

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 5745 S SB	<b>Title:</b> Drinking water/lead content
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## Estimated Cash Receipts

NONE

Local Gov. Courts *						
Loc School dist-SPI		7,651,212		7,651,212		7,651,212
Local Gov. Other **						
Local Gov. Total						

## Estimated Expenditures

Agency Name	2017-19			2019-21			2021-23		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Department of Health	.7	5,360,000	5,360,000	.7	5,360,000	5,360,000	.7	5,360,000	5,360,000
Superintendent of Public Instruction	.0	2,451,212	2,451,212	.0	2,451,212	2,451,212	.0	2,451,212	2,451,212
<b>Total</b>	<b>0.7</b>	<b>\$7,811,212</b>	<b>\$7,811,212</b>	<b>0.7</b>	<b>\$7,811,212</b>	<b>\$7,811,212</b>	<b>0.7</b>	<b>\$7,811,212</b>	<b>\$7,811,212</b>

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

## Estimated Capital Budget Impact

Agency Name	2017-19		2019-21		2021-23	
	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
Department of Health						
Acquisition	0	0	0	0	0	0
Construction	0	0	0	0	0	0
Other	0	0	0	0	0	0
Superintendent of Public Instruction						
Acquisition	0	0	0	0	0	0
Construction	0	0	0	0	0	0
Other	70,000	15,000	15,000	15,000	15,000	15,000
<b>Total \$</b>	<b>\$70,000</b>	<b>\$15,000</b>	<b>\$15,000</b>	<b>\$15,000</b>	<b>\$15,000</b>	<b>\$15,000</b>

<b>Prepared by:</b> Bryce Andersen, OFM	<b>Phone:</b> (360) 902-0580	<b>Date Published:</b> Final 3/13/2017
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\* See Office of the Administrator for the Courts judicial fiscal note

\*\* See local government fiscal note

FNPID: 48254

FNS029 Multi Agency rollup

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 5745 S SB	<b>Title:</b> Drinking water/lead content	<b>Agency:</b> 303-Department of Health
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## Part I: Estimates

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No Fiscal Impact

### Estimated Cash Receipts to:

NONE

### Estimated Expenditures from:

	FY 2018	FY 2019	2017-19	2019-21	2021-23
FTE Staff Years	0.7	0.7	0.7	0.7	0.7
<b>Account</b>					
General Fund-State 001-1	2,680,000	2,680,000	5,360,000	5,360,000	5,360,000
<b>Total \$</b>	2,680,000	2,680,000	5,360,000	5,360,000	5,360,000

### Estimated Capital Budget Impact:

NONE

*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 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.

☐

Requires new rule making, complete Part V.

Legislative Contact: Jan Odano	Phone: (360) 786-7486	Date: 03/01/2017
Agency Preparation: Jodine Sorrell	Phone: (360) 236-3015	Date: 03/09/2017
Agency Approval: Ryan Black	Phone: (360) 236-4530	Date: 03/09/2017
OFM Review: Bryce Andersen	Phone: (360) 902-0580	Date: 03/09/2017

## 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.*

This fiscal note has changed since the last version on SB 5745. The rules required of the State Board of Health in the SB version do not exist in the SSB version. Testing and sampling costs have changed. In this fiscal note it is assumed that all fixtures in schools will be tested within a three-year period, rather than a six-year period, with a follow up within the next three years. Testing and sampling costs include a revised cost per lab, as well as OSPI assumptions concerning allowances for collection errors and re-testing.

Section 1: Requires public water systems to fully replace all utility-owned lead service lines to a school or an early childhood program by July 1, 2020, and fully replace all utility-owned lead service lines located within its service area by July 1, 2030. Within sixty days after completing the replacement of service lines, a public water system must submit a report to the Department of Health (DOH) certifying compliance with this legislation.

Section 2: Educational Service Districts (ESDs) must ensure testing of drinking water and drinking water fixtures at public schools. ESDs must make testing results available to the community and schools where testing has taken place.

Section 3: DOH must develop guidance and testing protocols consistent with the United States Environmental Protection Agency (EPA) guidance manual “3Ts for reducing lead in drinking water in schools; revised technical guidance” for ESDs. DOH may contract with a third party to complete the testing of public schools when an ESD is unable to complete the testing required in Section 2. DOH must make the test results available to the schools and the community.

### 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.*

#### Section 1: Compliance

DOH will need to monitor and track the compliance reports that this bill requires of water systems, as well as provide technical assistance. Based on similar monitoring and enforcement work done by the agency, beginning in fiscal year (FY) 2018 and ongoing through FY 2030, 0.2 FTE Environmental Specialist 3 will be required for program monitoring and enforcement. The cost for this work is \$21,000 GFS in FY 2018 and on-going.

