

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 1085 HB	<b>Title:</b> Plastic pollution
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## Estimated Cash Receipts

NONE

## Estimated Operating Expenditures

Agency Name	2023-25				2025-27				2027-29			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Office of Attorney General	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Enterprise Services	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Ecology	1.6	0	0	415,553	.2	0	0	52,322	.1	0	0	18,300
Environmental and Land Use Hearings Office	.0	0	0	0	.9	227,000	227,000	227,000	1.3	294,000	294,000	294,000
Department of Fish and Wildlife	.2	93,000	93,000	93,000	.0	0	0	0	.0	0	0	0
Department of Natural Resources	.8	200,200	200,200	200,200	.0	0	0	0	.0	0	0	0
<b>Total \$</b>	<b>2.6</b>	<b>293,200</b>	<b>293,200</b>	<b>708,753</b>	<b>1.1</b>	<b>227,000</b>	<b>227,000</b>	<b>279,322</b>	<b>1.4</b>	<b>294,000</b>	<b>294,000</b>	<b>312,300</b>

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
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 Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Office of Attorney General	.0	0	0	.0	0	0	.0	0	0
Department of Enterprise Services	.0	0	0	.0	0	0	.0	0	0
Department of Ecology	.0	0	0	.0	0	0	.0	0	0
Environmental and Land Use Hearings Office	.0	0	0	.0	0	0	.0	0	0
Department of Fish and Wildlife	.0	0	0	.0	0	0	.0	0	0
Department of Natural Resources	.0	0	0	.0	0	0	.0	0	0
<b>Total \$</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
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 Breakout

<b>Prepared by:</b> Lisa Borkowski, OFM	<b>Phone:</b> (360) 742-2239	<b>Date Published:</b> Final
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# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1085 HB	<b>Title:</b> Plastic pollution	<b>Agency:</b> 100-Office of Attorney General
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

NONE

**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:

- 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: Jacob Lipson	Phone: 360-786-7196	Date: 01/03/2023
Agency Preparation: Allyson Bazan	Phone: 360-586-3589	Date: 01/06/2023
Agency Approval: Merdan Bazarov	Phone: 360-586-9346	Date: 01/06/2023
OFM Review: Cheri Keller	Phone: (360) 584-2207	Date: 01/11/2023

## Part II: Narrative Explanation

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

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

The Attorney General's Office (AGO) Ecology Division has reviewed this bill and determined it will not significantly increase or decrease the division's workload in representing the Department of Ecology. New legal services are nominal and costs are not included in this request.

The AGO Transportation and Public Construction Division has reviewed this bill and determined it will not significantly increase or decrease the division's workload in representing the Department of Enterprise Services, State Code Building Code Council. New legal services are nominal and costs are not included in this request.

### II. B - Cash receipts Impact

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

### II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

NONE

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

NONE

**III. C - Operating FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

### III. D - Expenditures By Program (optional)

NONE

## Part IV: Capital Budget Impact

### IV. A - Capital Budget Expenditures

NONE

### IV. B - Expenditures by Object Or Purpose

NONE

### IV. C - Capital Budget Breakout

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

**IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

## **Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1085 HB	<b>Title:</b> Plastic pollution	<b>Agency:</b> 179-Department of Enterprise Services
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

NONE

**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:

- 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: Jacob Lipson	Phone: 360-786-7196	Date: 01/03/2023
Agency Preparation: Michael Diaz	Phone: (360) 407-8131	Date: 01/09/2023
Agency Approval: Ashley Howard	Phone: (360) 407-8159	Date: 01/09/2023
OFM Review: Cheri Keller	Phone: (360) 584-2207	Date: 01/11/2023

## Part II: Narrative Explanation

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

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

Section 1 is a new section stating intent to reduce plastic waste and sources of plastic pollution in the environment. The legislature intends to reduce three sources of plastic and associated pollution: Section 1(1) single-use plastic water bottles, Section 1(2) small plastic containers, wrappers, and packaging for personal health and beauty products, and Section 1(3) floating extruded or expanded plastic foam structures.

Section 2 adds a new section to RCW 19.27 that directs the State Building Code Council to adopt rules that requires the installation of a bottle filling station or combination filling station for any construction that currently requires the installation of a water fountain. Section 2(2) requires the rules under this section to take effect and be implemented by July 1, 2026. Section 2(3) defines “bottle filling station”. Updates to the building code can be done through normal course of business, therefore this has no fiscal impact to the Department of Enterprise Services (DES).

Section 3 is a new section added to RCW 70A.245 that (1) prohibits the sale, distribution, and installation of overwater structures (including blocks or floats intended for use in overwater structures) containing expanded or extruded plastic foam. Section 3(2) outlines the authority of Department of Ecology (ECY) and the penalties associated with violation of this section. Sections 3(3) describes what overwater structures do and do not include. Section 3(4) states this section does not apply to any dock sold, distributed, or installed prior to June 1, 2024. This section has no fiscal impact to DES.

