

Multiple Agency Fiscal Note Summary

Bill Number: 6040 S SB	Title: Invasive species
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Estimated Cash Receipts

Agency Name	2013-15		2015-17		2017-19	
	GF- State	Total	GF- State	Total	GF- State	Total
Department of Licensing	(1,513,036)	0	(2,528,340)	0	(2,528,340)	0
Total \$	(1,513,036)	0	(2,528,340)	0	(2,528,340)	0

Estimated Expenditures

Agency Name	2013-15			2015-17			2017-19		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Administrative Office of the Courts	.0	0	0	.0	0	0	.0	0	0
Office of the Governor	.0	0	0	.0	0	0	.0	0	0
Office of State Treasurer	.0	0	0	.0	0	0	.0	0	0
Department of Revenue	.0	0	0	.0	0	0	.0	0	0
Washington State Patrol	.0	0	0	.0	0	0	.0	0	0
Department of Licensing	.0	31,964	31,964	.0	0	0	.0	0	0
Department of Fish and Wildlife	3.6	0	1,264,200	8.5	0	2,528,400	8.5	0	2,528,400
Total	3.6	\$31,964	\$1,296,164	8.5	\$0	\$2,528,400	8.5	\$0	\$2,528,400

Local Gov. Courts *									
Loc School dist-SPI									
Local Gov. Other **	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Local Gov. Total									

Estimated Capital Budget Impact

NONE

Prepared by: Heather Matthews, OFM	Phone: (360) 902-0543	Date Published: Revised 2/21/2014
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* See Office of the Administrator for the Courts judicial fiscal note

** See local government fiscal note

FNPID: 37624

FNS029 Multi Agency rollup

Judicial Impact Fiscal Note

Bill Number: 6040 S SB	Title: Invasive species	Agency: 055-Admin Office of the Courts
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Part I: Estimates



No Fiscal Impact

The revenue and expenditure estimates on this page represent the most likely fiscal impact. Responsibility for expenditures may be subject to the provisions of RCW 43.135.060.

Check applicable boxes and follow corresponding instructions:

- ☐ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.

Legislative Contact	Sherry McNamara	Phone: (360) 786-7402	Date: 02/05/2014
Agency Preparation:	David Elliott	Phone: 360-705-5229	Date: 02/06/2014
Agency Approval:	Ramsey Radwan	Phone: 360-357-2406	Date: 02/06/2014
OFM Review:	Cheri Keller	Phone: 360-902-0563	Date: 02/06/2014

Request # wildlife-1

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact on the Courts

The bill addresses prevention of invasive species infestation. There are no changes from the previous version of the bill that change the expected impacts on courts.

Sections 205 and 206 contain descriptions of misdemeanor and felony crimes for violating the invasive species laws. These replicate existing statutes allowing Fish and Wildlife officers to pursue criminal violations. The Department of Fish and Wildlife is not expecting an increase in violations. In most years there are less than five charges involving these statutes.

II. B - Cash Receipts Impact

None

II. C - Expenditures

None

Part III: Expenditure Detail

Part IV: Capital Budget Impact

Individual State Agency Fiscal Note

Bill Number: 6040 S SB	Title: Invasive species	Agency: 075-Office of the Governor
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Part I: Estimates

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No Fiscal Impact

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

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- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

Legislative Contact: Sherry McNamara	Phone: (360) 786-7402	Date: 02/05/2014
Agency Preparation: Stephanie Lidren	Phone: 360-902-3056	Date: 02/05/2014
Agency Approval: Aaron Butcher	Phone: 360-902-0406	Date: 02/05/2014
OFM Review: Regan Hesse	Phone: (360) 902-0650	Date: 02/05/2014

Request # 011-1

Bill # 6040 S SB

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

Substitute SB 6040 relates to invasive species.