Sections 2 and 3: contract management, and contractual sampling and lab costs

#### Contract management –

DOH will enter into contractual agreements to reimburse ESDs or third party providers for sampling time and lab costs. Based on similar contractual management workload, DOH will require 0.5 FTE Health Services Consultant 3 and \$59,000 GFS in FY 2018 and on-going to manage contracts with ESDs and any third party

providers.

#### Contractual sampling and lab costs –

There are estimated to be 102,000 potable water fixtures in schools statewide (2,040 schools X 50 fixtures). No timelines for testing are identified in the bill, but the assumption is that all fixtures in schools will be tested within a three-year period (by the time all utility-owned lead service lines to schools have been replaced in July, 2020), with a follow up within the next three years. It's assumed some fixtures will need to be tested a second time (second draw) or in some cases a third time (third draw) when high amounts of lead are detected. ESD staff or a third party contractor will be collecting a water sample from each potable water fixture used for drinking and cooking. The estimated cost of a third party to complete the water collection and delivery of each sample to a certified laboratory for each school statewide is \$1,300 per school (20 hours average staff time spent per school facility taking the samples at \$65 per hour).

Based on these estimates, the assumed annual cost of testing (lab tests and sample collection) will be as follows:

#### Annual lab testing costs – initial draw

102,000 fixtures + 5,100 fixtures (5% allowance for collection errors) = 107,100 fixtures X \$37.50 cost of lab testing per fixture = \$4,016,250, divided by 3 years (one cycle) = \$1,338,750 annually

#### Annual lab testing costs – second draw

102,000 fixtures X 15% (assumed percent of fixtures needing a second draw) = 15,300 fixtures X \$37.50 cost of lab testing per fixture = \$573,750, divided by 3 years = \$191,250 annually

#### Annual lab testing costs – third draw

15,300 second drawn fixtures X 7% (assumed percent of fixtures needing a third draw) = 1,071 fixtures X \$37.50 cost of lab testing per fixture = \$40,163, divided by 3 years = \$13,388 annually

#### Sample collection costs – initial draw

\$1,300 per School X 2,040 Schools = \$2,652,000, divided by 3 years = \$884,000 annually

#### Sample collection costs – second draw (assumed 15% of initial draw)

\$1,300 per School X 306 Schools = \$397,800, divided by 3 years = \$132,600 annually

#### Sample collection costs – third draw (assumed 7% of second draw)

\$1,300 per School X 21 Schools = 27,300, divided by 3 years = \$9,100 annually

Total annual cost of contractual sampling and lab costs (rounded), including \$31,000 for agency overhead, is \$2,600,000.

#### Total costs for fiscal note:

SFY 2018 and on-going – 0.7 FTE and \$2,680,000 GFS.

## Part III: Expenditure Detail

### III. A - Expenditures by Object Or Purpose

	FY 2018	FY 2019	2017-19	2019-21	2021-23
FTE Staff Years	0.7	0.7	0.7	0.7	0.7
A-Salaries and Wages	43,000	43,000	86,000	86,000	86,000
B-Employee Benefits	15,000	15,000	30,000	30,000	30,000
C-Professional Service Contracts	2,569,000	2,569,000	5,138,000	5,138,000	5,138,000
E-Goods and Other Services	52,000	52,000	104,000	104,000	104,000
M-Inter Agency/Fund Transfers					
P-Debt Service					
T-Intra-Agency Reimbursements	1,000	1,000	2,000	2,000	2,000
9-					
<b>Total:</b>	\$2,680,000	\$2,680,000	\$5,360,000	\$5,360,000	\$5,360,000

### 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 2018	FY 2019	2017-19	2019-21	2021-23
ENVIRONMENTAL SPECIALIST	54,384	0.2	0.2	0.2	0.2	0.2
3						
HEALTH SERVICES	64,620	0.5	0.5	0.5	0.5	0.5
CONSULTANT 3						
<b>Total FTE's</b>	119,004	0.7	0.7	0.7	0.7	0.7

## 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.*

None.