Section 4 is a new section added to RCW 70A.245 describing the requirements for lodging establishments and ECY. This has no fiscal impact to DES.

Section 5 amends RCW 70A.245.010 and 2021 c 313 s 2, adding several definitions. This has no fiscal impact to DES.

Sections 6 amends RCW 43.21B.110 and 2022 c 180 s 812 to include section 3 and 4 of this act. This has no fiscal impact to DES.

Sections 7 amends RCW 43.21B.300 and 2022 c 180 s 813 to include section 3 and 4 of this act. This has no fiscal impact to DES.

### II. B - Cash receipts Impact

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

### II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

NONE

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

NONE

**III. C - Operating FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

**III. D - Expenditures By Program (optional)**

NONE

**Part IV: Capital Budget Impact**

**IV. A - Capital Budget Expenditures**

NONE

**IV. B - Expenditures by Object Or Purpose**

NONE

**IV. C - Capital Budget Breakout**

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

**IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

The cost of installation of a bottle filling station or combination water fountain and bottle filling station is minimal and would not have a material impact to a capital project. Therefore, no fiscal impact.

**Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*



# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1085 HB	<b>Title:</b> Plastic pollution	<b>Agency:</b> 461-Department of Ecology
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## Part I: Estimates

No Fiscal Impact

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	2.5	0.6	1.6	0.2	0.1
<b>Account</b>					
Model Toxics Control Operating Account-State 23P-1	338,355	77,198	415,553	52,322	18,300
<b>Total \$</b>	338,355	77,198	415,553	52,322	18,300

### 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:

- 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: Jacob Lipson	Phone: 360-786-7196	Date: 01/03/2023
Agency Preparation: Lori Peterson	Phone: 360-280-4075	Date: 01/10/2023
Agency Approval: Erik Fairchild	Phone: 360-407-7005	Date: 01/10/2023
OFM Review: Lisa Borkowski	Phone: (360) 742-2239	Date: 01/10/2023

## Part II: Narrative Explanation

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

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

Under current law, Department of Ecology (Ecology) implements the provisions of Chapter 70A.530 RCW, which prohibits retail establishments from providing single-use plastic bags.

Ecology also implements the provisions of Chapter 70A.245 RCW, which requires post-consumer recycled content minimums for plastic beverage containers, plastic household cleaner containers, plastic personal care product containers, and plastic trash bags that are sold, offered for sale, or distributed in or into Washington. This chapter also bans certain polystyrene products from sale or offer for sale in Washington and requires food service establishments to provide single-use food service products on request only.

This bill would add a new section to Chapter 70A.245 RCW to ban new overwater structures containing expanded or extruded plastic foam and ban lodging establishments from providing a personal health or beauty care product in a small plastic container, a plastic wrapper, or single-use plastic packaging.

Section 3 would prohibit the sale, distribution, or installation of any new overwater structures that are made of or contain expanded or extruded foam, including docks, blocks, and floats, beginning June 1, 2024. Ecology would be authorized to adopt rules to implement, administer and enforce this section.

Section 4 would prohibit lodging establishments from providing a personal health or beauty product in a small plastic container, a plastic wrapper, or any other single-use plastic packaging to a person staying in a lodging unit or within bathrooms shared by the public or guests, unless provided to a guest upon request to accommodate mobility or accessibility needs. Prohibitions would apply to large establishments (with 50 or more lodging units) beginning January 1, 2025. This prohibition would take effect for smaller lodging establishments (fewer than 50 lodging units) beginning January 1, 2026. Ecology would be authorized to adopt rules to implement, administer and enforce this section. This section would require Ecology to establish a complaint forum to support enforcement of the requirements.

### II. B - Cash receipts Impact

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

Penalties:

Section 3 would provide authority for Ecology to assess penalties up to \$10,000 per violation.

Section 4 would provide authority for Ecology to assess penalties up to \$500 per violation per day for the first violation, and up to \$2,000 per violation per day for the second and each subsequent violation.

Penalties under sections 3 and 4 would be deposited in Model Toxics Control Operating Account (MTCA-Operating).

Ecology assumes we would work with those in violation of the law to bring them into compliance; therefore, penalties are assumed to be limited, but unknown, and therefore are not estimated in Ecology's fiscal note.

### II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

The expenditure impact to Ecology under this bill is estimated to be greater than \$50,000 in Fiscal Year (FY) 2024 and FY

2025, and less than \$50,000 in FY 2026 and ongoing each fiscal year thereafter to implement the requirements of sections 3 and 4.

Expenditures are estimated in the Model Toxics Control Operating Account (MTCA – Operating). MTCA supports the state’s responsibility for recycling, waste, and litter reduction, regulation, enforcement, technical assistance, and public education under Chapter 70A.245 RCW.

Sections 3 and 4 would authorize rulemaking to implement, administer, and enforce these sections. Upon consultation with the Attorney General’s Office, Ecology assumes rulemaking would not be necessary to implement, administer, or enforce the provisions of these sections, because the requirements are clearly defined and specified in the proposed bill.

