

Multiple Agency Fiscal Note Summary

Bill Number: 2207 HB	Title: Solid waste dumping
-----------------------------	-----------------------------------

Estimated Cash Receipts

NONE

Agency Name	2023-25		2025-27		2027-29	
	GF- State	Total	GF- State	Total	GF- State	Total
Local Gov. Courts	No fiscal impact					
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
Administrative Office of the Courts	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Revenue	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Transportation	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Ecology	.3	0	0	93,128	.6	0	0	1,351,612	.6	0	0	1,351,612
Department of Ecology	In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note.											
State Parks and Recreation Commission	.0	0	0	0	.0	0	0	0	.0	0	0	0
Environmental and Land Use Hearings Office	.0	0	0	0	.5	162,483	162,483	162,483	.3	79,845	79,845	79,845
Department of Natural Resources	Fiscal note not available											
Total \$	0.3	0	0	93,128	1.1	162,483	162,483	1,514,095	0.9	79,845	79,845	1,431,457

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts	No fiscal impact								
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	
Administrative Office of the Courts	.0	0	0	.0	0	0	.0	0	0	
Department of Revenue	.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	
State Parks and Recreation Commission	.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 Natural Resources	Fiscal note not available									
Total \$	0.0	0	0	0.0	0	0	0.0	0	0	

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts	No fiscal impact								
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

Prepared by: Lisa Borkowski, OFM	Phone: (360) 742-2239	Date Published: Preliminary 1/18/2024
---	---------------------------------	---

Judicial Impact Fiscal Note

Bill Number: 2207 HB	Title: Solid waste dumping	Agency: 055-Administrative Office of the Courts
-----------------------------	-----------------------------------	--

Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Jacob Lipson	Phone: 360-786-7196	Date: 01/10/2024
Agency Preparation: Chris Conn	Phone: 360-704-5512	Date: 01/12/2024
Agency Approval: Chris Stanley	Phone: 360-357-2406	Date: 01/12/2024
OFM Review: Gaius Horton	Phone: (360) 819-3112	Date: 01/12/2024

189,879.00

Request # 76-1

Part II: Narrative Explanation

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

This bill renumbers law subsections in 70A.200.060.

Section 2.3 changes a crime to a Natural Resources infraction under RCW 7.84, restitution has to be paid equal to 4 times cost of clean-up.

II. B - Cash Receipts Impact

None

II. C - Expenditures

No fiscal impact to the Administrative Office to the Courts.

Part III: Expenditure Detail

III. A - Expenditure By Object or Purpose (State)

NONE

III. B - Expenditure By Object or Purpose (County)

NONE

III. C - Expenditure By Object or Purpose (City)

NONE

III. D - FTE Detail

NONE

III. E - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B1 - Expenditures by Object Or Purpose (State)

NONE

IV. B2 - Expenditures by Object Or Purpose (County)

NONE

IV. B3 - Expenditures by Object Or Purpose (City)

NONE

IV. C - Capital Budget Breakout

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

NONE

None

189,879.00

Form FN (Rev 1/00)

Department of Revenue Fiscal Note

Bill Number: 2207 HB	Title: Solid waste dumping	Agency: 140-Department of Revenue
-----------------------------	-----------------------------------	--

Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated 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: 60-786-7196	Date: 01/10/2024
Agency Preparation: Anna Yamada	Phone: 60-534-1519	Date: 01/17/2024
Agency Approval: Valerie Torres	Phone: 60-534-1521	Date: 01/17/2024
OFM Review: Amy Hatfield	Phone: (360) 280-7584	Date: 01/17/2024

Request # 2207-1-1

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.

CURRENT LAW:

It is a misdemeanor for a person to litter in an amount of one cubic foot or greater (in case of a cubic yard or more of litter, it is a gross misdemeanor). The person pays a litter cleanup restitution payment, which is twice the actual cost of cleanup. The court distributes half the restitution payment to the landowner and half to the law enforcement agency.

The person also pays a penalty according to the amount of the litter. The money collected from penalties for littering violations and all proceeds from the litter tax are deposited into the waste reduction, recycling, and litter control account. The account funds programs and grants for cleanups, recycling, and other waste-related activities administered by the Department of Ecology.

