
SUBSTITUTE SENATE BILL 5616

State of Washington**67th Legislature****2022 Regular Session**

By Senate Ways & Means (originally sponsored by Senator Rolfes; by request of Office of Financial Management)

1 AN ACT Relating to accounts; amending RCW 43.330.767, 46.68.067,
2 38.52.105, 41.05.143, 41.06.280, 43.08.190, 43.09.475, 71.24.580,
3 82.08.170, and 90.50A.090; reenacting and amending RCW 43.70.715,
4 43.155.050, 79.105.150, and 82.14.310; reenacting and amending 2018 c
5 298 s 7008 (uncodified); reenacting RCW 43.79.550, 43.79.555,
6 43.79.557, and 28A.300.820; adding a new section to chapter 43.79
7 RCW; creating a new section; repealing RCW 43.60A.153 and 43.79.467;
8 and providing an effective date.

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

10 **Sec. 1.** RCW 43.330.767 and 2021 c 64 s 5 are each amended to
11 read as follows:

12 (1) The manufacturing cluster acceleration (~~((subaccount—is~~
13 ~~established in the economic development strategic reserve))~~ account
14 is created in the state treasury. All receipts from appropriations
15 made to the manufacturing cluster acceleration (~~((subaccount))~~) account
16 shall be deposited into the (~~((subaccount))~~) account. Moneys in the
17 account may be spent only after appropriation.

18 (2) The department may make expenditures from the (~~((subaccount))~~)
19 account to support regional cluster acceleration strategies,
20 including: Supporting projects to assist manufacturers to diversify
21 their customer base and supply chain, supporting pilot or

1 demonstration manufacturing projects coordination with organized
2 cluster initiatives, and supporting projects that are intended to
3 increase manufacturing and research and development jobs regionally.

4 (3) The department is encouraged to seek match funds for any
5 funds appropriated to this account (~~((subaccount))~~) and may utilize
6 funds to match nonstate funds being expended on a specific project
7 that aligns with the purpose of this section.

8 **Sec. 2.** RCW 46.68.067 and 2021 c 240 s 15 are each amended to
9 read as follows:

10 The driver licensing technology support account is created (~~((as a~~
11 ~~subaccount))~~) in the highway safety fund under RCW 46.68.060. Moneys
12 in the (~~((subaccount))~~) account may be spent only after appropriation.
13 Expenditures from the (~~((subaccount))~~) account may be used only for
14 supporting information technology systems used by the department to
15 communicate with the judicial information system, manage driving
16 records, and implement court orders.

17 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.79
18 RCW to read as follows:

19 The clean energy transition workforce account is created in the
20 state treasury. Moneys in the account may be spent only after
21 appropriation. Expenditures from the account may be used only to
22 support workers who are affected by the state's transition away from
23 fossil fuels to a clean energy economy and associated program
24 administrative expenses.

25 **Sec. 4.** RCW 43.79.550 and 2021 c 334 s 958 are each reenacted to
26 read as follows:

27 The forest resiliency account is created in the state treasury.
28 Revenues to the account shall consist of appropriations and transfers
29 by the legislature and all other funding directed for deposit into
30 the account. Moneys in the account may be spent only after
31 appropriation. Expenditures from the account are dedicated to
32 activities that include but are not limited to forest health, carbon
33 sequestration, and any other activity that helps protect the forests
34 of Washington.

35 **Sec. 5.** RCW 43.79.555 and 2021 c 334 s 1902 are each reenacted
36 to read as follows:

1 The Washington rescue plan transition account is created in the
2 state treasury. Moneys in the account may be spent only after
3 appropriation. Revenues to the account consist of moneys directed by
4 the legislature to the account. Allowable uses of moneys in the
5 account include responding to the impacts of the COVID-19 pandemic
6 including those related to education, human services, health care,
7 and the economy. In addition, the legislature may appropriate from
8 the account to continue activities begun with, or augmented with,
9 COVID-19 related federal funding.

10 **Sec. 6.** RCW 43.79.557 and 2021 c 334 s 1903 are each reenacted
11 to read as follows:

12 The coronavirus state fiscal recovery fund is created in the
13 state treasury. Moneys in the account may be spent only after
14 appropriation. All federal moneys received by the state pursuant to
15 the American rescue plan act of 2021, state fiscal recovery fund,
16 P.L. 117-2, subtitle M, section 9901, must be deposited in the
17 account. The legislature may appropriate from the account only for
18 the purposes authorized in that section of the federal act.

19 **Sec. 7.** RCW 43.70.715 and 2021 c 334 s 1004 are each reenacted
20 and amended to read as follows:

21 (1) The COVID-19 public health response account is created in the
22 custody of the state treasurer. The account shall consist of funds
23 appropriated by the legislature and grants received by the department
24 of health for activities in response to the coronavirus pandemic
25 (COVID-19). Only the secretary, or the secretary's designee, may
26 authorize expenditures from the account for costs related to the
27 public health response to COVID-19, subject to any limitations
28 imposed by grant funding deposited into the account. The COVID-19
29 public health response account is subject to allotment procedures
30 under chapter 43.88 RCW, but an appropriation is not required for
31 expenditures.