Sec. 305(14) states the governor may order emergency measures to prevent or abate the prohibited species, after discovering a prohibited level 1 or 2 species as been detected. There is no fiscal impact to the Governor's Office.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

Part III: Expenditure Detail

Part IV: Capital Budget Impact

NONE

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 6040 S SB	Title: Invasive species	Agency: 090-Office of State Treasurer
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Part I: Estimates

☒ No Fiscal Impact

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

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- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

Legislative Contact: Sherry McNamara	Phone: (360) 786-7402	Date: 02/05/2014
Agency Preparation: Dan Mason	Phone: 360-902-9090	Date: 02/07/2014
Agency Approval: Dan Mason	Phone: 360-902-9090	Date: 02/07/2014
OFM Review: Chris Stanley	Phone: (360) 902-9810	Date: 02/07/2014

Request # 070-1

Bill # 6040 S SB

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

Part IV: Capital Budget Impact

NONE

Department of Revenue Fiscal Note

Bill Number: 6040 S SB	Title: Invasive species	Agency: 140-Department of Revenue
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Part I: Estimates

☒ No Fiscal Impact

Estimated Capital Budget Impact:

NONE

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- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

Legislative Contact:	Sherry McNamara	Phone: (360) 786-7402	Date: 02/05/2014
Agency Preparation:	Gerald Sayler	Phone: 360-534-1517	Date: 02/07/2014
Agency Approval:	Don Gutmann	Phone: 360-534-1510	Date: 02/07/2014
OFM Review:	Kathy Cody	Phone: (360) 902-9822	Date: 02/07/2014

Request # 6040-1-1

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe, by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

Note: This fiscal note reflects language in SSB 6040, 2014 Legislative Session.

This legislation requires the Department of Fish and Wildlife (DFW) to develop and implement integrated invasive species management actions and programs authorized by this act creating new and amending sections of chapter 77 RCW.

Section 119 creates the aquatic invasive species prevention account in the state treasury. All receipts directed to the account from RCW 82.49.030 and 88.02.640, as well as legislative appropriations, gifts, donations, fees, and penalties for aquatic invasive species management received under this chapter, must be deposited into the account. Expenditures from the account may only be used to implement the provisions of this chapter. Moneys in the account may be spent only after appropriation. The Department of Licensing administers the watercraft excise tax collections.

Section 121 authorizes the DFW to use funds from the watercraft excise tax proceeds that are deposited into the aquatic invasive species prevention account established under section 119 of this act and the aquatic invasive species enforcement account established under RCW 43.43.400 may be used by the DFW to develop and implement an aquatic invasive species local management grant program.

Section 309 changes the distribution of tax collected under RCW 82.49.030 (watercraft excise tax) as follows:

-Ninety percent of the excise tax collected under this chapter must be deposited in the general fund.

-Ten percent of the excise tax collected under this chapter must be distributed as follows:

(a) Sixty percent must be deposited into the aquatic invasive species prevention account established under section 119 of this act;

and

(b) Forty percent must be deposited into the aquatic invasive species enforcement account established under RCW 43.43.400.

This legislation has an effective date of 90 days after final adjournment of this legislative session.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

This legislation results in no revenue impact to taxes administered by the Department of Revenue.

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

The Department of Revenue will not incur any costs with the implementation of this legislation.

Part III: Expenditure Detail

Part IV: Capital Budget Impact

Identify acquisition and construction costs not reflected elsewhere on the fiscal note and describe potential financing methods

NONE

None.

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

No rule-making required.

Individual State Agency Fiscal Note

Bill Number: 6040 S SB	Title: Invasive species	Agency: 225-Washington State Patrol
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Part I: Estimates

☒

No Fiscal Impact

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

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- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

Legislative Contact: Sherry McNamara	Phone: (360) 786-7402	Date: 02/05/2014
Agency Preparation: Kathy Longbotham	Phone: 360-596-4067	Date: 02/10/2014
Agency Approval: Bob Maki	Phone: (360) 596-4045	Date: 02/10/2014
OFM Review: Cheri Keller	Phone: 360-902-0563	Date: 02/10/2014

Request # 0064-1

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

SB 6040 added a new part to the existing law relating to aquatic invasive species (AIS) and amends other parts of the existing law. The portion of the changes that impact the Washington State Patrol (WSP) involve the use of personnel to assist with the inspection, detection, and decontamination of primary aquatic conveyances to ensure no AIS are transported on Washington roadways. Commercial Vehicle Enforcement Bureau (CVEB) personnel already inspect aquatic conveyances at ports of entry.

Section 103, part 4 in the original bill allowed the Washington Department of Fish and Wildlife (WDFW) to delegate "...selected and clearly identified elements of its authorities to another agency of the state with appropriate expertise or administrative capacity upon cooperative agreement with that agency. This delegation may include provisions of funding for implementation of the delegations." The bill further required the WDFW to develop a fee schedule that department authorized representatives may charge for inspection and decontamination services (Section 118, part 4).