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 5745 S SB	<b>Title:</b> Drinking water/lead content	<b>Agency:</b> 350-Superintendent of Public Instruction
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## Part I: Estimates

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No Fiscal Impact

### Estimated Cash Receipts to:

NONE

### Estimated Expenditures from:

	FY 2018	FY 2019	2017-19	2019-21	2021-23
<b>Account</b>					
General Fund-State 001-1	1,225,606	1,225,606	2,451,212	2,451,212	2,451,212
<b>Total \$</b>	1,225,606	1,225,606	2,451,212	2,451,212	2,451,212

### Estimated Capital Budget Impact:

	2017-19		2019-21		2021-23	
	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
Acquisition	\$0.00	0	0	0	0	0
Construction	\$0.00	0	0	0	0	0
Other	\$70,000.00	15,000	15,000	15,000	15,000	15,000
<b>Total \$</b>	<b>\$70,000.00</b>	<b>\$15,000</b>	<b>\$15,000</b>	<b>\$15,000</b>	<b>\$15,000</b>	<b>\$15,000</b>

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 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.

☐

Requires new rule making, complete Part V.

Legislative Contact: Jan Odano	Phone: (360) 786-7486	Date: 03/01/2017
Agency Preparation: Jami Marcott	Phone: (360) 725-6230	Date: 03/09/2017
Agency Approval: Casey Moore	Phone: 360 725-6261	Date: 03/09/2017
OFM Review: Kate Davis	Phone: (360) 902-0570	Date: 03/10/2017

## 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.*

Changes from SB 5745 compared to SSB 5745:

Section 1 of SSB 5745 clarifies the lead service lines to be replaced are utility-owned lead services lines.

Section 1(3)(b) which defines lead service line is removed. The definition of “school” is renumbered to Section 1(3)(b). The new definition of “school” includes private school as identified in chapter 28A.195 RCW.

Section 1(3)c defines “utility-owned lead service line” to mean utility-owned distribution system components made of lead, including a pigtail, gooseneck, or other fitting made primarily of lead, which extends from the water main through the water meter ending at the service connection to the property served.

Section 2 creates rules for testing lead in water for Educational Service Districts (ESD) under 28A.310 RCW.

Section 2(1) subject to the availability of amounts appropriated for this specific purpose, to ensure the health and safety of educational staff and students, ESD’s, consistent with the United States environmental protection agency guidance manual “3T’s for reducing lead in drinking water in schools: revised technical guidance” lead action level for drinking water, ensure testing of drinking water and drinking water fixtures at public schools, as defined in RCW 28A.150.010.

Section 2(2) stipulates the ESD must prioritize schools for testing drinking water and drinking water fixtures for lead in the following order:

(a) Elementary Schools

i. Where the drinking water and drinking water fixtures have not been tested

ii. Where the drinking water and drinking water fixtures have not been tested for lead in the past three years

(b) All other schools

Section 2(3) requires ESD’s to make testing results available to the community and schools where testing has taken place.

Section 3(1) subject to availability of amounts appropriated, must develop guidance and testing protocols, consistent with the “3T’s for reducing lead in drinking water in schools: revised technical guidance” lead action level for drinking water and drinking water fixtures in public schools.

Section 3(2)(a) previously allowed the department to contract with qualified independent third parties to complete the water testing when a local health jurisdiction is unable. The substitute bill changes the local health jurisdiction to educational service district.

Section 3(3) is removed.

Section 4 is removed.

### 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.

No impact to OSPI cash receipts

## 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.

Administrative Cost estimates for the nine ESD's to implement the work assigned in SSB 5745 total \$1,225,606. This includes salaries, benefits, staff oversight, materials and communication, occupancy costs and travel.

## Part III: Expenditure Detail

### III. A - Expenditures by Object Or Purpose

	FY 2018	FY 2019	2017-19	2019-21	2021-23
FTE Staff Years					
A-Salaries and Wages					
B-Employee Benefits					
C-Professional Service Contracts					
E-Goods and Other Services					
G-Travel					
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services	1,225,606	1,225,606	2,451,212	2,451,212	2,451,212
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
<b>Total:</b>	<b>\$1,225,606</b>	<b>\$1,225,606</b>	<b>\$2,451,212</b>	<b>\$2,451,212</b>	<b>\$2,451,212</b>

## Part IV: Capital Budget Impact

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

Construction Estimate	FY 2018	FY 2019	2017-19	2019-21	2021-23
Acquisition					
Construction					
Other	70,000	15,000	85,000	30,000	30,000
<b>Total \$</b>	<b>70,000</b>	<b>15,000</b>	<b>85,000</b>	<b>30,000</b>	<b>30,000</b>

In order for the ESD's to collect and report testing data, there is a need for a comprehensive statewide database which would be used by all nine ESDs statewide. To assist the ESD tasked outlined in Section 2, OSPI could develop a lead in water module as part of its Information and Condition of Schools (ICOS) system. School districts would be able to enter fixture data, including location, testing data, maintenance and repair data into ICOS. The ESD's would be able to use this information to plan, prioritize and report school district lead testing.