32 (2)(a) The legislature finds that a safe, efficient, and
33 effective delivery of vaccinations is of the utmost importance for
34 restoring societal and economic functions. As we learn more about the
35 virus, the vaccine, and challenges to vaccine allocation and
36 distribution, it is anticipated that the state's COVID-19 vaccination
37 distribution plan will evolve. To that end, the legislature has
38 provided flexibility by funding expenditures for testing, contact

1 tracing, mitigation activities, vaccine administration and
2 distribution, and other allowable uses for the state, local health
3 jurisdictions, and tribes at the discretion of the secretary and
4 without an appropriation. However, to maintain fiscal control and to
5 ensure spending priorities align, the department is required to
6 collaborate and communicate with the chairs and ranking members of
7 the health care and fiscal committees of the legislature and local
8 health jurisdictions in advance of any significant revision of the
9 state's COVID-19 vaccination plan and to provide regular updates on
10 its implementation and spending.

11 (b) As part of the public health response to COVID-19, the
12 expenditures from the account must be used to effectively administer
13 the vaccine for COVID-19 and conduct testing and contact tracing. The
14 department must ensure that COVID-19 outreach is accessible,
15 culturally and linguistically appropriate, and that it includes
16 community-driven partnerships and strategies.

17 (c) When making expenditures for administering the vaccine for
18 COVID-19, the department must focus on identifying persons for
19 vaccination, prioritizing underserved, underrepresented, and hard-to-
20 reach communities, making the vaccine accessible, and providing
21 support to schools for safe reopening. Strategies for vaccine
22 distribution shall include the establishment and expansion of
23 community vaccination centers, mobile vaccination units, reporting
24 enhancements, in-home visits for vaccinations for the elderly, and
25 transportation of individuals to vaccination sites.

26 (d) When making expenditures regarding testing and contact
27 tracing, the department must provide equitable access, prioritize
28 underserved, underrepresented, and hard-to-reach communities, and
29 provide support and resources to facilitate the safe reopening of
30 schools while minimizing community spread of the virus.

31 (e) The department may also make expenditures from the account
32 related to developing the public health workforce using funds granted
33 by the federal government for that purpose in section 2501, the
34 American rescue plan act of 2021, P.L. 117-2.

35 (3) When making expenditures from the account, the department
36 must include an emphasis on public communication regarding the
37 availability and accessibility of the vaccine and testing, and the
38 importance of vaccine and testing availability to the safe reopening
39 of the state.

1 (4) (a) The department must report to the fiscal and health care
2 committees of the legislature on a monthly basis regarding its
3 COVID-19 response.

4 (b) To the extent that it is available, the report must include
5 data regarding vaccine distribution, testing, and contact tracing, as
6 follows:

7 (i) The number of vaccines administered per day, including
8 regional data regarding the location and age groups of persons
9 receiving the vaccine, specifically identifying hard-to-reach
10 communities in which vaccines were administered; and

11 (ii) The number of tests conducted per week, including data
12 specifically addressing testing conducted in hard-to-reach
13 communities.

14 (c) The first monthly report is due no later than one month from
15 February 19, 2021. Monthly reports are no longer required upon the
16 department's determination that the remaining balance of the COVID-19
17 (~~(public health)~~) public health response account is less than
18 \$100,000.

19 **Sec. 8.** RCW 28A.300.820 and 2021 c 334 s 1901 are each reenacted
20 to read as follows:

21 The elementary and secondary school emergency relief III account
22 is created in the state treasury. Revenues attributable to section
23 2001, the American rescue plan act of 2021, P.L. 117-2 must be
24 deposited into the account. Moneys in the account may be spent only
25 after appropriation.

26 **Sec. 9.** 2018 c 298 s 7008 (uncodified) is reenacted and amended
27 to read as follows:

28 The energy efficiency account is hereby created in the state
29 treasury. The sums deposited in the energy efficiency account shall
30 be appropriated and expended for loans, loan guarantees, and grants
31 for projects that encourage the establishment and use of innovative
32 and sustainable industries for renewable energy and energy efficiency
33 technology. The balance of state funds, federal funds, and loan
34 repayments, from the energy recovery act account, are deposited in
35 this account. Moneys in the account may also be appropriated and
36 expended for loans, loan guarantees, and grants for projects that
37 achieve reductions in greenhouse gas emissions for emissions-
38 intensive, trade-exposed industries.

1 **Sec. 10.** RCW 38.52.105 and 2021 c 334 s 963 are each amended to
2 read as follows:

3 The disaster response account is created in the state treasury.
4 Moneys may be placed in the account from legislative appropriations
5 and transfers, federal appropriations, or any other lawful source.
6 Moneys in the account may be spent only after appropriation.
7 Expenditures from the account may be used only for support of state
8 agency and local government disaster response and recovery efforts,
9 including response by state and local government and federally
10 recognized tribes to the novel coronavirus pursuant to the
11 gubernatorial declaration of emergency of February 29, 2020, and to
12 reimburse the workers' compensation funds and self-insured employers
13 under RCW 51.16.220. (~~During the 2019-2021 and 2021-2023 fiscal~~
14 ~~biennia, expenditures~~) Expenditures from the disaster response
15 account may be used for military department operations and to support
16 wildland fire suppression preparedness, prevention, and restoration
17 activities by state agencies and local governments. (~~During the~~
18 ~~2017-2019 and 2019-2021 fiscal biennia, the~~) The legislature may
19 direct the treasurer to make transfers of moneys in the disaster
20 response account to the state general fund. (~~It is the intent of the~~
21 ~~legislature that these policies will be continued in subsequent~~
22 ~~fiscal biennia.~~)