The original bill continued the requirement for appropriation of funding to the WSP for CVEB port of entry enforcement (Section 120, part 1,2; Section 306, part 2). Where the original bill provided for the appropriation of funds to the WSP for AIS enforcement, the substitute bill removes the WSP appropriation stipulation. The additional billings mentioned above would likely be associated with the mandatory check points set up by the WDFW.

The substitute bill rearranges and rewords several sections of the original bill without changing the intent, also adding a couple of definitions absent in the original and allowing for quarantine as one means of dealing with AIS. The substitute bill clarifies that the payor of the inspection and decontamination fees developed by the WDFW is the user whose aquatic conveyance receives inspection and decontamination services.

The substitute bill also provides for the AIS prevention account to be used to develop and implement an AIS local management grant program with a maximum expenditure of \$250,000 per fiscal year and specifies who is eligible for the grant and what the grants may cover. It also addresses the AIS enforcement account, specifying the funds may only be used by the WSP to perform inspections at port of entry weigh stations and by the WDFW to develop and implement an AIS local management grant program and an AIS enforcement program, including the training of WSP employees working at port of entry weigh stations.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

The substitute proposed legislation will not result in cash receipts for the WSP. If WSP performs work for WDFW at their request, reimbursement will be handled through interagency billings so there is no cash receipt impact to WSP.

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

The proposed legislation results in no net expenditure impact to WSP. AIS inspections at ports of entry are already being done and are funded from the Aquatic Invasive Species Enforcement account. Under the original form of the bill, those would continue without change as it provided for an appropriation of funds to the WSP to cover the cost of inspections. Under the substitute senate bill, however, there is no specific appropriation required for the WSP although the substitute bill continues to allow AIS enforcement funds be used for WSP inspections at ports of entry. Without a specific appropriation, WSP and WDFW would likely establish a contractual agreement allowing for interagency reimbursement of funds expended by the WSP for AIS inspections.

The bill also allows for WSP personnel to issue citations or make arrests if probable cause exists and to assist with inspections at mandatory check points established by the WDFW.

If WDFW enters into a contract with the WSP, additional inspections will be performed. Assuming inspections are done by a ten-year trooper who receives a 4% education incentive, the WSP would bill WDFW approximately \$54 per hour for regular time, \$78 for overtime, including indirect charges.

WSP's federal indirect cost rate for FY2015 is expected to be 25.63% (pending approval from the Department of Justice). This rate would be calculated on all categories of expenditures except capitalized equipment and is to cover support costs associated with this bill. Support costs include items such as computer and telecommunications support, processing payroll and vendor payments, administering contracts ordering, accounting for and distribution of supplies, and human resource services.

Current port of entry inspections take an average of 45 minutes. If we assume inspections at mandatory check points will take a similar amount of time, WSP would incur costs of approximately \$41 per inspection (\$59 overtime).

Troopers issuing citations spend approximately 15 minutes on the task which would equate to an approximate cost of \$14 (\$20 overtime). Arrests would take longer; using the time approximated for processing a DUI arrest with impoundment of 3 hours, an arrest would equate to approximately \$162 (\$234 overtime).

Since there is no indication as whether WDFW will utilize WSP personnel for its enforcement activities or how many personnel they will use and for what length of time, the expenditure impact cannot be estimated beyond what has been provided above. Any additional expenditures incurred for the use of WSP personnel at mandatory check stations would be reimbursed by the WDFW pursuant to a contractual agreement.

Part III: Expenditure Detail

Part IV: Capital Budget Impact

NONE

The proposed substitute legislation does not have any impact on the WSP capital budget.

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

The substitute proposed legislation does not require any rule changes for the WSP.

Individual State Agency Fiscal Note

Bill Number: 6040 S SB	Title: Invasive species	Agency: 240-Department of Licensing
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Part I: Estimates

☐

No Fiscal Impact

Estimated Cash Receipts to:

ACCOUNT	FY 2014	FY 2015	2013-15	2015-17	2017-19
General Fund-State 001-1	(248,866)	(1,264,170)	(1,513,036)	(2,528,340)	(2,528,340)
Aquatic Invasive Species Enforcement Account-State 09M-1	99,546	505,668	605,214	1,011,336	1,011,336
Aquatic Invasive Species Prevention-State NEW-1	149,320	758,502	907,822	1,517,004	1,517,004
Total \$					

Estimated Expenditures from:

	FY 2014	FY 2015	2013-15	2015-17	2017-19
Account					
General Fund-State 001-1	31,964	0	31,964	0	0
Total \$	31,964	0	31,964	0	0

