

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 1551 2S HB	<b>Title:</b> Lead in cookware
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## Estimated Cash Receipts

NONE

## Estimated Operating Expenditures

Agency Name	2023-25				2025-27				2027-29			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Office of Attorney General	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Health	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Ecology	.0	0	0	0	2.1	0	0	602,961	2.4	0	0	714,950
Environmental and Land Use Hearings Office	.0	0	0	0	.1	22,117	22,117	22,117	.3	79,720	79,720	79,720
<b>Total \$</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2.2</b>	<b>22,117</b>	<b>22,117</b>	<b>625,078</b>	<b>2.7</b>	<b>79,720</b>	<b>79,720</b>	<b>794,670</b>

## Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Office of Attorney General	.0	0	0	.0	0	0	.0	0	0
Department of Health	.0	0	0	.0	0	0	.0	0	0
Department of Ecology	.0	0	0	.0	0	0	.0	0	0
Environmental and Land Use Hearings Office	.0	0	0	.0	0	0	.0	0	0
<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>

## Estimated Capital Budget Breakout

<b>Prepared by:</b> Lisa Borkowski, OFM	<b>Phone:</b> (360) 742-2239	<b>Date Published:</b> Final 2/16/2024
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# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1551 2S HB	<b>Title:</b> Lead in cookware	<b>Agency:</b> 100-Office of Attorney General
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Dan Jones	Phone: 360-786-7118	Date: 02/12/2024
Agency Preparation: Cassandra Jones	Phone: 360-709-6028	Date: 02/15/2024
Agency Approval: Dianna Wilks	Phone: 360-709-6463	Date: 02/15/2024
OFM Review: Val Terre	Phone: (360) 280-3973	Date: 02/15/2024

## 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.*

1. The Attorney General's Office (AGO) Ecology Division (ECY) has reviewed this bill and determined it will not significantly increase or decrease the division's workload in representing the Department of Ecology (Ecology). ECY estimates nominal impact from FY 2025 to FY 2028 to assist Ecology with enforcement of the restriction in Section 2 on distribution of cookware containing more than five pounds per million (ppm) of lead. ECY bases this on experience with similar laws such as the bans on bisphenol-A in sports bottles and other containers, on heavy metals in packaging, and on mercury in various products. New legal services are nominal and costs are not included in this request.

2. The AGO Agriculture & Health Division (AHD) has reviewed this bill and determined it will not significantly increase or decrease the division's workload in representing the Department of Health (DOH). This bill would require Ecology to consult with DOH before lowering the permitted level of lead in cookware below a defined level. DOH will require no new legal services from AHD for this work. Therefore, costs are not included in this request.

### II. B - Cash receipts Impact

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

### II. C - Expenditures

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

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

NONE

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

NONE

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

NONE

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

NONE

## Part IV: Capital Budget Impact

### IV. A - Capital Budget Expenditures

NONE

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

NONE

**IV. C - Capital Budget Breakout**

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

NONE

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

NONE

**Part V: New Rule Making Required**

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

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1551 2S HB	<b>Title:</b> Lead in cookware	<b>Agency:</b> 303-Department of Health
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

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

Check applicable boxes and follow corresponding instructions:

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

Legislative Contact: Dan Jones	Phone: 360-786-7118	Date: 02/12/2024
Agency Preparation: Katie Osete	Phone: 3602363000	Date: 02/14/2024
Agency Approval: Amy Burkel	Phone: 3602363000	Date: 02/14/2024
OFM Review: Breann Boggs	Phone: (360) 485-5716	Date: 02/14/2024

## 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 has no fiscal impact for the Department of Health (DOH).

This bill bans sales of metal cookware and its components with more than 5 ppm lead by Jan 1, 2026. Ecology, in consultation with DOH may lower this limit by rule after Dec. 2034, if it is feasible and necessary to protect human health. During the 2023 sessions, DOH estimated rulemaking costs for 2029 to consult with Ecology on their rulemaking. The new 2S HB 1551 has been amended to push any rulemaking out until 2035 at which time DOH may be impacted fiscally.

