

ESHB 2836 - S COMM AMD
By Committee on Ways & Means

ADOPTED 04/12/2010

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** A supplemental capital budget is hereby
4 adopted and, subject to the provisions set forth in this act, the
5 several dollar amounts hereinafter specified, or so much thereof as
6 shall be sufficient to accomplish the purposes designated, are hereby
7 appropriated and authorized to be incurred for capital projects during
8 the period beginning with the effective date of this act and ending
9 June 30, 2011, out of the several funds specified in this act.

10 **PART 1**

11 **GENERAL GOVERNMENT**

12 **Sec. 1001.** 2009 c 497 s 1005 (uncodified) is amended to read as
13 follows:

14 **FOR THE DEPARTMENT OF ((COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT))**
15 **COMMERCE**

16 Local and Community Projects (20064008)

17 The reappropriation in this section is subject to the following
18 conditions and limitations: (1) \$64,319 of the remaining
19 reappropriation for El Centro de la raza may be used for building
20 infrastructure. (2) \$10,000 of the remaining reappropriation for
21 miracle league handicapped baseball may be used for pre-grading and
22 resurfacing construction. (3) \$1,394,107 of the remaining
23 reappropriation for MOBIUS/inland northwest science and technology
24 center may be used for building design ((and)) construction, and
25 renovation. (4) \$500,000 of the remaining reappropriation for the
26 Soundway property preservation project may be used by the city of
27 Seattle, in cooperation with the nature consortium for habitat,
28 recreation improvements, or stewardship of the property, if the city of

1 Seattle enacts pending city legislation to preserve the property and
2 place it under the jurisdiction of city of Seattle parks and
3 recreation. (5) The reappropriation is adjusted for the transfer of
4 the Vancouver national historical reserve west barracks project to the
5 Washington state historical society and the termination of the
6 following projects that are no longer viable: (a) Snohomish senior
7 center and (b) central area motivation program (CAMP).

8 Reappropriation:

9	State Building Construction Account--State	((\$10,658,000))
10		<u>\$9,258,000</u>
11	Prior Biennia (Expenditures)	\$37,141,000
12	Future Biennia (Projected Costs)	\$0
13	TOTAL	((\$47,799,000))
14		<u>\$46,399,000</u>

15 **Sec. 1002.** 2009 c 497 s 1013 (uncodified) is amended to read as
16 follows:

17 **FOR THE DEPARTMENT OF ((COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT))**
18 **COMMERCE**

19 Job and Economic Development Grants (20064950)

20 The ((~~re~~))appropriation in this section is subject to the following
21 conditions and limitations:

22 (1) The ((~~re~~))appropriation is subject to the provisions of section
23 107, chapter 371, Laws of 2006.

24 (2) The ((~~re~~))appropriation is subject to the project list in
25 section 107, chapter 371, Laws of 2006.

26 (3) Up to \$1,000,000 of the ((~~re~~))appropriation for the Pacific
27 Northwest national labs campus infrastructure project is provided
28 solely for giga-pop infrastructure.

29 (4) Up to \$2,200,000 of the ((~~re~~))appropriation is provided solely
30 for military communities infrastructure projects. Military communities
31 infrastructure projects shall include:

32 (a) Grants to counties and cities for the purchase of development
33 easements and the purchase of real property in fee simple to restrict
34 the use of accident potential zones and clear zones. The office of
35 financial management shall establish a competitive process for

1 selecting projects to receive the grants. Final allocation of these
2 grants shall be at the discretion and with the approval of the director
3 of the office of financial management.

4 The grants are subject to the following conditions:

5 (i) The county or city must be subject to and in compliance with
6 RCW 36.70A.530;

7 (ii) The grants may not be used to remove encroachments into these
8 zones allowed by county or city zoning or permitting actions;

9 (iii) The county or city must have an encroachment prevention plan
10 preventing future encroachment into these zones; and

11 (iv) The grant provided by the state must not exceed one-third of
12 the project cost with funds from local and federal sources providing
13 the balance of the funds.

14 (b) Up to \$481,000 of the ((re))appropriation is provided solely
15 for improvements to a military department site on Fairchild air force
16 base.

17 Reappropriation:

18 Public Works Assistance Account--State ((\$14,172,000))
19 \$1,733,000

20 Appropriation:

21 State Building Construction Account--State \$12,439,000
22 Prior Biennia (Expenditures) \$35,828,000
23 Future Biennia (Projected Costs) \$0
24 TOTAL \$50,000,000

25 **Sec. 1003.** 2009 c 497 s 1029 (uncodified) is amended to read as
26 follows:

27 **FOR THE DEPARTMENT OF ((COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT))**
28 **COMMERCE**

29 Local and Community Projects (20084001)

30 The reappropriation in this section is subject to the following
31 conditions and limitations:

32 (1) The projects must comply with RCW 43.63A.125 and other
33 requirements for community projects administered by the department.

34 (2) The reappropriation is subject to the provisions of section
35 1008, chapter 328, Laws of 2008.

1 (3) \$1,000,000 of the remaining reappropriation for the Evergreen
2 school district health and biosciences academy may be used for land
3 acquisition. If the facility is not constructed by June 30, 2015, the
4 school district shall reimburse the state an amount equal to \$1,000,000
5 increased by the average percentage appreciation in property values for
6 undeveloped land in the surrounding area between the date the school
7 district acquired the property and June 30, 2015 or the date the school
8 district disposes of the property.

9 (4) \$600,000 of the remaining reappropriation for the institute for
10 community leadership may be used for land acquisition.

11 (5) \$250,000 of the remaining reappropriation for the Pacific
12 Northwest ilocandia association may be used for acquisition and
13 renovation.

14 (6) \$200,000 of the remaining reappropriation for the library
15 connection at Greenbridge may be used for construction and equipment.

16 (7) \$1,000,000 of the remaining reappropriation for the Evergreen
17 school district health and biosciences academy may be used for land
18 acquisition.

19 (8) The remaining reappropriation for the Mobius/inland northwest
20 science and technology center may be used for building design,
21 construction, and renovation.

22 (9) The reappropriation is adjusted for the transfer of the
23 Vancouver national historical reserve project to the Washington state
24 historical society; the reduction of \$1,400,000 from the Tacoma narrows
25 bridge lights project; and the termination of the following projects
26 that are no longer viable: (a) Camp kilworth land acquisition -
27 Federal Way, (b) Kitsap SEED, and (c) Seatac world war I memorial
28 plaza.

29 Reappropriation:

30	State Building Construction Account--State	((\$61,200,000))
31		<u>\$56,650,000</u>
32	Prior Biennia (Expenditures)	\$71,694,000
33	Future Biennia (Projected Costs)	\$0
34	TOTAL	((\$132,894,000))
35		<u>\$128,344,000</u>

36 **Sec. 1004.** 2009 c 497 s 1019 (uncodified) is amended to read as
37 follows:

1 **FOR THE DEPARTMENT OF ((COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT))**

2 **COMMERCE**

3 Public Works Trust Fund (20074005)

4 Reappropriation:

5 Public Works Assistance Account--State ((\$232,000,000))
6 \$132,000,000

7 State Taxable Building Construction Account--
8 State \$95,000,000

9 Subtotal Reappropriation ((\$327,000,000))
10 \$227,000,000

11 Appropriation:

12 State Taxable Building Construction Account--
13 State \$100,000,000

14 Prior Biennia (Expenditures) \$0

15 Future Biennia (Projected Costs) \$0

16 TOTAL \$327,000,000

17 **Sec. 1005.** 2009 c 497 s 1023 (uncodified) is amended to read as
18 follows:

19 **FOR THE DEPARTMENT OF ((COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT))**

20 **COMMERCE**

21 Job Development Fund Grants (20074010)

22 The ((re))appropriation in this section is subject to the following
23 conditions and limitations:

24 (1) The ((re))appropriation is subject to the provisions of section
25 1032, chapter 520, Laws of 2007.

26 ~~((The appropriation in this section is subject to the following~~
27 ~~conditions and limitations: The))~~ (2) \$3,000,000 of the appropriation
28 is provided solely for a grant to the port of Grays Harbor for the bulk
29 liquid facility project.

30 Reappropriation:

31 Job Development Account--State ((\$22,228,000))
32 \$4,298,000

33 Appropriation:

34 ~~((Job Development Account--State \$3,000,000))~~

35 State Building Construction Account--State \$20,930,000

1 Prior Biennia (Expenditures) \$24,702,000
 2 Future Biennia (Projected Costs) \$0
 3 TOTAL \$49,930,000

4 **Sec. 1006.** 2009 c 497 s 1030 (uncodified) is amended to read as
 5 follows:

6 **FOR THE DEPARTMENT OF ((COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT))**
 7 **COMMERCE**

8 Community Development Fund (20084850)

9 The reappropriation in this section is subject to the following
 10 conditions and limitations:

11 (1) The reappropriation is subject to the provisions of section
 12 1014, chapter 328, Laws of 2008.

13 (2) \$105,521 of the remaining reappropriation for El Centro de la
 14 raza center may be used for building infrastructure.

15 (3) \$1,000,000 of the remaining reappropriation for the Salishan
 16 housing community project may be used for infrastructure and housing.

17 (4) The reappropriation is adjusted for the termination of the
 18 homesight center project which is no longer viable.

19 Reappropriation:

20 State Building Construction Account--State ((~~\$9,715,000~~))
 21 \$9,465,000
 22 Prior Biennia (Expenditures) \$11,451,000
 23 Future Biennia (Projected Costs) \$0
 24 TOTAL ((~~\$21,166,000~~))
 25 \$20,916,000

26 **Sec. 1007.** 2009 c 497 s 1031 (uncodified) is amended to read as
 27 follows:

28 **FOR THE DEPARTMENT OF ((COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT))**
 29 **COMMERCE**

30 Belfair Sewer Improvements (20084852)

31 Reappropriation:

32 State Building Construction Account--State \$5,500,000
 33 ((~~Public Works Assistance Account--State \$4,800,000~~)
 34 ~~Subtotal Reappropriation \$10,300,000~~)

35 Appropriation:

1 **COMMERCE**

2 Drinking Water State Revolving Fund Loan Program (30000005)

3 Appropriation:

4 Drinking Water Assistance Account--State ((~~\$8,000,000~~))

5 \$10,930,000

6 Drinking Water Assistance Repayment Account--State . . \$31,201,000

7 Subtotal Appropriation ((~~\$39,201,000~~))

8 \$42,131,000

9 Prior Biennia (Expenditures) \$0

10 Future Biennia (Projected Costs) \$215,974,000

11 TOTAL ((~~\$255,175,000~~))

12 \$258,105,000

13 **Sec. 1011.** 2009 c 497 s 1040 (uncodified) is amended to read as

14 follows:

15 **FOR THE DEPARTMENT OF ((COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT))**

16 **COMMERCE**

17 Building for the Arts Grants (30000006)

18 The appropriation in this section is subject to the following

19 conditions and limitations:

- 20 (1) Projects must be selected based on their readiness to proceed.
- 21 (2) The appropriation is provided solely for the following list of
- 22 projects:

23

24	Admiral Theatre-No Theatre Left	\$140,000
25	Behind	
26	((Artspace Everett Lofts	\$1,000,000))
27	Building a Foundation for Discovery	\$250,000
28	Campus Consolidation (Cornish)	\$375,000
29	Convert Key Bank to Everett's Plaza	\$500,000
30	Theatre	
31	Cottage Renovation (Hedgebrook)	\$20,000
32	Downstairs at the 5th	\$800,000
33	Federal Way Performing Arts Center	\$325,000
34	Gateway Center (Lummi)	\$150,000

1	James Center for the Performing Arts	\$150,000
2	(Sequim)	
3	Langston Hughes Performing Arts	\$475,000
4	Center	
5	Legacy Project (Imagine)	\$200,000
6	Modular Classrooms for Dance	\$30,000
7	(Gladish)	
8	Mt. Baker Theatre	\$1,000,000
9	Museum Expansion (Maryhill)	\$1,500,000
10	New Hands On Children's Museum	\$1,000,000
11	Reconstruction of First Stage	\$400,000
12	(Issaquah)	
13	Seattle Opera Center	\$650,000
14	Stage Two (Whidbey)	\$450,000
15	Vashon Arts Center	\$1,115,000
16	Visual Arts Education Center	\$1,000,000
17	(Snohomish County)	
18	Viva Vera Capital Campaign	\$70,000
19		
20	Total	(\$11,600,000) <u>\$10,600,000</u>

21 Appropriation:

22	State Building Construction Account--State	(\$11,600,000)
23		<u>\$10,600,000</u>
24	Prior Biennia (Expenditures)	\$0
25	Future Biennia (Projected Costs)	\$48,000,000
26	TOTAL	(\$59,600,000)
27		<u>\$58,600,000</u>

28 **Sec. 1012.** 2009 c 497 s 1045 (uncodified) is amended to read as
29 follows:

30 **FOR THE DEPARTMENT OF ((COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT))**
31 **COMMERCE**

32 Housing Assistance, Weatherization, and Affordable Housing
33 (30000013)

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

1 (1) \$7,000,000 of the appropriations is provided solely for
2 facilities housing low-income migrant, seasonal, or temporary
3 farmworkers. The operation of the facilities built under this section
4 shall be in compliance with 8 U.S.C. Sec. 1342. The department shall
5 work with the farmworker housing advisory committee to prioritize
6 funding of projects to the areas of highest need. Funding may also be
7 provided, to the extent qualified projects are submitted, for health
8 and safety projects. Any of this appropriation that is not obligated
9 by June 30, 2011, shall be added to the amount appropriated for the
10 general pool of projects.

11 (2) \$3,000,000 of the appropriations is provided solely to promote
12 development of safe and affordable housing units for persons eligible
13 for services from the division of developmental disabilities within the
14 department of social and health services.

15 (3) \$10,000 of the appropriations is provided solely to the
16 (~~Ballard food bank/Ballard homes for all coalition~~) St. Luke's
17 Lutheran Church/Interfaith Task Force on Homelessness for the
18 construction of a mobile camp facility.

19 (4) \$2,500,000 of the appropriations is provided solely for the
20 development of farm infrastructure improvements. Any of this
21 appropriation that is not obligated by June 30, 2011, must be added to
22 the amount appropriated for the general pool of projects.

23 (5) \$1,000,000 from the taxable bonds account is provided solely
24 for the development or preservation of farmworker housing for migrant
25 and seasonal farmworkers located on private farms.

26 (6) \$5,000,000 of the appropriation from the state building
27 construction account is provided solely to build low-income housing
28 units in underserved communities and to concurrently develop capacity
29 in these same communities. Underserved communities of concern are
30 those that have high levels of poverty, specifically, thirty percent of
31 the local median income; experience chronic homelessness; and lack
32 affordable housing. Underserved communities include veterans,
33 immigrants, refugees, and those communities of color disproportionately
34 impacted by chronic homelessness and lack of affordable housing. The
35 department shall collaborate with representatives of underserved
36 communities and organizations committed to assistance in these efforts
37 to prioritize and plan distribution of funding.

1 (7) The department may not make loans from capital bond proceeds
2 appropriated in this section if the appropriations are also obligated
3 for other grants or loans or if the anticipated repayments of the loans
4 are from future state legislative appropriations.

5 (8) The legislature recognizes and supports the housing priorities
6 reflected in the American recovery and reinvestment act of 2009 with
7 the estimated amount of \$144,000,000 provided solely for the following
8 programs:

9 (a) The community development fund's neighborhood stabilization
10 fund to purchase and rehabilitate foreclosed vacant properties and to
11 help create affordable housing and stabilize neighborhoods.

12 (b) The public housing capital fund to assist housing authorities
13 build and rehabilitate low-income housing stock. Housing authorities
14 are required to give priority consideration to the rehabilitation of
15 vacant rental units and capital projects that are already underway or
16 included in the five-year capital fund plans.

17 (c) HOME funding to the Washington state housing finance commission
18 for a competitive program pursuant to the qualified allocation plan to
19 owners of projects who have received or receive simultaneously an award
20 of low-income housing tax credits under section 42(h) of the internal
21 revenue code of 1986.

22 (d) Weatherization appropriated in section 1052 of this act for
23 grants and loans to local energy programs for weatherization of
24 multifamily and single family homes.

25 (9) \$5,000,000 is provided solely for two geographically diverse
26 projects that serve security lifeline clients who are homeless and have
27 a mental or behavioral health disorder. This housing must be provided
28 in coordination with community agencies who can offer supportive
29 services.

30 (10) Up to \$25,000,000 of the appropriation is for the department
31 of commerce to contract with the Washington state housing finance
32 commission to provide equity funding and administration necessary to
33 implement the Washington works housing program and to facilitate
34 nonprofit entities' use of tax-exempt multifamily bonds issued by the
35 Washington state housing finance commission. The projects receiving
36 these funds shall meet the affordability requirement for the period
37 after initial bond indebtedness, as established in section 2(2) of
38 chapter 6, Laws of 2010.

1 (ii) A memorandum of understanding between the lead eligible
2 applicant and each partner; and

3 (iii) An examination of capital and operating funding sources that
4 applicants intend to apply to the project and coordinated services at
5 each school to be served, whether such funding is derived from grants
6 under this section or from other federal, state, local, or private
7 sources.

8 (c) Project applicants must demonstrate that the proposed project
9 is ready to proceed, will make timely use of the funds, and requires
10 state funding to accomplish a discrete, usable phase of the project
11 that may include acquisition.

12 (d) If grant funds under this subsection are used for the
13 acquisition of surplus school facilities, the sale proceeds must be
14 used by the local school board disposing of such property for
15 renovation, replacement, or new construction of school facilities in
16 the district, but shall not be used as local match for projects
17 receiving state school construction assistance grants.

18 (e) In contracts for grants authorized under this subsection, the
19 department shall include provisions that require that capital
20 improvements must be held by the grantee for a specified period of time
21 appropriate to the amount of the grant and that facilities must be used
22 for the express purpose of the grant. If the grantee is found to be
23 out of compliance with provisions of the contract, the grantee shall
24 repay to the state general fund the principal amount of the grant plus
25 interest calculated at the rate of interest on state of Washington
26 general obligation bonds issued most closely to the date of
27 authorization of the grant.

28 (2) The construction of a non-mobile facility, accessible to
29 students in central and eastern Washington for the purpose of financial
30 literacy education, for the eastern and western Washington junior
31 achievement world initiative.

32 (3) \$1,500,000 of the appropriation in this section is provided
33 solely for acquisition of the Martin Luther King elementary school.
34 This is in addition to the amount provided for the Martin Luther King
35 elementary school in section 1033, chapter 497, Laws of 2009.

36 Appropriation:

37 State Building Construction Account--State (~~(\$5,000,000)~~)
38 \$6,500,000

Local Community Projects

1		
2		
3	7th St. Theater	\$330,000
4	Arc of Tri-Cities	\$900,000
5	Bellevue Clinic--Seattle Children's Hospital	\$2,000,000
6	Blessed Sacrament Food and Emergency Facilities Renovation	\$200,000
7	Children's Village Expansion Project	\$500,000
8	Clark County Food Distribution Facility	\$1,500,000
9	Coal Creek YMCA (Newcastle)	\$800,000
10	Dawson Place Child Advocacy Center	\$1,000,000
11	Federal Way National Little League Field Lighting Project and Monument Entry Sign	\$177,000
12	Harlequin Theater	\$235,000
13	Home Dialysis Center and Professional Workforce Training	\$250,000
14	Kirkland Park Place Redevelopment	\$2,000,000
15	Livingston Baker Fire and Life Safety	\$750,000
16	Marshland Diking District	\$500,000
17	Marysville Boys & Girls Club	\$500,000
18	McClure Middle School Energy Saving Performance Contract Demonstration Project	\$1,000,000
19	Mountains to Sound Greenway	\$100,000
20	Mukilteo Boys & Girls Club	\$150,000
21	Neighborcare Health Clinic and Rainier Beach Medical Clinic	\$1,000,000
22	Parkland at Japanese Gulch	\$1,000,000
23	Petrovitsky Park Upgrade	\$750,000
24	Phoenix House	\$200,000
25	Poulsbo Marine Center	\$500,000
26	Public Broadcasting Frequency Expansion	\$223,000
27	((Ready by Five Early Learning Center	\$1,000,000))
28	Renovations to Mill Creek City Annex Building	\$30,000
29	Snohomish County Emergency Center	\$1,000,000
30	South Tacoma Community Center	\$1,000,000
31	Whatcom Hospice House	\$700,000
32	Zina Linnik	\$950,000
33	Appropriation:	
34	State Building Construction Account--State	((\$21,245,000))
35		<u>\$20,245,000</u>

1	Prior Biennia (Expenditures)	\$0
2	Future Biennia (Projected Costs)	\$0
3	TOTAL	(\$21,245,000)
4		<u>\$20,245,000</u>

5 NEW SECTION. **Sec. 1015.** A new section is added to 2009 c 497
6 (uncodified) to read as follows:

7 **FOR THE DEPARTMENT OF COMMERCE**

8 2010 Local and Community Projects (30000082)

9 The appropriation in this section is subject to the following
10 conditions and limitations:

11 (1) Prior to receiving funds, project recipients must demonstrate
12 that the project site is under control for a minimum of ten years,
13 either through ownership or a long-term lease. This requirement does
14 not apply to appropriations for preconstruction activities or
15 appropriations whose sole purpose is to purchase real property that
16 does not include a construction or renovation component.

17 (2) Projects funded in this section may be required to comply with
18 Washington's high performance building standards as required by chapter
19 39.35D RCW.

20 (3) Project funds are available on a reimbursement basis only, and
21 shall not be advanced under any circumstances.

22 (4) Projects funded in this section must be held by the recipient
23 for a minimum of ten years and used for the same purpose or purposes
24 intended by the legislature as required in RCW 43.63A.125(6).

25 (5) Projects funded in this section, including those that are owned
26 and operated by nonprofit organizations, are generally required to pay
27 state prevailing wages.

28 (6) Except as directed otherwise prior to the effective date of
29 this section, the department shall not expend the appropriations in
30 this section unless and until the nonstate share of project costs have
31 been either expended, or firmly committed, or both, in an amount
32 sufficient to complete the project or a distinct phase of the project
33 that is useable to the public for the purpose intended by the
34 legislature.