Estimated Capital Budget Impact:

NONE

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- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

Legislative Contact: Sherry McNamara	Phone: (360) 786-7402	Date: 02/05/2014
Agency Preparation: Rene Davis	Phone: 360-902-3751	Date: 02/14/2014
Agency Approval: Jill Rider	Phone: (360) 902-3943	Date: 02/14/2014
OFM Review: Veronica Jarvis	Phone: (360) 902-0649	Date: 02/15/2014

Request # 6040 SSB-1

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Expenditures by Object Or Purpose

	FY 2014	FY 2015	2013-15	2015-17	2017-19
FTE Staff Years					
E-Goods and Other Services	31,964		31,964		
Total:	\$31,964	\$0	\$31,964	\$0	\$0

III. C - Expenditures By Program (optional)

Program	FY 2014	FY 2015	2013-15	2015-17	2017-19
Information Services (200)	31,964		31,964		
Total \$	31,964		31,964		

Part IV: Capital Budget Impact

NONE

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

Part II: Explanation

This bill changes the fee distribution for revenue collected by the Department of Licensing at the time of initial vessel registrations and annual vessel renewals.

This bill is different from the original bill in that it makes technical corrections and the original bill directed excise tax deposits to a non-existent account.

This bill does not have an effective date and is assumed 90 days sine die.

II. A – Brief Description of What the Measure Does that Has Fiscal Impact

Section 119 Establishes the Aquatic Invasive Species Prevention account.

Section 309 Ninety percent of the excise tax collected must be deposited into the general fund. Ten percent of the excise tax collected must be distributed sixty percent deposited into the Aquatic Invasive Species Prevention account established under section 119 and forty percent must be deposited to the Aquatic Invasive Species Enforcement account.

II. B – Cash Receipt Impact

Under current law, all revenue collected from initial vessel registrations and renewals is deposited into the general fund. This bill would require ten percent of the excise tax collected to be distributed sixty percent deposited into the Aquatic Invasive Species Prevention account established under section 119 and forty percent deposited into the Aquatic Invasive Species Enforcement account.

Cash Receipts	FY 14	FY 15	13-15 Total	15-17 Total	17-19 Total
General Fund-State	(248,866)	(1,264,170)	(1,513,036)	(2,528,340)	(2,528,340)
Aquatic Invasive Species Enforcement	99,547	505,668	605,215	1,011,336	1,011,336
Aquatic Invasive Species Prevention	149,320	758,502	907,822	1,517,004	1,517,004
Total Revenue	-	-	-	-	-

II. C – Expenditures

Information Services would require 232 of contractor hours to modify programming in the Vehicle/Vessel and refund system to create two new codes for a total expenditure of \$31,964.

Breakdown of Contracted IS Startup Costs:

Cost Category	Description	FY 14 Months	FY 15 Months	Rate	Cost
Project Developers/Testers	Modify programming and coding to all major systems; test to verify individual components meet requirements; ensure that other business transactions have not been impacted	1.0	-	\$16,878	\$16,878
Expert Analyst	Determine business requirements; translate requirements into what changes are needed to various systems including account codes, inventory codes, testing considerations, etc.	0.3	-	\$22,620	\$5,655
Expert Project Manager	Manage schedule and contracts	0.3	-	\$26,100	\$6,525
Project Contingency	OCIO designated rate of 10%				\$2,906
		1.5	-		\$31,964

Part III: Expenditure Detail

III. A – Expenditures by Object or Purpose

	FY 14	FY 15	13-15 Total	15-17 Total	17-19 Total
Goods and Services	31,964		31,964		
TOTAL	31,964		31,964		

III. A (1) – Detail of Expenditures by Sub-Object for Goods & Services

Object E Breakdown:	<u>FY 14</u>	<u>FY 15</u>	<u>13-15 Total</u>	<u>15-17 Total</u>	<u>17-19 Total</u>
ER Application Programmers	31,964		31,964		
Total Goods & Svcs	31,964		31,964		

III. A (2) – Detail of Expenditures by Fund

Additional information about assumptions and impacts is available directly from the Department of Licensing at 902-3644.