### 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

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> 1551 2S HB	<b>Title:</b> Lead in cookware	<b>Agency:</b> 461-Department of Ecology
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## Part I: Estimates

No Fiscal Impact

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.0	0.0	0.0	2.1	2.4
<b>Account</b>					
Model Toxics Control Operating Account-State 23P-1	0	0	0	602,961	714,950
<b>Total \$</b>	0	0	0	602,961	714,950

### 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: Dan Jones	Phone: 360-786-7118	Date: 02/12/2024
Agency Preparation: Vince Chavez	Phone: 360-338-5034	Date: 02/14/2024
Agency Approval: Erik Fairchild	Phone: 360-407-7005	Date: 02/14/2024
OFM Review: Lisa Borkowski	Phone: (360) 742-2239	Date: 02/16/2024

## 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.*

Under current law, chapter 70A.350 RCW, every five years Ecology, in consultation with the Department of Health (DOH), determines regulatory actions to increase the transparency and to reduce the use of priority chemicals in priority consumer products.

This bill would add a new chapter to Title 70A RCW to reduce lead levels used in cookware.

Section 2(1) would ban manufacturers and wholesalers from the manufacture, sale, and distribution of cookware or a cookware component containing lead or lead compounds at a level of more than five ppm in this state beginning January 1, 2026.

Section 2(2) would ban retailers beginning January 1, 2026, from knowingly offer to sell cookware or a cookware component containing lead or lead compounds at a level of more than five ppm. Retailers who unknowingly sell restricted products would not be held liable. The sale or purchase of previously owned cookware made in casual and isolated sales or by a nonprofit organization would be exempt from restrictions.

Section 2(3) would allow Ecology, after December 2034, in consultation with the Department of Health (DOH), to lower the five parts per million (ppm) limits established in subsection (1) by rule if determined that a lower limit is feasible and necessary to protect human health.

Section 3(1) would authorize, but not require, Ecology to adopt rules as necessary to implement, administer, and enforce this chapter. Section 3(2) would establish penalties for any person who violates the requirements of the chapter.

### 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.*

No cash receipts are estimated for the penalty provisions under section 3.

Section 3(2) would establish a penalty for any person who violates the requirements of the chapter up to \$5,000 for a first offense and up to \$10,000 for a repeat offense. Section 3(3) would allow penalties to be appealed to the Pollution Control Hearings Board. Section 3(4) would require all penalties to be deposited into the Model Toxics Control Operating Account.

The penalty authority under this chapter is consistent with Ecology's authority to issue penalties for manufacturers in violation of chapter 70A.350 RCW. Enforcement actions and penalties are assumed to be limited, but unknown, and therefore are not estimated in this fiscal note.

### II. C - Expenditures

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

The expenditure impact to Ecology under this bill is estimated to be greater than \$50,000 in Fiscal Year (FY) 2026 and ongoing to implement the requirements of sections 2 and 3.

Section 2 – Public Outreach:

Section 2(1) and 2(2) would ban the manufacture, sell or offer for sale, and distribution of cookware or a cookware

component containing lead or lead compounds at a level of more than five ppm in this state beginning January 1, 2026.

Ecology assumes staff time would be required to conduct a six-month outreach campaign, beginning July 1, 2025, through December 31, 2025, to educate businesses about the new restrictions. Ecology estimates the need for 0.50 FTE Environmental Specialist 4 (ES4) in FY 2026 to coordinate and lead the campaign. (ES4: 0.50 FTE FY 2026). Also, Ecology estimates the need for 0.50 FTE Communications Consultant 3 (CC3) in FY 2026 to provide communications expertise and support to the campaign. (CC3: 0.50 FTE FY 2026).

