

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 5178 SB	<b>Title:</b> Highways/large debris
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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 State Treasurer	.0	0	0	0	.0	0	0	0	.0	0	0	0
Washington State Patrol	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Transportation	Non-zero but indeterminate cost and/or savings. Please see discussion.											
Department of Ecology	.0	0	0	0	.0	0	0	0	.0	0	0	0
Total \$	0.0	0	0	0	0.0	0	0	0	0.0	0	0	0

## Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Office of State Treasurer	.0	0	0	.0	0	0	.0	0	0
Washington State Patrol	.0	0	0	.0	0	0	.0	0	0
Department of Transportation	.0	0	0	.0	0	0	.0	0	0
Department of Ecology	.0	0	0	.0	0	0	.0	0	0
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

## Estimated Capital Budget Breakout

NONE

<b>Prepared by:</b> Maria Thomas, OFM	<b>Phone:</b> (360) 229-4717	<b>Date Published:</b> Final
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# Individual State Agency Fiscal Note

<b>Bill Number:</b> 5178 SB	<b>Title:</b> Highways/large debris	<b>Agency:</b> 090-Office of State Treasurer
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## Part I: Estimates

No Fiscal Impact

### Estimated Cash Receipts to:

ACCOUNT	FY 2024	FY 2025	2023-25	2025-27	2027-29
Waste Reduction/Recycling/Litter Control-State 044-1	7,000,000		7,000,000	7,000,000	7,000,000
Motor Vehicle Account-State 108-1	(7,000,000)		(7,000,000)	(7,000,000)	(7,000,000)
<b>Total \$</b>					

### 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: Daniel Masterson	Phone: 360-786-7454	Date: 01/10/2023
Agency Preparation: Dan Mason	Phone: (360) 902-8990	Date: 01/18/2023
Agency Approval: Dan Mason	Phone: (360) 902-8990	Date: 01/18/2023
OFM Review: Amy Hatfield	Phone: (360) 280-7584	Date: 01/19/2023

## 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.*

SB 5178 directs the waste tire removal account cash balance in excess of one million dollars to the waste reduction, recycling, and litter control account on September 1st of odd-numbered years. Under current law, the cash balance in excess of one million dollars is transferred to the motor vehicle fund.

### 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.*

Assumption - The biennial transfer will be seven million dollars.

Historical transfer data - waste tire removal account to the motor vehicle fund:

September 2021	\$ 7,371,043.25
September 2019	\$ 7,751,927.32
September 2017	\$ 7,446,361.60
September 2015	\$ 6,892,954.58
September 2013	\$ 6,297,901.25
September 2011	\$ 5,472,325.24

Earnings from investments information:

1. The general fund in the recipient of the earnings for the waste reduction, recycling, and litter control account.
2. The motor vehicle fund is the recipient of its earnings.
3. Projected cash flows are currently unavailable; therefore, estimated earnings are indeterminable.

There may be an impact on the debt service limitation calculation. Modifications to the earnings from investments credited to the general fund impacts, by an equal amount, general state revenues.

### 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> 5178 SB	<b>Title:</b> Highways/large debris	<b>Agency:</b> 225-Washington State Patrol
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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:

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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: Daniel Masterson	Phone: 360-786-7454	Date: 01/10/2023
Agency Preparation: Shawn Eckhart	Phone: 360-596-4083	Date: 01/11/2023
Agency Approval: Mario Buono	Phone: (360) 596-4046	Date: 01/11/2023
OFM Review: Tiffany West	Phone: (360) 890-2653	Date: 01/12/2023

## 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.*

There is no fiscal impact to the Washington State Patrol from this legislation.

Section 1(2)(b) doubles the cleanup restitution payment for misdemeanor littering from twice the cost of cleanup (or \$50 per cubic foot of litter, whichever is greater), to four times the cleanup cost (or \$100 per cubic foot of litter, whichever is greater). In section 1(2)(c), the same is done for the payment for a gross misdemeanor, doubling the cost from twice the cost of cleanup to four times the cost, or from \$100 per cubic foot, to \$200.