23 **Sec. 11.** RCW 41.05.143 and 2018 c 260 s 27 are each amended to
24 read as follows:

25 (1) The uniform medical plan benefits administration account is
26 created in the custody of the state treasurer. Only the director or
27 the director's designee may authorize expenditures from the account.
28 Moneys in the account shall be used exclusively for contracted
29 expenditures for uniform medical plan claims administration, data
30 analysis, utilization management, preferred provider administration,
31 and activities related to benefits administration where the level of
32 services provided pursuant to a contract fluctuate as a direct result
33 of changes in uniform medical plan enrollment. Moneys in the account
34 may also be used for administrative activities required to respond to
35 new and unforeseen conditions that impact the uniform medical plan,
36 but only when the authority and the office of financial management
37 jointly agree that such activities must be initiated prior to the
38 next legislative session.

1 (2) Receipts from amounts due from or on behalf of uniform
2 medical plan enrollees for expenditures related to benefits
3 administration, including moneys disbursed from the public employees'
4 and retirees' insurance account, shall be deposited into the account.
5 The account is subject to allotment procedures under chapter 43.88
6 RCW, but no appropriation is required for expenditures. All proposals
7 for allotment increases shall be provided to the house of
8 representatives appropriations committee and to the senate ways and
9 means committee at the same time as they are provided to the office
10 of financial management.

11 (3) The uniform dental plan benefits administration account is
12 created in the custody of the state treasurer. Only the director or
13 the director's designee may authorize expenditures from the account.
14 Moneys in the account shall be used exclusively for contracted
15 expenditures related to benefits administration for the uniform
16 dental plan as established under RCW 41.05.140. Receipts from amounts
17 due from or on behalf of uniform dental plan enrollees for
18 expenditures related to benefits administration, including moneys
19 disbursed from the public employees' and retirees' insurance account,
20 shall be deposited into the account. The account is subject to
21 allotment procedures under chapter 43.88 RCW, but no appropriation is
22 required for expenditures.

23 ~~(4) ((The public employees' benefits board medical benefits~~
24 ~~administration account is created in the custody of the state~~
25 ~~treasurer. Only the director or the director's designee may authorize~~
26 ~~expenditures from the account. Moneys in the account shall be used~~
27 ~~exclusively for contracted expenditures related to claims~~
28 ~~administration, data analysis, utilization management, preferred~~
29 ~~provider administration, and other activities related to benefits~~
30 ~~administration for self-insured medical plans. Receipts from amounts~~
31 ~~due from or on behalf of enrollees for expenditures related to~~
32 ~~benefits administration, including moneys disbursed from the public~~
33 ~~employees' and retirees' insurance account, shall be deposited into~~
34 ~~the account. The account is subject to allotment procedures under~~
35 ~~chapter 43.88 RCW, but an appropriation is not required for~~
36 ~~expenditures.~~

37 (5)) The school employees' benefits board medical benefits
38 administrative account is created in the custody of the state
39 treasurer. Only the director or the director's designee may authorize
40 expenditures from the account. Moneys in the account shall be used

1 exclusively for school employees' benefits board contracted
2 expenditures related to claims administration, data analysis,
3 utilization management, preferred provider administration, and other
4 activities related to benefits administration for self-insured
5 medical plans. Receipts from amounts due from or on behalf of
6 enrollees for expenditures related to benefits administration,
7 including moneys disbursed from the school employees' insurance
8 account, shall be deposited into the account. The account is subject
9 to allotment procedures under chapter 43.88 RCW, but no appropriation
10 is required for expenditures.

11 ~~((+6))~~ (5) The school employees' benefits board dental benefits
12 administration account is created in the custody of the state
13 treasurer. Only the director or the director's designee may authorize
14 expenditures from the account. Moneys in the account shall be used
15 exclusively for school employees' benefits board contracted
16 expenditures related to benefits administration for the self-insured
17 dental plan as established under RCW 41.05.140. Receipts from amounts
18 due from or on behalf of the self-insured dental plan enrollees for
19 expenditures related to benefits administration, including moneys
20 disbursed from the school employees' insurance account, shall be
21 deposited into the account. The account is subject to allotment
22 procedures under chapter 43.88 RCW, but no appropriation is required
23 for expenditures.

24 **Sec. 12.** RCW 41.06.280 and 2021 c 334 s 964 are each amended to
25 read as follows:

26 (1) There is hereby created a fund within the state treasury,
27 designated as the "personnel service fund," to be used by the office
28 of financial management as a revolving fund for the payment of
29 salaries, wages, and operations required for the administration of
30 the provisions of this chapter, applicable provisions of chapter
31 41.04 RCW, and chapter 41.60 RCW. An amount not to exceed one and
32 one-half percent of the salaries and wages for all positions in the
33 classified service in each of the agencies subject to this chapter,
34 except the institutions of higher education, shall be charged to the
35 operations appropriations of each agency and credited to the
36 personnel service fund as the allotments are approved pursuant to
37 chapter 43.88 RCW. Subject to the above limitations, the amount shall
38 be charged against the allotments pro rata, at a rate to be fixed by
39 the director from time to time which, together with income derived

1 from services rendered under RCW 41.06.080, will provide the office
2 of financial management with funds to meet its anticipated
3 expenditures during the allotment period, including the training
4 requirements in RCW 41.06.500 and 41.06.530. All revenues, net of
5 expenditures, previously derived from services provided by the
6 department of enterprise services under RCW 41.06.080 must be
7 transferred to the enterprise services account.