#### Section 2 - Enforcement:

Ecology assumes enforcement would require determining if any companies are selling non-compliant products and ensure they stop selling those products. Enforcement would begin January 1, 2026. It is estimated that enforcement would require 0.50 FTE of an ES4 starting in FY 2027 to research products available for sale in Washington and evaluate compliance, receive, and respond to complaints about products being sold, and work with product testing staff in the Environmental Assessment Program. (ES4: 0.50 FTE FY 2027 and ongoing). Ecology assumes compliance efforts would need the technical support of a 0.25 FTE Chemist 3 starting in FY 2027. (Chem3: 0.25 FY 2027 and ongoing). Also, Ecology assumes the need for 0.10 FTE CC3 starting in FY 2027 to coordinate with enforcement staff to communicate with manufacturers and retailers about restrictions and develop appropriate outreach materials. (CC3: 0.10 FTE FY 2027 and ongoing).

Ecology assumes that testing efforts to support compliance and enforcement efforts would begin July 1, 2026 (FY 2027) and continue into ongoing biennia to ensure ongoing compliance efforts.

Ecology estimates 0.50 FTE Chemist 4 in FY 2026, and 0.25 FTE in FY 2027 and ongoing to do method development to inform the lowest detectable level of quantitation in various metal cookware and conduct analysis. Ecology also estimates 1.0 FTE of a Chemist 3 (Chem 3) in FY 2027 and ongoing to develop studies to inform the evaluation of a lower regulatory limit and conduct compliance testing.

Section 2(3): After December 2034, Ecology assumes that Ecology would develop, in consultation with DOH, an evaluation process for the feasibility and necessity of a lower regulatory limit. Ecology assumes that the costs for testing to support compliance and enforcement efforts are beyond the timeframe of the fiscal note and are not reflected in these costs.

The Attorney General's Office (AGO) has estimated that nominal staff time (approximately 0.01 AAG FTE per year starting in FY 2025 through FY 2028) would be needed to provide legal support for enforcement efforts. Therefore, the AGO estimated no additional costs for AAG assistance.

#### Section 3 – Rulemaking:

Section 3 would authorize Ecology to adopt rules as necessary to implement, administer, and enforce this chapter.

Ecology assumes the bill language is sufficiently specific to implement the lead limit in the bill of 5 ppm without requiring a rule. However, Ecology assumes rulemaking would be necessary to adopt a lead limit of less than 5 ppm as authorized in section 2(3) but would have to wait until after December 2034 to adopt the rules. Ecology assumes that rulemaking efforts would begin starting July 1, 2029 (FY 2030). Because this activity is beyond the timeframe of the fiscal note, these costs are not reflected in the note.

**SUMMARY:** The expenditure impact to Ecology under this bill is:

Section 2 Public Outreach is estimated to require: FY 2026: \$146,591 and 1.15 FTEs.

Section 2 Enforcement is estimated to require:

FY 2026: \$98,895 and 0.58 FTEs

FY 2027: \$357,475 and 2.42 FTEs

FY 2028: \$357,475 and 2.42 FTEs

FY 2029 and ongoing: \$357,475 and 2.42 FTEs

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

FY 2026: \$245,486 and 1.73 FTEs

FY 2027: \$357,475 and 2.42 FTEs

FY 2028: \$357,475 and 2.42 FTEs

FY 2029: \$357,475 and 2.42 FTEs.

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.

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	0	0	602,961	714,950
<b>Total \$</b>			0	0	0	602,961	714,950

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

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years				2.1	2.4
A-Salaries and Wages				326,676	387,726
B-Employee Benefits				111,396	132,214
E-Goods and Other Services				21,773	25,402
G-Travel				7,940	9,262
J-Capital Outlays				4,631	5,404
9-Agency Administrative Overhead				130,545	154,942
<b>Total \$</b>	0	0	0	602,961	714,950

#### 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
CHEMIST 3	93,238				0.6	1.3
CHEMIST 4	108,152				0.4	0.3
COMM CONSULTANT 3	71,149				0.3	0.1
ENVIRONMENTAL SPEC 4	86,324				0.5	0.5
FISCAL ANALYST 2					0.2	0.2
IT APP DEV-JOURNEY					0.1	0.1
<b>Total FTEs</b>					2.1	2.4

**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.*

Section 3 would authorize Ecology to adopt rules as necessary to implement, administer, and enforce this chapter. Ecology assumes rulemaking for a new WAC would be necessary to adopt a lead limit of less than 5 ppm as authorized in section 2(3) if Ecology and DOH determine that a lower limit is feasible and necessary to protect human health.