III. B – FTE Detail

None

III. B – Expenditures by program (optional)

Program	FY 14	FY 15	13-15 Total	15-17 Total	17-19 Total
200 - Information Services	31,964		31,964		
<i>Total</i>	31,964	-	31,964	-	-

Part IV: Capital Budget Impact

None

Part V: New Rule Making Required

None

Individual State Agency Fiscal Note

Revised

Bill Number: 6040 S SB	Title: Invasive species	Agency: 477-Department of Fish and Wildlife
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Part I: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Expenditures from:

	FY 2014	FY 2015	2013-15	2015-17	2017-19
FTE Staff Years	0.0	7.2	3.6	8.5	8.5
Account					
Aquatic Invasive Species Enforcement Account-State 09M-1	0	505,700	505,700	1,011,400	1,011,400
Aquatic Invasive Species Prevention Account-State 09N-1	0	758,500	758,500	1,517,000	1,517,000
Total \$	0	1,264,200	1,264,200	2,528,400	2,528,400

Estimated Capital Budget Impact:

NONE

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- ☐ Capital budget impact, complete Part IV.
- ☒ Requires new rule making, complete Part V.

Legislative Contact: Sherry McNamara	Phone: (360) 786-7402	Date: 02/05/2014
Agency Preparation: Jhenifer Morfitt	Phone: (360) 902-2202	Date: 02/21/2014
Agency Approval: Owen Rowe	Phone: (360) 902-2204	Date: 02/21/2014
OFM Review: Heather Matthews	Phone: (360) 902-0543	Date: 02/21/2014

Request # 14-FN043-3

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

Section 103 provides broad scope of potential activities for developing and implementing integrated invasive species management actions and programs including rapid response, early detection and monitoring, prevention, containment, control, eradication, enforcement, consultation, coordination, technical assistance, cooperative agreements, research, posting signage, and rulemaking.

Section 104 provides authority for rulemaking, in consultation with the WA Invasive Species council, as necessary to classify and reclassify non-native aquatic animal species and to establish standards for determining invasive risks and other classification criteria.

Section 105 provides an interim non-native aquatic animal species automatic classification directive including a list of ten non-native aquatic animal organisms by taxonomic genus or species as prohibited level 1 species subject to rapid response actions under Sec. 108 or infested site management actions under Sec. 109 if detected.

Section 106 establishes scope of prohibited acts associated with different species classifications.

Sec. 107 provides authority for department to issue quarantine declarations against a property or water body to prohibit or condition the movement of aquatic conveyances.

Sec. 108 provides authority to implement expedited rapid response management actions that may include: quarantine declarations; actions to contain, control, or eradicate a prohibited level 1 species; implementation of an incident command system; enter into cooperative agreements; and hold preparatory rapid response exercises, testing, or other training activities.

Sec. 109 provides authority to implement long-term infested site management actions that may include: quarantine declarations; actions to contain, control, or eradicate a prohibited level 2 species; consultation on development and implementation of infested site management actions with affected entities; and enter into cooperative agreements.

Sec. 110 provides additional requirements for quarantine declarations, rapid response management actions, and infested site management actions including: consultation and coordination where an infested water body is subject to federal, tribal, or other sovereign jurisdictions; and notification and update requirements to both affected property or water body owners and to the public.

Sec. 111 provides authority to petition governor to order emergency measures.

Sec. 112 provides authority to require a person entering the state with an aquatic conveyance to have a certificate of inspection and requires rulemaking to implement.

Sec. 113 provides authority to require aquatic conveyances to meet clean and drain directives. This may be immediately implemented for aquatic plants transported by specified aquatic conveyance types and requires rulemaking for all other aspects.

Sec. 114 provides authority to establish mandatory check stations to inspect specified aquatic conveyances types.

Sec. 115 provides authority to issue decontamination orders on aquatic conveyances carrying or containing aquatic invasive species and includes: person in violation must bear associated costs; and potential seizure of conveyance.

Sec. 116 provides due process for a person aggrieved or adversely affected by a quarantine declaration, rapid response action, infested site action, or decontamination order.

Sec. 117 provides authority to operate inspection and decontamination stations which can issue certificates of inspection and requires publicly identifying their locations and contact information.

Sec. 118 provides authority to authorize department representatives to operate mandatory check stations, inspection and decontamination stations and implementation actions including official identification, training, and ensuring administrative capacity. Requires report to legislature within two years on recommended service fee schedule.

Sec. 119 creates the Aquatic Invasive Species (AIS) Prevention account.

Sec. 120 provides authority to enter upon a property or water body for purposes of administering this chapter and includes prior notification and a court warrant process if refused entry.