8 (2) The director shall fix the terms and charges for services
9 rendered by the office of financial management pursuant to RCW
10 41.06.080, which amounts shall be credited to the personnel service
11 fund and charged against the proper fund or appropriation of the
12 recipient of such services on a monthly basis. Payment for services
13 so rendered under RCW 41.06.080 shall be made on a monthly basis to
14 the state treasurer and deposited in the personnel service fund.

15 (3) Moneys from the personnel service fund shall be disbursed by
16 the state treasurer by warrants on vouchers duly authorized by the
17 office of financial management.

18 (4) (~~During the 2019-2021 and 2021-2023 fiscal biennia, the~~)
19 The office of financial management may use the personnel service fund
20 to administer an employee transit pass program and other employment
21 benefits. The office of financial management must bill state agencies
22 for the total cost of administering the program and payments received
23 from agencies must be deposited in the personnel service fund.

24 (~~(5) During the 2019-2021 fiscal biennium, the office of~~
25 ~~financial management may use the personnel service fund to administer~~
26 ~~an employee flexible spending arrangement. The office of financial~~
27 ~~management must bill state agencies for the total cost of~~
28 ~~administering the program and payments received from agencies must be~~
29 ~~deposited in the personnel service fund.))~~

30 **Sec. 13.** RCW 43.08.190 and 2021 c 334 s 969 are each amended to
31 read as follows:

32 There is hereby created a fund within the state treasury to be
33 known as the "state treasurer's service fund." Such fund shall be
34 used solely for the payment of costs and expenses incurred in the
35 operation and administration of the state treasurer's office.

36 Moneys shall be allocated monthly and placed in the state
37 treasurer's service fund equivalent to a maximum of one percent of
38 the trust and treasury average daily cash balances from the earnings
39 generated under the authority of RCW 43.79A.040 and 43.84.080 other

1 than earnings generated from investment of balances in funds and
2 accounts specified in RCW 43.79A.040(4)(c). The allocation shall
3 precede the distribution of the remaining earnings as prescribed
4 under RCW 43.79A.040 and 43.84.092. The state treasurer shall
5 establish a uniform allocation rate for all funds and accounts;
6 except that the state treasurer may negotiate a different allocation
7 rate with any state agency that has independent authority over funds
8 not statutorily required to be held in the state treasury or in the
9 custody of the state treasurer. In no event shall the rate be less
10 than the actual costs incurred by the state treasurer's office. If no
11 rate is separately negotiated, the default rate for any funds held
12 shall be the rate set for funds held pursuant to statute.

13 ~~((During the 2019-2021 and 2021-2023 fiscal biennia, the))~~ The
14 legislature may direct the state treasurer to make transfers of money
15 in the state treasurer's service fund to the state general fund. ~~((It~~
16 ~~is the intent of the legislature that this policy will be continued~~
17 ~~in subsequent biennia.))~~

18 **Sec. 14.** RCW 43.09.475 and 2021 c 334 s 970 are each amended to
19 read as follows:

20 The performance audits of government account is hereby created in
21 the custody of the state treasurer. Revenue identified in RCW
22 82.08.020(5) and 82.12.0201 shall be deposited in the account. Money
23 in the account shall be used to fund the performance audits and
24 follow-up performance audits under RCW 43.09.470 and shall be
25 expended by the state auditor in accordance with chapter 1, Laws of
26 2006. Only the state auditor or the state auditor's designee may
27 authorize expenditures from the account. The account is subject to
28 allotment procedures under chapter 43.88 RCW, but an appropriation is
29 not required for expenditures. ~~((During the 2019-2021 and 2021-2023~~
30 ~~fiscal biennia, the))~~ The performance audits of government account
31 may be appropriated for the joint legislative audit and review
32 committee, the legislative evaluation and accountability program
33 committee, and for the office of financial management's~~((r))~~
34 performance audit and compliance audit activities. During the
35 2019-2021 and 2021-2023 fiscal biennia, the performance audits of
36 government account may be appropriated for the superintendent of
37 public instruction, the department of fish and wildlife, and audits
38 of school districts. In addition, during the 2019-2021 and 2021-2023
39 fiscal biennia the account may be used to fund the office of

1 financial management's contract for the compliance audit of the state
2 auditor and audit activities at the department of revenue.

3 **Sec. 15.** RCW 43.155.050 and 2021 c 334 s 979 and 2021 c 332 s
4 7031 are each reenacted and amended to read as follows:

5 The public works assistance account is hereby established in the
6 state treasury. Money may be placed in the public works assistance
7 account from the proceeds of bonds when authorized by the legislature
8 or from any other lawful source. Money in the public works assistance
9 account shall be used to make loans and grants and to give financial
10 guarantees to local governments for public works projects. Moneys in
11 the account may also be appropriated or transferred to the water
12 pollution control revolving fund and the drinking water assistance
13 account to provide for state match requirements under federal law.
14 Not more than twenty percent of the biennial capital budget
15 appropriation to the public works board from this account may be
16 expended or obligated for preconstruction loans and grants, emergency
17 loans and grants, or loans and grants for capital facility planning
18 under this chapter. Not more than ten percent of the biennial capital
19 budget appropriation to the public works board from this account may
20 be expended or obligated as grants for preconstruction, emergency,
21 capital facility planning, and construction projects. During the
22 2017-2019 and 2019-2021 fiscal biennia, the legislature may
23 appropriate moneys from the account for activities related to rural
24 economic development, the growth management act, the aviation
25 revitalization loan program, the community economic revitalization
26 board broadband program, and the voluntary stewardship program.
27 During the 2021-2023 biennium, the legislature may appropriate moneys
28 from the account for activities related to the aviation
29 revitalization board. During the 2019-2021 fiscal biennia, the
30 legislature may direct the state treasurer to make transfers of
31 moneys in the public works assistance account to the education legacy
32 trust account. During the 2019-2021 and 2021-2023 fiscal biennia, the
33 legislature may direct the state treasurer to make transfers of
34 moneys in the public works assistance account to the statewide
35 broadband account. (~~During the 2021-2023 fiscal biennium, the~~) The
36 legislature may appropriate moneys from the public works assistance
37 account for activities related to the voluntary stewardship program,
38 rural economic development, and the growth management act.

1 **Sec. 16.** RCW 71.24.580 and 2021 c 334 s 989 are each amended to
2 read as follows:

3 (1) The criminal justice treatment account is created in the
4 state treasury. Moneys in the account may be expended solely for: (a)
5 Substance use disorder treatment and treatment support services for
6 offenders with a substance use disorder that, if not treated, would
7 result in addiction, against whom charges are filed by a prosecuting
8 attorney in Washington state; (b) the provision of substance use
9 disorder treatment services and treatment support services for
10 nonviolent offenders within a drug court program; and (c) the
11 administrative and overhead costs associated with the operation of a
12 drug court. Amounts provided in this subsection must be used for
13 treatment and recovery support services for criminally involved
14 offenders and authorization of these services shall not be subject to
15 determinations of medical necessity. During the 2019-2021 and
16 2021-2023 fiscal biennia, funding from the criminal justice treatment
17 account may be used to provide treatment and support services through
18 the conclusion of an individual's treatment plan to individuals
19 participating in a drug court program as of February 24, 2021, if
20 that individual wishes to continue treatment following dismissal of
21 charges they were facing under RCW 69.50.4013(1). Such participation
22 is voluntary and contingent upon substantial compliance with drug
23 court program requirements. (~~During the 2019-2021 and 2021-2023~~
24 ~~fiscal biennia, the~~) The legislature may appropriate from the
25 account for municipal drug courts and increased treatment options.
26 During the 2019-2021 fiscal biennium, the legislature may direct the
27 state treasurer to make transfers of moneys in the criminal justice
28 treatment account to the home security fund account created in RCW
29 43.185C.060. Moneys in the account may be spent only after
30 appropriation.

31 (2) For purposes of this section:

32 (a) "Treatment" means services that are critical to a
33 participant's successful completion of his or her substance use
34 disorder treatment program, including but not limited to the recovery
35 support and other programmatic elements outlined in RCW 2.30.030
36 authorizing therapeutic courts; and

37 (b) "Treatment support" includes transportation to or from
38 inpatient or outpatient treatment services when no viable alternative
39 exists, and child care services that are necessary to ensure a
40 participant's ability to attend outpatient treatment sessions.

1 (3) Revenues to the criminal justice treatment account consist
2 of: (a) Funds transferred to the account pursuant to this section;
3 and (b) any other revenues appropriated to or deposited in the
4 account.

5 (4)(a) For the fiscal year beginning July 1, 2005, and each
6 subsequent fiscal year, the state treasurer shall transfer eight
7 million two hundred fifty thousand dollars from the general fund to
8 the criminal justice treatment account, divided into four equal
9 quarterly payments. For the fiscal year beginning July 1, 2006, and
10 each subsequent fiscal year, the amount transferred shall be
11 increased on an annual basis by the implicit price deflator as
12 published by the federal bureau of labor statistics.

13 (b) In each odd-numbered year, the legislature shall appropriate
14 the amount transferred to the criminal justice treatment account in
15 (a) of this subsection to the department for the purposes of
16 subsection (5) of this section.

17 (5) Moneys appropriated to the authority from the criminal
18 justice treatment account shall be distributed as specified in this
19 subsection. The authority may retain up to three percent of the
20 amount appropriated under subsection (4)(b) of this section for its
21 administrative costs.

22 (a) Seventy percent of amounts appropriated to the authority from
23 the account shall be distributed to counties pursuant to the
24 distribution formula adopted under this section. The authority, in
25 consultation with the department of corrections, the Washington state
26 association of counties, the Washington state association of drug
27 court professionals, the superior court judges' association, the
28 Washington association of prosecuting attorneys, representatives of
29 the criminal defense bar, representatives of substance use disorder
30 treatment providers, and any other person deemed by the authority to
31 be necessary, shall establish a fair and reasonable methodology for
32 distribution to counties of moneys in the criminal justice treatment
33 account. County or regional plans submitted for the expenditure of
34 formula funds must be approved by the panel established in (b) of
35 this subsection.

36 (b) Thirty percent of the amounts appropriated to the authority
37 from the account shall be distributed as grants for purposes of
38 treating offenders against whom charges are filed by a county
39 prosecuting attorney. The authority shall appoint a panel of
40 representatives from the Washington association of prosecuting

1 attorneys, the Washington association of sheriffs and police chiefs,
2 the superior court judges' association, the Washington state
3 association of counties, the Washington defender's association or the
4 Washington association of criminal defense lawyers, the department of
5 corrections, the Washington state association of drug court
6 professionals, and substance use disorder treatment providers. The
7 panel shall review county or regional plans for funding under (a) of
8 this subsection and grants approved under this subsection. The panel
9 shall attempt to ensure that treatment as funded by the grants is
10 available to offenders statewide.