### Section 3

#### Outreach, Technical Assistance, and Enforcement

Based on our experience from implementing a similar ban, such as the expanded polystyrene bans, RCW 70A.245.070, Ecology assumes guidance documents to communicate the new requirements to the public, manufacturers, retailers, boat clubs, marinas, and other interested parties would be necessary. Compliance monitoring and enforcement protocols to enforce this section would need to be developed in FY 2024. Ecology assumes enforcement would be primarily based on reports of suspected violations, rather than active audits or site visits by Ecology staff, unless investigating a reported violation.

An Environmental Specialist 4 (ES4) technical lead would coordinate with communications and enforcement specialists to develop and publish outreach materials, develop compliance assistance and enforcement protocols and templates, and coordinate with other programs or agencies for enforcement, as needed. Before developing outreach materials and enforcement protocols, the lead would develop knowledge on the banned materials and products and alternatives available, related federal, state, and local regulations, and impacted audiences with whom to share outreach. Ecology would also provide compliance support and follow-up with reported violations. The estimated workload is 0.50 FTE ES4 in FY 2024. Ecology assumes the technical lead would provide compliance support to the affected parties for two more years after the ban. Based on our previous experiences, Ecology estimates 0.25 FTE ES4 in FY 2025 and 0.10 FTE ES4 in FY 2026.

A Communications Consultant 5 (CC5) would develop a communications plan and support the development of outreach materials and strategies to publicize the requirements through agency communication channels, press releases, media inquiries, and social media. The estimated workload is 0.02 FTE CC5 in FY 2024.

A Community Outreach & Environmental Education Specialist 3 (COEES3) would coordinate with the technical lead to identify impacted members of the public, develop a listserv, and help develop education and outreach materials for publication on the Ecology website. The estimated workload is 0.03 FTE COEES3 in FY 2024.

A Communications Consultant 3 (CC3) would review and edit the outreach materials prepared by the ES4 and COEES3 and create an agency website to publish the material. The estimated workload is 0.06 FTE CC3 in FY 2024.

An Environmental Specialist 5 (ES5) enforcement specialist would coordinate with the technical lead, establish investigation, notification, and enforcement protocols, and coordinate with other programs or agencies for enforcement protocols, as needed. The estimated workload is 0.15 FTE ES5 in FY 2024.

### Section 4

Ecology would be required to provide a website with education and outreach resources that provides information about the requirements of the section to lodging establishments, consumers, and other interested parties. This section would also require a forum through which the public may notify Ecology of potential violations.

Before January 1, 2025, Ecology would establish protocols and guidance to enforce this section and communicate the new requirements to the affected parties. Ecology would also develop an online reporting platform for the public to report violations, along with a database for Ecology to track and respond to violations.

#### Outreach, Technical Assistance, and Enforcement

Based on experience implementing the retail single-use plastic bag ban (Chapter 70A.530 RCW) and the optional single-use serviceware provisions of RCW 70A.245.080, Ecology would create an outreach toolkit to share with lodging establishments to help implement the bill and communicate changes with their customers. Although the ban would take effect January 1, 2025, Ecology assumes creation of the toolkits and other guidance materials would occur in FY 2024 to provide impacted businesses maximum time to prepare.

Ecology would prepare guidance to communicate the new requirements to the lodging industry, the public, and other interested parties and develop compliance monitoring and enforcement protocols to enforce this section. Ecology assumes enforcement would be primarily based on reports of suspected violations through the complaint forum, rather than active audits or site visits by Ecology staff, unless necessary to investigate a complaint.

An ES4 technical lead would develop the content for the outreach toolkit and other outreach materials for the website. This position would plan outreach strategy, coordinate with communications specialists and vendors for graphic design and translation to develop and publicize outreach materials, and coordinate with an enforcement specialist to develop compliance technical assistance and enforcement protocols and templates. This position would coordinate with IT staff to develop the complaint forum and lead the effort to provide outreach to smaller lodging establishments in the second phase of implementation, beginning January 1, 2026. Workload estimated in FY 2025 and FY 2026 includes investigation of complaints, technical assistance to lodging establishments, and preparation of compliance notices as the requirements take effect. Ecology assumes the technical lead would provide compliance support to the affected parties for one more year after the last ban. The estimated ES4 workload is 0.50 FTE in FY 2024, 0.25 FTE in FY 2025, 0.10 FTE in FY 2026, and 0.05 FTE in FY 2027.

A CC5 would develop a communications plan and support the development of outreach materials and strategies to publicize the requirements through agency communication channels, press releases, media inquiries, and social media. The CC5 would work with the technical lead to coordinate with graphic design and translation vendors for the outreach toolkit. The estimated workload is 0.05 FTE CC5 in FY 2024.

A COEES3 would coordinate with the technical lead to identify impacted members of the public, develop a listserv, and help develop education and outreach materials for the toolkit and website. The estimated workload is 0.05 FTE COEES3 in FY 2024.

