S-3237.1

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**SUBSTITUTE SENATE BILL 6125**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**State of Washington 64th Legislature 2015 1st Special Session**

**By** Senate Ways & Means (originally sponsored by Senators Honeyford, Keiser, and Warnick)

AN ACT Relating to emergency drought response; adding a new section to 2013 2nd sp.s. c 19 (uncodified); creating new sections; making appropriations; and declaring an emergency.

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

NEW SECTION. **Sec.**  (1) Subject to the provisions set forth in this act, the several dollar amounts hereinafter specified, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be incurred for capital projects during the period beginning with the effective date of this section and ending June 30, 2017, out of the several funds specified in this act.

(2) The definitions in this subsection apply throughout this act unless the context clearly requires otherwise.

(a) "Fiscal year 2016" or "FY 2016" means the period beginning July 1, 2015, and ending June 30, 2016.

(b) "Fiscal year 2017" or "FY 2017" means the period beginning July 1, 2016, and ending June 30, 2017.

(c) "Lapse" or "revert" means the amount shall return to an unappropriated status.

(d) "Provided solely" means the specified amount may be spent only for the specified purpose.

(3) Unless otherwise specifically authorized in this act, any portion of an amount provided solely for a specified purpose that is not expended subject to the specified conditions and limitations to fulfill the specified purpose shall lapse.

(4) The amounts shown under the headings "Prior Biennia," "Future Biennia," and "Total" in this act are for informational purposes only and do not constitute legislative approval of these amounts. "Prior biennia" typically refers to the immediate prior biennium for reappropriations, but may refer to multiple biennia in the case of specific projects. A "future biennia" amount is an estimate of what may be appropriated for the project or program in the 2017-2019 biennium and the following three biennia; an amount of zero does not necessarily constitute legislative intent to not provide funding for the project or program in the future.

**PART I**

**2015 SUPPLEMENTAL FUNDING**

NEW SECTION. **Sec.**  **FOR THE OFFICE OF FINANCIAL MANAGEMENT—EMERGENCY DROUGHT RESPONSE**

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for expenditure into the state drought preparedness account established in RCW 43.83B.430.

General Fund—State Appropriation (FY 2015) $14,000,000

NEW SECTION. **Sec.**  A new section is added to 2013 2nd sp.s. c 19 (uncodified) to read as follows:**FOR THE DEPARTMENT OF ECOLOGY**

2015 Drought Emergency (92000146)

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriations in this section are provided solely for response to a statewide drought declared pursuant to chapter 43.83B RCW. The department of ecology may provide funding or compensation for purchase or lease of water rights and to public bodies as defined in RCW 43.83B.050 in connection with projects and measures designed to alleviate drought conditions that may affect: Public health and safety; drinking water supplies; agricultural activities; or fish and wildlife survival. The state taxable building construction account—state appropriation must be expended for projects and activities related to those projects for which the anticipated benefits exceed ten years.

(2) Projects or measures for which funding or compensation will be provided must be connected with a water system, water source, or water body that is receiving, or has been projected to receive, less than seventy-five percent of normal water supply, as the result of natural drought conditions. This reduction in water supply must be such that it is causing, or will cause, undue hardship for the entities or fish or wildlife depending on the water supply. General criteria for guidelines to be established by the department of ecology for distribution of funds must include: A balanced and equitable distribution of the funds among the different sectors affected by drought; a funding process that ensures funds are available for drought impacts that arise both early and later during the course of the drought; a preference for projects that leverage other federal and local funds; or alleviates immediate hardship.

Appropriation:

State Drought Preparedness Account—State $14,000,000

State Taxable Building Construction Account—State $4,000,000

Subtotal Appropriation $18,000,000

Prior Biennia (Expenditures) $0

Future Biennia (Projected Costs) $0

TOTAL $18,000,000

**PART II**

**REAPPROPRIATION FOR 2015-2017**

NEW SECTION. **Sec.**  **FOR THE DEPARTMENT OF ECOLOGY**

2015 Drought Emergency (92000146)

The reappropriations in this section are subject to the following conditions and limitations:

(1) The reappropriations in this section are provided solely for response to a statewide drought declared pursuant to chapter 43.83B RCW. The department of ecology may provide funding or compensation for purchase or lease of water rights and to public bodies as defined in RCW 43.83B.050 in connection with projects and measures designed to alleviate drought conditions that may affect: Public health and safety; drinking water supplies; agricultural activities; or fish and wildlife survival. The state taxable building construction account—state reappropriation must be expended for projects and activities related to those projects for which the anticipated benefits exceed ten years.

(2) Projects or measures for which funding or compensation will be provided must be connected with a water system, water source, or water body that is receiving, or has been projected to receive, less than seventy-five percent of normal water supply, as the result of natural drought conditions. This reduction in water supply must be such that it is causing, or will cause, undue hardship for the entities or fish or wildlife depending on the water supply. General criteria for guidelines to be established by the department of ecology for distribution of funds must include: A balanced and equitable distribution of the funds among the different sectors affected by drought; a funding process that ensures funds are available for drought impacts that arise both early and later during the course of the drought; a preference for projects that leverage other federal and local funds; or alleviates immediate hardship.

(3) Up to $1,000,000 of the state drought preparedness account reappropriation may be spent on early actions prior to a possible drought declaration in 2016 if the department of ecology determines that data indicate the 2015 drought is likely to extend into a second year. If a 2016 drought declaration is not made pursuant to chapter 43.83B RCW by August 1, 2016, unobligated amounts of the state drought preparedness account—state reappropriation must be transferred to the disaster response account established in RCW 38.52.105.

Reappropriation:

State Drought Preparedness Account—State $14,000,000

State Taxable Building Construction Account—State $4,000,000

Subtotal Reappropriation $18,000,000

Prior Biennia (Expenditures) $0

Future Biennia (Projected Costs) $0

TOTAL $18,000,000

**PART III**

**MISCELLANEOUS**

NEW SECTION. **Sec.**  This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.

**--- END ---**