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**SUBSTITUTE SENATE BILL 5407**

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**State of Washington**

**61st Legislature**

**2009 Regular Session**

**By Senate Ways & Means (originally sponsored by Senators Tom and Zarelli; by request of Governor Gregoire)**

READ FIRST TIME 04/16/09.

1       AN ACT Relating to fiscal matters; amending RCW 2.68.020,  
2 28B.50.837, 28B.67.030, 28B.76.565, 28B.76.610, 28B.105.110, 41.45.230,  
3 43.30.305, 43.72.900, 43.200.080, 44.04.120, 71.24.310, 79.105.150,  
4 82.14.495, and 90.56.500; amending 2009 c 4 ss 101, 102, 110, 112, 118,  
5 124, 128, 129, 134, 135, 143, 145, 148, 151, 201, 202, 203, 204, 205,  
6 206, 207, 208, 209, 210, 212, 213, 214, 215, 216, 217, 219, 221, 222,  
7 223, 225, 301, 302, 303, 307, 308, 311, 402, 501, 502, 504, 505, 506,  
8 603, 606, 609, 610, 613, 614, 615, 616, 801, and 802 (uncodified);  
9 amending 2008 c 329 ss 139, 151, 201, 223, 504, 505, 506, 508, 509,  
10 510, 512, 701, 702, 703, 704, 705, 706, 707, and 714 (uncodified);  
11 amending 2007 c 522 ss 712, 802, 803, and 804 (uncodified); reenacting  
12 and amending RCW 43.135.045 and 70.105D.070; adding new sections to  
13 2007 c 522 (uncodified); making appropriations; and declaring an  
14 emergency.

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

16

**PART I**

17

**GENERAL GOVERNMENT**

1       **Sec. 101.**   2009 c 4 s 101 (uncodified) is amended to read as  
2 follows:

3       **FOR THE HOUSE OF REPRESENTATIVES**

|    |   |                           |
|----|---|---------------------------|
| 4  | General Fund--State Appropriation (FY 2008) . . . . . | \$34,807,000              |
| 5  | General Fund--State Appropriation (FY 2009) . . . . . | <del>(\$35,053,000)</del> |
| 6  |   | <u>\$35,189,000</u>       |
| 7  | Pension Funding Stabilization Account                 |                           |
| 8  | Appropriation . . . . .                               | \$560,000                 |
| 9  | TOTAL APPROPRIATION . . . . .                         | <del>(\$70,420,000)</del> |
| 10 |   | <u>\$70,556,000</u>       |

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

13       (1) \$56,000 of the general fund--state appropriation for fiscal  
14 year 2008 is provided solely to implement Senate Bill No. 5926  
15 (construction industry). If the bill is not enacted by June 30, 2007,  
16 the amount provided in this subsection shall lapse.

17       (2) \$52,000 of the general fund--state appropriation for fiscal  
18 year 2009 is provided solely for the implementation of Third Substitute  
19 House Bill No. 1741 (oral history). If the bill is not enacted by June  
20 30, 2008, the amount provided in this subsection shall lapse.

21       (3) ~~(\$194,000 of the general fund--state appropriation for fiscal~~  
22 ~~year 2008 and \$194,000)~~ \$383,000 of the general fund--state  
23 appropriation for fiscal year 2009 ~~((are))~~ is provided solely for the  
24 legislature to contract for an independent economic and actuarial  
25 analysis of health care reform proposals pursuant to Engrossed  
26 Substitute Senate Bill No. 6333. The results of this evaluation will  
27 be submitted to the governor, the health and fiscal policy committees  
28 of the legislature, and the work group by December 15, 2008.

29       **Sec. 102.**   2009 c 4 s 102 (uncodified) is amended to read as  
30 follows:

31       **FOR THE SENATE**

|    |   |                           |
|----|---|---------------------------|
| 32 | General Fund--State Appropriation (FY 2008) . . . . . | \$26,990,000              |
| 33 | General Fund--State Appropriation (FY 2009) . . . . . | <del>(\$28,506,000)</del> |
| 34 |   | <u>\$28,374,000</u>       |
| 35 | Pension Funding Stabilization Account                 |                           |
| 36 | Appropriation . . . . .                               | \$467,000                 |
| 37 | TOTAL APPROPRIATION . . . . .                         | <del>(\$55,963,000)</del> |

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

(1) \$56,000 of the general fund--state appropriation for fiscal year 2008 is provided solely to implement Senate Bill No. 5926 (construction industry). If the bill is not enacted by June 30, 2007, the amount provided in this subsection shall lapse.

(2) \$52,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the implementation of Third Substitute House Bill No. 1741 (oral history). If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(3) \$194,000 of the general fund--state appropriation for fiscal year 2008 and \$194,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the legislature to contract for an independent economic and actuarial analysis of health care reform proposals pursuant to Engrossed Substitute Senate Bill No. 6333. The results of this evaluation will be submitted to the governor, the health and fiscal policy committees of the legislature, and the work group by December 15, 2008.

Sec. 103. 2009 c 4 s 110 (uncodified) is amended to read as follows:

**FOR THE COURT OF APPEALS**

|   |                           |
|---|---------------------------|
| General Fund--State Appropriation (FY 2008) . . . . . | \$16,092,000              |
| General Fund--State Appropriation (FY 2009) . . . . . | <del>(\$16,765,000)</del> |
|   | <u>\$16,813,000</u>       |
| TOTAL APPROPRIATION . . . . .                         | <del>(\$32,857,000)</del> |
|   | <u>\$32,905,000</u>       |

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

(1) \$100,000 of the general fund--state appropriation for fiscal year 2008 and \$100,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for chapter 34, Laws of 2007 (Senate Bill No. 5351, court of appeals judges' travel).

(2) In addition to other reductions, the reduced appropriations in this section reflect an additional \$376,000 reduction in administrative costs required by Engrossed Substitute Senate Bill No. 5460 (reducing state government administrative costs). These administrative

1 reductions shall be achieved, to the greatest extent possible, by  
2 reducing those administrative costs that do not affect direct client  
3 services or direct service delivery or programs.

4 **Sec. 104.** 2009 c 4 s 112 (uncodified) is amended to read as  
5 follows:

6 **FOR THE ADMINISTRATOR FOR THE COURTS**

|    |  |                            |
|----|--|----------------------------|
| 7  | General Fund--State Appropriation (FY 2008) . . . . .      | \$30,659,000               |
| 8  | General Fund--State Appropriation (FY 2009) . . . . .      | <del>(\$33,239,000)</del>  |
| 9  |  | <u>\$33,294,000</u>        |
| 10 | Public Safety and Education Account--State                 |                            |
| 11 | Appropriation (FY 2008) . . . . .                          | \$22,558,000               |
| 12 | Public Safety and Education Account--State                 |                            |
| 13 | Appropriation (FY 2009) . . . . .                          | <del>(\$23,694,000)</del>  |
| 14 |  | <u>\$23,713,000</u>        |
| 15 | Equal Justice Subaccount of the Public Safety and          |                            |
| 16 | Education Account--State Appropriation (FY 2008) . . . . . | \$3,175,000                |
| 17 | Equal Justice Subaccount of the Public Safety and          |                            |
| 18 | Education Account--State Appropriation (FY 2009) . . . . . | \$3,175,000                |
| 19 | Judicial Information Systems Account--State                |                            |
| 20 | Appropriation . . . . .                                    | \$40,923,000               |
| 21 | TOTAL APPROPRIATION . . . . .                              | <del>(\$157,423,000)</del> |
| 22 |  | <u>\$157,497,000</u>       |

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

25 (1) \$3,900,000 of the general fund--state appropriation for fiscal  
26 year 2008 and \$3,900,000 of the general fund--state appropriation for  
27 fiscal year 2009 are provided solely for court-appointed special  
28 advocates in dependency matters. The administrator for the courts,  
29 after consulting with the association of juvenile court administrators  
30 and the association of court-appointed special advocate/guardian ad  
31 litem programs, shall distribute the funds to volunteer court-appointed  
32 special advocate/guardian ad litem programs. The distribution of  
33 funding shall be based on the number of children who need volunteer  
34 court-appointed special advocate representation and shall be equally  
35 accessible to all volunteer court-appointed special advocate/guardian  
36 ad litem programs. The administrator for the courts shall not retain  
37 more than six percent of total funding to cover administrative or any

1 other agency costs. Funding distributed in this subsection shall not  
2 be used to supplant existing local funding for the court-appointed  
3 special advocates program.

4 (2) \$300,000 of the general fund--state appropriation for fiscal  
5 year 2008, \$300,000 of the general fund--state appropriation for fiscal  
6 year 2009, \$1,500,000 of the public safety and education account--state  
7 appropriation for fiscal year 2008, and \$1,500,000 of the public safety  
8 and education account--state appropriation for fiscal year 2009 are  
9 provided solely for school districts for petitions to juvenile court  
10 for truant students as provided in RCW 28A.225.030 and 28A.225.035.  
11 The office of the administrator for the courts shall develop an  
12 interagency agreement with the superintendent of public instruction to  
13 allocate the funding provided in this subsection. Allocation of this  
14 money to school districts shall be based on the number of petitions  
15 filed. This funding includes amounts school districts may expend on  
16 the cost of serving petitions filed under RCW 28A.225.030 by certified  
17 mail or by personal service or for the performance of service of  
18 process for any hearing associated with RCW 28A.225.030.

19 (3)(a) \$1,640,000 of the general fund--state appropriation for  
20 fiscal year 2008, \$1,641,000 of the general fund--state appropriation  
21 for fiscal year 2009, \$6,612,000 of the public safety and education  
22 account--state appropriation for fiscal year 2008, and \$6,612,000 of  
23 the public safety and education account--state appropriation for fiscal  
24 year 2009 are provided solely for distribution to county juvenile court  
25 administrators to fund the costs of processing truancy, children in  
26 need of services, and at-risk youth petitions. The administrator for  
27 the courts, in conjunction with the juvenile court administrators,  
28 shall develop an equitable funding distribution formula. The formula  
29 shall neither reward counties with higher than average per-petition  
30 processing costs nor shall it penalize counties with lower than average  
31 per-petition processing costs.

32 (b) Each fiscal year during the 2007-09 fiscal biennium, each  
33 county shall report the number of petitions processed and the total  
34 actual costs of processing truancy, children in need of services, and  
35 at-risk youth petitions. Counties shall submit the reports to the  
36 administrator for the courts no later than 45 days after the end of the  
37 fiscal year. The administrator for the courts shall electronically  
38 transmit this information to the chairs and ranking minority members of

1 the house of representatives appropriations committee and the senate  
2 ways and means committee no later than 60 days after a fiscal year  
3 ends. These reports are deemed informational in nature and are not for  
4 the purpose of distributing funds.

5 (4) The distributions made under this subsection and distributions  
6 from the county criminal justice assistance account made pursuant to  
7 section 801 of this act constitute appropriate reimbursement for costs  
8 for any new programs or increased level of service for purposes of RCW  
9 43.135.060.

10 (5) \$325,000 of the general fund--state appropriation for fiscal  
11 year 2008 is provided solely for the completion of the juror pay pilot  
12 and research project.

13 (6) \$830,000 of the general fund--state appropriation for fiscal  
14 year 2008 and \$1,170,000 of the general fund--state appropriation for  
15 fiscal year 2009 are provided solely for improving interpreter services  
16 at the trial court level.

17 (a) Of these amounts, \$170,000 for fiscal year 2008 and \$170,000  
18 for fiscal year 2009 are provided solely to assist trial courts in  
19 developing and implementing language assistance plans. The  
20 administrator of the courts, in consultation with the interpreter  
21 commission, shall adopt language assistance plan standards consistent  
22 with chapters 2.42 and 2.43 RCW. The standards shall include  
23 guidelines on local community input, provisions on notifying court  
24 users on the right and methods to obtain an interpreter, information on  
25 training for judges and court personnel, procedures for identifying and  
26 appointing an interpreter, access to translations of commonly used  
27 forms, and processes to evaluate the development and implementation of  
28 the plan.

29 (b) Of these amounts, \$610,000 for fiscal year 2008 and \$950,000  
30 for fiscal year 2009 are provided solely to assist trial courts with  
31 interpreter services. In order to be eligible for assistance, a trial  
32 court must have completed a language assistance plan consistent with  
33 the standards established in (a) of this subsection that is approved by  
34 the administrator of the courts and submit the amounts spent annually  
35 on interpreter services for fiscal years 2005, 2006, and 2007. The  
36 funding in this subsection (b) shall not be used to supplant existing  
37 funding and cannot be used for any purpose other than assisting trial

1 courts with interpreter services. At the end of the fiscal year,  
2 recipients shall report to the administrator of the court the amount  
3 the trial court spent on interpreter services.

4 (c) \$50,000 for fiscal year 2008 and \$50,000 for fiscal year 2009  
5 are provided solely to the administrator of the courts for  
6 administration of this subsection. By December 1, 2009, the  
7 administrator of the courts shall report to the appropriate policy and  
8 fiscal committees of the legislature: (i) The number of trial courts  
9 in the state that have completed a language assistance plan; (ii) the  
10 number of trial courts in the state that have not completed a language  
11 assistance plan; (iii) the number of trial courts in the state that  
12 received assistance under this subsection, the amount of the  
13 assistance, and the amount each trial court spent on interpreter  
14 services for fiscal years 2005 through 2008 and fiscal year 2009 to  
15 date.

16 (7) \$443,000 of the general fund--state appropriation for fiscal  
17 year 2008 and \$543,000 of the general fund--state appropriation for  
18 fiscal year 2009 are provided solely for the implementation of Second  
19 Substitute Senate Bill No. 5470 (dissolution proceedings). If the bill  
20 is not enacted by June 30, 2007, the amounts provided in this  
21 subsection shall lapse. Within the amounts provided:

22 (a) \$100,000 of the general fund--state appropriation for fiscal  
23 year 2009 is provided solely for developing training materials for the  
24 family court liaisons.

25 (b) \$43,000 of the general fund--state appropriation for fiscal  
26 year 2008 and \$43,000 of the general fund--state appropriation for  
27 fiscal year 2009 are provided solely for reimbursement costs related to  
28 the family law handbook;

29 (c) \$350,000 of the general fund--state appropriation for fiscal  
30 year 2008 and \$350,000 of the general fund--state appropriation for  
31 fiscal year 2009 are provided solely for distribution to counties to  
32 provide guardian ad litem services for the indigent for a reduced or  
33 waived fee;

34 (d) \$50,000 of the general fund--state appropriation for fiscal  
35 year 2008 and \$50,000 of the general fund--state appropriation for  
36 fiscal year 2009 are provided solely for implementing the data tracking  
37 provisions specified in sections 701 and 702 of Second Substitute  
38 Senate Bill No. 5470 (dissolution).

1 (8)(a) \$20,458,000 of the judicial information systems account--  
2 state appropriation is provided solely for the development and  
3 implementation of the core case management system. In expending the  
4 funds provided within this subsection, the following conditions must  
5 first be satisfied before any subsequent funds may be expended:

6 (i) Completion of feasibility studies detailing linkages between  
7 the objectives of the core case management system and the following:  
8 The technology efforts required and the impacts of the new investments  
9 on existing infrastructure and business functions, including the  
10 estimated fiscal impacts to the judicial information systems account  
11 and the near general fund accounts; the alignment of critical system  
12 requirements of varying size courts at the municipal, district, and  
13 superior court level with their respective proposed business processes  
14 resulting from business process engineering, and detail on the costs  
15 and other impacts to the courts for providing critical business  
16 requirements not addressed by new common business processes; the  
17 specific requirements and business process needs of state agencies  
18 dependent on data exchange with the judicial information system; and  
19 the results from a proof of implementation phase; and

20 (ii) Discussion with and presentation to the department of  
21 information systems and the information services board regarding the  
22 impact on the state agencies dependent on successful data exchange with  
23 the judicial information system and the results of the feasibility  
24 studies.

25 (b) The judicial information systems committee shall provide  
26 quarterly updates to the appropriate committees of the legislature and  
27 the department of information systems on the status of implementation  
28 of the core case management system.

29 (c) The legislature respectfully requests the judicial information  
30 systems committee invite representatives from the state agencies  
31 dependent on successful data exchange to their regular meetings for  
32 consultation as nonvoting members.

33 (9) \$534,000 of the general fund--state appropriation for fiscal  
34 year 2008 and \$949,000 of the general fund--state appropriation for  
35 fiscal year 2009 are provided solely for Substitute Senate Bill No.  
36 5320 (public guardianship office). If the bill is not enacted by June  
37 30, 2007, the amounts provided in this subsection shall lapse.



1 (10) \$29,000 of the general fund--state appropriation for fiscal  
2 year 2008 and \$102,000 of the general fund--state appropriation for  
3 fiscal year 2009 are provided solely for the twenty-third superior  
4 court judge position in Pierce county. The funds appropriated in this  
5 subsection shall be expended only if the judge is appointed and serving  
6 on the bench.

7 (11) \$800,000 of the general fund--state appropriation for fiscal  
8 year 2009 is provided solely to implement Second Substitute House Bill  
9 No. 2822 (family and juvenile court). If the bill is not enacted by  
10 June 30, 2008, the amount provided in this subsection shall lapse.

11 (12) \$90,000 of the general fund--state appropriation for fiscal  
12 year 2009 is provided solely to implement Second Substitute House Bill  
13 No. 2903 (access coordinator). If the bill is not enacted by June 30,  
14 2008, the amount provided in this subsection shall lapse.

15 (13) In addition to other reductions, the reduced appropriations in  
16 this section reflect an additional \$207,000 reduction in administrative  
17 costs required by Engrossed Substitute Senate Bill No. 5460 (reducing  
18 state government administrative costs). These administrative  
19 reductions shall be achieved, to the greatest extent possible, by  
20 reducing those administrative costs that do not affect direct client  
21 services or direct service delivery or programs.

22 (14) \$55,000 of the general fund--state appropriation for fiscal  
23 year 2009 is provided solely for the fifty-third superior court judge  
24 position in King county. The funds appropriated in this subsection  
25 shall be expended only if the judge is appointed and serving on the  
26 bench.

27 **Sec. 105.** 2009 c 4 s 118 (uncodified) is amended to read as  
28 follows:

29 **FOR THE SECRETARY OF STATE**

|    |   |                           |
|----|---|---------------------------|
| 30 | General Fund--State Appropriation (FY 2008) . . . . . | \$33,863,000              |
| 31 | General Fund--State Appropriation (FY 2009) . . . . . | <del>(\$20,782,000)</del> |
| 32 |   | <u>\$21,205,000</u>       |
| 33 | General Fund--Federal Appropriation . . . . .         | \$7,279,000               |
| 34 | General Fund--Private/Local Appropriation . . . . .   | \$132,000                 |
| 35 | Archives and Records Management Account--State        |                           |
| 36 | Appropriation . . . . .                               | <del>(\$8,337,000)</del>  |
| 37 |   | <u>\$8,442,000</u>        |

|    |  |                                |
|----|--|--------------------------------|
| 1  | Department of Personnel Service Account--State         |                                |
| 2  | Appropriation . . . . .                                | \$760,000                      |
| 3  | Local Government Archives Account--State               |                                |
| 4  | Appropriation . . . . .                                | \$15,342,000                   |
| 5  | <u>Election Account--State Appropriation . . . . .</u> | <u>\$228,000</u>               |
| 6  | Election Account--Federal Appropriation . . . . .      | \$31,511,000                   |
| 7  | Charitable Organization Education Account--State       |                                |
| 8  | Appropriation . . . . .                                | \$122,000                      |
| 9  | TOTAL APPROPRIATION . . . . .                          | (( <del>\$118,128,000</del> )) |
| 10 |  | <u>\$118,884,000</u>           |

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

13       (1) \$13,290,000 of the general fund--state appropriation for fiscal  
14 year 2008 is provided solely to reimburse counties for the state's  
15 share of primary and general election costs and the costs of conducting  
16 mandatory recounts on state measures. Counties shall be reimbursed  
17 only for those odd-year election costs that the secretary of state  
18 validates as eligible for reimbursement.

19       (2) \$2,556,000 of the general fund--state appropriation for fiscal  
20 year 2008 and \$3,965,000 of the general fund--state appropriation for  
21 fiscal year 2009 are provided solely for the verification of initiative  
22 and referendum petitions, maintenance of related voter registration  
23 records, and the publication and distribution of the voters and  
24 candidates pamphlet.

25       (3) \$125,000 of the general fund--state appropriation for fiscal  
26 year 2008 and \$118,000 of the general fund--state appropriation for  
27 fiscal year 2009 are provided solely for legal advertising of state  
28 measures under RCW 29A.52.330.

29       (4)(a) \$2,465,000 of the general fund--state appropriation for  
30 fiscal year 2008 and \$2,501,000 of the general fund--state  
31 appropriation for fiscal year 2009 are provided solely for contracting  
32 with a nonprofit organization to produce gavel-to-gavel television  
33 coverage of state government deliberations and other events of  
34 statewide significance during the 2007-09 biennium. The funding level  
35 for each year of the contract shall be based on the amount provided in  
36 this subsection. The nonprofit organization shall be required to raise  
37 contributions or commitments to make contributions, in cash or in kind,

1 in an amount equal to forty percent of the state contribution. The  
2 office of the secretary of state may make full or partial payment once  
3 all criteria in this subsection have been satisfactorily documented.

4 (b) The legislature finds that the commitment of on-going funding  
5 is necessary to ensure continuous, autonomous, and independent coverage  
6 of public affairs. For that purpose, the secretary of state shall  
7 enter into a contract with the nonprofit organization to provide public  
8 affairs coverage.

9 (c) The nonprofit organization shall prepare an annual independent  
10 audit, an annual financial statement, and an annual report, including  
11 benchmarks that measure the success of the nonprofit organization in  
12 meeting the intent of the program.

13 (d) No portion of any amounts disbursed pursuant to this subsection  
14 may be used, directly or indirectly, for any of the following purposes:

15 (i) Attempting to influence the passage or defeat of any  
16 legislation by the legislature of the state of Washington, by any  
17 county, city, town, or other political subdivision of the state of  
18 Washington, or by the congress, or the adoption or rejection of any  
19 rule, standard, rate, or other legislative enactment of any state  
20 agency;

21 (ii) Making contributions reportable under chapter 42.17 RCW; or

22 (iii) Providing any: (A) Gift; (B) honoraria; or (C) travel,  
23 lodging, meals, or entertainment to a public officer or employee.

24 (5) \$45,000 of the general fund--state appropriation for fiscal  
25 year 2008 and \$45,000 of the general fund--state appropriation for  
26 fiscal year 2009 are provided solely for humanities Washington's "we  
27 the people" community conversations program.

28 (6) \$575,000 of the general fund--state appropriation for fiscal  
29 year 2008 is provided solely for settlement costs and attorney fees  
30 resulting from the resolution of *Washington Association of Churches, et*  
31 *al. v. Reed*, United States District Court Western District of  
32 Washington at Seattle, Case No. CV06-0726RSM.

33 **Sec. 106.** 2009 c 4 s 124 (uncodified) is amended to read as  
34 follows:

35 **FOR THE ATTORNEY GENERAL**

|    |   |             |
|----|---|-------------|
| 36 | General Fund--State Appropriation (FY 2008) . . . . . | \$6,262,000 |
| 37 | General Fund--State Appropriation (FY 2009) . . . . . | \$5,541,000 |

|    |   |                                |
|----|---|--------------------------------|
| 1  | General Fund--Federal Appropriation . . . . . | \$3,960,000                    |
| 2  | Public Safety and Education Account--State    |                                |
| 3  | Appropriation (FY 2008) . . . . .             | \$1,143,000                    |
| 4  | Public Safety and Education Account--State    |                                |
| 5  | Appropriation (FY 2009) . . . . .             | \$1,228,000                    |
| 6  | New Motor Vehicle Arbitration Account--State  |                                |
| 7  | Appropriation . . . . .                       | \$1,312,000                    |
| 8  | Legal Services Revolving Account--State       |                                |
| 9  | Appropriation . . . . .                       | (( <del>\$229,579,000</del> )) |
| 10 |   | <u>\$231,391,000</u>           |
| 11 | Tobacco Prevention and Control Account--State |                                |
| 12 | Appropriation . . . . .                       | \$270,000                      |
| 13 | TOTAL APPROPRIATION . . . . .                 | (( <del>\$249,295,000</del> )) |
| 14 |   | <u>\$251,107,000</u>           |

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

17       (1) The attorney general shall report each fiscal year on actual  
18 legal services expenditures and actual attorney staffing levels for  
19 each agency receiving legal services. The report shall be submitted to  
20 the office of financial management and the fiscal committees of the  
21 senate and house of representatives no later than ninety days after the  
22 end of each fiscal year.

23       (2) Prior to entering into any negotiated settlement of a claim  
24 against the state that exceeds five million dollars, the attorney  
25 general shall notify the director of financial management and the  
26 chairs of the senate committee on ways and means and the house of  
27 representatives committee on appropriations.

28       (3) \$9,446,000 of the legal services revolving account--state  
29 appropriation is provided solely for increases in salaries and benefits  
30 of assistant attorneys general effective July 1, 2007. This funding is  
31 provided solely for increases to address critical recruitment and  
32 retention problems, and shall not be used for the performance  
33 management program or to fund general administration. The attorney  
34 general shall report to the office of financial management and the  
35 fiscal committees of the senate and house of representatives by October  
36 1, 2008, and provide detailed demographic information regarding  
37 assistant attorneys general who received increased salaries and  
38 benefits as a result of the appropriation. The report shall include at

1 a minimum information regarding the years of service, division  
2 assignment within the attorney general's office, and client agencies  
3 represented by assistant attorneys general receiving increased salaries  
4 and benefits as a result of the amount provided in this subsection.  
5 The report shall include a proposed salary schedule for all assistant  
6 attorneys general using the same factors used to determine increased  
7 salaries under this section. The report shall also provide initial  
8 findings regarding the effect of the increases on recruitment and  
9 retention of assistant attorneys general.

10 (4) \$69,000 of the legal services revolving fund--state  
11 appropriation is provided solely for Engrossed Substitute Senate Bill  
12 No. 6001 (climate change). If the bill is not enacted by June 30, 2007,  
13 the amount provided in this subsection shall lapse.

14 (5) \$44,000 of the legal services revolving fund--state  
15 appropriation is provided solely for Substitute Senate Bill No. 5972  
16 (surface mining reclamation). If the bill is not enacted by June 30,  
17 2007, the amount provided in this subsection shall lapse.

18 (6) \$110,000 of the legal services revolving account--state  
19 appropriation is provided solely for implementation of Second  
20 Substitute House Bill No. 3274 (port district contracting). If the  
21 bill is not enacted by June 30, 2008, the amount provided in this  
22 subsection shall lapse.

23 (7) \$346,000 of the legal services revolving account--state  
24 appropriation is provided solely for implementation of sections 2 and  
25 3 of Engrossed Second Substitute House Bill No. 3205 (child long-term  
26 well-being). If the bill is not enacted by June 30, 2008, the amount  
27 provided in this subsection shall lapse.

28 (8) \$492,000 of the legal services revolving account--state  
29 appropriation is provided solely for implementation of Second  
30 Substitute Senate Bill No. 6732 (construction industry). If the bill  
31 is not enacted by June 30, 2008, the amount provided in this subsection  
32 shall lapse.

33 (9) The agency shall submit a staffing model that supports the need  
34 for increased resources due to casework associated with the sexually  
35 violent predator population to the office of financial management and  
36 the fiscal committees of the legislature by October 31, 2008.

37 (10) The attorney general shall deposit to the health services  
38 account at least \$680,000 from the *cy pres* monetary portion of the

1 consent decree in settlement of the consumer protection act litigation  
2 against Caremark Rx, LLC (King county superior court cause no. 08-2-  
3 06098-5). These moneys shall be expended pursuant to legislative  
4 appropriation consistent with the terms of the consent decree.

5 **Sec. 107.** 2009 c 4 s 128 (uncodified) is amended to read as  
6 follows:

7 **FOR THE OFFICE OF FINANCIAL MANAGEMENT**

|    |   |                           |
|----|---|---------------------------|
| 8  | General Fund--State Appropriation (FY 2008) . . . . . | \$24,110,000              |
| 9  | General Fund--State Appropriation (FY 2009) . . . . . | <del>(\$33,485,000)</del> |
| 10 |   | <u>\$33,835,000</u>       |
| 11 | General Fund--Federal Appropriation . . . . .         | \$23,934,000              |
| 12 | General Fund--Private/Local Appropriation . . . . .   | \$1,269,000               |
| 13 | State Auditing Services Revolving Account--State      |                           |
| 14 | Appropriation . . . . .                               | \$25,000                  |
| 15 | Violence Reduction and Drug Enforcement Account--     |                           |
| 16 | State Appropriation (FY 2008) . . . . .               | \$123,000                 |
| 17 | Economic Development Strategic Reserve Account--      |                           |
| 18 | State Appropriation . . . . .                         | \$175,000                 |
| 19 | TOTAL APPROPRIATION . . . . .                         | <del>(\$83,121,000)</del> |
| 20 |   | <u>\$83,471,000</u>       |

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

23 (1) \$33,000 of the general fund--state appropriation for fiscal  
24 year 2008 and \$58,000 of the general fund--state appropriation for  
25 fiscal year 2009 are provided for a contract with the Ruckelshaus  
26 center to continue the agricultural pilot programs that identify  
27 projects to enhance farm income and improve natural resource  
28 protection. Specific work will include project outreach and  
29 refinement, stakeholder support, staffing the oversight committee,  
30 seeking federal and private match funding, and further refining the  
31 list of projects to be recommended for funding.

32 (2) \$155,000 of the general fund--state appropriation for fiscal  
33 year 2008 and \$254,000 of the general fund--state appropriation for  
34 fiscal year 2009 are provided for a contract with the Ruckelshaus  
35 center to fund "proof-of-concept" model and projects recommended by the  
36 oversight committee, as provided in subsection (1) of this section.

1 (3) \$580,000 of the general fund--state appropriation for fiscal  
2 year 2008 and \$505,000 of the general fund--state appropriation for  
3 fiscal year 2009 are provided solely to the association of Washington  
4 cities and the Washington state association of counties for improving  
5 project permitting and mitigation processes.

6 (4) \$320,000 of the general fund--state appropriation for fiscal  
7 year 2008 and \$270,000 of the general fund--state appropriation for  
8 fiscal year 2009 are provided solely for the office of regulatory  
9 assistance to develop statewide multiagency permits for transportation  
10 infrastructure and other projects that integrate local, state, and  
11 federal permit requirements and mitigation standards.

12 (5) \$1,050,000 of the general fund--state appropriation for fiscal  
13 year 2008 and \$1,050,000 of the general fund--state appropriation for  
14 fiscal year 2009 are provided solely to implement Second Substitute  
15 Senate Bill No. 5122 (regulatory assistance programs). If the bill is  
16 not enacted by June 30, 2007, the amounts provided in this subsection  
17 shall lapse.

18 (6) \$190,000 of the general fund--state appropriation for fiscal  
19 year 2008 and \$90,000 of the general fund--state appropriation for  
20 fiscal year 2009 are provided solely to implement chapter 139, Laws of  
21 2007 (student transportation funding) which requires development of two  
22 options for a new K-12 pupil transportation funding formula.

23 (7) \$175,000 of the general fund--state appropriation for fiscal  
24 year 2008 is provided solely for financial assistance to local  
25 government agencies in counties representing populations of fewer than  
26 350,000 residents for the acquisition and development of streamlined  
27 permitting technology infrastructure through an integrated business  
28 portal approach. Grant awards may not exceed \$100,000 per local  
29 government agency per fiscal year. The funding must be used to acquire  
30 and implement permit tracking systems that can support and are  
31 compatible with a multijurisdictional, integrated approach. Prior to  
32 granting funds, the office of regulatory assistance shall ensure that  
33 the proposed systems and technology are based on open-industry  
34 standards, allow for future integration of processes and sharing of  
35 data, and are extendable.

36 (8) \$474,000 of the general fund--state appropriation for fiscal  
37 year 2008 and \$331,000 of the general fund--state appropriation for  
38 fiscal year 2009 are provided solely for the implementation of sections

1 50 through 57 (health resources strategy) of Engrossed Second  
2 Substitute Senate Bill No. 5930 (blue ribbon commission on health  
3 care). If the bill is not enacted by June 2007, the amounts provided  
4 in this subsection shall lapse.

5 (9) \$300,000 of the general fund--state appropriation for fiscal  
6 year 2008 is provided solely to implement section 3 of Substitute  
7 Senate Bill No. 5248 (preserving the viability of agricultural lands).  
8 Funds are provided for a contract with the Ruckelshaus center to  
9 examine conflicts between agriculture activities and critical areas  
10 ordinances. If the bill is not enacted by June 30, 2007, the amounts  
11 provided in this subsection shall lapse.

12 (10) The education data center within the office of financial  
13 management may convene a work group to assess the feasibility, costs,  
14 and benefits of a higher education data system that uses privacy-  
15 protected student-level data.

16 (11) \$250,000 of the general fund--state appropriation for fiscal  
17 year 2008 is provided solely for the office of financial management to  
18 establish and provide staff support for the Washington citizens' work  
19 group on health care reform, pursuant to Engrossed Substitute Senate  
20 Bill No. 6333.

21 (12) \$11,372,000 of the general fund--state appropriation for  
22 fiscal year 2009 is provided solely for the development and  
23 implementation of the Washington assessment of student learning (WASL)  
24 and related activities and is in addition to the funding amounts  
25 provided in section 511 of this act. The funding provided in this  
26 subsection is subject to the following conditions and limitations: The  
27 office of financial management shall develop an interagency agreement  
28 with the office of the superintendent of public instruction for the  
29 expenditure of these funds based on a quarterly allotment schedule.  
30 Before releasing funds to the office of the superintendent of public  
31 instruction each quarter, the office of financial management shall  
32 ensure compliance with this subsection. Effective with the 2009  
33 administration of the Washington assessment of student learning, while  
34 maintaining the reliability and validity of the assessment, the office  
35 of the superintendent of public instruction shall redesign the  
36 assessment in the content areas of reading, mathematics, and science in  
37 all grades except high school by shortening test administration,  
38 reducing the number of short answer and extended response questions,



1 and potentially decreasing the number of items utilized in the  
2 assessment, particularly in grades tested under the requirements of the  
3 federal no child left behind act. In selecting and developing the new  
4 contractual obligations for the assessment contractor beginning in  
5 fiscal year 2009, the office of the superintendent of public  
6 instruction shall preserve legislative authority to set the student  
7 learning assessment policy and potentially make minor or significant  
8 changes to that policy in the future with the least amount of adverse  
9 fiscal and other impacts to the state as possible. In doing this, the  
10 office of the superintendent of public instruction shall advise and  
11 consult with the appropriate policy and fiscal committees of the  
12 legislature and the Washington assessment of student learning work  
13 group created in this subsection. Within the amounts appropriated in  
14 this subsection, a legislative work group on the Washington assessment  
15 of student learning is established. The work group will consist of a  
16 maximum of nine members. Legislative members shall be appointed by the  
17 president of the senate and the speaker of the house of representatives  
18 and shall represent the two largest caucuses of both the senate and the  
19 house of representatives. The purpose of this work group is to review  
20 and evaluate the current assessment system by January 1, 2009, and  
21 potentially make recommendations to improve it. Of the amount provided  
22 in this section, \$150,000 is provided solely for costs associated with  
23 hiring independent technical experts to advise the Washington  
24 assessment of student learning work group created in this subsection.

25 (13) Through prior legislation, many state activities that protect  
26 the general public by safeguarding health, safety, employees, and  
27 consumers are supported by fees assessed on items such as licensing,  
28 registration, certification, and inspections. Moreover, higher  
29 education, workforce training, and a number of other government  
30 services are supported at least in part by fees assessed on those who  
31 participate in these programs. Therefore, the office of financial  
32 management shall conduct a review and analysis of all fees for which  
33 the legislature has delegated to state agencies and institutions of  
34 higher education the ability to establish and determine the amount,  
35 either upon initial establishment or subsequent increases. Fees, as  
36 used in this subsection, has the same meaning as used in RCW  
37 43.135.055. The objective of the review and analysis is to document  
38 the level of fees paid over the past five years, the cost of those

1 programs over that same time period, and, to the extent available, the  
2 effectiveness of the activity in meeting its performance targets. The  
3 review and analysis shall include the following information:

4 (a) Information about the program, including the statutory  
5 authority for the program, date enacted, and the parties that benefit  
6 from the program; and

7 (b) Information about the program fees, including name and  
8 description of the fees, the parties that bear the cost of the fees,  
9 the methodology for determining the fees, and whether the fees directly  
10 fund the program; and

11 (c) Financial related information, including an assessment of the  
12 program's fee amount assessed over the past five years, the scope of  
13 the program and related costs over the past 5 years, and whether the  
14 program's expenditures are subject to appropriation or allotment  
15 procedures under chapter 43.88 RCW; and

16 (d) To the extent available, information on the program activities  
17 and related performance measures that may assist in assessing the  
18 effectiveness of the program in achieving its goals.

19 The office of financial management shall report its findings to the  
20 governor and the fiscal committees of the legislature by October 1,  
21 2008.

22 (14) In addition to other reductions, the reduced appropriations in  
23 this section reflect an additional \$305,000 reduction in administrative  
24 costs required by Engrossed Substitute Senate Bill No. 5460 (reducing  
25 state government administrative costs). These administrative  
26 reductions shall be achieved, to the greatest extent possible, by  
27 reducing those administrative costs that do not affect direct client  
28 services or direct service delivery or programs.

29 **Sec. 108.** 2009 c 4 s 129 (uncodified) is amended to read as  
30 follows:

31 **FOR THE OFFICE OF ADMINISTRATIVE HEARINGS**  
32 Administrative Hearings Revolving Account--State  
33 Appropriation . . . . . (~~(\$32,702,000)~~)  
34 \$32,163,000

35 **Sec. 109.** 2009 c 4 s 134 (uncodified) is amended to read as  
36 follows:

1 **FOR THE DEPARTMENT OF RETIREMENT SYSTEMS--OPERATIONS**

|   |   |              |
|---|---|--------------|
| 2 | General Fund--State Appropriation (FY 2008) . . . . . | \$200,000    |
| 3 | General Fund--State Appropriation (FY 2009) . . . . . | \$103,000    |
| 4 | Dependent Care Administrative Account--State          |              |
| 5 | Appropriation . . . . .                               | \$237,000    |
| 6 | Department of Retirement Systems Expense Account--    |              |
| 7 | State Appropriation . . . . .                         | \$48,419,000 |
| 8 | TOTAL APPROPRIATION . . . . .                         | \$48,959,000 |

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

11       (1) \$15,000 of the department of retirement systems expense account  
12 appropriation is provided solely to implement Substitute House Bill No.  
13 1261 (duty disability service credit). If the bill is not enacted by  
14 June 30, 2007, the amount provided in this subsection shall lapse.

15       (2) \$43,000 of the department of retirement systems expense account  
16 appropriation is provided solely to implement House Bill No. 1680  
17 (emergency medical technician service credit). If the bill is not  
18 enacted by June 30, 2007, the amount provided in this subsection shall  
19 lapse.

20       (3) \$72,000 of the department of retirement systems expense account  
21 appropriation is provided solely to implement Engrossed Substitute  
22 House Bill No. 1649 (judges' past service credit purchases). If the  
23 bill is not enacted by June 30, 2007, the amount provided in this  
24 subsection shall lapse.

25       (4) \$33,000 of the department of retirement systems expense account  
26 appropriation is provided solely to implement Substitute House Bill No.  
27 1262 (plan 1 post retirement employment). If the bill is not enacted  
28 by June 30, 2007, the amount provided in this subsection shall lapse.

29       (5) \$315,000 of the department of retirement systems expense  
30 account appropriation is provided solely to implement Engrossed House  
31 Bill No. 2391 (gainsharing revisions). If neither bill is enacted by  
32 June 30, 2007, the amount provided in this subsection shall lapse.

33       (6) \$12,000 of the department of retirement systems expense  
34 account--state appropriation is provided solely to implement Senate  
35 Bill No. 5014 (contribution rates). If the bill is not enacted by June  
36 30, 2007, the amount provided in this subsection shall lapse.

37       (7) \$17,000 of the department of retirement systems expense  
38 account--state appropriation is provided solely to implement Senate

1 Bill No. 5175 (retirement annual increases). If the bill is not  
2 enacted by June 30, 2007, the amount provided in this subsection shall  
3 lapse.

4 (8) \$200,000 of the general fund--state appropriation for fiscal  
5 year 2008 and \$126,000 of the general fund--state appropriation for  
6 fiscal year 2009 are provided solely to design a plan for the operation  
7 of a universal voluntary retirement accounts program, and then seek  
8 approval from the federal internal revenue service to offer the plan to  
9 workers and employers in Washington on a tax qualified basis. Features  
10 of Washington voluntary retirement accounts plan include a defined  
11 contribution plan with a limited pre-selected menu of investment  
12 options, administration by the department of retirement systems,  
13 investment oversight by the state investment board, tax-deferred  
14 payroll deductions, retirement account portability between jobs, and a  
15 two-tier system with workplace based individual retirement accounts  
16 open to all workers, and a deferred compensation 401(k)-type program or  
17 SIMPLE IRA-type program open to all employers who choose to participate  
18 for their employees. As part of this process, the director shall  
19 consult with the department of financial institutions, the state  
20 investment board, private sector retirement plan administrators and  
21 providers and other relevant sectors of the financial services  
22 industry, organizations promoting increased economic opportunities for  
23 individuals, employers, workers, and any other individuals or entities  
24 that the director determines relevant to the development of an  
25 effective and efficient method for implementing and operating the  
26 program. As part of this process, the director shall evaluate the most  
27 efficient methods for providing this service and ways to avoid  
28 competition with existing private sector vehicles. The director shall  
29 undertake the legal and development work to determine how to implement  
30 a universal voluntary retirement accounts program, managed through the  
31 department of retirement systems directly or by contract. By December  
32 1, 2008, the director shall report to the legislature on the program's  
33 design and any required changes to state law that are necessary to  
34 implement the program.

35 (9) \$81,000 of the department of retirement systems expense  
36 account--state appropriation is provided solely for implementation of  
37 Engrossed House Bill No. 2887 (judges' service credit purchases). If

1 the bill is not enacted by June 30, 2008, the amount provided in this  
2 subsection shall lapse.

3 (10) \$51,000 of the department of retirement systems expense  
4 account--state appropriation is provided solely for implementation of  
5 House Bill No. 3019 (partial year service credit for school district  
6 employees). If the bill is not enacted by June 30, 2008, the amount  
7 provided in this subsection shall lapse.

8 (11) \$40,000 of the ((general fund state)) department of  
9 retirement systems expense account--state appropriation ((for fiscal  
10 year 2009)) is provided solely to contract with a skilled facilitator  
11 to mediate discussions to identify and document all outstanding issues  
12 related to the funding of retiree medical benefits in the law  
13 enforcement officers' and fire fighters' retirement system plan 1 and  
14 for staff resources to be used to conduct research in support of this  
15 effort. The stakeholder group shall include representatives of retired  
16 members of the law enforcement officers' and fire fighters' retirement  
17 system plan 1, local government employers, the department of retirement  
18 systems, and other groups as deemed necessary by the director of the  
19 department of retirement systems.

20 (12) In addition to other reductions, the reduced appropriations in  
21 this section reflect an additional \$23,000 reduction in administrative  
22 costs required by Engrossed Substitute Senate Bill No. 5460 (reducing  
23 state government administrative costs). These administrative  
24 reductions shall be achieved, to the greatest extent possible, by  
25 reducing those administrative costs that do not affect direct client  
26 services or direct service delivery or programs.

27 **Sec. 110.** 2008 c 329 s 139 (uncodified) is amended to read as  
28 follows:

29 **FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

|    |   |                     |
|----|---|---------------------|
| 30 | General Fund--State Appropriation (FY 2008) . . . . . | \$591,000           |
| 31 | General Fund--State Appropriation (FY 2009) . . . . . | (((\$590,000))      |
| 32 |   | <u>\$783,000</u>    |
| 33 | General Fund--Federal Appropriation . . . . .         | \$3,651,000         |
| 34 | General Administration Service Account--State         |                     |
| 35 | Appropriation . . . . .                               | (((\$36,929,000))   |
| 36 |   | <u>\$36,893,000</u> |
| 37 | TOTAL APPROPRIATION . . . . .                         | (((\$41,761,000))   |

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

(1) \$100,000 of the general fund--state appropriation for fiscal year 2008 (~~and \$100,000 of the general fund--state appropriation for fiscal year 2009 are~~) is provided solely for the temporary emergency food assistance program.

(2) Within the appropriations in this section, specific funding is provided to implement Second Substitute House Bill No. 1332 (affordable housing).

~~(3) (\$391,000 of the general administration services account--state appropriation for fiscal year 2009 is provided solely for implementation of costs associated with the planning of agency moves out of the general administration building.~~

~~(4))~~ The department shall work with the office of financial management to develop a plan that balances revenues and expenditures for each line of business within the general administration services account. State agency rates developed for the 2009-2011 biennium must equitably and reasonably reflect the actual cost of services provided to state agencies including the appropriate allocation of agency overhead costs. By August 31, 2008, the department shall submit to the office of financial management and the fiscal committees of the legislature financial statements for each line of business that shall inform the basis for agency rate development for the forthcoming biennium.

~~((5))~~ (4) The department shall submit a report to the office of financial management and the fiscal committees of the legislature that responds to each of the state auditor's motor pool audit recommendations by August 31, 2008. This report shall consist of recommendations that have been adopted by the department, progress made towards achieving those recommendations not yet completed, and justification for why the department is unable to fulfill any of the recommendations in the report.

**Sec. 111.** 2009 c 4 s 135 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF REVENUE**

General Fund--State Appropriation (FY 2008) . . . . . \$98,150,000

|    |   |                                |
|----|---|--------------------------------|
| 1  | General Fund--State Appropriation (FY 2009) . . . . .       | (( <del>\$103,003,000</del> )) |
| 2  |   | <u>\$97,782,000</u>            |
| 3  | Timber Tax Distribution Account--State                      |                                |
| 4  | Appropriation . . . . .                                     | \$5,788,000                    |
| 5  | Waste Reduction/Recycling/Litter Control--State             |                                |
| 6  | Appropriation . . . . .                                     | \$128,000                      |
| 7  | Waste Tire Removal Account--State Appropriation . . . . .   | \$2,000                        |
| 8  | Real Estate Excise Tax Grant Account--State                 |                                |
| 9  | Appropriation . . . . .                                     | \$3,000,000                    |
| 10 | State Toxics Control Account--State Appropriation . . . . . | \$87,000                       |
| 11 | Oil Spill Prevention Account--State Appropriation . . . . . | \$16,000                       |
| 12 | Pension Funding Stabilization Account                       |                                |
| 13 | Appropriation . . . . .                                     | \$2,370,000                    |
| 14 | TOTAL APPROPRIATION . . . . .                               | (( <del>\$212,544,000</del> )) |
| 15 |   | <u>\$207,323,000</u>           |

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

18       (1) \$95,000 of the general fund--state appropriation for fiscal  
19 year 2008 and \$71,000 of the general fund--state appropriation for  
20 fiscal year 2009 are for the implementation of Substitute House Bill  
21 No. 1002 (taxation of vessels). If the bill is not enacted by June 30,  
22 2007, the amounts in this subsection shall lapse.

23       (2) \$31,000 of the general fund--state appropriation for fiscal  
24 year 2008 is for the implementation of Substitute House Bill No. 1891  
25 (prescription drugs). If the bill is not enacted by June 30, 2007, the  
26 amount in this subsection shall lapse.

27       (3)(a) \$50,000 of the general fund--state appropriation for fiscal  
28 year 2008 and \$25,000 of the general fund--state appropriation for  
29 fiscal year 2009 are provided solely to conduct a study of the taxation  
30 of electronically delivered products. The legislature recognizes that  
31 chapter . . . (Engrossed Substitute House Bill No. 1981), Laws of 2007,  
32 relates to specific types of electronically delivered products and does  
33 not address the taxation of numerous other types of electronically  
34 delivered products. Therefore, a policy question remains concerning  
35 the sales and use taxation of other electronically delivered products.

36       (b)(i) To perform the study, the department of revenue shall be  
37 assisted by a committee. The committee shall include four legislative  
38 members appointed as follows:

1 (A) The president of the senate shall appoint one member from each  
2 of the two largest caucuses of the senate; and

3 (B) The speaker of the house of representatives shall appoint one  
4 member from each of the two largest caucuses of the house of  
5 representatives.

6 (ii) The department of revenue shall appoint additional members  
7 with balanced representation from different segments of government and  
8 industry, and shall consider representation from the following areas:  
9 Small and large businesses that generate, deliver, or use  
10 electronically delivered products; financial institutions; insurers;  
11 persons with expertise in tax law in an academic or private sector  
12 setting; and persons experienced in working with computers and  
13 electronically delivered products. The department of revenue shall  
14 appoint additional members from the department with expertise in the  
15 excise taxation of electronically delivered products.

16 (iii) The committee shall choose its chair from among its  
17 membership.

18 (iv) The department and committee shall review the following  
19 issues: The provision of explicit statutory definitions for  
20 electronically delivered products; the current excise tax treatment of  
21 electronically delivered products in the state of Washington and other  
22 states as well as the tax treatment of these products under the  
23 streamlined sales and use tax agreement; the administration, costs, and  
24 potential recipients of the tax exemptions provided in chapter . . .  
25 (Engrossed Substitute House Bill No. 1981), Laws of 2007; and  
26 alternatives to the excise taxation of electronically delivered  
27 products.

28 (v) Legislative members of the committee are reimbursed for travel  
29 expenses in accordance with RCW 44.04.120. Nonlegislative members of  
30 the committee, except those representing an employer or organization,  
31 are entitled to be reimbursed for travel expenses in accordance with  
32 RCW 43.03.050 and 43.03.060.

33 (c) The department shall report its preliminary findings and  
34 recommendations to the appropriate fiscal committees of the legislature  
35 by November 30, 2007. The department shall provide the final report of  
36 its findings and recommendations to the appropriate fiscal committees  
37 of the legislature by September 1, 2008.



1 (4) \$250,000 of the general fund--state appropriation for fiscal  
2 year 2009 is for the implementation of Engrossed Substitute Senate Bill  
3 No. 6809 (working families tax exemption). If the bill is not enacted  
4 by June 30, 2008, the amounts in this subsection shall lapse. This  
5 subsection does not constitute approval of the exemption under section  
6 2, chapter . . . (ESSB 6809), Laws of 2008 or authorize payments of  
7 remittances.

8 (5) \$22,000 of the general fund--state appropriation for fiscal  
9 year 2009 is for the implementation of Second Substitute House Bill No.  
10 3104 (domestic partnerships). If the bill is not enacted by June 30,  
11 2008, the amounts in this subsection shall lapse.