Money collected in the Model Toxics Control Operating Account funds hazardous waste cleanups, education, planning, enforcement, and other related activities.

The Department of Ecology uses 1% of the money collected as the Pollution tax, also known as the Hazardous Substance tax (HST), for public participation grants related to hazardous substance remedial matters.

Department of Natural Resources operates derelict vessel removals on aquatic lands.

PROPOSAL:

This bill changes the violation of littering from a criminal misdemeanor to a natural resource infraction. It also increases the amount of restitution from twice to four times the actual cost. The bill redirects half of the restitution payment from the landowner to the Waste Reduction, Recycling, and Litter Control Account.

The bill changes the measure of litter to determine the penalty amount from one cubic foot to 50 pounds and creates a new penalty scale based on less than or greater than 50 pounds of littered materials.

Department of Ecology will use all receipts from litter cleanup restitution payments to award grants to local governments or nonprofit organizations designed to reduce illegal dumping.

For the 2025-2027 biennium and 2027-2029 biennium, the Department of Ecology will use an additional 0.25% of the money collected from HST for public participation grants focused on public education efforts in rural, forested communities to reduce illegal dumping of hazardous materials.

Department of Natural Resources will operate a Terrestrial Derelict Vessel Removal Project until June 30, 2029. This pilot project requires the Department of Natural Resources to report to the legislature by January 1, 2028.

EFFECTIVE DATE:

The bill takes effect 90 days after the final adjournment of the session.

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.

This legislation results in no revenue impact on taxes administered by the Department of Revenue (department).

Request # 2207-1-1

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 department will not incur any costs with the implementation of this legislation.

Part III: Expenditure Detail

III. A - Expenditures by Object Or Purpose

NONE

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

NONE

III. C - 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

Part V: New Rule Making Required

Individual State Agency Fiscal Note

Bill Number: 2207 HB	Title: Solid waste dumping	Agency: 405-Department of Transportation
-----------------------------	-----------------------------------	---

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: 01/10/2024
Agency Preparation: Nicole Knudson	Phone: 360-705-7293	Date: 01/16/2024
Agency Approval: Andrea Fortune	Phone: 360-705-6823	Date: 01/16/2024
OFM Review: Maria Thomas	Phone: (360) 229-4717	Date: 01/16/2024

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 attached 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.

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

Bill Number: HB 2207 **Title:** Solid waste dumping **Agency:** 405-Department of Transportation

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)

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

Indeterminate Expenditure Impact (Explain in section II. C)

Partially 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

If WSDOT is the lead agency, assumptions must be added to the state Enterprise Fiscal Note System (FNS) within 24 hours of assignment. Coordinate with assigned BFA Budget Manager to have assumptions added to FNS.

If WSDOT is NOT the lead agency, ONLY use this section if the bill includes workload impacts such as a new committee or work group, rulemaking that must be coordinated with another agency, Attorney General costs, etc., enter on the fiscal note template and notify your assigned BFA Budget Manager to have assumptions added to FNS.

If the fiscal note does not meet either of the abovementioned conditions, mark the Agency Assumptions section N/A.

Agency Assumptions

N/A

Agency Contacts:

Preparer: Nicole Knudson	Phone: +1 360-705-7293	Date: 1/15/24
Approval: Andrea Fortune	Phone: +1 360-705-7855	Date: 1/15/24
Budget Manager: Siri Olson	Phone: +1 360-705-7542	Date: 1/15/24

Individual State Agency Fiscal Note

Part II: Narrative Explanation

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

Briefly describe by section number (sections that will change WSDOT costs or revenue), the significant provisions of the bill, and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency. List the sections that have fiscal impact to WSDOT only. E.g., "Section 3 directs the Department to ..." No summarizing, no interpreting, and save any background context for the revenue and expenditure parts.

The Washington State Department of Transportation assumes no fiscal impact from HB 2207, based upon the proposed activities which include the direction to the Department of Ecology to develop and administer litter collection programs and litter control efforts, as well as the administration and awarding of grants to local governments or nonprofit organizations aimed at reducing outdoor dumping. Department of Ecology is responsible for coordinating litter control efforts with department of natural resources, revenue, transportation, corrections, and the parks and recreation commission. The Department of Transportation assumes it will be reimbursed from the Department of Ecology for any litter control activities coordinated by the Department of Ecology, which incur expenses for the Department of Transportation. These expenses would be separate from current funding for litter removal efforts on state highway rights-of-way.

