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**ESSB 5187** - H AMD TO H AMD (H-1823.1/23) **534**

By Representative Walsh

**NOT ADOPTED 04/03/2023**

On page 36, line 17, decrease the general fund-state appropriation for fiscal year 2025 by $20,500,000

On page 36, line 28, decrease the coronavirus state fiscal recovery fund-federal appropriation by $20,500,000

On page 36, after line 37, insert the following:

"Encampment Cleanup Account-State Appropriation . . . $500,000,000"

On page 36, line 38, correct the total.

On page 48, line 27, after "(35)" strike "$76,000,000" and insert "$55,500,000"

On page 48, line 28, after "2025 and" strike "$76,000,000" and insert "$55,500,000"

On page 63, after line 9, insert the following:

"(74)(a) $500,000,000 of the encampment cleanup account-state appropriation is provided solely for the department to provide grants to local governments for costs associated with responding to and preventing encampments, and other activities to address and prevent homelessness. The department must provide grants to counties who enact an ordinance as described in (b) of this subsection. Counties must subgrant with any cities within the county that enact an ordinance as described in (b) of this subsection. In making subgrants, counties must distribute funds based on the city's relative share of unsheltered homeless individuals living in the county.

(b) A local government is eligible to receive a grant under (a) of this subsection if it enacts an ordinance making it unlawful for any person to camp for the purposes of habitation on public property within 500 feet of:

(i) Public or private elementary or secondary schools;

(ii) School walk areas, as determined under rules promulgated by the superintendent of public instruction pursuant to RCW 28A.150.290;

(iii) Child day care centers, as defined in RCW 43.216.010;

(iv) Public parks, as defined in RCW 69.50.435; and

(v) County courthouses.

(c) A local government must submit a copy of the ordinance enacted pursuant to (b) of this subsection to the department in order to receive grant funding.

(d) Grantees must first use funding awarded under (a) of this subsection for actions to enforce an ordinance as described in (b) of this subsection, including, but not limited to, costs to clear garbage, debris, or hazardous materials, and costs to prevent future encampments from forming in areas protected under the enacted ordinance. Grantees may also use funding for other activities to address and prevent homelessness, including providing housing and supportive services for homeless individuals and families.

(e) The department must distribute funds awarded under (a) of this subsection to eligible counties on a first-come, first-served basis.

(f) Of the amounts provided in this subsection, $2,000,000 of the encampment cleanup account-state appropriation is provided solely for the department to administer the program and create and maintain a data dashboard with performance metrics regarding encampment sites addressed by grantees. The dashboard must allow for viewing data at a statewide level and by county. The dashboard must include the following metrics:

(i) The number and location of encampment sites;

(ii) The number of individuals living in an encampment site who received an offer of shelter before a local government took action to close the site; and

(iii) Total expenditures, by fund source and by type of expenditure, for closing encampment sites.

(g) For the purposes of this subsection, "public property" means any street, alley, sidewalk, parking space, pedestrian or transit mall, bike path, greenway, or any other structure or area encompassed within the public right-of-way; any park, parkway, mountain park, or other recreation facility; or any other grounds, buildings, fixtures, or other facilities owned or leased by the state or any public owner, regardless of whether such public property is vacant or occupied and actively used for any public purpose."

On page 85, line 12, increase the general fund-state appropriation for fiscal year 2024 by $100,000

On page 85, line 31, correct the total.

On page 93, after line 19, insert the following:

"(14) $100,000 of the general fund-state appropriation for fiscal year 2024 is provided solely for the office of financial management to collect information from all state agencies and institutions of higher education on expenditures for diversity, equity, and inclusion programs and initiatives, including on staffing for such programs and initiatives, in the most recent fiscal year for which data is available. The office of financial management must compile the information into a report and submit the report to the appropriate legislative committees no later than January 1, 2024."

On page 395, line 29, decrease the general fund-state appropriation for fiscal year 2024 by $231,694,000

On page 395, line 30, decrease the general fund-state appropriation for fiscal year 2025 by $58,321,000

On page 395, line 37, correct the total.

On page 400, line 23, after "rate of" strike "22.98" and insert "17.73"

On page 400, line 24, after "year and" strike "17.23" and insert "17.73"

On page 400, line 26, after "rate of" strike "22.94" and insert "21.94"

On page 400, line 27, after "year and" strike "22.94" and insert "21.44"

On page 409, line 17, after "rate of" strike "22.34" and insert "17.09"

On page 409, at the beginning of line 18, strike "16.59" and insert "17.09"

On page 409, line 19, after "staff and" strike "19.44" and insert "18.44"

On page 409, line 20, after "2023-24 and" strike "19.44" and insert "17.94"

On page 409, line 30, decrease the general fund-state appropriation for fiscal year 2024 by $10,990,000

On page 409, line 31, decrease the general fund-state appropriation for fiscal year 2025 by $2,409,000

On page 409, line 34, correct the total.