### Development of Lead in Water Module

The estimated cost to create the Lead in Water Module within ICOS in Fiscal Year 2018 is \$70,000. The cost estimate includes computer system programming and testing costs \$67,125 (537 Development Hours X \$125 Per Hour Cost of IT Contractor), and \$2,875 in other associated costs.

### Annual Lead in Water Module System Maintenance Costs



The Lead in Water Module will need continued system maintenance to improve functionality and reporting. The annual maintenance cost of the system is \$15,000 (120 Maintenance Hours X \$125 Per Hour Information Technology Contractor).

**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.*

# LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

<b>Bill Number:</b> 5745 S SB	<b>Title:</b> Drinking water/lead content
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**Part I: Jurisdiction**-Location, type or status of political subdivision defines range of fiscal impacts.

**Legislation Impacts:**

- ☐ Cities:
- ☐ Counties:
- ☒ Special Districts: Local health jurisdictions would incur indeterminate costs to replace utility-owned lead service lines
- ☐ Specific jurisdictions only:
- ☐ Variance occurs due to:

**Part II: Estimates**

- ☐ No fiscal impacts.
- ☐ Expenditures represent one-time costs:
- ☐ Legislation provides local option:
- ☒ Key variables cannot be estimated with certainty at this time: Number of utility-owned lead service lines per jurisdiction

**Estimated revenue impacts to:**

None

**Estimated expenditure impacts to:**

Indeterminate Impact
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**Part III: Preparation and Approval**

Fiscal Note Analyst: Heather May	Phone: 360-725-5043	Date: 03/02/2017
Leg. Committee Contact: Jan Odano	Phone: (360) 786-7486	Date: 03/01/2017
Agency Approval: Steve Salmi	Phone: (360) 725 5034	Date: 03/02/2017
OFM Review: Bryce Andersen	Phone: (360) 902-0580	Date: 03/06/2017

## Part IV: Analysis

### A. SUMMARY OF BILL

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

#### DIFFERENCES FROM PREVIOUS BILL VERSION:

The substitute bill would remove the responsibility of local health jurisdictions (LHJs) to ensure testing of drinking water and drinking water fixtures at public schools and place it on education service districts. Drinking water testing in public schools would be required as funds are appropriated. It would change the definition of lead service lines that need to be replaced from all lead utility lines to utility-owned lead utility lines.

#### SUMMARY OF CURRENT BILL VERSION:

Section 1 would amend public water systems (RCW 70.119A) to require replacement of all utility-owned lead service lines to a public school or early childhood program by July 1, 2020. A report would be due to the Department of Health (Health) no later than 60 days after the replacement of all utility-owned lead service lines to schools is finished to certify compliance and identify all lines replaced. Each public water system would replace all utility - owned lead service lines in their water system by July 1, 2030. A report would be due to Health no later than 60 days after the replacement is finished to certify compliance and identify all lines replaced.

Section 2 would amend Educational Service Districts (RCW 28A.310) to create rules requiring drinking water testing in all public schools in accordance with the United States Environmental Protection Agency (EPA) guidance manual “3Ts for reducing lead in drinking water in schools: revised technical guidance.” Testing would take place as funds are appropriated for this purpose. The rules must require testing of drinking water and drinking fixtures over six years with a schedule for ongoing testing with the following priorities:

- Public elementary schools where the drinking water has not been tested for lead,
- Public elementary schools where the drinking water has not been tested for lead in the past three years,
- Other public schools where the drinking water has not been tested for lead, and
- All other public schools.

Section 3 would amend state Board of Health (RCW 43.20) to require Health to develop a program requiring education service districts to ensure testing of drinking water and drinking water fixtures. Education service districts would be responsible for testing in public schools and reporting results to the school and the community. Health could contract with qualified independent third parties to carry out testing if an education service district is unable to do so.

### 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.*

#### DIFFERENCES FROM PREVIOUS BILL VERSION:

The costs to LHJs to test drinking water in public schools are removed. The definition of lead service line is changed to utility-owned lead service line which would likely decrease costs to some LHJs.

#### EXPENDITURE IMPACTS OF CURRENT BILL VERSION:

LHJs would incur one-time costs to replace utility-owned lead service lines. The number of service lines that need to be replaced vary by LHJ. Therefore, the costs are indeterminate.

As an illustrative example, the City of Tacoma is currently replacing their lead service lines and has budgeted the following costs over a five-year period to replace 1,210 services:

- Lead service line replacement = \$9,075,000
- Project management support = \$825,000
- Total = \$9,900,000

Note: there are added costs associated with repairing streets damaged by replacement of lead service lines. The City of Tacoma is "bundling" these costs with other street improvement projects. Therefore, the street repair costs are not available.