11 (6) The county alcohol and drug coordinator, county prosecutor,
12 county sheriff, county superior court, a substance abuse treatment
13 provider appointed by the county legislative authority, a member of
14 the criminal defense bar appointed by the county legislative
15 authority, and, in counties with a drug court, a representative of
16 the drug court shall jointly submit a plan, approved by the county
17 legislative authority or authorities, to the panel established in
18 subsection (5)(b) of this section, for disposition of all the funds
19 provided from the criminal justice treatment account within that
20 county. The submitted plan should incorporate current evidence-based
21 practices in substance use disorder treatment. The funds shall be
22 used solely to provide approved alcohol and substance use disorder
23 treatment pursuant to RCW 71.24.560 and treatment support services.
24 No more than ten percent of the total moneys received under
25 subsections (4) and (5) of this section by a county or group of
26 counties participating in a regional agreement shall be spent for
27 treatment support services.

28 (7) Counties are encouraged to consider regional agreements and
29 submit regional plans for the efficient delivery of treatment under
30 this section.

31 (8) Moneys allocated under this section shall be used to
32 supplement, not supplant, other federal, state, and local funds used
33 for substance abuse treatment.

34 (9) If a region or county uses criminal justice treatment account
35 funds to support a therapeutic court, the therapeutic court must
36 allow the use of all medications approved by the federal food and
37 drug administration for the treatment of opioid use disorder as
38 deemed medically appropriate for a participant by a medical
39 professional. If appropriate medication-assisted treatment resources
40 are not available or accessible within the jurisdiction, the health

1 care authority's designee for assistance must assist the court with
2 acquiring the resource.

3 (10) Counties must meet the criteria established in RCW
4 2.30.030(3).

5 (11) The authority shall annually review and monitor the
6 expenditures made by any county or group of counties that receives
7 appropriated funds distributed under this section. Counties shall
8 repay any funds that are not spent in accordance with the
9 requirements of its contract with the authority.

10 **Sec. 17.** RCW 79.105.150 and 2021 c 334 s 996 and 2021 c 209 s 16
11 are each reenacted and amended to read as follows:

12 (1) After deduction for management costs as provided in RCW
13 79.64.040 and payments to towns under RCW 79.115.150(2), all moneys
14 received by the state from the sale or lease of state-owned aquatic
15 lands and from the sale of valuable material from state-owned aquatic
16 lands shall be deposited in the aquatic lands enhancement account
17 which is hereby created in the state treasury. After appropriation,
18 these funds shall be used solely for aquatic lands enhancement
19 projects; for the purchase, improvement, or protection of aquatic
20 lands for public purposes; for providing and improving access to the
21 lands; and for volunteer cooperative fish and game projects. (~~During~~
22 ~~the 2017-2019, 2019-2021, and 2021-2023 fiscal biennia, the~~) The
23 aquatic lands enhancement account may be used to support the
24 shellfish program, the ballast water program, hatcheries, the Puget
25 Sound toxic sampling program and steelhead mortality research at the
26 department of fish and wildlife, the knotweed program at the
27 department of agriculture, actions at the University of Washington
28 for reducing ocean acidification, which may include the creation of a
29 center on ocean acidification, the Puget SoundCorps program, and
30 support of the marine resource advisory council and the Washington
31 coastal marine advisory council. During the 2017-2019 and 2019-2021
32 fiscal biennia, the legislature may transfer from the aquatic lands
33 enhancement account to the geoduck aquaculture research account for
34 research related to shellfish aquaculture. During the 2015-2017
35 fiscal biennium, the legislature may transfer moneys from the aquatic
36 lands enhancement account to the marine resources stewardship trust
37 account.

38 (2) In providing grants for aquatic lands enhancement projects,
39 the recreation and conservation funding board shall:

1 (a) Require grant recipients to incorporate the environmental
2 benefits of the project into their grant applications;

3 (b) Utilize the statement of environmental benefits,
4 consideration, except as provided in RCW 79.105.610, of whether the
5 applicant is a Puget Sound partner, as defined in RCW 90.71.010,
6 whether a project is referenced in the action agenda developed by the
7 Puget Sound partnership under RCW 90.71.310, and except as otherwise
8 provided in RCW 79.105.630, and effective one calendar year following
9 the development and statewide availability of urban forestry
10 management plans and ordinances under RCW 76.15.090, whether the
11 applicant is an entity that has been recognized, and what gradation
12 of recognition was received, in the evergreen community designation
13 program created in RCW 76.15.090 in its prioritization and selection
14 process; and

15 (c) Develop appropriate outcome-focused performance measures to
16 be used both for management and performance assessment of the grants.

17 (3) To the extent possible, the department should coordinate its
18 performance measure system with other natural resource-related
19 agencies as defined in RCW 43.41.270.

20 (4) The department shall consult with affected interest groups in
21 implementing this section.

22 (5) Any project designed to address the restoration of Puget
23 Sound may be funded under this chapter only if the project is not in
24 conflict with the action agenda developed by the Puget Sound
25 partnership under RCW 90.71.310.