12 (6) In addition to other reductions, the reduced appropriations in  
13 this section reflect an additional \$214,000 reduction in administrative  
14 costs required by Engrossed Substitute Senate Bill No. 5460 (reducing  
15 state government administrative costs). These administrative  
16 reductions shall be achieved, to the greatest extent possible, by  
17 reducing those administrative costs that do not affect direct client  
18 services or direct service delivery or programs.

19 **Sec. 112.** 2009 c 4 s 143 (uncodified) is amended to read as  
20 follows:

21 **FOR THE BOARD OF ACCOUNTANCY**  
22 Certified Public Accountants' Account--State  
23 Appropriation . . . . . ((~~\$2,574,000~~))  
24 \$2,924,000

25 **Sec. 113.** 2009 c 4 s 145 (uncodified) is amended to read as  
26 follows:

27 **FOR THE LIQUOR CONTROL BOARD**  
28 General Fund--State Appropriation (FY 2008) . . . . . \$1,910,000  
29 Liquor Control Board Construction and Maintenance  
30 Account--State Appropriation . . . . . \$13,430,000  
31 Liquor Revolving Account--State Appropriation . . . . . ((~~\$194,556,000~~))  
32 \$196,556,000  
33 TOTAL APPROPRIATION . . . . . ((~~\$209,896,000~~))  
34 \$211,896,000

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

1 (1) \$91,000 of the liquor revolving account--state appropriation is  
2 provided solely for the implementation of Engrossed Second Substitute  
3 Senate Bill No. 5859 (retail liquor licenses). If the bill is not  
4 enacted by June 30, 2007, the amount provided in this subsection shall  
5 lapse.

6 (2) \$2,070,000 of the liquor revolving account--state appropriation  
7 is provided solely for the liquor control board to operate an  
8 additional 29 state stores on Sundays by September 1, 2007. The board  
9 shall determine the impacts on sales as a result of operating the  
10 additional stores on Sunday. In doing so, the liquor control board  
11 shall also examine the sales of state and contract liquor stores in  
12 proximity to those stores opened on Sundays to determine whether Sunday  
13 openings have reduced the sales of other state and contract liquor  
14 stores that are not open on Sundays. The board shall present this  
15 information to the appropriate policy and fiscal committees of the  
16 legislature by January 31, 2009.

17 **Sec. 114.** 2009 c 4 s 148 (uncodified) is amended to read as  
18 follows:

19 **FOR THE MILITARY DEPARTMENT**

|    |   |                           |
|----|---|---------------------------|
| 20 | General Fund--State Appropriation (FY 2008) . . . . .         | \$12,430,000              |
| 21 | General Fund--State Appropriation (FY 2009) . . . . .         | <del>(\$11,353,000)</del> |
| 22 |   | <u>\$11,526,000</u>       |
| 23 | General Fund--Federal Appropriation . . . . .                 | \$129,334,000             |
| 24 | General Fund--Private/Local Appropriation . . . . .           | \$2,000                   |
| 25 | Enhanced 911 Account--State Appropriation . . . . .           | \$42,293,000              |
| 26 | Disaster Response Account--State Appropriation . . . . .      | <del>(\$24,454,000)</del> |
| 27 |   | <u>\$27,820,000</u>       |
| 28 | Disaster Response Account--Federal Appropriation . . . . .    | <del>(\$86,757,000)</del> |
| 29 |   | <u>\$98,441,000</u>       |
| 30 | Military Department Rent and Lease Account--State             |                           |
| 31 | Appropriation . . . . .                                       | \$814,000                 |
| 32 | Worker and Community Right-to-Know Account--State             |                           |
| 33 | Appropriation . . . . .                                       | \$337,000                 |
| 34 | Nisqually Earthquake Account--State Appropriation . . . . .   | <del>(\$556,000)</del>    |
| 35 |   | <u>\$215,000</u>          |
| 36 | Nisqually Earthquake Account--Federal Appropriation . . . . . | <del>(\$1,269,000)</del>  |
| 37 |   | <u>\$1,382,000</u>        |

1 TOTAL APPROPRIATION . . . . . ((~~\$309,599,000~~))  
2 \$324,594,000

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

5 (1) ((~~\$24,454,000~~)) \$27,820,000 of the disaster response account--  
6 state appropriation and ((~~\$86,757,000~~)) \$98,441,000 of the disaster  
7 response account--federal appropriation may be spent only on disasters  
8 declared by the governor and with the approval of the office of  
9 financial management. The military department shall submit a report  
10 quarterly to the office of financial management and the legislative  
11 fiscal committees detailing information on the disaster response  
12 account, including: (a) The amount and type of deposits into the  
13 account; (b) the current available fund balance as of the reporting  
14 date; and (c) the projected fund balance at the end of the 2007-2009  
15 biennium based on current revenue and expenditure patterns.

16 (2) ((~~\$556,000~~)) \$215,000 of the Nisqually earthquake account--  
17 state appropriation and ((~~\$1,269,000~~)) \$1,382,000 of the Nisqually  
18 earthquake account--federal appropriation are provided solely for  
19 response and recovery costs associated with the February 28, 2001,  
20 earthquake. The military department shall submit a report quarterly to  
21 the office of financial management and the legislative fiscal  
22 committees detailing earthquake recovery costs, including: (a)  
23 Estimates of total costs; (b) incremental changes from the previous  
24 estimate; (c) actual expenditures; (d) estimates of total remaining  
25 costs to be paid; and (e) estimates of future payments by biennium.  
26 This information shall be displayed by fund, by type of assistance, and  
27 by amount paid on behalf of state agencies or local organizations. The  
28 military department shall also submit a report quarterly to the office  
29 of financial management and the legislative fiscal committees detailing  
30 information on the Nisqually earthquake account, including: (a) The  
31 amount and type of deposits into the account; (b) the current available  
32 fund balance as of the reporting date; and (c) the projected fund  
33 balance at the end of the 2007-2009 biennium based on current revenue  
34 and expenditure patterns.

35 (3) \$61,000,000 of the general fund--federal appropriation is  
36 provided solely for homeland security, subject to the following  
37 conditions:

1 (a) Any communications equipment purchased by local jurisdictions  
2 or state agencies shall be consistent with standards set by the  
3 Washington state interoperability executive committee;

4 (b) This amount shall not be allotted until a spending plan is  
5 reviewed by the governor's domestic security advisory group and  
6 approved by the office of financial management;

7 (c) The department shall submit a quarterly report to the office of  
8 financial management and the legislative fiscal committees detailing  
9 the governor's domestic security advisory group recommendations;  
10 homeland security revenues and expenditures, including estimates of  
11 total federal funding for the state; incremental changes from the  
12 previous estimate, planned and actual homeland security expenditures by  
13 the state and local governments with this federal funding; and matching  
14 or accompanying state or local expenditures; and

15 (d) The department shall submit a report by December 1st of each  
16 year to the office of financial management and the legislative fiscal  
17 committees detailing homeland security revenues and expenditures for  
18 the previous fiscal year by county and legislative district.

19 (4) Within the funds appropriated in this section, the department  
20 shall implement Substitute House Bill No. 1507 (uniformed service  
21 shared leave).

22 (5) \$1,000,000 of the general fund--state appropriation for fiscal  
23 year 2008 and \$1,000,000 of the general fund--state appropriation for  
24 fiscal year 2009 are provided solely for the military department to  
25 contract with the Washington information network 2-1-1 to operate a  
26 statewide 2-1-1 system. The department shall provide the entire amount  
27 for 2-1-1 and shall not take any of the funds for administrative  
28 purposes.

29 (6) \$200,000 of the enhanced 911 account--state appropriation is  
30 provided solely for the department to recommend an appropriate funding  
31 mechanism for the implementation of next generation 911. The  
32 department shall consult with the utilities and transportation  
33 commission, the department of revenue, local governments, and  
34 representatives from companies providing telecommunications services in  
35 order to complete the report required under this subsection. The  
36 department may also consult with other public safety and medical  
37 associations in order to complete the study. The department shall  
38 submit the report to the finance committee and the technology, energy,

1 and communications committee of the house of representatives, and the  
2 ways and means committee and the water, energy, and telecommunications  
3 committee of the senate, by December 1, 2008.

4 **Sec. 115.** 2009 c 4 s 151 (uncodified) is amended to read as  
5 follows:

6 **FOR THE GROWTH MANAGEMENT HEARINGS BOARD**

|    |   |                          |
|----|---|--------------------------|
| 7  | General Fund--State Appropriation (FY 2008) . . . . . | \$1,893,000              |
| 8  | General Fund--State Appropriation (FY 2009) . . . . . | <del>(\$1,878,000)</del> |
| 9  |   | <u>\$1,924,000</u>       |
| 10 | TOTAL APPROPRIATION . . . . .                         | <del>(\$3,771,000)</del> |
| 11 |   | <u>\$3,817,000</u>       |

12 **Sec. 116.** 2008 c 329 s 151 (uncodified) is amended to read as  
13 follows:

14 **FOR THE STATE CONVENTION AND TRADE CENTER**

|    |  |                           |
|----|--|---------------------------|
| 15 | State Convention and Trade Center Account--State |                           |
| 16 | Appropriation . . . . .                          | <del>(\$44,773,000)</del> |
| 17 |  | <u>\$39,769,000</u>       |
| 18 | State Convention and Trade Center Operating      |                           |
| 19 | Account--State Appropriation . . . . .           | \$53,750,000              |
| 20 | TOTAL APPROPRIATION . . . . .                    | <del>(\$98,523,000)</del> |
| 21 |  | <u>\$93,519,000</u>       |

(End of part)

**PART II**  
**HUMAN SERVICES**

**Sec. 201.** 2008 c 329 s 201 (uncodified) is amended to read as follows:

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

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

(3) The appropriations to the department of social and health services in this act shall be expended for the programs and in the amounts specified in this act.

(4) The department is authorized to develop an integrated health care program designed to slow the progression of illness and disability and better manage medicaid expenditures for the aged and disabled population. Under this Washington medicaid integration partnership (WMIP), the department may combine and transfer such medicaid funds

1 appropriated under sections 204, 206, 208, and 209 of this act as may  
2 be necessary to finance a unified health care plan for the WMIP program  
3 enrollment. The WMIP pilot projects shall not exceed a daily  
4 enrollment of 6,000 persons, nor expand beyond one county, during the  
5 2007-2009 biennium. The amount of funding assigned to the pilot  
6 projects from each program may not exceed the average per capita cost  
7 assumed in this act for individuals covered by that program,  
8 actuarially adjusted for the health condition of persons enrolled in  
9 the pilot project, times the number of clients enrolled in the pilot  
10 project. In implementing the WMIP pilot projects, the department may:  
11 (a) Withhold from calculations of "available resources" as set forth in  
12 RCW 71.24.025 a sum equal to the capitated rate for individuals  
13 enrolled in the pilots; and (b) employ capitation financing and risk-  
14 sharing arrangements in collaboration with health care service  
15 contractors licensed by the office of the insurance commissioner and  
16 qualified to participate in both the medicaid and medicare programs.  
17 The department shall conduct an evaluation of the WMIP, measuring  
18 changes in participant health outcomes, changes in patterns of service  
19 utilization, participant satisfaction, participant access to services,  
20 and the state fiscal impact.

21 (5)(a) The appropriations to the department of social and health  
22 services in this act shall be expended for the programs and in the  
23 amounts specified in this act. However, after May 1, (~~2008~~) 2009,  
24 unless specifically prohibited by this act, the department may transfer  
25 general fund--state appropriations for fiscal year 2008 among programs  
26 after approval by the director of financial management. However, the  
27 department shall not transfer state moneys that are provided solely for  
28 a specified purpose except as expressly provided in (b) of this  
29 subsection.

30 (b) To the extent that transfers under (a) of this subsection are  
31 insufficient to fund actual expenditures in excess of fiscal year  
32 (~~2008~~) 2009 caseload forecasts and utilization assumptions in the  
33 medical assistance, long-term care, foster care, adoption support, and  
34 child support programs, the department may transfer state moneys that  
35 are provided solely for a specified purpose. The department shall not  
36 transfer funds, and the director of financial management shall not  
37 approve the transfer, unless the transfer is consistent with the  
38 objective of conserving, to the maximum extent possible, the

1 expenditure of state funds. The director of financial management shall  
2 notify the appropriate fiscal committees of the senate and house of  
3 representatives in writing seven days prior to approving any allotment  
4 modifications or transfers under this subsection. The written  
5 notification shall include a narrative explanation and justification of  
6 the changes, along with expenditures and allotments by budget unit and  
7 appropriation, both before and after any allotment modifications or  
8 transfers.

9 **Sec. 202.** 2009 c 4 s 201 (uncodified) is amended to read as  
10 follows:

11 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--CHILDREN AND FAMILY**  
12 **SERVICES PROGRAM**

|    |  |                              |
|----|--|------------------------------|
| 13 | General Fund--State Appropriation (FY 2008) . . . . .  | \$316,353,000                |
| 14 | General Fund--State Appropriation (FY 2009) . . . . .  | <del>(\$338,838,000)</del>   |
| 15 |  | <u>\$336,528,000</u>         |
| 16 | General Fund--Federal Appropriation . . . . .          | <del>(\$490,314,000)</del>   |
| 17 |  | <u>\$504,970,000</u>         |
| 18 | General Fund--Private/Local Appropriation . . . . .    | \$2,187,000                  |
| 19 | Domestic Violence Prevention Account--State            |                              |
| 20 | Appropriation . . . . .                                | \$1,000,000                  |
| 21 | Public Safety and Education Account--State             |                              |
| 22 | Appropriation (FY 2008) . . . . .                      | \$3,251,000                  |
| 23 | Public Safety and Education Account--State             |                              |
| 24 | Appropriation (FY 2009) . . . . .                      | \$3,254,000                  |
| 25 | Violence Reduction and Drug Enforcement Account--State |                              |
| 26 | Appropriation (FY 2008) . . . . .                      | \$2,934,000                  |
| 27 | Violence Reduction and Drug Enforcement Account--State |                              |
| 28 | Appropriation (FY 2009) . . . . .                      | \$2,934,000                  |
| 29 | Pension Funding Stabilization Account--State           |                              |
| 30 | Appropriation . . . . .                                | \$2,298,000                  |
| 31 | TOTAL APPROPRIATION . . . . .                          | <del>(\$1,163,363,000)</del> |
| 32 |  | <u>\$1,175,709,000</u>       |

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

35 (1) \$3,063,000 of the general fund--state appropriation for fiscal  
36 year 2008 and \$2,993,000 of the general fund--state appropriation for



1 fiscal year 2009 are provided solely for the category of services  
2 titled "intensive family preservation services."

3 (2) \$945,000 of the general fund--state appropriation for fiscal  
4 year 2008 and \$993,000 of the general fund--state appropriation for  
5 fiscal year 2009 are provided solely to contract for the operation of  
6 one pediatric interim care facility. The facility shall provide  
7 residential care for up to seventeen children through two years of age.  
8 Seventy-five percent of the children served by the facility must be in  
9 need of special care as a result of substance abuse by their mothers.  
10 The facility shall also provide on-site training to biological,  
11 adoptive, or foster parents. The facility shall provide at least three  
12 months of consultation and support to parents accepting placement of  
13 children from the facility. The facility may recruit new and current  
14 foster and adoptive parents for infants served by the facility. The  
15 department shall not require case management as a condition of the  
16 contract.

17 (3) \$375,000 of the general fund--state appropriation for fiscal  
18 year 2008, \$375,000 of the general fund--state appropriation for fiscal  
19 year 2009, and \$322,000 of the general fund--federal appropriation are  
20 provided solely for up to three nonfacility-based programs for the  
21 training, consultation, support, and recruitment of biological, foster,  
22 and adoptive parents of children through age three in need of special  
23 care as a result of substance abuse by their mothers, except that each  
24 program may serve up to three medically fragile nonsubstance-abuse-  
25 affected children. In selecting nonfacility-based programs, preference  
26 shall be given to programs whose federal or private funding sources  
27 have expired or that have successfully performed under the existing  
28 pediatric interim care program.

29 (4) \$125,000 of the general fund--state appropriation for fiscal  
30 year 2008 and \$125,000 of the general fund--state appropriation for  
31 fiscal year 2009 are provided solely for a foster parent retention  
32 program. This program is directed at foster parents caring for  
33 children who act out sexually.

34 (5) The providers for the 31 HOPE beds shall be paid a \$1,020 base  
35 payment per bed per month, and reimbursed for the remainder of the bed  
36 cost only when the beds are occupied.

37 (6) Within amounts provided for the foster care and adoption  
38 support programs, the department shall control reimbursement decisions

1 for foster care and adoption support cases such that the aggregate  
2 average cost per case for foster care and for adoption support does not  
3 exceed the amounts assumed in the projected caseload expenditures.

4 (7) Within amounts appropriated in this section, priority shall be  
5 given to proven intervention models, including evidence-based  
6 prevention and early intervention programs identified by the Washington  
7 state institute for public policy and the department. The department  
8 shall include information on the number, type, and outcomes of the  
9 evidence-based programs being implemented in its reports on child  
10 welfare reform efforts.

11 (8) \$500,000 of the general fund--state appropriation for fiscal  
12 year 2008, \$500,000 of the general fund--state appropriation for fiscal  
13 year 2009, and \$429,000 of the general fund--federal appropriation are  
14 provided solely to increase services provided through children's  
15 advocacy centers.

16 (9) \$50,000 of the general fund--state appropriation for fiscal  
17 year 2008 and \$50,000 of the general fund--state appropriation for  
18 fiscal year 2009 are provided solely for a street youth program in  
19 Spokane.

20 (10) \$41,000 of the general fund--state appropriation for fiscal  
21 year 2008, \$37,000 of the general fund--state appropriation for fiscal  
22 year 2009, and \$34,000 of the general fund--federal appropriation are  
23 provided solely for the implementation of Substitute House Bill No.  
24 1472 (child welfare).

25 (11) \$858,000 of the general fund--state appropriation for fiscal  
26 year 2008, \$809,000 of the general fund--state appropriation for fiscal  
27 year 2009, and \$715,000 of the general fund--federal appropriation are  
28 provided solely to implement Engrossed Substitute Senate Bill No. 5774  
29 (background checks), including sections 6 and 7. If the bill is not  
30 enacted by June 30, 2007, the amounts provided in this subsection shall  
31 lapse.

32 (12) \$4,962,000 of the general fund--state appropriation for fiscal  
33 year 2008, \$4,586,000 of the general fund--state appropriation for  
34 fiscal year 2009, and \$9,548,000 of the general fund--federal  
35 appropriation are provided solely for development and implementation of  
36 a statewide automated child welfare information system.

37 (13) \$126,000 of the general fund--state appropriation for fiscal  
38 year 2009 and \$55,000 of the general fund--federal appropriation are

1 provided solely to implement Substitute Senate Bill No. 5321 (child  
2 welfare). If the bill is not enacted by June 30, 2007, the amounts  
3 provided in this subsection shall lapse.

4 (14) \$707,000 of the general fund--state appropriation for fiscal  
5 year 2008, \$680,000 of the general fund--state appropriation for fiscal  
6 year 2009, and \$594,000 of the general fund--federal appropriation are  
7 provided solely for the implementation of Second Substitute House Bill  
8 No. 1334 (child welfare proceedings). If the bill is not enacted by  
9 June 30, 2007, the amounts provided in this subsection shall lapse.

10 (15) \$2,237,000 of the general fund--state appropriation for fiscal  
11 year 2008, \$2,238,000 of the general fund--state appropriation for  
12 fiscal year 2009, and \$1,918,000 of the general fund--federal  
13 appropriation are provided solely for the implementation of Substitute  
14 House Bill No. 1333 (child welfare). If the bill is not enacted by  
15 June 30, 2007, the amounts provided in this subsection shall lapse.

16 (16) \$137,000 of the general fund--state appropriation for fiscal  
17 year 2008, \$137,000 of the general fund--state appropriation for fiscal  
18 year 2009, and \$118,000 of the general fund--federal appropriation are  
19 provided solely for implementation of Substitute House Bill No. 1287  
20 (foster children). If the bill is not enacted by June 30, 2007, the  
21 amounts provided in this subsection shall lapse.

22 (17) \$50,000 of the general fund--state appropriation for fiscal  
23 year 2008 is provided solely for the department to contract with the  
24 Washington state institute for public policy to study evidence-based,  
25 cost-effective programs and policies to reduce the likelihood of  
26 children entering and remaining in the child welfare system, including  
27 both prevention and intervention programs. If the department does not  
28 receive \$100,000 in matching funds from a private organization for the  
29 purpose of conducting this study, the amount provided in this  
30 subsection shall lapse. The study shall be completed by April 30,  
31 2008. The department shall cooperate with the institute in  
32 facilitating access to data in their administrative systems. The board  
33 of the Washington state institute for public policy may adjust the due  
34 date for this project as necessary to efficiently manage workload.

35 (18) \$103,000 of the general fund--state appropriation for fiscal  
36 year 2008, \$407,000 of the general fund--state appropriation for fiscal  
37 year 2009, and \$48,000 of the general fund--federal appropriation are  
38 provided solely for implementation of Engrossed Substitute House Bill

1 No. 1131 (passport to college). This includes funding to develop,  
2 implement, and administer a program of educational transition planning  
3 for youth in foster care as specified in the bill. If the bill is not  
4 enacted by June 30, 2007, the amounts provided in this subsection shall  
5 lapse.

6 (19) The department shall continue spending levels for continuum of  
7 care in region one at the same level allotted during the 2005-2007  
8 biennium.

9 (20) Within the amounts provided, the department shall develop and  
10 implement a two-tiered reimbursement rate schedule for children from  
11 birth through twenty-four months of age and children twenty-five months  
12 of age through age five served by the medicaid treatment child care  
13 program. The department shall work in collaboration with contracted  
14 providers of the program to develop the rate schedule, taking into  
15 consideration such factors as higher staff level and small group size  
16 requirements for each age group. The department shall implement the  
17 rate schedule no later than January 1, 2008, and neither reimbursement  
18 rate in the two-tiered schedule shall be lower than the reimbursement  
19 rate level from the 2007 fiscal year.

20 (21) \$60,000 of the general fund--state appropriation for fiscal  
21 year 2008, \$20,000 of the general fund--state appropriation for fiscal  
22 year 2009, and \$35,000 of the general fund--federal appropriation are  
23 provided solely for implementation of Engrossed Substitute House Bill  
24 No. 1624 (child welfare). If the bill is not enacted by June 30, 2007,  
25 the amounts provided in this subsection shall lapse.

26 (22) \$49,000 of the general fund--state appropriation for fiscal  
27 year 2008, \$24,000 of the general fund--state appropriation for fiscal  
28 year 2009, and \$35,000 of the general fund--federal appropriation are  
29 provided solely for the implementation of chapter 384, Laws of 2007.

30 (23) The department shall work with the exclusive bargaining  
31 representative for the children's administration social workers to  
32 prioritize social worker tasks and devise methods by which to alleviate  
33 from the social workers' workload lower priority tasks. Discussions on  
34 methods shall include the use of contracting services and home support  
35 specialists. The department and the bargaining representative shall  
36 jointly report their efforts to the appropriate committees of the  
37 legislature by submitting a progress report no later than July 1, 2008,  
38 and a final report by November 15, 2008.

1 (24) \$10,000 of the general fund--state appropriation for fiscal  
2 year 2009 is provided solely for the department to contract with the  
3 largest nonprofit organization in the state conducting education and  
4 outreach on RCW 13.34.360, the safety of newborn children law.

5 (25) \$616,000 of the general fund--state appropriation for fiscal  
6 year 2009 and \$184,000 of the general fund--federal appropriation are  
7 provided solely to contract with medical professionals for  
8 comprehensive safety assessments of high-risk families. The safety  
9 assessments will use validated assessment tools to guide intervention  
10 decisions through the identification of additional safety and risk  
11 factors. \$400,000 of this amount is for comprehensive safety  
12 assessments for families receiving in-home child protective services or  
13 family voluntary services. \$400,000 of this amount is for  
14 comprehensive safety assessments of families with an infant age birth  
15 to fifteen days where the infant was, at birth, diagnosed as substance  
16 exposed and the department received an intake referral related to the  
17 infant due to the substance exposure.

18 (26) \$42,000 of the general fund--state appropriation for fiscal  
19 year 2009 and \$29,000 of the general fund--federal appropriation are  
20 provided solely for the department to implement Second Substitute  
21 Senate Bill No. 6206 (child fatality). If the bill is not enacted by  
22 June 30, 2008, the amounts provided in this subsection shall lapse.

23 (27) \$857,000 of the general fund--state appropriation for fiscal  
24 year 2009 and \$140,000 of the general fund--federal appropriation are  
25 provided solely for implementation of Engrossed Second Substitute House  
26 Bill No. 3145 (foster parent licensing). If the bill is not enacted by  
27 June 30, 2008, the amounts provided in this subsection shall lapse.

28 (28) \$415,000 of the general fund--state appropriation for fiscal  
29 year 2008, \$469,000 of the general fund--state appropriation for fiscal  
30 year 2009, and \$264,000 of the general fund--federal appropriation are  
31 provided solely for the hiring of staff to expedite the phase-in of the  
32 state's policy of a private and individual face-to-face visit each  
33 month with children in out-of-home care and in-home dependencies and  
34 their caregivers.

35 (29) \$109,000 of the general fund--state appropriation for fiscal  
36 year 2009 and \$35,000 of the general fund--federal appropriation are  
37 provided solely to implement sections 2 and 3 of Engrossed Second

1 Substitute House Bill No. 3205 (child long-term well-being). If the  
2 bill is not enacted by June 30, 2008, the amounts provided in this  
3 subsection shall lapse.

4 (30) The appropriations in this section provide specific funds to  
5 implement Engrossed Substitute Senate Bill No. 6792 (dependency  
6 matters).

7 (31) \$812,000 of the general fund--state appropriation for fiscal  
8 year 2009 and \$256,000 of the general fund--federal appropriation are  
9 provided solely for the department to hire additional staff to perform  
10 child health education and tracking screens.

11 (32) \$1,829,000 of the general fund--state appropriation for fiscal  
12 year 2009 and \$578,000 of the general fund--federal appropriation are  
13 provided solely for the department to contract with ((nonprofit))  
14 organizations to facilitate twice-monthly visits between siblings  
15 living apart from each other in out-of-home care.

16 (33) The department shall not close any secure crisis residential  
17 center facilities. The total number of statewide secure crisis  
18 residential center beds is reduced from 63 to 44.

19 **Sec. 203.** 2009 c 4 s 202 (uncodified) is amended to read as  
20 follows:

21 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--JUVENILE**  
22 **REHABILITATION PROGRAM**

|    |  |                               |
|----|--|-------------------------------|
| 23 | General Fund--State Appropriation (FY 2008) . . . . .  | \$87,822,000                  |
| 24 | General Fund--State Appropriation (FY 2009) . . . . .  | (( <del>\$84,716,000</del> )) |
| 25 |  | <u>\$82,918,000</u>           |
| 26 | General Fund--Federal Appropriation . . . . .          | (( <del>\$5,662,000</del> ))  |
| 27 |  | <u>\$5,505,000</u>            |
| 28 | General Fund--Private/Local Appropriation . . . . .    | \$1,898,000                   |
| 29 | Reinvesting in Youth--State Appropriation . . . . .    | \$1,414,000                   |
| 30 | Washington Auto Theft Prevention Authority Account--   |                               |
| 31 | State Appropriation . . . . .                          | \$171,000                     |
| 32 | Violence Reduction and Drug Enforcement Account--State |                               |
| 33 | Appropriation (FY 2008) . . . . .                      | \$21,975,000                  |
| 34 | Violence Reduction and Drug Enforcement Account--State |                               |
| 35 | Appropriation (FY 2009) . . . . .                      | \$22,078,000                  |
| 36 | Juvenile Accountability Incentive Account--Federal     |                               |
| 37 | Appropriation . . . . .                                | \$2,510,000                   |

|   |  |                            |
|---|--|----------------------------|
| 1 | Pension Funding Stabilization Account--State |                            |
| 2 | Appropriation . . . . .                      | \$2,200,000                |
| 3 | TOTAL APPROPRIATION . . . . .                | <del>(\$230,446,000)</del> |
| 4 |  | <u>\$228,491,000</u>       |

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

7       (1) \$353,000 of the violence reduction and drug enforcement account  
8 appropriation for fiscal year 2008 and \$353,000 of the violence  
9 reduction and drug enforcement account appropriation for fiscal year  
10 2009 are provided solely for deposit in the county criminal justice  
11 assistance account for costs to the criminal justice system associated  
12 with the implementation of chapter 338, Laws of 1997 (juvenile code  
13 revisions). The amounts provided in this subsection are intended to  
14 provide funding for county adult court costs associated with the  
15 implementation of chapter 338, Laws of 1997 and shall be distributed in  
16 accordance with RCW 82.14.310.

17       (2) \$3,078,000 of the violence reduction and drug enforcement  
18 account appropriation and \$500,000 of the general fund--state  
19 appropriation for fiscal year 2008 and \$3,078,000 of the violence  
20 reduction and drug enforcement account appropriation and \$500,000 of  
21 the general fund--state appropriation for fiscal year 2009 are provided  
22 solely for the implementation of chapter 338, Laws of 1997 (juvenile  
23 code revisions). The amounts provided in this subsection are intended  
24 to provide funding for county impacts associated with the  
25 implementation of chapter 338, Laws of 1997 and shall be distributed to  
26 counties as prescribed in the current consolidated juvenile services  
27 (CJS) formula.

28       (3) \$1,030,000 of the general fund--state appropriation and  
29 \$2,686,000 of the violence reduction and drug enforcement account  
30 appropriation for fiscal year 2008 and \$1,030,000 of the general fund--  
31 state appropriation and \$2,686,000 of the violence reduction and drug  
32 enforcement account appropriation for fiscal year 2009 are provided  
33 solely to implement community juvenile accountability grants pursuant  
34 to chapter 338, Laws of 1997 (juvenile code revisions). Funds provided  
35 in this subsection may be used solely for community juvenile  
36 accountability grants, administration of the grants, and evaluations of  
37 programs funded by the grants.

1 (4) \$1,506,000 of the violence reduction and drug enforcement  
2 account appropriation for fiscal year 2008 and \$1,506,000 of the  
3 violence reduction and drug enforcement account appropriation for  
4 fiscal year 2009 are provided solely to implement alcohol and substance  
5 abuse treatment programs for locally committed offenders. The juvenile  
6 rehabilitation administration shall award these moneys on a competitive  
7 basis to counties that submitted a plan for the provision of services  
8 approved by the division of alcohol and substance abuse. The juvenile  
9 rehabilitation administration shall develop criteria for evaluation of  
10 plans submitted and a timeline for awarding funding and shall assist  
11 counties in creating and submitting plans for evaluation.

12 (5) \$2,669,000 of the general fund--state appropriation for fiscal  
13 year 2008 and \$2,947,000 of the general fund--state appropriation for  
14 fiscal year 2009 are provided solely for grants to county juvenile  
15 courts for the following programs identified by the Washington state  
16 institute for public policy (institute) in its October 2006 report:  
17 "Evidence-Based Public Policy Options to Reduce Future Prison  
18 Construction, Criminal Justice Costs and Crime Rates": Functional  
19 family therapy, multi-systemic therapy, aggression replacement training  
20 and interagency coordination programs or other programs with a positive  
21 benefit-cost finding in the institute's report. County juvenile courts  
22 shall apply to the juvenile rehabilitation administration for funding  
23 for program-specific participation and the administration shall provide  
24 grants to the courts consistent with the per-participant treatment  
25 costs identified by the institute.

26 (6) \$1,287,000 of the general fund--state appropriation for fiscal  
27 year 2008 and \$787,000 of the general fund--state appropriation for  
28 fiscal year 2009 are provided solely for expansion of the following  
29 treatments and therapies in juvenile rehabilitation administration  
30 programs identified by the Washington state institute for public policy  
31 in its October 2006 report: "Evidence-Based Public Policy Options to  
32 Reduce Future Prison Construction, Criminal Justice Costs and Crime  
33 Rates": Multidimensional treatment foster care, family integrated  
34 transitions and aggression replacement training. The administration  
35 may concentrate delivery of these treatments and therapies at a limited  
36 number of programs to deliver the treatments in a cost-effective  
37 manner.



1 (7) The juvenile rehabilitation administration shall provide a  
2 block grant, rather than categorical funding, of consolidated juvenile  
3 services funds, community juvenile accountability act grants, the  
4 chemically dependent disposition alternative, and the special sex  
5 offender disposition to county juvenile courts, or groups of courts,  
6 including the Pierce county juvenile court. The juvenile  
7 rehabilitation administration and the family policy council shall  
8 jointly write criteria for awarding and administering block grants to  
9 county juvenile courts. In developing the criteria, the juvenile  
10 rehabilitation administration and the family policy council shall seek  
11 the advice of the Washington state institute for public policy. The  
12 criteria shall address, but not be limited to:

13 (a) The selection of courts for participation in the block grant;

14 (b) The types of evidence-based programs and practices to which the  
15 funds will be applied. The evidence-based programs and practices shall  
16 either be consistent with those cost-beneficial options identified by  
17 the Washington state institute for public policy in its October 2006  
18 report: "Evidence-Based Public Policy Options to Reduce Future Prison  
19 Construction, Criminal Justice Costs and Crime Rates," or be new  
20 approaches that have the potential to demonstrate positive returns for  
21 the taxpayer; and

22 (c) The protocols for participating courts to collect information  
23 on the effectiveness of programs funded under the block grant,  
24 including: (i) Developing intermediate client outcomes based on the  
25 risk assessment tool currently used by juvenile courts and in  
26 coordination with the juvenile rehabilitation administration; (ii)  
27 reporting treatment outcomes including a process evaluation to the  
28 juvenile rehabilitation administration and the family policy council by  
29 June 20, 2008, and an outcome evaluation of recidivism and benefit-cost  
30 results submitted within eighteen months of the initiation of the  
31 treatment, when follow-up data are available. The courts shall develop  
32 these evaluations in consultation with the juvenile rehabilitation  
33 administration, the family policy council, and the Washington state  
34 institute for public policy; and (iii) documenting the process for  
35 managing block grant funds on a quarterly basis and provide this report  
36 to the juvenile rehabilitation administration and the family policy  
37 council.

1 (8) \$73,000 of the Washington auto theft prevention authority  
2 account--state appropriation for fiscal year 2008 and \$98,000 of the  
3 Washington auto theft prevention authority account--state appropriation  
4 for fiscal year 2009 are provided solely for the implementation of  
5 Engrossed Third Substitute House Bill No. 1001 (auto theft). If the  
6 bill is not enacted by June 30, 2007, the amounts provided in this  
7 subsection shall lapse.

8 **Sec. 204.** 2009 c 4 s 203 (uncodified) is amended to read as  
9 follows:

10 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--MENTAL HEALTH**  
11 **PROGRAM**

12 (1) COMMUNITY SERVICES/REGIONAL SUPPORT NETWORKS

|    |   |                              |
|----|---|------------------------------|
| 13 | General Fund--State Appropriation (FY 2008) . . . . . | \$305,732,000                |
| 14 | General Fund--State Appropriation (FY 2009) . . . . . | <del>(\$308,382,000)</del>   |
| 15 |   | <u>\$298,118,000</u>         |
| 16 | General Fund--Federal Appropriation . . . . .         | <del>(\$396,996,000)</del>   |
| 17 |   | <u>\$416,273,000</u>         |
| 18 | General Fund--Private/Local Appropriation . . . . .   | <del>(\$16,157,000)</del>    |
| 19 |   | <u>\$18,732,000</u>          |
| 20 | TOTAL APPROPRIATION . . . . .                         | <del>(\$1,027,267,000)</del> |
| 21 |   | <u>\$1,038,855,000</u>       |

22 The appropriations in this subsection are subject to the following  
23 conditions and limitations:

24 (a) \$103,989,000 of the general fund--state appropriation for  
25 fiscal year 2008 and \$122,119,000 of the general fund--state  
26 appropriation for fiscal year 2009 are provided solely for persons and  
27 services not covered by the medicaid program. Reductions to fiscal  
28 year 2009 allocations shall be distributed proportionally to each  
29 regional support network's percentage of the total state population.  
30 To the extent possible, levels of regional support network spending  
31 shall be maintained in the following priority order: (i) Crisis and  
32 commitment services; (ii) community inpatient services; and (iii)  
33 residential care services, including personal care and emergency  
34 housing assistance.

35 (b) \$16,900,000 of the general fund--state appropriation for fiscal  
36 year 2008 and \$16,900,000 of the general fund--state appropriation for  
37 fiscal year 2009 are provided solely for the department and regional

1 support networks to contract for development and initial implementation  
2 of high-intensity program for active community treatment (PACT) teams,  
3 and other proven program approaches that the department concurs will  
4 enable the regional support network to achieve significant reductions  
5 during fiscal year 2008 and thereafter in the number of beds the  
6 regional support network would otherwise need to use at the state  
7 hospitals.

8 (c) The number of nonforensic beds allocated for use by regional  
9 support networks at eastern state hospital shall be 222 per day  
10 throughout fiscal year 2008. Beginning January 1, 2009, the number of  
11 nonforensic beds allocated for use by regional support networks at  
12 eastern state hospital shall be 192 per day. The number of nonforensic  
13 beds allocated for use by regional support networks at western state  
14 hospital shall be 777 per day during the first and second quarters of  
15 fiscal year 2008, and 677 per day from January 2008 through August  
16 2008. Beginning September 2008, the number of nonforensic beds  
17 allocated for use by regional support networks at western state  
18 hospital shall be 647 per day until May 2009, at which time the bed  
19 allocation shall be 617 beds per day. Beginning January 2008, beds in  
20 the program for adaptive living skills (PALS) are not included in the  
21 preceding bed allocations. Beginning that month, the department shall  
22 separately charge regional support networks for persons served in the  
23 PALS program.

24 (d) From the general fund--state appropriations in this subsection,  
25 the secretary of social and health services shall assure that regional  
26 support networks reimburse the aging and disability services  
27 administration for the general fund--state cost of medicaid personal  
28 care services that enrolled regional support network consumers use  
29 because of their psychiatric disability.

30 (e) At least \$902,000 of the federal block grant funding  
31 appropriated in this subsection shall be used for the continued  
32 operation of the mentally ill offender pilot program.

33 (f) \$5,000,000 of the general fund--state appropriation for fiscal  
34 year 2008 and \$5,000,000 of the general fund--state appropriation for  
35 fiscal year 2009 are provided solely for mental health services for  
36 mentally ill offenders while confined in a county or city jail and for  
37 facilitating access to programs that offer mental health services upon  
38 release from confinement. The department is authorized to transfer up

1 to \$418,000 of these amounts each fiscal year to the economic services  
2 program for purposes of facilitating prompt access after their release  
3 from confinement to medical and income assistance services for which  
4 defendants and offenders may be eligible.

5 (g) \$1,500,000 of the general fund--state appropriation for fiscal  
6 year 2008 and \$1,091,000 of the general fund--state appropriation for  
7 fiscal year 2009 are provided solely for grants for innovative mental  
8 health service delivery projects. Such projects may include, but are  
9 not limited to, clubhouse programs and projects for integrated health  
10 care and behavioral health services for general assistance recipients.  
11 These amounts shall supplement, and not supplant, local or other  
12 funding currently being used for activities funded under the projects  
13 authorized in this subsection. The department shall not terminate  
14 early any grant that was contracted under this subsection prior to  
15 January 1, 2009, for the use of funds during fiscal year 2009.

16 (h) The department is authorized to continue to expend federal  
17 block grant funds and special purpose federal grants through direct  
18 contracts, rather than through contracts with regional support  
19 networks, and to allocate such funds through such formulas as it shall  
20 adopt.

21 (i) The department is authorized to continue to contract directly,  
22 rather than through contracts with regional support networks, for  
23 children's long-term inpatient facility services.

24 (j) \$2,250,000 of the general fund--state appropriation for fiscal  
25 year 2008, \$2,250,000 of the general fund--state appropriation for  
26 fiscal year 2009, and \$4,500,000 of the general fund--federal  
27 appropriation are provided solely for the continued operation of  
28 community residential and support services for persons who are older  
29 adults or who have co-occurring medical and behavioral disorders and  
30 who have been discharged or diverted from a state psychiatric hospital.  
31 These funds shall be used to serve individuals whose treatment needs  
32 constitute substantial barriers to community placement, who no longer  
33 require active psychiatric treatment at an inpatient hospital level of  
34 care, and who no longer meet the criteria for inpatient involuntary  
35 commitment. Coordination of these services will be done in partnership  
36 between the mental health program and the aging and disability services  
37 administration.

1 (k) \$750,000 of the general fund--state appropriation for fiscal  
2 year 2008 and \$750,000 of the general fund--state appropriation for  
3 fiscal year 2009 are provided solely to continue performance-based  
4 incentive contracts to provide appropriate community support services  
5 for individuals with severe mental illness who were discharged from the  
6 state hospitals as part of the expanding community services initiative.  
7 These funds will be used to enhance community residential and support  
8 services provided by regional support networks through other state and  
9 federal funding.

10 (l) \$135,000 of the general fund--state appropriation for fiscal  
11 year 2008, \$2,961,000 of the general fund--state appropriation for  
12 fiscal year 2009, and \$1,289,000 of the general fund--private/local  
13 appropriation are provided solely to enable the department to contract  
14 with Pierce county human services for the provision of community mental  
15 health services to include crisis triage, evaluation and treatment, and  
16 mobile crisis services. The legislature intends this to be one-time  
17 funding while a replacement regional support network is being secured.  
18 The department is authorized to reserve \$402,000 general fund--state  
19 and \$201,000 general fund--local of these amounts for reasonable costs  
20 incurred by Pierce county for the provision of mental health crisis and  
21 related services that exceed reimbursement levels contracted by the  
22 department. In order to receive these funds, Pierce county must  
23 demonstrate to the department that the total cost of mental health  
24 services provided by the county in accordance with formal agreements  
25 has exceeded the revenues received from the department and third-party  
26 payers for these services. The department shall determine the  
27 documentation that is required.

28 (m) \$504,000 of the general fund--state appropriation for fiscal  
29 year 2008 and \$1,529,000 of the general fund--state appropriation for  
30 fiscal year 2009 are provided solely to reimburse Pierce and Spokane  
31 counties for the cost of conducting 180-day commitment hearings at the  
32 state psychiatric hospitals.

33 (n) \$750,000 of the general fund--state appropriation for fiscal  
34 year 2008 and \$1,500,000 of the general fund--state appropriation for  
35 fiscal year 2009 are provided solely for the Spokane regional support  
36 network to implement a comprehensive plan for reducing its utilization  
37 of eastern state hospital. Key elements of the plan, which shall be  
38 developed and implemented in consultation with and with the assistance

1 of the department, may include but shall not be limited to development  
 2 of additional crisis triage, crisis stabilization, and evaluation and  
 3 treatment beds; provision of housing assistance for high-utilizers of  
 4 hospital and jail services who are at risk of homelessness;  
 5 implementation of an intensive outpatient treatment team for persons  
 6 with co-occurring disorders and other special needs; and delivery of  
 7 respite care to assist elderly individuals avoid or return home after  
 8 hospitalization. Spokane regional support network shall receive a  
 9 proportional share of the fiscal year 2009 nonmedicaid rate reduction  
 10 out of its base funding distribution.

11 (o) The department shall return to the Spokane regional support  
 12 network fifty percent of the amounts assessed against the network  
 13 during fiscal year 2009 for state hospital utilization in excess of its  
 14 contractual limit. The regional support network shall use these funds  
 15 for start-up and operation during its initial months of a new sixteen-  
 16 bed evaluation and treatment facility that will enable the network to  
 17 reduce its use of the state hospital.

18 (p) The department shall not reduce medicaid capitation rates below  
 19 those in effect as of December 15, 2008.

20 (2) INSTITUTIONAL SERVICES

|    |   |                               |
|----|---|-------------------------------|
| 21 | General Fund--State Appropriation (FY 2008) . . . . . | \$138,340,000                 |
| 22 | General Fund--State Appropriation (FY 2009) . . . . . | <del>(((\$129,272,000))</del> |
| 23 |   | <u>\$126,164,000</u>          |
| 24 | General Fund--Federal Appropriation . . . . .         | <del>(((\$145,552,000))</del> |
| 25 |   | <u>\$148,501,000</u>          |
| 26 | General Fund--Private/Local Appropriation . . . . .   | <del>(((\$66,302,000))</del>  |
| 27 |   | <u>\$66,521,000</u>           |
| 28 | Pension Funding Stabilization Account--State          |                               |
| 29 | Appropriation . . . . .                               | \$7,058,000                   |
| 30 | TOTAL APPROPRIATION . . . . .                         | <del>(((\$486,524,000))</del> |
| 31 |   | <u>\$486,584,000</u>          |

32 The appropriations in this subsection are subject to the following  
 33 conditions and limitations:

34 (a) The state psychiatric hospitals may use funds appropriated in  
 35 this subsection to purchase goods and supplies through hospital group  
 36 purchasing organizations when it is cost-effective to do so.

37 (b) \$45,000 of the general fund--state appropriation for fiscal  
 38 year 2008 and \$45,000 of the general fund--state appropriation for

1 fiscal year 2009 are provided solely for payment to the city of  
2 Lakewood for police services provided by the city at western state  
3 hospital and adjacent areas.

4 (c) \$18,575,000 of the general fund--state appropriation for fiscal  
5 year 2008 and \$9,675,000 of the general fund--state appropriation for  
6 fiscal year 2009 are provided solely to operate on a temporary basis  
7 five additional adult civil commitment wards at the state psychiatric  
8 hospitals. The legislature intends for these wards to close, on a  
9 phased basis, during the 2007-09 biennium as a result of targeted  
10 investments in community services for persons who would otherwise need  
11 care in the hospitals.

12 (d) \$125,000 of the general fund--state appropriation for fiscal  
13 year 2008 and \$125,000 of the general fund--state appropriation for  
14 fiscal year 2009 are provided solely for safety training and for  
15 protective equipment for staff at eastern and western state hospitals.  
16 Protective equipment shall include shields, helmets, gloves, and body  
17 protection.

18 (e) \$304,000 of the general fund--state appropriation for fiscal  
19 year 2008 and \$231,000 of the general fund--state appropriation for  
20 fiscal year 2009 are provided solely for a community partnership  
21 between western state hospital and the city of Lakewood to support  
22 community policing efforts in the Lakewood community surrounding  
23 western state hospital. The amounts provided in this subsection (2)(e)  
24 are for the salaries, benefits, supplies, and equipment for one full-  
25 time investigator, one full-time police officer, and one full-time  
26 community service officer at the city of Lakewood.

27 (f) \$133,000 of the general fund--state appropriation for fiscal  
28 year 2008 and \$2,145,000 of the general fund--state appropriation for  
29 fiscal year 2009 are provided solely to pilot a direct care nurse  
30 staffing plan for two high incident wards at eastern state hospital and  
31 four high incident wards at western state hospital. The pilot provides  
32 funding to fully staff registered nurses, licensed practical nurses,  
33 and mental health technicians in accordance with the state psychiatric  
34 hospitals direct care staffing review and recommendations. The  
35 department shall have the authority to fill the positions with any mix  
36 of these direct care nursing staff so long as a good faith effort is  
37 made to first hire and recruit positions in accordance with the direct

1 care nurse staffing plan. The department shall monitor outcomes for  
2 improved patient and staff safety and provide a written report to the  
3 legislature by October 1, 2009.

4 (g) \$617,000 of the general fund--state appropriation for fiscal  
5 year 2008 and \$334,000 of the general fund--state appropriation for  
6 fiscal year 2009 are provided solely to cover additional operating  
7 costs related to the October 11, 2007, laundry fire at western state  
8 hospital.

9 (3) SPECIAL PROJECTS

|    |   |             |
|----|---|-------------|
| 10 | General Fund--State Appropriation (FY 2008) . . . . . | \$1,892,000 |
| 11 | General Fund--State Appropriation (FY 2009) . . . . . | \$2,269,000 |
| 12 | General Fund--Federal Appropriation . . . . .         | \$3,276,000 |
| 13 | TOTAL APPROPRIATION . . . . .                         | \$7,437,000 |

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

16 (a) \$877,000 of the general fund--state appropriation for fiscal  
17 year 2008, \$1,189,000 of the general fund--state appropriation for  
18 fiscal year 2009, and \$140,000 of the general fund--federal  
19 appropriation are provided solely for implementation of sections 4, 7,  
20 10, and other provisions of Second Substitute House Bill No. 1088  
21 (children's mental health). If the bill is not enacted by June 30,  
22 2007, the amounts provided in this subsection shall lapse. Funds are  
23 also appropriated in sections 207 and 209 of this act for  
24 implementation of 5, 8, and 11 of Second Substitute House Bill No.  
25 1088.

26 (b) \$80,000 of the general fund--state appropriation for fiscal  
27 year 2009 and \$80,000 of the general fund--federal appropriation are  
28 provided solely as one-time funding to make available a mental health  
29 train the trainer first aid course consisting of twelve hours of  
30 instruction based upon a program created by the department of  
31 psychiatry, University of Melbourne in Australia. The course will  
32 provide training to members of the public related to: (i) Giving  
33 appropriate initial help and support to a person suffering from a  
34 mental disorder and responding to mental health crisis situations; and  
35 (ii) depression, anxiety disorders, psychosis, and substance use  
36 disorder, including recognizing symptoms, possible causes or risk  
37 factors, and evidenced-based treatment options. Participants in the  
38 first aid course will train others to provide the training.



1 (4) PROGRAM SUPPORT

|   |   |                          |
|---|---|--------------------------|
| 2 | General Fund--State Appropriation (FY 2008) . . . . . | \$4,966,000              |
| 3 | General Fund--State Appropriation (FY 2009) . . . . . | <del>(\$4,500,000)</del> |
| 4 |   | <u>\$4,477,000</u>       |
| 5 | General Fund--Federal Appropriation . . . . .         | <del>(\$7,557,000)</del> |
| 6 |   | <u>\$7,580,000</u>       |
| 7 | TOTAL APPROPRIATION . . . . .                         | \$17,023,000             |

8 The appropriations in this subsection are subject to the following  
9 conditions and limitations:

10 (a) \$125,000 of the general fund--state appropriation for fiscal  
11 year 2008, \$125,000 of the general fund--state appropriation for fiscal  
12 year 2009, and \$164,000 of the general fund--federal appropriation are  
13 provided solely for the institute for public policy to continue the  
14 longitudinal analysis directed in chapter 334, Laws of 2001 (mental  
15 health performance audit), to build upon the evaluation of the impacts  
16 of chapter 214, Laws of 1999 (mentally ill offenders), and to assess  
17 program outcomes and cost effectiveness of the children's mental health  
18 pilot projects as required by chapter 372, Laws of 2006.