Section 4 describes a waste reduction, recycling, and litter control account with receipts from taxes imposed to be appropriated to the Department of Ecology for litter collection programs; litter control efforts; employing youth in litter cleanup; picking litter; public awareness programs; and the administration of these activities. The Department of Ecology is also authorized to develop a competitive grant program for local governments and nonprofits to create and implement outreach plans and education programs.

II. B – Cash Receipts Impact

Section-by-section, briefly describe and quantify the cash receipts impact of the legislation on WSDOT. Explain how you calculated the cash receipts and any assumptions. Show only revenues collected by WSDOT that are new to the state, not re-directed from another agency.

N/A

II. C - Expenditures

Section by section, citing only the sections that impact WSDOT, briefly describe the costs to WSDOT to implement this legislation (or savings resulting from this legislation), naming by section number the requirements of the legislation that result in the expenses or savings. Briefly describe the factual basis of the assumptions and the method by which the fiscal impact is derived. Explain how workload assumptions translate into cost estimates. Discern between one time and ongoing functions.

N/A

Part III: Expenditure Detail

III. A - Expenditures by Object or Purpose

N/A

Part IV: Capital Budget Impact

N/A

Individual State Agency Fiscal Note

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

Bill Number: 2207 HB	Title: Solid waste dumping	Agency: 461-Department of Ecology
-----------------------------	-----------------------------------	--

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	0.7	0.3	0.6	0.6
Account					
Model Toxics Control Operating Account-State 23P-1	0	93,128	93,128	1,351,612	1,351,612
Total \$	0	93,128	93,128	1,351,612	1,351,612

In addition to the estimates above, there are additional indeterminate costs 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: Jacob Lipson	Phone: 360-786-7196	Date: 01/10/2024
Agency Preparation: My-Hanh Mai	Phone: 360-742-6931	Date: 01/17/2024
Agency Approval: Erik Fairchild	Phone: 360-407-7005	Date: 01/17/2024
OFM Review: Lisa Borkowski	Phone: (360) 742-2239	Date: 01/18/2024

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 2 of this bill would amend RCW 70A.200.060 to change illegal dumping from a criminal act to a civil natural resource infraction, increase litter cleanup restitution payments, and divert one half of the litter cleanup restitution payment from the landowner to the Waste Reduction, Recycling, and Litter Control Account (WRRLCA) for efforts to mitigate the costs of proper disposal, restitution, or environmental damages. The other half of the payment would continue to go to the law enforcement agency investigating the incident.

Section 3 would amend RCW 7.84.100, by defining the penalties for violations of RCW 70A.200.060 as follows:

- Up to \$250 for littering less than 500 pounds.
- Up to \$750 for littering more than 500 pounds, but less than 1,000 pounds.
- Up to \$1,000 for littering more than 1,000 pounds.

Section 4 would amend RCW 70A.200.140, adding language in subsection 1(a)(b)(c) clarifying “of receipts from taxes imposed in RCW 82.19.010” when describing WRRLCA funding. It would also add a new subsection 1(d) directing 100 percent of receipts from litter cleanup restitution payments as provided in RCW 70A.200.060(4), in addition to any legislative appropriations made to the account for these specific purposes, go to Ecology to award grants to local governments or non-profit organizations designed to reduce illegal dumping on public or private forestlands or other open spaces. Grants would need to be awarded to projects aimed at reducing outdoor dumping or reducing the cost of legal waste disposal. Ecology would be authorized to include this funding and activities into existing or related programs.

Section 5 would amend 70A.305.180, authorizing an additional 0.25 percent of the money collected under RCW 82.21.030 (hazardous substance tax) be used for public participation grants that focus on public education efforts in rural, forested communities targeted at reducing illegal dumping of hazardous materials or petroleum-containing products on public and private forestland, in the 2025-27 and 2027-29 biennia.

Section 6 would require the Department of Natural Resources (DNR) to operate a terrestrial derelict vessel removal pilot project focused on removing illegally dumped vessels found in areas other than aquatic lands until June 30, 2029. DNR would be required to submit a report to the Legislature that details total vessels removed under the pilot project, identifies limitations discovered, and makes recommendations about whether to continue, expand, or modify the pilot project by January 1, 2028.