35 (7) The appropriation is provided solely for the following list of
36 projects:

Local Community Projects

1		
2	Aviation High School	\$2,000,000
3	Children's Village Expansion	\$250,000
4	East King County Performing Arts Center (PACE)	\$2,000,000
5	Hanford Reach Interpretive Center	\$500,000
6	Junior Achievement (Statewide JA World Initiative)	\$1,500,000
7	Lake Boren Park - Replace Unsafe Playground	\$325,000
8	Museum of Flight Space Gallery	\$3,000,000
9	Pike Market Workforce Childcare Facility	\$1,000,000
10	Rainier Beach Medical & Dental Clinic (Neighborcare Health)	\$500,000
11	Relocation of NAVES Mental Health Center in Brien	\$1,000,000
12	Restoration of Historic Piciform Theater	\$250,000
13	San Juan Island Farmers Market - Purchase Historic Building	\$375,000
14	South King County Multi service Center	\$300,000
15	Spokane Aerospace Technology Center Design	\$400,000
16	Urban League Village at Colman School/NW African American Museum	\$100,000
17	West Hill/Skyway Area Infrastructure	\$250,000

18 Appropriation:

19	State Building Construction Account--State	\$13,750,000
20	Prior Biennia (Expenditures)	\$0
21	Future Biennia (Projected Costs)	\$0
22	TOTAL	\$13,750,000

23 NEW SECTION. **Sec. 1016.** A new section is added to 2009 c 497
 24 (uncodified) to read as follows:

25 **FOR THE DEPARTMENT OF COMMERCE**

26 Jobs Act for K-12 Public Schools and Higher Education Institutions
 27 (91000085)

28 The appropriation in this section is subject to the following
 29 conditions and limitations:

30 (1) The appropriation is provided solely for grants to public
 31 school districts and public higher education institutions for
 32 operational cost savings improvements to public school district and
 33 higher education facilities and related projects that result in energy
 34 and operational cost savings. Related projects are those projects that

1 must be completed in order for the energy efficiency improvements to be
2 effective. Grants may also be used for loan interest payments over the
3 term of a loan.

4 (2) The department of commerce, in consultation with the department
5 of general administration, the office of the superintendent of public
6 instruction, and the Washington State University energy program shall
7 establish a competitive process to solicit and evaluate applications
8 from public school districts and public higher education institutions.
9 Final grant awards shall be determined by the department of commerce.

10 (3) The definitions in this section apply throughout this section.

11 (a) "Cost-effectiveness" means that the present value to public
12 school districts and public higher education institutions of the energy
13 reasonably expected to be saved or produced by a facility, activity,
14 measure, or piece of equipment over its useful life, including any
15 compensation received from a utility or the Bonneville power
16 administration, is greater than the net present value of the costs of
17 implementing, maintaining, and operating such facility, activity,
18 measure, or piece of equipment over its useful life, when discounted at
19 the cost of public borrowing.

20 (b) "Energy equipment" means energy management systems and any
21 equipment, materials, or supplies that are expected, upon installation,
22 to reduce the energy use or energy cost of an existing building or
23 facility, and the services associated with the equipment, materials, or
24 supplies, including but not limited to design, engineering, financing,
25 installation, project management, guarantees, operations, and
26 maintenance. Reduction in energy use or energy cost may also include
27 reductions in the use or cost of water, wastewater, or solid waste.

28 (c) "Energy cost savings" means savings realized in expenses for
29 energy use and expenses associated with water, wastewater, or solid
30 waste systems.

31 (d) "Energy savings performance contracting" means the process
32 authorized by chapter 39.35C RCW by which a company contracts with a
33 public agency to conduct energy audits and guarantee energy savings
34 from energy efficiency.

35 (e) "Operational cost savings" means savings realized from parts,
36 service fees, capital renewal costs, and other measurable annual
37 expenses to maintain and repair systems. This definition does not mean
38 labor savings related to existing facility staff.

1 (f) "Public facilities" means buildings, building components, and
2 major equipment or systems owned by public school districts and public
3 higher education institutions.

4 (g) "Innovative measures" means advanced or emerging technologies,
5 systems or approaches that may not yet be in common practice but
6 improve energy efficiency, accelerate deployment, or reduce energy
7 usage, and become widely commercially available in the future if proven
8 successful in demonstration programs without compromising the
9 guaranteed performance or measurable energy and operational cost
10 savings anticipated. Examples of innovative measures include, but are
11 not limited to, advanced energy and systems operations monitoring,
12 diagnostics and controls systems for buildings; novel heating, cooling,
13 ventilation and water heating systems; advanced windows and insulation
14 technologies, highly efficient lighting technologies, designs, and
15 controls; and integration of renewable energy sources into buildings,
16 and energy savings verification technologies and solutions.

17 (4) Grants must be awarded in competitive rounds, based on demand
18 and capacity, with at least five percent of each grant round awarded to
19 small public school districts with fewer than 1,000 full-time
20 equivalent students, based on demand and capacity.

21 (5) Within each competitive round, projects must be weighted and
22 prioritized based on the following criteria and in the following order:

23 (a) Leverage ratio: In each round, the higher the leverage ratio
24 of nonstate funding sources to state jobs act grant, the higher the
25 project ranking.

26 (b) Energy savings: In each round, the higher the energy savings,
27 the higher the project ranking. Applicants must submit documentation
28 that demonstrates energy and operational cost savings resulting from
29 the installation of the energy equipment and improvements. The energy
30 savings analysis shall be performed by a licensed engineer, and the
31 documentation must include but is not limited to the following:

- 32 (i) A description of the energy equipment and improvements;
33 (ii) A description of the energy and operational cost savings; and
34 (iii) A description of the extent to which the project employs
35 collaborative and innovative measures and encourages demonstration of
36 new and emerging technologies with high energy-savings or energy cost-
37 reductions.

1 (c) Expediency of expenditure: Project readiness to spend funds
2 must be prioritized so that the legislative intent to expend funds
3 quickly is met.

4 (6) Projects that do not use energy savings performance contracting
5 must: (a) Verify energy and operational cost savings for ten years or
6 until the energy and operational costs savings pay for the project,
7 whichever is shorter; (b) follow the department of general
8 administration's energy savings performance contracting project
9 guidelines; and (c) employ a licensed engineer for the energy audit and
10 construction. The department of commerce may require third-party
11 verification of savings if a project is not implemented by an energy
12 savings performance contractor selected by the department of general
13 administration through the request of qualifications process. Third-
14 party verification must be conducted either by an energy savings
15 performance contractor selected by the department of general
16 administration through a request for qualifications, a licensed
17 engineer that is a certified energy manager, a project resource
18 conservation manager, or educational service district resource
19 conservation manager.

20 (7) To intensify competition, the department of commerce may only
21 award funds to the top eighty-five percent of projects applying in a
22 round until the department of commerce determines a final round is
23 appropriate. Projects that do not receive a grant award in one round
24 may reapply in subsequent rounds.

25 (8) To match federal grants and programs that require state
26 matching funds and produce significantly higher efficiencies in
27 operations and utilities, the level of innovation criteria may be
28 increased for the purposes of weighted scoring to capture those federal
29 dollars for selected projects that require a higher level of innovation
30 and regional collaboration.

31 (9) Grant amounts awarded to each project must allow for the
32 maximum number of projects funded with the greatest energy and cost
33 benefit.

34 (10)(a) The department of commerce must use bond proceeds to pay
35 one-half of the preliminary audit, up to five cents per square foot, if
36 the project does not meet the school district's and higher education
37 institution's predetermined cost-effectiveness criteria. Public school

1 districts and public higher education institutions must pay the other
2 one-half of the cost of the preliminary audit if the project does not
3 meet their predetermined cost-effectiveness criteria.

4 (b) The energy savings performance contractor shall not charge for
5 an investment grade audit if the project does not meet the school
6 district's and higher education institution's predetermined cost-
7 effectiveness criteria. Public school districts and public higher
8 education institutions must pay the full price of an investment grade
9 audit if they do not proceed with a project that meets the school
10 district's and higher education institution's predetermined cost-
11 effectiveness criteria.

12 (11) The department of commerce may charge projects administrative
13 fees and may pay the department of general administration, the
14 Washington State University energy program, and the office of the
15 superintendent of public instruction administration fees in an amount
16 determined through a memorandum of understanding.

17 (12) The department of commerce and the department of general
18 administration must submit a joint report to the appropriate committees
19 of the legislature and the office of financial management on the timing
20 and use of the grant funds, program administrative function, compliance
21 with apprenticeship utilization requirements in RCW 39.04.320,
22 compliance with prevailing wage requirements, and administration fees
23 by the end of each fiscal year, until the funds are fully expended and
24 all savings verification requirements are fulfilled.

25 Appropriation:

26	State Building Construction Account--State	\$50,000,000
27	Prior Biennia (Expenditures) . . . . .	.\$0
28	Future Biennia (Projected Costs)	\$0
29	TOTAL	\$50,000,000

30 NEW SECTION. **Sec. 1017.** A new section is added to 2009 c 497
31 (uncodified) to read as follows:

32 **FOR THE DEPARTMENT OF COMMERCE**

33 Energy Regional Innovation Cluster Match (91000080)

34 The appropriation in this section is subject to the following
35 conditions and limitations: The appropriation is provided solely to
36 support facilities to be located in Washington state to increase the

1 competitiveness of state or regional proposals for federal energy
2 innovation and research funding. State funding must not exceed twenty
3 percent of the total program or project funds. If a Washington state
4 research organization is not awarded federal funding for energy
5 innovation and research by June 30, 2011, the remaining appropriation
6 in this section may be allotted for export assistance as provided in
7 section 1018 of this act.

8 Appropriation:

9	Public Facility Construction Loan Revolving	
10	Account--State	\$5,500,000
11	Prior Biennia (Expenditures) . . . . .	.\$0
12	Future Biennia (Projected Costs)	\$0
13	TOTAL	\$5,500,000

14 NEW SECTION. **Sec. 1018.** A new section is added to 2009 c 497
15 (uncodified) to read as follows:

16 **FOR THE DEPARTMENT OF COMMERCE**

17 CERB - Export Assistance Grants and Loans (92000069)

18 The appropriation in this section is subject to the following
19 conditions and limitations: The appropriation is provided solely for
20 loans and grants to local governments and public institutions of higher
21 education for technical assistance and infrastructure to support growth
22 of export of Washington state products and services.

23 Appropriation:

24	Public Facility Construction Loan Revolving	
25	Account--State	\$3,000,000
26	Prior Biennia (Expenditures) . . . . .	.\$0
27	Future Biennia (Projected Costs)	\$0
28	TOTAL	\$3,000,000

29 **Sec. 1019.** 2009 c 497 s 1054 (uncodified) is amended to read as
30 follows:

31 **FOR THE OFFICE OF FINANCIAL MANAGEMENT**

32 Cowlitz River Dredging (20082856)

33 Reappropriation:

34	State Building Construction Account--State	\$313,000
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1 Appropriation:

2	State Building Construction Account--State	\$500,000
3	Prior Biennia (Expenditures)	\$687,000
4	Future Biennia (Projected Costs)	\$0
5	TOTAL	((\$1,000,000))
6		<u>\$1,500,000</u>

7 **Sec. 1020.** 2009 c 497 s 1055 (uncodified) is amended to read as
8 follows:

9 **FOR THE OFFICE OF FINANCIAL MANAGEMENT**

10 Catastrophic Flood Relief (20084850)

11 The reappropriation in this section is subject to the following
12 conditions and limitations:

13 (1) \$1,640,000 of the reappropriation is provided solely for
14 nonfederal matching funds and state agency costs associated with the
15 army corps of engineers flood hazard mitigation projects for the
16 Chehalis river basin.

17 (2) \$1,200,000 of the total reappropriation is provided solely for
18 the Chehalis basin flood control authority to develop governance
19 agreements for development, operation, and maintenance of flood hazard
20 mitigation measures throughout the basin. The development of the
21 governance agreements shall include preliminary estimates of local
22 property tax options necessary to support the maintenance and operation
23 of the twin city levy project and tax options necessary to support
24 other possible flood control measures throughout the basin. The
25 agreements must be executed by July 1, 2011.

26 (3)(a) \$2,000,000 of the reappropriation is provided solely for the
27 following studies of flood mitigation measures: (i) Studies contracted
28 prior to the effective date of this act; (ii) a study to evaluate the
29 feasibility of a combination of the United States' army corps of
30 engineers twin city project, with other retention structures, and
31 nonstructural flood mitigation measures to be completed by June 30,
32 2011; (iii) a study to determine how ecosystem services, including
33 nonstructural alternatives, would likely mitigate downstream flooding
34 to be completed by December 2010; (iv) continuation of the general
35 investigation of basin wide flood control measures by the United
36 States' army corps of engineers; (v) an independent peer review of
37 completed geotechnical and hydrological studies of possible upper basin

1 retention structures to be completed by October 2010; (vi) a study of
2 the effect of possible retention structures and other flood control
3 measures on fish in the basin to be completed by June 2011, provided
4 that the fish study shall not examine options for retention structures
5 that the peer review in this section determines is not feasible.

6 (b) From the effective date of this act and prior to any
7 expenditure on new studies, the Chehalis basin flood authority must
8 submit any new study proposal to the basinwide general investigation
9 project manager of the United States army corps of engineers for
10 review. Based upon the United States army corps of engineers review of
11 the proposal, the Chehalis basin flood authority must develop a
12 proposed scope of work for the study that ensures, to the fullest
13 extent possible, that the study will be eligible for federal work-in-
14 kind credit.

15 (c) The Chehalis basin flood authority must: (i) In consultation
16 with the department of ecology, select qualified experts to conduct the
17 peer review of geotechnical and hydrological studies; and (ii) consult
18 with the Washington state department of fish and wildlife, the
19 confederated tribes of the Chehalis reservation, and the Lewis county
20 public utility district to develop and agree upon a scope of work for,
21 and select a qualified expert to, conduct the fish study. The peer
22 review must be submitted to the office of financial management before
23 funds are allotted for the fish study.

24 (4) \$300,000 of the reappropriation is provided solely for an early
25 flood warning system.

26 (5) It is the intent of the legislature to fulfill the commitment
27 of section 101, chapter 179, Laws of 2008 and chapter 180, Laws of
28 2008, by appropriating funds when the federal match requirement is
29 needed.

30 Reappropriation:

31	State Building Construction Account--State	((\$47,351,000))
32		<u>\$5,140,000</u>
33	Prior Biennia (Expenditures)	((\$2,649,000))
34		<u>\$3,450,000</u>
35	Future Biennia (Projected Costs)	((\$0))
36		<u>\$41,410,000</u>
37	TOTAL	\$50,000,000

1 NEW SECTION. **Sec. 1021.** A new section is added to 2009 c 497
2 (uncodified) to read as follows:

3 **FOR THE OFFICE OF FINANCIAL MANAGEMENT**

4 Risk Pool (91000001)

5 The appropriation in this section is subject to the following
6 conditions and limitations: The appropriation is provided solely for
7 a risk pool to complete projects within the scope described in budget
8 documents submitted as part of the governor's capital budget request
9 and consistent with legislative history. This section only applies to
10 projects included in this 2010 supplemental capital budget with reduced
11 appropriations. The office of financial management may allot portions
12 of this appropriation ten days after notifying the senate ways and
13 means committee and the house of representatives capital budget
14 committee. The notification must include an explanation of the need
15 and the amount for the allotment to complete the scope of an approved
16 project.

17 Appropriation:

18 State Building Construction Account--State	\$4,000,000
19 Prior Biennia (Expenditures) . . . . .	.\$0
20 Future Biennia (Projected Costs)	\$0
21 TOTAL	\$4,000,000

22 NEW SECTION. **Sec. 1022.** A new section is added to 2009 c 497
23 (uncodified) to read as follows:

24 **FOR THE OFFICE OF FINANCIAL MANAGEMENT**

25 Port Angeles Economic Development Agreement (30000024)

26 The appropriation in this section is subject to the following
27 conditions and limitations: The appropriation is provided solely to
28 carry out paragraph 2.C. of the economic development agreement
29 associated with the case of *Lower Elwha Klallam Tribe et al v. State et*
30 *al*, Thurston county superior court, cause No. 05-2-01595-8. The state
31 has already provided \$250,000 to carry out that paragraph. After
32 disbursement of the appropriation in this section, the state will
33 provide no further funding under the economic development agreement.

34 Appropriation:

35 State Building Construction Account--State \$250,000

1	Prior Biennia (Expenditures)	\$0
2	Future Biennia (Projected Costs)	\$0
3	TOTAL	\$250,000

4 NEW SECTION. **Sec. 1023.** A new section is added to 2009 c 497
5 (uncodified) to read as follows:

6 **FOR THE OFFICE OF FINANCIAL MANAGEMENT.** (1) Due to the downturn of
7 the economy and the direct effects on the state bond debt limit, the
8 legislature intends to reduce bond debt while focusing resources on
9 maintaining and creating jobs. Therefore, the legislature directs the
10 office of financial management to work with state agencies to achieve
11 savings in the amount of \$50,000,000 by reducing previously approved
12 allotments or by withholding approval of planned allotments for those
13 projects that have not shown substantial progress under the criteria
14 established in subsection (2) of this section or from projects with
15 savings identified pursuant to section 6012 of this act.

16 (2) A project is subject to allotment reduction or non-approval of
17 a planned allotment under this section if:

- 18 (a)(i) It is a state project administered by a state agency; or
- 19 (ii) It is a grant or a loan project for which a state agency
20 allocates funding to a non-state entity;

21 (b) Appropriations for the project were made in the 2009-11 or
22 previous omnibus capital appropriations acts from the state building
23 construction account, state taxable building construction account, or
24 any other debt limit bond account, not including projects receiving
25 2010 supplemental capital budget appropriations, minor works projects,
26 or the school construction assistance grant program; and

27 (c) The project has failed to secure all required and appropriate
28 transaction elements necessary to execute contracts with the
29 administering state agency by November 30, 2010. Required and
30 appropriate transaction elements may include, but are not limited to,
31 matching funds, permits, environmental reviews, and required contracts
32 and partnership agreements.

33 (3) Amounts attributable to allotment reductions or non-approval of
34 planned allotments made under this section must be placed in or remain
35 in unallotted status and remain unexpended.

36 (4) By December 31, 2010, the office of financial management must
37 report to the house of representatives capital budget committee and the

1 senate ways and means committee on the projects for which allotments
2 were reduced or for which approval was withheld, including a list of
3 the specific projects and related funds remaining in unallotted status.

4 (5) Agencies and prospective grant or loan recipients are
5 encouraged to reapply or request funds in the 2011-13 biennial capital
6 appropriations act for projects for which allotments were reduced or
7 not approved under this section.

8 **Sec. 1024.** 2009 c 497 s 1065 (uncodified) is amended to read as
9 follows:

10 **FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

11 O'Brien Building Improvements (20081007)

12 The appropriation in this section is subject to the following
13 conditions and limitations: Upon completion of the project, temporary
14 modular buildings shall be removed, and the parking lot shall be
15 restored and landscaped within budget.

16 Reappropriation:

17 State Building Construction Account--State \$1,500,000

18 Appropriation:

19 State Building Construction Account--State ((~~\$9,671,000~~))

20 \$8,220,000

21 Prior Biennia (Expenditures) \$1,481,000

22 Future Biennia (Projected Costs) ((~~\$5,329,000~~))

23 \$0

24 TOTAL ((~~\$17,981,000~~))

25 \$11,201,000

26 **Sec. 1025.** 2009 c 497 s 1071 (uncodified) is amended to read as
27 follows:

28 **FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

29 Capital Lake Plan Completion (20082953)

30 The reappropriation in this section is subject to the following
31 conditions and limitations: The reappropriation is provided for lake
32 management efforts to control invasive species. The Capital Lake
33 adaptive management planning process must be suspended.

34 Reappropriation:

35 State Building Construction Account--State ((~~\$200,000~~))

1 Thurston County Capital Facilities Account--State . . ((\$100,000))
2 \$76,000

3 Appropriation:

4 State Building Construction Account--State \$24,000
5 Prior Biennia (Expenditures) \$3,423,000
6 Future Biennia (Projected Costs) \$0
7 TOTAL \$3,523,000

8 **Sec. 1029.** 2009 c 497 s 1063 (uncodified) is amended to read as
9 follows:

10 **FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

11 Natural Resources Building Repairs and Renewal (20061014)

12 Reappropriation:

13 State Vehicle Parking Account--State \$30,000
14 Thurston County Capital Facilities Account--State . . ((\$100,000))
15 \$22,000
16 Subtotal Reappropriation ((\$130,000))
17 \$52,000

18 Appropriation:

19 State Building Construction Account--State \$78,000
20 Prior Biennia (Expenditures) \$2,853,000
21 Future Biennia (Projected Costs) \$4,520,000
22 TOTAL \$7,503,000

23 **Sec. 1030.** 2009 c 497 s 1064 (uncodified) is amended to read as
24 follows:

25 **FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

26 Minor Works - Infrastructure Preservation (20081004)

27 Reappropriation:

28 (~~Thurston County Capital Facilities Account--State . . . \$136,000~~)
29 State Building Construction Account--State \$584,000
30 (~~Subtotal Reappropriation \$720,000~~)

31 Appropriation:

32 State Building Construction Account--State \$136,000
33 Prior Biennia (Expenditures) \$4,401,000
34 Future Biennia (Projected Costs) \$0

1 TOTAL \$5,121,000

2 **Sec. 1031.** 2009 c 497 s 1068 (uncodified) is amended to read as
3 follows:

4 **FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

5 Minor Works - Facility Preservation (20081015)

6 Reappropriation:

7 State Building Construction Account--State \$380,000
8 (~~Thurston County Capital Facilities Account--State \$723,000~~
9 ~~Subtotal Reappropriation \$1,103,000~~)

10 Appropriation:

11 State Building Construction Account--State \$723,000
12 Prior Biennia (Expenditures) \$5,583,000
13 Future Biennia (Projected Costs) \$0
14 TOTAL \$6,686,000

15 **Sec. 1032.** 2009 c 497 s 1073 (uncodified) is amended to read as
16 follows:

17 **FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

18 Minor Works Preservation (30000012)

19 Appropriation:

20 State Building Construction Account--State (~~\$2,800,000~~)
21 \$3,400,000
22 Prior Biennia (Expenditures) \$0
23 Future Biennia (Projected Costs) \$34,109,000
24 TOTAL (~~\$36,909,000~~)
25 \$37,509,000

26 NEW SECTION. **Sec. 1033.** A new section is added to 2009 c 497
27 (uncodified) to read as follows:

28 **FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

29 Capitol Campus Heating System Improvements (30000486)

30 Appropriation:

31 State Building Construction Account--State \$200,000
32 Prior Biennia (Expenditures) \$0
33 Future Biennia (Projected Costs) \$1,800,000
34

1 TOTAL \$2,000,000

2 **Sec. 1034.** 2009 c 497 s 1081 (uncodified) is amended to read as
3 follows:

4 **FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

5 Pro Arts Building (91000002)

6 ~~((The appropriation in this section is subject to the following
7 conditions and limitations:—Predesign and design funds are provided
8 solely to develop a new office building. Up to \$225,000 may be used to
9 develop the predesign for the Pro Arts site to include a new office
10 building that may house tenants from the general administration
11 building including the office of financial management, the Puget Sound
12 partnership, the office of the state treasurer, and other small
13 commissions and agencies. The predesign shall be developed with
14 representatives from the capitol campus design advisory committee, the
15 department of general administration, and the office of financial
16 management. The predesign shall be used to develop the optimum use of
17 space for the Pro Arts site, identify any required mitigation, parking
18 requirements, schedule of construction, and cost of construction. The
19 predesign shall be provided to the appropriate fiscal committees of the
20 legislature and the office of financial management by February 1, 2010.
21 The allotment for design funds will be made after the predesign is
22 approved by the office of financial management and the appropriate
23 fiscal committees of the legislature.))~~