Sec. 121 provides authority to develop and implement an AIS local management grant program with expenditures up to \$250,000 annually.

Sec. 201 provides authority for fish and wildlife officers and ex officio fish and wildlife officers to temporarily stop aquatic conveyances based on reasonable suspicion they are in violation of chapter.

Sec. 202 provides court warrant process where there is probable cause that a person is in criminal violation of the chapter.

Sec. 203 provides court warrant process where there is probable cause that a person is in civil violation of the chapter.

Sec. 204 specifies infraction violations of the chapter.

Sec. 205 specifies gross misdemeanor violations of the chapter.

Sec. 206 specifies felony class C violations of the chapter.

Sec. 305 amends RCW 43.06.010 to provide authority for the governor to order emergency measures to prevent or abate prohibited level 1 or prohibited level 2 species.

Sec. 306 amends RCW 43.43.400 under the Washington State Patrol (WSP) including: management of the AIS enforcement account; scope of WSP expenditures from account; and scope of WDFW expenditures from

account.

Sec. 309 re-directs ten percent of the watercraft excise tax collections to the AIS Prevention Account (60 percent of the re-direction) and the AIS Enforcement Account (40 percent of the re-direction).

Sec. 310 and 311 appropriate funds from each of the AIS accounts for a contract with the Pacific Northwest Economic Region nonprofit organization to support regional cooperation and requires performance measures and a report on outcomes.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

None.

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

NOTES:

1. The majority of the authority that this bill gives to the Washington State Department of Fish and Wildlife (WDFW) regarding prevention, management, and enforcement of AIS is permissive. With the addition of new funding in this substitute, WDFW assumes that the funding will be used to implement the new authority.
2. Sections 310 and 311 appropriate funds but those funds and the associated work are not included in this fiscal note, per OFM fiscal note instructions.

AIS PREVENTION

Sections 103 through 121 relate to AIS Prevention and Management. Total costs for AIS Prevention and Management: Approximately \$627,000 FY15 and ongoing.

Staffing: \$312,200 FY15 and ongoing salaries and benefits to support 4.5 FTEs.

- Staffing will include from FY15 and ongoing:
 - o 1.0 FTE Program Specialist 4 to lead AIS local management grant administration and rapid response/infested site permitting;
 - o 1.0 FTE Environmental Specialist 3 to lead early detection monitoring, rapid response, infested site, and other prevention activities on the west side of the state;
 - o 1.0 FTE Environmental Specialist 3 to lead early detection monitoring, rapid response, infested site, and other prevention activities on the east side of the state; and
 - o 1.5 FTE Scientific Technician 2 will assist implementing AIS management actions, split between east and west sides of the state.
- Contracts will include:
 - o FY15 = \$5,000 to fund ongoing zebra/quagga mussel early detection sample analysis plus \$10,000 to fund one time for an inspection/decontamination station fee schedule analysis;
 - o FY16 and ongoing = \$10,000 for the zebra/quagga mussel early detection sample analysis plus \$5,000 to fund annual rapid response training facilitation.

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- Goods and Services will include:
 - o FY15 = \$22,050 for standard employee-related costs; \$4,000 for rule making; and \$70,400 for supplies and materials; \$150,000 for AIS local management grant; \$22,500 one-time cost for standard cubicle construction costs for new staff;
 - o FY16 and ongoing = \$22,050 for standard employee-related costs; \$4,000 for rule making; \$88,500 for supplies and materials; \$150,000 for AIS local management.
- Travel will include:
 - o FY15 and ongoing =\$23,500.
- Equipment and Capitalized assets will include:
 - o FY15 = \$5,500 for a new early detection monitoring skiff/motor/trailer
 - o FY16 and ongoing = \$10,000 to purchase European green crab early detection monitoring traps and to replace lost/damaged traps over time.

AIS ENFORCEMENT

Sections 201 through 206 related to AIS Enforcement. Total costs for AIS Enforcement: \$438,300 in FY15 and \$417,500 in FY16 and ongoing.

Staffing for FY15 \$187,500 salaries and benefits to support 2.74 FTE's.

Three part-time Scientific Technician 1s (1.5 FTE) will man mobile check stations across the state during peak times to:

- Inspect vehicles hauling watercrafts into Washington state at significant entrance points
- Inspect watercrafts at boat launches
- Assist in removing AIS from watercrafts with self-contained heated pressure washers when needed
- Issue certificates to indicate watercraft is clean until it is re-launched into another body of water

Two part-time Scientific Technician 4s (.75 FTE) will provide supervisory and training of Scientific Technician 1s in addition to Scientific Technician 1 duties.