26 **Sec. 18.** RCW 82.08.170 and 2021 c 334 s 998 are each amended to
27 read as follows:

28 (1) Except as provided in subsections (4) and (5) of this
29 section, during the months of January, April, July, and October of
30 each year, the state treasurer must make the transfers required under
31 subsections (2) and (3) of this section from the liquor excise tax
32 fund and then the apportionment and distribution of all remaining
33 moneys in the liquor excise tax fund to the counties, cities, and
34 towns in the following proportions: (a) Twenty percent of the moneys
35 in the liquor excise tax fund must be divided among and distributed
36 to the counties of the state in accordance with the provisions of RCW
37 66.08.200; and (b) eighty percent of the moneys in the liquor excise
38 tax fund must be divided among and distributed to the cities and

1 towns of the state in accordance with the provisions of RCW
2 66.08.210.

3 (2) Each fiscal quarter and prior to making the twenty percent
4 distribution to counties under subsection (1)(a) of this section, the
5 treasurer shall transfer to the liquor revolving fund created in RCW
6 66.08.170 sufficient moneys to fund the allotments from any
7 legislative appropriations for county research and services as
8 provided under chapter 43.110 RCW.

9 (3) During the months of January, April, July, and October of
10 each year, the state treasurer must transfer two million five hundred
11 thousand dollars from the liquor excise tax fund to the state general
12 fund.

13 (4) During calendar year 2012, the October distribution under
14 subsection (1) of this section and the July and October transfers
15 under subsections (2) and (3) of this section must not be made.
16 During calendar year 2013, the January, April, and July distributions
17 under subsection (1) of this section and transfers under subsections
18 (2) and (3) of this section must not be made.

19 (5) (~~During the 2015-2017, 2019-2021, and 2021-2023 fiscal~~
20 ~~biennia, the~~) The liquor excise tax fund may be appropriated for the
21 local government fiscal note program in the department of commerce.
22 (~~It is the intent of the legislature to continue this policy in the~~
23 ~~subsequent fiscal biennium.~~)

24 **Sec. 19.** RCW 82.14.310 and 2021 c 334 s 999 and 2021 c 296 s 2
25 are each reenacted and amended to read as follows:

26 (1) The county criminal justice assistance account is created in
27 the state treasury. Beginning in fiscal year 2000, the state
28 treasurer must transfer into the county criminal justice assistance
29 account from the general fund the sum of \$23,200,000 divided into
30 four equal deposits occurring on July 1, October 1, January 1, and
31 April 1. For each fiscal year thereafter, the state treasurer must
32 increase the total transfer by the fiscal growth factor, as defined
33 in RCW 43.135.025, forecast for that fiscal year by the office of
34 financial management in November of the preceding year.

35 (2) The moneys deposited in the county criminal justice
36 assistance account for distribution under this section, less any
37 moneys appropriated for purposes under subsections (4) and (5) of
38 this section, must be distributed at such times as distributions are

1 made under RCW 82.44.150 and on the relative basis of each county's
2 funding factor as determined under this subsection.

3 (a) A county's funding factor is the sum of:

4 (i) The population of the county, divided by 1,000, and
5 multiplied by two-tenths;

6 (ii) The crime rate of the county, multiplied by three-tenths;
7 and

8 (iii) The annual number of criminal cases filed in the county
9 superior court, for each 1,000 in population, multiplied by five-
10 tenths.

11 (b) Under this section and RCW 82.14.320 and 82.14.330:

12 (i) The population of the county or city is as last determined by
13 the office of financial management;

14 (ii) The crime rate of the county or city is the annual
15 occurrence of specified criminal offenses, as calculated in the most
16 recent annual report on crime in Washington state as published by the
17 Washington association of sheriffs and police chiefs, for each 1,000
18 in population;

19 (iii) The annual number of criminal cases filed in the county
20 superior court must be determined by the most recent annual report of
21 the courts of Washington, as published by the administrative office
22 of the courts;

23 (iv) Distributions and eligibility for distributions in the
24 1989-1991 biennium must be based on 1988 figures for both the crime
25 rate as described under (~~(b)~~) (b)(ii) of this subsection and the
26 annual number of criminal cases that are filed as described under
27 (~~(b)~~) (b)(iii) of this subsection. Future distributions must be
28 based on the most recent figures for both the crime rate as described
29 under (~~(b)~~) (b)(ii) of this subsection and the annual number of
30 criminal cases that are filed as described under (~~(b)~~) (b)(iii)
31 of this subsection.

32 (3) Moneys distributed under this section must be expended
33 exclusively for criminal justice purposes. Except after May 13, 2021,
34 through December 31, 2023, these funds may not be used to replace or
35 supplant existing funding. Criminal justice purposes are defined as
36 activities that substantially assist the criminal justice system,
37 which may include circumstances where ancillary benefit to the civil
38 or juvenile justice system occurs, and which includes (a) domestic
39 violence services such as those provided by domestic violence
40 programs, community advocates, and legal advocates, as defined in RCW

1 70.123.020, and (b) during the 2001-2003 fiscal biennium, juvenile
2 dispositional hearings relating to petitions for at-risk youth,
3 truancy, and children in need of services. Existing funding for
4 purposes of this subsection is defined as calendar year 1989 actual
5 operating expenditures for criminal justice purposes. Calendar year
6 1989 actual operating expenditures for criminal justice purposes
7 exclude the following: Expenditures for extraordinary events not
8 likely to reoccur, changes in contract provisions for criminal
9 justice services, beyond the control of the local jurisdiction
10 receiving the services, and major nonrecurring capital expenditures.