24 Appropriation:

25	State Building Construction Account--State	(((\$2,000,000))
26		<u>\$225,000</u>
27	Prior Biennia (Expenditures) . . . . .	.\$0
28	Future Biennia (Projected Costs)	\$0
29	TOTAL	(((\$2,000,000))
30		<u>\$225,000</u>

31 NEW SECTION. **Sec. 1035.** A new section is added to 2009 c 497
32 (uncodified) to read as follows:

33 **FOR THE MILITARY DEPARTMENT**

34 Camp Murray New Primary Gate Entrance (30000482)

35 Appropriation:

1 General Fund--Federal \$3,270,000
 2 Military Department Capital Account--State \$1,657,000
 3 Subtotal Appropriation \$4,927,000
 4 Prior Biennia (Expenditures) \$0
 5 Future Biennia (Projected Costs) \$0
 6 TOTAL \$4,927,000

7 **Sec. 1036.** 2009 c 497 s 1086 (uncodified) is amended to read as
 8 follows:

9 **FOR THE MILITARY DEPARTMENT**

10 Minor Works Preservation (30000002)

11 Appropriation:

12 General Fund--Federal (~~(\$3,069,000)~~)
 13 \$8,672,000
 14 State Building Construction Account--State \$1,709,000
 15 Subtotal Appropriation (~~(\$4,778,000)~~)
 16 \$10,381,000
 17 Prior Biennia (Expenditures) \$0
 18 Future Biennia (Projected Costs) \$18,700,000
 19 TOTAL (~~(\$23,478,000)~~)
 20 \$29,081,000

21 **Sec. 1037.** 2009 c 497 s 1087 (uncodified) is amended to read as
 22 follows:

23 **FOR THE MILITARY DEPARTMENT**

24 Minor Works Program (30000003)

25 Appropriation:

26 General Fund--Federal (~~(\$679,000)~~)
 27 \$3,139,000
 28 Prior Biennia (Expenditures) \$0
 29 Future Biennia (Projected Costs) \$10,229,000
 30 TOTAL (~~(\$10,908,000)~~)
 31 \$13,368,000

32 NEW SECTION. **Sec. 1038.** A new section is added to 2009 c 497
 33 (uncodified) to read as follows:

1 **FOR THE MILITARY DEPARTMENT**

2 Combined Support Maintenance Shop (20082006)

3 Appropriation:

4	General Fund--Federal	\$4,736,000
5	Prior Biennia (Expenditures) . . . . .	.\$0
6	Future Biennia (Projected Costs)	\$22,164,000
7	TOTAL	\$26,900,000

(End of part)

1 **PART 2**

2 **HUMAN SERVICES**

3 **Sec. 2001.** 2009 c 497 s 2001 (uncodified) is amended to read as
4 follows:

5 **FOR THE CRIMINAL JUSTICE TRAINING COMMISSION**

6 Replace Hawthorne Hall Dormitory (20082001)

7 ~~((The appropriation in this section is subject to the following
8 conditions and limitations: The office of financial management shall
9 allot funds for the dormitory construction at the criminal justice
10 training commission only after the recommendation of the steering
11 committee participating in the analysis in section 1057 of this act has
12 been provided to the legislative fiscal committees and submitted to the
13 office of financial management for review.~~

14 ~~Appropriation:~~

15 ~~State Building Construction Account--State \$16,745,000))~~

16 Reappropriation:

17 State Building Construction Account--State \$632,000

18 Prior Biennia (Expenditures) \$1,293,000

19 Future Biennia (Projected Costs) ((\$0))

20 \$16,934,000

21 TOTAL ((\$18,670,000))

22 \$18,859,000

23
24 **Sec. 2002.** 2009 c 497 s 2002 (uncodified) is amended to read as
25 follows:

26 **FOR THE CRIMINAL JUSTICE TRAINING COMMISSION**

27 School Mapping (30000011)

28 The appropriation in this section is subject to the following
29 conditions and limitations: The legislature intends to complete half
30 of the remaining community and technical college mapping with this
31 appropriation ~~((and to appropriate funding for the remaining half of
32 unmapped square feet in community and technical colleges in the 2011-13
33 biennium))~~.

1 Appropriation:

2	State Building Construction Account--State	((\$500,000))
3		<u>\$1,100,000</u>
4	Prior Biennia (Expenditures) . . . . .	.\$0
5	Future Biennia (Projected Costs)	((\$546,000))
6		<u>\$0</u>
7	TOTAL	((\$1,046,000))
8		<u>\$1,100,000</u>

9 NEW SECTION. **Sec. 2003.** A new section is added to 2009 c 497
10 (uncodified) to read as follows:

11 **FOR THE DEPARTMENT OF LABOR AND INDUSTRIES**
12 Central Office Roof Replacement and Fall Restraint Upgrade
13 (30000012)

14 Appropriation:

15	Accident Account--State	\$1,250,000
16	Medical Aid Account--State	\$1,250,000
17	Subtotal Appropriation	\$2,500,000
18	Prior Biennia (Expenditures) . . . . .	.\$0
19	Future Biennia (Projected Costs)	\$0
20	TOTAL	\$2,500,000

21 **Sec. 2004.** 2009 c 497 s 2027 (uncodified) is amended to read as
22 follows:

23 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**
24 Eastern State Hospital: Roof Replacements (30000846)

25 Appropriation:

26	State Building Construction Account--State	((\$1,085,000))
27		<u>\$922,000</u>
28	Prior Biennia (Expenditures) . . . . .	.\$0
29	Future Biennia (Projected Costs)	\$1,088,000
30	TOTAL	((\$2,173,000))
31		<u>\$2,010,000</u>

32 **Sec. 2005.** 2009 c 497 s 2014 (uncodified) is amended to read as
33 follows:

1 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

2 Special Commitment Center: Utility Replacements (20081504)

3 The reappropriation and appropriation in this section are subject
4 to the following conditions and limitations: It is the intent of the
5 appropriation and reappropriation to replace essential utilities, such
6 as sanitary sewer, high voltage electrical, and fiber optic
7 communications, serving the special commitment center and McNeil
8 corrections center on McNeil Island by replacing the Island's
9 electrical feed from the shoreline landing to the McNeil corrections
10 center generator building, and continuing on to the special commitment
11 center. The department shall coordinate the work with the department
12 of corrections for the most cost-effective approach to the work.

13 Reappropriation:

14 State Building Construction Account--State \$2,900,000

15 Appropriation:

16 State Building Construction Account--State (~~(\$3,490,000)~~)

17 \$2,966,000

18 Prior Biennia (Expenditures) \$140,000

19 Future Biennia (Projected Costs) \$0

20 TOTAL (~~(\$6,530,000)~~)

21 \$6,006,000

22 NEW SECTION. **Sec. 2006.** A new section is added to 2009 c 497
23 (uncodified) to read as follows:

24 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

25 Capacity to Replace Maple Lane School (92000005)

26 Appropriation:

27 State Building Construction Account--State \$760,000

28 Prior Biennia (Expenditures) \$0

29 Future Biennia (Projected Costs) \$1,025,000

30 TOTAL \$1,785,000

31 **Sec. 2007.** 2009 c 497 s 2034 (uncodified) is amended to read as
32 follows:

33 **FOR THE DEPARTMENT OF HEALTH**

34 Drinking Water Assistance Program (30000013)

1 The appropriation in this section is subject to the following
2 conditions and limitations: \$38,462,000 is provided from the American
3 recovery and reinvestment act of 2009.

4 Appropriation:

5	Drinking Water Assistance Account--Federal	((\$24,348,000))
6		<u>\$38,348,000</u>
7	Drinking Water Assistance Account--Federal	
8	American Recovery and Reinvestment Act	\$38,462,000
9	Subtotal Appropriation	((\$62,810,000))
10		<u>\$76,810,000</u>
11	Prior Biennia (Expenditures) . . . . .	.\$0
12	Future Biennia (Projected Costs)	\$0
13	TOTAL	((\$62,810,000))
14		<u>\$76,810,000</u>

15 **Sec. 2008.** 2009 c 497 s 2037 (uncodified) is amended to read as
16 follows:

17 **FOR THE DEPARTMENT OF VETERANS AFFAIRS**

18 State Veterans Cemetery (20082004)

19 Reappropriation:

20	General Fund--Federal	\$6,815,000
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21 Appropriation:

22	<u>General Fund--Federal</u>	<u>\$1,909,000</u>
23	Prior Biennia (Expenditures)	\$1,010,000
24	Future Biennia (Projected Costs)	\$0
25	TOTAL	((\$7,825,000))
26		<u>\$9,734,000</u>

27 **Sec. 2009.** 2009 c 497 s 2038 (uncodified) is amended to read as
28 follows:

29 **FOR THE DEPARTMENT OF VETERANS AFFAIRS**

30 Minor Works - Facilities Preservation (30000003)

31 Appropriation:

32	State Building Construction Account--State	((\$500,000))
33		<u>\$775,000</u>
34	Prior Biennia (Expenditures) . . . . .	.\$0

1 Future Biennia (Projected Costs) \$6,585,000
 2 TOTAL (~~(\$7,085,000)~~)
 3 \$7,360,000

4 **Sec. 2010.** 2009 c 497 s 2067 (uncodified) is amended to read as
 5 follows:

6 **FOR THE DEPARTMENT OF CORRECTIONS**

7 Washington Corrections Center for Women: Roof Replacement
 8 (30000178)

9 Appropriation:

10 State Building Construction Account--State (~~(\$1,832,000)~~)
 11 \$1,557,000
 12 Prior Biennia (Expenditures) \$0
 13 Future Biennia (Projected Costs) \$0
 14 TOTAL (~~(\$1,832,000)~~)
 15 \$1,557,000

16 NEW SECTION. **Sec. 2011.** A new section is added to 2009 c 497
 17 (uncodified) to read as follows:

18 **FOR THE DEPARTMENT OF CORRECTIONS**

19 Washington State Penitentiary: Housing Units, Kitchen, and Site
 20 Work (30000482)

21 Appropriation:

22 State Building Construction Account--State \$5,990,000
 23 Public Safety Reimbursable Bond Account \$829,000
 24 Subtotal Appropriation \$6,819,000
 25 Prior Biennia (Expenditures) \$0
 26 Future Biennia (Projected Costs) \$44,000,000
 27 TOTAL \$50,819,000

28 **Sec. 2012.** 2009 c 497 s 2072 (uncodified) is amended to read as
 29 follows:

30 **FOR THE DEPARTMENT OF CORRECTIONS**

31 Clallam Bay Corrections Center: Replace 5 Towers and Housing Roofs
 32 (30000108)

33 The appropriation in this section is subject to the following

1 conditions and limitations: The funding is provided solely for the
2 replacement of roofs on offender housing units.

3 Appropriation:

4	State Building Construction Account--State	((\$3,000,000))
5		<u>\$2,550,000</u>
6	Prior Biennia (Expenditures)	\$0
7	Future Biennia (Projected Costs)	\$0
8	TOTAL	((\$3,000,000))
9		<u>\$2,550,000</u>

10 **Sec. 2013.** 2009 c 497 s 2075 (uncodified) is amended to read as
11 follows:

12 **FOR THE DEPARTMENT OF CORRECTIONS**

13 Monroe Corrections Center: Water Line Replacements (30000137)

14 Appropriation:

15	State Building Construction Account--State	((\$1,809,000))
16		<u>\$1,538,000</u>
17	Prior Biennia (Expenditures)	\$0
18	Future Biennia (Projected Costs)	\$0
19	TOTAL	((\$1,809,000))
20		<u>\$1,538,000</u>

21 **Sec. 2014.** 2009 c 497 s 2078 (uncodified) is amended to read as
22 follows:

23 **FOR THE DEPARTMENT OF CORRECTIONS**

24 Washington State Penitentiary: Kitchen Improvements (20061007)

25 Reappropriation:

26	State Building Construction Account--State	((\$402,000))
27		<u>\$0</u>
28	Prior Biennia (Expenditures)	\$228,000
29	Future Biennia (Projected Costs)	\$0
30	TOTAL	((\$630,000))
31		<u>\$228,000</u>

32 **Sec. 2015.** 2009 c 497 s 2068 (uncodified) is amended to read as
33 follows:

1 **FOR THE DEPARTMENT OF CORRECTIONS**

2 300 Minimum Security Bed Expansion - Three Locations (20082850)

3 Reappropriation:

4	State Building Construction Account--State	((\$321,000))
5		<u>\$15,000</u>
6	Prior Biennia (Expenditures)	\$156,000
7	Future Biennia (Projected Costs)	\$0
8	TOTAL	((\$477,000))
9		<u>\$171,000</u>

10 **Sec. 2016.** 2009 c 497 s 2054 (uncodified) is amended to read as
11 follows:

12 **FOR THE DEPARTMENT OF CORRECTIONS**

13 Washington State Penitentiary: Replace Roofs (20081007)

14 Reappropriation:

15	State Building Construction Account--State	((\$1,200,000))
16		<u>\$180,000</u>
17	Prior Biennia (Expenditures)	\$589,000
18	Future Biennia (Projected Costs)	\$0
19	TOTAL	((\$1,789,000))
20		<u>\$769,000</u>

21 **Sec. 2017.** 2009 c 497 s 2064 (uncodified) is amended to read as
22 follows:

23 **FOR THE DEPARTMENT OF CORRECTIONS**

24 Mission Creek Corrections Center for Women: 100-Bed Expansion
25 (20082020)

26 Reappropriation:

27	State Building Construction Account--State	((\$5,331,000))
28		<u>\$4,419,000</u>
29	Prior Biennia (Expenditures)	\$1,296,000
30	Future Biennia (Projected Costs)	\$0
31	TOTAL	((\$6,627,000))
32		<u>\$5,715,000</u>

1 NEW SECTION. **Sec. 2018.** A new section is added to 2009 c 497
2 (uncodified) to read as follows:

3 **FOR THE DEPARTMENT OF CORRECTIONS**

4 Westside Corrections Complex: Siting and Predesign (92000032)

5 Appropriation:

6	State Building Construction Account--State	\$2,600,000
7	Prior Biennia (Expenditures) . . . . .	.\$0
8	Future Biennia (Projected Costs)	\$0
9	TOTAL	\$2,600,000

(End of part)

1 leasing or acquiring and transferring the water rights. All costs
2 shall be fully recovered from participating domestic water users for
3 their prorated portion of the cost, including but not limited to the
4 costs of securing a water right or rights for this purpose, costs
5 associated with the development and implementation of alternative
6 agricultural water transfer methods, associated annual operational
7 costs, and federal water service contract costs owed to the United
8 States bureau of reclamation. Funds recovered in this manner shall be
9 deposited in the state and local improvement revolving fund and may be
10 used for any purpose provided in this section.

11 Appropriation:

12	State and Local Improvements Revolving Account	
13	(Water Supply Facilities)--State	\$700,000
14	Prior Biennia (Expenditures)	\$0
15	Future Biennia (Projected Costs)	\$0
16	TOTAL	\$700,000

17 **Sec. 3002.** 2009 c 497 s 3039 (uncodified) is amended to read as
18 follows:

19 **FOR THE DEPARTMENT OF ECOLOGY**

20 Flood Protection Study (20082855)

21 The reappropriation in this section is subject to the following
22 conditions and limitations: The reappropriation in this section is
23 provided solely for the department to conduct a study to determine the
24 number of decertified levees in the state and to identify strategies
25 for maintaining accreditation, re-accrediting, or recertifying ((the))
26 levees so that they ((provide)) are recognized by federal agencies as
27 providing optimum protection for the communities protected by the
28 levees. The department must prioritize areas to include in the study
29 based on population and the economic impact of potential flood damage.

30 The study must include the following components:

- 31 (1) A working group of levee managers, local agencies, and
32 stakeholders to advise and inform the study;
- 33 (2) ((A)) In-state examples of the costs and processes of technical
34 review of the structural integrity of levee systems;
- 35 (3) An inventory, map, and ((rate the effectiveness)) description
36 of the level of protection of existing levee systems; ((and))

1 (4) The development of strategies and actions needed to improve the
2 existing levee system and to ensure certification by the United States
3 army corps of engineers for one-hundred year flood protection;

4 (5) The identification of current funding sources and the amounts
5 available for levee improvements; and

6 (6) Recommendation for additional new funding sources and options.

7 (7) The study must be completed and a report provided to the
8 appropriate legislative committees by ((July)) December 1, 2010.

9 (8) The study under this section is exempt from the provisions of
10 section 602, chapter 3, Laws of 2010 and section 7, chapter 5, Laws of
11 2009.

12 Reappropriation:

13	State Building Construction Account--State	\$280,000
14	Prior Biennia (Expenditures)	\$0
15	Future Biennia (Projected Costs)	\$0
16	TOTAL	\$280,000

17 **Sec. 3003.** 2009 c 497 s 3007 (uncodified) is amended to read as
18 follows:

19 **FOR THE DEPARTMENT OF ECOLOGY**

20 Sunnyside Valley Irrigation District Water Conservation (20052851)

21 Reappropriation:

22	State Building Construction Account--State	\$2,800,000
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23 Appropriation:

24	State Building Construction Account--State	(\$2,850,000)
25		<u>\$7,250,000</u>
26	Prior Biennia (Expenditures)	\$4,147,000
27	Future Biennia (Projected Costs)	\$4,000,000
28	TOTAL	(\$13,797,000)
29		<u>\$18,197,000</u>

30 **Sec. 3004.** 2009 c 497 s 3049 (uncodified) is amended to read as
31 follows:

32 **FOR THE DEPARTMENT OF ECOLOGY**

33 Upper Columbia River Black Sand Beach Cleanup (30000016)

34 Appropriation:

35	State Building Construction Account--State	(\$3,000,000)
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1 **FOR THE DEPARTMENT OF ECOLOGY**

2 Settlement Funding to Clean Up Toxic Sites (30000145)

3 Appropriation:

4	Cleanup Settlement Account--State	\$8,500,000
5	Prior Biennia (Expenditures)	\$0
6	Future Biennia (Projected Costs)	\$0
7	TOTAL	\$8,500,000

8 NEW SECTION. **Sec. 3009.** A new section is added to 2009 c 497
9 (uncodified) to read as follows:

10 **FOR THE DEPARTMENT OF ECOLOGY**

11 Cleanup Asarco Contamination on Vashon/Maury Islands and Mines
12 (91000009)

13 The appropriation in this section is subject to the following
14 conditions and limitations: \$4,100,000 of the cleanup settlement
15 account appropriation and \$10,900,000 of the state toxics control
16 account appropriation are provided solely for the department of ecology
17 to assist King County in the acquisition and remediation of property on
18 Vashon and Maury Islands. The properties are in the Tacoma smelter
19 plume area and are contaminated with arsenic and other heavy metals
20 from the Asarco smelter.

21 Appropriation:

22	Cleanup Settlement Account--State	\$4,100,000
23	State Toxics Control Account--State	\$10,900,000
24	Subtotal Appropriation	\$15,000,000
25	Prior Biennia (Expenditures)	\$0
26	Future Biennia (Projected Costs)	\$0
27	TOTAL	\$15,000,000

28 NEW SECTION. **Sec. 3010.** A new section is added to 2009 c 497
29 (uncodified) to read as follows:

30 **FOR THE DEPARTMENT OF ECOLOGY**

31 Clean Up Toxic Sites - Puget Sound (30000144)

32 The appropriation in this section is subject to the following
33 conditions and limitations: \$17,500,000 of the cleanup settlement

1 account--state appropriation is provided solely for cleanup activities
2 associated with the Asarco contamination in Everett.

3 Appropriation:

4	State Building Construction Account--State	\$511,000
5	Cleanup Settlement Account--State	\$18,300,000
6	State Toxics Control Account--State	\$22,387,000
7	Subtotal Appropriation	\$41,198,000
8	Prior Biennia (Expenditures) . . . . .	.\$0
9	Future Biennia (Projected Costs)	\$0
10	TOTAL	\$41,198,000

11 NEW SECTION. **Sec. 3011.** A new section is added to 2009 c 497
12 (uncodified) to read as follows:

13 **FOR THE DEPARTMENT OF ECOLOGY**

14 Reducing Diesel Particle Emissions in Tacoma (30000139)

15 The appropriation in this section is provided contingent upon the
16 department working with the Port of Tacoma to establish a diesel idling
17 reduction program. The department shall report to the legislature by
18 December 1, 2010, on the progress of the diesel idling reduction
19 program and other efforts to reduce diesel particle emissions in
20 Tacoma.

21 Appropriation:

22	Air Pollution Control Account--State	\$1,000,000
23	Prior Biennia (Expenditures) . . . . .	.\$0
24	Future Biennia (Projected Costs)	\$0
25	TOTAL	\$1,000,000

26 NEW SECTION. **Sec. 3012.** A new section is added to 2009 c 497
27 (uncodified) to read as follows:

28 **FOR THE DEPARTMENT OF ECOLOGY**

29 Reducing Wood Smoke Particle Emissions in Tacoma (30000140)

30 Appropriation:

31	Air Pollution Control Account--State	\$600,000
32	Prior Biennia (Expenditures) . . . . .	.\$0
33	Future Biennia (Projected Costs)	\$0
34	TOTAL	\$600,000

1 Appropriation:

2	State Building Construction Account--State	((\$3,820,000))
3		<u>\$3,247,000</u>
4	Prior Biennia (Expenditures) . . . . .	.\$0
5	Future Biennia (Projected Costs)	\$0
6	TOTAL	((\$3,820,000))
7		<u>\$3,247,000</u>

8 **Sec. 3019.** 2009 c 497 s 3090 (uncodified) is amended to read as
9 follows:

10 **FOR THE STATE PARKS AND RECREATION COMMISSION**

11 Illahee State Park Wastewater Treatment Upgrade (30000447)

12 Appropriation:

13	State Building Construction Account--State	((\$1,850,000))
14		<u>\$1,572,000</u>
15	Prior Biennia (Expenditures) . . . . .	.\$0
16	Future Biennia (Projected Costs)	\$0
17	TOTAL	((\$1,850,000))
18		<u>\$1,572,000</u>

19 **Sec. 3020.** 2009 c 497 s 3091 (uncodified) is amended to read as
20 follows:

21 **FOR THE STATE PARKS AND RECREATION COMMISSION**

22 Cama Beach State Park (30000101)

23 Appropriation:

24	State Building Construction Account--State	((\$3,265,000))
25		<u>\$2,775,000</u>
26	Prior Biennia (Expenditures) . . . . .	.\$0
27	Future Biennia (Projected Costs)	\$0
28	TOTAL	((\$3,265,000))
29		<u>\$2,775,000</u>

30 **Sec. 3021.** 2009 c 497 s 3085 (uncodified) is amended to read as
31 follows:

32 **FOR THE STATE PARKS AND RECREATION COMMISSION**

33 Federal Grant Authority (30000006)

1	Outdoor Recreation Account--State	\$1,499,000
2	Habitat Conservation Account--State	(\$4,789,000)
3		<u>\$4,319,000</u>
4	Subtotal Reappropriation	(\$6,288,000)
5		<u>\$5,818,000</u>
6	Prior Biennia (Expenditures)	\$38,712,000
7	Future Biennia (Projected Costs)	\$0
8	TOTAL	(\$45,000,000)
9		<u>\$44,530,000</u>

10 **Sec. 3024.** 2009 c 497 s 3133 (uncodified) is amended to read as
11 follows:

12 **FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

13 Washington Wildlife Recreation Grants (20084011)

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

16 (1) The reappropriations are provided solely for the approved list
17 of projects in LEAP capital document No. 2007-3 as developed on March
18 17, 2007, and LEAP capital document No. 2008-1 as developed on February
19 13, 2008.