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.

Ecology does not collect litter cleanup restitution payments. Under section 2, one-half of these payments would be deposited in the Waste Reduction, Recycling, and Litter Control Account and be available for appropriation for purposes of section 4 of this bill. Since these payments would not be collected by Ecology, we would have no cash receipts impact.

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) 2025 – FY 2029 to implement the requirements of section 5. Expenditures are indeterminate for section 4.

Section 4 – Illegal Dumping Grant Program (WRRLCA)

Section 4 would require Ecology to establish a new, ongoing grant program and provide funding to local governments or nonprofit organizations using litter cleanup restitution payments that would be deposited in the WRRLCA.

Currently, there is not enough information for Ecology to estimate a fiscal impact. Penalties collected for illegal dumping are indeterminate; therefore, the costs to develop and administer a new grant program to local governments or nonprofit organizations, designed to reduce illegal dumping on public or private forestlands or other open spaces, would be indeterminate. Ecology assumes that if penalties are deposited in the WRRLCA we would submit a budget request for additional appropriation from the account to implement the grant program.

Section 5 – Public Participation Grants (MTCA Operating)

Section 5 would authorize an additional 0.25 percent of the money collected under the hazardous substance tax (HST) be used for public participation grants in the 2025-27 and 2027-29 biennia. Ecology assumes the Public Participation Grant guidelines and application forms would need to be amended to accommodate new criteria and increased funding.

The following staff resources would be required to implement this amendment.

- 0.06 FTE Environmental Planner 4 (EP4) in FY 2025 to develop guidelines, outreach materials, and application forms, and conduct training for internal and external stakeholders.
- 0.02 FTE Communications Consultant 3 (CC3) in FY 2025 to review and edit the outreach materials prepared by the EP4 and update an agency website to publish the material.
- 0.50 FTE Environmental Specialist 4 (ES4) in each year from FY 2025 through FY 2029 to provide technical assistance to grant recipients, write and manage the additional grant agreements each biennium.

Under current law, 1 percent of the moneys collected under the hazardous substance tax must be used for Public Participation Grants (PPG) program. The current 2023-25 enacted budget includes approximately \$5.4 million for the ongoing PPG program. Based on an increase of 0.25 percent of the hazardous substance tax, this bill would increase funding for the PPG program by about \$1.35 million based on the current enacted budget. For fiscal note purposes, Ecology assumes the additional \$1.35 million would be available for the PPG program in the 2025-27 and 2027-29 biennia. Of this budget, about \$1.2 million would be available for grants each biennium.

Note, Ecology submits a decision package each biennium to update the PPG amount based on the prior two years of actual hazardous substance tax revenue. The actual amount of the change to the PPG program would be determined based on this calculation for the 2025-27 and 2027-29 biennia.

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

FY 2025: \$93,128 and 0.7 FTEs

FY 2026 through FY 2029: \$675,806 and 0.6 FTEs each year.

Notes on costs by object:

Salary estimates are current biennium actual rates at Step L.

Benefits are the agency average of 34.1% of salaries.

Goods and Services are the agency average of \$6,048 per direct program FTE.

Travel is the agency average of \$2,205 per direct program FTE.

Equipment is the agency average of \$1,286 per direct program FTE.

Grants are included for the PPG program of approximately \$1.2 million each biennium in 2025-27 and 2027-29.

Agency Administrative Overhead is calculated at the federally approved agency indirect rate of 29.8% 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	0	93,128	93,128	1,351,612	1,351,612
Total \$			0	93,128	93,128	1,351,612	1,351,612

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29	
FTE Staff Years		0.7	0.3	0.6	0.6	
A-Salaries and Wages		50,324	50,324	86,324	86,324	
B-Employee Benefits		17,160	17,160	29,436	29,436	
E-Goods and Other Services		3,508	3,508	6,048	6,048	
G-Travel		1,279	1,279	2,206	2,206	
J-Capital Outlays		746	746	1,286	1,286	
N-Grants, Benefits & Client Services				1,191,816	1,191,816	
9-Agency Administrative Overhead		20,111	20,111	34,496	34,496	
Total \$		0	93,128	93,128	1,351,612	1,351,612