11 (4) Not more than five percent of the funds deposited to the
12 county criminal justice assistance account may be available for
13 appropriations for enhancements to the state patrol crime laboratory
14 system and the continuing costs related to these enhancements. Funds
15 appropriated from this account for such enhancements may not supplant
16 existing funds from the state general fund.

17 ~~(5) ((During the 2017-2019 fiscal biennium, the sum of \$153,000,~~
18 ~~and during the 2019-2021 and 2021-2023 fiscal biennia))~~ Each fiscal
19 biennium, the sum of \$510,000, may be appropriated for the Washington
20 state patrol to provide investigative assistance and report services
21 to assist local law enforcement agencies to prosecute criminals. ~~((It~~
22 ~~is the intent of the legislature that this policy will be continued~~
23 ~~in subsequent fiscal biennia.))~~

24 **Sec. 20.** RCW 90.50A.090 and 2021 c 334 s 1000 are each amended
25 to read as follows:

26 (1) The water pollution control revolving administration account
27 is created in the state treasury. All receipts from charges
28 authorized in this section must be deposited in the account. Moneys
29 in the account may be spent only after appropriation. Expenditures
30 from the account may be used only in a manner consistent with this
31 section.

32 (2) The department is authorized to assess administration charges
33 as a portion of the debt service for loans issued under the water
34 pollution control revolving fund created in RCW 90.50A.020. The sole
35 purpose of assessing administration charges is to predictably and
36 adequately fund the department's costs of administering the water
37 pollution control revolving fund loan program, as identified in
38 subsection (5) of this section. The department must assess
39 administration charges on each water pollution control revolving fund

1 loan at the point the loan enters repayment status, after July 28,
2 2013, and rule changes are adopted to implement the administration
3 charge. Loans that are at an interest rate below the established
4 administration charge rate are exempt from the administration charge.

5 (3) The water pollution control revolving administration account
6 consists of:

7 (a) Any administration charge levied by the department in
8 conjunction with administration of the water pollution control
9 revolving fund; and

10 (b) Any other revenues derived from gifts, grants, or bequests
11 pledged to the state for the purpose of administering the water
12 pollution control revolving fund.

13 (4) The state treasurer may invest and reinvest moneys in the
14 water pollution control revolving administration account in the
15 manner provided by law. All earnings from such investment and
16 reinvestment must be credited to the water pollution control
17 revolving administration account.

18 (5) Moneys in the water pollution control revolving
19 administration account are to be used for the following water
20 pollution control revolving fund loan program costs:

21 (a) Administration costs associated with conducting application
22 processes, managing contracts, collecting loan repayments, managing
23 the revolving fund, providing technical assistance, and meeting state
24 and federal reporting requirements; and

25 (b) Information and data system costs associated with loan
26 tracking and fund management.

27 (6) Each biennium, the department may spend from the water
28 pollution control revolving administration account an amount no
29 greater than four percent of the water pollution control revolving
30 fund new capital appropriation.

31 (7) For its 2017-2019 biennial operating budget submittal, and
32 every biennium thereafter, the department must compare the projected
33 water pollution control revolving administration account balance and
34 the projected administration charge income with projected program
35 costs, including an adequate working capital reserve as defined by
36 the office of financial management. In its submittal to the office of
37 financial management, the department may:

38 (a) Find that the projected administration charge income is
39 inadequate to fund the cost of administering the program, and that
40 the rate of the charge must be increased. However, the administration

1 charge may never exceed one percent on the declining principal loan
2 balance;

3 (b) Find that the projected administration charge income exceeds
4 what is needed to fund the cost of administering the program, and
5 that the rate of the charge must be decreased;

6 (c) Find that there is an excess balance in the revolving
7 administration account, and that the excess must be transferred to
8 the water pollution control revolving fund to be used for loans; or

9 (d) Find that there is no need for any rate adjustments or
10 balance transfers.

11 (8) At the point where the water pollution control revolving
12 administration account adequately covers the program administration
13 costs, the department may no longer use the federal administration
14 allowance. If a federal capitalization grant is awarded after that
15 point, all federal capitalization dollars must be used for making
16 loans.

17 (9) By December 1, 2018, the department must submit to the
18 appropriate legislative fiscal committees a report on implementation
19 of the administration charge, including information on: The amount of
20 income the administration charge has produced since its inception;
21 the uses and adequacy of the income for administrative costs; any
22 excess balances that have been transferred to the water pollution
23 control revolving fund; and any additional sources that the
24 department is using for program administration.

25 (10) (~~During the 2019-2021 and 2021-2023 fiscal biennia, the~~)
26 The legislature may direct the state treasurer to make transfers of
27 moneys in the water pollution control revolving administration
28 account to the water pollution control revolving fund.

29 NEW SECTION. **Sec. 21.** The following acts or parts of acts are
30 each repealed:

31 (1) RCW 43.60A.153 (Veterans conservation corps account) and 2007
32 c 451 s 6; and

33 (2) RCW 43.79.467 (Dedicated McCleary penalty account) and 2018 c
34 299 s 920.

35 NEW SECTION. **Sec. 22.** The special personnel litigation
36 revolving account created in chapter 372, Laws of 2006 is eliminated.

1 NEW SECTION. **Sec. 23.** Section 2 of this act takes effect
2 January 1, 2023.

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