A CC3 would review and edit the outreach materials prepared by the ES4 and create an agency website to publish the material. The estimated workload is 0.06 FTE CC3 in FY 2024.

An ES5 enforcement specialist would coordinate with the technical lead establish investigation, notification, and enforcement protocols, and published enforcement guidance. The estimated workload is 0.15 FTE ES5 in FY 2024.

Based on purchasing experience for the bag ban and optional serviceware provisions, Ecology estimates \$12,000 for graphic design and translation services for the outreach toolkit materials. This is estimated in object E in FY 2024. Ecology assumes the same materials will be used for the second phase of the ban for smaller lodging establishments.

#### Complaint Forum Development

Ecology would build a reporting feature for lodging establishment violations and a database to track suspected and

confirmed violations. The Information Technology specialists would work with the ES4 technical lead above. Time estimated below is based on experience developing the complaint forum and database for the plastic bag ban.

An IT Business Analyst – Journey (ITBA-Journey) would coordinate with the technical lead to collect system requirements, coordinate user systems testing, and provide user guidance. The estimated workload is 0.20 FTE ITBA-Journey in FY 2024.

An IT Application Developer – Journey (ITAP-Journey) would develop the reporting feature for submitting reports of suspected violations and a database to track suspected violations for follow-up and possible enforcement, in consultation with the technical lead and ITBA-Journey. The estimated workload is 0.40 FTE ITAP-Journey in FY 2024 for application development, and 0.05 FTE ITAP-Journey is estimated in FY 2025 and ongoing each fiscal year thereafter for database maintenance.

SUMMARY: The expenditure impact to Ecology under this bill is summarized below.

Section 3 is estimated to require:

FY 2024: \$104,694 and 0.87 FTEs

FY 2025: \$34,024 and 0.29 FTEs

FY 2026: \$13,608 and 0.12 FTEs

Section 4 is estimated to require:

FY 2024: \$233,661 and 1.62 FTEs

FY 2025: \$43,174 and 0.35 FTEs

FY 2026: \$22,758 and 0.17 FTEs

FY 2027: \$15,956 and 0.12 FTEs

FY 2028 and ongoing: \$9,150 and 0.06 FTEs

THE TOTAL EXPENDITURE IMPACT to Ecology under this bill is estimated to be

FY 2024: \$338,355 and 2.5 FTEs

FY 2025: \$77,198 and 0.63 FTEs

FY 2026: \$36,366 and 0.29 FTEs

FY 2027: \$15,956 and 0.12 FTEs

FY 2028 and ongoing: \$9,150 and 0.06 FTEs

Notes on costs by object:

Salary estimates are current biennium actual rates at Step L.

Benefits are the agency average of 36% of salaries.

Goods and Services are the agency average of \$5,224 per direct program FTE and include \$12,000 in FY 2024 for graphic design and translation services.

Travel is the agency average of \$1,563 per direct program FTE.

Equipment is the agency average of \$1,031 per direct program FTE.

Agency Administrative Overhead is calculated at the federally approved agency indirect rate of 28.75% of direct program salaries and benefits, and is shown as object 9. Agency Administrative Overhead FTEs are included at 0.15 FTE per direct program FTE, and are identified as Fiscal Analyst 2 and IT App Development - Journey.

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
23P-1	Model Toxics Control Operating Account	State	338,355	77,198	415,553	52,322	18,300
<b>Total \$</b>			338,355	77,198	415,553	52,322	18,300

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

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	2.5	0.6	1.6	0.2	0.1
A-Salaries and Wages	176,692	41,632	218,324	28,319	10,004
B-Employee Benefits	63,610	14,987	78,597	10,195	3,602
E-Goods and Other Services	23,336	2,873	26,209	1,827	522
G-Travel	3,392	860	4,252	546	156
J-Capital Outlays	2,240	568	2,808	362	104
9-Agency Administrative Overhead	69,085	16,278	85,363	11,073	3,912
<b>Total \$</b>	338,355	77,198	415,553	52,322	18,300

### III. C - Operating FTE 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 2024	FY 2025	2023-25	2025-27	2027-29
COM OUTREACH & ENV ED SP 3	63,216	0.1		0.0		
COMM CONSULTANT 3	66,420	0.1		0.1		
COMM CONSULTANT 5	87,144	0.1		0.0		
ENVIRONMENTAL SPEC 4	73,260	1.0	0.5	0.8	0.1	
ENVIRONMENTAL SPEC 5	80,952	0.3		0.2		
FISCAL ANALYST 2		0.2	0.1	0.1	0.0	0.0
IT APP DEV-JOURNEY	100,032	0.4	0.1	0.2	0.1	0.1
IT APP DEV-JOURNEY (Admin)		0.1	0.0	0.1	0.0	
IT BUSINESS ANALYST-JOURNE'	100,032	0.2		0.1		
<b>Total FTEs</b>		2.5	0.6	1.6	0.2	0.1