20 (2) If additional funds are available after funding the farmlands
21 preservation account projects approved in subsection (1) of this
22 section, the committee may: Provide one-time grants of up to \$25,000
23 each to counties requesting assistance in developing farmlands
24 preservation strategies for the purpose of seeking grants from the
25 farmlands preservation account in future grant cycles.

26 (3) Funds reappropriated for distribution according to the
27 provisions of RCW 79A.15.040(1)(c) must be allocated forty percent to
28 local government projects and sixty percent to state agency projects.
29 If the cumulative total of local government projects is less than forty
30 percent of the total distribution to this category, the difference may
31 be allocated to state agency projects.

32 (4) Up to \$627,299 of the reappropriation from the riparian
33 protection account is provided solely for the Chehalis river surge
34 plain natural area preserve. This amount may not be expended for the
35 project until the department of natural resources has completed a
36 management plan for the preserve that maintains recreational access and

1 that management plan is presented to the house of representatives
2 capital budget and senate ways and means committees.

3 Reappropriation:

4	Farmlands Preservation Account--State	((\$5,300,000))
5		<u>\$4,319,000</u>
6	Riparian Protection Account--State	\$12,500,000
7	Habitat Conservation Account--State	\$23,956,000
8	Outdoor Recreation Account--State	\$22,994,000
9	Subtotal Reappropriation	((\$64,750,000))
10		<u>\$63,769,000</u>
11	Prior Biennia (Expenditures)	\$35,250,000
12	Future Biennia (Projected Costs)	\$0
13	TOTAL	((\$100,000,000))
14		<u>\$99,019,000</u>

15 **Sec. 3025.** 2009 c 497 s 3138 (uncodified) is amended to read as
16 follows:

17 **FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

18 Aquatic Lands Enhancement Account (30000007)

19 The appropriation in this section is subject to the following
20 conditions and limitations: The appropriation is provided solely for
21 the list of projects in LEAP capital document No. 2009-3, developed
22 March 9, 2009.

23 Appropriation:

24	State Building Construction Account--State	((\$5,025,000))
25		<u>\$4,025,000</u>
26	<u>Aquatic Lands Enhancement Account--State</u>	<u>\$1,000,000</u>
27	<u>Subtotal Appropriation</u>	<u>\$5,025,000</u>
28	Prior Biennia (Expenditures)	\$0
29	Future Biennia (Projected Costs)	\$20,100,000
30	TOTAL	\$25,125,000

31 **Sec. 3026.** 2009 c 497 s 3157 (uncodified) is amended to read as
32 follows:

33 **FOR THE DEPARTMENT OF FISH AND WILDLIFE**

34 Voights Creek Hatchery (20081003)

1 The appropriation in this section is subject to the following
2 conditions and limitations:

3 (1) \$200,000 of the amount appropriated is provided solely for the
4 repair necessary to restore the facility for limited operations;

5 (2) \$550,000 of the amount appropriated is provided (~~solely~~) for
6 property acquisition and permitting. No later than June 1, 2010, the
7 department shall submit to the office of financial management and the
8 fiscal committees of the legislature construction costs that total no
9 more than fourteen million dollars.

10 If the department does not acquire property, the amount provided in
11 this subsection shall lapse; and

12 (3) \$50,000 of the amount appropriated is provided solely for the
13 department to participate in a work group with the Puyallup Tribe of
14 Indians that will make recommendations no later than December 1, 2009,
15 regarding the options for improving production from hatcheries along
16 the Puyallup river system while reducing cost. Options to be
17 considered include shifting production among the hatcheries,
18 consolidation of hatcheries, and shifting responsibilities for
19 construction, maintenance and operations of hatcheries.

20 Reappropriation:

21 State Building Construction Account--State \$150,000

22 Appropriation:

23 State Building Construction Account--State \$800,000

24 Prior Biennia (Expenditures) \$355,000

25 Future Biennia (Projected Costs) \$1,800,000

26 TOTAL \$3,105,000

27 **Sec. 3027.** 2009 c 497 s 3168 (uncodified) is amended to read as
28 follows:

29 **FOR THE DEPARTMENT OF FISH AND WILDLIFE**

30 Mitigation Projects and Dedicated Funding (20082048)

31 (~~The reappropriation in this section is subject to the following~~
32 ~~conditions and limitations:~~) (1) The reappropriation and the
33 appropriation in this section are provided contingent upon the
34 department providing advance notice to the appropriate fiscal
35 committees of the legislature and the office of financial management
36 before applying for federal grants for acquisition of fish and wildlife

1 habitat lands. The department shall submit this information in the
2 form of a report that explains the funding source, the match and use
3 requirements, a description of the project that will be funded, and a
4 description of future impacts to the operating budget.

5 (2) Up to \$2,300,000 of the reappropriation is provided solely for
6 capital projects and engineering to pay the total cost of labor and
7 materials provided by the department of fish and wildlife.

8 Reappropriation:

9 General Fund--Federal \$9,000,000

10 Appropriation:

11 General Fund--Private/Local \$2,500,000

12 Game Special Wildlife Account--Federal \$600,000

13 Game Special Wildlife Account--Private/Local \$900,000

14 General Fund--Federal ((~~\$25,000,000~~))

15 \$31,000,000

16 Subtotal Appropriation ((~~\$29,000,000~~))

17 \$35,000,000

18 Prior Biennia (Expenditures) \$19,125,000

19 Future Biennia (Projected Costs) \$114,800,000

20 TOTAL ((~~\$171,925,000~~))

21 \$177,925,000

22 **Sec. 3028.** 2009 c 497 s 3169 (uncodified) is amended to read as
23 follows:

24 **FOR THE DEPARTMENT OF FISH AND WILDLIFE**

25 Minor Works - Facility Preservation (30000149)

26 Appropriation:

27 State Building Construction Account--State ((~~\$677,000~~))

28 \$420,000

29 Prior Biennia (Expenditures) \$0

30 Future Biennia (Projected Costs) \$10,000,000

31 TOTAL ((~~\$10,677,000~~))

32 \$10,420,000

33 NEW SECTION. **Sec. 3029.** A new section is added to 2009 c 497
34 (uncodified) to read as follows:

1 **FOR THE DEPARTMENT OF FISH AND WILDLIFE**

2 Leque Island Highway 532 Road Protection (92000019)

3 Appropriation:

4	State Building Construction Account--State	\$680,000
5	Prior Biennia (Expenditures) . . . . .	.\$0
6	Future Biennia (Projected Costs)	\$0
7	TOTAL	\$680,000

8 **Sec. 3030.** 2009 c 497 s 3172 (uncodified) is amended to read as
9 follows:

10 **FOR THE DEPARTMENT OF FISH AND WILDLIFE**

11 Minor Works - Road Maintenance and Abandonment Plan (30000022)

12 Appropriation:

13	State Building Construction Account--State	(\$1,000,000)
14		<u>\$950,000</u>
15	Prior Biennia (Expenditures) . . . . .	.\$0
16	Future Biennia (Projected Costs)	\$4,050,000
17	TOTAL	(\$5,050,000)
18		<u>\$5,000,000</u>

19 **Sec. 3031.** 2009 c 497 s 3178 (uncodified) is amended to read as
20 follows:

21 **FOR THE DEPARTMENT OF FISH AND WILDLIFE**

22 Minor Works - Dam and Dike (30000145)

23 Appropriation:

24	State Building Construction Account--State	(\$943,000)
25		<u>\$897,000</u>
26	Prior Biennia (Expenditures) . . . . .	.\$0
27	Future Biennia (Projected Costs)	\$3,780,000
28	TOTAL	(\$4,723,000)
29		<u>\$4,677,000</u>

30 **Sec. 3032.** 2009 c 497 s 3182 (uncodified) is amended to read as
31 follows:

32 **FOR THE DEPARTMENT OF FISH AND WILDLIFE**

33 Minor Works - Programmatic (30000179)

1 Appropriation:

2	State Building Construction Account--State	((\$400,000))
3		<u>\$250,000</u>
4	Prior Biennia (Expenditures) . . . . .	.\$0
5	Future Biennia (Projected Costs)	\$5,500,000
6	TOTAL	((\$5,900,000))
7		<u>\$5,750,000</u>

8 NEW SECTION. Sec. 3033. A new section is added to 2009 c 497
9 (uncodified) to read as follows:

10 **FOR THE DEPARTMENT OF FISH AND WILDLIFE**

11 Carpenter Creek Estuary Restoration (92000023)

12 The appropriation in this section is provided solely for estuary
13 restoration in Carpenter Creek.

14 Appropriation:

15	State Building Construction Account--State	\$2,784,000
16	Prior Biennia (Expenditures) . . . . .	.\$0
17	Future Biennia (Projected Costs)	\$0
18	TOTAL	\$2,784,000

19 NEW SECTION. Sec. 3034. A new section is added to 2009 c 497
20 (uncodified) to read as follows:

21 **FOR THE DEPARTMENT OF FISH AND WILDLIFE**

22 Puget Sound General Investigation for Nearshore Restoration
23 (92000025)

24 Appropriation:

25	State Toxics Control Account--State	\$1,030,000
26	Prior Biennia (Expenditures) . . . . .	.\$0
27	Future Biennia (Projected Costs)	\$0
28	TOTAL	\$1,030,000

29 NEW SECTION. Sec. 3035. A new section is added to 2009 c 497
30 (uncodified) to read as follows:

31 **FOR THE DEPARTMENT OF FISH AND WILDLIFE**

32 Puget Sound Flood Plain Restoration Projects (91000004)

1 The appropriation in this section is subject to the following
2 conditions and limitations:

3 (1) \$185,000 of the appropriation is provided solely for the South
4 Fork Nooksack River and tributaries restoration project.

5 (2) \$381,000 of the appropriation is provided solely for the
6 Nooksack Forks large woody debris placement project.

7 Appropriation:

8	State Building Construction Account--State	\$566,000
9	Prior Biennia (Expenditures) . . . . .	.\$0
10	Future Biennia (Projected Costs)	\$0
11	TOTAL	\$566,000

12 **Sec. 3036.** 2009 c 497 s 3197 (uncodified) is amended to read as
13 follows:

14 **FOR THE DEPARTMENT OF NATURAL RESOURCES**

15 Natural Resources Real Property Replacement (30000051)

16 The appropriation in this section is subject to the following
17 conditions and limitations: The appropriation is provided solely for
18 acquisition of working forest lands at risk of conversion to nonforest
19 uses and working natural resource lands that will protect and enhance
20 the value of trust land holdings. The legislature finds that the
21 chronic loss of working forest lands threatens the long-term prospects
22 of the timber products and other natural resource industries, which in
23 turn threatens the long-term economic return for the beneficiaries of
24 state trust lands. Acquisition of these lands is intended to help
25 stabilize the primary source of revenue to trust land beneficiaries.
26 The department shall submit a report to the appropriate committees of
27 the legislature by October 1, 2010, and every two years thereafter,
28 indicating the lands purchased under this section, showing the
29 locations, acres, purchase price, and within that purchase price, the
30 value of the property attributed to the future value of timber harvests
31 given an expected rate of return for timber lands, and the value of the
32 property attributed to future development of the property. It is the
33 intent of the legislature to lease the development rights of these
34 conversion lands and retain them as long-term working natural resource
35 lands under the sustainable harvest plan. Working forest lands

1 acquired under this section shall be managed at a level equal to or
2 greater than seventy-five percent of the expected harvest under the
3 sustainable harvest plan.

4 The department shall not proceed with the Ice Harbor land exchange
5 prior to June 30, 2011.

6 Appropriation:

7	Natural Resources Real Property Replacement	
8	Account--State	\$50,000,000
9	Prior Biennia (Expenditures) . . . . .	.\$0
10	Future Biennia (Projected Costs)	\$200,000,000
11	TOTAL	\$250,000,000

12 **Sec. 3037.** 2009 c 497 s 3203 (uncodified) is amended to read as
13 follows:

14 **FOR THE DEPARTMENT OF NATURAL RESOURCES**

15 Trust Land Transfer (30000066)

16 The appropriation in this section is subject to the following
17 conditions and limitations:

18 (1) The total appropriation is provided to the department solely to
19 transfer from trust status, or enter into fifty year leases for,
20 certain trust lands of statewide significance deemed appropriate for
21 state park, fish and wildlife habitat, natural area preserve, natural
22 resources conservation area, open space, housing and essential
23 government services, or recreation purposes. The approved list of
24 properties for lease or transfer is identified in the LEAP capital
25 document No. 2009-2a, developed April 23, 2009.

26 (2) Property transferred under this section must be appraised and
27 transferred at fair market value. The value of the timber transferred
28 must be deposited by the department to the common school construction
29 account in the same manner as timber revenues from other common school
30 trust lands. No deduction may be made for the resource management cost
31 account under RCW 79.64.040. The value of the land transferred must be
32 deposited in the natural resources real property replacement account.

33 (3) Property subject to lease agreements under this section must be
34 appraised at fair market value. Lease terms must be fifty years with
35 options to renew for an additional fifty years. Lease payments must be
36 lump sum payments for the entire term of the lease at the beginning of

1 the lease. The department shall calculate such lump sum payments using
2 professional appraisal standards. These lease payments may not exceed
3 the fee simple purchase price based on current fair market value and
4 must be deposited by the department to the common school construction
5 account in the same manner as lease revenues from other common school
6 trust lands. No deduction may be made for the resource management cost
7 account under RCW 79.64.040.

8 (4) All reasonable costs incurred by the department to implement
9 this section are authorized to be paid out of the appropriations.
10 Authorized costs include the actual cost of appraisals, staff time,
11 environmental reviews, surveys, and other similar costs and shall not
12 exceed (~~one and nine tenths~~) two and six-tenths percent of the
13 appropriation.

14 (5) Intergrant exchanges between common school and other trust
15 lands of equal value may occur if the exchange is in the interest of
16 each trust, as determined by the board of natural resources.

17 (6) Prior to or concurrent with conveyance of these properties, the
18 department, with full cooperation of the receiving agencies, shall
19 execute and record a real property instrument that dedicates the
20 transferred properties to the purposes identified in subsection (1) of
21 this section. Transfer and lease agreements for properties identified
22 in subsection (1) of this section must include terms that restrict the
23 use of the property to the intended purpose. Transfer and lease
24 agreements may include provisions for receiving agencies to request
25 alternative uses of the property, provided the alternative uses are
26 compatible with the original intended public purpose and the department
27 and legislature approves such uses.

28 (7) The department and receiving agencies shall work in good faith
29 to carry out the intent of this section. However, the department or
30 receiving agencies may remove a property from the transfer list based
31 on new, substantive information, if it is determined that transfer of
32 the property is not in the statewide interest of either the common
33 school trust or the receiving agency.

34 (8) The department shall execute trust land transfers that, after
35 the deduction of reasonable costs as provided in subsection (4) of this
36 section, eighty percent of the total value of transferred property is
37 timber value and is deposited in the common school construction

1 account. To achieve the eighty percent requirement, the department may
2 choose to lease properties originally intended as transfers.

3 (9) \$4,189,000 of the amount appropriated is provided solely for
4 fifty-year leases of development rights from timber lands at risk of
5 conversion to non-timber land uses purchased from appropriations in the
6 2007-2009 fiscal period.

7 (10) (~~On June 30, 2011,~~) The state treasurer shall transfer all
8 remaining uncommitted funds from this appropriation to the common
9 school construction account and the appropriations in this section
10 shall be reduced by an equivalent amount.

11 Appropriation:

12	State Building Construction Account--State	\$100,133,000
13	Prior Biennia (Expenditures) . . . . .	.\$0
14	Future Biennia (Projected Costs)	\$400,000,000
15	TOTAL	\$500,133,000

16 NEW SECTION. **Sec. 3038.** A new section is added to 2009 c 497
17 (uncodified) to read as follows:

18 **FOR THE DEPARTMENT OF NATURAL RESOURCES**

19 Forest Hazard Reduction and Biomass Equipment (91000003)

20 The appropriation in this section is subject to the following
21 conditions and limitations:

22 (1) The natural resources equipment account appropriation in this
23 section is provided solely for the purchase of forest biomass feedstock
24 processing equipment appropriate for forest biomass-to-energy projects
25 in eastern Washington in areas with a scarcity of primary wood
26 processing facilities, or for making grants on a competitive basis to
27 local governments or nonprofit entities in such local areas for
28 purchase of such equipment. Equipment purchased, either by the
29 department or a grantee, must be made available for lease, or other
30 lawful means of conveyance, or be operated directly, for use in forest
31 biomass-to-energy projects in an area of eastern Washington with a
32 scarcity of primary wood processing facilities. In providing for the
33 use of such equipment, consideration shall be given by the department
34 or grantee in the opportunity for the forest biomass-to-energy project
35 to promote forest treatments to improve forest health and/or remove

1 hazardous buildup of forest fuels. Consideration may also be given to
2 generating jobs in counties with high rates of unemployment.

3 (2) The state building construction account--state appropriation is
4 provided solely for forest improvement treatments on forest lands of
5 eastern Washington with the five highest priority fire and disease
6 hazards in Stevens, Ferry, Lincoln, Pend Oreille, Okanogan, Yakima,
7 Kittitas, and Spokane counties. Forest treatments on private lands
8 funded by this appropriation require an agreement with the property
9 owner that includes a commitment to maintain the improvements to forest
10 health.

11 Appropriation:

12	Natural Resources Equipment Account	\$750,000
13	State Building Construction Account--State	\$2,000,000
14	Subtotal Appropriation	\$2,750,000
15	Prior Biennia (Expenditures) . . . . .	.\$0
16	Future Biennia (Projected Costs)	\$0
17	TOTAL	\$2,750,000

18 NEW SECTION. **Sec. 3039.** A new section is added to 2009 c 497
19 (uncodified) to read as follows:

20 **FOR THE DEPARTMENT OF NATURAL RESOURCES**

21 Removal/Cleanup of Asarco Docks in Ruston/Commencement Bay
22 (91000004)

23 Appropriation:

24	Resource Management Cost Account--State	\$2,050,000
25	Prior Biennia (Expenditures) . . . . .	.\$0
26	Future Biennia (Projected Costs)	\$0
27	TOTAL	\$2,050,000

28 NEW SECTION. **Sec. 3040.** A new section is added to 2009 c 497
29 (uncodified) to read as follows:

30 **FOR THE DEPARTMENT OF NATURAL RESOURCES**

31 Puget Sound Cleanup and Recovery (92000003)

32 The appropriation in this section is subject to the following
33 conditions and limitations: \$1,030,000 of the cleanup settlement
34 account--state appropriation is provided solely for removal of
35 contaminated pilings and habitat restoration in Commencement Bay.

1 These funds are provided contingent upon receiving concurrence from the
2 department of ecology that the project is aligned with the ten year
3 plan for cleaning up Asarco- related contamination.

4 Appropriation:

5	Cleanup Settlement Account--State	\$1,030,000
6	Prior Biennia (Expenditures)	\$0
7	Future Biennia (Projected Costs)	\$0
8	TOTAL	\$1,030,000

9 NEW SECTION. **Sec. 3041.** A new section is added to 2009 c 497
10 (uncodified) to read as follows:

11 **FOR THE DEPARTMENT OF NATURAL RESOURCES**

12 Forest Riparian Easement Program (30000070)

13 The appropriation in this section is subject to the following
14 conditions and limitations:

15 (1) \$600,000 of the forest and fish support account appropriation
16 is provided contingent upon the sale of the king air by the department.
17 The office of financial management shall allot only an amount that is
18 equivalent to the proceeds received from the sale of the king air and
19 no more than \$600,000.

20 (2) If the appropriation in this section is less than the level
21 demanded in submitted applications, the department of natural resources
22 shall prioritize the use of the funds as follows:

23 (3) Highest priority shall be given to applications that include
24 one or more of the following conditions, in the following priority
25 order: (a) The greatest proportion of riparian buffer impacted in the
26 related forest practices application; (b) lands in deferred tax status
27 of classified timber land or classified open space as defined in RCW
28 84.34.020; (c) lands at greatest risk of conversion to other land uses
29 as determined by county zoning and land classifications and proximity
30 to urban growth areas or other areas of concentrated land development;
31 (d) lands that are certified by a forest certification recognized by
32 the department; (e) the applicant has not received a forestry riparian
33 easement since July 1, 2007; (f) the applicant is not a nonprofit
34 organization; (g) the applicant has been waiting three years or more
35 for a forestry easement purchase; and (h) the application does not

1 include any of the conditions specified in subsection (2) of this
2 section.

3 (4) The lowest priority shall be given to applications that include
4 any of the following conditions: (a) The forest management activities
5 for the aggregated ownership of the landowner referenced in the
6 application, his or her spouse, and his or her children exceed the
7 small forest landowner definition in RCW 76.13.120(2)(c); (b) the
8 applicant has had legal ownership for less than five years, except when
9 the applicant is a lineal descendant of a landowner meeting this
10 condition; (c) the applicant has an outstanding violation of the forest
11 practices act under chapter 76.09 RCW; (d) the applicant is in default
12 on a financial obligation to an agency of the state including
13 noncompliance with a child support order under RCW 74.20A.320; (e) the
14 application is for land on which other conservation easements have been
15 executed and recorded on the title; or (f) the land is owned by a
16 nonprofit organization that does not have deferred tax designations of
17 either classified timber land or classified open space as defined in
18 RCW 84.34.020 and does not have a county-recognized forest management
19 plan.

20 (5) The department of natural resources shall use legally binding
21 affidavits to obtain from the applicants any supplemental information
22 necessary to assist in prioritizing the use of the funds appropriated
23 in this section. The department must verify the prioritized use of the
24 funds appropriated in this section by: (a) Investigating a random
25 subset of affidavits for easements purchased for an amount less than
26 one hundred thousand dollars; and (b) investigating all easements
27 purchased for an amount in excess of one hundred thousand dollars.

28 (6) The department shall work with interested stakeholders to
29 develop recommendations for changes to the ongoing eligibility,
30 prioritization, and policy provisions of the forestry riparian easement
31 program specified in RCW 76.13.120. In developing these
32 recommendations, the department and the interested stakeholders shall
33 consider the inclusion of the conditions utilized in this section to
34 establish eligibility and prioritization of funding. The department
35 and the interested stakeholders shall submit final recommendations in
36 the form of legislation to the office of financial management and the
37 legislature by October 1, 2010.