19 (b) \$100,000 of the general fund--state appropriation for fiscal  
20 year 2009 is provided solely for the department to contract with a  
21 facilitator to coordinate a review and make recommendations on:

- 22 (i) Ward sizes at eastern and western state hospitals and patient  
23 case mix by ward;
- 24 (ii) Discharge practices for state hospitals to include the child  
25 and study treatment center; and
- 26 (iii) Community placements to include placements for adults and  
27 children.

28 By October 15, 2008, the department shall provide to the  
29 legislature recommendations for system improvement to include a  
30 cost/benefit analysis. The department shall include representation  
31 from regional support networks in the review and development of  
32 recommendations for discharge practices and community placements.

33 **Sec. 205.** 2009 c 4 s 204 (uncodified) is amended to read as  
34 follows:

35 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--DEVELOPMENTAL**  
36 **DISABILITIES PROGRAM**

|    |  |                        |
|----|--|------------------------|
| 1  | (1) COMMUNITY SERVICES   |                        |
| 2  | General Fund--State Appropriation (FY 2008) . . . . .            | \$348,327,000          |
| 3  | General Fund--State Appropriation (FY 2009) . . . . .            | (((\$362,407,000))     |
| 4  |  | <u>\$343,396,000</u>   |
| 5  | General Fund--Federal Appropriation . . . . .                    | (((\$653,802,000))     |
| 6  |  | <u>\$692,598,000</u>   |
| 7  | Health Services Account--State Appropriation (FY 2008) . . . . . | \$452,000              |
| 8  | Health Services Account--State Appropriation (FY 2009) . . . . . | \$452,000              |
| 9  | TOTAL APPROPRIATION . . . . .                                    | (((\$1,365,440,000))   |
| 10 |  | <u>\$1,385,225,000</u> |

11 The appropriations in this subsection are subject to the following  
12 conditions and limitations:

13 ~~(a) ((The entire health services account appropriation, \$615,000 of~~  
14 ~~the general fund state appropriation for fiscal year 2008, \$892,000 of~~  
15 ~~the general fund state appropriation for fiscal year 2009, and~~  
16 ~~\$2,546,011 of the general fund federal appropriation are provided~~  
17 ~~solely for health care benefits for agency home care workers who are~~  
18 ~~employed through state contracts for at least twenty hours a week. The~~  
19 ~~state contribution to the cost of health care benefits per~~  
20 ~~participating worker per month shall be no greater than \$532.00 in~~  
21 ~~fiscal year 2008 and \$585.00 in fiscal year 2009.~~

22 ~~(b))~~ Individuals receiving family support or high school  
23 transition payments as supplemental security income (SSI) state  
24 supplemental payments shall not become eligible for medical assistance  
25 under RCW 74.09.510 due solely to the receipt of SSI state supplemental  
26 payments.

27 ~~((c) \$4,903,000 of the general fund state appropriation for~~  
28 ~~fiscal year 2008, \$9,295,000 of the general fund state appropriation~~  
29 ~~for fiscal year 2009, and \$15,016,000 of the general fund federal~~  
30 ~~appropriation are provided solely for community residential and support~~  
31 ~~services. Funding in this subsection shall be prioritized for (i)~~  
32 ~~residents of residential habilitation centers who are able to be~~  
33 ~~adequately cared for in community settings and who choose to live in~~  
34 ~~those community settings; (ii) clients without residential services who~~  
35 ~~are at immediate risk of institutionalization or in crisis; (iii)~~  
36 ~~children who are at risk of institutionalization or who are aging out~~  
37 ~~of other state services; and (iv) current home and community based~~  
38 ~~waiver program clients who have been assessed as having an immediate~~

1 need for increased services. First priority shall be given to children  
2 who are at risk of institutionalization. The department shall ensure  
3 that the average cost per day for all program services other than  
4 start-up costs shall not exceed \$300. In order to maximize the number  
5 of clients served and ensure the cost-effectiveness of the waiver  
6 programs, the department will strive to limit new client placement  
7 expenditures to 90 percent of the budgeted daily rate. If this can be  
8 accomplished, additional clients may be served with excess funds,  
9 provided the total projected carry-forward expenditures do not exceed  
10 the amounts estimated. The department shall electronically report to  
11 the appropriate committees of the legislature, within 45 days following  
12 each fiscal year quarter, the number of persons served with these  
13 additional community services, where they were residing, what kinds of  
14 services they were receiving prior to placement, and the actual  
15 expenditures for all community services to support these clients.

16 (d) ~~\$2,399,000 of the general fund state appropriation for fiscal~~  
17 ~~year 2008, \$5,961,000 of the general fund state appropriation for~~  
18 ~~fiscal year 2009, and \$8,849,000 of the general fund federal~~  
19 ~~appropriation are provided solely for expanded community services for~~  
20 ~~persons with developmental disabilities who also have community~~  
21 ~~protection issues. Funding in this subsection shall be prioritized for~~  
22 ~~(i) clients being diverted or discharged from the state psychiatric~~  
23 ~~hospitals; (ii) clients participating in the dangerous mentally ill~~  
24 ~~offender program; (iii) clients participating in the community~~  
25 ~~protection program; and (iv) mental health crisis diversion~~  
26 ~~outplacements. The department shall ensure that the average cost per~~  
27 ~~day for all program services other than start-up costs shall not exceed~~  
28 ~~\$349 in fiscal year 2008 and \$356 in fiscal year 2009. In order to~~  
29 ~~maximize the number of clients served and ensure the cost-effectiveness~~  
30 ~~of the waiver programs, the department will strive to limit new client~~  
31 ~~placement expenditures to 90 percent of the budgeted daily rate. If~~  
32 ~~this can be accomplished, additional clients may be served with excess~~  
33 ~~funds if the total projected carry-forward expenditures do not exceed~~  
34 ~~the amounts estimated. The department shall implement the four new~~  
35 ~~waiver programs such that decisions about enrollment levels and the~~  
36 ~~amount, duration, and scope of services maintain expenditures within~~  
37 ~~appropriations. The department shall electronically report to the~~  
38 ~~appropriate committees of the legislature, within 45 days following~~

1 each fiscal year quarter, the number of persons served with these  
2 additional community services, where they were residing, what kinds of  
3 services they were receiving prior to placement, and the actual  
4 expenditures for all community services to support these clients.

5 (e) \$13,198,000 of the general fund state appropriation for fiscal  
6 year 2008, \$16,354,000 of the general fund state appropriation for  
7 fiscal year 2009, and \$8,579,000 of the general fund federal  
8 appropriation are provided solely for family support programs for  
9 individuals with developmental disabilities. Of the amounts provided  
10 in this subsection (e), \$696,000 of the general fund state  
11 appropriation for fiscal year 2008 and \$3,852,000 of the general fund  
12 state appropriation for fiscal year 2009 are for state only services  
13 for individuals with developmental disabilities, as described in Second  
14 Substitute Senate Bill No. 5467 (developmental disabilities). By  
15 January 1, 2008, and by November 1, 2008, the department shall provide  
16 a status report to the appropriate policy and fiscal committees of the  
17 legislature on the individual and family services program for people  
18 with developmental disabilities, which shall include the following  
19 information: The number of applicants for funding; the total number of  
20 awards; the number and amount of both annual and one-time awards,  
21 broken down by household income levels; and the purpose of the awards.

22 (f) \$1,692,000 of the general fund state appropriation for fiscal  
23 year 2008, \$3,645,000 of the general fund state appropriation for  
24 fiscal year 2009, and \$2,397,000 of the general fund federal  
25 appropriation are provided solely for employment and day services.  
26 Priority consideration for this new funding shall be young adults with  
27 developmental disabilities living with their family who need employment  
28 opportunities and assistance after high school graduation. Services  
29 shall be provided for both waiver and nonwaiver clients. The  
30 legislature finds that some waiver clients are not receiving employment  
31 services that are authorized under their waivers. Within the amounts  
32 appropriated in this section, waiver clients must receive services as  
33 authorized by their waiver, such as pathway to employment, while  
34 waiting for paid employment to be developed. The department shall work  
35 with the counties to establish a consistent proposed policy for minimum  
36 direct service hours for clients, minimum hours of support, time frames  
37 for seeking paid employment, and services provided under pathway to  
38 employment while paid employment is sought. The department shall

1 ~~report to the office of financial management and the appropriate~~  
2 ~~committees of the legislature on this proposal by November 1, 2008,~~  
3 ~~including estimated fiscal impacts and an option for making the policy~~  
4 ~~budget neutral for the current level of clients served. In order to~~  
5 ~~maximize the number of clients served, the department may serve~~  
6 ~~additional nonwaiver clients with unspent funds for waiver clients,~~  
7 ~~provided the total projected carry forward expenditures do not exceed~~  
8 ~~the amounts estimated.~~

9 ~~(g))~~ (b) \$160,000 of the general fund--state appropriation for  
10 fiscal year 2008 and \$140,000 of the general fund--state appropriation  
11 for fiscal year 2009 are provided solely for the implementation of  
12 Second Substitute Senate Bill No. 5467 (developmental disabilities).  
13 If the bill is not enacted by June 30, 2007, the amounts provided in  
14 this subsection shall lapse.

15 ~~((h))~~ (c)(i) Amounts appropriated in this subsection are  
16 sufficient to increase provider payment rates by 6.0 percent for  
17 boarding homes, effective July 1, 2007, including those currently  
18 receiving exceptional care rates; and by 3.2 percent, effective July 1,  
19 2007, for adult family homes, including those currently receiving  
20 exceptional care rates.

21 (ii) The department shall implement phase one of full  
22 implementation of a seventeen CARE level payment system for community  
23 residential providers. Amounts appropriated in this section are  
24 sufficient to increase adult family home provider payment rates on  
25 average, effective July 1, 2008, including those currently receiving  
26 exceptional care rates, and to adjust adult family home rates for the  
27 first phase of a seventeen CARE level payment system. Effective July  
28 1, 2008, the provider payment rate allocation for boarding homes  
29 contracted as assisted living shall be the provider's June 30, 2008,  
30 payment rate allocation, and the provider payment rate for boarding  
31 homes contracted as ARCs and EARCs shall be adjusted to reflect phase  
32 one of a seventeen CARE level payment system. This will be in effect  
33 until such time as the rates are consistent between adult family homes  
34 and boarding homes for delivery of the same patient care levels.

35 (iii) Amounts provided in this section and in section 206 of this  
36 act are sufficient to assist adult family home providers with the cost  
37 of paying liability insurance.

1       ~~((i) \$921,000 of the general fund—state appropriation for fiscal~~  
2 ~~year 2009 and \$963,000 of the general fund—federal appropriation are~~  
3 ~~provided solely for the development and implementation of a federal~~  
4 ~~home and community based care waiver to provide intensive behavior~~  
5 ~~support services to up to one hundred children with developmental~~  
6 ~~disabilities who have intense behaviors, and their families.~~

7       ~~(i) To receive services under the waiver, the child must have a~~  
8 ~~developmental disability and: (A) Meet an acuity measure, as~~  
9 ~~determined by the department, indicating that the child is at high risk~~  
10 ~~of needing an out-of-home placement; (B) be eligible for developmental~~  
11 ~~disabilities services and a home and community based care waiver~~  
12 ~~program; (C) reside in his or her family home or temporarily in an~~  
13 ~~out-of-home placement with a plan to return home; and (D) have family~~  
14 ~~that demonstrates the willingness to participate in the services~~  
15 ~~offered through the waiver, and is not subject to a pending child~~  
16 ~~protective services referral.~~

17       ~~(ii) The department shall authorize, contract for, and evaluate the~~  
18 ~~provision of intensive in-home services that support the ability of the~~  
19 ~~child to remain at home with their parents or relatives. Intensive~~  
20 ~~behavior support services under the waiver shall be provided directly~~  
21 ~~or by contract, and may include, but are not limited to: (A) Behavior~~  
22 ~~consultation and management, therapies and respite care; (B) minor home~~  
23 ~~or motor vehicle modifications and transportation; (C) specialized~~  
24 ~~nutrition and clothing; (D) training of families and other individuals~~  
25 ~~working with the child; and (E) inclusion in community activities.~~

26       ~~(j) \$1,000,000 of the general fund—state appropriation for fiscal~~  
27 ~~year 2008 is provided solely for the purpose of settling all claims in~~  
28 ~~the *Washington Federation of State Employees, et. al v. State of*~~  
29 ~~*Washington*, Thurston County Superior Court Cause No. 05-2-02422-4. The~~  
30 ~~expenditure of this appropriation is contingent on the release of all~~  
31 ~~claims in this case, and total settlement costs shall not exceed the~~  
32 ~~appropriation in this subsection (j). If settlement is not executed by~~  
33 ~~June 30, 2008, the appropriation in this subsection (j) shall lapse.~~

34       ~~(k) Within the amounts appropriated in this section, the department~~  
35 ~~shall review current infant-toddler early intervention services~~  
36 ~~statewide and report to the office of financial management by November~~  
37 ~~1, 2008, and the appropriate committees of the legislature on a~~  
38 ~~recommended consistent funding approach per child for the 2009-11~~

1 biennium, recognizing the new level of funding anticipated by school  
2 district participation. The recommendations must also include a budget  
3 neutral option for the current level of clients served.

4 ~~(l))~~ (d) \$325,000 of the general fund--state appropriation for  
5 fiscal year 2009 is provided solely for state-only employment services  
6 for young adults with developmental disabilities who need employment  
7 opportunities and assistance after high school graduation.

8 ~~((m))~~ (e) Within the amounts appropriated in this subsection (1),  
9 the department shall implement all necessary rules to facilitate the  
10 transfer to a department home and community-based services (HCBS)  
11 waiver of all eligible individuals who (i) currently receive services  
12 under the existing state-only employment and day program, and (ii)  
13 otherwise meet the waiver eligibility requirements. The amounts  
14 appropriated are sufficient to ensure that all individuals currently  
15 receiving services under the state-only employment and day program who  
16 are not transferred to a department HCBS waiver will continue to  
17 receive services.

18 ~~((n) Within the amounts appropriated in this subsection (1), the~~  
19 ~~department shall define in-home personal care services to include a~~  
20 ~~client's ability to manage their personal care worker as identified by~~  
21 ~~characteristics in the functional assessment. Clients whose~~  
22 ~~assessments demonstrate they are able to manage their own plan of care~~  
23 ~~are not eligible for personal care through a home care agency. The~~  
24 ~~department shall adopt rules to implement this section.~~

25 ~~(o) The department shall not reduce and shall continue to provide~~  
26 ~~adult day health services.))~~ (f) Adult day health services shall only  
27 be authorized for in-home clients.

28 (2) INSTITUTIONAL SERVICES

|    |   |                                |
|----|---|--------------------------------|
| 29 | General Fund--State Appropriation (FY 2008) . . . . . | \$80,469,000                   |
| 30 | General Fund--State Appropriation (FY 2009) . . . . . | <del>(( \$69,825,000 ))</del>  |
| 31 |   | <u>\$65,359,000</u>            |
| 32 | General Fund--Federal Appropriation . . . . .         | <del>(( \$179,338,000 ))</del> |
| 33 |   | <u>\$184,387,000</u>           |
| 34 | General Fund--Private/Local Appropriation . . . . .   | <del>(( \$21,629,000 ))</del>  |
| 35 |   | <u>\$22,203,000</u>            |
| 36 | Pension Funding Stabilization Account--State          |                                |
| 37 | Appropriation . . . . .                               | \$5,614,000                    |
| 38 | TOTAL APPROPRIATION . . . . .                         | <del>(( \$356,875,000 ))</del> |

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

(a) The developmental disabilities program is authorized to use funds appropriated in this section to purchase goods and supplies through direct contracting with vendors when the program determines it is cost-effective to do so.

(b) \$100,000 of the general fund--state appropriation for fiscal year 2008 and \$100,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for services provided to community clients provided by licensed professionals at the state rehabilitation centers. The division shall submit claims for reimbursement for services provided to clients living in the community to medical assistance or third-party health care coverage, as appropriate, and shall implement a system for billing clients without coverage.

(c) \$642,000 of the general fund--state appropriation for fiscal year 2008 and \$721,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the department to fulfill its contracts with the school districts under chapter 28A.190 RCW to provide transportation, building space, and other support services as are reasonably necessary to support the educational programs of students living in residential habilitation centers.

~~(d) ((The department shall not reduce and shall continue to provide subsidies to clients of residential habilitation center professional providers to support the treatment of developmentally disabled clients who do not reside in a residential habilitation center, but shall not expand eligibility for these services.))~~ In addition to other reductions, the appropriations in this section reflect reductions targeted specifically to state government administrative costs. These administrative reductions shall be achieved, to the greatest extent possible, by reducing those administrative costs that do not affect direct client services or direct service delivery or programs.

(3) PROGRAM SUPPORT

|   |             |
|---|-------------|
| General Fund--State Appropriation (FY 2008) | \$2,262,000 |
| General Fund--State Appropriation (FY 2009) | \$1,903,000 |
| General Fund--Federal Appropriation         | \$2,788,000 |
| TOTAL APPROPRIATION                         | \$6,953,000 |



1 The appropriations in this subsection are subject to the following  
2 conditions and limitations:

3 ~~((1))~~ (a) As part of the needs assessment instrument, the  
4 department shall collect data on family income for minor children with  
5 developmental disabilities and all individuals who are receiving  
6 state-only funded services. The department shall ensure that this  
7 information is collected as part of the client assessment process.

8 ~~((2))~~ (b) In addition to other reductions, the reduced  
9 appropriations in this section reflect an additional \$399,000 reduction  
10 in administrative costs required by Engrossed Substitute Senate Bill  
11 No. 5460 (reducing state government administrative costs). These  
12 administrative reductions shall be achieved, to the greatest extent  
13 possible, by reducing those administrative costs that do not affect  
14 direct client services or direct service delivery or programs.

15 (4) SPECIAL PROJECTS

|    |   |              |
|----|---|--------------|
| 16 | General Fund--State Appropriation (FY 2008) . . . . . | \$17,000     |
| 17 | General Fund--State Appropriation (FY 2009) . . . . . | \$15,000     |
| 18 | General Fund--Federal Appropriation . . . . .         | \$16,809,000 |
| 19 | TOTAL APPROPRIATION . . . . .                         | \$16,841,000 |

20 **Sec. 206.** 2009 c 4 s 205 (uncodified) is amended to read as  
21 follows:

22 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--AGING AND ADULT**  
23 **SERVICES PROGRAM**

|    |  |                                  |
|----|--|----------------------------------|
| 24 | General Fund--State Appropriation (FY 2008) . . . . .        | \$700,332,000                    |
| 25 | General Fund--State Appropriation (FY 2009) . . . . .        | <del>(( \$707,293,000 ))</del>   |
| 26 |  | <u>\$654,689,000</u>             |
| 27 | General Fund--Federal Appropriation . . . . .                | <del>(( \$1,569,912,000 ))</del> |
| 28 |  | <u>\$1,627,782,000</u>           |
| 29 | General Fund--Private/Local Appropriation . . . . .          | \$19,525,000                     |
| 30 | Pension Funding Stabilization Account--State                 |                                  |
| 31 | Appropriation . . . . .                                      | \$1,448,000                      |
| 32 | Health Services Account--State Appropriation (FY 2008) . . . | \$2,444,000                      |
| 33 | Health Services Account--State Appropriation (FY 2009) . . . | \$2,444,000                      |
| 34 | Traumatic Brain Injury Account--State Appropriation . . . .  | \$1,212,000                      |
| 35 | TOTAL APPROPRIATION . . . . .                                | <del>(( \$3,004,610,000 ))</del> |
| 36 |  | <u>\$3,009,876,000</u>           |

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

3 ~~(1) ((The entire health services account appropriation, \$10,456,000  
4 of the general fund state appropriation for fiscal year 2008,  
5 \$11,370,000 of the general fund state appropriation for fiscal year  
6 2009, and \$26,778,000 of the general fund federal appropriation are  
7 provided solely for health care benefits for agency home care workers  
8 who are employed through state contracts for at least twenty hours a  
9 week. The state contribution to the cost of health care benefits per  
10 eligible participating worker per month shall be no greater than  
11 \$532.00 in fiscal year 2008 and \$585.00 per month in fiscal year 2009.~~

12 ~~(+2))~~ (a) For purposes of implementing chapter 74.46 RCW, the  
13 weighted average nursing facility payment rate shall not exceed \$159.34  
14 for fiscal year 2008 and shall not exceed \$163.72 for fiscal year 2009,  
15 including the rate add-on described in subsection ~~((+9))~~ (13) of this  
16 section. For all nursing facilities, the direct care, therapy care,  
17 support services, and operations component rates established in  
18 accordance with chapter 74.46 RCW shall be adjusted for economic trends  
19 and conditions by 3.2 percent effective July 1, 2007, and by 1.99  
20 percent effective July 1, 2008.

21 ~~((+3))~~ (b) \$1,835,000 of the general fund--state appropriation for  
22 fiscal year 2009 and \$2,574,000 of the general fund--federal  
23 appropriation are provided solely for an enhancement of the statewide  
24 weighted average nursing facility payment rate. The enhancement shall  
25 be allocated to facilities proportionally to the rate adjustments that  
26 resulted from Engrossed Substitute House Bill No. 1694 (chapter 4, Laws  
27 of 2009). Expenditures under this subsection (b) may be in excess of  
28 the weighted average nursing facility payment rate specified in (a) of  
29 this subsection.

30 (2) In accordance with chapter 74.46 RCW, the department shall  
31 issue certificates of capital authorization that result in up to  
32 \$16,000,000 of increased asset value completed and ready for occupancy  
33 in fiscal year 2008~~((+))~~ and up to \$16,000,000 of increased asset value  
34 completed and ready for occupancy in fiscal year 2009~~((+ and up to~~  
35 ~~\$16,000,000 of increased asset value completed and ready for occupancy~~  
36 ~~in fiscal year 2010.~~

37 ~~(4)~~ Adult day health services shall not be considered a duplication  
38 of services for persons receiving care in long term care settings

1 ~~licensed under chapter 18.20, 72.36, or 70.128 RCW. The department~~  
2 ~~shall not reduce and shall continue to provide adult day health~~  
3 ~~services)).~~

4 ~~((+5))~~ (3) In accordance with chapter 74.39 RCW, the department  
5 may implement two medicaid waiver programs for persons who do not  
6 qualify for such services as categorically needy, subject to federal  
7 approval and the following conditions and limitations:

8 (a) One waiver program shall include coverage of care in community  
9 residential facilities. Enrollment in the waiver shall not exceed 600  
10 persons at any time.

11 (b) The second waiver program shall include coverage of in-home  
12 care. Enrollment in this second waiver shall not exceed 200 persons at  
13 any time.

14 (c) The department shall identify the number of medically needy  
15 nursing home residents, and enrollment and expenditures on each of the  
16 two medically needy waivers, on monthly management reports.

17 (d) If it is necessary to establish a waiting list for either  
18 waiver because the budgeted number of enrollment opportunities has been  
19 reached, the department shall track how the long-term care needs of  
20 applicants assigned to the waiting list are met.

21 ~~((+6) \$1,840,000 of the general fund state appropriation for~~  
22 ~~fiscal year 2008 and \$1,877,000 of the general fund state~~  
23 ~~appropriation for fiscal year 2009 are provided solely for operation of~~  
24 ~~the volunteer chore services program.~~

25 ~~(+7))~~ (4) The department shall establish waiting lists to the  
26 extent necessary to assure that annual expenditures on the community  
27 options program entry systems (COPES) program do not exceed  
28 appropriated levels. In establishing and managing any such waiting  
29 list, the department shall assure priority access to persons with the  
30 greatest unmet needs, as determined by department assessment processes.

31 ~~((+8) \$125,000 of the general fund state appropriation for fiscal~~  
32 ~~year 2008, \$125,000 of the general fund state appropriation for fiscal~~  
33 ~~year 2009, and \$250,000 of the general fund federal appropriation are~~  
34 ~~provided solely for the implementation of Engrossed Second Substitute~~  
35 ~~Senate Bill No. 5930 (blue ribbon commission on health care). If the~~  
36 ~~bill is not enacted by June 30, 2007, the amounts provided in this~~  
37 ~~subsection shall lapse.~~

1       ~~(9) \$3,000,000 of the general fund—state appropriation for fiscal~~  
2 ~~year 2009 and \$3,134,000 of the general fund—federal appropriation are~~  
3 ~~provided solely to increase compensation for low wage workers in~~  
4 ~~nursing homes beginning July 1, 2008. Within the funds provided, the~~  
5 ~~department shall provide an add on per resident day per facility based~~  
6 ~~on the total funding divided by the total number of fiscal year 2009~~  
7 ~~medicaid patient days as forecasted by the caseload forecast council,~~  
8 ~~not to exceed \$1.57. The department may reduce the level of add on if~~  
9 ~~necessary to fit within this appropriation if the caseload forecasted~~  
10 ~~days increase from the February 2008 forecast. The add on shall be~~  
11 ~~used to increase wages, benefits, and/or staffing levels for certified~~  
12 ~~nurse aides; or to increase wages and/or benefits for dietary aides,~~  
13 ~~housekeepers, laundry aides, or any other category of worker whose~~  
14 ~~statewide average dollars per hour wage was less than \$15 in calendar~~  
15 ~~year 2006, according to cost report data. The add on may also be used~~  
16 ~~to address resulting wage compression for related job classes~~  
17 ~~immediately affected by wage increases to low wage workers. The~~  
18 ~~department shall implement reporting requirements and a settlement~~  
19 ~~process to ensure that the funds are spent according to this~~  
20 ~~subsection. The department shall adopt rules to implement the terms of~~  
21 ~~this subsection.~~

22       ~~(10))~~ (5) Within amounts appropriated in this section, the  
23 department is authorized to expand the number of boarding homes and  
24 adult family homes that receive exceptional care rates for persons with  
25 Alzheimer's disease and related dementias who might otherwise require  
26 nursing home care. The department may expand the number of licensed  
27 boarding home facilities that specialize in caring for such conditions  
28 by up to 100 beds. Effective July 1, 2008, the department shall be  
29 authorized to provide adult family homes that specialize in caring for  
30 such conditions with exceptional care rates for up to 50 beds. The  
31 department will develop standards for adult family homes to qualify for  
32 such exceptional care rates in order to enhance consumer choice.

33       ~~((11))~~ (6) \$1,212,000 of the traumatic brain injury account--  
34 state appropriation is provided solely for the implementation of Second  
35 Substitute House Bill No. 2055 (traumatic brain injury). If the bill  
36 is not enacted by June 30, 2007, the amount provided in this subsection  
37 shall lapse.

1        ~~((+12+))~~ (7)(a) Amounts appropriated in this section are sufficient  
2 to increase provider payment rates by 6.0 percent for boarding homes,  
3 effective July 1, 2007, including those currently receiving exceptional  
4 care rates; and by 3.2 percent, effective July 1, 2007, for adult  
5 family homes, including those currently receiving exceptional care  
6 rates.

7        (b) The department shall implement phase one of full implementation  
8 of a seventeen CARE level payment system for community residential  
9 providers. Amounts appropriated in this section are sufficient to  
10 increase adult family home provider payment rates on average, effective  
11 July 1, 2008, including those currently receiving exceptional care  
12 rates, and to adjust adult family home rates for the first phase of a  
13 seventeen CARE level payment system. Effective July 1, 2008, the  
14 provider payment rate allocation for boarding homes contracted as  
15 assisted living shall be the provider's June 30, 2008, payment rate  
16 allocation, and the provider payment rate for boarding homes contracted  
17 as ARCs and EARCs shall be adjusted to reflect phase one of a seventeen  
18 CARE level payment system. This will be in effect until such time as  
19 the rates are consistent between adult family homes and boarding homes  
20 for delivery of the same patient care levels.

21        (c) Amounts provided in this section and in section 205 of this act  
22 are sufficient to assist adult family home providers with the cost of  
23 paying liability insurance.

24        ~~((+13+))~~ (8) The department shall contract for housing with service  
25 models, such as cluster care, to create efficiencies in service  
26 delivery and responsiveness to unscheduled personal care needs by  
27 clustering hours for clients that live in close proximity to each  
28 other.

29        ~~((+14) \$2,463,000 of the general fund state appropriation for  
30 fiscal year 2009 and \$1,002,000 of the general fund federal  
31 appropriation are provided solely to implement sections 4 and 8 of  
32 Engrossed Second Substitute House Bill No. 2668 (long term care  
33 programs). If the bill is not enacted by June 30, 2008, the amounts  
34 provided in this subsection shall lapse.~~

35        ~~(15) \$40,000 of the general fund state appropriation for fiscal  
36 year 2009 and \$40,000 of the general fund federal appropriation are  
37 provided solely to implement Second Substitute Senate Bill No. 6220  
38 (nurse delegation) or sections 11 and 12 of Engrossed Second Substitute~~

1 ~~House Bill No. 2668 (long term care programs). If neither bill is~~  
2 ~~enacted by June 30, 2008, the amounts provided in this subsection shall~~  
3 ~~lapse.~~

4 ~~(16))~~ (9) Within the funds appropriated in the section, the  
5 department shall establish one statewide hourly rate to reimburse home  
6 care agencies for the costs related to state clients for hours worked  
7 by direct care workers in receiving mandatory training. The statewide  
8 hourly rate shall be based on the hourly wage paid to individual  
9 providers plus mandatory taxes plus an adjustment based on the formula  
10 created under RCW 74.39A.310.

11 ~~((17) Within the amounts appropriated in this section, the~~  
12 ~~department shall define in-home personal care services to include a~~  
13 ~~client's ability to manage their personal care worker as identified by~~  
14 ~~characteristics in the functional assessment. Clients whose~~  
15 ~~assessments demonstrate they are able to manage their own plan of care~~  
16 ~~are not eligible for personal care through a home care agency. The~~  
17 ~~department shall adopt rules to implement this section.~~

18 ~~(18))~~ (10) In addition to other reductions, the reduced  
19 appropriations in this section reflect an additional \$1,002,000  
20 reduction in administrative costs required by Engrossed Substitute  
21 Senate Bill No. 5460 (reducing state government administrative costs).  
22 These administrative reductions shall be achieved, to the greatest  
23 extent possible, by reducing those administrative costs that do not  
24 affect direct client services or direct service delivery or programs.

25 (11) In addition to other reductions, the appropriations in this  
26 section reflect reductions targeted specifically to state government  
27 administrative costs. These administrative reductions shall be  
28 achieved, to the greatest extent possible, by reducing those  
29 administrative costs that do not affect direct client services or  
30 direct service delivery or programs.

31 (12) Adult day health services shall only be authorized for clients  
32 in nonresidential settings.

33 (13) Within the funds provided, the department shall continue to  
34 provide an add-on per medicaid resident day per facility, not to exceed  
35 \$1.57. The add-on shall be used to increase wages, benefits, and/or  
36 staffing levels for certified nurse aides; or to increase wages and/or  
37 benefits for dietary aides, housekeepers, laundry aides, or any other  
38 category of worker whose statewide average dollars-per-hour wage was

1 less than \$15 in calendar year 2008, according to cost report data.  
2 The add-on may also be used to address resulting wage compression for  
3 related job classes immediately affected by wage increases to low-wage  
4 workers. The department shall continue reporting requirements and a  
5 settlement process to ensure that the funds are spent according to this  
6 subsection. The department shall adopt rules to implement the terms of  
7 this subsection.

8 **Sec. 207.** 2009 c 4 s 206 (uncodified) is amended to read as  
9 follows:

10 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--ECONOMIC SERVICES**  
11 **PROGRAM**

|    |   |                                  |
|----|---|----------------------------------|
| 12 | General Fund--State Appropriation (FY 2008) . . . . . | \$586,369,000                    |
| 13 | General Fund--State Appropriation (FY 2009) . . . . . | (( <del>\$464,586,000</del> ))   |
| 14 |   | <u>\$467,807,000</u>             |
| 15 | General Fund--Federal Appropriation . . . . .         | (( <del>\$1,168,223,000</del> )) |
| 16 |   | <u>\$1,197,375,000</u>           |
| 17 | General Fund--Private/Local Appropriation . . . . .   | \$33,233,000                     |
| 18 | Pension Funding Stabilization Account--State          |                                  |
| 19 | Appropriation . . . . .                               | \$4,592,000                      |
| 20 | TOTAL APPROPRIATION . . . . .                         | (( <del>\$2,257,003,000</del> )) |
| 21 |   | <u>\$2,289,376,000</u>           |

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

24 (1) \$344,694,000 of the general fund--state appropriation for  
25 fiscal year 2008, ((~~\$362,304,000~~)) \$225,714,000 of the general fund--  
26 state appropriation for fiscal year 2009, and ((~~\$733,276,000~~))  
27 \$843,165,000 of the general fund--federal appropriation are provided  
28 solely for all components of the WorkFirst program. Within the amounts  
29 provided for the WorkFirst program, the department may provide  
30 assistance using state-only funds for families eligible for temporary  
31 assistance for needy families. Within the amounts provided for the  
32 WorkFirst program, the department shall:

- 33 (a) Establish a career services work transition program;
- 34 (b) Continue to implement WorkFirst program improvements that are  
35 designed to achieve progress against outcome measures specified in RCW  
36 74.08A.410. Outcome data regarding job retention and wage progression  
37 shall be reported quarterly to appropriate fiscal and policy committees

1 of the legislature for families who leave assistance, measured after 12  
2 months, 24 months, and 36 months. The department shall also report the  
3 percentage of families who have returned to temporary assistance for  
4 needy families after 12 months, 24 months, and 36 months;

5 (c) Submit a report by October 1, 2007, to the fiscal committees of  
6 the legislature containing a spending plan for the WorkFirst program.  
7 The plan shall identify how spending levels in the 2007-2009 biennium  
8 will be adjusted to stay within available federal grant levels and the  
9 appropriated state-fund levels;

10 (d) Provide quarterly fiscal reports to the office of financial  
11 management and the legislative fiscal committees detailing information  
12 on the amount expended from general fund--state and general fund--  
13 federal by activity;

14 (e) For fiscal year 2009, increase the temporary assistance for  
15 needy families grant standard by three percent to account for increased  
16 housing costs.

17 (2) Up to \$250,000 of the general fund--state appropriation for  
18 fiscal year 2008 and \$250,000 of the general fund--state appropriation  
19 for fiscal year 2009 of the amounts in subsection (1) of this section  
20 are for the WorkFirst pathway to engagement program. The department  
21 shall collaborate with community partners and represented staff to  
22 identify additional services needed for WorkFirst clients in sanction  
23 status. The department shall contract with qualified community-based  
24 organizations to deliver such services, provided that such services are  
25 complimentary to the work of the department and are not intended to  
26 supplant existing staff or services. The department shall also  
27 contract with community-based organizations for the provision of  
28 services for WorkFirst clients who have been terminated after six  
29 months of sanction. Contracts established pursuant to this subsection  
30 shall have a performance-based component and shall include both  
31 presanction termination and postsanction termination services. Clients  
32 shall be able to choose whether or not to accept the services. The  
33 department shall develop outcome measures for the program related to  
34 outreach and reengagement, reduction of barriers to employment, and  
35 client feedback and satisfaction. Nothing in this subsection is  
36 intended to modify a collective bargaining agreement under chapter  
37 41.80 RCW or to change the state's responsibility under chapter 41.80  
38 RCW. The department shall report to the appropriate policy and fiscal



1 committees of the legislature by December 1, 2007, on program  
2 implementation and outcomes. The department also shall report on  
3 implementation of specialized caseloads for clients in sanction status,  
4 including average caseload size, referral process and criteria, and  
5 expected outcomes for specialized caseloads.

6 (3) \$210,000 of the general fund--state appropriation for fiscal  
7 year 2008, \$187,000 of the general fund--state appropriation for fiscal  
8 year 2009, and \$396,000 of the general fund--federal appropriation are  
9 provided solely for implementation of section 8 of Second Substitute  
10 House Bill No. 1088 (children's mental health). If the bill is not  
11 enacted by June 30, 2007, the amounts provided in this subsection shall  
12 lapse.

13 (4) \$152,000 of the general fund--state appropriation for fiscal  
14 year 2008, \$96,000 of the general fund--state appropriation for fiscal  
15 year 2009, and \$482,000 of the general fund--federal appropriation are  
16 provided solely for implementation of Second Substitute House Bill No.  
17 1009 (child support schedule). If the bill is not enacted by June 30,  
18 2007, the amounts provided in this subsection shall lapse.

19 (5) \$750,000 of the general fund--state appropriation for fiscal  
20 year 2008 and \$750,000 of the general fund--state appropriation for  
21 fiscal year 2009 are provided solely to increase naturalization  
22 services. These amounts shall supplement and not supplant state and  
23 federal resources currently provided by the department for this  
24 purpose.

25 (6) \$1,500,000 of the general fund--state appropriation for fiscal  
26 year 2008 and \$1,500,000 of the general fund--state appropriation for  
27 fiscal year 2009 are provided solely to increase limited English  
28 proficiency pathway services. These amounts shall supplement and not  
29 supplant state and federal resources currently provided by the  
30 department for this purpose.

31 (7) \$250,000 of the general fund--state appropriation for fiscal  
32 year 2008, \$5,782,000 of the general fund--state appropriation for  
33 fiscal year 2009, and \$6,431,000 of the general fund--federal  
34 appropriation are provided solely for implementation of Substitute  
35 Senate Bill No. 5244 (deficit reduction act). If the bill is not  
36 enacted by June 30, 2007, the amounts provided in this subsection shall  
37 lapse.

1 (8) Within amounts appropriated in this section, the department  
2 shall: (a) Increase the state supplemental payment by \$1.77 per month  
3 beginning July 1, 2007, and by an additional \$1.83 per month beginning  
4 July 1, 2008, for SSI clients who reside in nursing facilities,  
5 residential habilitation centers, or state hospitals and who receive a  
6 personal needs allowance; and (b) decrease other state supplemental  
7 payments.

8 (9) \$100,000 of the general fund--state appropriation for fiscal  
9 year 2008 and \$100,000 of the general fund--state appropriation for  
10 fiscal year 2009 are provided solely to the department for the data  
11 tracking provisions specified in sections 701 and 702 of Second  
12 Substitute Senate Bill No. 5470 (dissolution proceedings). If the  
13 bill is not enacted by June 30, 2007, the amounts provided in this  
14 subsection shall lapse.

15 (10) \$1,552,000 of the general fund--state appropriation for fiscal  
16 year 2008 and \$1,552,000 of the general fund--state appropriation for  
17 fiscal year 2009 are provided solely for implementation of Second  
18 Substitute Senate Bill No. 6016 (workfirst program). If the bill is  
19 not enacted by June 30, 2007, the amounts provided in this subsection  
20 shall lapse.

21 (11) \$50,000 of the general fund--state appropriation for fiscal  
22 year 2008 and \$50,000 of the general fund--state appropriation for  
23 fiscal year 2009 are provided solely to the department to award grants  
24 to small mutual assistance associations or small community-based  
25 organizations that contract with the department for immigrant and  
26 refugee assistance services. The funds shall be awarded to demonstrate  
27 the impact of providing funding for a case worker in the community  
28 organization on the refugees' economic self-sufficiency through the  
29 effective use of social services, and financial and medical assistance.

30 (12) \$50,000 of the general fund--state appropriation for fiscal  
31 year 2009 is provided solely for implementation of Second Substitute  
32 Senate Bill No. 6483 (local food production). If the bill is not  
33 enacted by June 30, 2008, the amount provided in this subsection shall  
34 lapse.

35 (13) \$1,100,000 of the general fund--state appropriation for fiscal  
36 year 2009 and \$850,000 of the general fund--federal appropriation are  
37 provided solely to increase the gross income limits for eligibility for  
38 programs authorized under RCW 74.04.500 and 74.08A.120 to 200 percent

1 of the federal poverty level. The department shall adjust its rules  
2 and information technology systems to make the eligibility change  
3 effective October 1, 2008.

4 (14) The department, in conjunction with the House Bill No. 1290  
5 work group, shall identify and analyze barriers preventing city,  
6 county, and state referrals of persons potentially eligible for  
7 expedited application processing authorized under RCW 74.09.555. The  
8 department, in conjunction with the House Bill No. 1290 work group,  
9 shall report its findings and recommendations to the appropriate  
10 committees of the legislature no later than November 15, 2008.

11 (15) \$656,000 of the general fund--state appropriation for fiscal  
12 year 2009 is provided solely to the department to increase immigration  
13 and naturalization services. These funds shall not supplant state and  
14 federal resources currently provided by the department for this  
15 purpose.

16 (16) The department shall not increase the child care copayment for  
17 families above 82 percent of the federal poverty level.

18 (17) In addition to other reductions, the reduced appropriations in  
19 this section reflect an additional \$516,000 reduction in administrative  
20 costs required by Engrossed Substitute Senate Bill No. 5460 (reducing  
21 state government administrative costs). These administrative  
22 reductions shall be achieved, to the greatest extent possible, by  
23 reducing those administrative costs that do not affect direct client  
24 services or direct service delivery or programs.

25 **Sec. 208.** 2009 c 4 s 207 (uncodified) is amended to read as  
26 follows:

27 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--ALCOHOL AND**  
28 **SUBSTANCE ABUSE PROGRAM**

|    |  |                                |
|----|--|--------------------------------|
| 29 | General Fund--State Appropriation (FY 2008) . . . . .  | \$69,252,000                   |
| 30 | General Fund--State Appropriation (FY 2009) . . . . .  | <del>(( \$54,049,000 ))</del>  |
| 31 |  | <u>\$55,324,000</u>            |
| 32 | General Fund--Federal Appropriation . . . . .          | <del>(( \$168,949,000 ))</del> |
| 33 |  | <u>\$177,314,000</u>           |
| 34 | General Fund--Private/Local Appropriation . . . . .    | \$6,083,000                    |
| 35 | Criminal Justice Treatment Account--State              |                                |
| 36 | Appropriation . . . . .                                | \$18,555,000                   |
| 37 | Violence Reduction and Drug Enforcement Account--State |                                |

|    |  |                                |
|----|--|--------------------------------|
| 1  | Appropriation (FY 2008) . . . . .                      | \$22,186,000                   |
| 2  | Violence Reduction and Drug Enforcement Account--State |                                |
| 3  | Appropriation (FY 2009) . . . . .                      | \$22,186,000                   |
| 4  | Problem Gambling Account--State                        |                                |
| 5  | Appropriation . . . . .                                | \$1,464,000                    |
| 6  | Public Safety and Education Account--State             |                                |
| 7  | Appropriation (FY 2008) . . . . .                      | \$3,396,000                    |
| 8  | Public Safety and Education Account--State             |                                |
| 9  | Appropriation (FY 2009) . . . . .                      | \$3,395,000                    |
| 10 | Pension Funding Stabilization Account--State           |                                |
| 11 | Appropriation . . . . .                                | \$146,000                      |
| 12 | TOTAL APPROPRIATION . . . . .                          | (( <del>\$369,661,000</del> )) |
| 13 |  | <u>\$379,301,000</u>           |

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

16 (1) \$2,786,000 of the general fund--state appropriation for fiscal  
17 year 2008 and \$2,785,000 of the general fund--state appropriation for  
18 fiscal year 2009 are provided solely for the parent child assistance  
19 program. The department shall contract with the University of  
20 Washington and community-based providers for the provision of this  
21 program. For all contractors, indirect charges for administering the  
22 program shall not exceed ten percent of the total contract amount.

23 (2) (~~(\$11,113,000 of the general fund--state appropriation for~~  
24 ~~fiscal year 2008, \$14,490,000 of the general fund--state appropriation~~  
25 ~~for fiscal year 2009, and \$14,269,000 of the general fund--federal~~  
26 ~~appropriation are provided solely for the expansion of)) The department  
27 shall not reduce and shall continue to provide chemical dependency  
28 treatment services for adult medicaid eligible and general  
29 assistance-unemployable patients authorized under the 2005-07 biennial  
30 appropriations act. By September 30, 2007, the department shall submit  
31 an expenditure and program report relating to the patients receiving  
32 treatment and other services pursuant to the funding provided in this  
33 subsection (2), as well as to other patients receiving treatment funded  
34 by the department. The report shall be submitted to the office of  
35 financial management and the appropriate policy and fiscal committees  
36 of the legislature. Subsequent updates to this report shall be  
37 provided by January 31 and July 31 of each fiscal year of the 2007-09  
38 biennium. The reports shall include, but not necessarily be limited~~

1 to, the following information: (a) The number and demographics  
2 (including categories) of patients served; (b) geographic distribution;  
3 (c) modality of treatment services provided (i.e. residential or  
4 out-patient); (d) treatment completion rates; (e) funds spent; and (f)  
5 where applicable, the estimated cost offsets in medical assistance on  
6 a total and per patient basis.

7 ~~(3) ((\$698,000 of the general fund--state appropriation for fiscal~~  
8 ~~year 2008, \$1,060,000 of the general fund--state appropriation for~~  
9 ~~fiscal year 2009, and \$154,000 of the general fund--federal~~  
10 ~~appropriation are provided solely for the expansion authorized under~~  
11 ~~the 2005-07 biennial appropriations act of chemical dependency~~  
12 ~~treatment services for minors who are under 200 percent of the federal~~  
13 ~~poverty level. The department shall monitor the number and type of~~  
14 ~~clients entering treatment, for purposes of determining potential cost~~  
15 ~~offsets.~~

16 ~~(4))~~ \$250,000 of the general fund--state appropriation for fiscal  
17 year 2008 and \$145,000 of the general fund--state appropriation for  
18 fiscal year 2009 are provided solely for the department to contract for  
19 the following: (a) To continue an existing pilot program in Pierce  
20 county limited to individuals who began chemical dependency treatment  
21 using the prometa protocol prior to March 11, 2008; and (b) to contract  
22 with an independent evaluator who will, to the extent possible,  
23 evaluate the Pierce county pilot, as well as summarize other research  
24 on the efficacy of the prometa protocol.

25 ~~((5))~~ (4) \$4,449,000 of the general fund--state appropriation for  
26 fiscal year 2009 and \$1,000,000 of the criminal justice treatment  
27 account appropriation are provided solely to implement Engrossed  
28 Substitute Senate Bill No. 6665 (crisis response), to continue existing  
29 pilot programs and to expand the intensive crisis response pilot to  
30 Spokane county. The continuation and expansion of the pilot programs  
31 expires June 30, 2009. If the bill is not enacted by June 30, 2008,  
32 the amounts provided in this subsection shall lapse.

33 ~~((6) The department shall not reduce and shall continue to provide~~  
34 ~~adult care and low income treatment and detoxification services.~~

35 ~~(7) The department shall not reduce and shall continue to support~~  
36 ~~the families in recovery program.~~

37 ~~(8) The department shall not reduce and shall continue the student~~  
38 ~~employment program.~~

1       ~~(9))~~ (5) The department shall not reduce and shall continue to  
2 provide funding for living allowances to clients in treatment under RCW  
3 74.50.050.

4       ~~((10) The department shall not reduce and shall continue to~~  
5 ~~provide funding to drug courts for treatment.~~

6       ~~(11))~~ (6) In addition to other reductions, the reduced  
7 appropriations in this section reflect an additional \$76,000 reduction  
8 in administrative costs required by Engrossed Substitute Senate Bill  
9 No. 5460 (reducing state government administrative costs). These  
10 administrative reductions shall be achieved, to the greatest extent  
11 possible, by reducing those administrative costs that do not affect  
12 direct client services or direct service delivery or programs.

13       ~~((12))~~ (7) The department shall not reduce and shall continue to  
14 secure and provide for evaluation training for assessing children with  
15 fetal alcohol spectrum disorders (FASD).

16       **Sec. 209.** 2009 c 4 s 208 (uncodified) is amended to read as  
17 follows:

18 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--MEDICAL ASSISTANCE**  
19 **PROGRAM**

|    |  |                                  |
|----|--|----------------------------------|
| 20 | General Fund--State Appropriation (FY 2008) . . . . .      | \$1,602,827,000                  |
| 21 | General Fund--State Appropriation (FY 2009) . . . . .      | <del>(( \$1,533,431,000 ))</del> |
| 22 |  | <u>\$1,439,526,000</u>           |
| 23 | General Fund--Federal Appropriation . . . . .              | <del>(( \$4,439,060,000 ))</del> |
| 24 |  | <u>\$4,653,878,000</u>           |
| 25 | General Fund--Private/Local Appropriation . . . . .        | \$2,000,000                      |
| 26 | Emergency Medical Services and Trauma Care Systems         |                                  |
| 27 | Trust Account--State Appropriation . . . . .               | \$15,076,000                     |
| 28 | Health Services Account--State Appropriation (FY 2008) . . | \$388,946,000                    |
| 29 | Health Services Account--State                             |                                  |
| 30 | Appropriation (FY 2009) . . . . .                          | <del>(( \$392,857,000 ))</del>   |
| 31 |  | <u>\$364,314,000</u>             |
| 32 | Tobacco Prevention and Control Account--State              |                                  |
| 33 | Appropriation . . . . .                                    | <del>(( \$1,883,000 ))</del>     |
| 34 |  | <u>\$1,727,000</u>               |
| 35 | Pension Funding Stabilization Account--State               |                                  |
| 36 | Appropriation . . . . .                                    | \$646,000                        |
| 37 | TOTAL APPROPRIATION . . . . .                              | <del>(( \$8,376,726,000 ))</del> |

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

(1) Based on quarterly expenditure reports and caseload forecasts, if the department estimates that expenditures for the medical assistance program will exceed the appropriations, the department shall take steps including but not limited to reduction of rates or elimination of optional services to reduce expenditures so that total program costs do not exceed the annual appropriation authority.

(2) In determining financial eligibility for medicaid-funded services, the department is authorized to disregard recoveries by Holocaust survivors of insurance proceeds or other assets, as defined in RCW 48.104.030.

(3) Sufficient amounts are appropriated in this section for the department to continue podiatry services for medicaid-eligible adults.

(4) Sufficient amounts are appropriated in this section for the department to provide an adult dental benefit that is at least equivalent to the benefit provided in the 2003-05 biennium.

(5) In accordance with RCW 74.46.625, \$6,000,000 of the general fund--federal appropriation is provided solely for supplemental payments to nursing homes operated by public hospital districts. The public hospital district shall be responsible for providing the required nonfederal match for the supplemental payment, and the payments shall not exceed the maximum allowable under federal rules. It is the legislature's intent that the payments shall be supplemental to and shall not in any way offset or reduce the payments calculated and provided in accordance with part E of chapter 74.46 RCW. It is the legislature's further intent that costs otherwise allowable for rate-setting and settlement against payments under chapter 74.46 RCW shall not be disallowed solely because such costs have been paid by revenues retained by the nursing home from these supplemental payments. The supplemental payments are subject to retrospective interim and final cost settlements based on the nursing homes' as-filed and final medicare cost reports. The timing of the interim and final cost settlements shall be at the department's discretion. During either the interim cost settlement or the final cost settlement, the department shall recoup from the public hospital districts the supplemental payments that exceed the medicaid cost limit and/or the medicare upper

1 payment limit. The department shall apply federal rules for  
2 identifying the eligible incurred medicaid costs and the medicare upper  
3 payment limit.

