
HOUSE BILL 2289

State of Washington

56th Legislature

1999 Regular Session

By Representatives Alexander, Wensman, Radcliff, Huff, McDonald, Campbell, Schoesler, K. Schmidt, Lambert, Mastin, Clements, Skinner, Koster, Schindler, Esser, G. Chandler, Parlette, Sump, Ericksen, Delvin, Mitchell, Buck, Talcott, B. Chandler, Lisk, Mulliken, Barlean, Fortunato, Van Luven, Benson, Pflug, McMorris, Thomas, DeBolt, D. Schmidt, D. Sommers, Bush, Pennington, Boldt and Dunn

Read first time 04/19/1999. Referred to Committee on Appropriations.

1 AN ACT Relating to authorizing transfers among existing
2 appropriations in the department of social and health services and the
3 department of corrections during the 1997-1999 fiscal biennium;
4 amending 1998 c 346 s 201 (uncodified); amending 1998 c 346 s 220
5 (uncodified); and declaring an emergency.

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

7 **Sec. 1.** 1998 c 346 s 201 (uncodified) is amended to read as
8 follows:

9 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES.** (1)
10 Appropriations made in this act to the department of social and health
11 services shall initially be allotted as required by this act.
12 Subsequent allotment modifications shall not include transfers of
13 moneys between sections of this act except as expressly provided in
14 subsection (3) of this section, nor shall allotment modifications
15 permit moneys that are provided solely for a specified purpose to be
16 used for other than that purpose except as expressly provided in
17 subsection (3) of this section.

18 (2) The department of social and health services shall not initiate
19 any services that will require expenditure of state general fund moneys

1 unless expressly authorized in this act or other law. The department
2 may seek, receive, and spend, under RCW 43.79.260 through 43.79.282,
3 federal moneys not anticipated in this act as long as the federal
4 funding does not require expenditure of state moneys for the program in
5 excess of amounts anticipated in this act. If the department receives
6 unanticipated unrestricted federal moneys, those moneys shall be spent
7 for services authorized in this act or in any other legislation
8 providing appropriation authority, and an equal amount of appropriated
9 state general fund moneys shall lapse. Upon the lapsing of any moneys
10 under this subsection, the office of financial management shall notify
11 the legislative fiscal committees. As used in this subsection,
12 "unrestricted federal moneys" includes block grants and other funds
13 that federal law does not require to be spent on specifically defined
14 projects or matched on a formula basis by state funds.

15 (3)(a) The appropriations to the department of social and health
16 services in chapters 149 and 454, Laws of 1997, as amended, shall be
17 expended for the programs and in the amounts specified therein.
18 However, after May 1, 1998, unless specifically prohibited by this act,
19 the department may transfer general fund--state appropriations for
20 fiscal year 1998 among programs after approval by the director of
21 financial management. (~~However, the department shall not transfer~~
22 ~~general fund--state appropriations from the economic services program~~
23 ~~for the 1997-99 fiscal biennium.))~~

24 (b) After May 1, 1999, after approval by the director of financial
25 management and unless specifically prohibited by this act, the
26 department may transfer moneys among programs, including federal moneys
27 that are provided solely for a specified purpose. However, the
28 department shall not transfer state moneys that are provided solely for
29 a specified purpose except as expressly provided in (d) of this
30 subsection.

31 (c) To the extent that the transfer of appropriations under
32 (~~subsection~~) (a) of this subsection is insufficient to fund actual
33 expenditures in fiscal year 1998 in the medical assistance program that
34 exceed the expenditures projected in the November 1997 medical
35 assistance caseload forecast, the department may transfer general fund
36 appropriations, not to exceed five million dollars, within the medical
37 assistance program from fiscal year 1999 into fiscal year 1998.

38 (~~(e)~~) (d) To the extent that transfers under (b) of this
39 subsection are insufficient to fund actual expenditures in excess of

1 fiscal year 1999 caseload forecasts and utilization assumptions in the
2 medical assistance, long-term care, foster care, adoption support, and
3 child support programs, the department may transfer state moneys that
4 are provided solely for a specified purpose after approval by the
5 director of financial management.