38 Appropriation:

1	State Building Construction Account--State	\$500,000
2	Forest and Fish Support Account--State	\$600,000
3	Subtotal Appropriation	\$1,100,000
4	Prior Biennia (Expenditures) . . . . .	.\$0
5	Future Biennia (Projected Costs)	\$0
6	TOTAL	\$1,100,000

7 NEW SECTION. **Sec. 3042.** A new section is added to 2009 c 497
8 (uncodified) to read as follows:

9 **FOR THE DEPARTMENT OF NATURAL RESOURCES**

10 Elk River Estuarine Lands Acquisition (91000007)

11 Appropriation:

12	General Fund--Federal	\$1,000,000
13	Prior Biennia (Expenditures) . . . . .	.\$0
14	Future Biennia (Projected Costs)	\$0
15	TOTAL	\$1,000,000

(End of part)

PART 4
TRANSPORTATION

Sec. 4001. 2009 c 497 s 4008 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE DEPARTMENT OF TRANSPORTATION

Commute Trip Reduction for Thurston County State Agencies
(92000001)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for implementation of chapter 427, Laws of 2009 (Substitute Senate Bill No. 6088 (commute trip reduction)).

Appropriation:

State Vehicle Parking Account--State	((\$734,000))
	<u>\$650,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	((\$734,000))
	<u>\$650,000</u>

NEW SECTION. **Sec. 4002.** A new section is added to 2009 c 497 (uncodified) to read as follows:

FOR THE WASHINGTON STATE DEPARTMENT OF TRANSPORTATION

Freight Mobility Study - SR 12 & Schouweiler Road (91000001)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for the department of transportation to conduct a study on improving freight mobility on state route no. 12 in the vicinity of Elma. The study shall include a review of possible improvements to freight mobility at Schouweiler Road.

Appropriation:

State Building Construction Account--State	\$500,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0

1 TOTAL \$500,000

2 NEW SECTION. **Sec. 4003.** A new section is added to 2009 c 497
3 (uncodified) to read as follows:

4 **FOR THE WASHINGTON STATE PATROL**

5 High Speed Driving Simulators (92000001)

6 The appropriation in this section is subject to the following
7 conditions and limitations: The appropriation is provided solely for
8 the purchase of two mobile high speed driving simulators. The
9 Washington state patrol must assist in the purchase of the simulators
10 and vehicles for transporting the simulators, and transfer ownership of
11 the simulators and vehicles to the appropriate agency after
12 consultation with stakeholders. The Washington state patrol must train
13 the trainers on the use of the simulators. The simulators are intended
14 to move among local police and sheriff departments in order to reduce
15 the risks to officers and the public from high speed pursuits.

16 Appropriation:

17	State Building Construction Account--State	\$600,000
18	Prior Biennia (Expenditures)	\$0
19	Future Biennia (Projected Costs)	\$0
20	TOTAL	\$600,000

(End of part)

PART 5
EDUCATION

Sec. 5001. 2009 c 497 s 5007 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Vocational Skills Centers (20084300)

Reappropriation:

State Building Construction Account--State	((\$58,546,000))
	<u>\$55,546,000</u>
Prior Biennia (Expenditures)	\$15,161,000
Future Biennia (Projected Costs)	\$0
TOTAL	((\$73,707,000))
	<u>\$70,707,000</u>

Sec. 5002. 2009 c 497 s 5008 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Northeast King County Skills Center (20084855)

Appropriation:

School Construction/Skills Center Building	
Account--State	((\$9,049,000))
	<u>\$8,052,000</u>
Prior Biennia (Expenditures)	\$550,000
Future Biennia (Projected Costs)	\$0
TOTAL	((\$9,599,000))
	<u>\$8,602,000</u>

Sec. 5003. 2009 c 497 s 5009 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

North Central Technical Skills Center (20084861)

Appropriation:

School Construction/Skills Center Building	
Account--State	((\$4,007,000))

1		<u>\$3,960,000</u>
2	Prior Biennia (Expenditures)	\$50,000
3	Future Biennia (Projected Costs)	\$18,500,000
4	TOTAL	((\$22,557,000))
5		<u>\$22,510,000</u>

6 **Sec. 5004.** 2009 c 497 s 5002 (uncodified) is amended to read as
7 follows:

8 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

9 School Construction Assistance Grants (20084200)

10 The appropriation and the reappropriation in this section are
11 subject to the following conditions and limitations:

12 For school construction projects funded through the school
13 construction assistance grant program, the superintendent of public
14 instruction shall require mapping the design of new facilities and
15 remapping the design of facilities to be remodeled.

16 Reappropriation:

17 Common School Construction Account--State \$176,922,000

18 Appropriation:

19 State Building Construction Account--State \$137,267,000

20 Prior Biennia (Expenditures) \$477,570,000

21 Future Biennia (Projected Costs) \$0

22 TOTAL \$791,759,000

23 **Sec. 5005.** 2009 c 497 s 5013 (uncodified) is amended to read as
24 follows:

25 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

26 Vocational Skills Center Minor Capital Projects (30000002)

27 Appropriation:

28 School Construction and Skill Centers Building

29 Account--State ((~~\$3,694,000~~))

30 \$3,594,000

31 Prior Biennia (Expenditures) \$0

32 Future Biennia (Projected Costs) \$0

33 TOTAL ((~~\$3,694,000~~))

34 \$3,594,000

1 **Sec. 5006.** 2009 c 497 s 5014 (uncodified) is amended to read as
2 follows:

3 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

4 2009-11 School Construction Assistance Grant Program (30000031)

5 The appropriation in this section is subject to the following
6 conditions and limitations:

7 ~~(1) ((The office of the superintendent of public instruction shall
8 develop a tracking system to increase accuracy in predicting the timing
9 of school district claims for reimbursement for school construction
10 assistance grants. The office of the superintendent of public
11 instruction shall also improve its communication with school districts
12 regarding the status of grant projects and create requirements
13 regarding the timing of reimbursement claims. The office of the
14 superintendent of public instruction shall submit a report on the
15 progress of the new tracking and communication system to the
16 appropriate committees of the legislature by November 15, 2009. The
17 report must include a list of school district capital projects
18 receiving state funding and each project's anticipated final
19 reimbursement date.~~

20 (2)) In calculating square foot eligibility for state assistance
21 grants, kindergarten student headcount shall not be reduced by fifty
22 percent.

23 (2) For school construction projects funded through the school
24 construction assistance grant program, the superintendent of public
25 instruction shall require mapping the design of new facilities and
26 remapping the design of facilities to be remodeled.

27 (3) Up to \$17,000,000 of the state building construction account--
28 state appropriation in this section is for the Grand Coulee Dam school
29 district school project, contingent on the availability of sufficient
30 contributions from federal, local, or private sources to make up the
31 remainder of the total cost of the project. The Grand Coulee Dam
32 school district is faced with a unique set of local funding barriers
33 and federal funds may substitute as the usual requirement for school
34 district participation. In the event sufficient matching contributions
35 are not secured, these funds shall lapse.

36 (4) \$250,000 of the common school construction account--state
37 appropriation is provided solely for the office of the superintendent
38 of public instruction to develop a K-12 facility inventory and

1 condition system based on option number 3, described in the joint
 2 legislative audit and review committee's January 2010 report, "K-12
 3 Pilot Facility Inventory, Condition and Use System" as providing semi-
 4 customized information capabilities with complete state data. The
 5 office of the superintendent of public instruction must require school
 6 districts to submit any energy audits completed for K-12 public school
 7 buildings to be incorporated in the inventory system. It is the
 8 legislature's intent to improve the availability of information
 9 regarding the local use of state funds provided for school maintenance.
 10 Although school facilities are constructed by, and the property of,
 11 local jurisdictions, the legislature encourages school districts to
 12 invest in activities that extend the useful life of school district
 13 facilities. The state's general taxpayers have an interest in
 14 information regarding these local decisions since state policy has been
 15 to contribute funds in the biennial omnibus operating budget for
 16 facilities' maintenance and to contribute capital budget funds to
 17 eligible districts for renovation and replacement of buildings. In
 18 light of 2010 legislation enacting changes to RCW 28A.150.260 that
 19 increase state funding for school maintenance from \$73.27 per annual
 20 average full-time equivalent K-12 student to \$153.18 per student by the
 21 2015-16 school year, with annual adjustments for inflation thereafter,
 22 it is the legislature's intent to facilitate development of an
 23 information system that will provide better data regarding school
 24 districts' use of any state funds provided to assist with maintenance
 25 and to monitor facilities' conditions.

26 Appropriation:

27	State Building Construction Account--State	((\$369,920,000))
28		\$259,000,000
29	Common School Construction Account--State	((\$259,029,000))
30		\$200,826,000
31	Common School Construction Account--Federal	((\$2,500,000))
32		\$1,700,000
33	School Construction and Skill Centers Building	
34	Account--Bond--State	((\$58,284,000))
35		\$59,428,000
36	Subtotal Appropriation	((\$689,733,000))
37		\$520,954,000
38	Prior Biennia (Expenditures)	\$0

1 appropriate committees of the legislature and the office of financial
2 management on the timing and use of the funds by the end of each fiscal
3 year, until the funds are fully expended.

4 (4) \$100,000 of the appropriation is provided solely to the Monroe
5 public schools for retrofitting the Frank Wagner Elementary chimney.

6 Appropriation:

7	State Building Construction Account--State	((\$20,000,000))
8		<u>\$70,000,000</u>
9	Prior Biennia (Expenditures)	\$0
10	Future Biennia (Projected Costs)	\$0
11	TOTAL	((\$20,000,000))
12		<u>\$70,000,000</u>

13 NEW SECTION. **Sec. 5008.** A new section is added to 2009 c 497
14 (uncodified) to read as follows:

15 **FOR THE WASHINGTON STATE CENTER FOR CHILDHOOD DEAFNESS AND HEARING**
16 **LOSS**

17 Lloyd Auditorium Emergency Repairs (30000012)

18 Appropriation:

19	State Building Construction Account--State	\$2,500,000
20	Prior Biennia (Expenditures)	\$0
21	Future Biennia (Projected Costs)	\$0
22	TOTAL	\$2,500,000

23 **Sec. 5009.** 2009 c 497 s 5027 (uncodified) is amended to read as
24 follows:

25 **FOR THE UNIVERSITY OF WASHINGTON**

26 Balmer Hall Reconstruction (20081004)

27 The reappropriation in this section is subject to the following
28 conditions and limitations: For construction of the facility
29 identified in this section, the university is authorized to issue a
30 bond or bonds financed from building fee and trust land revenue
31 deposited into the university bond retirement account in accordance
32 with RCW 28B.20.700 through 28B.20.740, provided that: (1) The total
33 amount of debt to be serviced from the building account shall not
34 exceed \$42,800,000; (2) if bonds for the project are issued as build
35 America bonds, federal refunds on the bond interest cost shall be

1 deposited into the University of Washington building account
2 proportional to this project's share of the total bond issuance; and
3 (3) for the portion of the project that is serviced by building fee and
4 trust land revenues, the university shall select the financing method
5 that results in the lowest cost to the University of Washington
6 building account.

7 Reappropriation:

8	State Building Construction Account--State	\$3,000,000
9	Prior Biennia (Expenditures)	\$1,000,000
10	Future Biennia (Projected Costs)	(\$38,600,000)
11		<u>\$0</u>
12	TOTAL	(\$42,600,000)
13		<u>\$4,000,000</u>

14 **Sec. 5010.** 2009 c 497 s 5029 (uncodified) is amended to read as
15 follows:

16 **FOR THE UNIVERSITY OF WASHINGTON**

17 Interdisciplinary Academic Building (20082003)

18 The reappropriation in this section is subject to the following
19 conditions and limitations: In conjunction with the reappropriation in
20 this section, the University of Washington is authorized to issue a
21 bond or bonds in an amount not to exceed \$53,554,000 in value for
22 construction of the molecular engineering building identified in this
23 section. The bond shall be financed from building fee and trust land
24 revenues deposited into the university's bond retirement account, in
25 accordance with RCW 28B.20.700 through 28B.20.740, provided that: (1)
26 If bonds for the project are issued as build America bonds, federal
27 refunds on the bond interest cost shall be deposited into the
28 University of Washington building account proportional to this
29 project's share of the total bond issuance; and (2) for the portion of
30 the project that is serviced by building fee and trust land revenues,
31 the university shall select the financing method that results in the
32 lowest cost to the University of Washington building account.

33 Reappropriation:

34	State Building Construction Account--State	\$1,000,000
35	Prior Biennia (Expenditures)	\$4,000,000
36	Future Biennia (Projected Costs)	\$0

1 TOTAL \$5,000,000

2 **Sec. 5011.** 2009 c 497 s 5024 (uncodified) is amended to read as
3 follows:

4 **FOR THE UNIVERSITY OF WASHINGTON**

5 Clark Hall Renovation (20061007)

6 Reappropriation:

7 Education Construction Account--State (~~(\$2,000,000)~~)
8 \$967,000

9 Appropriation:

10 State Building Construction Account--State \$183,000

11 Prior Biennia (Expenditures) \$16,054,000

12 Future Biennia (Projected Costs) \$0

13 TOTAL (~~(\$18,054,000)~~)
14 \$17,204,000

15 **Sec. 5012.** 2009 c 497 s 5023 (uncodified) is amended to read as
16 follows:

17 **FOR THE UNIVERSITY OF WASHINGTON**

18 Savery Hall Renovation (20061005)

19 Reappropriation:

20 Gardner-Evans Higher Education Construction
21 Account--State (~~(\$11,000,000)~~)
22 \$10,822,000

23 Prior Biennia (Expenditures) \$50,510,000

24 Future Biennia (Projected Costs) \$0

25 TOTAL (~~(\$61,510,000)~~)
26 \$61,332,000

27 **Sec. 5013.** 2009 c 497 s 5026 (uncodified) is amended to read as
28 follows:

29 **FOR THE UNIVERSITY OF WASHINGTON**

30 Denny Hall Renovation (20081002)

31 Reappropriation:

32 State Building Construction Account--State (~~(\$1,700,000)~~)
33 \$0

1 Prior Biennia (Expenditures) \$3,200,000
 2 Future Biennia (Projected Costs) (~~(\$47,992,000)~~)
 3 \$49,692,000
 4 TOTAL (~~(\$53,692,000)~~)
 5 \$52,892,000

6 **Sec. 5014.** 2009 c 497 s 5028 (uncodified) is amended to read as
 7 follows:

8 **FOR THE UNIVERSITY OF WASHINGTON**

9 Intermediate Student Service and Classroom Improvements (20081005)

10 Reappropriation:

11 Education Construction Account--State (~~(\$7,245,000)~~)
 12 \$311,000

13 Appropriation:

14 State Building Construction Account--State \$6,934,000
 15 Prior Biennia (Expenditures) \$6,036,000
 16 Future Biennia (Projected Costs) \$0
 17 TOTAL \$13,281,000

18 **Sec. 5015.** 2009 c 497 s 5037 (uncodified) is amended to read as
 19 follows:

20 **FOR THE UNIVERSITY OF WASHINGTON**

21 Lewis Hall Renovation (20081003)

22 Reappropriation:

23 State Building Construction Account--State (~~(\$1,000,000)~~)
 24 \$478,000

25 Prior Biennia (Expenditures) \$1,000,000
 26 Future Biennia (Projected Costs) \$23,585,000
 27 TOTAL (~~(\$25,585,000)~~)
 28 \$25,063,000

29 **Sec. 5016.** 2009 c 497 s 5030 (uncodified) is amended to read as
 30 follows:

31 **FOR THE UNIVERSITY OF WASHINGTON**

32 UW Tacoma (20082005)

33 The appropriations in this section are subject to the following
 34 conditions and limitations: For construction of the facility

1 identified in this section, the university is authorized to issue a
 2 bond or bonds financed from building fee and trust land revenue
 3 deposited into the university bond retirement account in accordance
 4 with RCW 28B.20.700 through 28B.20.740, provided that: (1) The total
 5 amount of debt to be serviced for this project from the building
 6 account shall not exceed \$7,450,000; (2) if bonds for all or a portion
 7 of the project are issued as build America bonds, federal refunds on
 8 the bond interest cost shall be deposited into the University of
 9 Washington building account proportional to this project's share of the
 10 total bond issuance; and (3) for the portion of the project that is
 11 serviced by building fee and trust land revenues, the university shall
 12 select the financing method that results in the lowest cost to the
 13 University of Washington building account.

14 Reappropriation:

15 State Building Construction Account--State \$4,000,000

16 Appropriation:

17 State Building Construction Account--State ((~~\$34,000,000~~))
 18 \$16,768,000

19 University of Washington Building Account--State \$14,007,000

20 Subtotal Appropriation \$30,775,000

21 Prior Biennia (Expenditures) \$2,150,000

22 Future Biennia (Projected Costs) ((~~\$17,044,000~~))

23 \$0

24 TOTAL ((~~\$57,194,000~~))

25 \$36,925,000

26 **Sec. 5017.** 2009 c 497 s 5041 (uncodified) is amended to read as
 27 follows:

28 **FOR THE UNIVERSITY OF WASHINGTON**

29 Preventative Facility Maintenance and Building System Repairs
 30 (30000287)

31 Appropriation:

32 University of Washington Building
 33 Account--State ((~~\$25,825,000~~))

34 \$20,741,000

35 Prior Biennia (Expenditures) \$0

36 Future Biennia (Projected Costs) \$103,300,000

1 TOTAL ((~~\$129,125,000~~))
2 \$124,041,000

3 **Sec. 5018.** 2009 c 497 s 5035 (uncodified) is amended to read as
4 follows:

5 **FOR THE UNIVERSITY OF WASHINGTON**

6 UW Tacoma - Land Acquisition (20092003)

7 (~~Reappropriation:~~
8 ~~Education Construction Account--State \$469,000~~)

9 Appropriation:

10 University of Washington Building Account--State \$2,469,000

11 Prior Biennia (Expenditures) \$1,531,000

12 Future Biennia (Projected Costs) \$0

13 TOTAL ((~~\$2,000,000~~))

14 \$4,000,000

15 **Sec. 5019.** 2009 c 497 s 5039 (uncodified) is amended to read as
16 follows:

17 **FOR THE UNIVERSITY OF WASHINGTON**

18 Minor Works - Facility Preservation (30000027)

19 Appropriation:

20 State Building Construction Account--State ((~~\$26,000,000~~))

21 \$19,135,000

22 University of Washington Building

23 Account--State ((~~\$8,175,000~~))

24 \$15,040,000

25 Subtotal Appropriation \$34,175,000

26 Prior Biennia (Expenditures) \$0

27 Future Biennia (Projected Costs) \$146,000,000

28 TOTAL \$180,175,000

29 **Sec. 5020.** 2009 c 497 s 5055 (uncodified) is amended to read as
30 follows:

31 **FOR THE WASHINGTON STATE UNIVERSITY**

32 Minor Works - Preservation (30000065)

33 Appropriation:

34 State Building Construction Account--State ((~~\$16,128,000~~))

1 \$7,840,000
2 Prior Biennia (Expenditures) \$0
3 Future Biennia (Projected Costs) ((\$39,775,000))
4 \$70,775,000
5 TOTAL ((\$44,115,000))
6 \$78,615,000

7 **Sec. 5023.** 2009 c 497 s 5056 (uncodified) is amended to read as
8 follows:

9 **FOR THE WASHINGTON STATE UNIVERSITY**

10 Minor Works - Program (30000066)

11 Appropriation:

12 State Building Construction Account--State ((\$7,042,000))
13 \$17,527,000
14 (~~Washington State University Building Account--~~
15 ~~State \$10,485,000~~
16 ~~Subtotal Appropriation \$17,527,000~~)
17 Prior Biennia (Expenditures) \$0
18 Future Biennia (Projected Costs) \$3,073,000
19 TOTAL \$20,600,000

20 **Sec. 5024.** 2009 c 497 s 5057 (uncodified) is amended to read as
21 follows:

22 **FOR THE WASHINGTON STATE UNIVERSITY**

23 Preventative Facility Maintenance and Building System Repairs
24 (30000287)

25 Appropriation:

26 Washington State University Building Account--
27 State ((\$10,115,000))
28 \$28,375,000
29 Prior Biennia (Expenditures) \$0
30 Future Biennia (Projected Costs) \$40,460,000
31 TOTAL ((\$50,575,000))
32 \$68,835,000

33 **Sec. 5025.** 2009 c 497 s 5064 (uncodified) is amended to read as
34 follows:

1 **FOR THE EASTERN WASHINGTON UNIVERSITY**
2 Patterson Hall Remodel (20062002)
3 Reappropriation:
4 State Building Construction Account--State \$400,000
5 Appropriation:
6 State Building Construction Account--State (~~(\$26,600,000)~~)
7 \$24,170,000
8 Prior Biennia (Expenditures) \$1,734,000
9 Future Biennia (Projected Costs) \$34,416,000
10 TOTAL (~~(\$63,150,000)~~)
11 \$60,720,000

12 **Sec. 5026.** 2009 c 497 s 5061 (uncodified) is amended to read as
13 follows:

14 **FOR THE EASTERN WASHINGTON UNIVERSITY**
15 Minor Works - Health, Safety, and Code Requirements (20081002)
16 Reappropriation:
17 Education Construction Account--State (~~(\$1,500,000)~~)
18 \$157,000
19 Appropriation:
20 State Building Construction Account--State \$1,343,000
21 Prior Biennia (Expenditures) \$2,500,000
22 Future Biennia (Projected Costs) \$0
23 TOTAL \$4,000,000

24 **Sec. 5027.** 2009 c 497 s 5065 (uncodified) is amended to read as
25 follows:

26 **FOR THE EASTERN WASHINGTON UNIVERSITY**
27 Preventive Maintenance and Building System Repairs (30000044)
28 Appropriation:
29 Eastern Washington University Capital Projects
30 Account--State (~~(\$2,217,000)~~)
31 \$4,409,000
32 Prior Biennia (Expenditures) \$0
33 Future Biennia (Projected Costs) \$8,868,000
34 TOTAL (~~(\$11,085,000)~~)

1 \$13,277,000

2 **Sec. 5028.** 2009 c 497 s 5068 (uncodified) is amended to read as
3 follows:

4 **FOR THE EASTERN WASHINGTON UNIVERSITY**

5 Minor Works - Facility Preservation (30000054)

6 Appropriation:

7 State Building Construction Account--State (~~(\$3,000,000)~~)
8 \$1,375,000

9 Eastern Washington University Capital Projects

10 Account--State \$1,625,000
11 Subtotal Appropriation \$3,000,000

12 Prior Biennia (Expenditures) \$0

13 Future Biennia (Projected Costs) \$12,000,000

14 TOTAL \$15,000,000

15 **Sec. 5029.** 2009 c 497 s 5079 (uncodified) is amended to read as
16 follows:

17 **FOR THE CENTRAL WASHINGTON UNIVERSITY**

18 Minor Works - Infrastructure Preservation (30000009)

19 Appropriation:

20 State Building Construction Account--State (~~(\$690,000)~~)
21 \$601,000

22 Central Washington University Capital Projects

23 Account--State (~~(\$2,050,000)~~)
24 \$2,139,000
25 Subtotal Appropriation \$2,740,000

26 Prior Biennia (Expenditures) \$0

27 Future Biennia (Projected Costs) \$12,000,000

28 TOTAL \$14,740,000

29 **Sec. 5030.** 2009 c 497 s 5080 (uncodified) is amended to read as
30 follows:

31 **FOR THE CENTRAL WASHINGTON UNIVERSITY**

32 Minor Works - Facility Preservation (30000016)

33 Appropriation:

34 (~~(State Building Construction Account--State)~~)