4 (6) \$1,111,000 of the health services account appropriation for  
5 fiscal year 2008, \$1,110,000 of the health services account  
6 appropriation for fiscal year 2009, \$5,402,000 of the general fund--  
7 federal appropriation, \$1,590,000 of the general fund--state  
8 appropriation for fiscal year 2008, and \$1,591,000 of the general  
9 fund--state appropriation for fiscal year 2009 are provided solely for  
10 grants to rural hospitals. The department shall distribute the funds  
11 under a formula that provides a relatively larger share of the  
12 available funding to hospitals that (a) serve a disproportionate share  
13 of low-income and medically indigent patients and (b) have relatively  
14 smaller net financial margins, to the extent allowed by the federal  
15 medicaid program.

16 (7) \$10,546,000 of the health services account appropriation for  
17 fiscal year 2008, \$10,546,000 of the health services account--state  
18 appropriation for fiscal year 2009, and \$19,725,000 of the general  
19 fund--federal appropriation are provided solely for grants to nonrural  
20 hospitals. The department shall distribute the funds under a formula  
21 that provides a relatively larger share of the available funding to  
22 hospitals that (a) serve a disproportionate share of low-income and  
23 medically indigent patients and (b) have relatively smaller net  
24 financial margins, to the extent allowed by the federal medicaid  
25 program.

26 (8) The department shall continue the inpatient hospital certified  
27 public expenditures program for the 2007-2009 biennium. The program  
28 shall apply to all public hospitals, including those owned or operated  
29 by the state, except those classified as critical access hospitals or  
30 state psychiatric institutions. The department shall submit reports to  
31 the governor and legislature by November 1, 2007, and by November 1,  
32 2008, that evaluate whether savings continue to exceed costs for this  
33 program. If the certified public expenditures (CPE) program in its  
34 current form is no longer cost-effective to maintain, the department  
35 shall submit a report to the governor and legislature detailing  
36 cost-effective alternative uses of local, state, and federal resources  
37 as a replacement for this program. During fiscal year 2008 and fiscal  
38 year 2009, hospitals in the program shall be paid and shall retain (a)



1 one hundred percent of the federal portion of the allowable hospital  
2 cost for each medicaid inpatient fee-for-service claim payable by  
3 medical assistance; and (b) one hundred percent of the federal portion  
4 of the maximum disproportionate share hospital payment allowable under  
5 federal regulations. Inpatient medicaid payments shall be established  
6 using an allowable methodology that approximates the cost of claims  
7 submitted by the hospitals. Payments made to each hospital in the  
8 program in each fiscal year of the biennium shall be compared to a  
9 baseline amount. The baseline amount will be determined by the total  
10 of (a) the inpatient claim payment amounts that would have been paid  
11 during the fiscal year had the hospital not been in the CPE program,  
12 and (b) disproportionate share hospital payment amounts paid to and  
13 retained by each hospital during fiscal year 2005 that pertain to  
14 fiscal year 2005. If payments during the fiscal year exceed the  
15 hospital's baseline amount, no additional payments will be made to the  
16 hospital except the federal portion of allowable disproportionate share  
17 hospital payments for which the hospital can certify allowable match.  
18 If payments during the fiscal year are less than the baseline amount,  
19 the hospital will be paid a state grant equal to the difference between  
20 payments during the fiscal year and the applicable baseline amount.  
21 Payment of the state grant shall be made in the applicable fiscal year  
22 and distributed in monthly payments. The grants will be recalculated  
23 and redistributed as the baseline is updated during the fiscal year.  
24 The grant payments are subject to an interim settlement within eleven  
25 months after the end of the fiscal year. A final settlement shall be  
26 performed within two years after the end of the related fiscal year.  
27 To the extent that either settlement determines that a hospital has  
28 received funds in excess of what it would have received as described in  
29 this subsection, the hospital must repay the excess amounts to the  
30 state when requested. \$61,728,000 of the general fund--state  
31 appropriation for fiscal year 2008, of which \$6,570,000 is appropriated  
32 in section 204(1) of this act and the balance in this section, and  
33 (~~(\$47,745,000)~~) \$46,490,000 of the general fund--state appropriation  
34 for fiscal year 2009, of which \$6,570,000 is appropriated in section  
35 204(1) of this act and the balance in this section, are provided solely  
36 for state grants for the participating hospitals.

37 (9) \$4,399,000 of the general fund--state appropriation for fiscal  
38 year 2008, (~~(\$6,391,000)~~) \$6,094,000 of the general fund--state

1 appropriation for fiscal year 2009, and (~~(\$55,384,000)~~) \$53,470,000 of  
2 the general fund--federal appropriation are provided solely for  
3 development and implementation of a replacement system for the existing  
4 medicaid management information system. The amounts are conditioned on  
5 the department satisfying the requirements of section 902 of this act.

6 (10) When a person is ineligible for medicaid solely by reason of  
7 residence in an institution for mental diseases, the department shall  
8 provide the person with the same benefits as he or she would receive if  
9 eligible for medicaid, using state-only funds to the extent necessary.

10 (11) The department is authorized to use funds appropriated in this  
11 section to purchase goods and supplies through direct contracting with  
12 vendors when the department determines it is cost-effective to do so.

13 (12) The legislature affirms that it is in the state's interest for  
14 Harborview medical center to remain an economically viable component of  
15 the state's health care system.

16 (13) The department shall, within available resources, continue  
17 operation of the medical care services care management pilot project  
18 for clients receiving general assistance benefits in King and Pierce  
19 counties. The project may use a full or partial capitation model that  
20 includes a mechanism for shared savings.

21 (14) \$1,688,000 of the general fund--state appropriation for fiscal  
22 year 2008 and \$1,689,000 of the general fund--state appropriation for  
23 fiscal year 2009 are provided solely to incorporate a mental health  
24 service component to the pilot project established pursuant to  
25 subsection (13) of this section. Addition of the mental health service  
26 component authorized in this subsection is contingent upon the managed  
27 care contractor or the participating counties providing, alone or in  
28 combination, matching funds in cash or in kind, in an amount equal to  
29 one-ninth of the amounts appropriated in this subsection. The mental  
30 health service component may include care coordination, mental health  
31 services, and integrated medical and mental health service delivery for  
32 general assistance clients with mental health disorders, as well as  
33 primary care provider training and education. The department shall  
34 provide a report to the appropriate committees of the legislature by  
35 January 1, 2009, on costs, savings, and any outcomes or quality  
36 measures associated with the pilot projects during calendar year 2007  
37 and 2008. To the extent possible, the report shall address any impact

1 that the mental health services component has had upon clients' use of  
2 medical services, including but not limited to primary care physician's  
3 visits, emergency room utilization, and prescription drug utilization.

4 (15) \$341,000 of the health services account appropriation for  
5 fiscal year 2008, \$1,054,000 of the health services account  
6 appropriation for fiscal year 2009, and \$1,461,000 of the general  
7 fund--federal appropriation are provided solely to implement Second  
8 Substitute House Bill No. 1201 (foster care youth medical). If the  
9 bill is not enacted by June 30, 2007, the amounts provided in this  
10 subsection shall lapse.

11 (16) \$6,728,000 of the general fund--state appropriation for fiscal  
12 year 2008 and \$8,563,000 of the general fund--state appropriation for  
13 fiscal year 2009 are provided solely to provide full benefit dual  
14 eligible beneficiaries with medicare part D prescription drug copayment  
15 coverage in accordance with chapter 3, Laws of 2007 (part D copayment  
16 drug program).

17 (17) The department shall conduct a study to determine the  
18 financial impact associated with continuing to cover brand name  
19 medications versus the same medication in its generic form. The study  
20 shall account for all rebates paid to the state on each product studied  
21 up until the point where the generic form is less expensive, net of  
22 federally required rebates. The department shall submit its report to  
23 the legislative fiscal committees by December 1, 2007.

24 ~~(18) ((\$198,000 of the general fund--state appropriation for fiscal~~  
25 ~~year 2008 and \$134,000 of the general fund--state appropriation for~~  
26 ~~fiscal year 2009 are provided solely for the first two years of a four-~~  
27 ~~year project by the Seattle-King county health department to improve~~  
28 ~~management of symptoms and reduce complications related to asthma among~~  
29 ~~medicaid eligible children. The department shall contract with the~~  
30 ~~Seattle-King county health department to have trained community health~~  
31 ~~workers visit medicaid eligible children in their homes to identify and~~  
32 ~~reduce exposure to asthma triggers, improve clients' self-management~~  
33 ~~skills, and coordinate clients' care with their primary care and~~  
34 ~~specialty providers. The contract shall include an evaluation of the~~  
35 ~~impact of the services provided under the contract on urgent~~  
36 ~~physician's visits, emergency room utilization, and inpatient~~  
37 ~~hospitalization.~~

1       ~~(19))~~) \$1,529,000 of the general fund--state appropriation for  
2 fiscal year 2008 and \$1,624,000 of the general fund--state  
3 appropriation for fiscal year 2009 are provided solely for development  
4 and implementation of an outreach program as provided in chapter 5,  
5 Laws of 2007 (Second Substitute Senate Bill No. 5093, health services  
6 for children).

7       (a) By December 15, 2007, the department shall provide a report to  
8 the appropriate committees of the legislature on the progress of  
9 implementing the following activities:

10       (i) Feasibility study and implementation plan to develop online  
11 application capability that is integrated with the department's  
12 automated client eligibility system;

13       (ii) Development of data linkages with the office of superintendent  
14 of public instruction for free and reduced-price lunch enrollment  
15 information and the department of early learning for child care subsidy  
16 program enrollment information;

17       (iii) Informing insurers and providers when their enrollees'  
18 eligibility is going to expire so insurers and providers can help  
19 families reenroll;

20       (iv) Outreach contracts with local governmental entities, community  
21 based organizations, and tribes;

22       (v) Results of data sharing with outreach contractors, and other  
23 contracted entities such as local governments, community-based  
24 organizations, tribes, health care providers, and insurers to engage,  
25 enroll, and reenroll identified children;

26       (vi) Results of efforts to maximize federal matching funds,  
27 wherever possible; and

28       (vii) Plans for sustaining outreach programs proven to be  
29 successful.

30       (b)(i) Within the amounts provided under this subsection (19),  
31 sufficient funding is provided to the department to develop and  
32 implement in conjunction with the employment security department a plan  
33 that would:

34       (A) Allow applicants and recipients of unemployment insurance to  
35 request assistance with obtaining health coverage for household  
36 members; and

37       (B) Authorize the exchange of information between the employment

1 security department and the department of social and health services to  
2 more efficiently determine eligibility for health coverage under  
3 chapter 74.09 RCW.

4 (ii) The plan developed in (b)(i) of this subsection should address  
5 permissible uses of federal employment security funding and  
6 infrastructure, identification of any necessary statutory changes, and  
7 cost information. The department shall submit the plan in a report to  
8 the governor and the appropriate committees of the legislature by  
9 November 15, 2008.

10 ((+20+)) (19) \$640,000 of the general fund--state appropriation for  
11 fiscal year 2008 and \$616,000 of the general fund--state appropriation  
12 for fiscal year 2009 are provided solely for a medicare advantage  
13 program. The department shall:

14 (a) Pay the premiums associated with enrollment in a medicare  
15 advantage plan for those full benefit dual eligible beneficiaries, as  
16 defined in RCW 74.09.010, who were enrolled on or before November 14,  
17 2006 in a medicare advantage plan sponsored by an entity accredited by  
18 the national committee for quality assurance and for whom the  
19 department had been paying Part C premium as of November 2006; and

20 (b) Undertake, directly or by contract, a study to determine the  
21 cost-effectiveness of paying premiums for enrollment of full benefit  
22 dual eligible beneficiaries in medicare advantage plans in lieu of  
23 paying full benefit dual eligible beneficiaries' medicare cost-sharing.  
24 The study shall compare the cost and health outcomes experience,  
25 including rates of nursing home placement and costs for groups of full  
26 benefit dual eligible beneficiaries who are enrolled in medicare  
27 advantage plans, in medicare special needs plan or in medicare fee-for-  
28 service. The study shall compare the health status and utilization of  
29 health and long-term care services for the three groups, and the impact  
30 of access to a medical home and specialty care, over a period of two  
31 years to determine any differences in health status, health outcomes,  
32 and state expenditures that result. The department shall submit the  
33 results of the study to the governor and the legislature by June 30,  
34 2009. The department is authorized to accept private cash and in-kind  
35 donations and grants to support the study and evaluation.

36 (c) Track enrollment and expenditures for this population on  
37 department monthly management reports.

1        ~~((+21+))~~ (20) The department may not transition to managed care  
2 delivery any population that has been primarily served under fee-for-  
3 service delivery unless the department first conducts a cost-  
4 effectiveness evaluation of the transition, including an evaluation of  
5 historical data on utilization patterns, and finds that the transition  
6 would result in a more effective and cost-efficient form of service  
7 delivery, pursuant to RCW 74.09.470. Any such finding must be provided  
8 to the governor and the legislature no less than ninety days before the  
9 transition begins.

10        ~~((+22+))~~ (21) \$756,000 of the general fund--state appropriation for  
11 fiscal year 2008, \$1,193,000 of the general fund--state appropriation  
12 for fiscal year 2009, \$1,261,000 of the health services account--state  
13 appropriation for fiscal year 2009, and \$2,448,000 of the general  
14 fund--federal appropriation are provided solely to implement sections  
15 5, 7, 8, and 11 of Second Substitute House Bill No. 1088 (children's  
16 mental health). If the bill is not enacted by June 30, 2007, the  
17 amounts provided in this subsection shall lapse.

18        ~~((+23+))~~ (22) \$288,000 of the general fund--state appropriation for  
19 fiscal year 2008, \$277,000 of the general fund--state appropriation for  
20 fiscal year 2009, and \$566,000 of the general fund--federal  
21 appropriation are provided solely for the implementation of Engrossed  
22 Second Substitute Senate Bill No. 5930 (blue ribbon comm/health care).  
23 If the bill is not enacted by June 30, 2007, the amounts provided in  
24 this subsection shall lapse.

25        ~~((+24+))~~ (23) \$45,000 of the general fund--state appropriation for  
26 fiscal year 2008 is provided solely for the department of social and  
27 health services, in consultation with the health care authority and the  
28 employment security department, to prepare and submit a report and  
29 recommendations to the governor and the legislature related to coverage  
30 of low-wage workers enrolled on state plans who are employed by  
31 employers with more than fifty employees. The report shall address  
32 multiple approaches, including but not limited to the proposal included  
33 in House Bill No. 2094 (taxpayer health care fairness act). The  
34 discussion of each approach included in the report should identify how  
35 the approach would further the goal of shared responsibility for  
36 coverage of low-wage workers, obstacles to implementation and options  
37 to address them, and estimated implementation costs. The report shall  
38 be submitted on or before November 15, 2007. The agencies shall

1 establish a workgroup, which shall be closely involved and consulted in  
2 the development of the report and recommendations under this  
3 subsection. The workgroup shall include the following participants:  
4 Persons or organizations representing large employers in the retail,  
5 agricultural and grocery trades, other large employers, organizations  
6 representing employees of large employers, organizations representing  
7 low-wage employees of large employers, state and local governmental  
8 entities as employers, and organizations representing employees of  
9 state and local governmental entities. In addition, the workgroup  
10 shall include three members from each of the two largest caucuses of  
11 the house of representatives, appointed by the speaker, and three  
12 members from each of the two largest caucuses of the senate, appointed  
13 by the president of the senate.

14 ~~((+25))~~ (24) \$1,883,000 of the tobacco prevention and control  
15 account--state appropriation and \$1,742,000 of the general fund--  
16 federal appropriation are for the provision of smoking cessation  
17 benefits pursuant to Senate Bill No. 6421 (smoking cessation). If the  
18 bill is not enacted by June 30, 2008, the amounts provided in this  
19 subsection shall lapse.

20 ~~((+26))~~ (25) As part of the five-year plan on state purchasing to  
21 improve health care quality under chapter 259, Laws of 2007, the  
22 department, in collaboration with the department of health, shall  
23 provide a report to the appropriate committees of the legislature  
24 outlining a strategy to improve immunization rates for all children in  
25 the state, including but not limited to vaccine administration fee  
26 increases and pay-for-performance incentives. The department shall  
27 submit the report to the governor and the health policy and fiscal  
28 committees of the legislature by November 1, 2008.

29 ~~((+27))~~ (26) Within existing funds, the department shall evaluate  
30 the fiscal impact of the federal upper limits on medicaid reimbursement  
31 to pharmacies implemented under the federal deficit reduction act, and  
32 report its findings to the legislature by December 1, 2008.

33 ~~((+28))~~ (27)(a) \$100,000 of the general fund--state appropriation  
34 for fiscal year 2009 is provided solely for a feasibility study to  
35 examine processes and systems that would expeditiously link persons  
36 released from confinement in state and local correctional facilities  
37 and institutions for mental diseases to medical assistance benefits for

1 which they qualify. The study shall present an analysis of the costs  
2 and benefits associated with:

3 (i) Suspending eligibility for persons who were receiving medical  
4 assistance at the time their confinement began, such that upon the  
5 person's release from confinement, medical assistance benefits would  
6 immediately resume without the filing of a new application. In the  
7 evaluation of eligibility suspension, the department shall examine  
8 process modifications that would allow confined persons to recertify  
9 eligibility before or immediately after release from confinement;

10 (ii) Improving the efficiency and expanding the scope of the  
11 expedited medical assistance reinstatement and eligibility  
12 determination process established under RCW 74.09.555, including  
13 extending the process to persons other than those with mental  
14 disorders, both for persons who had been previously eligible before  
15 confinement and for persons who had not been eligible before  
16 confinement;

17 (iii) Providing medical and mental health evaluations to determine  
18 disability for purposes of the medical assistance program before the  
19 person's release from confinement; and

20 (iv) Notifying the department in a timely manner when a person who  
21 has been enrolled in medical assistance is confined in a state  
22 correctional institution or institution for mental diseases or is  
23 released from confinement.

24 (b) In conducting the study, the department shall collaborate with  
25 the Washington association of sheriffs and police chiefs, the  
26 department of corrections, the regional support networks, department  
27 field offices, institutions for mental diseases, and correctional  
28 institutions. The department shall submit the study to the governor  
29 and the legislature by November 15, 2008.

30 ~~((+29))~~ (28) \$50,000 of the general fund--state appropriation for  
31 fiscal year 2009 and \$50,000 of the general fund--federal appropriation  
32 are provided solely for implementation of the agency's responsibilities  
33 in Engrossed Second Substitute House Bill No. 2549 (patient-centered  
34 primary care). If the bill is not enacted by June 30, 2008, the  
35 amounts provided in this subsection shall lapse.

36 ~~((+30))~~ (29) The department shall not reduce and shall continue to  
37 provide family planning nurses and supplies at community services  
38 offices.



1           ~~((+31))~~ (30) The department shall not eliminate and shall continue  
2 to provide a nurse hotline for foster parents.

3           ~~((+32))~~ (31) The department shall not reduce and shall provide  
4 medical assistance to children under three-hundred percent of the  
5 federal poverty level.

6           ~~((+33))~~ (32) The department shall not reduce and shall continue to  
7 provide maternity support services to pregnant and postpartum women.

8           ~~((+34) The department shall not reduce and shall continue to  
9 provide transportation services to patients receiving adult day health  
10 services.~~

11           ~~(+35))~~ (33) The department shall continue children's health  
12 coverage outreach and education efforts. These efforts shall rely on  
13 existing relationships and systems developed to implement the program  
14 under RCW 74.09.470, such as those with local public health agencies,  
15 health care providers, public schools, the women, infants, and children  
16 program, the early childhood education and assistance program, child  
17 care providers, newborn visiting nurses, and other community-based  
18 organizations. The department shall seek public-private partnerships  
19 and federal funds that may become available to provide on-going support  
20 for outreach and education efforts.

21           ~~((+36))~~ (34) The department shall reduce expenditures on  
22 pharmaceuticals and durable medical equipment.

23           ~~((+37))~~ (35) The department shall not reduce hospital rates.

24           ~~((+38))~~ (36) In addition to other reductions, the reduced  
25 appropriations in this section reflect an additional \$1,062,000  
26 reduction in administrative costs required by Engrossed Substitute  
27 Senate Bill No. 5460 (reducing state government administrative costs).  
28 These administrative reductions shall be achieved, to the greatest  
29 extent possible, by reducing those administrative costs that do not  
30 affect direct client services or direct service delivery or programs.

31           **Sec. 210.** 2009 c 4 s 209 (uncodified) is amended to read as  
32 follows:

33           **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--VOCATIONAL**  
34           **REHABILITATION PROGRAM**

|    |   |                          |
|----|---|--------------------------|
| 35 | General Fund--State Appropriation (FY 2008) . . . . . | \$11,543,000             |
| 36 | General Fund--State Appropriation (FY 2009) . . . . . | <del>(\$8,182,000)</del> |
| 37 |   | <u>\$8,170,000</u>       |

1 General Fund--Federal Appropriation . . . . . (~~(\$95,975,000)~~)  
2 \$100,521,000  
3 Telecommunications Devices for the Hearing and  
4 Speech Impaired--State Appropriation . . . . . \$1,975,000  
5 Pension Funding Stabilization Account--State  
6 Appropriation . . . . . \$116,000  
7 TOTAL APPROPRIATION . . . . . (~~(\$117,791,000)~~)  
8 \$122,325,000

9 **Sec. 211.** 2009 c 4 s 210 (uncodified) is amended to read as  
10 follows:

11 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--SPECIAL COMMITMENT**  
12 **PROGRAM**

13 General Fund--State Appropriation (FY 2008) . . . . . \$52,506,000  
14 General Fund--State Appropriation (FY 2009) . . . . . (~~(\$52,216,000)~~)  
15 \$51,478,000  
16 TOTAL APPROPRIATION . . . . . (~~(\$104,722,000)~~)  
17 \$103,984,000

18 **Sec. 212.** 2009 c 4 s 212 (uncodified) is amended to read as  
19 follows:

20 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--PAYMENTS TO OTHER**  
21 **AGENCIES PROGRAM**

22 General Fund--State Appropriation (FY 2008) . . . . . \$59,085,000  
23 General Fund--State Appropriation (FY 2009) . . . . . (~~(\$52,540,000)~~)  
24 \$53,620,000  
25 General Fund--Federal Appropriation . . . . . (~~(\$53,302,000)~~)  
26 \$53,864,000  
27 TOTAL APPROPRIATION . . . . . (~~(\$164,927,000)~~)  
28 \$166,569,000

29 The appropriations in this section are subject to the following  
30 conditions and limitations: \$235,000 of the general fund--state  
31 appropriation for fiscal year 2009 and \$111,000 of the general fund--  
32 federal appropriation are provided solely to implement sections 2 and  
33 3 of Engrossed Second Substitute House Bill No. 3205 (child long-term  
34 well-being). If the bill is not enacted by June 30, 2008, the amounts  
35 provided in this subsection shall lapse.

1         **Sec. 213.** 2009 c 4 s 213 (uncodified) is amended to read as  
2 follows:

3 **FOR THE STATE HEALTH CARE AUTHORITY**

4 General Fund--State Appropriation (FY 2008) . . . . . \$1,000,000  
5 General Fund--State Appropriation (FY 2009) . . . . . \$500,000  
6 General Fund--Federal Appropriation . . . . . \$4,934,000  
7 State Health Care Authority Administrative Account--  
8     State Appropriation . . . . . \$41,497,000  
9 State Health Care Authority Administrative Account--  
10     Private/Local Appropriation . . . . . \$100,000  
11 Medical Aid Account--State Appropriation . . . . . \$527,000  
12 Health Services Account--State Appropriation  
13     (FY 2008) . . . . . \$271,478,000  
14 Health Services Account--State Appropriation  
15     (FY 2009) . . . . . (~~(\$291,795,000)~~)  
16   \$289,124,000  
17 TOTAL APPROPRIATION . . . . . (~~(\$611,331,000)~~)  
18   \$609,160,000

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

21 (1) Within amounts appropriated in this section and sections 205  
22 and 206 of this act, the health care authority shall continue to  
23 provide an enhanced basic health plan subsidy for foster parents  
24 licensed under chapter 74.15 RCW and workers in state-funded home care  
25 programs. Under this enhanced subsidy option, foster parents eligible  
26 to participate in the basic health plan as subsidized enrollees and  
27 home care workers with family incomes below 200 percent of the federal  
28 poverty level shall be allowed to enroll in the basic health plan at  
29 the minimum premium amount charged to enrollees with incomes below  
30 sixty-five percent of the federal poverty level.

31 (2) The health care authority shall require organizations and  
32 individuals that are paid to deliver basic health plan services and  
33 that choose to sponsor enrollment in the subsidized basic health plan  
34 to pay 133 percent of the premium amount which would otherwise be due  
35 from the sponsored enrollees.

36 (3) The administrator shall take at least the following actions to  
37 assure that persons participating in the basic health plan are eligible  
38 for the level of assistance they receive: (a) Require submission of

1 (i) income tax returns, and recent pay history, from all applicants, or  
2 (ii) other verifiable evidence of earned and unearned income from those  
3 persons not required to file income tax returns; (b) check employment  
4 security payroll records at least once every twelve months on all  
5 enrollees; (c) require enrollees whose income as indicated by payroll  
6 records exceeds that upon which their subsidy is based to document  
7 their current income as a condition of continued eligibility; (d)  
8 require enrollees for whom employment security payroll records cannot  
9 be obtained to document their current income at least once every six  
10 months; (e) not reduce gross family income for self-employed persons by  
11 noncash-flow expenses such as, but not limited to, depreciation,  
12 amortization, and home office deductions, as defined by the United  
13 States internal revenue service; and (f) pursue repayment and civil  
14 penalties from persons who have received excessive subsidies, as  
15 provided in RCW 70.47.060(9).

16 (4) Appropriations in this act include specific funding for health  
17 records banking under section 10 of Engrossed Second Substitute Senate  
18 Bill No. 5930 (blue ribbon commission).

19 (5) \$11,934,000 of the health services account--state appropriation  
20 for fiscal year 2008 and \$11,834,000 of the health services account--  
21 state appropriation for fiscal year 2009 are provided solely for  
22 funding for health care services provided through local community  
23 clinics.

24 (6) \$784,000 of the health services account--state appropriation  
25 for fiscal year 2008, \$540,000 of the general fund--federal  
26 appropriation, and \$8,200,000 of the state health care authority  
27 administrative account--state appropriation are provided for the  
28 development of a new benefits administration and insurance accounting  
29 system.

30 (7) \$2,000,000 of the health services account--state appropriation  
31 for fiscal year 2009 is provided solely for the authority to provide  
32 one-time competitive grants to community health centers to increase the  
33 number of adults served on an ongoing basis. Each clinic receiving  
34 grant funding shall report annually, beginning December 2008, on key  
35 adult access indicators established by the authority, including but not  
36 limited to increases in the number of low-income adults served.

37 (8) \$1,639,000 of the health services account--state appropriation  
38 for fiscal year 2008 is provided solely for section 5 of Engrossed

1 Second Substitute House Bill No. 1569 (health insurance partnership  
2 board) and related provisions of Engrossed Second Substitute Senate  
3 Bill No. 5930 (blue ribbon commission on health care).

4 (9) \$664,000 of the health services account--state appropriation  
5 for fiscal year 2008 is provided solely for the implementation of the  
6 Washington quality forum, pursuant to section 9 of Engrossed Second  
7 Substitute Senate Bill No. 5930 (blue ribbon commission). If the  
8 section is not enacted by June 2007, the amounts provided in this  
9 subsection shall lapse.

10 (10) \$600,000 of the state health care authority administrative  
11 account--state appropriation is provided solely for the implementation  
12 of the state employee health pilot, pursuant to section 41 of Engrossed  
13 Second Substitute Senate Bill No. 5930 (blue ribbon commission). If  
14 the section is not enacted by June 2007, the amounts provided in this  
15 subsection shall lapse.

16 (11) \$250,000 of the health services account--state appropriation  
17 for fiscal year 2008 and \$250,000 of the health services account--state  
18 appropriation for fiscal year 2009 are provided solely for continuation  
19 of the community health collaborative grant program in accordance with  
20 chapter 67, Laws of 2006 (E2SSB 6459). The applicant organizations  
21 must assure measurable improvements in health access within their  
22 service region, demonstrate active collaboration with key community  
23 partners, and provide two dollars in matching funds for each grant  
24 dollar awarded.

25 (12) \$731,000 of the health services account--state appropriation  
26 for fiscal year 2008 and \$977,000 of the health services account--state  
27 appropriation for fiscal year 2009 are provided solely for the dental  
28 residency program, including maintenance of the existing residency  
29 positions and the establishment of six additional resident positions in  
30 fiscal year 2008 (four in eastern Washington and two in the Seattle  
31 area), and five additional positions in fiscal year 2009.

32 (13) Appropriations in this act include funding for sections 14  
33 (reducing unnecessary emergency room use) and 40 (state employee health  
34 program) of Engrossed Second Substitute Senate Bill No. 5930 (blue  
35 ribbon commission).

36 (14) \$100,000 of the health services account--state appropriation  
37 for fiscal year 2009 is provided solely for implementation of the

1 agency's responsibilities in Engrossed Second Substitute House Bill No.  
2 2549 (patient-centered primary care). If the bill is not enacted by  
3 June 30, 2008, the amount provided in this subsection shall lapse.

4 **Sec. 214.** 2009 c 4 s 214 (uncodified) is amended to read as  
5 follows:

6 **FOR THE HUMAN RIGHTS COMMISSION**

|    |   |                          |
|----|---|--------------------------|
| 7  | General Fund--State Appropriation (FY 2008) . . . . . | \$3,377,000              |
| 8  | General Fund--State Appropriation (FY 2009) . . . . . | \$3,580,000              |
| 9  | General Fund--Federal Appropriation . . . . .         | <del>(\$1,523,000)</del> |
| 10 |   | <u>\$1,723,000</u>       |
| 11 | TOTAL APPROPRIATION . . . . .                         | <del>(\$8,480,000)</del> |
| 12 |   | <u>\$8,680,000</u>       |

13 The appropriations in this section are subject to the following  
14 conditions and limitations: \$115,000 of the general fund--state  
15 appropriation for fiscal year 2008 and \$190,000 of the general fund--  
16 state appropriation for fiscal year 2009 are provided solely for  
17 implementation of Engrossed Substitute Senate Bill No. 6776  
18 (whistleblower protections). If the bill is not enacted by June 30,  
19 2008, the amounts provided in this subsection shall lapse.

20 **Sec. 215.** 2009 c 4 s 215 (uncodified) is amended to read as  
21 follows:

22 **FOR THE BOARD OF INDUSTRIAL INSURANCE APPEALS**

|    |  |                           |
|----|--|---------------------------|
| 23 | Worker and Community Right-to-Know Account--State  |                           |
| 24 | Appropriation . . . . .                            | \$20,000                  |
| 25 | Accident Account--State Appropriation . . . . .    | <del>(\$17,963,000)</del> |
| 26 |  | <u>\$18,045,000</u>       |
| 27 | Medical Aid Account--State Appropriation . . . . . | <del>(\$17,964,000)</del> |
| 28 |  | <u>\$18,046,000</u>       |
| 29 | TOTAL APPROPRIATION . . . . .                      | <del>(\$35,947,000)</del> |
| 30 |  | <u>\$36,111,000</u>       |

31 The appropriations in this section are subject to the following  
32 conditions and limitations: \$82,000 of the accident account--state  
33 appropriation for fiscal year 2009 and \$82,000 of the medical aid  
34 account--state appropriation for fiscal year 2009 are provided solely  
35 for implementation of chapter 280, Laws of 2008 (industrial insurance  
36 orders).

1           **Sec. 216.** 2009 c 4 s 216 (uncodified) is amended to read as  
 2 follows:

3 **FOR THE CRIMINAL JUSTICE TRAINING COMMISSION**

|    |   |                           |
|----|---|---------------------------|
| 4  | General Fund--State Appropriation (FY 2009) . . . . .       | \$306,000                 |
| 5  | Public Safety and Education Account--State                  |                           |
| 6  | Appropriation (FY 2008) . . . . .                           | \$15,680,000              |
| 7  | Public Safety and Education Account--State                  |                           |
| 8  | Appropriation (FY 2009) . . . . .                           | <del>(\$21,445,000)</del> |
| 9  |   | <u>\$21,320,000</u>       |
| 10 | Death Investigations Account--State Appropriation . . . . . | \$148,000                 |
| 11 | Municipal Criminal Justice Assistance Account--             |                           |
| 12 | State Appropriation . . . . .                               | \$460,000                 |
| 13 | Washington Auto Theft Prevention Authority Account--        |                           |
| 14 | State Appropriation . . . . .                               | \$12,322,000              |
| 15 | TOTAL APPROPRIATION . . . . .                               | <del>(\$50,361,000)</del> |
| 16 |   | <u>\$50,236,000</u>       |

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

19           (1) During the 2007-2009 biennium, the criminal justice training  
 20 commission is authorized to raise existing fees charged for firearms  
 21 certification for security guards in excess of the fiscal growth factor  
 22 established pursuant to RCW 43.135.055, if necessary, to meet the  
 23 actual costs of conducting the certification programs and the  
 24 appropriation levels in this section.

25           (2) \$2,390,000 of the public safety and education account--state  
 26 appropriation for fiscal year 2008 and ~~(\$1,809,000)~~ \$1,684,000 of the  
 27 public safety and education account--state appropriation for fiscal  
 28 year 2009 are provided solely for ten additional basic law enforcement  
 29 academies in fiscal year 2008 and ~~(nine)~~ eight additional basic law  
 30 enforcement academies in fiscal year 2009.

31           (3) \$1,044,000 of the public safety and education account--state  
 32 appropriation for fiscal year 2008 and \$1,191,000 of the public safety  
 33 and education account--state appropriation for fiscal year 2009 are  
 34 provided solely for the Washington association of sheriffs and police  
 35 chiefs to continue to develop, maintain, and operate the jail booking  
 36 and reporting system (JBRS) and the statewide automated victim  
 37 information and notification system (SAVIN).

1 (4) \$28,000 of the public safety and education account--state  
2 appropriation for fiscal year 2008 is provided solely for the  
3 implementation of chapter 10, Laws of 2007 (SSB 5191, missing persons).

4 (5) \$5,400,000 of the Washington auto theft prevention authority  
5 account--state appropriation for fiscal year 2008 and \$6,922,000 of the  
6 Washington auto theft prevention authority account--state appropriation  
7 for fiscal year 2009 are provided solely for the implementation of  
8 Engrossed Third Substitute House Bill No. 1001 (auto theft). If the  
9 bill is not enacted by June 30, 2007, the amounts provided in this  
10 subsection shall lapse.

11 (6) \$150,000 of the public safety and education account--state  
12 appropriation for fiscal year 2008 and \$150,000 of the public safety  
13 and education account--state appropriation for fiscal year 2009 are  
14 provided solely to deliver multi-disciplinary team training sessions  
15 aimed at improving the coordination of, and communication between,  
16 agencies involved in the investigation of child fatality, child sexual  
17 abuse, child physical abuse, and criminal neglect cases.

18 (7) \$25,000 of the public safety and education account--state  
19 appropriation for fiscal year 2008 is provided solely for the  
20 implementation of Substitute Senate Bill No. 5987 (gang-related  
21 offenses). If the bill is not enacted by June 30, 2007, the amount  
22 provided in this subsection shall lapse.

23 (8) \$50,000 of the public safety and education account--state  
24 appropriation for fiscal year 2008 and \$50,000 of the public safety and  
25 education account--state appropriation for fiscal year 2009 are  
26 provided solely for support of the coalition of small police agencies  
27 major crimes task force. The purpose of this task force is to pool its  
28 resources and to establish an efficient and cooperative approach in  
29 addressing major violent crimes.

30 (9) \$20,000 of the public safety and education account--state  
31 appropriation for fiscal year 2008 is provided solely for the  
32 implementation of Substitute Senate Bill No. 5315 (forest  
33 fires/property access). If the bill is not enacted by June 30, 2007,  
34 the amount provided in this subsection shall lapse.

35 (10) \$5,000,000 of the public safety and education account--state  
36 appropriation for fiscal year 2009 is provided to the Washington  
37 association of sheriffs and police chiefs solely to verify the address



1 and residency of all registered sex offenders and kidnapping offenders  
2 under RCW 9A.44.130. The Washington association of sheriffs and police  
3 chiefs shall:

4 (a) Enter into performance-based agreements with units of local  
5 government to ensure that registered offender address and residency are  
6 verified:

7 (A) For level I offenders, every twelve months;

8 (B) For level II offenders, every six months; and

9 (C) For level III offenders, every three months.

10 For the purposes of this subsection, unclassified offenders and  
11 kidnapping offenders shall be considered at risk level I unless in the  
12 opinion of the local jurisdiction a higher classification is in the  
13 interest of public safety.

14 (b) Collect performance data from all participating jurisdictions  
15 sufficient to evaluate the efficiency and effectiveness of the address  
16 and residency verification program.

17 (c) Submit a report on the effectiveness of the address and  
18 residency verification program to the governor and the appropriate  
19 committees of the house of representatives and senate by September 1,  
20 2009.

21 The Washington association of sheriffs and police chiefs may retain up  
22 to three percent of the amount provided in this subsection for the cost  
23 of administration. Any funds not disbursed for address and residency  
24 verification or retained for administration may be allocated to local  
25 prosecutors for the prosecution costs associated with failing to  
26 register offenses.

27 (11) \$750,000 of the public safety and education fund--state  
28 appropriation for fiscal year 2009 is provided solely for  
29 implementation of Second Substitute House Bill No. 2712 (criminal  
30 street gangs). If the bill is not enacted by June 30, 2008, the amount  
31 provided in this subsection shall lapse.

32 (12) \$306,000 of the general fund--state appropriation for fiscal  
33 year 2009 is provided solely for a grant program to pay for the costs  
34 of local law enforcement agencies participating in specialized crisis  
35 intervention training.

36 **Sec. 217.** 2009 c 4 s 217 (uncodified) is amended to read as  
37 follows:

|    |   |                            |
|----|---|----------------------------|
| 1  | <b>FOR THE DEPARTMENT OF LABOR AND INDUSTRIES</b>           |                            |
| 2  | General Fund--State Appropriation (FY 2008) . . . . .       | \$8,716,000                |
| 3  | General Fund--State Appropriation (FY 2009) . . . . .       | \$8,624,000                |
| 4  | General Fund--Federal Appropriation . . . . .               | \$100,000                  |
| 5  | Public Safety and Education Account--State                  |                            |
| 6  | Appropriation (FY 2008) . . . . .                           | \$15,393,000               |
| 7  | Public Safety and Education Account--State                  |                            |
| 8  | Appropriation (FY 2009) . . . . .                           | \$16,525,000               |
| 9  | Public Safety and Education Account--Federal                |                            |
| 10 | Appropriation . . . . .                                     | \$10,000,000               |
| 11 | Asbestos Account--State Appropriation . . . . .             | \$908,000                  |
| 12 | Electrical License Account--State Appropriation . . . . .   | \$41,104,000               |
| 13 | Farm Labor Revolving Account--Private/Local                 |                            |
| 14 | Appropriation . . . . .                                     | \$28,000                   |
| 15 | Worker and Community Right-to-Know Account--State           |                            |
| 16 | Appropriation . . . . .                                     | \$1,941,000                |
| 17 | Public Works Administration Account--State                  |                            |
| 18 | Appropriation . . . . .                                     | \$3,948,000                |
| 19 | Manufactured Home Installation Training Account--           |                            |
| 20 | State Appropriation . . . . .                               | \$192,000                  |
| 21 | Accident Account--State Appropriation . . . . .             | <del>(\$232,295,000)</del> |
| 22 |   | <u>\$232,617,000</u>       |
| 23 | Accident Account--Federal Appropriation . . . . .           | \$13,622,000               |
| 24 | Medical Aid Account--State Appropriation . . . . .          | <del>(\$235,445,000)</del> |
| 25 |   | <u>\$235,766,000</u>       |
| 26 | Medical Aid Account--Federal Appropriation . . . . .        | \$3,186,000                |
| 27 | Plumbing Certificate Account--State Appropriation . . . . . | \$1,634,000                |
| 28 | Pressure Systems Safety Account--State                      |                            |
| 29 | Appropriation . . . . .                                     | \$3,646,000                |
| 30 | TOTAL APPROPRIATION . . . . .                               | <del>(\$597,307,000)</del> |
| 31 |   | <u>\$597,950,000</u>       |

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

34 (1) \$2,413,000 of the medical aid account--state appropriation is  
35 provided solely for conducting utilization reviews of physical and  
36 occupational therapy cases at the 24th visit and the associated  
37 administrative costs, including those of entering data into the  
38 claimant's file. The department shall develop and report performance

1 measures and targets for these reviews to the office of financial  
2 management. The reports are due September 30th for the prior fiscal  
3 year and must include the amount spent and the estimated savings per  
4 fiscal year.

5 (2) \$2,247,000 of the medical aid account--state appropriation is  
6 provided solely to implement Engrossed Substitute Senate Bill No. 5920  
7 (vocational rehabilitation). If the bill is not enacted by June 30,  
8 2007, the amount provided in this subsection shall lapse.

9 (3) \$822,000 of the medical aid account--state appropriation is  
10 provided solely for vocational services professional staff salary  
11 adjustments necessary to recruit and retain positions required for  
12 anticipated changes in work duties as a result of Engrossed Substitute  
13 Senate Bill No. 5920 (vocational rehabilitation). If the bill is not  
14 enacted by June 30, 2007, the amount provided in this subsection shall  
15 lapse. Compensation for anticipated changes to work duties is subject  
16 to review and approval by the director of the department of personnel  
17 and is subject to collective bargaining.

18 (4) \$8,000,000 of the medical aid account--state appropriation is  
19 provided solely to establish a program of safety and health as  
20 authorized by RCW 49.17.210 to be administered under rules adopted  
21 pursuant to chapter 34.05 RCW, provided that projects funded involve  
22 workplaces insured by the medical aid fund, and that priority is given  
23 to projects fostering accident prevention through cooperation between  
24 employers and employees or their representatives.

25 (5) \$600,000 of the medical aid account--state appropriation is  
26 provided solely for the department to contract with one or more  
27 independent experts to evaluate and recommend improvements to the  
28 rating plan under chapter 51.18 RCW, including analyzing how risks are  
29 pooled, the effect of including worker premium contributions in  
30 adjustment calculations, incentives for accident and illness  
31 prevention, return-to-work practices, and other sound risk-management  
32 strategies that are consistent with recognized insurance principles.

33 (6) \$181,000 of the accident account--state appropriation and  
34 \$181,000 of the medical aid account--state appropriation are provided  
35 solely to implement Substitute Senate Bill No. 5443 (workers'  
36 compensation claims). If the bill is not enacted by June 30, 2007, the  
37 amounts provided in this subsection shall lapse.

1 (7) \$558,000 of the medical aid account--state appropriation is  
2 provided solely to implement Engrossed Substitute Senate Bill No. 5290  
3 (workers' compensation advisory committees). If the bill is not  
4 enacted by June 30, 2007, the amount provided in this subsection shall  
5 lapse.

6 (8) \$104,000 of the public safety and education account--state  
7 appropriation for fiscal year 2008, \$104,000 of the public safety and  
8 education account--state appropriation for fiscal year 2009, \$361,000  
9 of the accident account--state appropriation, and \$361,000 of the  
10 medical aid account--state appropriation are provided solely for  
11 implementation of Engrossed Substitute Senate Bill No. 5675 (workers'  
12 compensation benefits). If the bill is not enacted by June 30, 2007,  
13 the amounts provided in this subsection shall lapse.

14 (9) \$730,000 of the medical aid account--state appropriation is  
15 provided solely for implementation of Engrossed Second Substitute  
16 Senate Bill No. 5930 (blue ribbon commission). If the bill is not  
17 enacted by June 30, 2007, the amount provided in this subsection shall  
18 lapse.

19 (10) \$437,000 of the accident account--state appropriation and  
20 \$437,000 of the medical aid account--state appropriation are provided  
21 solely for implementation of Substitute Senate Bill No. 5053  
22 (industrial insurance ombudsman). If the bill is not enacted by June  
23 30, 2007, the amounts provided in this subsection shall lapse.

24 (11) \$74,000 of the accident account--state appropriation and  
25 \$74,000 of the medical aid--state appropriation are provided solely for  
26 implementation of Engrossed Substitute Senate Bill No. 5915 (notices to  
27 employers). If the bill is not enacted by June 30, 2007, the amounts  
28 provided in this subsection shall lapse.

29 (12) \$605,000 of the accident account--state appropriation for  
30 fiscal year 2008 is provided solely for a study of the incidence of  
31 permanent total disability pensions in the state's workers'  
32 compensation system. To conduct the study, the department shall  
33 contract with an independent researcher that has demonstrated expertise  
34 in workers' compensation systems. When selecting the independent  
35 researcher, the department shall consult the labor and business members  
36 of the workers' compensation advisory committee and, if the labor and  
37 business members of the workers' compensation advisory committee agree  
38 on a particular independent researcher, the department shall select

1 that independent researcher. The study must consider causes of the  
2 recent increase in permanent total disability cases, future anticipated  
3 permanent total disability trends, a comparison of Washington's  
4 permanent total disability claims experience and injured workers with  
5 other states and jurisdictions, the impact of the standard for finding  
6 workers employable on the incidence of permanent total disability  
7 pensions, and the impact of vocational rehabilitation under RCW  
8 51.32.095 on the incidence of permanent total disability pensions. The  
9 department shall report to the workers' compensation advisory  
10 committee, the house of representatives commerce and labor committee,  
11 and the senate labor, commerce, research and development committee on  
12 the results of the study on or before July 1, 2008.

13 (13) \$1,089,000 of the accident account--state appropriation and  
14 \$192,000 of the medical aid account--state appropriation are provided  
15 solely for implementation of chapter 27, Laws of 2007 (ESHB 2171, crane  
16 safety).

17 (14) \$100,000 of the general fund--federal appropriation and  
18 \$192,000 of the manufactured home installation training account--state  
19 appropriation are provided solely for Substitute House Bill No. 2118  
20 (mobile/manufactured homes). If the bill is not enacted by June 30,  
21 2007, the amounts provided in this subsection shall lapse.

22 (15) \$107,000 of the accident account--state appropriation and  
23 \$107,000 of the medical aid account--state appropriation are provided  
24 solely to implement Senate Bill No. 6839 (workers' compensation  
25 coverage). If the bill is not enacted by June 30, 2008, the amounts  
26 provided in this subsection shall lapse.

27 (16) (~~(\$224,000)~~) \$169,000 of the general fund--state appropriation  
28 for fiscal year 2009, \$741,000 of the accident account--state  
29 appropriation, and \$741,000 of the medical aid account--state  
30 appropriation are provided solely for implementation of Second  
31 Substitute Senate Bill No. 6732 (construction industry). If the bill  
32 is not enacted by June 30, 2008, the amount provided in this subsection  
33 shall lapse.

34 (17) \$408,000 of the accident account--state appropriation and  
35 \$72,000 of the medical aid account--state appropriation are provided  
36 solely to implement Substitute House Bill No. 2602 (victims' employment  
37 leave). If the bill is not enacted by June 30, 2008, the amounts  
38 provided in this subsection shall lapse.

1 (18) \$3,000 of the public safety and education account--state  
2 appropriation for fiscal year 2008 and \$3,000 of the public safety and  
3 education account--state appropriation for fiscal year 2009 are  
4 provided solely to implement Substitute Senate Bill No. 6246  
5 (industrial insurance claims). If the bill is not enacted by June 30,  
6 2008, the amounts provided in this subsection shall lapse.

7 (19) \$40,000 of the general fund--state appropriation for fiscal  
8 year 2009 is provided solely for the department to conduct a review of  
9 the need for regulation of general and specialty contractors involved  
10 in the repair, alteration, or construction of single-family homes using  
11 the public interest criteria set forth in RCW 18.118.010 and as  
12 generally described in Second Substitute House Bill No. 3349  
13 (residential contractors). By October 1, 2008, the department and the  
14 department of licensing shall report their findings to the appropriate  
15 committees of the legislature.

16 (20) The department of labor and industries shall enter into an  
17 interagency agreement with the employment security department to expend  
18 funds from the family leave insurance account for the implementation of  
19 the family leave insurance program.

20 (21) Pursuant to RCW 43.135.055, the department is authorized to  
21 increase the following fees as necessary to meet the actual costs of  
22 conducting business and the appropriation levels in this section and by  
23 not more than 5.53 percent in fiscal year 2008: Boiler inspection  
24 permits and fees; boiler permit fees; plumbers' continuing education;  
25 and plumbers' licensing and examination fees.

26 (22) \$256,000 of the accident account--state appropriation and  
27 \$256,000 of the medical aid account--state appropriation are provided  
28 solely for implementation of chapter 280, Laws of 2008 (industrial  
29 insurance orders).

30 **Sec. 218.** 2009 c 4 s 219 (uncodified) is amended to read as  
31 follows:

32 **FOR THE DEPARTMENT OF VETERANS AFFAIRS**

33 (1) HEADQUARTERS

|    |   |             |
|----|---|-------------|
| 34 | General Fund--State Appropriation (FY 2008) . . . . . | \$2,124,000 |
| 35 | General Fund--State Appropriation (FY 2009) . . . . . | \$1,926,000 |
| 36 | Charitable, Educational, Penal, and Reformatory       |             |
| 37 | Institutions Account--State Appropriation . . . . .   | \$10,000    |

|    |  |                           |
|----|--|---------------------------|
| 1  | TOTAL APPROPRIATION . . . . .                                | \$4,060,000               |
| 2  | (2) FIELD SERVICES   |                           |
| 3  | General Fund--State Appropriation (FY 2008) . . . . .        | \$5,264,000               |
| 4  | General Fund--State Appropriation (FY 2009) . . . . .        | \$5,476,000               |
| 5  | General Fund--Federal Appropriation . . . . .                | <del>(\$1,025,000)</del>  |
| 6  |  | <u>\$1,332,000</u>        |
| 7  | General Fund--Private/Local Appropriation . . . . .          | <del>(\$3,317,000)</del>  |
| 8  |  | <u>\$3,640,000</u>        |
| 9  | Veterans Innovations Program Account Appropriation . . . . . | \$1,437,000               |
| 10 | Veteran Estate Management Account--Private/Local             |                           |
| 11 | Appropriation . . . . .                                      | \$1,062,000               |
| 12 | TOTAL APPROPRIATION . . . . .                                | <del>(\$17,581,000)</del> |
| 13 |  | <u>\$18,211,000</u>       |

14 The appropriations in this subsection are subject to the following  
15 conditions and limitations: ~~((a))~~ \$440,000 of the general fund--  
16 state appropriation for fiscal year 2008 and \$560,000 of the general  
17 fund--state appropriation for fiscal year 2009 are provided solely to  
18 implement Second Substitute Senate Bill No. 5164 (veterans'  
19 conservation corps). If the bill is not enacted by June 30, 2007, the  
20 amounts provided in this subsection shall lapse.

