

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 1746 2S HB	<b>Title:</b> State broadband map
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## Estimated Cash Receipts

NONE

Agency Name	2023-25		2025-27		2027-29	
	GF- State	Total	GF- State	Total	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 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
Department of Commerce	3.9	2,183,315	2,183,315	2,183,315	3.9	1,851,240	1,851,240	1,851,240	3.9	1,616,040	1,616,040	1,616,040
<b>Total \$</b>	<b>3.9</b>	<b>2,183,315</b>	<b>2,183,315</b>	<b>2,183,315</b>	<b>3.9</b>	<b>1,851,240</b>	<b>1,851,240</b>	<b>1,851,240</b>	<b>3.9</b>	<b>1,616,040</b>	<b>1,616,040</b>	<b>1,616,040</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
Department of Commerce	.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

NONE

<b>Prepared by:</b> Gwen Stamey, OFM	<b>Phone:</b> (360) 790-1166	<b>Date Published:</b> Final 3/ 2/2023
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# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1746 2S HB	<b>Title:</b> State broadband map	<b>Agency:</b> 103-Department of Commerce
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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	3.9	3.9	3.9	3.9	3.9
<b>Account</b>					
General Fund-State      001-1	1,086,770	1,096,545	2,183,315	1,851,240	1,616,040
<b>Total \$</b>	1,086,770	1,096,545	2,183,315	1,851,240	1,616,040

### 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: Dawn Eychaner	Phone: 360-786-7135	Date: 02/23/2023
Agency Preparation: Buck Lucas	Phone: 360-725-3180	Date: 02/27/2023
Agency Approval: Jason Davidson	Phone: 360-725-5080	Date: 02/27/2023
OFM Review: Gwen Stamey	Phone: (360) 790-1166	Date: 03/02/2023

## 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.*

Differences between the second substitute bill and the substitute bill:

- Section 3(1)(b) requires the State Broadband Office (department) to use the data submitted to the federal communications commission (FCC) as the basis for the state broadband map, and to review the data submitted to the FCC to ensure an accurate and updated map. The department must provide consultation in this effort to broadband stakeholders, including providers, to determine the availability of broadband infrastructure data, and may submit bulk challenges to the FCC's national broadband map.
- Section 3(2) covered entities that must submit broadband data to the FCC now includes satellite service networks.
- Section 3(3) clarifies limits to eligibility for broadband infrastructure grants from the department comprised solely of federal dollars
- Section 3(4) clarifies that the department may share data with other state agencies or contractors under a data sharing agreement with applicable data sharing requirements.
- Section 3(6) allows the department to contract with a third-party consultant for broadband infrastructure data verification. The department may use the verified data to submit bulk challenges to the FCC national broadband map.

The substitute would create new fiscal impacts to the department to contract for broadband data verification (section 3(6)), with reductions in staffing costs after the removal of the resident petition process.

Summary of second substitute bill:

Section 1 amends RCW 43.155.160 to require end-user location address information for each Public Works Board Broadband Program application. Only applicants that submitted mapping data to the department in the previous year may submit an objection to a proposed broadband project. When evaluating applications, applicants that submitted broadband mapping data to the department may be given priority.

Section 2 amends RCW 43.330.534 to provide the department the authority to develop and maintain a state broadband map.

Section 3 adds a new section to RCW 43.330 to develop and maintain a map indicating all addresses of serviceable locations and the capability of broadband service at each location, as well as requiring covered entities to submit updated map information to the department twice annually. The initial map must be completed by July 1, 2024 and be updated twice annually. The information that providers must submit includes that which is submitted to the federal communications commission (FCC) and detailed end-user location. The department must provide consultation in this effort to broadband stakeholders, including providers, to determine the availability of broadband infrastructure data, and may submit bulk challenges to the FCC's national broadband map. Providers, including satellite service providers, that do not provide end-user service must provide updated data regarding the location of infrastructure in support of end-user service connections. The department will determine the format and the dates for information to be submitted, which must be within 15 days of the information required by the FCC.

Section 3(3) the department may not award state grants to an entity that did not submit required mapping information during the calendar year of noncompliance as well as the following calendar year. Eligibility for federal funds is not affected by noncompliance.

Section 3(4) the department can share mapping data with contractors or state, tribal, or local partners if a data sharing agreement, as described in RCW 39.26.340 and RCW 39.34.240, as applicable, is used.

Section 3(5) the department may contract for private or third-party consultant to develop and maintain the state broadband

map.

Section 3(6) the department may contract with a third-party consultant for broadband infrastructure data verification. The department may use the verified data to submit bulk challenges to the FCC national broadband map.

Section 3(7) subject to amounts appropriated, the department may conduct a survey of broadband infrastructure owned or leased by state agencies to supplement mapping information submitted by providers. State agencies have 120 days to respond to the survey and information submitted is not subject to disclosure.

Section 3(10) the department may adopt rules to implement this section.