Per current law, the payment receipt is divided evenly between the landowner and the law enforcement agency investigating the incident.

In Section 1(3), when the violation happens on a state highway and the landowner is the Washington State Department of Transportation, the restitution payment to the landowner is to be deposited into the Waste Reduction, Recycling, and Litter Control Account (Account) established under RCW 70A.200.140. In this case, 50% of the restitution payment to the law enforcement agency is to be deposited into the Account.

### 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.*

We do not receive cleanup restitution payments, so we do not anticipate any fiscal impact from directing us to deposit 50% of the receipts for law enforcement investigations of misdemeanor or gross misdemeanor littering into the Account.

### 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> 5178 SB	<b>Title:</b> Highways/large debris	<b>Agency:</b> 405-Department of Transportation
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

**Non-zero but indeterminate cost and/or savings. 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:

- 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: Daniel Masterson	Phone: 360-786-7454	Date: 01/10/2023
Agency Preparation: Nicole Knudson	Phone: 360-705-7293	Date: 01/13/2023
Agency Approval: Andrea Fortune	Phone: 360-705-6823	Date: 01/13/2023
OFM Review: Maria Thomas	Phone: (360) 229-4717	Date: 01/15/2023



## 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.

See WSDOT fiscal note.

### 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.

See attached WSDOT fiscal note.

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

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

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

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

**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> 5178 SB	<b>Title:</b> Highways/Large Debris	<b>Agency:</b> 405-Department of Transportation
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## Part I: Estimates

Check applicable boxes and follow corresponding instructions, use the fiscal template table provided to show fiscal impact by account, object, and program (if necessary), **add rows if needed**. If no fiscal impact, check the box below, skip fiscal template table, and go to Part II to explain briefly, why the program believes there will be no fiscal impact to the department.

No Fiscal Impact (Explain in section II. A)

*If a fiscal note is assigned to our agency, someone believes there might be, and we need to address that, showing why there is no impact to the department.*

Indeterminate Cash Receipts Impact (Explain in section II. B)

Indeterminate Expenditure Impact (Explain in section II. C)

If fiscal impact is less 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 greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, **complete entire fiscal note form Parts I-V**

Capital budget impact, **complete Part IV**

Requires new rule making, **complete Part V**

Revised

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

## Agency Assumptions

The following are the department's assumptions:

- The revenue will increase because of the additional fines and expected to be over the current revenue of \$9 million, however the amount is unknown.
- The Department of Revenue collects the cash receipts for the fines; therefore, cash receipt impact will be reflected in their fiscal note.

## Agency Contacts:

Preparer: Nicole Knudson	Phone: 360-705-7293	Date: 1/12/2023
Approval: Andrea Fortune	Phone: 360-705-7855	Date: 1/12/2023
Budget Manager: Stephanie Hardin	Phone: 360-705-7545	Date: 1/12/2023

# Individual State Agency Fiscal Note

## Part II: Narrative Explanation

### II. A - Brief description of what the measure does that has fiscal impact

The proposed bill increases double the current penalties (used as litter cleanup restitution payments) for a person littering in amounts greater than one cubic foot. Under current law, the court distributes half of this payment to the landowner, and half to the investigating law enforcement agency.

Section 1(3): The bill specifies that that for violations that occur on state highways, the Washington State Department of Transportation is considered the landowner, for the purposes of payments of litter cleanup restitution payments, and 100% of any litter cleanup restitution payments to the landowner would be deposited into the Waste Reduction, Recycling, and Litter Control Account. In addition, 50% of any amounts for the investigating law enforcement agency would need to be placed in the account. The increased penalties are to be used by the department for large debris removal and highway cleanup.

Section 2(2): Once a biennium, the state treasure must transfer any cash balance more than \$1 million from the Waste Tire Removal Account to the Waste Reduction, Recycling, and Litter Control Account (in current law these funds are transferred to the Motor Vehicle Account for WSDOT to do highway maintenance related to road wear). The language in the bill directs the department to use these funds for large debris removal and highway cleanup.

Section 3(3a) and 3(3b) use the same proposed language as above, respectively.