21 ~~((b) The department shall not reduce field service contracts.)~~

|    |   |                           |
|----|---|---------------------------|
| 22 | (3) INSTITUTIONAL SERVICES                            |                           |
| 23 | General Fund--State Appropriation (FY 2008) . . . . . | \$7,948,000               |
| 24 | General Fund--State Appropriation (FY 2009) . . . . . | <del>(\$5,484,000)</del>  |
| 25 |   | <u>\$4,833,000</u>        |
| 26 | General Fund--Federal Appropriation . . . . .         | <del>(\$43,120,000)</del> |
| 27 |   | <u>\$43,207,000</u>       |
| 28 | General Fund--Private/Local Appropriation . . . . .   | <del>(\$31,569,000)</del> |
| 29 |   | <u>\$32,241,000</u>       |
| 30 | TOTAL APPROPRIATION . . . . .                         | <del>(\$88,121,000)</del> |
| 31 |   | <u>\$88,229,000</u>       |

32 **Sec. 219.** 2009 c 4 s 221 (uncodified) is amended to read as  
33 follows:

|    |   |                           |
|----|---|---------------------------|
| 34 | <b>FOR THE DEPARTMENT OF HEALTH</b>                   |                           |
| 35 | General Fund--State Appropriation (FY 2008) . . . . . | \$81,232,000              |
| 36 | General Fund--State Appropriation (FY 2009) . . . . . | <del>(\$80,596,000)</del> |

|    |   |                      |
|----|---|----------------------|
| 1  |   | <u>\$80,596,000</u>  |
| 2  | General Fund--Federal Appropriation . . . . .                   | \$477,065,000        |
| 3  | General Fund--Private/Local Appropriation . . . . .             | ((\$119,875,000))    |
| 4  |   | <u>\$135,219,000</u> |
| 5  | Hospital Commission Account--State Appropriation . . . . .      | ((\$144,000))        |
| 6  |   | <u>\$215,000</u>     |
| 7  | Health Professions Account--State Appropriation . . . . .       | ((\$68,726,000))     |
| 8  |   | <u>\$69,054,000</u>  |
| 9  | Aquatic Lands Enhancement Account--State                        |                      |
| 10 | Appropriation . . . . .   | \$600,000            |
| 11 | Emergency Medical Services and Trauma Care Systems              |                      |
| 12 | Trust Account--State Appropriation . . . . .                    | \$12,606,000         |
| 13 | Safe Drinking Water Account--State Appropriation . . . . .      | \$3,041,000          |
| 14 | Public Health Services Account--State Appropriation . . . . .   | \$1,000,000          |
| 15 | Drinking Water Assistance Account--Federal                      |                      |
| 16 | Appropriation . . . . .   | \$19,027,000         |
| 17 | Waterworks Operator Certification--State                        |                      |
| 18 | Appropriation . . . . .   | \$1,513,000          |
| 19 | Drinking Water Assistance Administrative Account--              |                      |
| 20 | State Appropriation . . . . .                                   | \$326,000            |
| 21 | Water Quality Account--State Appropriation                      |                      |
| 22 | (FY 2008) . . . . .   | \$1,975,000          |
| 23 | Water Quality Account--State Appropriation                      |                      |
| 24 | (FY 2009) . . . . .   | \$1,983,000          |
| 25 | State Toxics Control Account--State Appropriation . . . . .     | \$3,460,000          |
| 26 | Medical Test Site Licensure Account--State                      |                      |
| 27 | Appropriation . . . . .   | \$2,055,000          |
| 28 | Youth Tobacco Prevention Account--State Appropriation . . . . . | \$1,512,000          |
| 29 | Public Health Supplemental Account--Private/Local               |                      |
| 30 | Appropriation . . . . .   | \$3,918,000          |
| 31 | Accident Account--State Appropriation . . . . .                 | \$291,000            |
| 32 | Medical Aid Account--State Appropriation . . . . .              | \$48,000             |
| 33 | Health Services Account--State                                  |                      |
| 34 | Appropriation (FY 2008) . . . . .                               | \$42,122,000         |
| 35 | Health Services Account--State                                  |                      |
| 36 | Appropriation (FY 2009) . . . . .                               | ((\$49,729,000))     |
| 37 |   | <u>\$46,398,000</u>  |
| 38 | Tobacco Prevention and Control Account--State                   |                      |



|   |                               |                                  |
|---|-------------------------------|----------------------------------|
| 1 | Appropriation . . . . .       | \$52,846,000                     |
| 2 | TOTAL APPROPRIATION . . . . . | (( <del>\$1,025,690,000</del> )) |
| 3 |                               | <u>\$1,038,102,000</u>           |

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

6 (1) The department is authorized to raise existing fees charged for  
7 its fee-supported programs in excess of the fiscal growth factor  
8 pursuant to RCW 43.135.055, if necessary, to meet the actual costs of  
9 conducting business and the appropriation levels in this section.  
10 Pursuant to RCW 43.135.055 and RCW 43.70.250, the department is further  
11 authorized to increase fees in its fee-supported programs as necessary  
12 to meet the actual costs of conducting business and the appropriation  
13 levels in this section, as specifically authorized in LEAP Document  
14 DOH-2008, as developed by the legislative evaluation and accountability  
15 program on March 11, 2008.

16 (2) The department of health shall not initiate any services that  
17 will require expenditure of state general fund moneys unless expressly  
18 authorized in this act or other law. The department may seek, receive,  
19 and spend, under RCW 43.79.260 through 43.79.282, federal moneys not  
20 anticipated in this act as long as the federal funding does not require  
21 expenditure of state moneys for the program in excess of amounts  
22 anticipated in this act. If the department receives unanticipated  
23 unrestricted federal moneys, those moneys shall be spent for services  
24 authorized in this act or in any other legislation that provides  
25 appropriation authority, and an equal amount of appropriated state  
26 moneys shall lapse. Upon the lapsing of any moneys under this  
27 subsection, the office of financial management shall notify the  
28 legislative fiscal committees. As used in this subsection,  
29 "unrestricted federal moneys" includes block grants and other funds  
30 that federal law does not require to be spent on specifically defined  
31 projects or matched on a formula basis by state funds.

32 (3) \$877,000 of the health professions account appropriation is  
33 provided solely for implementation of Substitute House Bill No. 1099  
34 (dental professions). If the bill is not enacted by June 30, 2007, the  
35 amount provided in this subsection shall lapse.

36 (4) \$198,000 of the general fund--state appropriation for fiscal  
37 year 2008 and \$24,000 of the general fund--state appropriation for  
38 fiscal year 2009 are provided solely for the implementation of

1 Substitute House Bill No. 2304 (cardiac care services). If the bill is  
2 not enacted by June 30, 2007, the amounts provided in this subsection  
3 shall lapse.

4 (5) \$138,000 of the general fund--state appropriation for fiscal  
5 year 2008 and \$220,000 of the general fund--state appropriation for  
6 fiscal year 2009 are provided solely for an evaluation of chronic care  
7 provider training.

8 (6) \$51,000 of the general fund--state appropriation for fiscal  
9 year 2008 and \$24,000 of the general fund--state appropriation for  
10 fiscal year 2009 are provided solely for the implementation of  
11 Engrossed Substitute Senate Bill No. 5297 (sex education). If the bill  
12 is not enacted by June 30, 2007, the amounts provided in this  
13 subsection shall lapse.

14 (7) \$103,000 of the general fund--state appropriation for fiscal  
15 year 2008 is provided solely for the implementation of Substitute House  
16 Bill No. 1837 (nonambulatory persons). If the bill is not enacted by  
17 June 30, 2007, the amount provided in this subsection shall lapse.

18 (8) \$201,000 of the general fund--private/local appropriation is  
19 provided solely for the implementation of Substitute House Bill No.  
20 2087 (health care facilities). If the bill is not enacted by June 30,  
21 2007, the amount provided in this subsection shall lapse.

22 (9) \$293,000 of the general fund--state appropriation for fiscal  
23 year 2008 and \$287,000 of the general fund--state appropriation for  
24 fiscal year 2009 are provided solely for public service announcements  
25 regarding childhood lead poisoning, information pamphlets, rule  
26 development, and for early identification of persons at risk of having  
27 elevated blood-lead levels, which includes systematically screening  
28 children under six years of age and other target populations identified  
29 by the department. Priority will be given to testing children and  
30 increasing the registry in the lead surveillance program.

31 (10) \$101,000 of the general fund--state appropriation for fiscal  
32 year 2008, \$81,000 of the general fund--state appropriation for fiscal  
33 year 2009, and \$6,000 of the general fund--private/local appropriation  
34 are provided solely for the implementation of Engrossed Second  
35 Substitute House Bill No. 1414 (ambulatory surgical facilities). If  
36 the bill is not enacted by June 30, 2007, the amounts provided in this  
37 subsection shall lapse.

1 (11) \$55,000 of the health professions account appropriation is  
2 provided solely for the implementation of Substitute House Bill No.  
3 1397 (massage therapy). If the bill is not enacted by June 30, 2007,  
4 the amount provided in this subsection shall lapse.

5 (12) \$58,000 of the general fund--private/local appropriation is  
6 provided solely for the implementation of Senate Bill No. 5398  
7 (specialty hospitals). If the bill is not enacted by June 30, 2007,  
8 the amount provided in this subsection shall lapse.

9 (13) \$34,000 of the general fund--state appropriation for fiscal  
10 year 2008, \$44,000 of the general fund--state appropriation for fiscal  
11 year 2009, and \$224,000 of the oyster reserve land account--state  
12 appropriation are provided solely for the implementation of Engrossed  
13 Substitute Senate Bill No. 5372 (Puget Sound partnership). If the bill  
14 is not enacted by June 30, 2007, the amounts provided in this  
15 subsection shall lapse.

16 (14) \$571,000 of the general fund--state appropriation for fiscal  
17 year 2008 and \$458,000 of the general fund--state appropriation for  
18 fiscal year 2009 are provided solely for the implementation of Second  
19 Substitute House Bill No. 1106 (hospital acquired infections). If the  
20 bill is not enacted by June 30, 2007, the amounts provided in this  
21 subsection shall lapse.

22 (15) \$4,000,000 of the general fund--state appropriation for fiscal  
23 year 2008, \$5,000,000 of the general fund--state appropriation for  
24 fiscal year 2009, and \$1,000,000 of the public health services  
25 account--state appropriation are provided solely for department of  
26 health-funded family planning clinics to increase the capacity of the  
27 clinics to provide family planning and reproductive health services to  
28 low-income men and women who are not otherwise eligible for services  
29 through the department of social and health services medical assistance  
30 program and for clinical or other health services associated with  
31 sexually transmitted disease testing through the infertility prevention  
32 project. Funds appropriated and expended under this subsection for  
33 fiscal year 2009 shall be distributed in a manner that allocates  
34 funding to department of health-funded family planning clinics based  
35 upon the percentage of medical assistance family planning waiver  
36 clients in calendar year 2005 who received services from a provider  
37 located in the geographic area served by the department of  
38 health-funded clinic. Of these amounts, the department is authorized

1 to expend up to \$1,000,000 of its general fund--state appropriation for  
2 fiscal year 2009 for services provided in fiscal year 2008, if  
3 necessary, to offset reductions in federal funding.

4 (16) \$1,000,000 of the general fund--state appropriation for fiscal  
5 year 2008 is for one-time funding to purchase and store antiviral  
6 medications to be used in accordance with the state pandemic influenza  
7 response plan. These drugs are to be purchased through the United  
8 States department of health and human services to take advantage of  
9 federal subsidies.

10 (17) \$147,000 of the general fund--state appropriation for fiscal  
11 year 2008 and \$32,000 of the general fund--state appropriation for  
12 fiscal year 2009 are provided solely for the department of health to  
13 provide relevant information on measures taken to facilitate expanded  
14 use of reclaimed water pursuant to Engrossed Second Substitute Senate  
15 Bill No. 6117 (reclaimed water). If the bill is not enacted by June  
16 30, 2007, the amounts provided in this subsection shall lapse.

17 (18) \$550,000 of the general fund--state appropriation for fiscal  
18 year 2008 and \$550,000 of the general fund--state appropriation for  
19 fiscal year 2009 are provided solely for the lifelong AIDS alliance to  
20 restore lost federal funding.

21 (19) \$250,000 of the general fund--state appropriation for fiscal  
22 year 2008 and \$250,000 of the general fund--state appropriation for  
23 fiscal year 2009 are provided solely for medical nutritional therapy  
24 for people with HIV/AIDS and other low-income residents in King county  
25 with chronic illnesses.

26 (20) \$645,000 of the general fund--state appropriation for fiscal  
27 year 2008 and \$645,000 of the general fund--state appropriation for  
28 fiscal year 2009 are provided solely for the neurodevelopmental center  
29 system, which provides therapy and medical services for young, low-  
30 income children with developmental disabilities.

31 (21) \$100,000 of the general fund--state appropriation for fiscal  
32 year 2008 is provided solely to continue the autism task force  
33 established by chapter 259, Laws of 2005, through June 30, 2008. The  
34 task force shall:

35 (a) Review and continue to refine criteria for regional autism  
36 centers throughout Washington state based on community needs in each  
37 area, and address the role of autism centers within the larger context  
38 of developmental disabilities;

1 (b) Prioritize its December 2006 recommendations and develop an  
2 implementation plan for the highest priorities. The plan should detail  
3 how systems will coordinate to improve service and avoid duplication  
4 between state agencies including the department of social and health  
5 services, department of health, office of superintendent of public  
6 instruction, as well as school districts, autism centers, and local  
7 partners and providers. The plan shall also estimate the costs of the  
8 highest priority recommendations and report to the legislature and  
9 governor by December 1, 2007;

10 (c) Compile information for and draft the "Washington Service  
11 Guidelines for Individuals with Autism - Birth Through Lifespan" book  
12 described in the task force's recommendations. Funding to print and  
13 distribute the book is expected to come from federal or private  
14 sources; and

15 (d) Monitor the federal combating autism act and its funding  
16 availability and make recommendations on applying for grants to assist  
17 in implementation of the 2006 task force recommendations. The  
18 department of health shall be the lead agency in providing staff for  
19 the task force. The department may seek additional staff assistance  
20 from the office of the superintendent of public instruction and the  
21 committee staff of the legislature. Nonlegislative members, except  
22 those representing an employer or organization, are entitled to be  
23 reimbursed for travel expenses.

24 (22) \$200,000 of the general fund--state appropriation for fiscal  
25 year 2008 and \$200,000 of the general fund--state appropriation for  
26 fiscal year 2009 are provided solely for implementation of the  
27 Washington state hepatitis C strategic plan.

28 (23) \$142,000 of the health professions account appropriation is  
29 provided solely for the implementation of Engrossed Substitute Senate  
30 Bill No. 5403 (animal massage practitioners). If the bill is not  
31 enacted by June 30, 2007, the amount provided in this subsection shall  
32 lapse.

33 (24) \$174,000 of the health professions account appropriation is  
34 provided solely for the implementation of Substitute Senate Bill No.  
35 5503 (athletic trainers). If the bill is not enacted by June 30, 2007,  
36 the amount provided in this subsection shall lapse.

37 (25) \$75,000 of the health professions account appropriation is  
38 provided solely for the implementation of Engrossed Substitute Senate

1 Bill No. 5292 (physical therapist assistants). If the bill is not  
2 enacted by June 30, 2007, the amount provided in this subsection shall  
3 lapse.

4 (26) \$94,000 of the general fund--state appropriation for fiscal  
5 year 2008 is provided solely to implement Engrossed Second Substitute  
6 Senate Bill No. 6032 (medical use of marijuana). If the bill is not  
7 enacted by June 30, 2007, the amount provided in this subsection shall  
8 lapse.

9 (27) \$386,000 of the general fund--state appropriation for fiscal  
10 year 2008 and \$384,000 of the general fund--state appropriation for  
11 fiscal year 2009 are provided solely for the implementation of  
12 Engrossed Substitute Senate Bill No. 5894 (large on-site sewage  
13 systems). If the bill is not enacted by June 30, 2007, the amounts  
14 provided in this subsection shall lapse.

15 (28) \$1,721,000 of the health professions account appropriation is  
16 provided solely for the implementation of sections 11 and 12 (medical  
17 information) of Engrossed Second Substitute Senate Bill No. 5930 (blue  
18 ribbon commission on health care). If the sections are not enacted by  
19 June 30, 2007, the amount provided in this subsection shall lapse.

20 (29) \$10,000,000 of the health services account--state  
21 appropriation for fiscal year 2008 and \$10,000,000 of the health  
22 services account--state appropriation for fiscal year 2009 are provided  
23 solely for distribution to local health jurisdictions and for the costs  
24 of administering the public health related sections of Engrossed Second  
25 Substitute Senate Bill No. 5930 (blue ribbon commission on health  
26 care), subject to the following conditions and limitations:

27 (a) During the month of January 2008, and January 2009, the  
28 department of health shall distribute funds appropriated in this  
29 section to local health jurisdictions, less an amount not to exceed  
30 five percent for the costs of administering the public health related  
31 sections of Engrossed Second Substitute Senate Bill No. 5930 (blue  
32 ribbon commission on health care). The amount of funding for  
33 distribution to a jurisdiction before the administrative deduction  
34 shall be the greater of: (i) One hundred thousand dollars; or (ii) (A)  
35 a base level of funding of seventy-five thousand dollars plus the per  
36 capita amount, for a jurisdiction with a population of four hundred  
37 thousand persons or fewer; or (B) a base level of funding of twenty-  
38 five thousand dollars plus the per capita amount, for a jurisdiction

1 with a population greater than four hundred thousand persons. Amounts  
2 distributed under this subsection must be used to fund core public  
3 health functions of statewide significance as defined in Engrossed  
4 Second Substitute Senate Bill No. 5930 (blue ribbon commission on  
5 health care).

6 (b) For the purposes of this subsection:

7 (i) "Per capita amount" means an amount equal to seven million five  
8 hundred thousand dollars multiplied by the proportion of the population  
9 of the jurisdiction in the previous calendar year to the population of  
10 the state in the previous calendar year.

11 (ii) "Population" means the number of persons as last determined by  
12 the office of financial management. If the jurisdiction comprises a  
13 single county, "population" means the number of persons in the county.  
14 For a jurisdiction comprising two or more counties, "population" means  
15 the number of persons in all counties comprising the jurisdiction.

16 (iii) "Local health jurisdiction" or "jurisdiction" means a county  
17 board of health organized under chapter 70.05 RCW, a health district  
18 organized under chapter 70.46 RCW, or a combined city and county health  
19 department organized under chapter 70.08 RCW.

20 (c) The department may adopt rules necessary to administer this  
21 subsection.

22 (30) \$15,000 of the general fund--state appropriation for fiscal  
23 year 2008 and \$35,000 of the health professions account--state  
24 appropriation are provided solely for an evaluation of the economic  
25 benefits to the state's health care system of the midwifery licensure  
26 and regulatory program under chapter 18.50 RCW. In particular, the  
27 department shall contract with a consultant to conduct a review of  
28 existing research literature on whether these economic benefits exceed  
29 the state expenditures to subsidize the cost of the midwifery licensing  
30 and regulatory program under RCW 43.70.250. The evaluation shall  
31 include an assessment of the economic benefits to consumers who elect  
32 to have out-of-hospital births with midwives, including any reduced use  
33 of procedures that increase the costs of childbirth. The department  
34 shall submit the report to the appropriate policy and fiscal committees  
35 of the legislature by January 1, 2008.

36 (31) \$147,000 of the health professions account--state  
37 appropriation is provided solely for the department of health to  
38 convene a work group to develop recommendations regarding the need to

1 regulate those individuals currently registered with the department of  
2 health as counselors. The department of health shall submit  
3 recommendations of the work group to the legislature and governor by  
4 November 15, 2007. Based on the recommendations of the work group, the  
5 department of health shall draft credentialing guidelines for all  
6 registered counselors by January 1, 2008. Guidelines shall include  
7 education in risk assessment, ethics, professional standards, and  
8 deadlines for compliance.

9 (32) \$100,000 of the general fund--state appropriation for fiscal  
10 year 2009 is provided solely for the implementation of Second  
11 Substitute Senate Bill No. 6483 (local food production). If the bill  
12 is not enacted by June 30, 2008, the amount provided in this subsection  
13 shall lapse.

14 (33) \$400,000 of the general fund--state appropriation for fiscal  
15 year 2009 is provided solely for the senior falls prevention pilot  
16 program, pursuant to section 7 of Engrossed Second Substitute House  
17 Bill No. 2668 (long-term care programs).

18 (34) \$585,000 of the general fund--state appropriation for fiscal  
19 year 2009 is provided solely for the Washington state breast and  
20 cervical health program to increase the provider reimbursement rate for  
21 digital mammographies to the medicare equivalent rate.

22 (35) \$100,000 of the general fund--state appropriation for fiscal  
23 year 2009 is provided solely for the child death review program. The  
24 program shall be transferred from the community and family health  
25 division to the injury prevention division within the department.

26 (36) \$100,000 of the general fund--state appropriation for fiscal  
27 year 2009 is provided solely for the northwest sickle cell  
28 collaborative program.

29 (37) \$77,000 of the general fund--state appropriation for fiscal  
30 year 2008 and \$154,000 of the general fund--state appropriation for  
31 fiscal year 2009 are provided solely for the restoration of  
32 maxillofacial/cleft palate teams in Yakima, Spokane, Seattle, and  
33 Tacoma.

34 (38) \$17,000 of the health professions account--state appropriation  
35 is provided solely to implement Second Substitute Senate Bill No. 6220  
36 (nurse delegation) or sections 11 and 12 of Engrossed Second Substitute  
37 House Bill No. 2668 (long-term care programs). If neither bill is



1 enacted by June 30, 2008, the amount provided in this subsection shall  
2 lapse.

3 (39) \$11,000 of the health professions account--state appropriation  
4 is provided solely to implement Substitute Senate Bill No. 6439  
5 (radiologist assistants). If the bill is not enacted by June 30, 2008,  
6 the amount provided in this subsection shall lapse.

7 (40) \$115,000 of the general fund--state appropriation for fiscal  
8 year 2009 and \$4,261,000 of the health professions account--state  
9 appropriation are provided solely for implementation of Fourth  
10 Substitute House Bill No. 1103 (health professions). If the bill is  
11 not enacted by June 30, 2008, the amounts provided in this subsection  
12 shall lapse.

13 (41) \$558,000 of the health professions account--state  
14 appropriation is provided solely for implementation of Second  
15 Substitute House Bill No. 2674 (counselor credentialing). If the bill  
16 is not enacted by June 30, 2008, the amount provided in this subsection  
17 shall lapse.

18 (42) The department of licensing and the department of health shall  
19 jointly review and report to the appropriate policy committees of the  
20 legislature by December 1, 2008, recommendations for implementing a  
21 process of holding in abeyance for up to six months following the  
22 conclusion of active duty service the expiration of, and currency  
23 requirements for, professional licenses and certificates for  
24 individuals who have been called to active duty military service.

25 (43) The higher education coordinating board, the department of  
26 licensing, and the department of health shall jointly review and report  
27 to appropriate policy committees of the legislature by December 1,  
28 2008, on barriers and opportunities for increasing the extent to which  
29 veterans separating from duty are able to apply skills sets and  
30 education required while in service to certification, licensure, and  
31 degree requirements.

32 (44) \$35,000 of the general fund--state appropriation for fiscal  
33 year 2009 and \$80,000 of the state toxics control account--state  
34 appropriation for fiscal year 2009 are provided solely for the  
35 implementation of Engrossed Second Substitute House Bill No. 2647  
36 (children's safe products). If the bill is not enacted by June 30,  
37 2008, the amounts provided in this subsection shall lapse.

1 (45) \$143,000 of the general fund--state appropriation for fiscal  
2 year 2009 is provided solely for Substitute Senate Bill No. 6340 (water  
3 system program). If the bill is not enacted by June 30, 2008, the  
4 amount provided in this subsection shall lapse.

5 (46) \$194,000 of the general fund--state appropriation for fiscal  
6 year 2009 is provided solely for Engrossed Second Substitute House Bill  
7 No. 2549 (patient-centered care). If the bill is not enacted by June  
8 30, 2008, the amount provided in this subsection shall lapse.

9 (47) \$96,000 of the health professions account--state appropriation  
10 is provided solely for the implementation of Substitute House Bill No.  
11 2881 (practice of dentistry). If the bill is not enacted by June 30,  
12 2008, the amount provided in this subsection shall lapse.

13 (48) \$130,000 of the general fund--state appropriation for fiscal  
14 year 2009 is provided solely for the midwifery licensure and regulatory  
15 program to offset a reduction in revenue from fees. There shall be no  
16 change to the current annual fees for new or renewed licenses for the  
17 midwifery program. The department shall convene the midwifery advisory  
18 committee on a quarterly basis to address issues related to licensed  
19 midwifery.

20 (49) \$900,000 of the general fund--state appropriation for fiscal  
21 year 2009 is provided solely for the Washington colon health program.  
22 Through the program, the department shall provide grants to  
23 participating counties to provide free colorectal screening exams to  
24 individuals fifty to sixty-four years old who are below two hundred  
25 fifty percent of the federal poverty level.

26 (50) In addition to other reductions, the reduced appropriations in  
27 this section reflect an additional \$90,000 reduction in administrative  
28 costs required by Engrossed Substitute Senate Bill No. 5460 (reducing  
29 state government administrative costs). These administrative  
30 reductions shall be achieved, to the greatest extent possible, by  
31 reducing those administrative costs that do not affect direct client  
32 services or direct service delivery or programs.

33 (51) \$500,000 of the health services account--state appropriation  
34 for fiscal year 2009 is for the universal children's vaccine program.  
35 These moneys are from the cy pres monetary portion of the consent  
36 decree in settlement of the consumer protection act litigation against  
37 Caremark Rx, LLC (King county superior court cause no. 08-2-06098-5).

1           **Sec. 220.** 2008 c 329 s 223 (uncodified) is amended to read as  
2 follows:

3           **FOR THE DEPARTMENT OF CORRECTIONS.** (1) The appropriations to the  
4 department of corrections in this act shall be expended for the  
5 programs and in the amounts specified herein. However, after May 1,  
6 ((2008)) 2009, after approval by the director of financial management  
7 and unless specifically prohibited by this act, the department may  
8 transfer general fund--state appropriations for fiscal year ((2008))  
9 2009 between programs. The department shall not transfer funds, and  
10 the director of financial management shall not approve the transfer,  
11 unless the transfer is consistent with the objective of conserving, to  
12 the maximum extent possible, the expenditure of state funds and not  
13 federal funds. The director of financial management shall notify the  
14 appropriate fiscal committees of the senate and house of  
15 representatives in writing seven days prior to approving any deviations  
16 from appropriation levels. The written notification shall include a  
17 narrative explanation and justification of the changes, along with  
18 expenditures and allotments by budget unit and appropriation, both  
19 before and after any allotment modifications or transfers.

20           (2) The department may transfer up to \$15,000,000 of the general  
21 fund--state appropriation for fiscal year 2009 into fiscal year 2008,  
22 if deemed necessary by the department and approved in advance by the  
23 director of financial management. The director of financial management  
24 shall notify the fiscal committees of the legislature in writing seven  
25 days prior to approving a transfer under this subsection. The written  
26 notification shall include a narrative explanation and justification of  
27 the transfer including allotment detail by program, budget object, and  
28 budget unit for both fiscal years, both before and after any transfers.

29           **Sec. 221.** 2009 c 4 s 222 (uncodified) is amended to read as  
30 follows:

31 **FOR THE DEPARTMENT OF CORRECTIONS**

32           (1) ADMINISTRATION AND SUPPORT SERVICES  
33 General Fund--State Appropriation (FY 2008) . . . . . \$57,545,000  
34 General Fund--State Appropriation (FY 2009) . . . . . ((~~\$52,652,000~~))  
35 \$52,320,000  
36 Washington Auto Theft Prevention Authority Account--  
37 State Appropriation . . . . . \$169,000

|    |  |                            |
|----|--|----------------------------|
| 1  | Violence Reduction and Drug Enforcement          |                            |
| 2  | Account--State Appropriation (FY 2008) . . . . . | \$13,000                   |
| 3  | Violence Reduction and Drug Enforcement          |                            |
| 4  | Account--State Appropriation (FY 2009) . . . . . | \$13,000                   |
| 5  | Public Safety and Education Account--State       |                            |
| 6  | Appropriation (FY 2008) . . . . .                | \$1,467,000                |
| 7  | Public Safety and Education Account--State       |                            |
| 8  | Appropriation (FY 2009) . . . . .                | \$1,481,000                |
| 9  | Pension Funding Stabilization Account--State     |                            |
| 10 | Appropriation . . . . .                          | \$1,280,000                |
| 11 | TOTAL APPROPRIATION . . . . .                    | <del>(\$114,620,000)</del> |
| 12 |  | <u>\$114,288,000</u>       |

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

15       (a) \$9,389,000 of the general fund--state appropriation for fiscal  
16 year 2008 is provided solely for the completion of phase three of the  
17 department's offender-based tracking system replacement project. This  
18 amount is conditioned on the department satisfying the requirements of  
19 section 902 of this act.

20       (b) \$35,000 of the general fund--state appropriation for fiscal  
21 year 2008 and \$35,000 of the general fund--state appropriation for  
22 fiscal year 2009 are provided solely for the establishment and support  
23 of a statewide council on mentally ill offenders that includes as its  
24 members representatives of community-based mental health treatment  
25 programs, current or former judicial officers, and directors and  
26 commanders of city and county jails and state prison facilities. The  
27 council will begin to investigate and promote cost-effective approaches  
28 to meeting the long-term needs of adults and juveniles with mental  
29 disorders who have a history of offending or who are at-risk of  
30 offending, including their mental health, physiological, housing,  
31 employment, and job training needs.

32       (c) \$169,000 of the Washington auto theft prevention authority  
33 account--state appropriation for fiscal year 2008 is provided solely  
34 for the implementation of Engrossed Third Substitute House Bill No.  
35 1001 (auto theft). If the bill is not enacted by June 30, 2007, the  
36 amount provided in this subsection shall lapse.

37       (d) \$102,000 of the general fund--state appropriation for fiscal  
38 year 2008 and \$95,000 of the general fund--state appropriation for

1 fiscal year 2009 are provided solely for the implementation of  
2 Engrossed Second Substitute House Bill No. 1422 (incarcerated parents).  
3 If the bill is not enacted by June 30, 2007, the amounts provided in  
4 this subsection shall lapse.

5 (e) Within funds appropriated in this section, the department shall  
6 seek contracts for chemical dependency vendors to provide chemical  
7 dependency treatment of offenders in corrections facilities, including  
8 corrections centers and community supervision facilities, which have  
9 demonstrated effectiveness in treatment of offenders and are able to  
10 provide data to show a successful treatment rate.

11 (f) \$314,000 of the general fund--state appropriation for fiscal  
12 year 2008 and \$294,000 of the general fund--state appropriation for  
13 fiscal year 2009 are provided solely for four additional staff to  
14 collect and analyze data for programs funded through the offender  
15 reentry initiative and collect, analyze, and disseminate information  
16 required by the GMAP process, performance audits, data requests, and  
17 quality assessments and assurances.

18 (g) \$32,000 of the general fund--state appropriation for fiscal  
19 year 2009 is provided solely for implementation of Substitute Senate  
20 Bill No. 6244 (conversion of facilities to house violators of community  
21 supervision). If the bill is not enacted by June 30, 2008, the amount  
22 provided in this subsection shall lapse.

23 (h) \$150,000 of the general fund--state appropriation for fiscal  
24 year 2009 is provided solely to implement Engrossed Second Substitute  
25 House Bill No. 2712 (criminal street gangs). If the bill is not  
26 enacted by June 30, 2008, the amount provided in this subsection shall  
27 lapse.

28 (2) CORRECTIONAL OPERATIONS

|    |   |                                |
|----|---|--------------------------------|
| 29 | General Fund--State Appropriation (FY 2008) . . . . . | (( <del>\$601,402,000</del> )) |
| 30 |   | <u>\$616,402,000</u>           |
| 31 | General Fund--State Appropriation (FY 2009) . . . . . | (( <del>\$647,608,000</del> )) |
| 32 |   | <u>\$655,534,000</u>           |
| 33 | General Fund--Federal Appropriation . . . . .         | (( <del>\$4,157,000</del> ))   |
| 34 |   | <u>\$3,941,000</u>             |
| 35 | Public Safety and Education Account--State            |                                |
| 36 | Appropriation (FY 2008) . . . . .                     | \$1,050,000                    |
| 37 | Public Safety and Education Account--State            |                                |
| 38 | Appropriation (FY 2009) . . . . .                     | \$1,350,000                    |

|    |  |                                  |
|----|--|----------------------------------|
| 1  | Washington Auto Theft Prevention Authority Account-- |                                  |
| 2  | State Appropriation . . . . .                        | \$1,338,000                      |
| 3  | Violence Reduction and Drug Enforcement              |                                  |
| 4  | Account--State Appropriation (FY 2008) . . . . .     | \$1,492,000                      |
| 5  | Violence Reduction and Drug Enforcement              |                                  |
| 6  | Account--State Appropriation (FY 2009) . . . . .     | \$1,492,000                      |
| 7  | Pension Funding Stabilization Account--State         |                                  |
| 8  | Appropriation . . . . .                              | \$11,800,000                     |
| 9  | TOTAL APPROPRIATION . . . . .                        | (( <del>\$1,271,689,000</del> )) |
| 10 |  | <u>\$1,294,399,000</u>           |

11       The appropriations in this subsection are subject to the following  
12 conditions and limitations:

13       (a) The department may expend funds generated by contractual  
14 agreements entered into for mitigation of severe overcrowding in local  
15 jails. Any funds generated in excess of actual costs shall be  
16 deposited in the state general fund. Expenditures shall not exceed  
17 revenue generated by such agreements and shall be treated as a recovery  
18 of costs.

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

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

27       (d) During the 2007-09 biennium, when contracts are established or  
28 renewed for offender pay phone and other telephone services provided to  
29 inmates, the department shall select the contractor or contractors  
30 primarily based on the following factors: (i) The lowest rate charged  
31 to both the inmate and the person paying for the telephone call; and  
32 (ii) the lowest commission rates paid to the department, while  
33 providing reasonable compensation to cover the costs of the department  
34 to provide the telephone services to inmates and provide sufficient  
35 revenues for the activities funded from the institutional welfare  
36 betterment account.

37       (e) The Harborview medical center shall provide inpatient and  
38 outpatient hospital services to offenders confined in department of

1 corrections facilities at a rate no greater than the average rate that  
2 the department has negotiated with other community hospitals in  
3 Washington state.

4 (f) \$358,000 of the Washington auto theft prevention authority  
5 account--state appropriation for fiscal year 2008 and \$980,000 of the  
6 Washington auto theft prevention authority account--state appropriation  
7 for fiscal year 2009 are provided solely for the implementation of  
8 Engrossed Third Substitute House Bill No. 1001 (auto theft). If the  
9 bill is not enacted by June 30, 2007, the amounts provided in this  
10 subsection shall lapse.

11 (g) \$22,000 of the general fund--state appropriation for fiscal  
12 year 2008 and \$22,000 of the general fund--state appropriation for  
13 fiscal year 2009 are provided solely for the implementation of  
14 Substitute House Bill No. 1097 (vulnerable adults). If the bill is not  
15 enacted by June 30, 2007, the amounts provided in this subsection shall  
16 lapse.

17 (h) \$22,000 of the general fund--state appropriation for fiscal  
18 year 2008 and \$22,000 of the general fund--state appropriation for  
19 fiscal year 2009 are provided solely for the implementation of  
20 Substitute House Bill No. 1319 (correctional agency employee). If the  
21 bill is not enacted by June 30, 2007, the amounts provided in this  
22 subsection shall lapse.

23 (i) \$87,000 of the general fund--state appropriation for fiscal  
24 year 2008 and \$87,000 of the general fund--state appropriation for  
25 fiscal year 2009 are provided solely for the implementation of House  
26 Bill No. 1592 (sentence review board). If the bill is not enacted by  
27 June 30, 2007, the amounts provided in this subsection shall lapse.

28 (j) \$544,000 of the general fund--state appropriation for fiscal  
29 year 2008 and \$496,000 of the general fund--state appropriation for  
30 fiscal year 2009 are provided solely for development of individual  
31 reentry plans to prepare offenders for release into the community as  
32 generally described in Engrossed Substitute Senate Bill No. 6157  
33 (offender recidivism). Individual reentry plans shall be based on an  
34 assessment of the offender using a standardized and comprehensive tool.  
35 The individual reentry plan may be one document, or may be a series of  
36 individual plans that combine to meet the requirements. The individual  
37 reentry plan shall, at a minimum, include:

1 (i) A plan to maintain contact with the inmate's children and  
2 family, if appropriate. The plan should determine whether parenting  
3 classes, or other services, are appropriate;

4 (ii) A description of the offender's education, certifications,  
5 work experience, skills, and training; and

6 (iii) A plan for the offender during the period of incarceration  
7 through reentry into the community that addresses the needs of the  
8 offender including education, employment, substance abuse treatment,  
9 mental health treatment, and family reunification. The individual  
10 reentry plan shall be updated as appropriate during the period of  
11 incarceration, and prior to the inmate's release to address public  
12 safety concerns, consistency with the offender risk management level  
13 assigned by the department, housing, and connecting with a community  
14 justice center in the area in which the offender will be residing, if  
15 a community justice center is located in that area.

16 (iv) If the appropriation in this subsection is not sufficient for  
17 this program, the department shall prioritize the use of available  
18 funds.

19 (3) COMMUNITY SUPERVISION

|    |   |                            |
|----|---|----------------------------|
| 20 | General Fund--State Appropriation (FY 2008) . . . . . | \$133,157,000              |
| 21 | General Fund--State Appropriation (FY 2009) . . . . . | <del>(\$145,881,000)</del> |
| 22 |   | <u>\$146,344,000</u>       |
| 23 | General Fund--Federal Appropriation . . . . .         | \$416,000                  |
| 24 | Public Safety and Education Account--State            |                            |
| 25 | Appropriation (FY 2008) . . . . .                     | \$9,319,000                |
| 26 | Public Safety and Education Account--State            |                            |
| 27 | Appropriation (FY 2009) . . . . .                     | \$9,370,000                |
| 28 | Pension Funding Stabilization Account--State          |                            |
| 29 | Appropriation . . . . .                               | \$2,800,000                |
| 30 | TOTAL APPROPRIATION . . . . .                         | <del>(\$300,943,000)</del> |
| 31 |   | <u>\$301,406,000</u>       |

32 The appropriations in this subsection are subject to the following  
33 conditions and limitations:

34 (a) The department shall accomplish personnel reductions with the  
35 least possible impact on correctional custody staff, community custody  
36 staff, and correctional industries. For the purposes of this  
37 subsection, correctional custody staff means employees responsible for  
38 the direct supervision of offenders.



1 (b) For the acquisition of properties and facilities, the  
2 department of corrections is authorized to enter into financial  
3 contracts, paid for from operating resources, for the purposes  
4 indicated and in not more than the principal amounts indicated, plus  
5 financing expenses and required reserves pursuant to chapter 39.94 RCW.  
6 This authority applies to the following: Lease-develop with the option  
7 to purchase or lease-purchase work release beds in facilities  
8 throughout the state for \$8,561,000.

9 (c) \$1,167,000 of the general fund--state appropriation for fiscal  
10 year 2008 and \$2,295,000 of the general fund--state appropriation for  
11 fiscal year 2009 are provided solely for the establishment and  
12 operation of community justice centers by the department as generally  
13 described in Engrossed Substitute Senate Bill No. 6157 (offender  
14 recidivism). At a minimum, a community justice center shall include:

15 (i) A violator program to allow the department to utilize a range  
16 of available sanctions for offenders who violate conditions of their  
17 supervision;

18 (ii) An employment opportunity program to assist an offender in  
19 finding employment;

20 (iii) On-site services or resources for connecting offenders with  
21 services such as mental health and substance abuse treatment,  
22 transportation, training, family reunification, and community services;  
23 and

24 (iv) The services of a transition coordinator to facilitate  
25 connections between the former offender and the community. The  
26 transition coordinator shall provide information to former offenders  
27 regarding services available to them in the community including, but  
28 not limited to housing assistance, employment assistance, education,  
29 vocational training, parent education, financial literacy, treatment  
30 for substance abuse, mental health, anger management, and shall assist  
31 offenders in their efforts to access needed services.

32 (v) If the appropriation in this subsection is not sufficient for  
33 this program, the department shall prioritize the use of available  
34 funds.

35 (4) CORRECTIONAL INDUSTRIES

|  |             |
|--|-------------|
| 36 General Fund--State Appropriation (FY 2008) . . . . . | \$1,001,000 |
| 37 General Fund--State Appropriation (FY 2009) . . . . . | \$2,357,000 |
| 38 TOTAL APPROPRIATION . . . . .                         | \$3,358,000 |

1 The appropriations in this subsection are subject to the following  
 2 conditions and limitations: \$124,000 of the general fund--state  
 3 appropriation for fiscal year 2008 and \$132,000 of the general fund--  
 4 state appropriation for fiscal year 2009 are provided solely for  
 5 transfer to the jail industries board. The board shall use the amounts  
 6 provided only for administrative expenses, equipment purchases, and  
 7 technical assistance associated with advising cities and counties in  
 8 developing, promoting, and implementing consistent, safe, and efficient  
 9 offender work programs.

10 (5) INTERAGENCY PAYMENTS

|    |   |                           |
|----|---|---------------------------|
| 11 | General Fund--State Appropriation (FY 2008) . . . . . | \$35,036,000              |
| 12 | General Fund--State Appropriation (FY 2009) . . . . . | <del>(\$28,082,000)</del> |
| 13 |   | <u>\$29,043,000</u>       |
| 14 | TOTAL APPROPRIATION . . . . .                         | <del>(\$63,118,000)</del> |
| 15 |   | <u>\$64,079,000</u>       |

16 The appropriations in this subsection are subject to the following  
 17 conditions and limitations: \$35,000 of the general fund--state  
 18 appropriation for fiscal year 2008 is provided solely for expenditures  
 19 related to the *Farrakhan v. Locke* litigation.

20 **Sec. 222.** 2009 c 4 s 223 (uncodified) is amended to read as  
 21 follows:

22 **FOR THE DEPARTMENT OF SERVICES FOR THE BLIND**

|    |   |                           |
|----|---|---------------------------|
| 23 | General Fund--State Appropriation (FY 2008) . . . . . | \$2,566,000               |
| 24 | General Fund--State Appropriation (FY 2009) . . . . . | <del>(\$2,375,000)</del>  |
| 25 |   | <u>\$2,362,000</u>        |
| 26 | General Fund--Federal Appropriation . . . . .         | <del>(\$17,584,000)</del> |
| 27 |   | <u>\$18,757,000</u>       |
| 28 | General Fund--Private/Local Appropriation . . . . .   | \$20,000                  |
| 29 | TOTAL APPROPRIATION . . . . .                         | <del>(\$22,545,000)</del> |
| 30 |   | <u>\$23,705,000</u>       |

31 The appropriations in this subsection are subject to the following  
 32 conditions and limitations:

33 (1) \$4,000 of the general fund--state appropriation for fiscal year  
 34 2008 and \$4,000 of the general fund--state appropriation for fiscal  
 35 year 2009 are provided solely for an adjustment to the agency lease  
 36 rate for space occupied and parking in the Tacoma Rhodes center. The

1 department of general administration shall increase lease rates to meet  
2 the cash gain/loss break-even point for the Tacoma Rhodes center  
3 effective July 1, 2007.

4 (2) The department shall not reduce and shall continue to provide  
5 funding for contracted services that provide employment support and  
6 help with life activities for deaf and blind individuals in King  
7 county.

8 **Sec. 223.** 2009 c 4 s 225 (uncodified) is amended to read as  
9 follows:

10 **FOR THE EMPLOYMENT SECURITY DEPARTMENT**

|    |   |                            |
|----|---|----------------------------|
| 11 | General Fund--State Appropriation (FY 2008) . . . . .         | \$60,000                   |
| 12 | General Fund--State Appropriation (FY 2009) . . . . .         | \$272,000                  |
| 13 | General Fund--Federal Appropriation . . . . .                 | <del>(\$264,967,000)</del> |
| 14 |   | <u>\$320,249,000</u>       |
| 15 | General Fund--Private/Local Appropriation . . . . .           | \$33,578,000               |
| 16 | Unemployment Compensation Administration Account--            |                            |
| 17 | Federal Appropriation . . . . .                               | <del>(\$252,907,000)</del> |
| 18 |   | <u>\$273,138,000</u>       |
| 19 | Administrative Contingency Account--State                     |                            |
| 20 | Appropriation . . . . .                                       | \$22,802,000               |
| 21 | Employment Service Administrative Account--State              |                            |
| 22 | Appropriation . . . . .                                       | \$33,843,000               |
| 23 | Family Leave Insurance Account--State Appropriation . . . . . | \$1,764,000                |
| 24 | TOTAL APPROPRIATION . . . . .                                 | <del>(\$610,193,000)</del> |
| 25 |   | <u>\$685,706,000</u>       |

26 The appropriations in this subsection are subject to the following  
27 conditions and limitations:

28 (1) \$4,578,000 of the unemployment compensation administration  
29 account--federal appropriation is provided from funds made available to  
30 the state by section 903(d) of the social security act (Reed Act).  
31 These funds are authorized to provide direct services to unemployment  
32 insurance claimants and providing job search review.

33 (2) \$2,300,000 of the unemployment compensation administration  
34 account--federal appropriation is provided from amounts made available  
35 to the state by section 903(d) of the social security act (Reed Act).  
36 This amount is authorized to continue implementation of chapter 4, Laws

1 of 2003 2nd sp. sess. and for implementation costs relating to chapter  
2 133, Laws of 2005 (unemployment insurance).

3 (3) \$23,162,000 of the unemployment compensation administration  
4 account--federal appropriation is provided from amounts made available  
5 to the state by section 903(d) of the social security act (Reed Act).  
6 This amount is authorized to continue current unemployment insurance  
7 functions and department services to employers and job seekers.

8 (4) \$372,000 of the administrative contingency account--state  
9 appropriation is provided solely to implement Substitute Senate Bill  
10 No. 5653 (self-employment). If the bill is not enacted by June 30,  
11 2007, the amount provided in this subsection shall lapse.

12 (5) \$12,054,000 of the unemployment compensation administration  
13 account--federal appropriation is provided from amounts made available  
14 to the state by section 903(d) of the social security act (Reed act).  
15 This amount is authorized to fund the unemployment insurance tax  
16 information system (TAXIS) technology initiative for the employment  
17 security department.

18 (6) \$430,000 of the unemployment compensation administration  
19 account--federal appropriation is provided from amounts made available  
20 to the state by section 903(d) of the social security act (Reed act).  
21 This amount is authorized to replace high-risk servers used by the  
22 unemployment security department.

23 (7) \$503,000 of the unemployment compensation administration  
24 account--federal appropriation is provided from amounts made available  
25 to the state by section 903(d) of the social security act (Reed act).  
26 This amount is authorized to provide a system to track computer  
27 upgrades and changes for the unemployment security department.

28 (8) \$183,000 of the unemployment compensation administration  
29 account--federal appropriation is provided from the amounts made  
30 available to the state by section 903(d) of the social security act  
31 (Reed Act). This amount is authorized to conduct a feasibility study  
32 to integrate job search data systems.

33 (9) \$2,331,000 of the unemployment compensation administration  
34 account--federal appropriation is provided from amounts made available  
35 to the state by section 903(d) of the social security act (Reed Act).  
36 This amount is authorized for hardware and software to ensure the  
37 ongoing, reliable operation of the telecenters.

1 (10) \$488,000 of the unemployment compensation administration  
2 account--federal appropriation is provided from amounts made available  
3 to the state by section 903(d) of the social security act (Reed Act).  
4 This amount is authorized for the relocation of the WorkSource office  
5 in Lakewood.

6 (11) \$1,764,000 of the family leave insurance account--state  
7 appropriation is provided solely for implementation of the family leave  
8 insurance program.

9 (a) The amount provided in this subsection assumes that, in  
10 developing the information technology systems to support the payment of  
11 benefits, the department will incorporate the claim filing and benefit  
12 payment efficiencies recommended by the joint legislative task force on  
13 family leave insurance in Part III of its final report dated January  
14 23, 2008, including:

15 (i) Eliminating the option for awarding attorney fees and costs for  
16 administrative hearings;

17 (ii) Authorizing claims for benefits to be filed in the six-week  
18 period beginning on the first day of the calendar week in which the  
19 individual is on family leave;

20 (iii) Not requiring claimants to verify the birth of a child or the  
21 placement of a child for adoption;

22 (iv) Including an attestation from the claimant that written notice  
23 has been provided to the employer of the intention to take family  
24 leave; and

25 (v) Not deducting and withholding federal income taxes from benefit  
26 payments.

27 (b) In addition, the department shall incorporate the following  
28 claim filing and benefit payment efficiencies:

29 (i) Define "qualifying year" to mean the first four of the last  
30 five completed calendar quarters or, if eligibility is not established,  
31 the last four completed calendar immediately preceding the first day of  
32 the application year;

33 (ii) Allow individuals to file a claim for benefits in the six-week  
34 period beginning on the first day of the calendar year in which the  
35 individual is on family leave; and

36 (iii) After an initial family leave insurance benefit is paid,  
37 subsequent payments must be made biweekly, rather than semimonthly,  
38 thereafter.

1           (12) \$222,000 of the general fund--state appropriation for fiscal  
2 year 2009 is provided solely to implement Engrossed Second Substitute  
3 House Bill No. 2815 (greenhouse gas emissions). If the bill is not  
4 enacted by June 30, 2008, the amounts provided in this subsection shall  
5 lapse.

6           (13) \$155,000 of the unemployment compensation administration  
7 account--federal appropriation is provided solely to implement Second  
8 Substitute Senate Bill No. 6732 (construction industry). If the bill  
9 is not enacted by June 30, 2008, the amounts provided in this  
10 subsection shall lapse.