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

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
COMM CONSULTANT 3	71,149		0.0	0.0		
ENVIRONMENTAL PLANNER 4	95,650		0.1	0.0		
ENVIRONMENTAL SPEC 4	86,324		0.5	0.3	0.5	0.5
FISCAL ANALYST 2			0.1	0.0	0.1	0.1
IT APP DEV-JOURNEY			0.0	0.0	0.0	0.0
Total FTEs			0.7	0.3	0.6	0.6

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

Bill Number: 2207 HB	Title: Solid waste dumping	Agency: 465-State Parks and Recreation Commission
-----------------------------	-----------------------------------	--

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: 01/10/2024
Agency Preparation: Robert Ingram	Phone: (360) 902-8615	Date: 01/15/2024
Agency Approval: Pam Barkis	Phone: (360) 902-8535	Date: 01/15/2024
OFM Review: Matthew Hunter	Phone: (360) 529-7078	Date: 01/15/2024

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.

House bill 2207 proposes changes to help reduce impacts of unlawful solid waste dumping on public and private lands.

Section 1(2) converts illegal dumping from a criminal act to a civil infraction.

Section 1(3) diverts existing litter cleanup restitution payments to fund efforts that mitigate the costs of proper disposal, restitution, or environmental damages.

Section 1(4) requires new or enhanced tools for the Department of Natural Resources Derelict Vessel Removal Program to address the unlawful disposal of vessels on dry land.

Section 2(3) & (4)(a) identifies unlawful litter disposal weighing more than 50 pounds as a natural resource infraction. Liable parties would be required to pay restitution equivalent to four times the actual cost of cleanup. Courts would be required to distribute half the payment into the Waste Reduction, Recycling, and Litter Control Account instead of direct payment to landowner.

Section 3(3) includes additional penalties for litter violations based on weight of material unlawfully disposed.

Section 4(1)(a) directs 40 percent of funds received from litter tax should be primarily used by agencies participating in litter collection programs.

Section 5(4)(b) directs additional 0.25 percent of pollution tax collected be used for public participation grants that focus on public education efforts to reduce illegal dumping of hazardous waste on public and private forestlands.

Section 6 directs the Department of Natural Resources to conduct a pilot project focused on removing vessels that are illegally dumped and found derelict in areas other than above aquatic lands.

State Parks assume no direct fiscal impact from the proposed changes in this bill. The agency is an active participant in statewide litter collection programs and will continue to participate as directed by administering agencies and seek funding as needed to maintain litter and pollution reduction efforts.

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.

None.

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.

None.

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

Bill Number: 2207 HB	Title: Solid waste dumping	Agency: 468-Environmental and Land Use Hearings Office
-----------------------------	-----------------------------------	---

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	0.5	0.3
Account					
General Fund-State 001-1	0	0	0	162,483	79,845
Total \$	0	0	0	162,483	79,845

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: 01/10/2024
Agency Preparation: Dominga Soliz	Phone: 3606649173	Date: 01/17/2024
Agency Approval: Dominga Soliz	Phone: 3606649173	Date: 01/17/2024
OFM Review: Lisa Borkowski	Phone: (360) 742-2239	Date: 01/18/2024

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.

This bill aims to reduce the impacts of unlawful solid waste dumping.

Sec. 6 – Creates a pilot project that adds vessels abandoned or derelict on terrestrial lands (instead of water) to RCW 79.100 Derelict Vessels.

This bill would increase appeals to the Pollution Control Hearings Board (PCHB) under its existing authority to review appeals of decisions of an authorized public entity under RCW 79.100.010 to take temporary possession or custody of a vessel or to contest the amount of reimbursement owed under RCW 79.100.120.

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.

None

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 6 low complexity appeals per year resulting from this bill beginning in FY26, following an assumed 12 months for the pilot program to be developed as well as enforcement. We assume the work will continue through FY28 when the pilot ends.

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 6 appeals beginning in FY26, ongoing through FY28 when the pilot ends. This estimate is based on a current analysis of AAJ work.

150 hours/appeal x 6 appeals = 900 AAJ hours in FY26, ongoing through FY28 when the pilot ends.