1 Central Washington University Capital Projects

2	<u>Account--State</u>	\$2,610,000
3	Prior Biennia (Expenditures) . . . . .	.\$0
4	Future Biennia (Projected Costs)	\$12,000,000
5	TOTAL	\$14,610,000

6 **Sec. 5031.** 2009 c 497 s 5083 (uncodified) is amended to read as
7 follows:

8 **FOR THE CENTRAL WASHINGTON UNIVERSITY**

9 Preventative Facility Maintenance and Building System Repairs
10 (30000287)

11 Appropriation:

12	Central Washington University Capital	
13	Project Account--State	((\$2,422,000))
14		<u>\$4,407,000</u>
15	Prior Biennia (Expenditures) . . . . .	.\$0
16	Future Biennia (Projected Costs)	\$9,688,000
17	TOTAL	((\$12,110,000))
18		<u>\$14,095,000</u>

19 **Sec. 5032.** 2009 c 497 s 5092 (uncodified) is amended to read as
20 follows:

21 **FOR THE EVERGREEN STATE COLLEGE**

22 Minor Works - Preservation (30000003)

23 Appropriation:

24	State Building Construction Account--State	((\$760,000))
25		<u>\$4,007,000</u>
26	The Evergreen State College Capital Projects	
27	Account--State	((\$3,765,000))
28		<u>\$518,000</u>
29	Subtotal Appropriation	\$4,525,000
30	Prior Biennia (Expenditures) . . . . .	.\$0
31	Future Biennia (Projected Costs)	\$0
32	TOTAL	\$4,525,000

33 **Sec. 5033.** 2009 c 497 s 5094 (uncodified) is amended to read as
34 follows:

1 **FOR THE EVERGREEN STATE COLLEGE**

2 Laboratory and Art Annex Building Renovation (30000026)

3 Appropriation:

4 ((~~State Building Construction Account--State~~)) The

5 Evergreen State College Capital Projects

6 Account--State \$4,849,000

7 Prior Biennia (Expenditures) \$0

8 Future Biennia (Projected Costs) \$0

9 TOTAL \$4,849,000

10 **Sec. 5034.** 2009 c 497 s 5093 (uncodified) is amended to read as
11 follows:

12 **FOR THE EVERGREEN STATE COLLEGE**

13 Minor Works - Health, Safety, Code Compliance (30000016)

14 Appropriation:

15 State Building Construction Account--State ((~~\$2,515,000~~))

16 \$1,953,000

17 The Evergreen State College Capital Projects

18 Account--State \$562,000

19 Subtotal Appropriation \$2,515,000

20 Prior Biennia (Expenditures) \$0

21 Future Biennia (Projected Costs) \$0

22 TOTAL \$2,515,000

23 **Sec. 5035.** 2009 c 497 s 5097 (uncodified) is amended to read as
24 follows:

25 **FOR THE EVERGREEN STATE COLLEGE**

26 Preventative Facility Maintenance and Building System Repairs
27 (30000287)

28 Appropriation:

29 The Evergreen State College Capital Projects

30 Account--State ((~~\$760,000~~))

31 \$4,007,000

32 Prior Biennia (Expenditures) \$0

33 Future Biennia (Projected Costs) \$0

34 TOTAL ((~~\$760,000~~))

1 \$4,007,000

2 NEW SECTION. Sec. 5036. A new section is added to 2009 c 497
3 (uncodified) to read as follows:

4 **FOR THE EVERGREEN STATE COLLEGE**

5 Feasibility Study of Biomass Gasification Project (92000007)

6 Appropriation:

7	State Building Construction Account--State	\$125,000
8	Prior Biennia (Expenditures)	\$0
9	Future Biennia (Projected Costs)	\$0
10	TOTAL	\$125,000

11 **Sec. 5037.** 2009 c 497 s 5104 (uncodified) is amended to read as
12 follows:

13 **FOR THE WESTERN WASHINGTON UNIVERSITY**

14 Minor Works - Program (20082093)

15 Reappropriation:

16	State Building Construction Account--State	\$1,500,000
17	Western Washington University Capital Projects	
18	Account--State	(\$2,500,000)
19		<u>\$587,000</u>
20	Subtotal Reappropriation	(\$4,000,000)
21		<u>\$2,087,000</u>

22 Appropriation:

23	<u>State Building Construction Account--State</u>	<u>\$1,913,000</u>
24	Prior Biennia (Expenditures)	\$6,000,000
25	Future Biennia (Projected Costs)	\$0
26	TOTAL	\$10,000,000

27 **Sec. 5038.** 2009 c 497 s 5100 (uncodified) is amended to read as
28 follows:

29 **FOR THE WESTERN WASHINGTON UNIVERSITY**

30 Miller Hall Renovation (20041953)

31 Reappropriation:

32	State Building Construction Account--State	\$2,000,000
----	--	-------------

33 Appropriation:

1 principal amount of the grant plus interest calculated at the rate of
2 interest on state of Washington general obligation bonds issued most
3 closely to the date of authorization of the grant.

4 Appropriation:

5	State Building Construction Account--State	\$1,000,000
6	Prior Biennia (Expenditures)	\$0
7	Future Biennia (Projected Costs)	\$0
8	TOTAL	\$1,000,000

9 NEW SECTION. **Sec. 5041.** A new section is added to 2009 c 497
10 (uncodified) to read as follows:

11 **FOR THE WASHINGTON STATE HISTORICAL SOCIETY**

12 Vancouver National Historic Reserve Visitors Center (91000001)

13 Appropriation:

14	State Building Construction Account	\$750,000
15	Prior Biennia (Expenditures)	\$0
16	Future Biennia (Projected Costs)	\$0
17	TOTAL	\$750,000

18 **Sec. 5042.** 2009 c 497 s 5115 (uncodified) is amended to read as
19 follows:

20 **FOR THE WASHINGTON STATE HISTORICAL SOCIETY**

21 Washington Heritage Projects (20044004)

22 The reappropriation in this section is subject to the following
23 conditions and limitations: The reappropriation is adjusted for the
24 termination of the Bigelow House preservation association project which
25 is no longer viable.

26 Reappropriation:

27	State Building Construction Account--State	(\$690,000)
28		<u>\$657,000</u>
29	Prior Biennia (Expenditures)	\$3,310,000
30	Future Biennia (Projected Costs)	\$0
31	TOTAL	(\$4,000,000)
32		<u>\$3,967,000</u>

Sec. 5045. 2009 c 497 s 5120 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE HISTORICAL SOCIETY

Washington Heritage Project Capital Grants (30000011)

The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation is subject to the provisions of RCW 27.34.330.

(2) The appropriation is provided solely for the following list of projects.

(3) The 2011-13 projects must be selected based on their readiness to proceed.

Project	Recommended
Wenatchee Valley Museum	\$150,000
West Point Light Station	\$300,000
Des Moines Field House	\$420,000
Washington Hall	\$381,000
Percival Landing	\$567,000
Roslyn City Hall & Library	\$194,000
((Spokane County courthouse	\$500,000))
Snoqualmie Chapel car #5	\$125,000
Edmonds Carnegie Library	\$48,000
museum	
Ilwaco museum collections	\$41,000
Minkler Mansion	\$200,000
Cheney house for a museum	\$87,000
Longview Columbia theatre	\$1,000,000
Chinook School	\$350,000
Territorial Courthouse of 1858	\$167,000
Hanford Interpretive Center	\$147,000
Carnegie Library Museum	\$883,000
Dynamite Train Canopy	\$50,000
King Street Station	\$750,000

1	Lakewood Carriage House	\$110,000
2	Lincoln School	\$175,000
3	Quincy Pioneer Church	\$195,000
4	Ezra Meeker Mansion	\$100,000
5	Port Townsend Storage Facility	\$450,000
6	Puyallup Church Spire	\$17,000
7	Morris House and Washington	\$27,000
8	Harbor School	
9	Kalama Interpretive Center	\$212,000
10	Foss Waterway Seaport	\$750,000
11	Building	
12	Pioneer State Bank Building	\$201,000
13	Kirkman House	\$32,000
14	Malo Sawmill	\$70,000
15	Stimson-Green Mansion	\$23,000
16	Lightship #83	\$335,000
17	Masonic Temple Building	\$350,000
18	Wilkeson Centennial	\$10,000
19	Monument	
20	Eddon Boatyard ways and dock	\$243,000
21	Commencement Restoration	\$86,000
22	Vessel Shenandoah	\$179,000
23	((Walt's Mill	\$75,000))
24	TOTAL	(((\$10,000,000))
25		<u>\$9,425,000</u>

26 Appropriation:

27	State Building Construction Account--State	(((\$10,000,000))
28		<u>\$9,425,000</u>
29	Prior Biennia (Expenditures) . . . . .	.\$0
30	Future Biennia (Projected Costs)	\$40,000,000
31	TOTAL	(((\$50,000,000))
32		<u>\$49,425,000</u>

33 **Sec. 5046.** 2009 c 497 s 5174 (uncodified) is amended to read as
34 follows:

35 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

1 Seattle Central Community College: Wood Construction Center
 2 (20081216)
 3 Reappropriation:
 4 State Building Construction Account--State \$2,000,000
 5 Appropriation:
 6 State Building Construction Account--State ((~~\$24,645,000~~))
 7 \$19,760,000
 8 Prior Biennia (Expenditures) \$549,000
 9 Future Biennia (Projected Costs) \$0
 10 TOTAL ((~~\$27,194,000~~))
 11 \$22,309,000

12 **Sec. 5047.** 2009 c 497 s 5176 (uncodified) is amended to read as
 13 follows:

14 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
 15 Peninsula College: Business and Humanities Center (20081218)
 16 Reappropriation:
 17 State Building Construction Account--State \$1,200,000
 18 Appropriation:
 19 State Building Construction Account--State ((~~\$33,627,000~~))
 20 \$29,644,000
 21 Prior Biennia (Expenditures) \$1,100,000
 22 Future Biennia (Projected Costs) \$0
 23 TOTAL ((~~\$35,927,000~~))
 24 \$31,944,000

25 **Sec. 5048.** 2009 c 497 s 5127 (uncodified) is amended to read as
 26 follows:

27 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
 28 Tacoma Community College - Science Building (20012687)
 29 Reappropriation:
 30 State Building Construction Account--State ((~~\$1,773,000~~))
 31 \$855,000
 32 Prior Biennia (Expenditures) \$30,123,000
 33 Future Biennia (Projected Costs) \$0

1 TOTAL ((~~\$31,896,000~~))
2 \$30,978,000

3 **Sec. 5049.** 2009 c 497 s 5180 (uncodified) is amended to read as
4 follows:

5 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

6 Green River Community College - Trades and Industry Building
7 (20081222)

8 Reappropriation:

9 State Building Construction Account--State \$11,000

10 Appropriation:

11 State Building Construction Account--State ((~~\$2,625,000~~))
12 \$1,707,000

13 Prior Biennia (Expenditures) \$127,000

14 Future Biennia (Projected Costs) ((~~\$28,737,000~~))
15 \$29,655,000

16 TOTAL \$31,500,000

17 **Sec. 5050.** 2009 c 497 s 5171 (uncodified) is amended to read as
18 follows:

19 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

20 Minor Works - Facility Preservation - Roof Repairs (20081010)

21 Reappropriation:

22 Education Construction Account--State ((~~\$2,500,000~~))
23 \$392,000

24 State Building Construction Account--State \$1,000,000

25 Subtotal Reappropriation ((~~\$3,500,000~~))
26 \$1,392,000

27 Appropriation:

28 State Building Construction Account--State \$2,108,000

29 Prior Biennia (Expenditures) \$4,176,000

30 Future Biennia (Projected Costs) \$0

31 TOTAL \$7,676,000

32 **Sec. 5051.** 2009 c 497 s 5182 (uncodified) is amended to read as
33 follows:

1 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
2 Skagit Valley College - Academic and Student Services Building
3 (20081224)
4 Reappropriation:
5 State Building Construction Account--State \$35,000
6 Appropriation:
7 State Building Construction Account--State (~~(\$2,116,000)~~)
8 \$1,730,000
9 Prior Biennia (Expenditures) \$101,000
10 Future Biennia (Projected Costs) (~~(\$28,949,000)~~)
11 \$29,335,000
12 TOTAL \$31,201,000

13 **Sec. 5052.** 2009 c 497 s 5210 (uncodified) is amended to read as
14 follows:

15 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
16 Roof Repairs "A" (30000010)
17 Appropriation:
18 State Building Construction Account--State (~~(\$8,493,000)~~)
19 \$2,627,000
20 Community/Technical College Capital Projects
21 Account--State \$6,854,000
22 Subtotal Appropriation \$9,481,000
23 Prior Biennia (Expenditures) \$0
24 Future Biennia (Projected Costs) (~~(\$24,000,000)~~)
25 \$42,000,000
26 TOTAL (~~(\$32,493,000)~~)
27 \$51,481,000

28 **Sec. 5053.** 2009 c 497 s 5183 (uncodified) is amended to read as
29 follows:

30 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**
31 Lower Columbia College - Health and Science Building (20081225)
32 Appropriation:
33 State Building Construction Account--State (~~(\$2,969,000)~~)
34 \$2,187,000

1 Prior Biennia (Expenditures) \$2,500,000
 2 Future Biennia (Projected Costs) (~~(\$36,405,000)~~)
 3 \$37,187,000
 4 TOTAL \$41,874,000

5 **Sec. 5054.** 2009 c 497 s 5184 (uncodified) is amended to read as
 6 follows:

7 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

8 Grays Harbor College - Science and Math Building (20081226)

9 Reappropriation:

10 State Building Construction Account--State \$45,000

11 Appropriation:

12 State Building Construction Account--State (~~(\$3,583,000)~~)
 13 \$2,292,000

14 Prior Biennia (Expenditures) \$231,000
 15 Future Biennia (Projected Costs) (~~(\$40,478,000)~~)
 16 \$41,769,000
 17 TOTAL \$44,337,000

18 **Sec. 5055.** 2009 c 497 s 5217 (uncodified) is amended to read as
 19 follows:

20 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

21 Seattle Central Community College - Seattle Maritime Academy
 22 (30000120)

23 Appropriation:

24 State Building Construction Account--State (~~(\$2,839,000)~~)
 25 \$1,337,000

26 Prior Biennia (Expenditures) \$0
 27 Future Biennia (Projected Costs) (~~(\$15,483,000)~~)
 28 \$16,985,000
 29 TOTAL \$18,322,000

30 **Sec. 5056.** 2009 c 497 s 5218 (uncodified) is amended to read as
 31 follows:

32 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

33 Yakima Valley Community College - Palmer Martin Building (30000121)

34 Appropriation:

1 State Building Construction Account--State ((~~\$1,464,000~~))
2 \$997,000
3 Prior Biennia (Expenditures) \$0
4 Future Biennia (Projected Costs) ((~~\$13,509,000~~))
5 \$13,976,000
6 TOTAL \$14,973,000

7 **Sec. 5057.** 2009 c 497 s 5219 (uncodified) is amended to read as
8 follows:

9 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

10 North Seattle Community College - Technology Building Renewal
11 (30000129)

12 Appropriation:

13 State Building Construction Account--State ((~~\$2,976,000~~))
14 \$2,084,000
15 Prior Biennia (Expenditures) \$0
16 Future Biennia (Projected Costs) ((~~\$22,337,000~~))
17 \$23,229,000
18 TOTAL \$25,313,000

19 **Sec. 5058.** 2009 c 497 s 5220 (uncodified) is amended to read as
20 follows:

21 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

22 Green River Community College - Science Math and Technology
23 Building (30000130)

24 Appropriation:

25 State Building Construction Account--State ((~~\$1,700,000~~))
26 \$1,315,000
27 Prior Biennia (Expenditures) \$0
28 Future Biennia (Projected Costs) ((~~\$15,545,000~~))
29 \$15,930,000
30 TOTAL \$17,245,000

31 **Sec. 5059.** 2009 c 497 s 5204 (uncodified) is amended to read as
32 follows:

33 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

34 Tacoma Community College - Health Careers Center (20082701)

1 Reappropriation:
 2 State Building Construction Account--State \$15,000
 3 Appropriation:
 4 State Building Construction Account--State ((~~\$2,946,000~~))
 5 \$1,811,000
 6 Prior Biennia (Expenditures) \$240,000
 7 Future Biennia (Projected Costs) ((~~\$35,565,000~~))
 8 \$36,700,000
 9 TOTAL \$38,766,000

10 **Sec. 5060.** 2009 c 497 s 5205 (uncodified) is amended to read as
 11 follows:

12 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

13 Bellevue Community College - Health Science Building (20082702)

14 Appropriation:
 15 State Building Construction Account--State ((~~\$4,350,000~~))
 16 \$2,910,000
 17 Prior Biennia (Expenditures) \$144,000
 18 Future Biennia (Projected Costs) ((~~\$36,506,000~~))
 19 \$37,946,000
 20 TOTAL \$41,000,000

21 **Sec. 5061.** 2009 c 497 s 5206 (uncodified) is amended to read as
 22 follows:

23 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

24 Bates Technical College - Mohler Communications Technology Center
 25 (20082703)

26 Reappropriation:
 27 State Building Construction Account--State \$20,000
 28 Appropriation:
 29 State Building Construction Account--State ((~~\$1,755,000~~))
 30 \$1,192,000
 31 Prior Biennia (Expenditures) \$153,000
 32 Future Biennia (Projected Costs) ((~~\$23,398,000~~))
 33 \$23,961,000
 34 TOTAL \$25,326,000

1 **Sec. 5062.** 2009 c 497 s 5208 (uncodified) is amended to read as
2 follows:

3 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

4 Clark College - Health and Advanced Technologies Building
5 (20082705)

6 Reappropriation:

7 State Building Construction Account--State \$14,000

8 Appropriation:

9 State Building Construction Account--State (~~(\$2,506,000)~~)
10 \$2,324,000

11 Prior Biennia (Expenditures) \$236,000

12 Future Biennia (Projected Costs) (~~(\$33,598,000)~~)
13 \$33,780,000

14 TOTAL \$36,354,000

15 **Sec. 5063.** 2009 c 497 s 5165 (uncodified) is amended to read as
16 follows:

17 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

18 Lake Washington Technical College - Allied Health Building
19 (20062697)

20 Reappropriation:

21 State Building Construction Account--State \$900,000

22 Appropriation:

23 State Building Construction Account--State (~~(\$25,986,000)~~)
24 \$23,876,000

25 Prior Biennia (Expenditures) \$1,029,000

26 Future Biennia (Projected Costs) \$0
27 TOTAL (~~(\$27,915,000)~~)

28 \$25,805,000

29 **Sec. 5064.** 2009 c 497 s 5177 (uncodified) is amended to read as
30 follows:

31 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

32 Spokane Falls Community College - Chemistry and Life Science
33 Building (20081219)

34 Reappropriation:

1 State Building Construction Account--State \$1,200,000
 2 Appropriation:
 3 State Building Construction Account--State (~~(\$27,800,000)~~)
 4 \$21,007,000
 5 Prior Biennia (Expenditures) \$1,320,000
 6 Future Biennia (Projected Costs) \$0
 7 TOTAL (~~(\$30,320,000)~~)
 8 \$23,527,000

9 **Sec. 5065.** 2009 c 497 s 5178 (uncodified) is amended to read as
 10 follows:

11 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

12 Spokane Community College - Technical Education Building (20081220)

13 Reappropriation:

14 State Building Construction Account--State \$1,600,000
 15 Appropriation:
 16 State Building Construction Account--State (~~(\$30,718,000)~~)
 17 \$24,037,000
 18 Prior Biennia (Expenditures) \$793,000
 19 Future Biennia (Projected Costs) \$0
 20 TOTAL (~~(\$33,111,000)~~)
 21 \$26,430,000

22 **Sec. 5066.** 2009 c 497 s 5191 (uncodified) is amended to read as
 23 follows:

24 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

25 Spokane Falls Community College - Music Building 15 Renovation
 26 (20081320)

27 Reappropriation:

28 State Building Construction Account--State \$475,000
 29 Appropriation:
 30 State Building Construction Account--State (~~(\$13,806,000)~~)
 31 \$10,459,000
 32 Prior Biennia (Expenditures) \$667,000
 33 Future Biennia (Projected Costs) \$0
 34 TOTAL (~~(\$14,948,000)~~)
 35 \$11,601,000

1 much debt as is needed to complete the project, not to exceed a total
2 of \$27,000,000.