(End of part)

**PART III**  
**NATURAL RESOURCES**

**Sec. 301.** 2009 c 4 s 301 (uncodified) is amended to read as follows:

**FOR THE COLUMBIA RIVER GORGE COMMISSION**

|   |                          |
|---|--------------------------|
| General Fund--State Appropriation (FY 2008) . . . . . | \$524,000                |
| General Fund--State Appropriation (FY 2009) . . . . . | \$509,000                |
| General Fund--Federal Appropriation . . . . .         | \$9,000                  |
| General Fund--Private/Local Appropriation . . . . .   | <del>(\$1,044,000)</del> |
|   | <u>\$1,017,000</u>       |
| TOTAL APPROPRIATION . . . . .                         | <del>(\$2,086,000)</del> |
|   | <u>\$2,059,000</u>       |

**Sec. 302.** 2009 c 4 s 302 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

|  |                           |
|--|---------------------------|
| General Fund--State Appropriation (FY 2008) . . . . .            | \$50,109,000              |
| General Fund--State Appropriation (FY 2009) . . . . .            | <del>(\$45,748,000)</del> |
|  | <u>\$45,761,000</u>       |
| General Fund--Federal Appropriation . . . . .                    | \$83,013,000              |
| General Fund--Private/Local Appropriation . . . . .              | \$13,618,000              |
| Special Grass Seed Burning Research                              |                           |
| Account--State Appropriation . . . . .                           | \$14,000                  |
| Reclamation Account--State Appropriation . . . . .               | \$4,207,000               |
| Flood Control Assistance Account--State Appropriation . . . . .  | \$4,151,000               |
| Aquatic Lands Enhancement Account--State Appropriation . . . . . | \$400,000                 |
| State Emergency Water Projects Revolving                         |                           |
| Account--State Appropriation . . . . .                           | \$390,000                 |
| Waste Reduction/Recycling/Litter                                 |                           |
| Control--State Appropriation . . . . .                           | \$19,588,000              |
| State Drought Preparedness--State Appropriation . . . . .        | \$115,000                 |
| State and Local Improvements Revolving Account                   |                           |
| (Water Supply Facilities)--State Appropriation . . . . .         | \$421,000                 |
| Vessel Response Account--State Appropriation . . . . .           | \$1,604,000               |
| Freshwater Aquatic Algae Control Account--State                  |                           |
| Appropriation . . . . .  | \$509,000                 |

|    |   |                            |
|----|---|----------------------------|
| 1  | Site Closure Account--State Appropriation . . . . .             | \$694,000                  |
| 2  | Water Quality Account--State Appropriation                      |                            |
| 3  | (FY 2008) . . . . .   | \$15,137,000               |
| 4  | Water Quality Account--State Appropriation                      |                            |
| 5  | (FY 2009) . . . . .   | \$16,493,000               |
| 6  | Wood Stove Education and Enforcement Account--State             |                            |
| 7  | Appropriation . . . . .   | \$370,000                  |
| 8  | Worker and Community Right-to-Know Account--State               |                            |
| 9  | Appropriation . . . . .   | \$2,247,000                |
| 10 | State Toxics Control Account--State Appropriation . . . . .     | <del>(\$99,235,000)</del>  |
| 11 |   | <u>\$95,125,000</u>        |
| 12 | State Toxics Control Account--Private/Local                     |                            |
| 13 | Appropriation . . . . .   | \$381,000                  |
| 14 | Local Toxics Control Account--State Appropriation . . . . .     | \$20,952,000               |
| 15 | Water Quality Permit Account--State Appropriation . . . . .     | \$34,022,000               |
| 16 | Underground Storage Tank Account--State                         |                            |
| 17 | Appropriation . . . . .   | \$3,635,000                |
| 18 | Biosolids Permit Account--State Appropriation . . . . .         | \$1,396,000                |
| 19 | Hazardous Waste Assistance Account--State                       |                            |
| 20 | Appropriation . . . . .   | \$5,834,000                |
| 21 | Air Pollution Control Account--State Appropriation . . . . .    | \$6,306,000                |
| 22 | Oil Spill Prevention Account--State Appropriation . . . . .     | \$12,205,000               |
| 23 | Air Operating Permit Account--State Appropriation . . . . .     | \$2,680,000                |
| 24 | Freshwater Aquatic Weeds Account--State Appropriation . . . . . | \$1,690,000                |
| 25 | Oil Spill Response Account--State Appropriation . . . . .       | \$7,078,000                |
| 26 | Metals Mining Account--State Appropriation . . . . .            | \$14,000                   |
| 27 | Water Pollution Control Revolving Account--State                |                            |
| 28 | Appropriation . . . . .   | \$464,000                  |
| 29 | Water Pollution Control Revolving Account--Federal              |                            |
| 30 | Appropriation . . . . .   | \$2,271,000                |
| 31 | Columbia River Water Delivery Account--State                    |                            |
| 32 | Appropriation . . . . .   | \$2,150,000                |
| 33 | TOTAL APPROPRIATION . . . . .                                   | <del>(\$459,141,000)</del> |
| 34 |   | <u>\$455,044,000</u>       |

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

37 (1) \$170,000 of the oil spill prevention account--state  
38 appropriation is provided solely for a contract with the University of



1 Washington's sea grant program to continue an educational program  
2 targeted to small spills from commercial fishing vessels, ferries,  
3 cruise ships, ports, and marinas.

4 (2) \$256,000 of the general fund--state appropriation for fiscal  
5 year 2008, \$209,000 of the general fund--state appropriation for fiscal  
6 year 2009, and \$200,000 of the general fund--private local  
7 appropriation are provided solely to implement activities associated  
8 with a regional haze program. Funds shall be collected and expended in  
9 accordance with the terms of the contract entered into with affected  
10 businesses and the department of ecology.

11 (3) \$2,000,000 of the local toxics control account--state  
12 appropriation is provided solely to local governments outside of Puget  
13 Sound for municipal storm water programs, including but not limited to,  
14 implementation of phase II municipal storm water permits, source  
15 control for toxics in association with cleanup of contaminated sediment  
16 sites, and source control programs for shellfish protection districts  
17 where storm water is a significant contributor.

18 (4) Fees approved by the department of ecology in the 2007-09  
19 biennium are authorized to exceed the fiscal growth factor under RCW  
20 43.135.055. Pursuant to RCW 43.135.055, the department is further  
21 authorized to increase the following fees in fiscal year 2009 as  
22 necessary to meet the actual costs of conducting business and the  
23 appropriation levels in this section: Wastewater discharge permit, not  
24 more than 5.57 percent; dam periodic inspection permit, not more than  
25 5.57 percent; dam construction permit, not more than 5.57 percent; and  
26 mixed waste management, not more than 14.14 percent.

27 (5) \$1,000,000 of the general fund--state appropriation for fiscal  
28 year 2008 and \$927,000 of the general fund--state appropriation for  
29 fiscal year 2009 are provided solely to improve the performance of  
30 wetland mitigation. Of this amount, \$55,000 of the general fund--state  
31 appropriation for fiscal year 2008 and \$55,000 of the general fund--  
32 state appropriation for fiscal year 2009 are provided solely to support  
33 a wetland in Whatcom county. The program will engage local, state, and  
34 federal agencies, private investors, property owners, and others in the  
35 creation of one or more wetland banks and other measures to protect  
36 habitat functions and values while accommodating urban growth in the  
37 region. Priority shall be given to state and local government  
38 partnerships for wetland characterization. The department shall issue

1 a report of its findings and recommendations on how wetland mitigation  
2 success can be improved to the office of financial management and the  
3 appropriate policy committees of the legislature.

4 (6) \$260,000 of the state toxics control account--state  
5 appropriation is provided solely to support pesticide container  
6 recycling activities in Washington.

7 (7) \$250,000 of the general fund--state appropriation for fiscal  
8 year 2008 and \$250,000 of the general fund--state appropriation for  
9 fiscal year 2009 are provided solely for a pilot project to provide  
10 grants to two local government jurisdictions located in the Puget Sound  
11 area to improve compliance with existing environmental laws. Grant  
12 funds shall be used for providing information on existing requirements,  
13 providing technical assistance necessary to comply on a voluntary  
14 basis, and taking enforcement action.

15 (8) \$1,257,000 of the reclamation account--state appropriation is  
16 provided solely to implement Substitute Senate Bill No. 5881 (water  
17 power license fees). If the bill is not enacted by June 30, 2007, the  
18 amount provided in this section shall lapse.

19 (9) \$694,000 of the underground storage tank account--state  
20 appropriation is provided solely to implement Substitute Senate Bill  
21 No. 5475 (underground storage tanks). If the bill is not enacted by  
22 June 30, 2007, the amount provided in this section shall lapse.

23 (10) \$2,026,000 of the local toxics control account--state  
24 appropriation is provided solely for local governments located near  
25 hazardous waste clean-up sites, including Duwamish Waterway,  
26 Commencement Bay, and Bellingham Bay, to work with small businesses and  
27 citizens to safely manage hazardous and solid wastes to prevent the  
28 contamination.

29 (11) \$876,000 of the state toxics control account and \$876,000 of  
30 the local toxics control account are provided solely for public  
31 participation grants related to toxic cleanup sites within and around  
32 Puget Sound.

33 (12) \$831,000 of the general fund--state appropriation for fiscal  
34 year 2008 and \$669,000 of the general fund--state appropriation for  
35 fiscal year 2009 are provided solely to implement watershed plans. Of  
36 this amount, \$313,650 of the general fund--state appropriation for  
37 fiscal year 2008 and \$529,000 of the general fund--state appropriation  
38 for fiscal year 2009 are provided solely to support the implementation

1 of the WRIA 1 watershed plan and the Bertrand watershed improvement  
2 district plan, including but not limited to implementation of the  
3 Nooksack River basin stream gauging program, study of the feasibility  
4 of a public utility district pipeline in the Bertrand watershed, study  
5 and construction of water storage and augmentation in the Bertrand  
6 watershed, and preparation and development of the next subbasin  
7 watershed plan agreed to by the Bertrand instream flow policy group.

8 (13) \$75,000 of the general fund--state appropriation for fiscal  
9 year 2008 and \$75,000 of the general fund--state appropriation for  
10 fiscal year 2009 are provided solely to implement Second Substitute  
11 House Bill No. 2220 (shellfish). The department shall develop, by  
12 rule, guidelines for the appropriate siting and operation of geoduck  
13 aquaculture operations to be included in any master program under the  
14 shorelines management act. If the bill is not enacted by June 30,  
15 2007, the amounts provided in this subsection shall lapse.

16 (14) \$15,000 of the general fund--state appropriation for fiscal  
17 year 2008 and \$15,000 of the general fund--state appropriation for  
18 fiscal year 2009 are provided solely for convening a stakeholder group  
19 to recommend establishing a sustainable statewide regional CBRNE/Hazmat  
20 response capability.

21 (15) \$100,000 of the general fund--state appropriation for fiscal  
22 year 2008 and \$100,000 of the general fund--state appropriation for  
23 fiscal year 2009 are provided solely to implement key recommendations  
24 and actions identified in the "Washington's Ocean Action Plan:  
25 Enhancing Management of Washington State's Ocean and Outer Coast". The  
26 department shall provide a progress report on implementing this plan to  
27 the appropriate policy committees of the legislature by December 31,  
28 2008.

29 (16) \$464,000 of the general fund--state appropriation for fiscal  
30 year 2008 and \$136,000 of the general fund--state appropriation for  
31 fiscal year 2009 are provided solely to implement Engrossed Substitute  
32 Senate Bill No. 6001 (climate change). If the bill is not enacted by  
33 June 30, 2007, the amounts provided in this subsection shall lapse.

34 (17) \$75,000 of the general fund--state appropriation for fiscal  
35 year 2008 and \$75,000 of the general fund--state appropriation for  
36 fiscal year 2009 are provided solely for the department to oversee  
37 beach seaweed removal in the west Seattle Fauntleroy community. The

1 department may spend up to \$25,000 of this amount for its cost of  
2 administration.

3 (18) \$693,000 of the state toxics control account is provided  
4 solely for implementation of Senate Bill No. 5421 (environmental  
5 covenants). If the bill is not enacted by June 30, 2007, the amount  
6 provided in this section shall lapse.

7 (19) \$99,000 of the general fund--state appropriation for fiscal  
8 year 2008 and \$100,000 of the general fund--state appropriation for  
9 fiscal year 2009 are provided solely for a marshland study of key areas  
10 of salmon habitat along the Snohomish river estuary.

11 (20) \$196,000 of the general fund--state appropriation for fiscal  
12 year 2008, \$132,000 of the general fund--state appropriation for fiscal  
13 year 2009, and \$19,000 of the oil spill prevention account  
14 appropriation are provided solely to implement Engrossed Substitute  
15 Senate Bill No. 5372 (Puget Sound partnership). If the bill is not  
16 enacted by June 30, 2007, the department shall execute activities as  
17 described in Engrossed Substitute Senate Bill No. 5372 (Puget Sound  
18 partnership).

19 (21) \$150,000 of the general fund--state appropriation for fiscal  
20 year 2008 is provided solely for the department to contract with the  
21 U.S. institute for environmental conflict resolution, a federal agency,  
22 to develop a pilot water management process with three federally  
23 recognized treaty Indian tribes. \$50,000 of the general fund--state  
24 appropriation for fiscal year 2008 is provided solely for the northwest  
25 Indian fisheries commission to help establish the pathway for the  
26 process in federal agencies.

27 (22) \$150,000 of the general fund--state appropriation for fiscal  
28 year 2009 is provided solely to continue the pilot water pathways  
29 project through the remainder of the biennium. The department will  
30 work with the northwest Indian fisheries commission and the U.S.  
31 institute on environmental conflict resolution to find resolution on  
32 persistent water policy issues between tribes and nontribal entities.

33 (23) \$319,000 of the general fund--state appropriation for fiscal  
34 year 2008 and \$241,000 of the general fund--state appropriation for  
35 fiscal year 2009 are provided solely for the implementation of  
36 Engrossed Second Substitute Senate Bill No. 6117 (reclaimed water). If  
37 the bill is not enacted by June 30, 2007, the amounts provided in this  
38 subsection shall lapse.

1 (24) \$53,000 of the oil spill prevention account--state  
2 appropriation is provided solely for the implementation of Senate Bill  
3 No. 5552 (penalties for oil spills). If the bill is not enacted by  
4 June 30, 2007, the amount provided in this subsection shall lapse.

5 (25) \$50,000 of the general fund--state appropriation for fiscal  
6 year 2008 and \$50,000 of the general fund--state appropriation for  
7 fiscal year 2009 are provided solely to the department to convene a  
8 shellfish aquaculture regulatory committee, composed of a balanced  
9 representation from interested state regulatory agencies, Native  
10 American tribes, local governments and the environmental and shellfish  
11 farming communities. The group will be facilitated by the office of  
12 regulatory assistance and will address federal, state, and local  
13 regulatory issues related to shellfish farming.

14 (26) Within the appropriations provided in this section for the  
15 development of water supplies in the Columbia river basin, the  
16 department shall assist county governments located east of the crest of  
17 the Cascade mountain range that: Have an international border; or  
18 border a county with an international boundary and a county with four  
19 hundred thousand or more residents, to identify water supply projects  
20 to compete for funding from the Columbia river basin water management  
21 program. The department shall provide technical assistance as needed  
22 to further refine priority projects identified by these counties. The  
23 department shall consider and balance regional water supply needs in  
24 its funding allocation decisions made as a part of this program.

25 (27) \$50,000 of the general fund--state appropriation for fiscal  
26 year 2009 is provided solely for coordinating with the University of  
27 Washington to assess the current energy profile of Washington state  
28 pulp and paper mills. The energy consumption and energy generation  
29 capability will be determined for both steam and electrical power. In  
30 addition, the sources and types of fuels used in various boilers will  
31 be assessed.

32 (28) \$195,000 of the general fund--state appropriation for fiscal  
33 year 2009 is provided solely to support a collaborative process to  
34 design a proposed comprehensive water management structure for the  
35 Walla Walla river basin. The proposed structure should address the  
36 allocation of functions, authorities, resource requirements, and issues  
37 associated with interstate watershed management of the basin. Invited  
38 participants should include but not be limited to the confederated

1 tribes of the Umatilla Indian reservation; appropriate state agencies;  
2 and Walla Walla basin interests such as municipalities, irrigation  
3 districts, conservation districts, fisheries, agriculture, economic  
4 development, and environmental representatives. A report outlining the  
5 proposed governance and water management structure shall be submitted  
6 to the governor and the appropriate committees of the legislature by  
7 November 15, 2008.

8 (29) \$333,000 of the state toxics control account--state  
9 appropriation is provided solely for implementation of Engrossed Second  
10 Substitute House Bill No. 2647 (children's safe products). If the bill  
11 is not enacted by June 30, 2008, the amount provided in this subsection  
12 shall lapse.

13 (30) \$256,000 of the general fund--state appropriation for fiscal  
14 year 2008 and \$1,027,000 of the general fund--state appropriation for  
15 fiscal year 2009 are provided solely for Engrossed Second Substitute  
16 House Bill No. 2815 (reducing greenhouse gases emissions in the  
17 Washington economy). In participating in the western climate  
18 initiative under Engrossed Second Substitute House Bill No. 2815, the  
19 director of the department shall seek to ensure that the design for a  
20 regional multisector market-based system confers equitable economic  
21 benefits and opportunities to electric utilities operating in  
22 Washington by having that system recognize at least the following: (a)  
23 Voluntary investments made by Washington utilities in energy efficiency  
24 measures; (b) emission reduction benefits that other state and  
25 provincial participants in the western climate initiative derive from  
26 consuming renewable energy generated in Washington; and (c) adverse  
27 impacts that climate change uniquely has upon the capabilities of  
28 hydroelectric power generation. Washington state's representatives to  
29 the western climate initiative process shall advocate for a regional  
30 multisector market-based design that addresses competitive  
31 disadvantages that could be experienced by in-region industries as  
32 compared to industries in states or countries that do not have  
33 greenhouse gas reduction programs that are substantively equivalent to  
34 the system designed under the western climate initiative process. If  
35 the bill is not enacted by June 30, 2008, the amounts provided in this  
36 subsection shall lapse.

37 (31) Within the appropriations provided in this section the  
38 department shall ensure that standard statewide protocols for surface

1 water monitoring are developed and included in status and trends  
2 monitoring to utilize information from other entities, including other  
3 state agencies, local governments, and volunteer groups.

4 (32)(a) \$2,000,000 of the Columbia river water delivery account  
5 appropriation is provided solely for distribution to affected counties  
6 as defined in Engrossed Second Substitute Senate Bill No. 6874  
7 (Columbia river water) to mitigate for negative impacts caused by  
8 releases of Lake Roosevelt water for the purposes described in that  
9 bill. The criteria for allocating these funds shall be developed by  
10 the department in consultation with affected local governments.

11 (b) \$150,000 of the Columbia river water delivery account  
12 appropriation is provided solely for the department to retain a  
13 contractor to perform an independent analysis of legislative options to  
14 protect rural communities in northeast Washington from disproportionate  
15 economic, agricultural, and environmental impacts when upstream water  
16 rights are purchased and transferred for use, or idled and used as  
17 mitigation, in a downstream watershed or county. Before retaining a  
18 contractor, the department shall consult with affected counties as  
19 defined in Engrossed Second Substitute Senate Bill No. 6874 (Columbia  
20 river water). The contractor selected shall conduct the independent  
21 analysis and develop a report describing options and recommended  
22 actions. The department of ecology shall provide the report to the  
23 appropriate committees of the legislature by December 1, 2008.

24 (c) If Engrossed Second Substitute Senate Bill No. 6874 (Columbia  
25 river water delivery) is not enacted by June 30, 2008, the amounts  
26 provided in this subsection shall lapse.

27 (33) \$210,000 of the local toxics control account--state  
28 appropriation is provided solely to clean up naturally occurring  
29 asbestos from Swift Creek.

30 (34) \$80,000 of the state toxics control account--state  
31 appropriation is provided solely for the department to create a  
32 stakeholder advisory committee to review and develop recommendations to  
33 help businesses achieve a fifty percent toxics reduction use goal. The  
34 committee shall: (a) Review and make recommendations to improve the  
35 effectiveness and delivery of technical assistance in pollution  
36 prevention planning; (b) develop recommendations for strategies to  
37 encourage moving away from "end-of-pipe" pollution reduction approaches  
38 to increase hazardous waste prevention throughout the state; and (c)

1 review and make recommendations on revising the hazardous waste  
2 planning fee under RCW 70.95E.030, including opportunities to provide  
3 incentives that reward businesses for toxic use reduction successes in  
4 meeting a fifty percent toxics use reduction goal. The committee shall  
5 report its findings and recommendations to the fiscal and policy  
6 committees of the senate and house of representatives by November 1,  
7 2008.

8 (35) \$70,000 of the general fund--state appropriation for fiscal  
9 year 2009 is provided solely for Substitute Senate Bill No. 6805  
10 (relating to promoting farm and forest land preservation and  
11 environmental restoration through conservation markets). If the bill  
12 is not enacted by June 30, 2008, the amount provided in this subsection  
13 shall lapse.

14 **Sec. 303.** 2009 c 4 s 303 (uncodified) is amended to read as  
15 follows:

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

|    |   |                            |
|----|---|----------------------------|
| 17 | General Fund--State Appropriation (FY 2008) . . . . .   | \$48,970,000               |
| 18 | General Fund--State Appropriation (FY 2009) . . . . .   | <del>(\$45,503,000)</del>  |
| 19 |   | <u>\$45,508,000</u>        |
| 20 | General Fund--Federal Appropriation . . . . .           | \$5,731,000                |
| 21 | General Fund--Private/Local Appropriation . . . . .     | \$73,000                   |
| 22 | Winter Recreation Program Account--State                |                            |
| 23 | Appropriation . . . . .                                 | \$1,559,000                |
| 24 | Off-Road Vehicle Account--State Appropriation . . . . . | \$234,000                  |
| 25 | Snowmobile Account--State Appropriation . . . . .       | \$4,829,000                |
| 26 | Aquatic Lands Enhancement Account--State                |                            |
| 27 | Appropriation . . . . .                                 | \$363,000                  |
| 28 | Public Safety and Education Account--State              |                            |
| 29 | Appropriation (FY 2008) . . . . .                       | \$23,000                   |
| 30 | Public Safety and Education Account--State              |                            |
| 31 | Appropriation (FY 2009) . . . . .                       | \$24,000                   |
| 32 | Parks Renewal and Stewardship Account--State            |                            |
| 33 | Appropriation . . . . .                                 | <del>(\$37,334,000)</del>  |
| 34 |   | <u>\$38,584,000</u>        |
| 35 | Parks Renewal and Stewardship Account--Private/Local    |                            |
| 36 | Appropriation . . . . .                                 | \$300,000                  |
| 37 | TOTAL APPROPRIATION . . . . .                           | <del>(\$144,943,000)</del> |



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

(1) Fees approved by the state parks and recreation commission in the 2007-09 biennium are authorized to exceed the fiscal growth factor under RCW 43.135.055.

(2) \$79,000 of the general fund--state appropriation for fiscal year 2008 and \$79,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for a grant for the operation of the Northwest avalanche center.

(3) \$300,000 of the general fund--state appropriation for fiscal year 2008 is provided solely for project scoping and cost estimating for the agency's 2009-11 capital budget submittal.

(4) \$2,255,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for costs associated with relocating the commission's Tumwater headquarters office.

(5) \$272,000 of the general fund--state appropriation for fiscal year 2008 and \$271,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for costs associated with relocating the commission's eastern Washington regional headquarters office.

(6) \$1,000,000 of the general fund--state appropriation for fiscal year 2008 is provided solely for replacing vehicles and equipment.

(7) \$1,611,000 of the general fund--state appropriation for fiscal year 2008 and \$1,428,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for planned and emergency maintenance of park facilities.

(8) \$1,700,000 of the general fund--federal appropriation for fiscal year 2009 is provided solely for the recreational boating safety program.

(9) \$954,000 of the general fund--state appropriation for fiscal year 2008 and ((~~\$1,007,000~~)) \$932,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the operations of Cama Beach state park.

(10) \$25,000 of the general fund--state appropriation for fiscal year 2008 and \$25,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for implementation of Substitute

1 Senate Bill No. 5219 (weather and avalanche center). If the bill is  
2 not enacted by June 30, 2007, the amounts provided in this subsection  
3 shall lapse.

4 (11) \$9,000 of the general fund--state appropriation for fiscal  
5 year 2008 and \$9,000 of the general fund--state appropriation for  
6 fiscal year 2009 are provided solely for implementation of Substitute  
7 Senate Bill No. 5463 (forest fire protection). If the bill is not  
8 enacted by June 30, 2007, the amounts provided in this subsection shall  
9 lapse.

10 (12) \$9,000 of the general fund--state appropriation for fiscal  
11 year 2008 and \$9,000 of the general fund--state appropriation for  
12 fiscal year 2009 are provided solely for implementation of Substitute  
13 Senate Bill No. 5236 (public lands management). If the bill is not  
14 enacted by June 30, 2007, the amounts provided in this subsection shall  
15 lapse.

16 (13) \$264,000 of the general fund--state appropriation for fiscal  
17 year 2008 and (~~(\$217,000)~~) \$132,000 of the general fund--state  
18 appropriation for fiscal year 2009 are provided solely to establish a  
19 pilot lifeguard program at Lake Sammamish and Nolte state parks. The  
20 department shall complete a comprehensive risk analysis to determine if  
21 expansion of the lifeguard program or other drowning risk reduction  
22 measures should be implemented. The department shall report its  
23 findings to the office of financial management and the appropriate  
24 committees of the legislature by July 1, 2009. The department shall  
25 fully implement this program as intended in this subsection.

26 (14) \$455,000 of the general fund--state appropriation for fiscal  
27 year 2008 and \$10,000 of the general fund--state appropriation for  
28 fiscal year 2009 are provided solely for the development of a long-  
29 range plan for Fort Worden state park, including architectural and site  
30 design guidelines, business and operations implementation, site and  
31 facilities use plan, and for the department to convene a task force to  
32 recommend alternative governance structures for the park.

33 (15) \$1,600,000 of the parks renewal stewardship account--state  
34 appropriation is provided solely for operating state parks, developing  
35 and renovating park facilities, undertaking deferred maintenance,  
36 enhancing park stewardship and other state park purposes, pursuant to  
37 Substitute House Bill No. 2275 (raising funds for state parks).  
38 Expenditures from the amount provided in this subsection shall not

1 exceed actual revenues received under Substitute House Bill No. 2275.  
2 If the bill is not enacted by June 30, 2007, the amounts provided in  
3 this subsection shall lapse.

4 ~~(16) ((\$40,000 of the general fund--state appropriation for fiscal~~  
5 ~~year 2009 is provided solely for implementation of Second Substitute~~  
6 ~~House Bill No. 2514 (orca whale protection). If the bill is not~~  
7 ~~enacted by June 30, 2008, the amount provided in this subsection shall~~  
8 ~~lapse.~~

9 (+17)) \$58,000 of the general fund--state appropriation for fiscal  
10 year 2008 and \$73,000 of the general fund--state appropriation for  
11 fiscal year 2009 are provided solely for one-time financial assistance  
12 to the northwest weather and avalanche center, administered by the  
13 United States forest service, to keep the center operational through  
14 the remainder of the biennium.

15 ((+18)) (17) Funds in this section are sufficient for continued  
16 implementation of Engrossed Substitute Senate Bill No. 5010 (foster  
17 home pass). If the bill is not enacted by June 30, 2008, the amount  
18 provided in this subsection shall lapse.

19 **Sec. 304.** 2009 c 4 s 307 (uncodified) is amended to read as  
20 follows:

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

|    |   |                           |
|----|---|---------------------------|
| 22 | General Fund--State Appropriation (FY 2008) . . . . .       | \$56,158,000              |
| 23 | General Fund--State Appropriation (FY 2009) . . . . .       | <del>(\$49,062,000)</del> |
| 24 |   | <u>\$49,094,000</u>       |
| 25 | General Fund--Federal Appropriation . . . . .               | \$52,270,000              |
| 26 | General Fund--Private/Local Appropriation . . . . .         | \$37,184,000              |
| 27 | Off-Road Vehicle Account--State Appropriation . . . . .     | \$413,000                 |
| 28 | Aquatic Lands Enhancement Account--State                    |                           |
| 29 | Appropriation . . . . .                                     | \$6,022,000               |
| 30 | Public Safety and Education Account--State                  |                           |
| 31 | Appropriation (FY 2008) . . . . .                           | \$268,000                 |
| 32 | Public Safety and Education Account--State                  |                           |
| 33 | Appropriation (FY 2009) . . . . .                           | \$323,000                 |
| 34 | Recreational Fisheries Enhancement--State                   |                           |
| 35 | Appropriation . . . . .                                     | \$3,600,000               |
| 36 | Warm Water Game Fish Account--State Appropriation . . . . . | \$2,992,000               |
| 37 | Eastern Washington Pheasant Enhancement                     |                           |

|    |  |                            |
|----|--|----------------------------|
| 1  | Account--State Appropriation . . . . .                         | \$753,000                  |
| 2  | Aquatic Invasive Species Enforcement Account--State            |                            |
| 3  | Appropriation . . . . .  | \$204,000                  |
| 4  | Aquatic Invasive Species Prevention Account--State             |                            |
| 5  | Appropriation . . . . .  | \$842,000                  |
| 6  | Wildlife Account--State Appropriation . . . . .                | \$63,549,000               |
| 7  | Wildlife Account--Federal Appropriation . . . . .              | \$34,279,000               |
| 8  | Wildlife Account--Private/Local Appropriation . . . . .        | \$13,187,000               |
| 9  | Game Special Wildlife Account--State Appropriation . . . . .   | \$2,478,000                |
| 10 | Game Special Wildlife Account--Federal Appropriation . . . . . | \$8,911,000                |
| 11 | Game Special Wildlife Account--Private/Local                   |                            |
| 12 | Appropriation . . . . .  | \$483,000                  |
| 13 | Water Quality Account--State Appropriation (FY 2008) . . . . . | \$160,000                  |
| 14 | Water Quality Account--State Appropriation (FY 2009) . . . . . | \$160,000                  |
| 15 | Regional Fisheries Salmonid Recovery Account--Federal          |                            |
| 16 | Appropriation . . . . .  | \$5,001,000                |
| 17 | Oil Spill Prevention Account--State Appropriation . . . . .    | \$1,093,000                |
| 18 | Oyster Reserve Land Account--State Appropriation . . . . .     | \$416,000                  |
| 19 | Wildlife Rehabilitation Account--State Appropriation . . . . . | <del>(\$270,000)</del>     |
| 20 |  | <u>\$240,000</u>           |
| 21 | TOTAL APPROPRIATION . . . . .                                  | <del>(\$340,078,000)</del> |
| 22 |  | <u>\$340,080,000</u>       |

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

25 (1) The department shall use the department of printing for  
26 printing needs. Funds provided in this section may not be used to  
27 staff or fund a stand-alone printing operation.

28 (2) \$175,000 of the general fund--state appropriation for fiscal  
29 year 2008 and \$175,000 of the general fund--state appropriation for  
30 fiscal year 2009 are provided solely for the implementation of hatchery  
31 reform recommendations defined by the hatchery scientific review group.

32 (3) The department shall support the activities of the aquatic  
33 nuisance species coordination committee to foster state, federal,  
34 tribal, and private cooperation on aquatic nuisance species issues.  
35 The committee shall strive to prevent the introduction of nonnative  
36 aquatic species and to minimize the spread of species that are  
37 introduced.

1 (4) The department shall emphasize enforcement of laws related to  
2 protection of fish habitat and the illegal harvest of salmon and  
3 steelhead. Within the amount provided for the agency, the department  
4 shall provide support to the department of health to enforce state  
5 shellfish harvest laws.

6 (5) \$400,000 of the general fund--state appropriation for fiscal  
7 year 2008 and \$400,000 of the general fund--state appropriation for  
8 fiscal year 2009 are provided solely for a state match to support the  
9 Puget Sound nearshore partnership between the department and the U.S.  
10 army corps of engineers.

11 (6) The department shall assist the office of regulatory assistance  
12 in implementing activities consistent with the governor's regulatory  
13 improvement program. The department shall support and provide  
14 expertise to facilitate, coordinate, and simplify citizen and business  
15 interactions so as to improve state regulatory processes involving  
16 state, local, and federal stakeholders.

17 (7) \$634,000 of the general fund--state appropriation for fiscal  
18 year 2008 is provided solely for operations and fish production costs  
19 at department-operated Mitchell act hatchery facilities.

20 (8) \$609,000 of the general fund--state appropriation for fiscal  
21 year 2009 is provided solely for the department to implement a pilot  
22 project with the Confederated Tribes of the Colville Reservation to  
23 develop expanded recreational fishing opportunities on Lake Rufus Woods  
24 and its northern shoreline and to conduct joint enforcement of lake  
25 fisheries on Lake Rufus Woods and adjoining waters, pursuant to state  
26 and tribal intergovernmental agreements developed under the Columbia  
27 River water supply program.

28 (a) For the purposes of the pilot project:

29 (i) A fishing permit issued to a nontribal member by the Colville  
30 Tribes shall satisfy the license requirement of RCW 77.32.010 on the  
31 waters of Lake Rufus Woods and on the north shore of Lake Rufus Woods;

32 (ii) The Colville Tribes have agreed to provide to holders of its  
33 nontribal member fishing permits a means to demonstrate that fish in  
34 their possession were lawfully taken in Lake Rufus Woods;

35 (iii) A Colville tribal member identification card shall satisfy  
36 the license requirement of RCW 77.32.010 on all waters of Lake Rufus  
37 Woods;

1 (iv) The department and the Colville Tribes shall jointly designate  
2 fishing areas on the north shore of Lake Rufus Woods for the purposes  
3 of enhancing access to the recreational fisheries on the lake; and

4 (v) The Colville Tribes have agreed to recognize a fishing license  
5 issued under RCW 77.32.470 or RCW 77.32.490 as satisfying the nontribal  
6 member fishing permit requirements of Colville tribal law on the  
7 reservation portion of the waters of Lake Rufus Woods and at designated  
8 fishing areas on the north shore of Lake Rufus Woods;

9 (b) The director, in collaboration with the Colville Tribes, shall  
10 provide an interim report to the office of financial management and the  
11 appropriate committees of the legislature by December 31, 2008. The  
12 report shall describe the status of the pilot project, and make  
13 recommendations as needed to fully implement the project, pursuant to  
14 the state and tribal agreement on Lake Rufus Woods.

15 (9) \$182,000 of the general fund--state appropriation for fiscal  
16 year 2008 and \$182,000 of the general fund--state appropriation for  
17 fiscal year 2009 are provided solely to continue the ballast water  
18 management program in Puget Sound and expand the program to include the  
19 Columbia river and coastal ports.

20 (10) \$250,000 of the general fund--state appropriation for fiscal  
21 year 2008 and \$250,000 of the general fund--state appropriation for  
22 fiscal year 2009 are provided solely for hatchery facility maintenance  
23 improvements.

24 (11) \$440,000 of the general fund--state appropriation for fiscal  
25 year 2008 and \$409,000 of the general fund--state appropriation for  
26 fiscal year 2009 are provided solely for estimates of juvenile  
27 abundance of federally listed salmon and steelhead populations. The  
28 department shall report to the office of financial management and the  
29 appropriate fiscal committees of the legislature with a letter stating  
30 the use and measurable results of activities that are supported by  
31 these funds.

32 (12) \$125,000 of the general fund--state appropriation for fiscal  
33 year 2008 and \$125,000 of the general fund--state appropriation for  
34 fiscal year 2009 are provided solely for the strategic budget and  
35 accountability program.

36 (13) \$113,000 of the general fund--state appropriation for fiscal  
37 year 2008 and \$113,000 of the general fund--state appropriation for  
38 fiscal year 2009 are provided solely to implement Engrossed Substitute

1 Senate Bill No. 5372 (Puget Sound partnership). If the bill is not  
2 enacted by June 30, 2007, the department shall execute activities as  
3 described in Engrossed Substitute Senate Bill No. 5372 (Puget Sound  
4 partnership).

5 (14) Prior to submitting its 2009-11 biennial operating and capital  
6 budget request related to state fish hatcheries to the office of  
7 financial management, the department shall contract with the hatchery  
8 scientific review group (HSRG) to review this request. This review  
9 shall: (a) Determine if the proposed requests are consistent with HSRG  
10 recommendations; (b) prioritize the components of the requests based on  
11 their contributions to protecting wild salmonid stocks and meeting the  
12 recommendations of the HSRG; and (c) evaluate whether the proposed  
13 requests are being made in the most cost effective manner. The  
14 department shall provide a copy of the HSRG review to the office of  
15 financial management and the appropriate legislative committees by  
16 October 1, 2008.

17 (15) \$43,000 of the general fund--state appropriation for fiscal  
18 year 2008 is provided solely for the implementation of Substitute  
19 Senate Bill No. 5447 (coastal Dungeness crab). If the bill is not  
20 enacted by June 30, 2007, the amount provided in this subsection shall  
21 lapse.

22 (16) \$4,000 of the general fund--state appropriation for fiscal  
23 year 2008 and \$4,000 of the general fund--state appropriation for  
24 fiscal year 2009 are provided solely for the implementation of  
25 Substitute Senate Bill No. 5463 (forest fire protection). If the bill  
26 is not enacted by June 30, 2007, the amounts provided in this  
27 subsection shall lapse.

28 (17) \$89,000 of the general fund--state appropriation for fiscal  
29 year 2008 and \$89,000 of the general fund--state appropriation for  
30 fiscal year 2009 are provided solely for the implementation of  
31 Substitute Senate Bill No. 6141 (forest health). If the bill is not  
32 enacted by June 30, 2007, the amounts provided in this subsection shall  
33 lapse.

34 (18) \$204,000 of the aquatic invasive species enforcement account--  
35 state appropriation is provided solely for the implementation of  
36 Substitute Senate Bill No. 5923 (aquatic invasive species). If the  
37 bill is not enacted by June 30, 2007, the amount provided in this  
38 subsection shall lapse.

1 (19) \$352,000 of the wildlife rehabilitation account is provided  
2 solely for the implementation of Senate Bill No. 5188 (wildlife  
3 rehabilitation). If the bill is not enacted by June 30, 2007, the  
4 amounts provided in this subsection shall lapse.

5 (20) \$77,000 of the general fund--state appropriation for fiscal  
6 year 2008 and \$75,000 of the general fund--state appropriation for  
7 fiscal year 2009 are provided solely for the department of fish and  
8 wildlife to participate in the upper Columbia salmon recovery plan  
9 implementation, habitat conservation plan hatchery committees, and the  
10 priest rapids salmon and steelhead agreement hatchery technical  
11 committee.

12 (21)(a) Within existing funds, the department of fish and wildlife  
13 shall sell the upper 20-acre parcel of the Beebe springs property.

14 (b) Proceeds from the sale are to be used to develop the Beebe  
15 springs natural interpretive site. Up to \$300,000 of the general  
16 fund--state appropriation for fiscal year 2009 is provided solely for  
17 the development of the Beebe springs natural interpretive site. The  
18 department shall not expend more than the amount received from the sale  
19 proceeds.

20 (22) \$50,000 of the general fund--state appropriation for fiscal  
21 year 2008 and \$49,000 of the general fund--state appropriation for  
22 fiscal year 2009 are provided solely to implement Substitute House Bill  
23 No. 2049 (marine resource committees). If the bill is not enacted by  
24 June 30, 2007, the amounts provided in this subsection shall lapse.

25 (23) \$35,000 of the general fund--state appropriation for fiscal  
26 year 2008 and \$35,000 of the general fund--state appropriation for  
27 fiscal year 2009 are provided solely for a study of introducing oxygen  
28 to the waters of Hood Canal. The study shall propose a location in a  
29 small marine area where a large number of bottom-dwelling fish species  
30 exist, and analyze the impact of injected dissolved oxygen on aquatic  
31 life. The department shall report to the appropriate committees of the  
32 legislature on the results of the study and recommend whether to  
33 proceed with a project to inject oxygen into Hood Canal.

34 (24) \$1,310,000 of the general fund--state appropriation for fiscal  
35 year 2008 is provided solely to replace state wildlife account funds  
36 for the engineering program and \$610,000 of the general fund--state  
37 appropriation for fiscal year 2008 are provided solely to replace state  
38 wildlife account funds for the hydraulic project permitting program,



1 including the development of a permit fee schedule for the hydraulic  
2 project approval program to make the program self supporting. Fees may  
3 be based on factors relating to the complexity of the permit issuance.  
4 The fees received by the department must be deposited into the state  
5 wildlife account and shall be expended exclusively for the purposes of  
6 the hydraulic project permitting program. By December 1, 2008, the  
7 department shall provide a permit fee schedule for the hydraulic  
8 project approval program to the office of financial management and the  
9 appropriate committees of the legislature.

10 (25) \$245,000 of the general fund--state appropriation for fiscal  
11 year 2008 is provided solely to the department to work in cooperation  
12 with the department of natural resources to assist with the  
13 implementation of the wild horse coordinated resource management plan.  
14 Implementation may include providing grant funding to other state and  
15 nonstate entities as needed.

16 (26) \$270,000 of the general fund--state appropriation for fiscal  
17 year 2008 and \$270,000 of the general fund--state appropriation for  
18 fiscal year 2009 are provided solely for the department to develop  
19 siting guidelines for power generation facilities, provide technical  
20 assistance for permitting, support voluntary compliance with the  
21 guidelines, and to conduct bird and wildlife assessments on state lands  
22 most eligible for wind power leases.

23 (27) \$50,000 of the general fund--state appropriation for fiscal  
24 year 2008 is provided solely to implement Second Substitute House Bill  
25 No. 2220 (shellfish). The department shall develop and maintain an  
26 electronic database for aquatic farmer registration. If the bill is  
27 not enacted by June 30, 2007, the amount provided in this subsection  
28 shall lapse.

29 (28) During the 2007-09 biennium, the department shall not make a  
30 permanent closure of any hatchery facility currently in operation.

31 (29) Within existing funds, the department shall continue  
32 implementing its capital program action plan dated September 1, 2007,  
33 including the purchase of the necessary maintenance and support costs  
34 for the capital programs and engineering tools. The department shall  
35 report to the office of financial management and the appropriate  
36 committees of the legislature, its progress in implementing the plan,  
37 including improvements instituted in its capital program, by September  
38 30, 2008.

1 (30) \$46,000 of the general fund--state appropriation for fiscal  
2 year 2009 is provided solely for implementation of Second Substitute  
3 House Bill No. 2514 (orca whale protection). If the bill is not  
4 enacted by June 30, 2008, the amount provided in this subsection shall  
5 lapse.

6 (31) The department shall complete an inventory of department  
7 purchased or leased lands acquired for mixed agriculture and fish and  
8 wildlife habitat and provide for each purchase or lease agreement the  
9 cost and date of the agreement, the previous use of the land, any  
10 agreement or deed specifying continuing use of the land, and the  
11 current management cost and status of each parcel of purchased or  
12 leased lands. The department shall provide the inventory to the  
13 appropriate committees of the legislature by December 1, 2008.

14 (32) \$289,000 of the general fund--state appropriation for fiscal  
15 year 2008 and \$301,000 of the general fund--state appropriation for  
16 fiscal year 2009 are provided solely for selective fisheries.

17 (33) \$100,000 of the general fund--state appropriation for fiscal  
18 year 2009 is provided solely for removal of derelict gear in Washington  
19 waters.

20 (34) \$135,000 of the general fund--state appropriation for fiscal  
21 year 2009 is provided solely for a review of the effectiveness of the  
22 department's existing hydraulic project approval process and  
23 environmental outcomes.

24 (35) \$75,000 of the general fund--state appropriation for fiscal  
25 year 2009 is provided solely to implement the 2008 Wiley Slough  
26 restoration project report to the legislature recommendation to  
27 establish a private farmland, public recreation partnership that would  
28 provide farmland preservation, waterfowl management, and public  
29 recreational access.

30 (36) \$95,000 of the general fund--state appropriation for fiscal  
31 year 2009 is provided solely for Ebey Island property management costs.

32 (37)(a) A work group on Electron dam salmon passage is established,  
33 with members as provided in this subsection.

34 (i) The president of the senate shall appoint one member from each  
35 of the two largest caucuses of the senate.

36 (ii) The speaker of the house of representatives shall appoint one  
37 member from each of the two largest caucuses of the house of  
38 representatives.

1 (iii) The department of fish and wildlife shall appoint at least  
2 one representative from each of the following entities: The department  
3 of fish and wildlife, Puyallup Tribe of Indians, and Puget Sound  
4 energy.

5 (b) The department of fish and wildlife shall provide staff support  
6 to the work group.

7 (c) The work group shall study possible enhancements for improving  
8 outbound juvenile salmon passage at Electron dam on the Puyallup river.

9 (d) Legislative members of the work group shall be reimbursed for  
10 travel expenses in accordance with RCW 44.04.120. Nonlegislative  
11 members, except those representing an employer or organization, are  
12 entitled to be reimbursed for travel expenses in accordance with RCW  
13 43.03.050 and 43.03.060.

14 (e) The expenses of the work group, other than travel expenses of  
15 legislative members, shall be paid within existing funds from the  
16 department of fish and wildlife.

17 (f) The work group shall present its findings and recommendations  
18 to the appropriate committees of the legislature by January 1, 2009.

19 (g) This subsection expires January 1, 2009.

20 (38) As part of its 2009-11 biennial budget request, the department  
21 shall submit a report detailing the methodology for determining the  
22 value of payment in lieu of taxes as provided in RCW 79.70.130. At a  
23 minimum, the report will show the number of acres subject to the  
24 payment in lieu of taxes, the tax rates assumed by each affected  
25 county, and the resulting value of the state general fund obligation.

26 (39) Within the appropriations in this section, specific funding is  
27 provided to implement Engrossed Senate Bill No. 6821 (fish and wildlife  
28 information).

29 (40) \$250,000 of the general fund--state appropriation for fiscal  
30 year 2009 is provided solely for Second Substitute Senate Bill No. 6227  
31 (outer coast marine resources committees). If the bill is not enacted  
32 by June 30, 2008, the amount provided in this subsection shall lapse.

33 (41) \$115,000 of the general fund--state appropriation for fiscal  
34 year 2009 is provided solely for Substitute Senate Bill No. 6231  
35 (marine protected areas). If the bill is not enacted by June 30, 2008,  
36 the amount provided in this subsection shall lapse.

1       **Sec. 305.**   2009 c 4 s 308 (uncodified) is amended to read as  
2 follows:

3 **FOR THE DEPARTMENT OF NATURAL RESOURCES**

|    |  |                            |
|----|--|----------------------------|
| 4  | General Fund--State Appropriation (FY 2008) . . . . .          | \$50,328,000               |
| 5  | General Fund--State Appropriation (FY 2009) . . . . .          | <del>(\$48,695,000)</del>  |
| 6  |  | <u>\$65,720,000</u>        |
| 7  | General Fund--Federal Appropriation . . . . .                  | \$27,855,000               |
| 8  | General Fund--Private/Local Appropriation . . . . .            | \$1,408,000                |
| 9  | Forest Development Account--State Appropriation . . . . .      | <del>(\$57,603,000)</del>  |
| 10 |  | <u>\$57,647,000</u>        |
| 11 | Off-Road Vehicle Account--State Appropriation . . . . .        | \$4,196,000                |
| 12 | Surveys and Maps Account--State Appropriation . . . . .        | \$2,523,000                |
| 13 | Aquatic Lands Enhancement Account--State                       |                            |
| 14 | Appropriation . . . . .  | \$7,897,000                |
| 15 | Resources Management Cost Account--State                       |                            |
| 16 | Appropriation . . . . .  | <del>(\$94,633,000)</del>  |
| 17 |  | <u>\$95,426,000</u>        |
| 18 | Surface Mining Reclamation Account--State                      |                            |
| 19 | Appropriation . . . . .  | \$3,279,000                |
| 20 | Disaster Response Account--State Appropriation . . . . .       | \$5,000,000                |
| 21 | Forest and Fish Support Account--State Appropriation . . . . . | \$7,000,000                |
| 22 | Water Quality Account--State Appropriation (FY 2008) . . . . . | \$1,348,000                |
| 23 | Water Quality Account--State Appropriation (FY 2009) . . . . . | \$1,348,000                |
| 24 | Aquatic Land Dredged Material Disposal Site                    |                            |
| 25 | Account--State Appropriation . . . . .                         | \$1,335,000                |
| 26 | Natural Resources Conservation Areas Stewardship               |                            |
| 27 | Account--State Appropriation . . . . .                         | \$34,000                   |
| 28 | State Toxics Control Account--State Appropriation . . . . .    | \$80,000                   |
| 29 | Air Pollution Control Account--State Appropriation . . . . .   | \$567,000                  |
| 30 | Nonhighway and Off-Road Vehicle Activities Program             |                            |
| 31 | Account--State Appropriation . . . . .                         | \$982,000                  |
| 32 | Derelict Vessel Removal Account--State Appropriation . . . . . | \$3,650,000                |
| 33 | Agricultural College Trust Management Account--State           |                            |
| 34 | Appropriation . . . . .  | \$2,046,000                |
| 35 | TOTAL APPROPRIATION . . . . .                                  | <del>(\$321,807,000)</del> |
| 36 |  | <u>\$339,669,000</u>       |

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

1 (1) \$1,021,000 of the general fund--state appropriation for fiscal  
2 year 2008 and \$1,043,000 of the general fund--state appropriation for  
3 fiscal year 2009 are provided solely for deposit into the agricultural  
4 college trust management account and are provided solely to manage  
5 approximately 70,700 acres of Washington State University's  
6 agricultural college trust lands.

7 (2) \$13,920,000 of the general fund--state appropriation for fiscal  
8 year 2008, (~~(\$13,542,000)~~) \$30,292,000 of the general fund--state  
9 appropriation for fiscal year 2009, and \$5,000,000 of the disaster  
10 response account--state appropriation are provided solely for emergency  
11 fire suppression. None of the general fund and disaster response  
12 account amounts provided in this subsection may be used to fund agency  
13 indirect and administrative expenses. Agency indirect and  
14 administrative costs shall be allocated among the agency's remaining  
15 accounts and appropriations.

16 (3) Fees approved by the department of natural resources and the  
17 board of natural resources in the 2007-09 biennium are authorized to  
18 exceed the fiscal growth factor under RCW 43.135.055.

19 (4) \$198,000 of the general fund--state appropriation for fiscal  
20 year 2008 and \$199,000 of the general fund--state appropriation for  
21 fiscal year 2009 are provided solely for the department to work with  
22 appropriate stakeholders and state agencies in determining how  
23 privately owned lands, in combination with other land ownership such as  
24 public and tribal lands, contribute to wildlife habitat. The  
25 assessment will also determine how commercial forests, forest lands on  
26 the urban fringe, and small privately-owned forest lands that are  
27 managed according to Washington's forest and fish prescriptions, in  
28 combination with other forest management activities, function as  
29 wildlife habitat now and in the future.

30 (5) \$5,000,000 of the forest and fish support account--state  
31 appropriation is provided solely for adaptive management, monitoring,  
32 and participation grants to tribes. If federal funding for this  
33 purpose is reinstated, the amount provided in this subsection shall  
34 lapse. The department shall compile the outcomes of these grants  
35 annually and submit them to the office of financial management by  
36 September 1 of 2008 and 2009.