Assume New AAJ FTE: The PCHB will need approximately 0.5 FTE in FY26, ongoing through FY28 when the pilot ends. The AAJ will have knowledge of environmental law to assist with these new cases, based on the estimated number of AAJ hours per year. RCW 43.21B.005(2) authorizes the ELUHO director to appoint such AAJs to assist the PCHB. The AAJ 0.5 FTE will not serve as a member of the Boards, but will conduct legal research and writing, preside over cases, mediate cases, draft Board materials, and perform other legal duties to assist the Board.

Beginning in FY25 an AAJ will make \$117,840 per year, plus related benefits estimated at \$34,945 per year, at projected benefits rates. The agency needs 0.5 FTE AAJs in FY26, so the salary would be \$117,840 x .5 FTE = \$58,920, per FY, in FY26. Related benefits would total \$17,472, per FY, ongoing through FY28 when the pilot ends.

Goods and services for the total 0.5 FTE are estimated at \$2,720 per year in FY26, ongoing through FY28 when the pilot ends. Goods and services include communications, payroll processing, training, and other staff costs. Estimates include some travel at the low cost per diem rates totaling \$733 per year. Also included is one time equipment costs for furniture and computers totaling \$2,793 in FY26.

Assume office space needed: Currently, ELUHO leases space on the top floor of the State Parks building, Parsons Plaza, with lease expiring in FY26. We assume the ELUHO office will move to a state-owned facility and offices will be needed for the additional 0.5 AAJ FTE.

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	162,483	79,845
Total \$			0	0	0	162,483	79,845

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years				0.5	0.3
A-Salaries and Wages				117,840	58,920
B-Employee Benefits				34,944	17,472
C-Professional Service Contracts					
E-Goods and Other Services				5,440	2,720
G-Travel				1,466	733
J-Capital Outlays				2,793	
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
Total \$	0	0	0	162,483	79,845

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	117,840				0.5	0.3
Total FTEs					0.5	0.3

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

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

Department of Commerce

Bill Number: 2207 HB

Title: Solid waste dumping

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

Legislation Impacts:

Cities: can apply for grants to reduce illegal dumping, reduction in municipal court costs

Counties: can apply for grants to reduce illegal dumping

Special Districts:

Specific jurisdictions only:

Variance occurs due to:

Part II: Estimates

No fiscal impacts.

Expenditures represent one-time costs: costs associated with applying for grants

Legislation provides local option: Applying for a grant is up to the discretion of each municipality

Key variables cannot be estimated with certainty at this time: number of court cases affected, which jurisdictions would be awarded a grant or for what amount

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: Tammi Alexander	Phone: 360-725-5038	Date: 01/17/2024
Leg. Committee Contact: Jacob Lipson	Phone: 360-786-7196	Date: 01/10/2024
Agency Approval: Allan Johnson	Phone: 360-725-5033	Date: 01/17/2024
OFM Review: Lisa Borkowski	Phone: (360) 742-2239	Date: 01/18/2024

Part IV: Analysis

A. SUMMARY OF BILL

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

This bill changes the violation of littering from a criminal misdemeanor to a natural resource infraction and increases the amount of restitution from twice to four times the actual cost. The additional portion of the restitution payment would be deposited into the Waste Reduction, Recycling, and Litter Control Account. The Department of Ecology will use all receipts from litter cleanup restitution payments to award grants to local governments or nonprofit organizations designed to reduce illegal dumping.

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.

According to the Association of Washington Cities, there would be a reduction in municipal court costs for any infractions happening in city limits. These costs cannot be estimated at this time because the number of cases is unknown.

Also, local governments applying for the grants will incur costs associated with preparing and submitting applications. The costs for local governments to apply for the grants is indeterminate. These costs will likely include administrative costs and may include grant writing expenditures or other expenses.

Applying for such a grant is up to the discretion of each municipality, and is therefore a local option.

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 legislation would result in indeterminate revenues for local governments applying for grants from the Department of Ecology as outlined in the bill. However, it is unknown how much funding would be available for these grants, how much funding would be specified for each individual grant, nor how many grants would be awarded to cities and counties. Applying for such a grant is up to the discretion of each municipality, and is therefore a local option.

SOURCES:

Association of Washington Cities

Department of Revenue fiscal note, HB 2207 (2024)

Washington State Association of Counties