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 1551 2S HB	<b>Title:</b> Lead in cookware	<b>Agency:</b> 468-Environmental and Land Use Hearings Office
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## Part I: Estimates

**No Fiscal Impact**

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.0	0.0	0.0	0.1	0.3
<b>Account</b>					
General Fund-State 001-1	0	0	0	22,117	79,720
<b>Total \$</b>	0	0	0	22,117	79,720

### 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: Dan Jones	Phone: 360-786-7118	Date: 02/12/2024
Agency Preparation: Dominga Soliz	Phone: 3606649173	Date: 02/13/2024
Agency Approval: Dominga Soliz	Phone: 3606649173	Date: 02/13/2024
OFM Review: Lisa Borkowski	Phone: (360) 742-2239	Date: 02/16/2024

## 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.*

SHB 1551 aims to reduce lead in cookware.

Section 2—Beginning January 1, 2026, prohibits the manufacture, sale, or distribution of cookware containing a specified amount of lead. Retailers who unknowingly sell the products are not liable under this act. Casual, isolated sales, or sales by nonprofits are exempt.

Section 3 – Authorizes the Department of Ecology to implement, administer, and enforce the act. Violations of the act are subject to a civil penalty not to exceed \$5,000 for a first offense and \$10,000 for repeat offense. Penalties or orders issued under the act may be appealed to the Pollution Control Hearings Board (PCHB).

Section 4 – Amends the PCHB’s jurisdiction statute to include appeals of penalties and orders issued under the act.

Section 5 – Amends the PCHB’s statute to specify that civil penalties imposed under the act must be imposed by written notice describing the violation with reasonable particularity.

### 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 3 low complexity appeals per year resulting from this bill.

ELUHO assumes ELUHO’s work on these appeals begins in January 2027 (FY 27) following the enforcement process by the Department of Ecology.

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 3 appeals. This estimate is based on a current analysis of AAJ work.

150 hours/appeal x 3 appeals = 450 AAJ hours per FY, ongoing.

Assume New AAJ FTE: The PCHB will need approximately 0.25 FTE for an AAJ with 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 0.25 FTE will not serve as a member of the Boards, but will conduct legal research and writing, mediate cases, draft Board memos and materials, and perform other legal duties to assist the Board.

Beginning in FY25 an AAJ will make \$117,840 per year, plus related benefits estimated at \$34,945 per year, at current

benefits rates. The agency needs a 0.25 FTE AAJ, so the salary would be \$117,840 x 0.25 FTE = \$29,460, per FY, ongoing. Related benefits would total \$8,736, per FY, ongoing.

Goods and services are estimated at \$1,298 per year, ongoing, and include communications, payroll processing, training, and other staff costs. Estimates include some travel at the low cost per diem rates totaling \$366 per year, ongoing. Also included is one time equipment costs for furniture and computers totaling \$1,396 in FY 27.

Assume office space needed: Currently, ELUHO leases space on the top floor of the State Parks building, Parsons Plaza. We assume we can repurpose space to include the 0.25 FTE if it has a workstation at the ELUHO office. We assume the 0.25 AAJ FTE would be offered the option of working remotely.

**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	22,117	79,720
<b>Total \$</b>			0	0	0	22,117	79,720

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

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years				0.1	0.3
A-Salaries and Wages				15,319	58,920
B-Employee Benefits				4,505	17,472
C-Professional Service Contracts					
E-Goods and Other Services				707	2,596
G-Travel				190	732
J-Capital Outlays				1,396	
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
<b>Total \$</b>	0	0	0	22,117	79,720

**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				0.1	0.3
<b>Total FTEs</b>					0.1	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.*