3 Reappropriation:
4 State Building Construction Account--State \$1,000,000

5 Appropriation:

6 Community/Technical College Capital Projects

7 Account--State \$2,288,000

8 Prior Biennia (Expenditures) ((\$0))

9 \$824,000

10 Future Biennia (Projected Costs) ((\$0))

11 \$37,994,000

12 TOTAL ((\$1,000,000))

13 \$42,106,000

14 **Sec. 5069.** 2009 c 497 s 5190 (uncodified) is amended to read as
15 follows:

16 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

17 Spokane Community College - Building 7 Renovation (20081319)

18 Reappropriation:
19 State Building Construction Account--State \$986,000

20 Appropriation:

21 State Building Construction Account--State (~~(\$9,748,000)~~)

22 \$8,343,000

23 Prior Biennia (Expenditures) \$23,000

24 Future Biennia (Projected Costs) \$0

25 TOTAL (~~(\$10,757,000)~~)

26 \$9,352,000

27 **Sec. 5070.** 2009 c 497 s 5192 (uncodified) is amended to read as
28 follows:

29 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

30 Pierce College Fort Steilacoom - Cascade Core (20081321)

31 Reappropriation:
32 State Building Construction Account--State \$1,200,000

33 Appropriation:

34 State Building Construction Account--State (~~(\$15,000,000)~~)

35 \$13,099,000

1 Community/Technical College Capital Projects

2 Account--State \$8,500,000

3 Subtotal Appropriation \$21,599,000

4 Prior Biennia (Expenditures) \$1,042,000

5 Future Biennia (Projected Costs) \$0

6 TOTAL ((~~\$17,242,000~~))

7 \$23,841,000

8 **Sec. 5071.** 2009 c 497 s 5168 (uncodified) is amended to read as
9 follows:

10 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

11 North Seattle Community College - Employment Resource Center
12 (20062851)

13 Reappropriation:

14 State Building Construction Account--State \$700,000

15 Appropriation:

16 State Building Construction Account--State ((~~\$5,000,000~~))

17 \$7,676,000

18 Prior Biennia (Expenditures) \$1,790,000

19 Future Biennia (Projected Costs) \$0

20 TOTAL ((~~\$7,490,000~~))

21 \$10,166,000

22 **Sec. 5072.** 2009 c 497 s 5135 (uncodified) is amended to read as
23 follows:

24 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

25 Clark College - East County Satellite (20041689)

26 Reappropriation:

27 Gardner-Evans Higher Education Construction

28 Account--State ((~~\$5,000,000~~))

29 \$4,780,000

30 Prior Biennia (Expenditures) \$24,876,000

31 Future Biennia (Projected Costs) \$0

32 TOTAL ((~~\$29,876,000~~))

33 \$29,656,000

1 **Sec. 5073.** 2009 c 497 s 5195 (uncodified) is amended to read as
2 follows:

3 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

4 Bellevue Community College - L Building Emergency Repairs
5 (20081850)

6 Reappropriation:

7	State Building Construction Account--State	((\$1,460,000))
8		<u>\$387,000</u>
9	Prior Biennia (Expenditures)	\$203,000
10	Future Biennia (Projected Costs)	\$0
11	TOTAL	((\$1,663,000))
12		<u>\$590,000</u>

13 **Sec. 5074.** 2009 c 497 s 5223 (uncodified) is amended to read as
14 follows:

15 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

16 Minor Works - Preservation (30000210)

17 Appropriation:

18	((State Building Construction Account--State	\$15,116,000))
19	<u>Community/Technical College Capital Projects</u>	
20	<u>Account--State</u>	<u>\$16,000,000</u>
21	Prior Biennia (Expenditures)	\$0
22	Future Biennia (Projected Costs)	\$0
23	TOTAL	((\$15,116,000))
24		<u>\$16,000,000</u>

25 **Sec. 5075.** 2009 c 497 s 5179 (uncodified) is amended to read as
26 follows:

27 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

28 Everett Community College - Index Hall Replacement (20081221)

29 Reappropriation:

30	State Building Construction Account--State	\$1,150,000
31	Appropriation:	
32	State Building Construction Account--State	((\$2,301,000))
33		<u>\$2,157,000</u>
34	Prior Biennia (Expenditures)	\$1,650,000

1 Future Biennia (Projected Costs) (~~(\$40,205,000)~~)
 2 \$40,349,000
 3 TOTAL \$45,306,000

4 **Sec. 5076.** 2009 c 497 s 5213 (uncodified) is amended to read as
 5 follows:

6 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

7 Minor Works - Program (30000078)

8 Appropriation:

9 State Building Construction Account--State \$3,858,000
 10 Community/Technical College Capital Projects
 11 Account--State (~~(\$9,714,000)~~)
 12 \$12,227,000
 13 Subtotal Appropriation (~~(\$13,572,000)~~)
 14 \$16,085,000
 15 Prior Biennia (Expenditures) \$0
 16 Future Biennia (Projected Costs) \$80,000,000
 17 TOTAL (~~(\$93,572,000)~~)
 18 \$96,085,000

19 **Sec. 5077.** 2009 c 497 s 5164 (uncodified) is amended to read as
 20 follows:

21 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

22 Spokane Falls Community College - Campus Classrooms (20062696)

23 Reappropriation:

24 State Building Construction Account--State (~~(\$1,450,000)~~)
 25 \$883,000
 26 Prior Biennia (Expenditures) \$434,000
 27 Future Biennia (Projected Costs) \$0
 28 TOTAL (~~(\$1,884,000)~~)
 29 \$1,317,000

30 NEW SECTION. **Sec. 5078.** A new section is added to 2009 c 497
 31 (uncodified) to read as follows:

32 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

33 Construction Contingency Pool (92000007)

1 The appropriation in this section is provided solely for allocation
2 by the state board for community and technical colleges for major
3 construction and renovation projects that confront emergent and
4 unavoidable costs in excess of the construction contingency and
5 management reserves included in the project appropriation. The board
6 shall report at least quarterly to the office of financial management
7 and the legislative capital budget committees on requests for and
8 allocations from the pool.

9 Appropriation:

10	State Building Construction Account--State	\$3,076,000
11	Gardner-Evans Higher Education Construction	
12	Account--State	\$263,000
13	Subtotal Appropriation	\$3,339,000
14	Prior Biennia (Expenditures)	\$0
15	Future Biennia (Projected Costs)	\$0
16	TOTAL	\$3,339,000

17 **Sec. 5079.** 2009 c 497 s 5224 (uncodified) is amended to read as
18 follows:

19 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

20 Preventative Facility Maintenance and Building System Repairs
21 (30000287)

22 Appropriation:

23	Community and Technical Colleges Capital	
24	Projects Account--State	(\$22,800,000)
25		<u>\$0</u>
26	Prior Biennia (Expenditures)	\$0
27	Future Biennia (Projected Costs)	\$91,208,000
28	TOTAL	(\$114,008,000)
29		<u>\$91,208,000</u>

30 **Sec. 5080.** 2009 c 497 s 5143 (uncodified) is amended to read as
31 follows:

32 **FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

33 Centralia Community College - Science Building (20042850)

34 Reappropriation:

35	State Building Construction Account--State	\$194,000
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1 PART 6

2 MISCELLANEOUS AND SUPPLEMENTAL PROVISIONS

3 Sec. 6001. 2009 c 497 s 6009 (uncodified) is amended to read as
4 follows:

5 ACQUISITION OF PROPERTIES AND FACILITIES THROUGH FINANCIAL
6 CONTRACTS. The following agencies may enter into financial contracts,
7 paid from any funds of an agency, appropriated or nonappropriated, for
8 the purposes indicated and in not more than the principal amounts
9 indicated, plus financing expenses and required reserves pursuant to
10 chapter 39.94 RCW. When securing properties under this section,
11 agencies shall use the most economical financial contract option
12 available, including long-term leases, lease-purchase agreements,
13 lease-development with option to purchase agreements or financial
14 contracts using certificates of participation. Expenditures made by an
15 agency for one of the indicated purposes before the issue date of the
16 authorized financial contract and any certificates of participation
17 therein are intended to be reimbursed from proceeds of the financial
18 contract and any certificates of participation therein to the extent
19 provided in the agency's financing plan approved by the state finance
20 committee.

21 State agencies may enter into agreements with the department of
22 general administration and the state treasurer's office to develop
23 requests to the legislature for acquisition of properties and
24 facilities through financial contracts. The agreements may include
25 charges for services rendered.

26 Those noninstructional facilities of higher education institutions
27 authorized in this section to enter into financial contracts are not
28 eligible for state funded maintenance and operations. Instructional
29 space that is available for regularly scheduled classes for academic
30 transfer, basic skills, and workforce training programs may be eligible
31 for state funded maintenance and operations.

32 (1) Department of corrections: (~~Enter into a financing contract~~
33 ~~for up to \$17,958,000 plus financing expenses and required reserves~~
34 ~~pursuant to chapter 39.94 RCW to purchase or build work release beds,~~
35 ~~violation beds, or other community based re-entry facilities.)) Enter~~

1 into a financing contract for up to \$12,400,000 plus financing expenses
2 and required reserves pursuant to chapter 39.94 RCW to move
3 correctional industries facilities and operations from McNeil island
4 corrections center to Stafford creek corrections center.

5 (2) Community and technical colleges:

6 (a) Enter into a financing contract on behalf of Walla Walla
7 Community College for up to \$1,000,000 plus financing expenses and
8 required reserves pursuant to chapter 39.94 RCW to purchase up to 40
9 acres of land.

10 (b) Enter into a financing contract on behalf of Bellingham
11 Technical College for up to \$1,390,000 plus financing expenses and
12 required reserves pursuant to chapter 39.94 RCW to develop an
13 instructional resource center.

14 (c) Enter into a financing contract on behalf of Bellingham
15 Technical College for up to (~~(\$28,968,000)~~) \$27,000,000 plus financing
16 expenses and required reserves pursuant to chapter 39.94 RCW to develop
17 an instructional resource center. The cost of this financing contract
18 shall be paid from the community and technical colleges capital
19 projects account. This facility shall be eligible for maintenance and
20 operations funding on the same terms as if constructed with state
21 general obligation bonds.

22 (d) Enter into a financing contract on behalf of Edmonds Community
23 College for up to \$5,000,000 plus financing expenses and required
24 reserves pursuant to chapter 39.94 RCW to provide space for allied
25 health and construction industry.

26 (e) Contingent upon the sale and purchase specified in section 5071
27 of this act, enter into a financing contract on behalf of Spokane
28 Community College for up to \$3,400,000 plus financing expenses and
29 required reserves pursuant to chapter 39.94 RCW to purchase the
30 Riverpoint One building.

31 (f) Enter into a financing contract on behalf of North Seattle
32 Community College for up to \$8,900,000 plus financing expenses and
33 required reserves pursuant to chapter 39.94 RCW to develop an
34 employment resource center.

35 (g) Enter into a financing contract on behalf of Everett Community
36 College for up to \$25,000,000 plus financing expenses and required
37 reserves pursuant to chapter 39.94 RCW to develop a student fitness and
38 health center.

1 (h) Enter into a financing contract on behalf of Wenatchee Valley
2 Community College for up to \$2,700,000 plus financing expenses and
3 required reserves pursuant to chapter 39.94 RCW to purchase a music and
4 art center.

5 (i) Enter into a financing contract on behalf of Green River
6 Community College for up to \$20,000,000 plus financing expenses and
7 required reserves pursuant to chapter 39.94 RCW to develop a 40,000
8 square foot addition to Green River Kent station.

9 (j) Enter into a financing contract on behalf of Walla Walla
10 Community College for up to \$1,000,000 plus financing expenses and
11 required reserves pursuant to chapter 39.94 RCW for the water and
12 environment center.

13 (k) Enter into a financing contract pursuant to chapter 39.94 RCW
14 on behalf of Green River Community College for up to \$26,532,000 plus
15 financing expenses and required reserves to construct a new classrooms
16 facility as specified in project 20061205. The cost of this financing
17 contract shall be paid from the community and technical colleges
18 capital projects account. This facility shall be eligible for
19 maintenance and operations funding on the same terms as if constructed
20 with state general obligation bonds.

21 (3) Parks and recreation commission: Enter into a financing
22 contract for up to \$2,500,000 plus financing expenses and required
23 reserves pursuant to chapter 39.94 RCW for the Mount Spokane lodge.
24 The parks and recreation commission shall use energy savings
25 performance contracting if practicable. The lodge shall be operated by
26 a private concessionaire under a contract with the parks and recreation
27 commission that is a qualified management contract under the applicable
28 internal revenue service guidelines.

29 (4) Department of general administration: Enter into a financing
30 contract for up to \$27,144,000 plus financing expenses and required
31 reserves pursuant to chapter 39.94 RCW for the rehabilitation of the
32 John L. O'Brien building, subject to approval of the project scope by
33 the speaker of the house of representatives and the chief clerk of the
34 house of representatives.

35 (5) Department of ecology: Enter into a financing contract for up
36 to \$11,000,000 plus financing expenses and required reserves pursuant
37 to chapter 39.94 RCW to rebuild the east wall of the department of
38 ecology's headquarters building in Lacey, Washington.

1 (6) Washington State University: Enter into a financing contract
2 for up to \$15,000,000 plus financing expenses and required reserve
3 pursuant to chapter 39.94 RCW for a student information system.

4 (7) Department of social and health services: Enter into a
5 financing contract for up to \$15,850,000 plus financing expenses and
6 required reserves pursuant to chapter 39.94 RCW to construct or
7 renovate specialized housing and treatment facilities for youth
8 committed to the juvenile rehabilitation administration. The debt
9 service is to be paid with the savings associated with closure of the
10 Maple Lane school.

11 NEW SECTION. Sec. 6002. A new section is added to 2009 c 497
12 (uncodified) to read as follows:

13 **FOR THE DEPARTMENT OF GENERAL ADMINISTRATION--ENERGY SAVINGS**
14 **PERFORMANCE CONTRACTING.** (1) The department of general administration,
15 in fulfilling its requirement to maintain a registry of energy service
16 contractors pursuant to RCW 39.35A.050, shall update the preapproved
17 list of energy services companies that are qualified to provide
18 services to public facilities in the state by June 30, 2010.

19 (2) The department of general administration must develop
20 guidelines that are consistent with national and international energy
21 savings performance standards for the implementation of energy savings
22 performance contracting projects June 30, 2010.

23 NEW SECTION. Sec. 6003. A new section is added to 2009 c 497
24 (uncodified) to read as follows:

25 **FOR THE OFFICE OF FINANCIAL MANAGEMENT.** The office of financial
26 management budget instructions, required by chapter 43.88 RCW, must
27 instruct all agencies submitting budget requests for building
28 renovations and improvements and operating budget requests for facility
29 leases to conduct preliminary energy audits if proposed renovations or
30 improvements involve building envelope, heating, ventilating, air
31 conditioning, controls, and lighting. The budget instructions must
32 also direct agencies to contact the department of general
33 administration for assistance, if necessary.

34 NEW SECTION. Sec. 6004. A new section is added to 2009 c 497
35 (uncodified) to read as follows:

1 capacity, produce reuse quality water, and improve Puget Sound water
2 quality for shellfish \$10,000,000

3 (4) Bonney Lake--domestic water project--replace approximately
4 71,000 linear feet of leaky water mains to reduce current water loss by
5 ten percent \$5,352,000

6 (5) Bonney Lake--sanitary sewer project--replace approximately
7 12,000 linear feet of failing interceptor sewer pipes \$4,648,000

8 (6) Buckley--sanitary sewer project--rebuild the wastewater
9 treatment plant to provide nutrient removal and meet state and federal
10 discharge regulations and the construction of an
11 interceptor \$5,000,000

12 (7) Camas--sanitary sewer project--construct improvements to the
13 wastewater treatment facilities to provide class A biosolids at the
14 main sewage pump station \$10,000,000

15 (8) Clark county--road project--construct new road segments, widen
16 roadways, improve and redesign intersections, and install and modify
17 traffic signals necessary to improve a major interchange with two
18 freeways \$10,000,000

19 (9) Clark regional wastewater district--sanitary sewer project--
20 modify existing and construct new wastewater facilities to process
21 approximately 4.65 million gallons more of wastewater per day and
22 ensure treatment processes continue to be in compliance with current
23 regulations \$8,000,000

24 (10) Coal creek utility district--sanitary sewer project--construct
25 sewer lift station, approximately 1,250 lineal feet of gravity sewer
26 main, and 500 feet of force main to provide public sewer to
27 approximately 25 properties on a lake that have private septic systems
28 that have failed or are in prefailure status \$898,875

29 (11) College Place--domestic water project--construct two steel
30 tanks, a booster station, approximately 6,000 feet of transmission
31 line, 3,400 feet of water mains, three pressure reducing valves, and
32 associated telemetry to rectify a deficiency in fire flow and standby
33 water storage protection \$4,710,051

34 (12) Cowlitz county public utility district No. 1--domestic water
35 project--construction of approximately six new groundwater supply
36 wells, 2,100 feet of raw water piping a new water treatment plant
37 producing approximately 20 million gallons per day of potable water,

1 and approximately 4,350 feet of transmission main to connect to the
2 system to replace current water supply that is being impacted by
3 increasing water sediment \$3,213,000

4 (13) Ephrata--domestic water project--replace approximately 68,000
5 feet of failing water mains, 50,000 feet of failing water service
6 pipes, and the resurfacing of 20 miles of overlaying roadway, including
7 approximately 100 fire hydrants, 400 catch basins, 15 storm sewer
8 drywells, 22,000 feet of curb and gutter, and 16,000 feet of storm
9 sewer pipe \$6,605,727

10 (14) Freeland water district--domestic water project--connect a new
11 well and new reservoir to the existing system, rehabilitate the
12 existing well, and install new equipment to increase system
13 reliability, redundancy, and capacity. Install new chlorination
14 equipment to improve water quality \$347,516

15 (15) Gig Harbor--sanitary sewer project--improvements to the
16 wastewater treatment plant including new equipment and electrical work,
17 add a third clarifier, install ultraviolet disinfection, and extend and
18 upsize the outfall \$10,000,000

19 (16) Highline water district--domestic water project--construction
20 of 11,350 feet of transmission main and looping of pipes to eliminate
21 low pressures and fire flows and improve water quality, and create a
22 new pressure zone to correct high pressures \$5,390,418

23 (17) Karcher creek sewer district--sanitary sewer project--install
24 a new sewer system, including a lift station and approximately 3,600
25 lineal feet of sewer main, in conjunction with a road project to
26 service approximately 17 homes that will lose their septic systems due
27 to the road project \$1,358,130

28 (18) Kennewick--sanitary sewer project--construct improvements to
29 critical wastewater treatment plant processes to enhance reliability,
30 improve energy efficiency and redundancy, as well as increase the
31 capacity of the sludge pumping station \$5,500,000

32 (19) Kent--street project--construct two bridges, one for the
33 roadway over a set of railroad tracks, and one for railroad tracks over
34 a lowered roadway. This will grade separate the tracks from the
35 roadway to provide safe and reliable operations twenty-four hours a
36 day \$10,000,000

37 (20) King county--sanitary sewer project--construct 13,100 lineal

1 feet of pipe to convey approximately 9 million gallons per day of
2 reclaimed water to reduce withdrawals of 250-acre feet per year from
3 the Sammamish river \$7,000,000

4 (21) La Center--sanitary sewer project--upgrade wastewater
5 treatment plant to reduce the levels of nitrogen discharged in the
6 effluent and approximately doubling the operation of the plant and
7 producing class A reuse water \$10,000,000

8 (22) Lake Forest Park water district--domestic water project--
9 replace approximately 6,915 lineal feet of undersized and corroded
10 water pipes to improve safety and reliability of the system by reducing
11 pipe failures and increasing fire flow \$917,935

12 (23) Lake Stevens--sanitary sewer project--construct a new
13 wastewater treatment plant, 9,500 feet of interceptor line, a pump
14 station, and an outfall pipe in partnership with Lake Stevens sewer
15 district \$10,000,000

16 (24) Lake Stevens sewer district--sanitary sewer project--construct
17 a new wastewater treatment plant, 9,500 feet of interceptor line, a
18 pump station, and an outfall pipe in partnership with the city of Lake
19 Stevens \$10,000,000

20 (25) Lakewood--sanitary sewer project--construct 3 pump stations,
21 approximately 17,200 linear feet of force mains, 13,500 linear feet of
22 gravity collector pipe line, and 320 side sewer stubs to service two
23 neighborhoods currently served exclusively by septic
24 systems \$1,840,000

25 (26) LOTT alliance--sanitary sewer project--construct approximately
26 7,400 feet of force main and replace existing pump station with new
27 1,000 gallon per minute pump station \$4,003,807

28 (27) Mansfield--sanitary sewer project--expand and rehabilitate
29 wastewater treatment lagoons and effluent spray irrigation system as
30 well as remove the discharge of groundwater from basement sump pumps to
31 the collection system \$235,600

32 (28) Midway sewer district--sanitary sewer project--replace
33 approximately 16,500 lineal feet of sewer mains and 50 manholes to
34 reduce infiltration and inflow \$3,782,500

35 (29) Mount Vernon--sanitary sewer project--upgrade existing
36 wastewater treatment plant, including a new pretreatment facility, 4
37 additional clarifiers, upgrade aeration basins, installation of an
38 ultraviolet disinfection system, and odor control system . \$10,000,000

1 (30) Newcastle--road project--reconstruct, widen, and signalize
2 approximately 5,200 linear feet of road to 2 lanes in each direction,
3 add left turn lanes, sidewalks, bicycle lanes, install lighting
4 systems, replace two-lane bridge with a four-lane bridge, and install
5 new traffic signals \$5,000,000

6 (31) Olympia--sanitary sewer project--install approximately 6,500
7 linear feet of sewer mains and construct a lift station to serve 63
8 homes with failing on-site sewage systems \$1,808,375

9 (32) Olympus Terrace sewer district--sanitary sewer project--
10 rehabilitate approximately 9,350 linear feet of sewer trunkline,
11 construct approximately 9,800 linear feet of high-flow storm water
12 bypass piping for excess flow, construct approximately 4,150 linear
13 feet of road access, and restore creek habitat \$8,000,000

14 (33) Omak--sanitary sewer project(~~(--add 2 compost containers,~~
15 ~~convert storage tank to sludge holding tank, and install a second~~
16 ~~headworks screen to increase the wastewater treatment plant capacity by~~
17 ~~35 percent)) \$450,000~~

18 (34) Port Angeles--sanitary sewer project--construct approximately
19 11,500 feet of sewer main, modify a storage tank, and modify the
20 wastewater treatment plant \$10,000,000

21 (35) Regional board of mayors--solid waste project--close landfill
22 site by capping and sealing with a soil cap \$859,500

23 (36) Regional board of mayors--solid waste project--construct a new
24 solid waste transfer station, including structures and
25 equipment \$1,541,000

26 (37) Ronald wastewater district--sanitary sewer project--
27 rehabilitate 2 lift stations by replacing pumps, valves, fittings,
28 piping, odor control systems, and electrical equipment \$955,400

29 (38) Seattle--domestic water project--replace floating pumps with
30 land-based pump station with a maximum capacity of approximately 250
31 million gallons per day, including 8 pumps, concrete structure, a
32 tunnel, approximately 4,000 feet of pipeline, and a standby
33 generator. \$10,000,000

34 (39) Sedro-Woolley--sanitary sewer project--rehabilitate or replace
35 4 interceptor segments totaling approximately 29,700 linear feet,
36 install 2 pump stations, and upgrade the secondary clarifier in order
37 to lift a building moratorium \$6,023,491

1 project--construct 2 clarifiers and associated piping to replace 2
 2 failed clarifiers at the wastewater plant \$6,630,750
 3 (50) Washougal--sanitary sewer project--construct a new wastewater
 4 treatment plant headworks, including a fine screen, grit removal, and
 5 replace approximately 150 linear feet of gravity sewer, and make
 6 improvements to the lagoons, including 450 linear feet of piping,
 7 modify overflow structures, and a new pump \$3,100,000
 8 (51) Yakima--domestic water project--develop a new, approximately
 9 3,000 gallon per minute, domestic water well, including drilling,
 10 placement of casing, a new pump house, and connection to the existing
 11 water distribution system in order to augment the water supply during
 12 drought conditions \$2,257,200
 13 (52) Yakima--street project--construct 2 underpasses and
 14 reconstruct 3 lanes on each roadway under a railroad mainline to
 15 accommodate additional rail and reduce traffic and emergency response
 16 delays and air pollution \$3,000,000

17 **Sec. 6007.** RCW 43.155.050 and 2009 c 564 s 940 are each amended to
 18 read as follows:

19 (1) The public works assistance account is hereby established in
 20 the state treasury. Money may be placed in the public works assistance
 21 account from the proceeds of bonds when authorized by the legislature
 22 or from any other lawful source. Money in the public works assistance
 23 account shall be used to make loans and to give financial guarantees to
 24 local governments for public works projects. Moneys in the account may
 25 also be appropriated to provide for state match requirements under
 26 federal law for projects and activities conducted and financed by the
 27 board under the drinking water assistance account. Not more than
 28 fifteen percent of the biennial capital budget appropriation to the
 29 public works board from this account may be expended or obligated for
 30 preconstruction loans, emergency loans, or loans for capital facility
 31 planning under this chapter; of this amount, not more than ten percent
 32 of the biennial capital budget appropriation may be expended for
 33 emergency loans and not more than one percent of the biennial capital
 34 budget appropriation may be expended for capital facility planning
 35 loans. During the 2009-2011 fiscal biennium, the legislature may
 36 transfer from the public works assistance account to the general fund
 37 and the city-county assistance account such amounts as reflect the

1 excess fund balance of the account. During the 2009-2011 fiscal
2 biennium, sums in the public works assistance account may be used for
3 the water pollution control revolving fund program match in section
4 3013 of this act.

5 (2) The job development fund is hereby established in the state
6 treasury. Moneys in the job development fund may be spent only after
7 appropriation.