### III. D - Expenditures By Program (optional)

NONE

## Part IV: Capital Budget Impact

### IV. A - Capital Budget Expenditures

NONE

### IV. B - Expenditures by Object Or Purpose

NONE

### IV. C - Capital Budget Breakout

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

### IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

**Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1085 HB	<b>Title:</b> Plastic pollution	<b>Agency:</b> 468-Environmental and Land Use Hearings Office
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## Part I: Estimates

**No Fiscal Impact**

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.0	0.0	0.0	0.9	1.3
<b>Account</b>					
General Fund-State 001-1	0	0	0	227,000	294,000
<b>Total \$</b>	0	0	0	227,000	294,000

### 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:

- 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: Jacob Lipson	Phone: 360-786-7196	Date: 01/03/2023
Agency Preparation: Dominga Soliz	Phone: 3606649173	Date: 01/10/2023
Agency Approval: Dominga Soliz	Phone: 3606649173	Date: 01/10/2023
OFM Review: Lisa Borkowski	Phone: (360) 742-2239	Date: 01/10/2023



## Part II: Narrative Explanation

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

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

HB 1085 reduces plastic pollution by: 1) requiring a water bottle filling station be provided whenever a drinking fountain is built per building code; 2) prohibiting the sale or installation of overwater structures containing plastic foam; and 3) prohibiting lodging establishments from providing personal health or beauty products in plastic packaging.

Section 3 authorizes the Department of Ecology (department) to issue penalties against a person that violate the prohibition on sale or installation of overwater structures containing plastic foam. Penalties for each violation will not exceed \$10,000. Penalties are appealable to the Pollution Control Hearings Board (PCHB).

Section 4 authorizes the department to issue penalties against lodging establishments that violate the prohibition against providing personal health or beauty products in single use plastic packaging. For the first violation, the department may issue a penalty of up to \$500 for each day the lodging establishment provides the banned product. For the second and subsequent violations, the department may issue a penalty of up to \$2,000 for each day the lodging establishment provides the banned product. The department must issue at least one notice of violation before assessing a penalty. Penalties are appealable to the PCHB.

Section 6 amends the PCHB's statute to state that the PCHB has authority to hear and decide civil penalties imposed under sections 3 and 4 HB 1085.

Section 7 amends the PCHB statute to add that civil penalties provided by sections 3 and 4 of HB 1085, like other specified penalties, must be imposed in writing and describe the violation with reasonable particularity.

FISCAL IMPACT to the Pollution Control Hearings Board: YES

Assume Increased Cases: Enforcement actions and penalties for violating the statute are assumed to be limited but are unknown at this time. ELUHO assumes the PCHB will receive about 10 appeals per year as a result of the bill. We expect these appeals would be lower complexity than the average PCHB appeal.

Anticipated timeline: For appeals of penalties issued for overwater plastic foam violations (section 3), PCHB anticipates appeals beginning roughly June 2025. The prohibition in section 3 banning plastic foam overwater structures does not begin until June 1, 2024, and we are assuming it would take a year for the enforcement process to occur before issuing a penalty. For appeals of penalties issued for violations of the ban on single use plastic beauty or health product (section 4), PCHB anticipates appeals beginning roughly December 2025 at earliest. Section 4 does not begin to apply until January 1, 2025 or January 1, 2026, depending on size of lodging establishments, and PCHB assumes it would take a year for enforcement process to occur before issuing a penalty. For purposes of this fiscal note, we assume impacts begin in January 2026 (FY26).

Assume New Administrative Appeals Judge (AAJ) FTE – The PCHB will need approximately 0.75 FTE for an AAJ with knowledge of environmental law to assist with these new cases. RCW 43.21B.005(2) authorizes the ELUHO director to appoint such AAJs to assist the PCHB. The AAJ 0.75 FTE will not serve as a member of the Boards, but will conduct legal research and writing, mediate cases, draft Board memos and materials, and perform other legal duties to assist the Board.

Assume additional Legal Assistant FTE: Currently, a support team of three Legal Assistants provide all the support for all three Boards, including managing all Board cases and court filings, providing support for Board members, AAJs, and Board meetings, and providing administrative support for ELUHO office functions. We assume 0.5 Legal Assistant (LA3) FTE for every 1.0 AAJ FTE. The bill will require approximately 0.5 FTE for a Legal Assistant 3 to manage the additional cases and AAJ FTE.

Assume no capital budget impact: Currently, ELUHO leases space on the top floor of the State Parks building, Parsons Plaza. We assume we can repurpose space to include the FTEs if they have work stations at the ELUHO office. We assume the 0.75 AAJ FTE position would be offered with the option of working remotely and the Legal Assistant position would be in the office but would not require an office with a door.

**II. B - Cash receipts Impact**

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

**II. C - Expenditures**

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

FISCAL IMPACT to the Pollution Control Hearings Board: YES

ELUHO estimates each appeal resulting from this bill will require approximately 150 hours of Administrative Appeals Judge (AAJ) work to complete (50 pre-hearing hours + 100 hearing and post-hearing hours) x 10 appeals. This estimate is based on a current analysis of AAJ work. This is estimated to be ongoing work.