On page 410, line 20, after "allocations at" strike "22.34" and insert "17.09"

On page 410, line 21, after "year and" strike "16.59" and insert "17.09"

On page 410, at the beginning of line 23, strike "19.44" and insert "18.44"

On page 410, line 23, after "year and" strike "19.44" and insert "17.94"

On page 415, line 11, decrease the general fund-state appropriation for fiscal year 2024 by $32,730,000

On page 415, line 12, decrease the general fund-state appropriation for fiscal year 2025 by $8,465,000

On page 415, line 17, correct the total.

On page 419, line 28, decrease the general fund-state appropriation for fiscal year 2024 by $845,000

On page 419, line 29, increase the general fund-state appropriation for fiscal year 2025 by $19,000

On page 419, line 34, correct the total.

On page 423, line 8, decrease the general fund-state appropriation for fiscal year 2024 by $273,000

On page 423, line 9, decrease the general fund-state appropriation for fiscal year 2025 by $127,000

On page 423, line 10, correct the total.

On page 425, line 21, decrease the general fund-state appropriation for fiscal year 2024 by $1,012,000

On page 425, line 22, decrease the general fund-state appropriation for fiscal year 2025 by $198,000

On page 425, line 23, correct the total.

On page 426, line 13, decrease the general fund-state appropriation for fiscal year 2024 by $3,370,000

On page 426, line 14, increase the general fund-state appropriation for fiscal year 2025 by $330,000

On page 426, line 18, correct the total.

On page 429, line 15, decrease the general fund-state appropriation for fiscal year 2024 by $7,125,000

On page 429, line 16, decrease the general fund-state appropriation for fiscal year 2025 by $1,389,000

On page 429, line 18, correct the total.

On page 430, line 31, decrease the general fund-state appropriation for fiscal year 2024 by $14,167,000

On page 430, line 32, decrease the general fund-state appropriation for fiscal year 2025 by $2,760,000

On page 430, line 34, correct the total.

On page 433, line 25, decrease the Washington opportunity pathways account-state appropriation by $2,329,000

On page 433, line 26, correct the total.

On page 493, line 7, decrease the general fund-state appropriation for fiscal year 2024 by $21,977,000

On page 493, line 8, decrease the general fund-state appropriation for fiscal year 2025 by $21,977,000

On page 493, line 14, correct the total.

On page 543, after line 18, insert the following:

"NEW SECTION. **Sec. 763. COMPENSATION—VACCINE BOOSTER INCENTIVE—PARTICIPATION ASSUMPTION**

General Fund—State Appropriation (FY 2024). . . . . . . .($19,286,000)

The appropriations in this section are subject to the following conditions and limitations: Funding is for reductions in the expected cost of vaccine booster incentives for both represented and nonrepresented employees in general government state agencies. The underlying budget assumes an 80 percent participation rate in the incentive, far higher than the 44 percent rate of the population of Washington. This act assumes participation in the vaccine booster incentive program will be 50 percent. Agency allotments shall be adjusted for general fund-state amounts appropriated in part VII of this act for unused vaccine booster incentive payment, and those amounts placed in unalloted status and remain unexpended."

Renumber the remaining sections consecutively and correct any references accordingly.

On page 558, after line 35, insert the following:

"NEW SECTION. **Sec. 7104.** **FOR THE OFFICE OF FINANCIAL MANAGEMENT—ENCAMPMENT CLEANUP ACCOUNT**

General Fund—State Appropriation (FY 2024) $250,000,000

General Fund—State Appropriation (FY 2025) $250,000,000

TOTAL APPROPRIATION $500,000,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the encampment cleanup account created in section 928 of this act.

NEW SECTION. **Sec. 7105.** From appropriations in this act to state agencies, including institutions of higher education, for the 2023-25 fiscal biennium, the office of financial management shall reduce general fund-state allotments by $38,089,000 for fiscal year 2024 and $38,090,000 for fiscal year 2025 to reflect elimination of funding increases for diversity, equity, and inclusion initiatives and programs, pursuant to allotment schedules prepared by the office of financial management. The allotment reductions under this section must be placed in unallotted status and remain unexpended.

NEW SECTION. **Sec. 7106. FOR THE DEPARTMENT OF RETIREMENT SYSTEMS—CONTRIBUTIONS TO RETIREMENT SYSTEMS—PLAN 1 UNFUNDED LIABILTIY**

General Fund—State Appropriation (FY 2024) . . . . . . . ($32,685,000)

General Fund—State Appropriation (FY 2025). . . . . . . ($48,666,000)

General Fund-Federal Appropriation. . . . . . . . . . .($17,550,000)

General Fund-Local Appropriation. . . . . . . . . . . . ($1,249,000)

TOTAL APPROPRIATION. . . . . . . . . . . . . . . . . . ($128,786,000)

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are provided solely for the increased contribution rate requirements associated with the enactment of Engrossed Substitute Senate Bill No. 5294 (minimum contribution rates for plan 1 unfunded liability). If the bill is not enacted by June 30, 2023, this section is null and void."