Section 4 amends RCW 43.155.165 to permit funds from the state broadband account to be used to develop and maintain the state broadband map.

Section 5 amends RCW 42.56.270 to exempt data submitted to develop and maintain the state broadband map from disclosure.

## **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.*

### **Agency assumptions:**

- Based on the FCC's Broadband Data Collection schedule, the department would require data to be submitted within 15 days of September 1, 2023 (for June 30, 2023 data) and March 1, 2024 (for December 31, 2023 data) for data verification efforts. The department assumes this will remain the general data reporting schedule and will update it as the FCC updates it.
- The department assumes contracting with a third-party contractor for data verification by engineering services consultants with the work to begin immediately upon first receipt of broadband data.
- The development of the state broadband map will be in close consultation with the department's Information Services team, and will require a professional services contract for GIS services and for data layers.
- The department will begin outreach, engagement and procurement activities in June 2023 so that the collection of granular broadband availability data can meet the current data filing schedule, and to create an initial state fabric for the first operational state map by the July 1, 2024 timeline.

1.0 FTE Management Analyst 5 (2,088 hours) in FY24-FY29, to coordinate with Information Services on data collection, synthesis, and creation of the state broadband map; to provide expert level advice and consultation to executive management, internal departments and outside organizations with varying issues, diverse and conflicting interests. Expert level expectations includes performing proactive intervention and/or providing solutions having statewide or precedent setting impact; serving as the agency representative for business analysis teams or projects with other public and private entities concerning business operations on behalf of executive management; and implementing process improvement solutions to the state broadband map, and providing support for the bulk challenges submittals twice annually.

0.50 FTE Commerce Specialist 4 (1,044 hours) in FY24-FY29, to function as an agency expert for a program area such as

community enhancement, trade or economic development. Activities may include representing the agency at legislative hearings or state and national meetings; providing high-level consultative assistance to other recognized experts; developing, negotiating and monitoring complex contracts, including the contract for broadband data verification; coordinating with broadband providers and seeking input into broadband data verification efforts; and organizing bulk challenges to the national broadband map.

0.10 FTE WMS 2 (209 hours) in FY24-FY29, to provide leadership, oversight, supervision, rules coordination and decision making over all elements of the program. Staff provide expert policy advice or consultation on a range of issues specific to the program and to areas that have agency wide implications.

0.10 FTE EMS 3 (209 hours) in FY24-FY29, to provide specialized or proprietary technical services to programs, engineering oversight, program and project development, and design technical assistance efforts for clients or staff. Staff provide expert policy advice or consultation for projects or programs.

1.0 FTE IT Applications Developer Sr. (2,088 hours) in FY24-FY29, to design, develop and maintain the state broadband map.

0.50 FTE IT Data Analyst Journey (1,044 hours) in FY24-FY29, for data analysis, data cleansing, reports, system integrations and testing.

Salaries and Benefits:

FY24: \$446,437

FY25-FY29: \$461,298 each fiscal year

Professional Service Contracts:

First, a professional services contract for GIS services to assist with initial development of the state broadband map and add appropriate data layers. Second, a contract with a third-party consulting firm for engineering services in support of broadband data verification that scales down as efficiencies in data collection, data verification, and processes are refined.

FY24-FY25: \$420,000 each fiscal year

FY26: \$320,000

FY27: \$240,000

FY28-FY29: \$160,000 each fiscal year

Goods and Services:

Assistant Attorney General (AAG) consultation during rulemaking and professional services contract review for approximately 100 hours at \$210/hour.

FY24: \$53,530

FY25: \$53,555

FY26-FY29: \$32,555 each fiscal year

Travel:

Outreach to public and private broadband providers, communities and residents during development of the state broadband map, including the first year of operability to raise awareness, provide community demonstrations, and other coordination efforts to verify accuracy of location information submitted by providers.

FY24-FY25: \$9,925 each fiscal year

Equipment:

The department assumes standard workstations in FY24 and replacement tablet in FY28.

FY24: \$10,000

FY28: \$4,800

Intra-agency Reimbursements:

FY24: \$146,878

FY25-FY29: \$151,767 each fiscal year

Note: Standard goods and services costs include supplies and materials, employee development and training, Attorney General costs, central services charges and agency administration.

Total costs:

FY24: \$1,086,770

FY25: \$1,096,545

FY26: \$965,620

FY27: \$885,620

FY28: \$810,420

FY29: \$805,620

### 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	1,086,770	1,096,545	2,183,315	1,851,240	1,616,040
<b>Total \$</b>			1,086,770	1,096,545	2,183,315	1,851,240	1,616,040

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

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	3.9	3.9	3.9	3.9	3.9
A-Salaries and Wages	339,500	349,686	689,186	699,372	699,372
B-Employee Benefits	106,937	111,612	218,549	223,224	223,224
C-Professional Service Contracts	420,000	420,000	840,000	560,000	320,000
E-Goods and Other Services	53,530	53,555	107,085	65,110	65,110
G-Travel	9,925	9,925	19,850		
J-Capital Outlays	10,000		10,000		4,800
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements	146,878	151,767	298,645	303,534	303,534
9-					
<b>Total \$</b>	1,086,770	1,096,545	2,183,315	1,851,240	1,616,040