37 (6) \$400,000 of the forest and fish support account--state  
38 appropriation is provided solely for adaptive management, monitoring,

1 and participation grants to the departments of ecology and fish and  
2 wildlife. If federal funding for this purpose is reinstated, this  
3 subsection shall lapse.

4 (7) The department shall prepare a feasibility study that analyzes  
5 applicable business processes and develops the scope, requirements, and  
6 alternatives for replacement of the department's current suite of  
7 payroll-support systems. The department shall use an independent  
8 consultant to assist with the study, and shall submit the completed  
9 analysis to the office of financial management, the department of  
10 personnel, and the department of information services by August 1,  
11 2008.

12 (8) \$600,000 of the general fund--state appropriation for fiscal  
13 year 2008 and \$600,000 of the general fund--state appropriation for  
14 fiscal year 2009 are provided solely to continue interagency agreements  
15 with the department of fish and wildlife and the department of ecology  
16 for forest and fish report field implementation tasks.

17 (9) All department staff serving as recreation-management trail  
18 stewards shall be noncommissioned.

19 (10) \$112,000 of the aquatic lands enhancement account--state  
20 appropriation is provided solely for spartina eradication efforts. The  
21 department may enter into agreements with federal agencies to eradicate  
22 spartina from private lands that may provide a source of reinfestation  
23 to public lands.

24 (11) \$40,000 of the general fund--state appropriation for fiscal  
25 year 2008 and \$40,000 of the general fund--state appropriation for  
26 fiscal year 2009 are provided solely for the department to convene and  
27 staff a work group to study issues related to wildfire prevention and  
28 protection. The work group shall be composed of members representing  
29 rural counties in eastern and western Washington, fire districts,  
30 environmental protection organizations, industrial forest landowners,  
31 the agricultural community, the beef industry, small forest landowners,  
32 the building industry, realtors, the governor or a designee, the  
33 insurance commissioner or a designee, the office of financial  
34 management, the state fire marshal or a designee, the state building  
35 code council, and the commissioner or public lands or a designee. The  
36 work group shall issue a report of findings and recommendations to the  
37 appropriate committees of the legislature by August 1, 2008.

1 (12) \$249,000 of the aquatic lands enhancement account--state  
2 appropriation is provided solely to implement Engrossed Substitute  
3 Senate Bill No. 5372 (Puget Sound partnership). If the bill is not  
4 enacted by June 30, 2007, the department shall execute activities as  
5 described in Engrossed Substitute Senate Bill No. 5372 (Puget Sound  
6 partnership).

7 (13) \$2,000,000 of the derelict vessel removal account--state  
8 appropriation is provided solely for the implementation of Engrossed  
9 Second Substitute Senate Bill No. 6044 (derelict vessels). If the bill  
10 is not enacted by June 30, 2007, the amount provided in this subsection  
11 shall lapse.

12 (14) \$34,000 of the general fund--state appropriation for fiscal  
13 year 2008 and \$34,000 of the general fund--state appropriation for  
14 fiscal year 2009 are provided solely for the implementation of  
15 Substitute Senate Bill No. 5236 (public lands management). If the bill  
16 is not enacted by June 30, 2007, the amounts provided in this  
17 subsection shall lapse.

18 (15) \$14,000 of the forest development account--state appropriation  
19 and \$52,000 of the resources management cost account--state  
20 appropriation are provided solely for implementation of Substitute  
21 Senate Bill No. 5463 (forest fire protection). If the bill is not  
22 enacted by June 30, 2007, the amounts provided in this subsection shall  
23 lapse.

24 (16) \$100,000 of the general fund--state appropriation for fiscal  
25 year 2008 and \$900,000 of the general fund--state appropriation for  
26 fiscal year 2009 are provided solely for the removal of one or two  
27 large floating dry docks off Lake Washington near the Port Quendall  
28 site in north Renton.

29 (17) \$547,000 of the general fund--state appropriation for fiscal  
30 year 2008 and \$726,000 of the general fund--state appropriation for  
31 fiscal year 2009 are provided solely for the implementation of  
32 Substitute Senate Bill No. 6141 (forest health). If the bill is not  
33 enacted by June 30, 2007, the amounts provided in this subsection shall  
34 lapse.

35 (18) \$22,000 of the surface mining reclamation account--state  
36 appropriation and \$22,000 of the resources management cost account--  
37 state appropriation are provided solely for the implementation of

1 Substitute Senate Bill No. 5972 (surface mining reclamation). If the  
2 bill is not enacted by June 30, 2007, the amounts in this subsection  
3 shall lapse.

4 (19) \$125,000 of the general fund--state appropriation for fiscal  
5 year 2008, \$125,000 of the general fund--state appropriation for fiscal  
6 year 2009, and \$250,000 of the resource management cost account--state  
7 appropriation are provided solely to extend the 2005-2007 contract with  
8 the University of Washington college of forestry resources for  
9 additional research and technical assistance on the future of  
10 Washington forests. Reports shall be submitted by June 30, 2009, to  
11 the appropriate committees of the legislature on the following topics:

12 (a) An exploration of the potential markets for renewable energy  
13 from biomass from Washington forests, especially from material removed  
14 from eastern Washington forests as part of forest health improvement  
15 efforts. This exploration shall assess the feasibility of converting  
16 large amounts of underutilized forest biomass into useful products and  
17 green energy by providing required analyses needed to efficiently  
18 collect and deliver forest biomass to green energy end users. The role  
19 of transportation and processing infrastructure in developing markets  
20 for such material for both clean energy and value-added products shall  
21 be included in the exploration. The college shall coordinate with  
22 Washington State University efforts to identify what new biological,  
23 chemical, and engineering technologies are emerging for converting  
24 forest biomass to clean and efficient energy.

25 (b) Recommendations for the college's northwest environmental forum  
26 for retaining the highest valued working forest lands at risk of  
27 conversion to nonforest uses. These recommendations should include an  
28 examination of means to enhance biodiversity through strategic  
29 retention of certain lands, as well as economic incentives for  
30 landowners to retain lands as working forests and provide ecosystem  
31 services. The recommendations shall consider the health and value of  
32 the forest lands, the rate of loss of working forest lands in the area,  
33 the risk to timber processing infrastructure from continued loss of  
34 working forest lands, and the multiple benefits derived from retaining  
35 working forest lands. The recommendations shall prioritize forest  
36 lands in the Cascade foothills, which include the area generally  
37 encompassing the nonurbanized lands within the Cascade mountain range



1 and drainages lying between three hundred and three thousand feet above  
2 mean sea level, and located within Whatcom, Skagit, Snohomish, King,  
3 Pierce, Thurston, and Lewis counties.

4 (20) \$25,000 of the general fund--state appropriation for fiscal  
5 year 2008 and \$25,000 of the general fund--state appropriation for  
6 fiscal year 2009 are provided solely for Chelan county, as the chair of  
7 the Stemilt partnership, to perform the following:

8 (a) Work with private and public land management entities to  
9 identify and evaluate land ownership possibilities;

10 (b) Allocate up to \$10,000 to the department of fish and wildlife  
11 to perform technical studies, baseline assessments, environmental  
12 review, due diligence, and similar real estate evaluations; and

13 (c) Implement real estate transactions based on the results of the  
14 studies.

15 (21) \$15,000 of the general fund--state appropriation for fiscal  
16 year 2008 and \$15,000 of the general fund--state appropriation for  
17 fiscal year 2009 are provided solely for health benefits to Washington  
18 conservation corps employees.

19 (22) \$300,000 of the general fund--state appropriation for fiscal  
20 year 2008 and \$300,000 of the general fund--state appropriation for  
21 fiscal year 2009 are provided solely for staff support for the natural  
22 heritage program to integrate, analyze, and provide bird area  
23 information, and for state designations and mapping support, among  
24 other activities.

25 (23) \$48,000 of the resource management cost account--state  
26 appropriation is provided solely to implement Second Substitute House  
27 Bill No. 2220 (shellfish). The department shall participate in a  
28 shellfish aquaculture regulatory committee, convened by the department  
29 of ecology. If the bill is not enacted by June 30, 2007, the amount  
30 provided in this subsection shall lapse.

31 (24) \$150,000 of the general fund--private/local appropriation is  
32 provided solely for the implementation of Substitute Senate Bill No.  
33 5445 (cost-reimbursement agreements). If the bill is not enacted by  
34 June 30, 2007, the amount provided in this subsection shall lapse.

35 (25) \$191,000 of the aquatic lands enhancement account--state  
36 appropriation is provided solely for the department to coordinate with  
37 the Puget Sound partnership to complete a final habitat conservation

1 plan for state-owned aquatic lands and an environmental impact  
2 statement by June 2009.

3 (26) \$251,000 of the general fund--state appropriation for fiscal  
4 year 2009 is provided solely for implementation of Engrossed Second  
5 Substitute House Bill No. 2844 (urban forestry). If the bill is not  
6 enacted by June 30, 2008, the amount provided in this subsection shall  
7 lapse.

8 (27) \$80,000 of the general fund--state appropriation for fiscal  
9 year 2009 is provided solely to complete maps of lower Hood Canal,  
10 including subsurface geologic layers, lithology, digital layers, and  
11 maps to identify liquifiable sediments for hazard mitigation. The  
12 department shall provide a report to the appropriate committees of the  
13 legislature on maps that were produced by December 1, 2008.

14 (28) As part of its 2009-11 biennial budget request, the department  
15 shall submit a report detailing the methodology for determining the  
16 value of payment in lieu of taxes as provided in RCW 79.70.130. At a  
17 minimum, the report will show the number of acres subject to the  
18 payment in lieu of taxes, the tax rates assumed by each affected  
19 county, and the resulting value of the state general fund obligation.

20 (29) \$200,000 of the general fund--state appropriation for fiscal  
21 year 2009 is provided solely to supplement other available funds for an  
22 analysis of whether forest practices rules (including rules for harvest  
23 on potentially unstable slopes, road construction and maintenance, and  
24 post-harvest slash treatment) effectively protect public resources and  
25 public safety from landslides, and other storm-related impacts. The  
26 analysis is to be accomplished using the forest practices board  
27 adaptive management process. The cooperative monitoring, evaluation,  
28 and research (CMER) committee of the adaptive management program shall  
29 submit a report of its preliminary analysis and conclusions to the  
30 appropriate committees of the legislature by December 1, 2008. The  
31 forest practices board shall submit a complete report of the CMER study  
32 on the effectiveness of current prescriptions and practices by June 30,  
33 2009. This amount is ongoing solely to make improvements to the  
34 state's geological survey.

35 (30) \$26,000 of the general fund--state appropriation for fiscal  
36 year 2008 and \$71,000 of the general fund--state appropriation for  
37 fiscal year 2009 are provided solely to implement Substitute House Bill  
38 No. 2472 (recreational opportunities).

1       **Sec. 306.** 2009 c 4 s 311 (uncodified) is amended to read as  
2 follows:

3 **FOR THE PUGET SOUND PARTNERSHIP**

|    |  |                              |
|----|--|------------------------------|
| 4  | General Fund--State Appropriation (FY 2008) . . . . .            | \$370,000                    |
| 5  | General Fund--State Appropriation (FY 2009) . . . . .            | \$560,000                    |
| 6  | General Fund--Federal Appropriation . . . . .                    | \$2,655,000                  |
| 7  | General Fund--Private/Local Appropriation . . . . .              | \$2,500,000                  |
| 8  | Aquatic Lands Enhancement Account--State Appropriation . . . . . | \$500,000                    |
| 9  | Water Quality Account--State Appropriation (FY 2008) . . . . .   | \$3,660,000                  |
| 10 | Water Quality Account--State Appropriation                       |                              |
| 11 | (FY 2009) . . . . .  | <del>(( \$4,098,000 ))</del> |
| 12 |  | <u>\$3,898,000</u>           |
| 13 | State Toxics Account--State Appropriation . . . . .              | <del>(( \$1,510,000 ))</del> |
| 14 |  | <u>\$1,710,000</u>           |
| 15 | TOTAL APPROPRIATION . . . . .                                    | \$15,853,000                 |

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

18       (1) \$600,000 of the water quality account--state appropriation for  
19 fiscal year 2008, ~~(( \$1,400,000 ))~~ \$1,200,000 of the water quality  
20 account--state appropriation for fiscal year 2009, and \$2,500,000 of  
21 the general fund--private/local appropriation are provided solely for  
22 the education of citizens through attracting and utilizing volunteers  
23 to engage in activities that result in environmental benefits.

24       (2) \$2,208,000 of the water quality account--state appropriation  
25 for fiscal year 2008, \$2,209,000 of the water quality account--state  
26 appropriation for fiscal year 2009, \$370,000 of the general fund--state  
27 appropriation for fiscal year 2008, \$560,000 of the general fund--state  
28 appropriation for fiscal year 2009, and \$1,155,000 of the general  
29 fund--federal appropriation are provided solely to implement Substitute  
30 Senate Bill No. 5372 (Puget Sound partnership). If the bill is not  
31 enacted by June 30, 2007, then \$2,208,000 of the water quality  
32 account--state appropriation for fiscal year 2008, \$2,209,000 of the  
33 water quality account--state appropriation for fiscal year 2009,  
34 \$1,155,000 of the general fund--federal appropriation, \$500,000 of the  
35 general fund--state appropriation for fiscal year 2008, and \$500,000 of  
36 the general fund--state appropriation for fiscal year 2009 are  
37 appropriated to the office of the governor for operation of the Puget  
38 Sound action team.

1           (3) To implement the 2007-09 Puget Sound biennial plan required by  
2 Engrossed Substitute Senate Bill No. 5372 (Puget Sound partnership),  
3 funding is provided solely for Puget Sound recovery activities in the  
4 budgets of selected agencies and institutions of higher education,  
5 including the department of agriculture, department of community, trade  
6 and economic development, conservation commission, department of  
7 ecology, department of fish and wildlife, department of health,  
8 interagency committee for outdoor recreation, department of natural  
9 resources, state parks and recreation commission, the Puget Sound  
10 partnership, University of Washington, and Washington State University.  
11 During the 2007-09 biennium, moneys are provided solely for these  
12 agencies and institutions of higher education as provided for in (~~LEAP~~  
13 ~~document PSAT-2007~~) OFM document PSP-2009.

14           (4) \$305,000 of the water quality account--state appropriation for  
15 fiscal year 2009 (~~and \$305,000 of the general fund federal~~  
16 ~~appropriation are~~) is provided solely for an outcome monitoring  
17 program first for Puget Sound and Washington's coastline and then  
18 across the remaining salmon recovery regions across the state.

19           (5) \$852,000 of the water quality account--state appropriation for  
20 fiscal year 2008, \$231,000 of the water quality account--state  
21 appropriation for fiscal year 2009, and \$900,000 of the state toxics  
22 control account appropriation are provided solely for development and  
23 implementation of the 2020 action agenda.

(End of part)

**PART IV**  
**TRANSPORTATION**

**Sec. 401.** 2009 c 4 s 402 (uncodified) is amended to read as follows:

**FOR THE STATE PATROL**

|   |                            |
|---|----------------------------|
| General Fund--State Appropriation (FY 2008)                                       | \$38,968,000               |
| General Fund--State Appropriation (FY 2009)                                       | <del>(\$28,334,000)</del>  |
|   | <u>\$32,288,000</u>        |
| General Fund--Federal Appropriation   | \$5,629,000                |
| General Fund--Private/Local Appropriation   | \$1,223,000                |
| Death Investigations Account--State Appropriation                                 | <del>(\$5,680,000)</del>   |
|   | <u>\$5,681,000</u>         |
| Public Safety and Education Account--State<br>Appropriation (FY 2008)             | \$1,476,000                |
| Public Safety and Education Account--State<br>Appropriation (FY 2009)             | \$2,687,000                |
| Enhanced 911 Account--State Appropriation   | \$572,000                  |
| County Criminal Justice Assistance Account--State<br>Appropriation                | \$3,133,000                |
| Municipal Criminal Justice Assistance<br>Account--State Appropriation             | \$1,222,000                |
| Fire Service Trust Account--State Appropriation                                   | \$131,000                  |
| Disaster Response Account--State Appropriation                                    | \$2,000                    |
| Fire Service Training Account--State Appropriation                                | \$8,010,000                |
| Aquatic Invasive Species Enforcement<br>Account--State Appropriation              | \$54,000                   |
| State Toxics Control Account--State Appropriation                                 | \$495,000                  |
| Violence Reduction and Drug Enforcement<br>Account--State Appropriation (FY 2008) | \$3,007,000                |
| Violence Reduction and Drug Enforcement<br>Account--State Appropriation (FY 2009) | \$4,429,000                |
| Fingerprint Identification Account--State<br>Appropriation                        | \$10,057,000               |
| TOTAL APPROPRIATION   | <del>(\$115,109,000)</del> |
|   | <u>\$119,064,000</u>       |

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

3       (1) \$233,000 of the general fund--state appropriation for fiscal  
4 year 2008, \$282,000 of the general fund--state appropriation for fiscal  
5 year 2009, and \$357,000 of the fingerprint identification  
6 account--state appropriation are provided solely for workload  
7 associated with implementation of the federal Adam Walsh Act -- the  
8 Children's Safety and Violent Crime Reduction Act of 2006.

9       (2) In accordance with RCW 10.97.100 and chapter 43.43 RCW, the  
10 Washington state patrol is authorized to perform and charge fees for  
11 criminal history and background checks for state and local agencies,  
12 and nonprofit and other private entities and disseminate the records.  
13 It is the policy of the state of Washington that the fees cover, as  
14 nearly as practicable, the direct and indirect costs of performing  
15 criminal history and background checks activities. Pursuant to RCW  
16 43.135.055, during the 2007-2009 fiscal biennium, the Washington state  
17 patrol may increase fees in excess of the fiscal growth factor if the  
18 increases are necessary to fully fund the direct and indirect cost of  
19 the criminal history and background check activities.

20       (3) \$200,000 of the fire service training account--state  
21 appropriation is provided solely for two FTEs in the office of the  
22 state director of fire protection to exclusively review K-12  
23 construction documents for fire and life safety in accordance with the  
24 state building code. It is the intent of this appropriation to provide  
25 these services only to those districts that are located in counties  
26 without qualified review capabilities.

27       (4) \$350,000 of the fire service training account--state  
28 appropriation is provided solely to implement the provisions of Senate  
29 Bill No. 6119 (firefighter apprenticeship training program). If the  
30 bill is not enacted by June 30, 2007, the amounts provided in this  
31 subsection shall lapse.

32       (5) \$200,000 of the general fund--state appropriation for fiscal  
33 year 2009 is provided solely for efforts to reduce the number of  
34 convicted offender biological samples awaiting DNA analysis.

35       (6) Within the appropriations in this section, specific funding is

1 provided to implement Second Substitute Senate Bill No. 5642 (cigarette  
2 ignition).

(End of part)

**PART V**  
**EDUCATION**

**Sec. 501.** 2009 c 4 s 501 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

|   |                            |
|---|----------------------------|
| General Fund--State Appropriation (FY 2008) . . . . . | \$36,444,000               |
| General Fund--State Appropriation (FY 2009) . . . . . | <del>(\$38,605,000)</del>  |
|   | <u>\$38,708,000</u>        |
| General Fund--Federal Appropriation . . . . .         | \$77,182,000               |
| TOTAL APPROPRIATION . . . . .                         | <del>(\$152,231,000)</del> |
|   | <u>\$152,334,000</u>       |

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

(1) A maximum of \$11,920,000 of the general fund--state appropriation for fiscal year 2008 and a maximum of ~~(\$12,019,000)~~ \$10,152,000 of the general fund--state appropriation for fiscal year 2009 are for the operation and expenses of the office of the superintendent of public instruction. Within the amounts provided in this subsection, the superintendent shall recognize the extraordinary accomplishments of four students who have demonstrated a strong understanding of the civics essential learning requirements to receive the Daniel J. Evans civic education award. The students selected for the award must demonstrate understanding through completion of at least one of the classroom-based civics assessment models developed by the superintendent of public instruction, and through leadership in the civic life of their communities. The superintendent shall select two students from eastern Washington and two students from western Washington to receive the award, and shall notify the governor and legislature of the names of the recipients.

(2) \$1,080,000 of the general fund--state appropriation for fiscal year 2008 and \$815,000 of the general fund--state appropriation for fiscal year 2009 are provided solely for the operation and expenses of the state board of education, including basic education assistance activities. Within the amounts provided, the board shall implement the provisions of Second Substitute House Bill No. 1906 (improving mathematics and science education) for which it is responsible,



1 including: (a) Develop a comprehensive set of recommendations for an  
2 accountability system; (b) adopt high school graduation requirements  
3 aligned with international performance standards in mathematics and  
4 science and, in conjunction with the office of the superintendent of  
5 public instruction, identify no more than three curricula that are  
6 aligned with these standards; and (c) review all requirements related  
7 to the high school diploma as directed by section 405, chapter 263,  
8 Laws of 2006.

9 (3) \$4,779,000 of the general fund--state appropriation for fiscal  
10 year 2008 and \$6,248,000 of the general fund--state appropriation for  
11 fiscal year 2009 are provided solely to the professional educator  
12 standards board for the following:

13 (a) \$930,000 in fiscal year 2008 and (~~(\$1,257,000)~~) \$1,284,000 in  
14 fiscal year 2009 are for the operation and expenses of the Washington  
15 professional educator standards board, including administering the  
16 alternative routes to certification program, pipeline for paraeducators  
17 conditional scholarship loan program, and the retooling to teach math  
18 conditional loan program. Within the amounts provided in this  
19 subsection (3)(a), the professional educator standards board shall:  
20 (i) Revise the teacher mathematics endorsement competencies and  
21 alignment of teacher tests to the updated competencies; (ii) review  
22 teacher preparation requirements in cultural understanding and make  
23 recommendations for strengthening these standards; (iii) create a new  
24 professional level teacher assessment; (iv) expand the alternative  
25 routes to teacher certification program for business professionals and  
26 instructional assistants who will teach math and science; (v) revise  
27 requirements for college and university teacher preparation programs to  
28 match a new knowledge- and skill-based performance system; and (vi)  
29 test implementation of a revised teacher preparation program approach  
30 that is classroom experience-intensive and performance-based;

31 (b) \$3,269,000 of the general fund--state appropriation for fiscal  
32 year 2008 and \$3,966,000 of the general fund-state appropriation for  
33 fiscal year 2009 are for conditional scholarship loans and mentor  
34 stipends provided through the alternative routes to certification  
35 program administered by the professional educator standards board. Of  
36 the amounts provided in this subsection (3)(b):

37 (i) \$500,000 each year is provided solely for conditional

1 scholarships to candidates seeking an endorsement in special education,  
2 math, science, or bilingual education;

3 (ii) \$2,210,000 for fiscal year 2008 and \$3,230,000 for fiscal year  
4 2009 are for the expansion of conditional scholarship loans and mentor  
5 stipends for individuals enrolled in alternative route state  
6 partnership programs and seeking endorsements in math, science, special  
7 education or bilingual education;

8 (iii) Remaining amounts in this subsection (3)(b) shall be used to  
9 continue existing alternative routes to certification programs; and

10 (iv) Candidates seeking math and science endorsements under (i) and  
11 (ii) of this subsection (3)(b) shall receive priority for funding;

12 (c) \$236,000 of the general fund--state appropriation for fiscal  
13 year 2008 and \$231,000 of the general fund--state appropriation for  
14 fiscal year 2009 are provided solely for the recruiting Washington  
15 teachers program established in Second Substitute Senate Bill No. 5955  
16 (educator preparation, professional development, and compensation);

17 (d) \$100,000 of the general fund--state appropriation for fiscal  
18 year 2008 and \$110,000 of the general fund--state appropriation for  
19 fiscal year 2009 provided in this subsection (3) are for \$4,000  
20 conditional loan stipends for paraeducators participating in the  
21 pipeline for paraeducators established in Second Substitute House Bill  
22 No. 1906 (improving mathematics and science education); and

23 (e) \$244,000 of the general fund--state appropriation for fiscal  
24 year 2008 and \$244,000 of the general fund--state appropriation for  
25 fiscal year 2009 are for conditional stipends for certificated teachers  
26 pursuing a mathematics or science endorsement under the retooling to  
27 teach mathematics or science program established in Second Substitute  
28 House Bill No. 1906 (improving mathematics and science education). The  
29 conditional stipends shall be for endorsement exam fees as well as  
30 stipends for teachers who must also complete coursework.

31 (4) Within the amounts appropriated in this section, funding is for  
32 the professional educator standards board (PESB) to convene a work  
33 group to develop recommendations for increasing teacher knowledge,  
34 skills, and competencies to address the needs of English language  
35 learner students, pursuant to Second Substitute Senate Bill No. 6673  
36 (student learning opportunities).

37 (5) \$425,000 of the general fund--state appropriation for fiscal  
38 year 2008 and \$1,975,000 of the general fund--state appropriation for

1 fiscal year 2009 are for replacement of the apportionment system, which  
2 includes the processes that collect school district budget and  
3 expenditure information, staffing characteristics, and the student  
4 enrollments that drive the funding process.

5 (6) Within the amounts appropriated in this section, funding is for  
6 direct services and support to schools around an integrated,  
7 interdisciplinary approach to instruction in conservation, natural  
8 resources, sustainability, and human adaptation to the environment.  
9 Specific integration efforts will focus on science, math, and the  
10 social sciences. Integration between basic education and career and  
11 technical education, particularly agricultural and natural sciences  
12 education, is to be a major element.

13 (7) Within the amounts appropriated in this section, funding is for  
14 the creation of a statewide data base of longitudinal student  
15 information. This amount is conditioned on the department satisfying  
16 the requirements in section 902 of this act.

17 (8) Within the amounts appropriated in this section, funding is for  
18 comprehensive cultural competence and anti-bias education programs for  
19 educators and students. The office of superintendent of public  
20 instruction shall administer grants to school districts with the  
21 assistance and input of groups such as the anti-defamation league and  
22 the Jewish federation of Seattle.

23 (9) Within the amounts appropriated in this section, funding is to  
24 promote the financial literacy of students. The effort will be  
25 coordinated through the financial literacy public-private partnership.

26 (10) Within the amounts appropriated in this section, funding is  
27 for the implementation of Engrossed Second Substitute Senate Bill No.  
28 5843 (regarding educational data and data systems).

29 (11) Within the amounts appropriated in this section, funding is  
30 for the implementation of Substitute House Bill No. 1052 (legislative  
31 youth advisory council). If the bill is not enacted by June 30, 2007,  
32 the amounts provided in this subsection shall lapse.

33 (12) Within the amounts appropriated in this section, funding is  
34 for the implementation of Engrossed Second Substitute House Bill No.  
35 1422 (children and families of incarcerated parents).

36 (13) Within the amounts appropriated in this section, funding is  
37 for the implementation of Second Substitute Senate Bill No. 5098

1 (Washington college bound scholarship). If the bill is not enacted by  
2 June 30, 2007, the amounts provided in this subsection shall lapse.

3 (14) Within the amounts appropriated in this section, funding is  
4 for the implementation of Engrossed Substitute Senate Bill No. 5297  
5 (regarding providing medically and scientifically accurate sexual  
6 health education in schools).

7 (15) Within the amounts appropriated in this section, funding is  
8 for a program to recognize the work of outstanding classified staff in  
9 school districts throughout the state.

10 (16) Within the amounts appropriated in this section, funding is  
11 for a full-time director of skills centers within the office of the  
12 superintendent of public instruction.

13 (17) Within the amounts appropriated in this section, funding is  
14 for the office of the superintendent of public instruction to contract  
15 with the northwest educational research laboratory (NWREL) to conduct  
16 two educational studies. Specifically, NWREL shall:

17 (a) Conduct a study regarding teacher preparation, training, and  
18 coordinated instructional support strategies for English language  
19 learners, as outlined in Engrossed Second Substitute Senate Bill No.  
20 5841 (enhancing student learning opportunities and achievement). An  
21 interim report is due November 1, 2008, and the final report is due  
22 December 1, 2009. Both reports shall be delivered to the governor, the  
23 office of the superintendent of public instruction, and the appropriate  
24 early learning, education, and fiscal committees of the legislature;  
25 and

26 (b) Conduct a study of the effectiveness of the K-3 demonstration  
27 projects as outlined in Engrossed Second Substitute Senate Bill No.  
28 5841 (enhancing student learning opportunities and achievement). An  
29 interim report is due November 1, 2008, and the final report is due  
30 December 1, 2009. Both reports shall be delivered to the governor, the  
31 office of the superintendent of public instruction, and the appropriate  
32 early learning, education, and fiscal committees of the legislature.

33 (18) Within the amounts appropriated in this section, funding is  
34 for the office of the superintendent of public instruction to contract  
35 with Washington State University social and economic sciences research  
36 center (WSU-SESRC) to conduct to educational research studies. The  
37 WSU-SESRC shall:

1 (a) Conduct a study which reviews chapter 207, Laws of 2002  
2 (bullying in schools), evaluate the outcomes resulting from the  
3 legislation, and to make recommendations for continued improvement.  
4 The study shall, at a minimum, determine: (i) Whether the policies  
5 have been developed and implemented in all elementary, middle, and high  
6 schools; (ii) whether there has been any measurable improvement in the  
7 safety and civility of schools' climate and environment as a result of  
8 the legislation; (iii) whether there are still issues that need to be  
9 addressed in light of the original intent of the legislation; and (iv)  
10 recommended actions to be taken at the school, district, and state  
11 level to address the identified issues. Additionally, WSU-SESRC shall  
12 research and identify effective programs and the components of  
13 effective programs. A report shall be submitted to the education  
14 committees of the legislature and the office of the superintendent of  
15 public instruction by September 1, 2008.

16 (b) Conduct an evaluation of the mathematics and science  
17 instructional coach program as described in Second Substitute House  
18 Bill No. 1906 (improving mathematics and science education). Findings  
19 shall include an evaluation of the coach development institute,  
20 coaching support seminars, and other coach support activities;  
21 recommendations with regard to the characteristics required of the  
22 coaches; identification of changes in teacher instruction related to  
23 coaching activities; and identification of the satisfaction level with  
24 coaching activities as experienced by classroom teachers and  
25 administrators. An interim report is due November 1, 2008. The final  
26 report is due December 1, 2009. Both the interim and final report  
27 shall be presented to the governor, the office of the superintendent of  
28 public instruction, and the education and fiscal committees of the  
29 legislature.

30 (19) Within the amounts appropriated in this section, funding is  
31 for additional costs incurred by the state board of education in  
32 reviewing proposed math standards and curriculum.

33 (20) During the 2007-09 biennium, to the maximum extent possible,  
34 in adopting new agency rules or making any changes to existing rules or  
35 policies related to the fiscal provisions in the administration of part  
36 V of this act, the office of the superintendent of public instruction  
37 shall attempt to request approval through the normal legislative budget  
38 process.

1 (21) Within the amounts appropriated in this section, funding is  
2 for a comprehensive analysis of math and science teacher supply and  
3 demand issues by the professional educator standards board. By  
4 December 1, 2008, the professional educator standards board shall  
5 submit a final report to the governor and appropriate policy and fiscal  
6 committees of the legislature, that includes, but is not limited to:  
7 (a) Specific information on the current number of math and science  
8 teachers assigned to teach mathematics and science both with and  
9 without appropriate certification in those subjects by region and  
10 statewide; (b) projected demand information by detailing the number of  
11 K-12 mathematics and science teachers needed by the 2010-11 school year  
12 by region and statewide; (c) specific recommendations on how the demand  
13 will be met through recruitment programs, alternative route  
14 certification programs, potential financial incentives, retention  
15 strategies, and other efforts; and (d) identification of strategies,  
16 based on best practices, to improve the rigor and productivity of  
17 state-funded mathematics and science teacher preparation programs. As  
18 part of the final report, the professional educator standards board and  
19 the Washington state institute for public policy shall provide  
20 information from a study of differential pay for teachers in high-  
21 demand subject areas such as mathematics and science, including the  
22 design, successes, and limitations of differential pay programs in  
23 other states. In order for the professional educator standards board  
24 to quantify demand, each school district shall provide to the board, by  
25 a date and in a format specified by the board, the number of teachers  
26 assigned to teach mathematics and science, both with and without  
27 appropriate certification and endorsement in those subjects, and the  
28 number of mathematics and science teaching vacancies needing to be  
29 filled, and the board shall include this data, by district, in its  
30 analysis.

31 (22) Within the amounts appropriated in this section, funding is  
32 for the implementation of Substitute Senate Bill No. 6556 (anaphylactic  
33 policy).

34 (23) Within the amounts appropriated in this section, funding is  
35 for the implementation of Substitute Senate Bill No. 6742 (guidelines  
36 for students with autism) and Substitute Senate Bill No. 6743  
37 (training for students with autism).

1 (24) Within the appropriations in this section, specific funding is  
2 provided for the implementation of Second Engrossed Substitute Senate  
3 Bill No. 5100 (health insurance information for students).

4 (25) Within the amounts appropriated in this section, funding is  
5 for implementation of Second Substitute House Bill No. 2722  
6 (achievement gap for African-American students). The center for the  
7 improvement of student learning will convene an advisory committee to  
8 conduct a detailed analysis of the achievement gap for African-American  
9 students; recommend a comprehensive plan for closing the gap pursuant  
10 to goals under the federal no child left behind act for all groups of  
11 students to meet academic standards by 2014; and identify performance  
12 measures to monitor adequate yearly progress. A study update shall be  
13 submitted by September 15, 2008, and the committee's final report shall  
14 be submitted by December 30, 2008, to the superintendent of public  
15 instruction, the state board of education, the governor, the P-20  
16 council, the basic education finance task force, and the education  
17 committees of the legislature.

18 (26) Within the appropriations in this section specific funding is  
19 provided to implement Second Substitute House Bill No. 2598 (online  
20 mathematics curriculum).

21 (27) Within the appropriations in this section specific funding is  
22 provided to implement Second Substitute House Bill No. 2635 (school  
23 district boundaries and organization).

24 (28) Within the appropriations in this section specific funding is  
25 provided to implement Second Substitute House Bill No. 3129 (online  
26 learning programs for high school students to earn college credit).

27 (29) Within the amounts appropriated in this section, funding is  
28 for the office of superintendent of public instruction to assign at  
29 least one full-time equivalent staff position to serve as the world  
30 language supervisor.

31 (30) Within the amounts appropriated in this section, funding is  
32 for a corps of nurses located at educational service districts, as  
33 determined by the superintendent of public instruction, to be  
34 dispatched to the most needy schools to provide direct care to  
35 students, health education, and training for school staff.

36 (31) Within the amounts appropriated in this section, funding is  
37 for the school safety center in the office of the superintendent of  
38 public instruction subject to the following conditions and limitations:

1 (a) The safety center shall: Disseminate successful models of  
2 school safety plans and cooperative efforts; provide assistance to  
3 schools to establish a comprehensive safe school plan; select models of  
4 cooperative efforts that have been proven successful; act as an  
5 information dissemination and resource center when an incident occurs  
6 in a school district either in Washington or in another state;  
7 coordinate activities relating to school safety; review and approve  
8 manuals and curricula used for school safety models and training; and  
9 develop and maintain a school safety information web site.

10 (b) The school safety center advisory committee shall develop a  
11 training program, using the best practices in school safety, for all  
12 school safety personnel.

13 (32) Within the amounts appropriated in this section, funding is  
14 for a school safety training program provided by the criminal justice  
15 training commission. The commission, in collaboration with the school  
16 safety center advisory committee, shall provide the school safety  
17 training for all school administrators and school safety personnel,  
18 including school safety personnel hired after the effective date of  
19 this section.

20 (33) Within the amounts appropriated in this section, funding is  
21 for the safety center advisory committee to develop and distribute a  
22 pamphlet to promote internet safety for children, particularly in  
23 grades seven through twelve. The pamphlet shall be posted on the  
24 superintendent of public instruction's web site. To the extent  
25 possible, the pamphlet shall be distributed in schools throughout the  
26 state and in other areas accessible to youth, including but not limited  
27 to libraries and community centers.

28 (34) \$9,670,000 of the general fund--federal appropriation is  
29 provided for safe and drug free schools and communities grants for drug  
30 and violence prevention activities and strategies.

31 (35) Within the amounts appropriated in this section, funding is  
32 for a nonviolence and leadership training program provided by the  
33 institute for community leadership. The program shall provide a  
34 request for proposal process, with up to 80 percent funding, for  
35 nonviolence leadership workshops serving at least 12 school districts  
36 with direct programming in 36 elementary, middle, and high schools  
37 throughout Washington state.



1 (36) Within the amounts appropriated in this section, funding is  
2 for a pilot youth suicide prevention and information program. The  
3 office of superintendent of public instruction will work with selected  
4 school districts and community agencies in identifying effective  
5 strategies for preventing youth suicide.

6 (37) Within the amounts appropriated in this section, funding is  
7 for programs to improve safety and emergency preparedness and planning  
8 in public schools, as generally described in Substitute Senate Bill No.  
9 5097. The superintendent of public instruction shall design and  
10 implement the grant program in consultation with the educational  
11 service districts, the school safety advisory committee, and the  
12 Washington association of sheriffs and police chiefs. The funding  
13 shall support grants to school districts for the development and  
14 updating of comprehensive safe school plans, school safety training,  
15 and the conducting of safety-related drills. As a condition of  
16 receiving these funds, school districts must ensure that schools (a)  
17 conduct at least one lockdown and one shelter in place safety drill  
18 each school year, and (b) send updated school mapping database  
19 information on an annual basis to the Washington association of  
20 sheriffs and police chiefs.

21 (38) Within the amounts appropriated in this section, funding is  
22 for the Washington state school directors' association to mediate and  
23 facilitate a school disciplinary action task force to review and make  
24 recommendations on a model policy regarding the use of physical force  
25 in schools. The model policy shall be submitted to the appropriate  
26 policy committees of the legislature by November 1, 2008.

27 (39) Within the amounts appropriated in this section, funding is  
28 for K-20 telecommunications network technical support in the K-12  
29 sector to prevent system failures and avoid interruptions in school  
30 utilization of the data processing and video-conferencing capabilities  
31 of the network. These funds may be used to purchase engineering and  
32 advanced technical support for the network.

33 (40) The office of the superintendent of public instruction shall  
34 coordinate, in collaboration with educational service districts, a  
35 system of outreach to school districts not currently maximizing their  
36 eligibility for federal e-rate funding through the schools and  
37 libraries program administered by the federal communications  
38 commission. By December 15, 2008, the office of the superintendent of

1 public instruction shall issue a report to the fiscal committees of the  
2 legislature identifying school districts that were eligible but did not  
3 apply for e-rate funding for the last two years, and an estimate of the  
4 amounts for which they were eligible in those years. The report shall  
5 also include recommendations for following-up on the findings relative  
6 to the e-rate program contained in the state auditor's performance  
7 audit of educational service districts completed September, 2007.

8 (41) Within the amounts appropriated in this section, funding is to  
9 expand the special services pilot project to include up to seven  
10 participating districts. The office of the superintendent of public  
11 instruction shall allocate these funds to the district or districts  
12 participating in the pilot program according to the provisions of RCW  
13 28A.630.016.

14 (42) Within the amounts appropriated in this section, funding is  
15 for operation of the Cispus environmental learning center.

16 (43) Within the amounts appropriated in this section, funding is  
17 for vocational student leadership organizations.

18 (44) Within the amounts appropriated in this section, funding is  
19 for the Washington civil liberties education program.

20 (45) Within the amounts appropriated in this section, funding is  
21 for the Washington state achievers scholarship program. The funds  
22 shall be used to support community involvement officers that recruit,  
23 train, and match community volunteer mentors with students selected as  
24 achievers scholars.

25 (46) Within the amounts appropriated in this section, funding is  
26 for the Lorraine Wojahn dyslexia pilot reading program in up to five  
27 school districts.

28 (47) Within the amounts appropriated in this section, funding is  
29 for developing and disseminating curriculum and other materials  
30 documenting women's role in World War II.

31 (48) Within the amounts appropriated in this section, funding is  
32 for incentive grants for districts and pilot projects to develop  
33 preapprenticeship programs. Incentive grant awards up to \$10,000 each  
34 shall be used to support the program's design, school/business/labor  
35 agreement negotiations, and recruiting high school students for  
36 preapprenticeship programs in the building trades and crafts.

37 (49) Within the amounts appropriated in this section, funding is  
38 for the dissemination of the Navigation 101 curriculum to all

1 districts, including disseminating electronic student planning tools  
2 and software for analyzing the impact of the implementation of  
3 Navigation 101 on student performance, and grants to at least one  
4 hundred school districts each year for the implementation of the  
5 Navigation 101 program. The implementation grants will be limited to  
6 a maximum of two years and the school districts selected shall  
7 represent various regions of the state and reflect differences in  
8 school district size and enrollment characteristics.

9 (50) Within the amounts appropriated in this section, funding is  
10 for the enhancement of civics education. Of this amount, \$25,000 each  
11 year is provided solely for competitive grants to school districts for  
12 curriculum alignment, development of innovative civics projects, and  
13 other activities that support the civics assessment established in  
14 chapter 113, Laws of 2006.

15 (51) Within the amounts appropriated in this section, funding is  
16 for the implementation of Second Substitute House Bill No. 1573  
17 (authorizing a statewide program for comprehensive dropout prevention,  
18 intervention, and retrieval).

19 (52) Within the amounts appropriated in this section, funding is  
20 for the communities in school program in Pierce county.

21 (53) Within the amounts appropriated in this section, funding is  
22 for support and expansion of the mentoring advanced placement program  
23 in current operation in southwest Washington.

24 (54) Within the amounts appropriated in this section, funding is  
25 for program initiatives to address the educational needs of Latino  
26 students and families. The office of the superintendent of public  
27 instruction shall contract with the Seattle community coalition of  
28 compana quetzal to provide for three initiatives: (a) Early childhood  
29 education; (b) parent leadership training; and (c) high school success  
30 and college preparation programs. Campana quetzal shall report to the  
31 office of the superintendent of public instruction by June 30, 2009,  
32 regarding impact of the programs on addressing the academic achievement  
33 gap, including high school drop-out rates and college readiness rates,  
34 for Latino students.

35 (55) Within the amounts appropriated in this section, funding is  
36 for implementation of Second Substitute House Bill No. 2870  
37 (professional development for instructional assistants). If the bill

1 is not enacted by June 30, 2008, the amount provided in this subsection  
2 shall lapse.

3 (56) Within the amounts appropriated in this section, funding is  
4 for a pilot project to encourage bilingual high school students to  
5 pursue public school teaching as a profession. The office of the  
6 superintendent of public instruction shall contract with the Latino/a  
7 educational achievement project (LEAP) to work with school districts to  
8 identify and mentor not fewer than fifty bilingual students in their  
9 junior year of high school, encouraging them to become bilingual  
10 instructors in schools with high English language learner populations.  
11 Students shall be mentored by bilingual teachers and complete a  
12 curriculum developed and approved by the participating districts.

13 (57) In addition to other reductions, the reduced appropriations in  
14 this section reflect an additional (~~(\$225,000)~~) \$122,000 reduction in  
15 administrative costs required by Engrossed Substitute Senate Bill No.  
16 5460 (reducing state government administrative costs). These  
17 administrative reductions shall be achieved, to the greatest extent  
18 possible, by reducing those administrative costs that do not affect  
19 direct client services or direct service delivery or programs.

20 **Sec. 502.** 2009 c 4 s 502 (uncodified) is amended to read as  
21 follows:

22 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR GENERAL**  
23 **APPORTIONMENT**

|    |   |                                  |
|----|---|----------------------------------|
| 24 | General Fund--State Appropriation (FY 2008) . . . . .         | \$4,436,719,000                  |
| 25 | General Fund--State Appropriation (FY 2009) . . . . .         | ( <del>(\$4,477,998,000)</del> ) |
| 26 |   | <u>\$4,510,419,000</u>           |
| 27 | Education Legacy Trust Account--State                         |                                  |
| 28 | Appropriation . . . . .                                       | ( <del>(\$9,373,000)</del> )     |
| 29 |   | <u>\$9,387,000</u>               |
| 30 | Pension Funding Stabilization Account Appropriation . . . . . | \$341,624,000                    |
| 31 | TOTAL APPROPRIATION . . . . .                                 | ( <del>(\$9,265,714,000)</del> ) |
| 32 |   | <u>\$9,298,149,000</u>           |

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

35 (1) Each general fund fiscal year appropriation includes such funds  
36 as are necessary to complete the school year ending in the fiscal year  
37 and for prior fiscal year adjustments.

1 (2) Allocations for certificated staff salaries for the 2007-08 and  
2 2008-09 school years shall be determined using formula-generated staff  
3 units calculated pursuant to this subsection. Staff allocations for  
4 small school enrollments in (e) through (g) of this subsection shall be  
5 reduced for vocational full-time equivalent enrollments. Staff  
6 allocations for small school enrollments in grades K-6 shall be the  
7 greater of that generated under (a) of this subsection, or under (d)  
8 and (e) of this subsection. Certificated staffing allocations shall be  
9 as follows:

10 (a) On the basis of each 1,000 average annual full-time equivalent  
11 enrollments, excluding full-time equivalent enrollment otherwise  
12 recognized for certificated staff unit allocations under (d) through  
13 (g) of this subsection:

14 (i) Four certificated administrative staff units per thousand full-  
15 time equivalent students in grades K-12;

16 (ii) Forty-nine certificated instructional staff units per thousand  
17 full-time equivalent students in grades K-3;

18 (iii) Forty-six certificated instructional staff units per thousand  
19 full-time equivalent students in grades 4-12; and

20 (iv) An additional 4.2 certificated instructional staff units for  
21 grades K-3 and an additional 7.2 certificated instructional staff units  
22 for grade 4. Any funds allocated for the additional certificated units  
23 provided in this subsection (iv) shall not be considered as basic  
24 education funding;

25 (A) Funds provided under this subsection (2)(a)(iv) in excess of  
26 the amount required to maintain the statutory minimum ratio established  
27 under RCW 28A.150.260(2)(b) shall be allocated only if the district  
28 documents an actual ratio in grades K-4 equal to or greater than 53.2  
29 certificated instructional staff per thousand full-time equivalent  
30 students. For any school district documenting a lower certificated  
31 instructional staff ratio, the allocation shall be based on the  
32 district's actual grades K-4 certificated instructional staff ratio  
33 achieved in that school year, or the statutory minimum ratio  
34 established under RCW 28A.150.260(2)(b), if greater;

35 (B) Districts at or above 51.0 certificated instructional staff per  
36 one thousand full-time equivalent students in grades K-4 may dedicate  
37 up to 1.3 of the 53.2 funding ratio to employ additional classified  
38 instructional assistants assigned to basic education classrooms in

1 grades K-4. For purposes of documenting a district's staff ratio under  
2 this section, funds used by the district to employ additional  
3 classified instructional assistants shall be converted to a  
4 certificated staff equivalent and added to the district's actual  
5 certificated instructional staff ratio. Additional classified  
6 instructional assistants, for the purposes of this subsection, shall be  
7 determined using the 1989-90 school year as the base year;

8 (C) Any district maintaining a ratio in grades K-4 equal to or  
9 greater than 53.2 certificated instructional staff per thousand full-  
10 time equivalent students may use allocations generated under this  
11 subsection (2)(a)(iv) in excess of that required to maintain the  
12 minimum ratio established under RCW 28A.150.260(2)(b) to employ  
13 additional basic education certificated instructional staff or  
14 classified instructional assistants in grades 5-6. Funds allocated  
15 under this subsection (2)(a)(iv) shall only be expended to reduce class  
16 size in grades K-6. No more than 1.3 of the certificated instructional  
17 funding ratio amount may be expended for provision of classified  
18 instructional assistants;

19 (b) For school districts with a minimum enrollment of 250 full-time  
20 equivalent students whose full-time equivalent student enrollment count  
21 in a given month exceeds the first of the month full-time equivalent  
22 enrollment count by 5 percent, an additional state allocation of 110  
23 percent of the share that such increased enrollment would have  
24 generated had such additional full-time equivalent students been  
25 included in the normal enrollment count for that particular month;

26 (c)(i) On the basis of full-time equivalent enrollment in:

27 (A) Vocational education programs approved by the superintendent of  
28 public instruction, a maximum of 0.92 certificated instructional staff  
29 units and 0.08 certificated administrative staff units for each 19.5  
30 full-time equivalent vocational students; and

31 (B) Skills center programs meeting the standards for skills center  
32 funding established in January 1999 by the superintendent of public  
33 instruction with a waiver allowed for skills centers in current  
34 operation that are not meeting this standard until the 2008-09 school  
35 year, 0.92 certificated instructional staff units and 0.08 certificated  
36 administrative units for each 16.67 full-time equivalent vocational  
37 students;

1 (ii) Vocational full-time equivalent enrollment shall be reported  
2 on the same monthly basis as the enrollment for students eligible for  
3 basic support, and payments shall be adjusted for reported vocational  
4 enrollments on the same monthly basis as those adjustments for  
5 enrollment for students eligible for basic support; and

6 (iii) Indirect cost charges by a school district to vocational-  
7 secondary programs shall not exceed 15 percent of the combined basic  
8 education and vocational enhancement allocations of state funds;

9 (d) For districts enrolling not more than twenty-five average  
10 annual full-time equivalent students in grades K-8, and for small  
11 school plants within any school district which have been judged to be  
12 remote and necessary by the state board of education and enroll not  
13 more than twenty-five average annual full-time equivalent students in  
14 grades K-8:

15 (i) For those enrolling no students in grades 7 and 8, 1.76  
16 certificated instructional staff units and 0.24 certificated  
17 administrative staff units for enrollment of not more than five  
18 students, plus one-twentieth of a certificated instructional staff unit  
19 for each additional student enrolled; and

20 (ii) For those enrolling students in grades 7 or 8, 1.68  
21 certificated instructional staff units and 0.32 certificated  
22 administrative staff units for enrollment of not more than five  
23 students, plus one-tenth of a certificated instructional staff unit for  
24 each additional student enrolled;

25 (e) For specified enrollments in districts enrolling more than  
26 twenty-five but not more than one hundred average annual full-time  
27 equivalent students in grades K-8, and for small school plants within  
28 any school district which enroll more than twenty-five average annual  
29 full-time equivalent students in grades K-8 and have been judged to be  
30 remote and necessary by the state board of education:

31 (i) For enrollment of up to sixty annual average full-time  
32 equivalent students in grades K-6, 2.76 certificated instructional  
33 staff units and 0.24 certificated administrative staff units; and

34 (ii) For enrollment of up to twenty annual average full-time  
35 equivalent students in grades 7 and 8, 0.92 certificated instructional  
36 staff units and 0.08 certificated administrative staff units;

37 (f) For districts operating no more than two high schools with

1 enrollments of less than three hundred average annual full-time  
2 equivalent students, for enrollment in grades 9-12 in each such school,  
3 other than alternative schools:

4 (i) For remote and necessary schools enrolling students in any  
5 grades 9-12 but no more than twenty-five average annual full-time  
6 equivalent students in grades K-12, four and one-half certificated  
7 instructional staff units and one-quarter of a certificated  
8 administrative staff unit;

9 (ii) For all other small high schools under this subsection, nine  
10 certificated instructional staff units and one-half of a certificated  
11 administrative staff unit for the first sixty average annual full time  
12 equivalent students, and additional staff units based on a ratio of  
13 0.8732 certificated instructional staff units and 0.1268 certificated  
14 administrative staff units per each additional forty-three and one-half  
15 average annual full time equivalent students.