On page 574, line 10, after "provided in" strike "House bill No. 1201" and insert "Engrossed Substitute Senate Bill No. 5294"

On page 589, after line 32, insert the following:

"NEW SECTION. **Sec. 928.** A new section is added to chapter 43.185C RCW to read as follows:

The encampment cleanup account is created in the state treasury. Revenues to the account consist of appropriations and transfers made to the account by the legislature and all other moneys directed for deposit into the account. Moneys in the account may only be spent after appropriation. Expenditures from the account may be used by the department of commerce for grants to local governments for costs associated with responding to and preventing encampments, and other activities to address and prevent homelessness."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 1273, beginning on line 8, strike all of section 1709 and insert the following:

"**Sec. 1709.** 2021 c 334 s 747 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER—TEACHERS' RETIREMENT SYSTEM PLAN 1 FUND**

General Fund—State Appropriation (FY 2023) ((~~$800,000,000~~))

$250,000,000

TOTAL APPROPRIATION ((~~$800,000,000~~))

$250,000,000

The appropriation in this section is subject to the following conditions and limitations: The entire general fund—state appropriation is provided solely for expenditure on June 30, 2023, into the teachers' retirement system plan 1 fund, to be applied to the unfunded actuarial accrued liability."

On page 1280, after line 5, insert the following:

"Washington Student Loan Account: For transfer to the state general fund, $150,000,000 for fiscal year 2023..................$150,000,000"

Correct the title.

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|  | **EFFECT:**  Department of Commerce  EFFECT: Reduces Coronavirus State Fiscal Recovery Fund-Federal and General Fund - State for continued grant funding for emergency housing, shelter capacity, and associated supports.  FISCAL IMPACT: Reduces General Fund - State by $20,500,000  Reduces Coronavirus State Fiscal Recovery Fund - Federal by $20,500,000  EFFECT: Creates the Encampment Cleanup Account-State in Part IX of the bill, and deposits General Fund - State into the new account in Special Appropriations. Appropriates from the account for the Department of Commerce to provide grants to local governments who enact an ordinance to make it unlawful for any person to camp on public property within 500 feet of certain areas and public facilities. Grant funding may be used for encampment cleanup, the prevention of future encampments, and other activities to address and prevent homelessness.  FISCAL IMPACT: Increases Encampment Cleanup Account - State expenditure authority by $500,000,000  Increases General Fund - State by $500,000,000    Office of Financial Management  EFFECT: Requires OFM to collect information from state agencies and higher education institutions on expenditures for DEI initiatives and programs, including staffing, and to compile the information into a report due to the legislature no later than January 1, 2024.  FISCAL IMPACT: Increases General Fund - State by $100,000  EFFECT: Directs OFM to reduce allotments from General Fund-State appropriations to reflect elimination of funding increases for DEI initiatives and programs in state agencies and institutions of higher education.  FISCAL IMPACT: Reduces agency allotments from General Fund - State appropriations by $76,179,000  Part V - Public Schools  EFFECT: Adjusts the fringe benefit allocations for school compensation for reduced pension contribution rates due to a reduction in the unfunded actuarial accrued liability portion of the pension rates related to plans 1 of PERS and TRS.  Substitutes the policies and contribution rates in Engrossed Substitute Senate Bill No. 5294 (minimum contribution rates for plan 1 unfunded liability) for those in House Bill No. 1201 (minimum contribution rates for plan 1 unfunded liability). Differences in the bills include reducing, rather than eliminating the FY 2023 appropriation from the General Fund-State to the Teachers Retirement System Plan 1 Fund, ending the existing minimum unfunded liability contribution rates after FY 2023, and establishing new long-term minimum rates of 0.5 percent beginning in FY 2028 (in the event funding status of a plan falls below a certain threshold). In fiscal year 2023, a $250 million transfer is made into the teachers' retirement system plan 1 for application to the unfunded actuarial accrued liability.  FISCAL IMPACT: Reduces General Fund - State by $207,877,000  Reduces WA Opportunity Path - State by $2,329,000  Reduces other funds by $47,435,000  Evergreen State College  EFFECT: Reduces the amount per state funded full-time equivalent student at The Evergreen State College to reflect the average amount for the public regional four-year universities.  FISCAL IMPACT:   Reduces General Fund - State by $43,954,000    State Employee Compensation  EFFECT: Reduces appropriations for vaccination booster incentive payments under the assumption that participation in the incentive program will be 50 percent, rather than 80 percent in the compensation provisions that are funded in the bill.  FISCAL IMPACT: Reduces General Fund - State by $19,286,000  Transfers  EFFECT: Transfers all funding in the Washington Student Loan Account into the General Fund in fiscal year 2023.  FISCAL IMPACT:  Increases General Fund - State resources by $150,000,000  Reduces WA Student Loan Account - State by $150,000,000    **FISCAL IMPACT:**  Reduces General Fund - State by $17,695,000.  Reduces WA Opportunity Path - State by $2,329,000.  Reduces Coronavirus State Fiscal Recovery Fund - Federal by $20,500,000.  Reduces other funds by $197,435,000.  Increases Encampment Cleanup Account - State by $500,000,000. |

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