

**E2SSB 6269** - H AMD 1391

By Representative Taylor

NOT ADOPTED 03/07/2018

1 On page 6, after line 30, insert the following:

2

3 "Sec. 105. RCW 90.56.500 and 2015 c 274 s 6 are each amended to  
4 read as follows:

5 (1) The state oil spill response account is created in the state  
6 treasury. All receipts from RCW 82.23B.020(1) shall be deposited in  
7 the account. All costs reimbursed to the state by a responsible  
8 party or any other person for responding to a spill of oil shall  
9 also be deposited in the account. Moneys in the account shall be  
10 spent only after appropriation. The account is subject to allotment  
11 procedures under chapter 43.88 RCW.

12 (2)(a) The account shall be used exclusively to pay for:

13 (i) The costs associated with the response to spills or imminent  
14 threats of spills of crude oil or petroleum products into the waters  
15 of the state; and

16 (ii) The costs associated with the department's use of an  
17 emergency response towing vessel.

18 (b) During the 2015-2017 biennium, the legislature may transfer  
19 up to two million two hundred twenty-five thousand dollars from the  
20 account to the oil spill prevention account created in RCW  
21 90.56.510.

22 (3) Payment of response costs under subsection (2)(a)(i) of this  
23 section shall be limited to spills which the director has determined  
24 are likely to exceed one thousand dollars.

25 (4) Before expending moneys from the account, but without  
26 delaying response activities, the director shall make reasonable  
27 efforts to obtain funding for response costs under subsection (2) of

1 this section from the person responsible for the spill and from  
2 other sources, including the federal government.

3 (5) Reimbursement for response costs from this account shall be  
4 allowed only for costs which are not covered by funds appropriated  
5 to the agencies responsible for response activities. Costs  
6 associated with the response to spills of crude oil or petroleum  
7 products shall include:

8 (a) Natural resource damage assessment and related activities;

9 (b) Spill related response, containment, wildlife rescue,  
10 cleanup, disposal, and associated costs;

11 (c) Interagency coordination and public information related to a  
12 response; and

13 (d) Appropriate travel, goods and services, contracts, and  
14 equipment.

15 (6) A favorable vote of at least two-thirds of the members of  
16 each house of the legislature is required in order to authorize the  
17 transfer of funds from the oil spill response account to any other  
18 account in the state treasury.

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20 **Sec. 106.** RCW 90.56.510 and 2015 c 274 s 7 are each amended to  
21 read as follows:

22 (1) The oil spill prevention account is created in the state  
23 treasury. All receipts from RCW 82.23B.020(2) shall be deposited in  
24 the account. Moneys from the account may be spent only after  
25 appropriation. The account is subject to allotment procedures under  
26 chapter 43.88 RCW. If, on the first day of any calendar month, the  
27 balance of the oil spill response account is greater than nine  
28 million dollars and the balance of the oil spill prevention account  
29 exceeds the unexpended appropriation for the current biennium, then  
30 the tax under RCW 82.23B.020(2) shall be suspended on the first day  
31 of the next calendar month until the beginning of the following  
32 biennium, provided that the tax shall not be suspended during the  
33 last six months of the biennium. If the tax imposed under RCW  
34 82.23B.020(2) is suspended during two consecutive biennia, the

1 department shall by November 1st after the end of the second  
2 biennium, recommend to the appropriate standing committees an  
3 adjustment in the tax rate. For the biennium ending June 30, 1999,  
4 and the biennium ending June 30, 2001, the state treasurer may  
5 transfer a total of up to one million dollars from the oil spill  
6 response account to the oil spill prevention account to support  
7 appropriations made from the oil spill prevention account in the  
8 omnibus appropriations act adopted not later than June 30, 1999.

9 (2) Expenditures from the oil spill prevention account shall be  
10 used exclusively for the administrative costs related to the  
11 purposes of this chapter, and chapters 90.48, 88.40, and 88.46 RCW.  
12 In addition, until June 30, 2019, expenditures from the oil spill  
13 prevention account may be used, subject to amounts appropriated  
14 specifically for this purpose, for the development and annual review  
15 of local emergency planning committee emergency response plans in  
16 RCW 38.52.040(3). Starting with the 1995-1997 biennium, the  
17 legislature shall give activities of state agencies related to  
18 prevention of oil spills priority in funding from the oil spill  
19 prevention account. Costs of prevention include the costs of:

- 20 (a) Routine responses not covered under RCW 90.56.500;
- 21 (b) Management and staff development activities;
- 22 (c) Development of rules and policies and the statewide plan  
23 provided for in RCW 90.56.060;
- 24 (d) Facility and vessel plan review and approval, drills,  
25 inspections, investigations, enforcement, and litigation;
- 26 (e) Interagency coordination and public outreach and education;
- 27 (f) Collection and administration of the tax provided for in  
28 chapter 82.23B RCW; and
- 29 (g) Appropriate travel, goods and services, contracts, and  
30 equipment.

31 (3) Before expending moneys from the account for a response  
32 under subsection (2)(a) of this section, but without delaying  
33 response activities, the director shall make reasonable efforts to  
34 obtain funding for response costs under this section from the person

1 responsible for the spill and from other sources, including the  
2 federal government.

3 (4) A favorable vote of at least two-thirds of the members of  
4 each house of the legislature is required in order to authorize the  
5 transfer of funds from the oil spill prevention account to any other  
6 account in the state treasury."

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8 Renumber the remaining sections consecutively and correct any  
9 internal references accordingly. Correct the title.

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EFFECT: Requires a favorable vote of two thirds of the members  
of the House Representatives and the Senate in order to authorize  
the transfer of funds from either the Oil Spill Response Account or  
the Oil Spill Prevention Account to other accounts in the state  
treasury.

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