150 hours/appeal x 10 appeals = 1500 AAJ hours

ELUHO assumes ELUHO’s work on these appeals begins in January 2026 (FY26) following the enforcement process by the Department of Ecology.

ELUHO assumes it would hire a 0.75 FTE AAJ and a 0.5 FTE Legal Assistant 3 to do the work required in the bill. An AAJ makes \$100,000 per year, ongoing, plus related benefits estimated at \$32,021 per year, ongoing, at current benefits rates. The agency needs a 0.75 FTE AAJ, so the salary would be \$100,000 x 0.75 FTE = \$75,000. Related benefits would total \$24,016.

A Legal Assistant 3 makes \$55,872 (assumed Step L) per year, ongoing, with related benefits estimated at \$24,059. The agency needs a 0.5 FTE Legal Assistant 3 so salary would be \$55,872 x 0.5 FTE = \$27,936. Related benefits would total \$12,030.

Goods and services are estimated at \$6,488 per year, ongoing, and include communications, payroll processing, training, and other staff costs. Estimates include some travel at the low cost per diem rates totaling \$1,747 per year, ongoing. Also included is one time equipment costs for furniture and computers totaling \$5,557 in fiscal year 2026 (FY26).

**Part III: Expenditure Detail**

**III. A - Operating Budget Expenditures**

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	0	0	0	227,000	294,000
<b>Total \$</b>			0	0	0	227,000	294,000

**III. B - Expenditures by Object Or Purpose**

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years				0.9	1.3
A-Salaries and Wages				155,000	206,000
B-Employee Benefits				54,000	72,000
C-Professional Service Contracts					
E-Goods and Other Services				10,000	12,000
G-Travel				3,000	4,000
J-Capital Outlays				5,000	
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
<b>Total \$</b>	0	0	0	227,000	294,000

**III. C - Operating FTE 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 2024	FY 2025	2023-25	2025-27	2027-29
Administrative Appeals Judge	100,000				0.6	0.8
Legal Assistant 3	55,872				0.4	0.5
<b>Total FTEs</b>					1.0	1.3

**III. D - Expenditures By Program (optional)**

NONE

**Part IV: Capital Budget Impact**

**IV. A - Capital Budget Expenditures**

NONE

**IV. B - Expenditures by Object Or Purpose**

NONE

**IV. C - Capital Budget Breakout**

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

**IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

**Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1085 HB	<b>Title:</b> Plastic pollution	<b>Agency:</b> 477-Department of Fish and Wildlife
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## Part I: Estimates

**No Fiscal Impact**

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.2	0.1	0.2	0.0	0.0
<b>Account</b>					
General Fund-State      001-1	36,000	57,000	93,000	0	0
<b>Total \$</b>	36,000	57,000	93,000	0	0

### 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:

- 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: Jacob Lipson	Phone: 360-786-7196	Date: 01/03/2023
Agency Preparation: Tiffany Hicks	Phone: 3609022544	Date: 01/11/2023
Agency Approval: Tiffany Hicks	Phone: 3609022544	Date: 01/11/2023
OFM Review: Matthew Hunter	Phone: (360) 529-7078	Date: 01/11/2023

## Part II: Narrative Explanation

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

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

WDFW reviews proposed hydraulic (overwater) projects for habitat impacts, a process referred to as Hydraulic Project Approvals (HPAs). WDFW would be required to conduct rulemaking in order to change HPA requirements for freshwater and saltwater overwater structures in WAC 220-666, Sections 140 and 380.

### II. B - Cash receipts Impact

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

### II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

Section 3 requires rulemaking to add language to Chapter 220-660 WAC, Section 140 and 380 prohibiting the use of expanded or extruded plastic foam in residential and public overwater structures in freshwater and marine water areas.

This requires 0.2 FTE Environmental Planner 4 in fiscal year 2024, reducing to 0.1 FTE in fiscal year 2025 for rulemaking, public hearings, collecting public comment, and preparing rulemaking documents. Salaries and benefits total \$24,000 in fiscal year 2024, and 12,000 in fiscal year 2025.

Professional Service Contracts, Object C, includes \$30,000 to conduct a Small Business Economic Impact Statement (SBEIS) and cost-benefit analysis in fiscal year 2025.

Goods and services, Object E, requires \$1,500 for rule adoption and \$1,294 (6 hrs. x \$108 per hr for each fiscal year 2024 and 2025) of Attorney General time to review rulemaking documents, and \$6,000 per FTE, per year, for WDFW standard costs, which cover an average employee's supplies, communications, training, and subscription costs per year. An infrastructure and program support rate of 33.5% is included in object T and is calculated based on WDFW's federally approved indirect rate.

Total costs for WDFW are \$36,000 in fiscal year 2024 and \$57,000 in fiscal year 2025.