### 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.*

No new revenue is associated with this bill.

#### SOURCES:

Department of Health  
Birch Bay Water and Sewer District  
Tacoma Water  
Spanaway Water Company

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 5745 S SB	<b>Title:</b> Drinking water/lead content	<b>Agency:</b> SDF-School District Fiscal Note - SPI
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## Part I: Estimates

☐

No Fiscal Impact

### Estimated Cash Receipts to:

ACCOUNT	FY 2018	FY 2019	2017-19	2019-21	2021-23
General Fund-State 001-1	3,825,606	3,825,606	7,651,212	7,651,212	7,651,212
<b>Total \$</b>	3,825,606	3,825,606	7,651,212	7,651,212	7,651,212

### Estimated Expenditures from:

Non-zero but indeterminate cost. Please see discussion.

### Estimated Capital Budget Impact:

NONE

*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).

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Capital budget impact, complete Part IV.

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Requires new rule making, complete Part V.

Legislative Contact: Jan Odano	Phone: (360) 786-7486	Date: 03/01/2017
Agency Preparation: Jami Marcott	Phone: (360) 725-6230	Date: 03/13/2017
Agency Approval: Casey Moore	Phone: 360 725-6261	Date: 03/13/2017
OFM Review: Kate Davis	Phone: (360) 902-0570	Date: 03/13/2017

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### 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.*

Changes from SB 5745 compared to SSB 5745:

Section 1 of SSB 5745 clarifies the lead service lines to be replaced are utility-owned lead services lines.

Section 1(3)(b) which defines lead service line is removed. The definition of “school” is renumbered to Section 1(3)(b). The new definition of “school” includes private school as identified in chapter 28A.195 RCW.

Section 1(3)c defines “utility-owned lead service line” to mean utility-owned distribution system components made of lead, including a pigtail, gooseneck, or other fitting made primarily of lead, which extends from the water main through the water meter ending at the service connection to the property served.

Section 2 creates rules for testing lead in water for Educational Service Districts (ESD) under 28A.310 RCW.

Section 2(1) subject to the availability of amounts appropriated for this specific purpose, to ensure the health and safety of educational staff and students, ESD’s, consistent with the United States environmental protection agency guidance manual “3T’s for reducing lead in drinking water in schools: revised technical guidance” lead action level for drinking water, ensure testing of drinking water and drinking water fixtures at public schools, as defined in RCW 28A.150.010.

Section 2(2) stipulates the ESD must prioritize schools for testing drinking water and drinking water fixtures for lead in the following order:

(a) Elementary Schools

i. Where the drinking water and drinking water fixtures have not been tested

ii. Where the drinking water and drinking water fixtures have not been tested for lead in the past three years

(b) All other schools

Section 2(3) requires ESD’s to make testing results available to the community and schools where testing has taken place.

Section 3(1) subject to availability of amounts appropriated, must develop guidance and testing protocols, consistent with the “3T’s for reducing lead in drinking water in schools: revised technical guidance” lead action level for drinking water and drinking water fixtures in public schools.

Section 3(2)(a) previously allowed the department to contract with qualified independent third parties to complete the water testing when a local health jurisdiction is unable. The substitute bill changes the local health jurisdiction to educational service district.

Section 3(3) is removed.

Section 4 is removed.

### 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 ESD's will receive an estimated \$1,225,606 from OSPI for the administrative costs associated with this bill.

The ESD's will receive an estimated \$2,600,000 annually from the Department of Health to cover the costs of water testing and sample collection in schools.

## **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.*

Section 2 requires the Educational Service Districts (ESD's) to adopt rules requiring statewide testing for lead in drinking water and drinking water fixtures used for drinking or cooking at public schools. Since these rules have not yet been established, potential costs to school districts are unknown.

School districts will incur costs associated with coordinating the testing with ESD's or local health jurisdictions. Testing will need to be conducted when students are not present and could require testing during off hours of operations or weekends.

The ESD's will incur costs to ensure testing in priority order and make results available to the community and schools where testing has taken place. Statewide, the ESD's estimate a total cost of \$1,225,606 for administrative costs associated with this work.

OSPI assumes the Department of Health will engage in an interagency agreement with the ESD's to cover the costs of testing and retesting. The estimated cost is \$2,600,000 annually.

If lead contamination was found and was the result of school building plumbing, districts would be under pressure to replace pipes and fixtures. The costs would be indeterminate because we don't know the extent of the problem.

## **Part III: Expenditure Detail**

## **Part IV: Capital Budget Impact**

## **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.*