6 (e) The director of financial management shall notify the
7 appropriate fiscal committees of the senate and house of
8 representatives in writing prior to approving any allotment
9 modifications.

10 **Sec. 2.** 1998 c 346 s 220 (uncodified) is amended to read as
11 follows:

12 **FOR THE DEPARTMENT OF CORRECTIONS**

13 The appropriations to the department of corrections in chapter 454,
14 Laws of 1997, as amended, shall be expended for the programs and in the
15 amounts specified therein. However, after April 1, (~~1998~~) 1999,
16 unless specifically prohibited by this act, the department may transfer
17 general fund--state appropriations for fiscal year (~~1998~~) 1999
18 between the institutional services and community corrections programs
19 after approval by the director of financial management. The director
20 of financial management shall notify the appropriate fiscal committees
21 of the senate and house of representatives in writing prior to
22 approving any deviations from appropriation levels.

23 (1) ADMINISTRATION AND PROGRAM SUPPORT

24	General Fund Appropriation (FY 1998)	\$	13,926,000
25	General Fund Appropriation (FY 1999)	\$	13,910,000
26	Violence Reduction and Drug Enforcement Account		
27	Appropriation	\$	500,000
28	TOTAL APPROPRIATION	\$	28,336,000

29 The appropriations in this subsection are subject to the following
30 conditions and limitations:

31 (a) \$187,000 of the general fund fiscal year 1998 appropriation and
32 \$155,000 of the general fund fiscal year 1999 appropriation are
33 provided solely for implementation of Substitute Senate Bill No. 5759
34 (risk classification). If the bill is not enacted by July 1, 1997, the
35 amounts provided shall lapse.

36 (b) \$500,000 of the violence reduction and drug enforcement account
37 appropriation is provided solely for a feasibility study regarding the

1 replacement of the department's offender based tracking system. This
2 appropriation is conditioned on the department satisfying the
3 requirements of section 902, chapter 149, Laws of 1997.

4 (2) INSTITUTIONAL SERVICES

5	General Fund--State Appropriation (FY 1998) . . . \$	289,665,000
6	General Fund--State Appropriation (FY 1999) . . . \$	303,830,000
7	General Fund--Federal Appropriation \$	18,097,000
8	Industrial Insurance Premium Rebate Account	
9	Appropriation \$	673,000
10	Violence Reduction and Drug Enforcement Account	
11	Appropriation \$	1,614,000
12	TOTAL APPROPRIATION \$	613,879,000

13 The appropriations in this subsection are subject to the following
14 conditions and limitations:

15 (a) The department shall provide funding for the pet partnership
16 program at the Washington corrections center for women at a level at
17 least equal to that provided in the 1995-97 biennium.

18 (b) \$3,978,000 of the general fund--state fiscal year 1998
19 appropriation and \$5,381,000 of the general fund--state fiscal year
20 1999 appropriation are provided solely for the criminal justice costs
21 associated with the implementation of Engrossed Third Substitute House
22 Bill No. 3900 (revising the juvenile code). If Engrossed Third
23 Substitute House Bill No. 3900 is not enacted by June 30, 1997, the
24 amounts provided shall lapse.

25 (c) The department of corrections shall accomplish personnel
26 reductions with the least possible impact on correctional custody
27 staff, community custody staff, and correctional industries. For the
28 purposes of this subsection, correctional custody staff means employees
29 responsible for the direct supervision of offenders.

30 (d) \$296,000 of the general fund--state appropriation for fiscal
31 year 1998 and \$297,000 of the general fund--state appropriation for
32 fiscal year 1999 are provided solely to increase payment rates for
33 contracted education providers. It is the legislature's intent that
34 these amounts shall be used primarily to increase compensation for
35 persons employed in direct, front-line service delivery.

36 (e) The department may expend funds generated by contractual
37 agreements entered into for mitigation of severe overcrowding in local
38 jails. If any funds are generated in excess of actual costs, they

1 shall be deposited in the state general fund. Expenditures shall not
2 exceed revenue generated by such agreements and shall be treated as
3 recovery of costs.

4 (f) \$70,000 of the general fund--state fiscal year 1999
5 appropriation is provided solely for the implementation of Senate Bill
6 No. 6139 (amphetamine crimes). If the bill is not enacted by June 30,
7 1998, the amount provided in this subsection shall lapse.