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	36,000	57,000	93,000	0	0
<b>Total \$</b>			36,000	57,000	93,000	0	0

**III. B - Expenditures by Object Or Purpose**

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.2	0.1	0.2		
A-Salaries and Wages	18,000	9,000	27,000		
B-Employee Benefits	6,000	3,000	9,000		
C-Professional Service Contracts		30,000	30,000		
E-Goods and Other Services	3,000	1,000	4,000		
G-Travel					
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements	9,000	14,000	23,000		
9-					
<b>Total \$</b>	36,000	57,000	93,000	0	0

**III. C - Operating FTE 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 2024	FY 2025	2023-25	2025-27	2027-29
Environmental Planner 4		0.2	0.1	0.2		
<b>Total FTEs</b>		0.2	0.1	0.2		0.0

**III. D - Expenditures By Program (optional)**

Program	FY 2024	FY 2025	2023-25	2025-27	2027-29
Business Services (010)	5,000	8,000	13,000		
Habitat (030)	31,000	49,000	80,000		
<b>Total \$</b>	36,000	57,000	93,000		

**Part IV: Capital Budget Impact**

**IV. A - Capital Budget Expenditures**

NONE

**IV. B - Expenditures by Object Or Purpose**

NONE

**IV. C - Capital Budget Breakout**

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

**IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Currently, the agency standard float design is a polyencapsulated foam-filled tub. This bill will require the agency to develop a new design for boarding floats, resulting in increased design, material, and fabrication costs of the float, and increased inspection and maintenance of new designs. This may impact 8-12 projects funded by RCO in the 2023-25 biennium. Because an alternate design is not currently available, exact material cost increases are yet to be determined. A comparable product to replace polyencapsulated foam is not currently readily available on the market. However, use of aluminum pontoons or other air-filled tubs will require increased maintenance, inspection and removal during the winter.

**Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

# Individual State Agency Fiscal Note

Revised

<b>Bill Number:</b> 1085 HB	<b>Title:</b> Plastic pollution	<b>Agency:</b> 490-Department of Natural Resources
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## Part I: Estimates

**No Fiscal Impact**

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.8	0.8	0.8	0.0	0.0
<b>Account</b>					
General Fund-State 001-1	104,900	95,300	200,200	0	0
<b>Total \$</b>	104,900	95,300	200,200	0	0

### 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:

- 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: Jacob Lipson	Phone: 360-786-7196	Date: 01/03/2023
Agency Preparation: Collin Ashley	Phone: 360-688-3128	Date: 01/18/2023
Agency Approval: Collin Ashley	Phone: 360-688-3128	Date: 01/18/2023
OFM Review: Lisa Borkowski	Phone: (360) 742-2239	Date: 01/18/2023



## Part II: Narrative Explanation

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

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

Section 3 prohibits the sale, distribution, installation, or arrangement for the installation of overwater structures containing expanded or extruded plastic foam, and blocks or floats containing or comprised of expanded or extruded plastic foam and that are intended for use in or in conjunction with overwater structures.

### II. B - Cash receipts Impact

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

### II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

Section 3 prohibits the sale, distribution, installation, or arrangement for the installation of overwater structures containing expanded or extruded plastic foam, and blocks or floats containing or comprised of expanded or extruded plastic foam and that are intended for use in or in conjunction with overwater structures. Department of Natural Resources (DNR) maintains many lease agreements which will be required to be updated with these limitations to allowable structures. DNR has roughly 250 lease agreements just for marinas and many more with structures allowed over water.

DNR stewardship team will need to meet with industry representatives and update stewardship measures and implementation plans. This is to ensure environmental protection measures (stewardship measures) we include in our leases and easements are practical, achievable, and available for the lessees.

DNR estimates that two partial FTEs will be needed for FY24 and FY25: 0.5 FTE Environmental Planner 3 (EP3) and 0.1 FTE Environmental Planner 4 (EP4).

The EP3 will be responsible for meeting with industry representatives (particularly steel, aluminum, and forestry) to identify alternatives and update stewardship measures. The department anticipates a significant amount of back and forth discussion with different industry representatives. The EP3 will also be responsible for assisting with implementation planning. The EP3 will also participate in the WDFW rulemaking to change HPA requirements for freshwater and saltwater overwater structures.

The EP4 would be responsible for implementation of lease modifications planning, as well as manager level coordination with Northwest Marine Trade Association, Washington Department of Fish and Wildlife, National Marine Fisheries Service, and US Army Corps of Engineers. These industry representatives will be key in coordinating the use of new materials to replace banned materials in overwater structures. Without them, DNR would need to engage with each agreement holder, drastically increasing required staff hours.

Total salaries, benefits equal \$66,700 per fiscal year for fiscal years 2024 and 2025.

Goods and services and travel are calculated on actual program averages per position for \$5,200 of object E and \$1,900 of object G per year.

Costs for establishing the positions total \$7,000 in fiscal year 2024 for workstation establishment in object E and \$2,600 for laptop purchase in object J.