8 **Sec. 6008.** RCW 28B.20.725 and 1969 ex.s. c 223 s 28B.20.725 are
9 each amended to read as follows:

10 The board is hereby empowered:

11 (1) To reserve the right to issue bonds later on a parity with any
12 bonds being issued;

13 (2) To authorize the investing of moneys in the bond retirement
14 fund and any reserve account therein;

15 (3) To authorize the transfer of money from the University of
16 Washington building account to the bond retirement fund when necessary
17 to prevent a default in the payments required to be made out of such
18 fund;

19 (4) To create a reserve account or accounts in the bond retirement
20 fund to secure the payment of the principal of and interest on any
21 bonds;

22 (5) To authorize the transfer to the University of Washington
23 building account of any money on deposit in the bond retirement fund in
24 excess of debt service for a period of three years from the date of
25 such transfer on all outstanding bonds payable out of such fund.
26 However, during the 2009-2011 fiscal biennium, the legislature may
27 transfer to the University of Washington building account moneys that
28 are in excess of the debt service due within one year of the date of
29 transfer on all outstanding bonds payable out of the bond retirement
30 fund.

31 **Sec. 6009.** RCW 28B.30.750 and 1969 ex.s. c 223 s 28B.30.750 are
32 each amended to read as follows:

33 The board is hereby empowered:

34 (1) To reserve the right to issue bonds later on a parity with any
35 bonds being issued;

1 (2) To authorize the investing of moneys in the bond retirement
2 fund and any reserve account therein;

3 (3) To authorize the transfer of money from the Washington State
4 University building account to the bond retirement fund when necessary
5 to prevent a default in the payments required to be made out of such
6 fund;

7 (4) To create a reserve account or accounts in the bond retirement
8 fund to secure the payment of the principal of and interest on any
9 bonds;

10 (5) To authorize the transfer to the Washington State University
11 building account of any money on deposit in the bond retirement fund in
12 excess of debt service for a period of three years from the date of
13 such transfer on all outstanding bonds payable out of such fund.
14 However, during the 2009-2011 fiscal biennium, the legislature may
15 transfer to the Washington State University building account moneys
16 that are in excess of the debt service due within one year of the date
17 of transfer on all outstanding bonds payable out of the bond retirement
18 fund.

19 NEW SECTION. **Sec. 6010.** A new section is added to 2009 c 497
20 (uncodified) to read as follows:

21 **FOR THE STATE TREASURER--TRANSFERS**

22 University of Washington bond retirement fund:

23 For transfer to the University of Washington
24 building account for fiscal year 2010 \$14,000,000

25 **Sec. 6011.** RCW 43.160.080 and 2008 c 327 s 11 are each amended to
26 read as follows:

27 There shall be a fund in the state treasury known as the public
28 facilities construction loan revolving account, which shall consist of
29 all moneys collected under this chapter and any moneys appropriated to
30 it by law. Disbursements from the revolving account shall be on
31 authorization of the board. In order to maintain an effective
32 expenditure and revenue control, the public facilities construction
33 loan revolving account shall be subject in all respects to chapter
34 43.88 RCW. During the 2009-2011 biennium, sums in the public
35 facilities construction loan revolving account may be used for

1 community economic revitalization board export assistance grants and
2 loans in section 1018 of this act and for matching funds for the
3 federal energy regional innovation cluster in section 1017 of this act.

4 **Sec. 6012.** 2009 c 497 s 6004 (uncodified) is amended to read as
5 follows:

6 (1) The office of financial management may ~~((authorize a))~~ transfer
7 ~~((of))~~ appropriation authority provided for a capital project that is
8 in excess of the amount required for the completion of ~~((such))~~ the
9 project ~~((to another capital project for which the appropriation is~~
10 ~~insufficient. No such transfer may be used to expand the capacity of~~
11 ~~any facility beyond that intended in making the appropriation. Such~~
12 ~~transfers may be effected only between capital appropriations to a~~
13 ~~specific department, commission, agency, or institution of higher~~
14 ~~education and only between capital projects that are funded from the~~
15 ~~same fund or account. No transfers may occur between projects to local~~
16 ~~government agencies except where the grants are provided within a~~
17 ~~single omnibus appropriation and where such transfers are specifically~~
18 ~~authorized by the implementing statutes that govern the grants.~~

19 ~~(2) The office of financial management may find that an amount is~~
20 ~~in excess of the amount required for the completion of a project only~~
21 ~~if: (a) The project as defined in the notes to the budget document is~~
22 ~~substantially complete and there are funds remaining; or (b) bids have~~
23 ~~been let on a project and it appears to a substantial certainty that~~
24 ~~the project as defined in the notes to the budget document can be~~
25 ~~completed within the biennium for less than the amount appropriated in~~
26 ~~this act.~~

27 ~~(3))~~, based on the authorized scope, to the risk pool in section
28 1021.

29 (2) For the purposes of this section, the intent is that each
30 project be defined as proposed to the legislature in the governor's
31 budget document, unless it clearly appears from the legislative history
32 that the legislature intended to define the scope of a project in a
33 different way.

34 ~~((4) Transfers of funds to an agency's infrastructure savings~~
35 ~~appropriation are subject to review and approval by the office of~~
36 ~~financial management. Expenditures from an infrastructure savings~~
37 ~~appropriation are limited to projects that have a primary purpose to~~

1 ~~correct infrastructure deficiencies or conditions that: (a) Adversely~~
2 ~~affect the ability to utilize the infrastructure for its current~~
3 ~~programmatic use; (b) reduce the life expectancy of the infrastructure;~~
4 ~~or (c) increase the operating costs of the infrastructure for its~~
5 ~~current programmatic use. Eligible infrastructure projects may include~~
6 ~~structures and surface improvements, site amenities, utility systems~~
7 ~~outside building footprints and natural environmental changes or~~
8 ~~requirements as part of an environmental regulation, a declaration of~~
9 ~~emergency for an infrastructure issue in conformance with RCW~~
10 ~~43.88.250, or infrastructure planning as part of a facility master~~
11 ~~plan.~~

12 ~~(5) A report of any transfer effected under this section, except~~
13 ~~emergency projects or any transfer under \$250,000, shall be filed with~~
14 ~~the legislative fiscal committees of the senate and house of~~
15 ~~representatives by the office of financial management at least thirty~~
16 ~~days before the date the transfer is effected. The office of financial~~
17 ~~management shall report all emergency or smaller transfers within~~
18 ~~thirty days from the date of transfer.))~~

19 (3) The office of financial management shall not allot any portion
20 of a capital budget appropriation for: (a) Contingencies above the
21 amount required for completion of a project as described in budget
22 documents submitted as part of the governor's capital budget request or
23 consistent with legislative history; (b) proposed alternates submitted
24 in bid documents if agencies cannot document a programmatic need and an
25 operational budget savings resulting from the completion of the
26 alternate project component that would pay for the cost of the
27 alternate within eight years; or (c) for any equipment costs or project
28 scope beyond what was described in the budget documents submitted as
29 part of the governor's capital budget request.

30 (4) The office of financial management shall submit a monthly
31 report of approved allotments, subject to this section, by project.
32 The report shall include the accepted base bid and any approved
33 alternates with the analysis demonstrating sufficient operational
34 budget savings.

35 **Sec. 6013.** RCW 90.71.370 and 2009 c 479 s 74 are each amended to
36 read as follows:

37 (1) By December 1, 2008, and by September 1st of each even-numbered

1 year beginning in 2010, the council shall provide to the governor and
2 the appropriate fiscal committees of the senate and house of
3 representatives its recommendations for the funding necessary to
4 implement the action agenda in the succeeding biennium. The
5 recommendations shall:

- 6 (a) Identify the funding needed by action agenda element;
- 7 (b) Address funding responsibilities among local, state, and
8 federal governments, as well as nongovernmental funding; and
- 9 (c) Address funding needed to support the work of the partnership,
10 the panel, the ecosystem work group, and entities assisting in
11 coordinating local efforts to implement the plan.

12 (2) In the 2008 report required under subsection (1) of this
13 section, the council shall include recommendations for projected
14 funding needed through 2020 to implement the action agenda; funding
15 needs for science panel staff; identify methods to secure stable and
16 sufficient funding to meet these needs; and include proposals for new
17 sources of funding to be dedicated to Puget Sound protection and
18 recovery. In preparing the science panel staffing proposal, the
19 council shall consult with the panel.

20 (3) By November 1st of each odd-numbered year beginning in 2009,
21 the council shall produce a state of the Sound report that includes, at
22 a minimum:

- 23 (a) An assessment of progress by state and nonstate entities in
24 implementing the action agenda, including accomplishments in the use of
25 state funds for action agenda implementation;
- 26 (b) A description of actions by implementing entities that are
27 inconsistent with the action agenda and steps taken to remedy the
28 inconsistency;
- 29 (c) The comments by the panel on progress in implementing the plan,
30 as well as findings arising from the assessment and monitoring program;
- 31 (d) A review of citizen concerns provided to the partnership and
32 the disposition of those concerns;
- 33 (e) A review of the expenditures of funds to state agencies for the
34 implementation of programs affecting the protection and recovery of
35 Puget Sound, and an assessment of whether the use of the funds is
36 consistent with the action agenda; and
- 37 (f) An identification of all funds provided to the partnership, and

1 recommendations as to how future state expenditures for all entities,
2 including the partnership, could better match the priorities of the
3 action agenda.

4 (4)(a) The council shall review state programs that fund facilities
5 and activities that may contribute to action agenda implementation. By
6 November 1, 2009, the council shall provide initial recommendations
7 regarding program changes to the governor and appropriate fiscal and
8 policy committees of the senate and house of representatives. By
9 November 1, 2010, the council shall provide final recommendations
10 regarding program changes, including proposed legislation to implement
11 the recommendation, to the governor and appropriate fiscal and policy
12 committees of the senate and house of representatives.

13 (b) The review in this subsection shall be conducted with the
14 active assistance and collaboration of the agencies administering these
15 programs, and in consultation with local governments and other entities
16 receiving funding from these programs:

17 (i) Water pollution control facilities financing, chapter 70.146
18 RCW;

19 (ii) The water pollution control revolving fund, chapter 90.50A
20 RCW;

21 (iii) The public works assistance account, chapter 43.155 RCW;

22 (iv) The aquatic lands enhancement account, RCW 79.105.150;

23 (v) The state toxics control account and local toxics control
24 account and clean-up program, chapter 70.105D RCW;

25 (vi) The acquisition of habitat conservation and outdoor recreation
26 land, chapter 79A.15 RCW;

27 (vii) The salmon recovery funding board, RCW 77.85.110 through
28 77.85.150;

29 (viii) The community economic revitalization board, chapter 43.160
30 RCW;

31 (ix) Other state financial assistance to water quality-related
32 projects and activities; and

33 (x) Water quality financial assistance from federal programs
34 administered through state programs or provided directly to local
35 governments in the Puget Sound basin.

36 (c) The council's review shall include but not be limited to:

37 (i) Determining the level of funding and types of projects and

1 activities funded through the programs that contribute to
2 implementation of the action agenda;

3 (ii) Evaluating the procedures and criteria in each program for
4 determining which projects and activities to fund, and their
5 relationship to the goals and priorities of the action agenda;

6 (iii) Assessing methods for ensuring that the goals and priorities
7 of the action agenda are given priority when program funding decisions
8 are made regarding water quality-related projects and activities in the
9 Puget Sound basin and habitat-related projects and activities in the
10 Puget Sound basin;

11 (iv) Modifying funding criteria so that projects, programs, and
12 activities that are inconsistent with the action agenda are ineligible
13 for funding;

14 (v) Assessing ways to incorporate a strategic funding approach for
15 the action agenda within the outcome-focused performance measures
16 required by RCW 43.41.270 in administering natural resource-related and
17 environmentally based grant and loan programs.

18 (5) During the 2009-11 fiscal biennium, the council's review must
19 result in a ranking of projects affecting the protection and recovery
20 of the Puget Sound basin that are proposed in the governor's capital
21 budget submitted under RCW 43.88.060. The ranking shall include
22 recommendations for reallocation of total requested funds for Puget
23 Sound basin projects to achieve the greatest positive outcomes for
24 protection and recovery of Puget Sound and shall be submitted to the
25 appropriate fiscal committees of the legislature no later than February
26 1, 2011.

27 **Sec. 6014.** RCW 39.10.210 and 2007 c 494 s 101 are each amended to
28 read as follows:

29 Unless the context clearly requires otherwise, the definitions in
30 this section apply throughout this chapter.

31 (1) "Alternative public works contracting procedure" means the
32 design-build, general contractor/construction manager, and job order
33 contracting procedures authorized in RCW 39.10.300, 39.10.340, and
34 39.10.420, respectively.

35 (2) "Board" means the capital projects advisory review board.

36 (3) "Committee" means the project review committee.

1 (4) "Design-build procedure" means a contract between a public body
2 and another party in which the party agrees to both design and build
3 the facility, portion of the facility, or other item specified in the
4 contract.

5 (5) "Total contract cost" means the fixed amount for the detailed
6 specified general conditions work, the negotiated maximum allowable
7 construction cost, and the percent fee on the negotiated maximum
8 allowable construction cost.

9 (6) "General contractor/construction manager" means a firm with
10 which a public body has selected and negotiated a maximum allowable
11 construction cost to provide services during the design phase and to
12 act as construction manager and general contractor during the
13 construction phase.

14 (7) "Job order contract" means a contract in which the contractor
15 agrees to a fixed period, indefinite quantity delivery order contract
16 which provides for the use of negotiated, definitive work orders for
17 public works as defined in RCW 39.04.010.

18 (8) "Job order contractor" means a registered or licensed
19 contractor awarded a job order contract.

20 (9) "Maximum allowable construction cost" means the maximum cost of
21 the work to construct the project including a percentage for risk
22 contingency, negotiated support services, and approved change orders.

23 (10) "Negotiated support services" means items a general contractor
24 would normally manage or perform on a construction project including,
25 but not limited to surveying, hoisting, safety enforcement, provision
26 of toilet facilities, temporary heat, cleanup, and trash removal.

27 (11) "Percent fee" means the percentage amount to be earned by the
28 general contractor/construction manager as overhead and profit.

29 (12) "Public body" means any general or special purpose government,
30 including but not limited to state agencies, institutions of higher
31 education, counties, cities, towns, ports, school districts, and
32 special purpose districts, provided that for the 2009-2011 fiscal
33 biennium, the definition of public body for this chapter does not
34 include public bodies funded in section 1012 of this act if alternative
35 requirements or procedures of federal law or regulations are
36 authorized.

37 (13) "Certified public body" means a public body certified to use

1 design-build or general contractor/construction manager contracting
2 procedures, or both, under RCW 39.10.270.

3 (14) "Public works project" means any work for a public body within
4 the definition of "public work" in RCW 39.04.010.

5 (15) "Total project cost" means the cost of the project less
6 financing and land acquisition costs.

7 (16) "Unit price book" means a book containing specific prices,
8 based on generally accepted industry standards and information, where
9 available, for various items of work to be performed by the job order
10 contractor. The prices may include: All the costs of materials;
11 labor; equipment; overhead, including bonding costs; and profit for
12 performing the items of work. The unit prices for labor must be at the
13 rates in effect at the time the individual work order is issued.

14 (17) "Work order" means an order issued for a definite scope of
15 work to be performed pursuant to a job order contract.

16 **Sec. 6015.** RCW 39.94.040 and 2003 c 6 s 2 are each amended to read
17 as follows:

18 (1) Except as provided in RCW 28B.10.022, the state may not enter
19 into any financing contract for itself if the aggregate principal
20 amount payable thereunder is greater than an amount to be established
21 from time to time by the state finance committee or participate in a
22 program providing for the issuance of certificates of participation,
23 including any contract for credit enhancement, without the prior
24 approval of the state finance committee. Except as provided in RCW
25 28B.10.022, the state finance committee shall approve the form of all
26 financing contracts or a standard format for all financing contracts.
27 The state finance committee also may:

28 (a) Consolidate existing or potential financing contracts into
29 master financing contracts with respect to property acquired by one or
30 more agencies, departments, instrumentalities of the state, the state
31 board for community and technical colleges, or a state institution of
32 higher learning; or to be acquired by an other agency;

33 (b) Approve programs providing for the issuance of certificates of
34 participation in master financing contracts for the state or for other
35 agencies;

36 (c) Enter into agreements with trustees relating to master
37 financing contracts; and

1 (d) Make appropriate rules for the performance of its duties under
2 this chapter.

3 (2) In the performance of its duties under this chapter, the state
4 finance committee may consult with representatives from the department
5 of general administration, the office of financial management, and the
6 department of information services.

7 (3) With the approval of the state finance committee, the state
8 also may enter into agreements with trustees relating to financing
9 contracts and the issuance of certificates of participation.

10 (4) Except for financing contracts for real property used for the
11 purposes described under chapter 28B.140 RCW, the state may not enter
12 into any financing contract for real property of the state without
13 prior approval of the legislature. For the purposes of this
14 requirement, a financing contract must be treated as used for real
15 property if it is being entered into by the state for the acquisition
16 of land; the acquisition of an existing building; the construction of
17 a new building; or a major remodeling, renovation, rehabilitation, or
18 rebuilding of an existing building. Prior approval of the legislature
19 is not required under this chapter for a financing contract entered
20 into by the state under this chapter for energy conservation
21 improvements to existing buildings where such improvements include:
22 (a) Fixtures and equipment that are not part of a major remodeling,
23 renovation, rehabilitation, or rebuilding of the building, or (b) other
24 improvements to the building that are being performed for the primary
25 purpose of energy conservation. Such energy conservation improvements
26 must be determined eligible for financing under this chapter by the
27 office of financial management in accordance with financing guidelines
28 established by the state treasurer, and are to be treated as personal
29 property for the purposes of this chapter.

30 (5) The state may not enter into any financing contract on behalf
31 of an other agency without the approval of such a financing contract by
32 the governing body of the other agency.

33 NEW SECTION. Sec. 6016. The following acts or parts of acts are
34 each repealed:

35 (1) 2009 c 497 s 1089 (uncodified);

36 (2) 2009 c 497 s 2030 (uncodified);

37 (3) 2009 c 497 s 2079 (uncodified);

- 1 (4) 2009 c 497 s 3098 (uncodified);
- 2 (5) 2009 c 497 s 4009 (uncodified);
- 3 (6) 2009 c 497 s 5043 (uncodified);
- 4 (7) 2009 c 497 s 5059 (uncodified);
- 5 (8) 2009 c 497 s 5072 (uncodified);
- 6 (9) 2009 c 497 s 5084 (uncodified);
- 7 (10) 2009 c 497 s 5098 (uncodified);
- 8 (11) 2009 c 497 s 5112 (uncodified); and
- 9 (12) RCW 39.86.200 (Ratification) and 1987 c 297 s 11.

10 NEW SECTION. **Sec. 6017.** If any provision of this act or its
11 application to any person or circumstance is held invalid, the
12 remainder of the act or the application of the provision to other
13 persons or circumstances is not affected.

14 NEW SECTION. **Sec. 6018.** This act is necessary for the immediate
15 preservation of the public peace, health, or safety, or support of the
16 state government and its existing public institutions, and takes effect
17 immediately.

(End of bill)

INDEX	PAGE #
CENTRAL WASHINGTON UNIVERSITY	83
COMMUNITY AND TECHNICAL COLLEGE SYSTEM	91, 92
CRIMINAL JUSTICE TRAINING COMMISSION	34
DEBT AFFORDABILITY STUDY	111
DEPARTMENT OF COMMERCE	17
DEPARTMENT OF CORRECTIONS	38
DEPARTMENT OF ECOLOGY	42
DEPARTMENT OF FISH AND WILDLIFE	55
DEPARTMENT OF GENERAL ADMINISTRATION	28
ENERGY SAVINGS PERFORMANCE CONTRACTING	110
DEPARTMENT OF HEALTH	36
DEPARTMENT OF LABOR AND INDUSTRIES	35
DEPARTMENT OF NATURAL RESOURCES	59, 60
DEPARTMENT OF SOCIAL AND HEALTH SERVICES	35
DEPARTMENT OF VETERANS AFFAIRS	37
EASTERN WASHINGTON UNIVERSITY	82
MILITARY DEPARTMENT	31
OFFICE OF FINANCIAL MANAGEMENT	22, 110
RECREATION AND CONSERVATION FUNDING BOARD	54
SPOKANE COMMUNITY COLLEGE	111
STATE PARKS AND RECREATION COMMISSION	50
SUPERINTENDENT OF PUBLIC INSTRUCTION	69
THE EVERGREEN STATE COLLEGE	84
UNIVERSITY OF WASHINGTON	74
WASHINGTON STATE CENTER FOR CHILDHOOD DEAFNESS AND HEARING LOSS	74
WASHINGTON STATE DEPARTMENT OF TRANSPORTATION	67
WASHINGTON STATE HISTORICAL SOCIETY	87
WASHINGTON STATE PATROL	68
WASHINGTON STATE UNIVERSITY	79, 80
WESTERN WASHINGTON UNIVERSITY	86"

ADOPTED 04/12/2010

1 On page 1, line 2 of the title, after "improvements;" strike the
2 remainder of the title and insert "amending RCW 43.155.050, 28B.20.725,
3 28B.30.750, 43.160.080, 90.71.370, 39.10.210, and 39.94.040; amending
4 2009 c 497 ss 1005, 1013, 1029, 1019, 1023, 1030, 1031, 1034, 1035,
5 1039, 1040, 1045, 1046, 1048, 1054, 1055, 1065, 1071, 1075, 1060, 1061,
6 1063, 1064, 1068, 1073, 1081, 1086, 1087, 2001, 2002, 2027, 2014, 2034,
7 2037, 2038, 2067, 2072, 2075, 2078, 2068, 2054, 2064, 3059, 3039, 3007,
8 3049, 3054, 3060, 3020, 3052, 3093, 3094, 3090, 3091, 3085, 3109, 3133,
9 3138, 3157, 3168, 3169, 3172, 3178, 3182, 3197, 3203, 4008, 5007, 5008,
10 5009, 5002, 5013, 5014, 5011, 5027, 5029, 5024, 5023, 5026, 5028, 5037,
11 5030, 5041, 5035, 5039, 5055, 5047, 5054, 5056, 5057, 5064, 5061, 5065,
12 5068, 5079, 5080, 5083, 5092, 5094, 5093, 5097, 5104, 5100, 5111, 5115,
13 5116, 5118, 5120, 5174, 5176, 5127, 5180, 5171, 5182, 5210, 5183, 5184,
14 5217, 5218, 5219, 5220, 5204, 5205, 5206, 5208, 5165, 5177, 5178, 5191,
15 5151, 5181, 5190, 5192, 5168, 5135, 5195, 5223, 5179, 5213, 5164, 5224,
16 5143, 5167, 6009, and 6004 (uncodified); amending 2008 c 5 s 1
17 (uncodified); adding new sections to 2009 c 497 (uncodified); creating
18 a new section; repealing RCW 39.86.200; repealing 2009 c 497 ss 1089,
19 2030, 2079, 3098, 4009, 5043, 5059, 5072, 5084, 5098, and 5112
20 (uncodified); and declaring an emergency."

--- END ---