Fish & Wildlife Officer 2 (.45 FTE) will provide additional support outside of Scientific Technician scope of work, such as:

- Train federal and state partners on AIS
- Enforcement compliance patrols in commercial market places for AIS transport
- Scan internet sites known for selling watercraft (e.g.: Craigslist)
- Ensure AIS compliance for animals sold over the internet (e.g.: Craigslist)
- Includes overtime to provide presence during peak boating periods (e.g.: holidays & select fisheries) and address areas with history of non-compliance

Regulations Coordinator (.04 FTE) will provide assistance with rule making.

Staffing for FY16 and ongoing \$260,300 salaries and benefits to support 3.95 FTE's.

Three part-time Scientific Technician 1s (2.0 FTE) will man mobile check stations across the state during peak

times to:

- Inspect vehicles hauling watercrafts into Washington state at significant entrance points
- Inspect watercrafts at boat launches
- Assist in removing AIS from watercrafts with self-contained heated pressure washers when needed
- Issue certificates to indicate watercraft is clean until it is re-launched into another body of water

Two part-time Scientific Technician 4s (1.5 FTE) will provide supervisory and training of Scientific Technician 1s in addition to Scientific Technician 1 duties.

Fish & Wildlife Officer 2 (.45 FTE) will provide additional support outside of Scientific Technician scope of work, such as:

- Train federal and state partners on AIS
- Enforcement compliance patrols in commercial market places for AIS transport
- Scan internet sites known for selling watercraft (e.g.: Craigslist)
- Ensure AIS compliance for animals sold over the internet (e.g.: Craigslist)
- Includes overtime to provide presence during peak boating periods (e.g.: holidays & select fisheries) and address areas with history of non-compliance

Goods and services costs include: Signs, cones, chairs, person protective equipment (gloves, eye glasses, hard hats), insta-shades, outreach materials, inspection forms, uniforms, cleaning supplies and other miscellaneous costs.

Travel includes motorpool costs for three vehicles for Scientific Technicians to share, per diem costs for technicians as they travel across the state with the mobile check stations.

Non-capitalized equipment includes three cargo trailers to carry the AIS supplies, and three radios for technicians at the check points.

Capitalized equipment includes three electronic reader boards; and a self-contained pressure washer trailer.

Debt-service costs include officer vehicle costs on a lease-purchase.

AGENCY-WIDE SUPPORT: An infrastructure and program support rate of 28.06% is included in object E, and is calculated based on cost estimates for eligible objects each fiscal year. Equipment sub-objects JB-JZ and debt service are exempt from the infrastructure and program support calculation.

Part III: Expenditure Detail

III. A - Expenditures by Object Or Purpose

	FY 2014	FY 2015	2013-15	2015-17	2017-19
FTE Staff Years		7.2	3.6	8.5	8.5
A-Salaries and Wages		352,400	352,400	804,200	804,200
B-Employee Benefits		147,300	147,300	340,800	340,800
C-Professional Service Contracts		15,000	15,000	30,000	30,000
E-Goods and Other Services		585,600	585,600	1,215,600	1,215,600
G-Travel		34,700	34,700	111,200	111,200
J-Capital Outlays		126,000	126,000	20,000	20,000
P-Debt Service		3,200	3,200	6,400	6,400
Total:	\$0	\$1,264,200	\$1,264,200	\$2,528,200	\$2,528,200

III. B - Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

Job Classification	Salary	FY 2014	FY 2015	2013-15	2015-17	2017-19
ENVIRONMENTAL SPECIALIST	51,864		2.0	1.0	2.0	2.0
3						
Fish & Wildlife Officer 2	66,420		0.5	0.2	0.5	0.5
PROGRAM SPECIALIST 4	60,120		1.0	0.5	1.0	1.0
Scientific Technician 1	32,688		1.5	0.8	2.0	2.0
SCIENTIFIC TECHNICIAN 2	37,620		1.5	0.8	1.5	1.5
Scientific Technician 4	48,168		0.8	0.4	1.5	1.5
Total FTE's	296,880		7.2	3.6	8.5	8.5

Part IV: Capital Budget Impact

NONE

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

Section 112(2) requires WDFW to adopt rules regarding aquatic conveyances' certificates of inspection.

