			Committee Report..... 1
President Signed.....	74	9420 Silva, Marc	
5854			Introduction..... 1
Messages.....	3	CHAPLAIN OF THE DAY	
5855		LaVeau, Rev. Belladonna, Aquarian	
President Signed.....	74	Tabernacle Church, Index.....	1
5862-S		FLAG BEARERS	
Messages.....	3	Washington State Patrol Honor Guard .....	1
5868		GUESTS	
President Signed.....	74	St. Stephen the Martyr Homeschool Co-Op,	
5874-SE		Renton, Pledge of Allegiance .....	1
Final Passage as amended by House.....	62	MESSAGE FROM GOVERNOR .....	1
Messages.....	60	WASHINGTON SENATE	
Other Action.....	62	Personal Privilege, Senator Short –	
5878-SE		Recognition of Senator Brown.....	79
President Signed.....	74	WASHINGTON STATE SENATE	
5883-S		Brown, The Honorable Sharon, Senator,	
President Signed.....	74	recognized .....	80
5895		Carlyle, The Honorable Reuven, Senator,	
Messages.....	3	recognized .....	85
5898		Patten, Mr. Gerard (Jerry), remembered.....	4
Messages.....	1	Personal Privilege, Senator Billig –	
President Signed.....	74	Recognition of Senator Carlyle.....	81
5910-S		Personal Privilege, Senator Braun –	
Final Passage as amended by House.....	68	Recognition of Senator Brown.....	80
Messages.....	62	Personal Privilege, Senator Braun –	
Other Action.....	67	Recognition of Senator Carlyle.....	84
President Signed.....	74	Personal Privilege, Senator Brown - Farewell	
5933-S		.....	78
Messages.....	3	Personal Privilege, Senator Carlyle - Farewell	
5957		.....	80
President Signed.....	74	Personal Privilege, Senator Frockt – Capital	
5959		Budget Staff Recognition.....	60
President Signed.....	74	Personal Privilege, Senator Frockt –	
5961-S		Recognition of Senator Carlyle.....	83
President Signed.....	74	Personal Privilege, Senator Hawkins –	
5972		Recognition of Senator Carlyle.....	83
Messages.....	3	Personal Privilege, Senator Hunt –	
5985		Recognition of Senator Brown.....	79
Introduction & 1st Reading.....	3	Personal Privilege, Senator Hunt –	
8648		Recognition of Senator Carlyle.....	82
Adopted.....	4	Personal Privilege, Senator King –	
Introduced .....	3	Recognition of Senator Carlyle.....	82
9052 Aveledo, Astrid		Personal Privilege, Senator Mullet –	
Confirmed .....	68	Recognition of Senator Carlyle.....	83
9054 Jaech, Jeremy		Personal Privilege, Senator Pedersen –	
Confirmed .....	68	Recognition of Senator Carlyle.....	82



Personal Privilege, Senator Rivers –  
 Recognition of Senator Brown..... 80  
 Personal Privilege, Senator Rolfes –  
 Recognition of Senator Brown..... 84  
 Personal Privilege, Senator Rolfes –  
 Recognition of Senator Carlyle..... 84  
 Personal Privilege, Senator Schoesler –  
 Senator Sheldon’s retirement..... 5  
 Personal Privilege, Senator Sheldon – 75<sup>th</sup>  
 Birthday..... 4  
 Personal Privilege, Senator Sheldon –  
 Honoring Jerry Patten ..... 4  
 Personal Privilege, Senator Sheldon –

Recognition of Senator Carlyle..... 84  
 Personal Privilege, Senator Short –  
 Recognition of Senator Carlyle..... 82  
 Personal Privilege, Senator Warnick –  
 Recognition of Senator Brown..... 79  
 Personal Privilege, Senator Warnick –  
 Recognition of Senator Carlyle..... 83  
 Personal Privilege, Senator Wellman –  
 Recognition of Senator Brown..... 79  
 Personal Privilege, Senator Wilson, L. –  
 Recognition of Senator Brown..... 80  
 Point of Order, Senator Braun – Rule 25 .... 77