Section 3(d): 100% of litter cleanup restitution payments and tire fees provided in section 2(2) are for the department to do highway cleanup, set up a plan to remove large debris from interstate highways, and cover traffic control and disposal costs. Large debris is also defined in this section as “debris that would be hazardous to motorcycles including, but not limited to, wood debris, pallets, furniture, vehicle parts, tires, tire pieces, or other debris that is visibly noticeable to drivers.”

### II. B – Cash Receipts Impact

*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.*

Cash receipts impacts will be calculated by other agencies. Fines are not collected by WSDOT. The Office of State Treasurer handles transfers.

### 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 expenditure impact for this bill is indeterminate because it is unclear from the language if the intent is for the department to do more litter pickup than it is currently, or to perform litter pickup at the current level of service with the new revenue sources created in the bill (fines and transfers). The bill doesn't provide any requirements for WSDOT or any appropriations.

The department's Highway Maintenance Operations crews currently remove large debris from along state highways to prevent traffic back-ups and accidents during their routine litter control activities along state highways. For reference, in fiscal year 2022, the department spent over \$1.2 million on roadkill/animal disposal and \$3 million on litter pickup, which includes large debris removal.

If an appropriation were provided to the department (which is what is assumed, but not specified in in section 2 (2)), it could cover at least a portion of the department's current expenditures associated with litter control/large debris removal activities. Alternately, an increased level of highway cleanup and debris removal over current expenditures could be

# Individual State Agency Fiscal Note

performed. The department cannot provide a cost estimate because litter pickup is a reactive activity and there are not specific crews assigned for that type of work.

## Part III: Expenditure Detail

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

# Individual State Agency Fiscal Note

## 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.*

N/A

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 5178 SB	<b>Title:</b> Highways/large debris	<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:**

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.*

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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: Daniel Masterson	Phone: 360-786-7454	Date: 01/10/2023
Agency Preparation: My-Hanh Mai	Phone: 360-742-6931	Date: 01/18/2023
Agency Approval: Erik Fairchild	Phone: 360-407-7005	Date: 01/18/2023
OFM Review: Lisa Borkowski	Phone: (360) 742-2239	Date: 01/20/2023

## 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, RCW 70A.200.060, litter cleanup restitution payments are distributed 50 percent to the landowner, and 50 percent to the law enforcement agency investigating the incident.

Under current law, RCW 70A.205.425, cash balance in excess of \$1,000,000 from the Waste Tire Removal Account (WTRA) is transferred to the Motor Vehicle Fund (MVF) for road wear maintenance on state and local highways, on September 1 of odd numbered years.

Section 1 of this bill would amend RCW 70A.200.060 to double the litter cleanup restitution payment to four times the cost of cleanup or \$100 per cubic foot of litter for a misdemeanor and \$200 per cubic foot of litter for a gross misdemeanor, whichever is greater. For violations occurring on state highways, 100 percent of litter cleanup restitution payments that go to Washington State Department of Transportation (WSDOT), as the landowner, and 50 percent of the law enforcement payment, is to be deposited in the Waste Reduction, Recycling, and Litter Control Account (WRRLCA) for purposes of large debris removal and highway cleanup as provided in RCW 70A.200.140 (1)(d), or section 3(1)(d)(i) of this bill.

Section 2 would amend RCW 70A.205.425 to direct any cash balance in excess of \$1,000,000 from the WTRA to WRRLCA for purposes of large debris removal and highway cleanup as provided in RCW 70A.200.140 (1)(d), instead of the MVF for road wear maintenance on state and local highways, on September 1 of odd numbered years.

Section 3 would amend RCW 70A.200.140 to direct 100 percent of receipts from litter cleanup restitution payments in RCW 70A.200.060 (3) and tire fees in RCW 70A.205.425 (2) to WRRLCA. These funds would be used for highway cleanup, large debris removal from interstate highways, and traffic control and disposal costs under subsection (1)(d).

These amendments would not affect Ecology's existing programs under RCW 70A.200.140 or Chapter 70A.205 RCW. Therefore, Ecology does not have a fiscal impact as a result of this bill.

### 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.*