8 (g) \$36,000 of the general fund--state fiscal year 1999
9 appropriation is provided solely for the implementation of House Bill
10 No. 1172 (sex offender registration). If the bill is not enacted by
11 June 30, 1998, the amount provided in this subsection shall lapse.

12 (h) \$8,000 of the general fund--state fiscal year 1999
13 appropriation is provided solely for the implementation of House Bill
14 No. 2628 (methamphetamine manufacture). If the bill is not enacted by
15 June 30, 1998, the amount provided in this subsection shall lapse.

16 (3) COMMUNITY CORRECTIONS

17	General Fund Appropriation (FY 1998)	. . . . . \$	88,830,000
18	General Fund Appropriation (FY 1999)	. . . . . \$	90,670,000
19	TOTAL APPROPRIATION	. . . . . \$	179,500,000

20 The appropriations in this subsection are subject to the following
21 conditions and limitations:

22 (a) \$27,000 of the general fund fiscal year 1998 appropriation and
23 \$185,000 of the general fund fiscal year 1999 appropriation are
24 provided solely for the criminal justice costs associated with the
25 implementation of Engrossed Third Substitute House Bill No. 3900
26 (revising the juvenile code). If Engrossed Third Substitute House Bill
27 No. 3900 is not enacted by June 30, 1997, the amounts provided shall
28 lapse.

29 (b) The department of corrections shall accomplish personnel
30 reductions with the least possible impact on correctional custody
31 staff, community custody staff, and correctional industries. For the
32 purposes of this subsection, correctional custody staff means employees
33 responsible for the direct supervision of offenders.

34 (c) \$467,000 of the general fund appropriation for fiscal year 1998
35 and \$505,000 of the general fund appropriation for fiscal year 1999 are
36 provided solely to increase payment rates for contracted education
37 providers and contracted work release facilities. It is the
38 legislature's intent that these amounts shall be used primarily to

1 increase compensation for persons employed in direct, front-line
2 service delivery.

3 (d) \$45,000 of the general fund--state fiscal year 1999
4 appropriation is provided solely for the implementation of Substitute
5 Senate Bill No. 5760 (mentally ill offenders). If the bill is not
6 enacted by June 30, 1998, the amount provided in this subsection shall
7 lapse.

8 (e) \$609,000 of the general fund--state fiscal year 1998
9 appropriation and \$226,000 of the general fund--state fiscal year 1999
10 appropriation are provided solely for costs associated with allowing
11 community corrections officers to carry firearms.

12 (4) CORRECTIONAL INDUSTRIES

13	General Fund Appropriation (FY 1998)	. . . . .	\$	4,055,000
14	General Fund Appropriation (FY 1999)	. . . . .	\$	4,167,000
15	TOTAL APPROPRIATION	. . . . .	\$	8,222,000

16 The appropriations in this subsection are subject to the following
17 conditions and limitations:

18 (a) \$100,000 of the general fund fiscal year 1998 appropriation and
19 \$100,000 of the general fund fiscal year 1999 appropriation are
20 provided solely for transfer to the jail industries board. The board
21 shall use the amounts provided only for administrative expenses,
22 equipment purchases, and technical assistance associated with advising
23 cities and counties in developing, promoting, and implementing
24 consistent, safe, and efficient offender work programs.

25 (b) \$50,000 of the general fund appropriation for fiscal year 1998
26 and \$50,000 of the general fund appropriation for fiscal year 1999 are
27 provided solely for the correctional industries board of directors to
28 hire one staff person, responsible directly to the board, to assist the
29 board in fulfilling its duties.

30 (5) INTERAGENCY PAYMENTS

31	General Fund Appropriation (FY 1998)	. . . . .	\$	6,851,000
32	General Fund Appropriation (FY 1999)	. . . . .	\$	6,538,000
33	TOTAL APPROPRIATION	. . . . .	\$	13,389,000

34 NEW SECTION. **Sec. 3.** This act is necessary for the immediate
35 preservation of the public peace, health, or safety, or support of the

1 state government and its existing public institutions, and takes effect
2 immediately.

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