

Multiple Agency Fiscal Note Summary

Bill Number: 1746 HB	Title: 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	4.6	1,761,322	1,761,322	1,761,322	3.8	1,242,200	1,242,200	1,242,200	3.8	1,249,400	1,249,400	1,249,400
Total \$	4.6	1,761,322	1,761,322	1,761,322	3.8	1,242,200	1,242,200	1,242,200	3.8	1,249,400	1,249,400	1,249,400

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
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									
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

Prepared by: Gwen Stamey, OFM	Phone: (360) 790-1166	Date Published: Final 2/13/2023
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Individual State Agency Fiscal Note

Bill Number: 1746 HB	Title: State broadband map	Agency: 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	4.6	4.6	4.6	3.8	3.8
Account					
General Fund-State 001-1	876,615	884,707	1,761,322	1,242,200	1,249,400
Total \$	876,615	884,707	1,761,322	1,242,200	1,249,400

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: Emily Poole	Phone: 360-786-7106	Date: 02/06/2023
Agency Preparation: Buck Lucas	Phone: 360-725-3180	Date: 02/08/2023
Agency Approval: Jason Davidson	Phone: 360-725-5080	Date: 02/08/2023
OFM Review: Gwen Stamey	Phone: (360) 790-1166	Date: 02/08/2023

Part II: Narrative Explanation

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

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

Section 1 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 State Broadband Office (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. 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 to achieve the state's broadband speed and accessibility goals, and in accordance with the purpose and powers of the department.

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 must establish a process to receive and evaluate petitions to correct inaccuracies with the 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). The department assumes this will remain the general data reporting schedule and will update it as the FCC updates it.
- 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, the petitions process and other business solutions.

1.0 FTE Commerce Specialist 4 (2,088 hours) in FY24-FY25 and 0.50 FTE (1,044 hours), in FY26-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; and managing resident petitions to the state broadband map.

0.20 FTE WMS 2 (209 hours) in FY24-FY25 and 0.10 FTE (209 hours) in FY26-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-FY25, 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: \$520,359

FY25: \$537,712

FY26-FY29: \$442,947 each fiscal year

Professional Service Contracts:

A professional services contract for GIS services to assist with initial development of the state broadband map and add appropriate data layers.

FY24: \$100,000

FY25: \$100,000

Goods and Services:

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

FY24: \$60,133

FY25: \$60,136

FY26-FY29: \$32,423 each fiscal year

Travel:

Outreach to providers, communities and residents during development of the state broadband map, including the first year of operability to raise awareness, provide community demonstrations, and educate about the petitions 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: \$15,000

FY28: \$7,200

Intra-agency Reimbursements:

FY24: \$171,198

FY25: \$176,907

FY26-FY29: \$145,730 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.

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Total costs:

FY24: \$876,615

FY25: \$884,707

FY26-FY27: \$621,100 each fiscal year

FY28: \$628,300

FY29: \$621,100

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	876,615	884,707	1,761,322	1,242,200	1,249,400
Total \$			876,615	884,707	1,761,322	1,242,200	1,249,400

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	4.6	4.6	4.6	3.8	3.8
A-Salaries and Wages	394,890	406,737	801,627	670,868	670,868
B-Employee Benefits	125,469	130,975	256,444	215,026	215,026
C-Professional Service Contracts	100,000	100,000	200,000		
E-Goods and Other Services	60,133	60,163	120,296	64,846	64,846
G-Travel	9,925	9,925	19,850		
J-Capital Outlays	15,000		15,000		7,200
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements	171,198	176,907	348,105	291,460	291,460
9-					
Total \$	876,615	884,707	1,761,322	1,242,200	1,249,400

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	0.8	0.8	0.8	0.7	0.7
Commerce Specialist 4	86,212	1.0	1.0	1.0	0.5	0.5
EMS Band 3	138,366	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	0.2	0.2	0.2	0.1	0.1
Total FTEs		4.6	4.6	4.6	3.8	3.8

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 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: 02/13/2023
Leg. Committee Contact: Emily Poole	Phone: 360-786-7106	Date: 02/06/2023
Agency Approval: Alice Zillah	Phone: 360-725-5035	Date: 02/13/2023
OFM Review: Gwen Stamey	Phone: (360) 790-1166	Date: 02/13/2023

Part IV: Analysis

A. SUMMARY OF BILL

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

This bill will require the State Broadband Office (SBO) to develop and maintain a statewide broadband map. The bill outlines the process and timeline in which end user data is provided to the state by "covered entities," as defined, and allows the Public Works Board to assign priority to grant applicants that have supplied mapping data to the SBO.

Sec.1 amends RCW 43.155.160 to require detailed end-user address and household summary information to be included in an applicant's broadband grant program pre-application. The section is further amended to allow broadband service providers that have submitted mapping data, the option to submit a written objection to another proposed project, with justifications provided. This section is also amended to add the option for the board to prioritize projects from applicants who have submitted mapping data within the previous year.

Sec.2 amends RCW 43.330.534 to give the SBO the sole authority to develop and maintain a state broadband map.

Sec.3 adds a new section to chapter 43.330 which describes the process and timeline in which a state broadband map is developed and updated using information provided by covered entities. This information must include any information provided to the federal Communications Commission and provides limitations on data sharing activities in order to protect confidentiality. The SBO may contract with a private entity to produce the state broadband map. The office may adopt rules necessary to carry out provisions of this section. Information reported by state agencies is not subject to disclosure.

Sec.4 amends RCW 43.155.165 to add the costs to develop and maintain a statewide broadband map as expenditures that may be funded by the statewide broadband account.

Sec.5 amends RCW 42.56.270 to add that trade secrets and certain financial and commercial information supplied by businesses to support the development of the state broadband map are exempt from disclosure.

Sec.6 adds a new section which repeals acts or portions of the following: RCW 43.330.400, RCW 43.330.403, RCW 43.330.406, and RCW 43.330.409.

This legislation would take effect 90 days after adjournment of the session in which the bill is passed.

B. SUMMARY OF EXPENDITURE IMPACTS

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

This legislation has an indeterminate impact on local government expenditures.

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.

This legislation has an indeterminate impact on local government revenues.

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