Administrative costs are calculated at 31% of staff salary and benefits and staff-related goods and services and travel. For fiscal note purposes, this cost is represented as a Fiscal Analyst 2 position (0.2 FTE) and \$21,500 per fiscal year in object T

TOTAL estimated cost is \$104,900 in fiscal year 2024 and \$95,300 in fiscal year 2025.

### Part III: Expenditure Detail

#### III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	104,900	95,300	200,200	0	0
<b>Total \$</b>			104,900	95,300	200,200	0	0

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

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.8	0.8	0.8		
A-Salaries and Wages	49,400	49,400	98,800		
B-Employee Benefits	17,300	17,300	34,600		
C-Professional Service Contracts					
E-Goods and Other Services	12,200	5,200	17,400		
G-Travel	1,900	1,900	3,800		
J-Capital Outlays	2,600		2,600		
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements	21,500	21,500	43,000		
9-					
<b>Total \$</b>	104,900	95,300	200,200	0	0

#### III. C - Operating FTE 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 2024	FY 2025	2023-25	2025-27	2027-29
Environmental Planner 3	80,952	0.5	0.5	0.5		
Environmental Planner 4	89,292	0.1	0.1	0.1		
Fiscal Analyst 2	55,872	0.2	0.2	0.2		
<b>Total FTEs</b>		0.8	0.8	0.8		0.0

#### III. D - Expenditures By Program (optional)

NONE

### Part IV: Capital Budget Impact

#### IV. A - Capital Budget Expenditures

NONE

#### IV. B - Expenditures by Object Or Purpose

NONE

#### IV. C - Capital Budget Breakout

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

#### IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

**Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

# LOCAL GOVERNMENT FISCAL NOTE

Revised

Department of Commerce

Bill Number: 1085 HB

Title: Plastic pollution

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

### Legislation Impacts:

- Cities: Costs associated with installing water bottle filling stations to construction where current building code requires drinking fountains.
- Counties: Costs associated with installing water bottle filling stations to construction where current building code requires drinking fountains.
- Special Districts: Costs associated with installing water bottle filling stations to construction where current building code requires drinking fountains.
- 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: We do not know the number of water bottle filling stations that would need to be added to construction, or the amount of construction under local jurisdiction that would require bottle filling stations.

### Estimated revenue impacts to:

None

### Estimated expenditure impacts to:

Non-zero but indeterminate cost and/or savings. Please see discussion.

## Part III: Preparation and Approval

Fiscal Note Analyst: Chelsea Mickel	Phone: 518-727-3478	Date: 01/10/2023
Leg. Committee Contact: Jacob Lipson	Phone: 360-786-7196	Date: 01/03/2023
Agency Approval: Tammi Alexander	Phone: 360-725-5038	Date: 01/10/2023
OFM Review: Lisa Borkowski	Phone: (360) 742-2239	Date: 01/10/2023

## **Part IV: Analysis**

### **A. SUMMARY OF BILL**

*Description of the bill with an emphasis on how it impacts local government.*

Section 2 requires any construction in which a drinking fountain is required under the State Building Code to also require the provision of a bottle filling station for each required drinking fountain. This section must take effect and be implemented by July 1, 2026.

### **B. SUMMARY OF EXPENDITURE IMPACTS**

*Expenditure impacts of the legislation on local governments with the expenditure provisions identified by section number and when appropriate, the detail of expenditures. Delineated between city, county and special district impacts.*

This legislation would have an indeterminate expenditure impact on local governments. The number of water bottle filling stations that would need to be installed in buildings under construction, and the number of construction projects requiring water bottle filling stations cannot be estimated. Many new buildings have installed water bottle filling stations, but the data is not readily available.

It is unknown the number of water bottle filling stations that would need to be installed, but the average cost of a single drinking fountain with a water bottle filling station is about \$1,200, as opposed to the cost of a standard drinking fountain, which averages \$465. This is an increased cost of \$735 per drinking fountain required. Water bottle filling stations can also be installed without a drinking fountain attached, which costs approximately \$900 per unit. The Washington Administrative Code (WAC), in accordance with the Washington State Building Code, states that buildings with occupant loads greater than 30 people require one drinking fountain for the first 150 occupants, and one additional water fountain per each additional 500 occupants. Drinking fountains must also be provided on each floor of multistory buildings with more than 30 occupants in public buildings, auditoriums, schools, theatres, stadiums, offices and dormitories under local jurisdiction.

### **C. SUMMARY OF REVENUE IMPACTS**

*Revenue impacts of the legislation on local governments, with the revenue provisions identified by section number, and when appropriate, the detail of revenue sources. Delineated between city, county and special district impacts.*

This bill would not impact local government revenues.

#### **SOURCES**

House Bill Report, HB 1085, Environment & Energy Committee (2023)

Seattle Building Code, Section 2902

Washington State Building Code Council

Washington Administrative Code (WAC) 2902.5