**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 Services - Indirect	111,168	0.7	0.7	0.7	0.7	0.7
Commerce Specialist 4	86,212	0.5	0.5	0.5	0.5	0.5
EMS Band 3	138,366	0.1	0.1	0.1	0.1	0.1
IT App Development	120,457	1.0	1.0	1.0	1.0	1.0
IT Data Management	109,262	0.5	0.5	0.5	0.5	0.5
Management Analyst 5	95,185	1.0	1.0	1.0	1.0	1.0
WMS Band 2	122,841	0.1	0.1	0.1	0.1	0.1
<b>Total FTEs</b>		<b>3.9</b>	<b>3.9</b>	<b>3.9</b>	<b>3.9</b>	<b>3.9</b>

**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.*

The department may adopt rules to implement state broadband mapping requirements to Title 365 WAC.



# LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

**Bill Number:** 1746 2S HB

**Title:** State broadband map

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

### Legislation Impacts:

- Cities: Cities that choose to apply for broadband grant funding.
- Counties: Counties that choose to apply for broadband grant funding.
- Special Districts: Public utility districts that choose to apply for broadband grant funding.
- 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: The amount of funding to be appropriated for the grant program, the number of applicants, and the amount(s) applied for.

### Estimated revenue impacts to:

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

### Estimated expenditure impacts to:

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

## Part III: Preparation and Approval

Fiscal Note Analyst: Kristine Williams	Phone: (564) 669-3002	Date: 02/24/2023
Leg. Committee Contact: Dawn Eychaner	Phone: 360-786-7135	Date: 02/23/2023
Agency Approval: Alice Zillah	Phone: 360-725-5035	Date: 02/24/2023
OFM Review: Gwen Stamey	Phone: (360) 790-1166	Date: 02/27/2023

## **Part IV: Analysis**

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

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

#### **CHANGES BETWEEN THIS VERSION AND PREVIOUS BILL VERSION:**

The proposed second substitute bill adds requirements for reporting broadband map information to covered entities and the Federal Communications Commission (FCC) broadband map. These changes do not affect the indeterminate impacts discussed below.

#### **SUMMARY OF CURRENT BILL VERSION:**

Sec.3 is amended to add subsection (1) (b) which directs the broadband office (office) to use the most current version of the Federal Communications Commission (FCC) national broadband map as a basis for the state broadband map. The office is directed to report deficiencies to the covered entities and request that updated information be provided to the FCC and the office. The office may also submit updates to the FCC.

Sec.3 (2) is amended to require covered entities submit information to the office regarding the locations and speeds of available satellite services and speeds of available satellite service in areas where end-user location address is not available.

Sec.3 (3) is amended to clarify that noncompliance does not affect a covered entity's eligibility for federal grant funding.

Sec.3 (4) is amended to clarify data sharing provisions.

Sec.3 (6) is amended to allow the office to contract with private entity or third-party consultant to verify certain broadband information where discrepancies have been identified by certain parties. This information may be submitted to the national broadband map.

Sec.3 (9) is amended to include an entity that owns or operates satellite infrastructure supporting end-user connections in the definition of "covered entity".

### **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.*

#### **CHANGES IN EXPENDITURE IMPACTS BETWEEN THIS VERSION AND PREVIOUS BILL VERSION:**

The second substitute version of this bill does not change the indeterminate expenditure impact this bill would have on local governments.

#### **EXPENDITURE IMPACTS OF CURRENT BILL:**

The SBO has limited resources available to assist local governments with grant writing services. These resources cannot be used to apply to state or local funding sources. It is assumed that local governments will incur costs associated with preparing and submitting a competitive grant application. These costs may include staff time needed to collect and analyze broadband service information from "covered entities" (although the Washington State Association of Counties reports that this data has mostly already been gathered by counties). Costs may also be incurred to conduct community outreach prior to submitting the pre-application and, if selected, the final application. These costs are unknown and indeterminate.

### **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.*

#### **CHANGES IN REVENUE IMPACTS BETWEEN THIS VERSION AND PREVIOUS BILL VERSION:**

The second substitute version of this bill does not change the indeterminate revenue impact this bill would have on local governments.

#### **REVENUE IMPACTS OF CURRENT BILL:**

This legislation amends provisions that would allow the Public Works Board to prioritize applications from broadband

service providers who submit mapping data. While the bill encourages public-private partnerships that increase the deployment and adoption of broadband service and applications, including those that provide service to rural and unserved areas of the state, it is unknown how new funding priorities will affect the distribution of grant funding between applicants or the development of new partnerships, the number of new applicants, or the amount distributed to local governments.

#### SOURCES

Department of Commerce State Broadband Office

Washington State Association of Counties

Local Government fiscal note S HB 1746, 2023