Section 113(3) requires WDFW to adopt rules to implement aspects of clean and drain requirements.

Section 118(2) requires WDFW to adopt rules governing the types of services that department-authorized representatives may perform.

The Department estimates \$8,000 FY15; \$4,000 FY16 and ongoing for projected annual public hearings and rule adoptions (implement rule making directives in act; ongoing species classifications) based on standard costs of \$2,500 and \$1,500 each respectively.

LOCAL GOVERNMENT FISCAL NOTE

Department of Community, Trade and Economic Development

Bill Number: 6040 S SB

Title: Invasive species

Part I: Jurisdiction-Location, type or status of political subdivision defines range of fiscal impacts.

Legislation Impacts:

☒ **Cities:** Cities, counties and special districts could apply for grants from the aquatic invasive species local management grant program.

☒ **Counties:** Same as above

☒ **Special Districts:** Same as above

☐ **Specific jurisdictions only:**

☐ **Variance occurs due to:**

Part II: Estimates

☐ No fiscal impacts.

☐ Expenditures represent one-time costs:

☒ **Legislation provides local option:** Applying for grants

☒ **Key variables cannot be estimated with certainty at this time:** Relevant strength of local government applications; number and amount of grants awarded

Estimated revenue impacts to:

Indeterminate Impact

Estimated expenditure impacts to:

Indeterminate Impact

Part III: Preparation and Approval

Fiscal Note Analyst: Jaime Rossman	Phone: 360-725-2717	Date: 02/10/2014
Leg. Committee Contact: Sherry McNamara	Phone: (360) 786-7402	Date: 02/05/2014
Agency Approval: Steve Salmi	Phone: (360) 725 5034	Date: 02/10/2014
OFM Review: Heather Matthews	Phone: (360) 902-0543	Date: 02/10/2014

Part IV: Analysis

A. SUMMARY OF BILL

Provide a clear, succinct description of the bill with an emphasis on how it impacts local government.

CHANGES FROM PREVIOUS VERSION:

The current bill version establishes a grant program that would accept applications from local government entities, resulting in potential revenue and expenditure impacts to jurisdictions that apply for and receive grants.

SUMMARY OF CURRENT BILL VERSION:

The bill broadens the authority of the Department of Fish and Wildlife (DFW) to manage invasive species statewide. Portions of the bill that would potentially result in local government impacts include sections describing misdemeanors and felonies related to invasive species, sections requiring DFW to consult or form cooperative agreements with relevant local governments when managing areas with invasive species, and Section 121 which directs DFW to develop an aquatic invasive species local management grant program.

B. SUMMARY OF EXPENDITURE IMPACTS

Briefly describe and quantify the expenditure impacts of the legislation on local governments, identifying the expenditure provisions by section number, and when appropriate, the detail of expenditures. Delineate between city, county and special district impacts.

Jurisdictions receiving grants from the aquatic invasive species local management grant program would have expenditures to implement projects. As discussed in the Revenue section, the amount of such awards is indeterminate. The bill also directs DFW to consult with or form cooperative agreements with relevant local governments when managing areas with invasive species. Impacts from participating in such activities would be at the option of the local government, and the authority to enter in to such agreements provided by this bill supplements existing laws (such as RCW 39.34, the Interlocal Cooperation Act), so no direct local expenditure impacts are anticipated.

No additional law enforcement expenditure impacts are anticipated to result from this bill. As discussed in the fiscal note prepared by the Administrative Office of the Courts, the bill does describe misdemeanor and felony crimes related to invasive species laws. These could potentially impact local expenditures for enforcement, prosecution, indigent defense and jail time. However, these sections replicate existing statutes allowing for criminal charges for some such cases, and generally there are very few such cases filed.

C. SUMMARY OF REVENUE IMPACTS

Briefly describe and quantify the revenue impacts of the legislation on local governments, identifying the revenue provisions by section number, and when appropriate, the detail of revenue sources. Delineate between city, county and special district impacts.

The bill would direct DFW to establish an aquatic invasive species local management grant program, and provide that up to \$250,000 per fiscal year could be awarded to entities including local governments. Jurisdictions receiving grants would have revenue impacts, but such impacts cannot be estimated as they would depend on relevant strength of local government applications, and the number and amount of grants awarded. Based on the total amount of funds available, local revenue impacts would be minor.

SOURCES:

Department of Fish and Wildlife fiscal note

Administrative Office of the Courts fiscal note