16 Units calculated under (g)(ii) of this subsection shall be reduced  
17 by certificated staff units at the rate of forty-six certificated  
18 instructional staff units and four certificated administrative staff  
19 units per thousand vocational full-time equivalent students;

20 (g) For each nonhigh school district having an enrollment of more  
21 than seventy annual average full-time equivalent students and less than  
22 one hundred eighty students, operating a grades K-8 program or a grades  
23 1-8 program, an additional one-half of a certificated instructional  
24 staff unit; and

25 (i) For each nonhigh school district having an enrollment of more  
26 than fifty annual average full-time equivalent students and less than  
27 one hundred eighty students, operating a grades K-6 program or a grades  
28 1-6 program, an additional one-half of a certificated instructional  
29 staff unit.

30 (3) Allocations for classified salaries for the 2007-08 and 2008-09  
31 school years shall be calculated using formula-generated classified  
32 staff units determined as follows:

33 (a) For enrollments generating certificated staff unit allocations  
34 under subsection (2)(e) through (i) of this section, one classified  
35 staff unit for each 2.94 certificated staff units allocated under such  
36 subsections;

37 (b) For all other enrollment in grades K-12, including vocational



1 full-time equivalent enrollments, one classified staff unit for each  
2 58.75 average annual full-time equivalent students; and

3 (c) For each nonhigh school district with an enrollment of more  
4 than fifty annual average full-time equivalent students and less than  
5 one hundred eighty students, an additional one-half of a classified  
6 staff unit.

7 (4) Fringe benefit allocations shall be calculated at a rate of  
8 14.11 percent in the 2007-08 school year and 16.75 percent in the 2008-  
9 09 school year for certificated salary allocations provided under  
10 subsection (2) of this section, and a rate of 17.04 percent in the  
11 2007-08 school year and 18.72 percent in the 2008-09 school year for  
12 classified salary allocations provided under subsection (3) of this  
13 section.

14 (5) Insurance benefit allocations shall be calculated at the  
15 maintenance rate specified in section 504(2) of this act, based on the  
16 number of benefit units determined as follows:

17 (a) The number of certificated staff units determined in subsection  
18 (2) of this section; and

19 (b) The number of classified staff units determined in subsection  
20 (3) of this section multiplied by 1.152. This factor is intended to  
21 adjust allocations so that, for the purposes of distributing insurance  
22 benefits, full-time equivalent classified employees may be calculated  
23 on the basis of 1440 hours of work per year, with no individual  
24 employee counted as more than one full-time equivalent.

25 (6)(a) For nonemployee-related costs associated with each  
26 certificated staff unit allocated under subsection (2)(a), (b), and (d)  
27 through (h) of this section, there shall be provided a maximum of  
28 \$9,703 per certificated staff unit in the 2007-08 school year and a  
29 maximum of \$10,178 per certificated staff unit in the 2008-09 school  
30 year.

31 (b) For nonemployee-related costs associated with each vocational  
32 certificated staff unit allocated under subsection (2)(c)(i)(A) of this  
33 section, there shall be provided a maximum of \$23,831 per certificated  
34 staff unit in the 2007-08 school year and a maximum of \$24,999 per  
35 certificated staff unit in the 2008-09 school year.

36 (c) For nonemployee-related costs associated with each vocational  
37 certificated staff unit allocated under subsection (2)(c)(i)(B) of this

1 section, there shall be provided a maximum of \$18,489 per certificated  
2 staff unit in the 2007-08 school year and a maximum of \$19,395 per  
3 certificated staff unit in the 2008-09 school year.

4 (7) Allocations for substitute costs for classroom teachers shall  
5 be distributed at a maintenance rate of \$555.20 for the 2007-08 and  
6 2008-09 school years per allocated classroom teachers exclusive of  
7 salary increase amounts provided in section 504 of this act. Solely  
8 for the purposes of this subsection, allocated classroom teachers shall  
9 be equal to the number of certificated instructional staff units  
10 allocated under subsection (2) of this section, multiplied by the ratio  
11 between the number of actual basic education certificated teachers and  
12 the number of actual basic education certificated instructional staff  
13 reported statewide for the prior school year.

14 (8) Any school district board of directors may petition the  
15 superintendent of public instruction by submission of a resolution  
16 adopted in a public meeting to reduce or delay any portion of its basic  
17 education allocation for any school year. The superintendent of public  
18 instruction shall approve such reduction or delay if it does not impair  
19 the district's financial condition. Any delay shall not be for more  
20 than two school years. Any reduction or delay shall have no impact on  
21 levy authority pursuant to RCW 84.52.0531 and local effort assistance  
22 pursuant to chapter 28A.500 RCW.

23 (9) \$1,870,000 of the general fund--state appropriation for fiscal  
24 year 2008 and \$2,421,000 of the general fund--state appropriation for  
25 fiscal year 2009 are provided solely to implement Engrossed Second  
26 Substitute House Bill No. 1432 (granting service credit to educational  
27 staff associates for nonschool employment).

28 (10) The superintendent may distribute a maximum of (~~(\$16,620,000)~~)  
29 \$16,634,000 outside the basic education formula during fiscal years  
30 2008 and 2009 as follows:

31 (a) For fire protection for school districts located in a fire  
32 protection district as now or hereafter established pursuant to chapter  
33 52.04 RCW, a maximum of \$547,000 may be expended in fiscal year 2008  
34 and a maximum of \$567,000 may be expended in fiscal year 2009;

35 (b) For summer vocational programs at skills centers, a maximum of  
36 \$2,385,000 may be expended for the 2008 fiscal year and a maximum of  
37 \$2,385,000 for the 2009 fiscal year. 20 percent of each fiscal year  
38 amount may carry over from one year to the next;

1 (c) A maximum of \$393,000 may be expended for school district  
2 emergencies;

3 (d) A maximum of \$485,000 each fiscal year may be expended for  
4 programs providing skills training for secondary students who are  
5 enrolled in extended day school-to-work programs, as approved by the  
6 superintendent of public instruction. The funds shall be allocated at  
7 a rate not to exceed \$500 per full-time equivalent student enrolled in  
8 those programs; and

9 (e) (~~(\$9,373,000)~~) \$9,387,000 of the education legacy trust account  
10 appropriation is provided solely for allocations for equipment  
11 replacement in vocational programs and skills centers. Each year of  
12 the biennium, the funding shall be allocated based on \$75 per full-time  
13 equivalent vocational student and \$125 per full-time equivalent skills  
14 center student.

15 (f) Within the amounts appropriated in this section, funding is for  
16 the implementation of Second Substitute Senate Bill No. 5790 (regarding  
17 skills centers).

18 (11) For purposes of RCW 84.52.0531, the increase per full-time  
19 equivalent student is 5.7 percent from the 2006-07 school year to the  
20 2007-08 school year and 6.0 percent from the 2007-08 school year to the  
21 2008-09 school year.

22 (12) If two or more school districts consolidate and each district  
23 was receiving additional basic education formula staff units pursuant  
24 to subsection (2)(b) through (h) of this section, the following shall  
25 apply:

26 (a) For three school years following consolidation, the number of  
27 basic education formula staff units shall not be less than the number  
28 of basic education formula staff units received by the districts in the  
29 school year prior to the consolidation; and

30 (b) For the fourth through eighth school years following  
31 consolidation, the difference between the basic education formula staff  
32 units received by the districts for the school year prior to  
33 consolidation and the basic education formula staff units after  
34 consolidation pursuant to subsection (2)(a) through (h) of this section  
35 shall be reduced in increments of twenty percent per year.

36 (13) The appropriation levels in part V of this act assume  
37 implementation of the reimbursement provisions of Senate Bill No. 6450  
38 (school district reimbursement of performance audits).

1       **Sec. 503.** 2008 c 329 s 504 (uncodified) is amended to read as  
2 follows:

3 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR SCHOOL EMPLOYEE**  
4 **COMPENSATION ADJUSTMENTS**

|    |   |                            |
|----|---|----------------------------|
| 5  | General Fund--State Appropriation (FY 2008) . . . . . | \$161,280,000              |
| 6  | General Fund--State Appropriation (FY 2009) . . . . . | <del>(\$405,228,000)</del> |
| 7  |   | <u>\$407,478,000</u>       |
| 8  | General Fund--Federal Appropriation . . . . .         | <del>(\$275,000)</del>     |
| 9  |   | <u>\$276,000</u>           |
| 10 | TOTAL APPROPRIATION . . . . .                         | <del>(\$566,783,000)</del> |
| 11 |   | <u>\$569,034,000</u>       |

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

14       (1) ~~(\$500,195,000)~~ \$502,039,000 is provided solely for the  
15 following:

16       (a) A cost of living adjustment of 3.7 percent effective September  
17 1, 2007, and another 3.9 percent effective September 1, 2008, pursuant  
18 to Initiative Measure No. 732.

19       (b) An additional .5 percent cost of living adjustment is provided  
20 above the amount required by Initiative Measure No. 732, effective  
21 September 1, 2008.

22       (c) Additional salary increases as necessary to fund the base  
23 salaries for certificated instructional staff as listed for each  
24 district in LEAP Document 2, defined in section 503(2)(b) of this act.  
25 Allocations for these salary increases shall be provided to all 262  
26 districts that are not grandfathered to receive salary allocations  
27 above the statewide salary allocation schedule, and to certain  
28 grandfathered districts to the extent necessary to ensure that salary  
29 allocations for districts that are currently grandfathered do not fall  
30 below the statewide salary allocation schedule. These additional  
31 salary increases will result in a decrease in the number of  
32 grandfathered districts from the current thirty-four to twenty-four in  
33 the 2007-08 school year and to twelve in the 2008-09 school year.

34       (d) Additional salary increases to certain districts as necessary  
35 to fund the per full-time-equivalent salary allocations for  
36 certificated administrative staff as listed for each district in LEAP  
37 Document 2, defined in section 503(2)(b) of this act. These additional

1 salary increases shall ensure a minimum salary allocation for  
2 certificated administrative staff of \$54,405 in the 2007-08 school year  
3 and \$57,986 in the 2008-09 school year.

4 (e) Additional salary increases to certain districts as necessary  
5 to fund the per full-time-equivalent salary allocations for classified  
6 staff as listed for each district in LEAP Document 2, defined in  
7 section 503(2)(b) of this act. These additional salary increases  
8 ensure a minimum salary allocation for classified staff of \$30,111 in  
9 the 2007-08 school year and \$31,865 in the 2008-09 school year.

10 (f) The appropriations in this subsection (1) include associated  
11 incremental fringe benefit allocations at rates 13.47 percent for the  
12 2007-08 school year and 16.11 percent for the 2008-09 school year for  
13 certificated staff and 13.54 percent for the 2007-08 school year and  
14 15.22 percent for the 2008-09 school year for classified staff.

15 (g) The appropriations in this section include the increased  
16 portion of salaries and incremental fringe benefits for all relevant  
17 state-funded school programs in part V of this act. Increases for  
18 general apportionment (basic education) are based on the salary  
19 allocation schedules and methodology in sections 502 and 503 of this  
20 act. Increases for special education result from increases in each  
21 district's basic education allocation per student. Increases for  
22 educational service districts and institutional education programs are  
23 determined by the superintendent of public instruction using the  
24 methodology for general apportionment salaries and benefits in sections  
25 502 and 503 of this act.

26 (h) The appropriations in this section provide cost of living and  
27 incremental fringe benefit allocations based on formula adjustments as  
28 follows:

|  | School Year |         |
|--|-------------|---------|
|  | 2007-08     | 2008-09 |
| 31 Pupil Transportation (per weighted pupil mile)                    | \$1.08      | \$2.46  |
| 32 Highly Capable (per formula student)                              | \$11.13     | \$25.51 |
| 33 Transitional Bilingual Education (per eligible bilingual student) | \$29.80     | \$68.33 |
| 34 Learning Assistance (per formula student)                         | \$7.00      | \$18.86 |

(i) The appropriations in this section include \$925,000 for fiscal year 2008 and (~~(\$2,314,000)~~) \$2,322,000 for fiscal year 2009 for salary increase adjustments for substitute teachers.

(2) (~~(\$66,591,000)~~) \$66,719,000 is provided for adjustments to insurance benefit allocations. The maintenance rate for insurance benefit allocations is \$682.54 per month for the 2007-08 and 2008-09 school years. The appropriations in this section provide for a rate increase to \$707.00 per month for the 2007-08 school year and \$732.00 per month for the 2008-09 school year. The adjustments to health insurance benefit allocations are at the following rates:

|   | School Year |         |
|---|-------------|---------|
|   | 2007-08     | 2008-09 |
| Pupil Transportation (per weighted pupil mile)                    | \$0.22      | \$0.45  |
| Highly Capable (per formula student)                              | \$1.50      | \$3.05  |
| Transitional Bilingual Education (per eligible bilingual student) | \$3.96      | \$8.01  |
| Learning Assistance (per formula student)                         | \$0.86      | \$2.05  |

(3) The rates specified in this section are subject to revision each year by the legislature.

**Sec. 504.** 2008 c 329 s 505 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR PUPIL TRANSPORTATION**

|   |                                |
|---|--------------------------------|
| General Fund--State Appropriation (FY 2008) . . . . . | \$273,409,000                  |
| General Fund--State Appropriation (FY 2009) . . . . . | ( <del>(\$276,510,000)</del> ) |
|   | <u>\$291,499,000</u>           |
| Education Legacy Trust Account--State                 |                                |
| Appropriation . . . . .                               | \$25,000,000                   |
| TOTAL APPROPRIATION . . . . .                         | ( <del>(\$574,919,000)</del> ) |
|   | <u>\$589,908,000</u>           |

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

(1) Each general fund fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year and for prior fiscal year adjustments.

1 (2) A maximum of \$848,000 of this fiscal year 2008 appropriation  
2 and a maximum of \$878,000 of the fiscal year 2009 appropriation may be  
3 expended for regional transportation coordinators and related  
4 activities. The transportation coordinators shall ensure that data  
5 submitted by school districts for state transportation funding shall,  
6 to the greatest extent practical, reflect the actual transportation  
7 activity of each district.

8 (3) \$5,000 of the fiscal year 2008 appropriation and \$5,000 of the  
9 fiscal year 2009 appropriation are provided solely for the  
10 transportation of students enrolled in "choice" programs.  
11 Transportation shall be limited to low-income students who are  
12 transferring to "choice" programs solely for educational reasons.

13 (4) Allocations for transportation of students shall be based on  
14 reimbursement rates of \$44.84 per weighted mile in the 2007-08 school  
15 year and \$45.68 per weighted mile in the 2008-09 school year exclusive  
16 of salary and benefit adjustments provided in section 504 of this act.  
17 Allocations for transportation of students transported more than one  
18 radius mile shall be based on weighted miles as determined by  
19 superintendent of public instruction multiplied by the per mile  
20 reimbursement rates for the school year pursuant to the formulas  
21 adopted by the superintendent of public instruction. Allocations for  
22 transportation of students living within one radius mile shall be based  
23 on the number of enrolled students in grades kindergarten through five  
24 living within one radius mile of their assigned school multiplied by  
25 the per mile reimbursement rate for the school year multiplied by 1.29.

26 (5) \$25,000,000 of the education legacy trust account--state  
27 appropriation is provided solely for temporary assistance to school  
28 districts for pupil transportation programs. The office of the  
29 superintendent of public instruction, in consultation with the joint  
30 legislative audit and review committee, will develop a method of  
31 allocating these funds to school districts. The allocation method  
32 shall be based primarily on the findings and analysis from the joint  
33 legislative and audit review committee's K-12 pupil transportation  
34 study completed in December 2006.

35 (6) The office of the superintendent of public instruction shall  
36 provide reimbursement funding to a school district only after the  
37 superintendent of public instruction determines that the school bus was  
38 purchased from the list established pursuant to RCW 28A.160.195(2) or

1 a comparable competitive bid process based on the lowest price quote  
2 based on similar bus categories to those used to establish the list  
3 pursuant to RCW 28A.160.195.

4 (7) The superintendent of public instruction shall base  
5 depreciation payments for school district buses on the five-year  
6 average of lowest bids in the appropriate category of bus. In the  
7 final year on the depreciation schedule, the depreciation payment shall  
8 be based on the lowest bid in the appropriate bus category for that  
9 school year.

10 **Sec. 505.** 2008 c 329 s 506 (uncodified) is amended to read as  
11 follows:

12 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR SPECIAL EDUCATION**  
13 **PROGRAMS**

|    |   |                                  |
|----|---|----------------------------------|
| 14 | General Fund--State Appropriation (FY 2008) . . . . . | \$543,469,000                    |
| 15 | General Fund--State Appropriation (FY 2009) . . . . . | <del>(( \$581,925,000 ))</del>   |
| 16 |   | <u>\$580,312,000</u>             |
| 17 | General Fund--Federal Appropriation . . . . .         | <del>(( \$435,692,000 ))</del>   |
| 18 |   | <u>\$438,852,000</u>             |
| 19 | Education Legacy Trust Account--State                 |                                  |
| 20 | Appropriation . . . . .                               | \$14,561,000                     |
| 21 | TOTAL APPROPRIATION . . . . .                         | <del>(( \$1,575,647,000 ))</del> |
| 22 |   | <u>\$1,577,194,000</u>           |

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

25 (1) Funding for special education programs is provided on an excess  
26 cost basis, pursuant to RCW 28A.150.390. School districts shall ensure  
27 that special education students as a class receive their full share of  
28 the general apportionment allocation accruing through sections 502 and  
29 504 of this act. To the extent a school district cannot provide an  
30 appropriate education for special education students under chapter  
31 28A.155 RCW through the general apportionment allocation, it shall  
32 provide services through the special education excess cost allocation  
33 funded in this section.

34 (2)(a) The superintendent of public instruction shall ensure that:  
35 (i) Special education students are basic education students first;  
36 (ii) As a class, special education students are entitled to the  
37 full basic education allocation; and



1 (iii) Special education students are basic education students for  
2 the entire school day.

3 (b) The superintendent of public instruction shall adopt the full  
4 cost method of excess cost accounting, as designed by the committee and  
5 recommended by the superintendent, pursuant to section 501(1)(k),  
6 chapter 372, Laws of 2006, and ensure that all school districts adopt  
7 the method beginning in the 2007-08 school year.

8 (3) Each fiscal year appropriation includes such funds as are  
9 necessary to complete the school year ending in the fiscal year and for  
10 prior fiscal year adjustments.

11 (4) The superintendent of public instruction shall distribute state  
12 funds to school districts based on two categories: (a) The first  
13 category includes (i) children birth through age two who are eligible  
14 for the optional program for special education eligible developmentally  
15 delayed infants and toddlers, and (ii) students eligible for the  
16 mandatory special education program and who are age three or four, or  
17 five and not yet enrolled in kindergarten; and (b) the second category  
18 includes students who are eligible for the mandatory special education  
19 program and who are age five and enrolled in kindergarten and students  
20 age six through 21.

21 (5)(a) For the 2007-08 and 2008-09 school years, the superintendent  
22 shall make allocations to each district based on the sum of:

23 (i) A district's annual average headcount enrollment of students  
24 ages birth through four and those five year olds not yet enrolled in  
25 kindergarten, as defined in subsection (4) of this section, multiplied  
26 by the district's average basic education allocation per full-time  
27 equivalent student, multiplied by 1.15; and

28 (ii) A district's annual average full-time equivalent basic  
29 education enrollment multiplied by the funded enrollment percent  
30 determined pursuant to subsection (6)(b) of this section, multiplied by  
31 the district's average basic education allocation per full-time  
32 equivalent student multiplied by 0.9309.

33 (b) For purposes of this subsection, "average basic education  
34 allocation per full-time equivalent student" for a district shall be  
35 based on the staffing ratios required by RCW 28A.150.260 and shall not  
36 include enhancements, secondary vocational education, or small schools.

37 (6) The definitions in this subsection apply throughout this  
38 section.

1 (a) "Annual average full-time equivalent basic education  
2 enrollment" means the resident enrollment including students enrolled  
3 through choice (RCW 28A.225.225) and students from nonhigh districts  
4 (RCW 28A.225.210) and excluding students residing in another district  
5 enrolled as part of an interdistrict cooperative program (RCW  
6 28A.225.250).

7 (b) "Enrollment percent" means the district's resident special  
8 education annual average enrollment, excluding the birth through age  
9 four enrollment and those five year olds not yet enrolled in  
10 kindergarten, as a percent of the district's annual average full-time  
11 equivalent basic education enrollment.

12 Each district's general fund--state funded special education  
13 enrollment shall be the lesser of the district's actual enrollment  
14 percent or 12.7 percent.

15 (7) At the request of any interdistrict cooperative of at least 15  
16 districts in which all excess cost services for special education  
17 students of the districts are provided by the cooperative, the maximum  
18 enrollment percent shall be calculated in accordance with subsection  
19 (6)(b) of this section, and shall be calculated in the aggregate rather  
20 than individual district units. For purposes of this subsection, the  
21 average basic education allocation per full-time equivalent student  
22 shall be calculated in the aggregate rather than individual district  
23 units.

24 (8) To the extent necessary, (~~(\$53,926,000)~~) \$56,553,000 of the  
25 general fund--state appropriation and \$29,574,000 of the general fund--  
26 federal appropriation are provided for safety net awards for districts  
27 with demonstrated needs for special education funding beyond the  
28 amounts provided in subsection (5) of this section. If the federal  
29 safety net awards based on the federal eligibility threshold exceed the  
30 federal appropriation in this subsection (8) in any fiscal year, the  
31 superintendent shall expend all available federal discretionary funds  
32 necessary to meet this need. Safety net funds shall be awarded by the  
33 state safety net oversight committee subject to the following  
34 conditions and limitations:

35 (a) The committee shall consider unmet needs for districts that can  
36 convincingly demonstrate that all legitimate expenditures for special  
37 education exceed all available revenues from state funding formulas.  
38 In the determination of need, the committee shall also consider

1 additional available revenues from federal sources. Differences in  
2 program costs attributable to district philosophy, service delivery  
3 choice, or accounting practices are not a legitimate basis for safety  
4 net awards. In the determination of need, the committee shall require  
5 that districts demonstrate that they are maximizing their eligibility  
6 for all state and federal revenues related to services for special  
7 education-eligible students. Awards associated with (b) and (c) of  
8 this subsection shall not exceed the total of a district's specific  
9 determination of need.

10 (b) The committee shall then consider the extraordinary high cost  
11 needs of one or more individual special education students.  
12 Differences in costs attributable to district philosophy, service  
13 delivery choice, or accounting practices are not a legitimate basis for  
14 safety net awards.

15 (c) Using criteria developed by the committee, the committee shall  
16 then consider extraordinary costs associated with communities that draw  
17 a larger number of families with children in need of special education  
18 services. The safety net awards to school districts shall be adjusted  
19 to reflect amounts awarded under (b) of this subsection.

20 (d) The maximum allowable indirect cost for calculating safety net  
21 eligibility may not exceed the federal restricted indirect cost rate  
22 for the district plus one percent.

23 (e) Safety net awards must be adjusted for any audit findings or  
24 exceptions related to special education funding.

25 (f) Safety net awards shall be adjusted based on the percent of  
26 potential medicaid eligible students billed as calculated by the  
27 superintendent in accordance with chapter 318, Laws of 1999. The state  
28 safety net oversight committee shall ensure that safety net  
29 documentation and awards are based on current medicaid revenue amounts.

30 (9) The superintendent of public instruction may adopt such rules  
31 and procedures as are necessary to administer the special education  
32 funding and safety net award process. Prior to revising any standards,  
33 procedures, or rules, the superintendent shall consult with the office  
34 of financial management and the fiscal committees of the legislature.

35 (10) The safety net oversight committee appointed by the  
36 superintendent of public instruction shall consist of:

37 (a) One staff from the office of superintendent of public  
38 instruction;

1 (b) Staff of the office of the state auditor who shall be nonvoting  
2 members of the committee; and

3 (c) One or more representatives from school districts or  
4 educational service districts knowledgeable of special education  
5 programs and funding.

6 (11) The office of the superintendent of public instruction shall  
7 review and streamline the application process to access safety net  
8 funds, provide technical assistance to school districts, and annually  
9 survey school districts regarding improvement to the process.

10 (12) A maximum of \$678,000 may be expended from the general fund--  
11 state appropriations to fund 5.43 full-time equivalent teachers and 2.1  
12 full-time equivalent aides at children's orthopedic hospital and  
13 medical center. This amount is in lieu of money provided through the  
14 home and hospital allocation and the special education program.

15 (13) A maximum of \$1,000,000 of the general fund--federal  
16 appropriation is provided for projects to provide special education  
17 students with appropriate job and independent living skills, including  
18 work experience where possible, to facilitate their successful  
19 transition out of the public school system. The funds provided by this  
20 subsection shall be from federal discretionary grants.

21 (14) \$50,000 of the general fund--state appropriation for fiscal  
22 year 2008, \$50,000 of the general fund--state appropriation for fiscal  
23 2009, and \$100,000 of the general fund--federal appropriation shall be  
24 expended to support a special education ombudsman program within the  
25 office of superintendent of public instruction. The purpose of the  
26 program is to provide support to parents, guardians, educators, and  
27 students with disabilities. The program will provide information to  
28 help families and educators understand state laws, rules, and  
29 regulations, and access training and support, technical information  
30 services, and mediation services. The ombudsman program will provide  
31 data, information, and appropriate recommendations to the office of  
32 superintendent of public instruction, school districts, educational  
33 service districts, state need projects, and the parent and teacher  
34 information center. Within the appropriations in this section there is  
35 sufficient funding provided to also provide at least a half-time  
36 support staff position for the special education ombudsman program.

37 (15) The superintendent shall maintain the percentage of federal  
38 flow-through to school districts at 85 percent. In addition to other

1 purposes, school districts may use increased federal funds for high-  
2 cost students, for purchasing regional special education services from  
3 educational service districts, and for staff development activities  
4 particularly relating to inclusion issues.

5 (16) A maximum of \$1,200,000 of the general fund--federal  
6 appropriation may be expended by the superintendent for projects  
7 related to use of inclusion strategies by school districts for  
8 provision of special education services.

9 (17) The superintendent, consistent with the new federal IDEA  
10 reauthorization, shall continue to educate school districts on how to  
11 implement a birth-to-three program and review the cost effectiveness  
12 and learning benefits of early intervention.

13 (18) A school district may carry over from one year to the next  
14 year up to 10 percent of the general fund--state funds allocated under  
15 this program; however, carryover funds shall be expended in the special  
16 education program.

17 (19) \$262,000 of the general fund--state appropriation for fiscal  
18 year 2008 and \$251,000 of the general fund--state appropriation for  
19 fiscal year 2009 are provided solely for two additional full-time  
20 equivalent staff to support the work of the safety net committee and to  
21 provide training and support to districts applying for safety net  
22 awards.

23 **Sec. 506.** 2008 c 329 s 508 (uncodified) is amended to read as  
24 follows:

25 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR LOCAL EFFORT**  
26 **ASSISTANCE**

|    |   |                                |
|----|---|--------------------------------|
| 27 | General Fund--State Appropriation (FY 2008) . . . . . | \$203,555,000                  |
| 28 | General Fund--State Appropriation (FY 2009) . . . . . | (( <del>\$220,100,000</del> )) |
| 29 |   | <u>\$224,514,000</u>           |
| 30 | TOTAL APPROPRIATION . . . . .                         | (( <del>\$423,655,000</del> )) |
| 31 |   | <u>\$428,069,000</u>           |

32 **Sec. 507.** 2008 c 329 s 509 (uncodified) is amended to read as  
33 follows:

34 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR INSTITUTIONAL**  
35 **EDUCATION PROGRAMS**

|    |   |              |
|----|---|--------------|
| 36 | General Fund--State Appropriation (FY 2008) . . . . . | \$19,105,000 |
|----|---|--------------|

1 General Fund--State Appropriation (FY 2009) . . . . . (~~(\$19,764,000)~~)  
2 \$21,664,000  
3 TOTAL APPROPRIATION . . . . . (~~(\$38,869,000)~~)  
4 \$40,769,000

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

7 (1) Each general fund--state fiscal year appropriation includes  
8 such funds as are necessary to complete the school year ending in the  
9 fiscal year and for prior fiscal year adjustments.

10 (2) State funding provided under this section is based on salaries  
11 and other expenditures for a 220-day school year. The superintendent  
12 of public instruction shall monitor school district expenditure plans  
13 for institutional education programs to ensure that districts plan for  
14 a full-time summer program.

15 (3) State funding for each institutional education program shall be  
16 based on the institution's annual average full-time equivalent student  
17 enrollment. Staffing ratios for each category of institution shall  
18 remain the same as those funded in the 1995-97 biennium.

19 (4) The funded staffing ratios for education programs for juveniles  
20 age 18 or less in department of corrections facilities shall be the  
21 same as those provided in the 1997-99 biennium.

22 (5) \$187,000 of the general fund--state appropriation for fiscal  
23 year 2008 and (~~(\$133,797)~~) \$329,000 of the general fund--state  
24 appropriation for fiscal year 2009 are provided solely to maintain at  
25 least one certificated instructional staff and related support services  
26 at an institution whenever the K-12 enrollment is not sufficient to  
27 support one full-time equivalent certificated instructional staff to  
28 furnish the educational program. The following types of institutions  
29 are included: Residential programs under the department of social and  
30 health services for developmentally disabled juveniles, programs for  
31 juveniles under the department of corrections, and programs for  
32 juveniles under the juvenile rehabilitation administration.

33 (6) Ten percent of the funds allocated for each institution may be  
34 carried over from one year to the next.

35 **Sec. 508.** 2008 c 329 s 510 (uncodified) is amended to read as  
36 follows:

1 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR PROGRAMS FOR HIGHLY**  
2 **CAPABLE STUDENTS**

|   |   |                           |
|---|---|---------------------------|
| 3 | General Fund--State Appropriation (FY 2008) . . . . . | \$8,383,000               |
| 4 | General Fund--State Appropriation (FY 2009) . . . . . | <del>(\$8,788,000)</del>  |
| 5 |   | <u>\$8,776,000</u>        |
| 6 | TOTAL APPROPRIATION . . . . .                         | <del>(\$17,171,000)</del> |
| 7 |   | <u>\$17,159,000</u>       |

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

10 (1) Each general fund fiscal year appropriation includes such funds  
11 as are necessary to complete the school year ending in the fiscal year  
12 and for prior fiscal year adjustments.

13 (2) Allocations for school district programs for highly capable  
14 students shall be distributed at a maximum rate of \$372.15 per funded  
15 student for the 2007-08 school year and ~~(\$378.13)~~ \$378.32 per funded  
16 student for the 2008-09 school year, exclusive of salary and benefit  
17 adjustments pursuant to section 504 of this act. The number of funded  
18 students shall be a maximum of 2.314 percent of each district's full-  
19 time equivalent basic education enrollment.

20 (3) \$170,000 of the fiscal year 2008 appropriation and \$170,000 of  
21 the fiscal year 2009 appropriation are provided for the centrum program  
22 at Fort Worden state park.

23 (4) \$90,000 of the fiscal year 2008 appropriation and \$90,000 of  
24 the fiscal year 2009 appropriation are provided for the Washington  
25 destination imagination network and future problem-solving programs.

26 **Sec. 509.** 2009 c 4 s 504 (uncodified) is amended to read as  
27 follows:

28 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--EDUCATION REFORM**  
29 **PROGRAMS**

|    |   |                            |
|----|---|----------------------------|
| 30 | General Fund--State Appropriation (FY 2008) . . . . . | \$66,272,000               |
| 31 | General Fund--State Appropriation (FY 2009) . . . . . | <del>(\$84,636,000)</del>  |
| 32 |   | <u>\$84,663,000</u>        |
| 33 | Education Legacy Trust Account--State                 |                            |
| 34 | Appropriation . . . . .                               | \$117,890,000              |
| 35 | General Fund--Federal Appropriation . . . . .         | <del>(\$152,568,000)</del> |
| 36 |   | <u>\$157,299,000</u>       |
| 37 | TOTAL APPROPRIATION . . . . .                         | <del>(\$421,366,000)</del> |

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

(1) \$19,716,000 of the general fund--state appropriation for fiscal year 2008, (~~(\$20,948,000)~~) \$22,096,000 of the general fund--state appropriation for fiscal year 2009, \$1,350,000 of the education legacy trust account--state appropriation, and (~~(\$15,870,000)~~) \$18,236,000 of the general fund--federal appropriation are provided solely for development and implementation of the Washington assessments of student learning (WASL), including: (i) Development and implementation of retake assessments for high school students who are not successful in one or more content areas of the WASL; and (ii) development and implementation of alternative assessments or appeals procedures to implement the certificate of academic achievement. The superintendent of public instruction shall report quarterly on the progress on development and implementation of alternative assessments or appeals procedures. Within these amounts, the superintendent of public instruction shall contract for the early return of 10th grade student WASL results, on or around June 10th of each year. In addition to the amounts provided for the Washington assessments of student learning in this subsection, \$11,372,000 is also included in the appropriations to the office of financial management in this act for an interagency agreement with the office of superintendent of public instruction for the expenditure of those funds based on compliance with certain requirements.

(2) \$3,249,000 of the general fund--state appropriation for fiscal year 2009 is provided solely for the implementation of Substitute House Bill No. 3166 (design of the state assessment system and the Washington assessment of student learning), including section 3 of the act providing for end-of-course tests in math. If the bill is not enacted by June 30, 2008, the amount provided in this subsection shall lapse.

(3) \$250,000 of the general fund--state appropriation for fiscal year 2008, \$250,000 of the general fund--state appropriation for fiscal year 2009, and \$1,630,000 of the education legacy trust account--state appropriation is provided solely for the development and implementation of diagnostic assessments, subject to the following terms and conditions:



1 (a) A maximum of \$2,540,000 of the funding provided in this  
2 subsection shall support the development and implementation of  
3 voluntary classroom-based diagnostic assessments and progress  
4 monitoring tools for all subject areas included in the WASL by the  
5 office of the superintendent of public instruction; and

6 (b) \$2,360,000 of the funding provided in this subsection is for  
7 allocations to school districts to purchase assessment tools which  
8 supplement the system of diagnostic tests developed by the office of  
9 the superintendent of public instruction as described in (a) of this  
10 subsection.

11 (4) Within the amounts appropriated in this section, funding is for  
12 second grade assessments.

13 (5) \$1,414,000 of the general fund--state appropriation for fiscal  
14 year 2008 (~~and~~) is provided solely for (a) the tenth grade  
15 mathematics assessment tool that: (i) Presents the mathematics  
16 essential learnings in segments for assessment; (ii) is comparable in  
17 content and rigor to the tenth grade mathematics WASL when all segments  
18 are considered together; (iii) is reliable and valid; and (iv) can be  
19 used to determine a student's academic performance level; (b) tenth  
20 grade mathematics knowledge and skill learning modules to teach middle  
21 and high school students specific skills that have been identified as  
22 areas of difficulty for tenth grade students; and (c) making the  
23 modules available on-line.

24 (6) \$1,966,000 of the general fund--state appropriation for fiscal  
25 year 2009 and \$2,337,000 of the education legacy trust account  
26 appropriation are provided solely to develop a system of mathematics  
27 and science standards and instructional materials that are  
28 internationally competitive and consistent with emerging best practices  
29 research. Funding in this subsection shall fund all of the following  
30 specific projects:

31 (a) The office of the superintendent of public instruction shall  
32 adopt revised state standards in mathematics as directed by Second  
33 Substitute House Bill No. 1906 (improving mathematics and science  
34 education). Activities include conducting research at the request of  
35 the state board of education, engaging one or more national experts in  
36 mathematics selected by the board, and convening education  
37 practitioners and community members in an advisory capacity regarding  
38 revised standards in mathematics.

1 (b) The office of the superintendent of public instruction, in  
2 consultation with the state board of education, shall research and  
3 identify not more than three basic mathematics curricula as well as  
4 diagnostic and supplemental instructional materials for elementary,  
5 middle, and high school grade spans that align with the revised  
6 mathematics standards.

7 (c) The office of the superintendent of public instruction shall  
8 adopt revised state standards in science as directed by Second  
9 Substitute House Bill No. 1906 (improving mathematics and science  
10 education. Activities include conducting research at the request of  
11 the state board of education, engaging one or more national experts in  
12 science selected by the board, and convening education practitioners  
13 and community members in an advisory capacity regarding revised  
14 standards in science.

15 (d) The office of the superintendent of public instruction, in  
16 consultation with the state board of education, shall research and  
17 identify not more than three basic science curricula as well as  
18 diagnostic and supplemental instructional materials for elementary,  
19 middle, and high school grade spans that align with the revised science  
20 standards.

21 (e) The office of the superintendent of public instruction shall  
22 evaluate science textbooks, instructional materials, and diagnostic  
23 tools to determine the extent to which they are aligned with the  
24 revised science standards. Once the evaluations have been conducted,  
25 results will be shared with science teachers, other educators, and  
26 community members.

27 (f) Funding is provided for the office of the superintendent of  
28 public instruction to develop WASL knowledge and skill learning modules  
29 to assist students performing at tenth grade level 1 and level 2 in  
30 science.

31 (g) Of the amounts provided in this subsection, \$300,000 is  
32 provided solely to the state board of education to increase capacity to  
33 implement the provisions of Second Substitute House Bill No. 1906  
34 (improving mathematics and science education) and Engrossed Second  
35 Substitute Senate Bill No. 6023 (regarding alternative assessments).

36 (7) \$8,950,000 of the education legacy trust account appropriation  
37 is for allocations to districts for salaries and benefits for the  
38 equivalent of two additional professional development days each school

1 year for fourth and fifth grade teachers. The allocations shall be  
2 made based on the calculations of certificated instructional staff  
3 units for fourth and fifth grade provided in section 502 of this act  
4 and on the calculations of compensation provided in sections 503 and  
5 504 of this act. Allocations made pursuant to this subsection are  
6 intended to be formula-driven, and the office of the superintendent of  
7 public instruction shall provide updated projections of the relevant  
8 budget drivers by November 20, 2007, and by November 20, 2008. In the  
9 2007-08 school year, the professional development activities funded by  
10 this subsection shall be focused on development of mathematics  
11 knowledge and instructional skills and on improving instruction in  
12 science. In the 2008-09 school year, the additional professional  
13 development shall focus on skills related to implementing the new  
14 international mathematics and science standards and curriculum.  
15 Districts may use the funding to support additional days for  
16 professional development as well as job-embedded forms of professional  
17 development.

18 (8) \$13,058,000 of the education legacy trust fund appropriation is  
19 for allocations to districts for salaries and benefits for the  
20 equivalent of three additional professional development days for middle  
21 and high school math teachers and the equivalent of three additional  
22 professional development days for middle and high school science  
23 teachers. The office of the superintendent of public instruction shall  
24 develop rules to determine the number of math and science teachers in  
25 middle and high schools within each district. Allocations made  
26 pursuant to this subsection are intended to be formula-driven, and the  
27 office of the superintendent of public instruction shall provide  
28 updated projections of the relevant budget drivers by November 20,  
29 2007, and by November 20, 2008. Districts may use the funding to  
30 support additional days for professional development as well as job-  
31 embedded forms of professional development, consistent with the  
32 following:

33 (a) For middle school teachers during the 2007-08 school year the  
34 additional math professional development funded in this subsection  
35 shall focus on development of basic mathematics knowledge and  
36 instructional skills and the additional science professional  
37 development shall focus on examination of student science assessment  
38 data and identification of science knowledge and skill areas in need of

1 additional instructional attention. For middle school teachers during  
2 the 2008-09 school year the additional math professional development  
3 shall focus on skills related to implementing the new international  
4 mathematics standards and the additional science professional  
5 development shall focus on skills related to implementing the new  
6 international science standards.

7 (b) For high school teachers during the 2007-08 school year the  
8 additional math professional development funded in this subsection  
9 shall focus on skills related to implementing state math learning  
10 modules, the segmented math class/assessment program, the collection of  
11 evidence alternative assessment, and basic mathematics knowledge and  
12 instructional skills, and the additional science professional  
13 development shall focus on skills related to examination of student  
14 science assessment data and identification of science knowledge and  
15 skill areas in need of additional instructional attention. For high  
16 school teachers during the 2008-09 school year the additional math  
17 professional development shall focus on skills related to implementing  
18 the new international mathematics standards and the additional science  
19 professional development shall focus on skills related to implementing  
20 the new international science standards.

21 (9) \$17,491,000 of the education legacy trust fund appropriation is  
22 for allocations to districts for specialized professional development  
23 in math for one math teacher and one science teacher in each middle  
24 school and one math teacher and one science teacher in each high  
25 school. The allocations shall be based on five additional professional  
26 development days per teacher and an additional allocation per teacher  
27 of \$1,500 for training costs. In order to generate an allocation under  
28 this subsection, a teacher must participate in specialized professional  
29 development that leads to the implementation of mathematics and science  
30 courses that add new rigor to the math and science course offerings in  
31 the school. Allocations made pursuant to this subsection are intended  
32 to be formula-driven, and the office of the superintendent of public  
33 instruction shall provide updated projections of the relevant budget  
34 drivers by November 20, 2007, and by November 20, 2008.

35 (10) \$5,376,000 of the education legacy trust account--state  
36 appropriation is provided solely for a math and science instructional  
37 coaches program pursuant to Second Substitute House Bill No. 1906  
38 (improving mathematics and science education). Funding shall be used

1 to provide grants to schools and districts to provide salaries,  
2 benefits, and professional development activities to twenty-five  
3 instructional coaches in middle and high school math in the 2007-08 and  
4 2008-09 school years and twenty-five instructional coaches in middle  
5 and high school science in the 2008-09 school years; and up to \$300,000  
6 may be used by the office of the superintendent of public instruction  
7 to administer and coordinate the program. Each instructional coach  
8 will receive five days of training at a coaching institute prior to  
9 being assigned to serve two schools each. These coaches will attend  
10 meetings during the year to further their training and assist with  
11 coordinating statewide trainings on math and science.

12 (11) \$1,133,000 of the general fund--state appropriation for fiscal  
13 year 2008 and \$1,133,000 of the general fund--state appropriation for  
14 fiscal year 2009 are provided solely to allow approved middle and  
15 junior high school career and technical education programs to receive  
16 enhanced vocational funding pursuant to Second Substitute House Bill  
17 No. 1906 (improving mathematics and science education). The office of  
18 the superintendent of public instruction shall provide allocations to  
19 districts for middle and junior high school students in accordance with  
20 the funding formulas provided in section 502 of this act. Although the  
21 allocations are formula-driven, the office of the superintendent shall  
22 consider the funding provided in this subsection as a fixed amount, and  
23 shall adjust funding to stay within the amounts provided in this  
24 subsection.

25 (12) Within the amounts appropriated in this section, funding is  
26 for (a) staff at the office of the superintendent of public instruction  
27 to coordinate and promote efforts to develop integrated math, science,  
28 technology, and engineering programs in schools and districts across  
29 the state; and (b) grants of \$2,500 to provide twenty middle and high  
30 school teachers each year professional development training for  
31 implementing integrated math, science, technology, and engineering  
32 program in their schools.

33 (13) Within the amounts appropriated in this section, funding is  
34 for in-service training and educational programs conducted by the  
35 Pacific science center and for the Washington state leadership  
36 assistance for science education reform (LASER) regional partnership  
37 coordinated at the Pacific science center.

1 (14) \$51,701,000 of the education legacy trust account--state  
2 appropriation is provided solely for grants for voluntary full-day  
3 kindergarten at the highest poverty schools, as provided in Engrossed  
4 Second Substitute Senate Bill 5841 (enhancing student learning  
5 opportunities and achievement). The office of the superintendent of  
6 public instruction shall provide allocations to districts for recipient  
7 schools in accordance with the funding formulas provided in section 502  
8 of this act. Each kindergarten student who enrolls for the voluntary  
9 full-day program in a recipient school shall count as one-half of one  
10 full-time equivalent student for the purpose of making allocations  
11 under this subsection. Although the allocations are formula-driven,  
12 the office of the superintendent shall consider the funding provided in  
13 this subsection as a fixed amount, and shall limit the number of  
14 recipient schools so as to stay within the amounts appropriated each  
15 fiscal year in this subsection. The funding provided in this  
16 subsection is estimated to provide full-day kindergarten programs for  
17 10 percent of kindergarten enrollment in the 2007-08 school year and 20  
18 percent of kindergarten enrollment in the 2008-09 school year. Funding  
19 priority shall be given to schools with the highest poverty levels, as  
20 measured by prior year free and reduced priced lunch eligibility rates  
21 in each school. Additionally, as a condition of funding, school  
22 districts must agree to provide the full-day program to the children of  
23 parents who request it in each eligible school. For the purposes of  
24 calculating a school district levy base, funding provided in this  
25 subsection shall be considered a state block grant program under RCW  
26 84.52.0531.

27 (a) Of the amounts provided in this subsection, a maximum of  
28 \$272,000 may be used for administrative support of the full-day  
29 kindergarten program within the office of the superintendent of public  
30 instruction.

31 (b) Student enrollment pursuant to this program shall not be  
32 included in the determination of a school district's overall K-12 FTE  
33 for the allocation of student achievement programs and other funding  
34 formulas unless specifically stated.

35 (15) Within the amounts appropriated in this section, funding is  
36 for support of a full-day kindergarten "lighthouse" resource program at  
37 the Bremerton school district, as provided in Engrossed Second Senate  
38 Bill No. 5841 (enhancing student learning opportunities and

1 achievement). The purpose of the program is to provide technical  
2 assistance to districts in the initial stages of implementing a high  
3 quality full-day kindergarten program.

4 (16) Within the amounts appropriated in this section, funding is  
5 for grants for three demonstration projects for kindergarten through  
6 grade three. The purpose of the grants is to implement best practices  
7 in developmental learning in kindergarten through third grade pursuant  
8 to Engrossed Second Substitute Senate Bill No. 5841 (enhancing student  
9 learning opportunities and achievement).

10 (17) \$300,000 of the general fund--state appropriation for fiscal  
11 year 2008 and \$1,000,000 of the general fund--state appropriation for  
12 fiscal year 2009 are provided solely for the development of a  
13 leadership academy for school principals and administrators. The  
14 superintendent of public instruction shall contract with an independent  
15 organization to design, field test, and implement a state-of-the-art  
16 education leadership academy that will be accessible throughout the  
17 state. Initial development of the content of the academy activities  
18 shall be supported by private funds. Semiannually the independent  
19 organization shall report on amounts committed by foundations and  
20 others to support the development and implementation of this program.  
21 Leadership academy partners, with varying roles, shall include the  
22 state level organizations for school administrators and principals, the  
23 superintendent of public instruction, the professional educator  
24 standards board, and others as the independent organization shall  
25 identify.

26 (18) Within the amounts appropriated in this section, funding is  
27 for grants to school districts to implement emerging best practices  
28 activities in support of classroom teachers' instruction of students,  
29 with a first language other than English, who struggle with acquiring  
30 academic English skills, as outlined in Engrossed Second Substitute  
31 Senate Bill No. 5841 (enhancing student learning opportunities and  
32 achievement). Best practices shall focus on professional development  
33 for classroom teachers and support of instruction for English language  
34 learners in regular classrooms. School districts qualifying for these  
35 grants shall serve a student population that reflects many different  
36 first languages among their students. The Northwest educational  
37 research laboratory (NWREL) shall evaluate the effectiveness of the

1 practices supported by the grants as provided in section 501 of this  
2 act. Recipients of these grants shall cooperate with NWREL in the  
3 collection of program data.

4 (19) Within the amounts appropriated in this section, funding is  
5 for training of paraprofessional classroom assistants and certificated  
6 staff who work with classroom assistants as provided in RCW  
7 28A.415.310.

8 (20) Within the amounts appropriated in this section, funding is  
9 provided for mentor teacher assistance, including state support  
10 activities, under RCW 28A.415.250 and 28A.415.260, and for a mentor  
11 academy. Up to \$200,000 of the amount in this subsection may be used  
12 each fiscal year to operate a mentor academy to help districts provide  
13 effective training for peer mentors. Funds for the teacher assistance  
14 program shall be allocated to school districts based on the number of  
15 first year beginning teachers.

16 (21) Within the amounts appropriated in this section, funding is  
17 for the leadership internship program for superintendents, principals,  
18 and program administrators.

19 (22) \$105,765,000 of the general fund--federal appropriation is  
20 provided for preparing, training, and recruiting high quality teachers  
21 and principals under Title II of the no child left behind act.

22 (23) Within the amounts appropriated in this section, funding is  
23 for a principal support program. The office of the superintendent of  
24 public instruction may contract with an independent organization to  
25 administer the program. The program shall include: (a) Development of  
26 an individualized professional growth plan for a new principal or  
27 principal candidate; and (b) participation of a mentor principal who  
28 works over a period of between one and three years with the new  
29 principal or principal candidate to help him or her build the skills  
30 identified as critical to the success of the professional growth plan.  
31 Within the amounts provided, \$25,000 per year shall be used to support  
32 additional participation of secondary principals.

33 (24) Within the amounts appropriated in this section, funding is  
34 for the office of the superintendent of public instruction for focused  
35 assistance. The office of the superintendent of public instruction  
36 shall conduct educational audits of low-performing schools and enter  
37 into performance agreements between school districts and the office to  
38 implement the recommendations of the audit and the community. Each



1 educational audit shall include recommendations for best practices and  
2 ways to address identified needs and shall be presented to the  
3 community in a public meeting to seek input on ways to implement the  
4 audit and its recommendations.

5 (25) Within the amounts appropriated in this section, funding is  
6 for a high school and school district improvement program modeled after  
7 the office of the superintendent of public instruction's existing  
8 focused assistance program in subsection (25)(b) of this section. The  
9 state funding for this improvement program will match an equal amount  
10 committed by a nonprofit foundation in furtherance of a jointly funded  
11 program.

12 (26) Within the amounts appropriated in this section, funding is  
13 for summer accountability institutes offered by the superintendent of  
14 public instruction. The institutes shall provide school district staff  
15 with training in the analysis of student assessment data, information  
16 regarding successful district and school teaching models, research on  
17 curriculum and instruction, and planning tools for districts to improve  
18 instruction in reading, mathematics, language arts, social studies,  
19 including civics, and guidance and counseling. The superintendent of  
20 public instruction shall offer at least one institute specifically for  
21 improving instruction in mathematics in fiscal years 2008 and 2009 and  
22 at least one institute specifically for improving instruction in  
23 science in fiscal year 2009.

24 (27) Within the amounts appropriated in this section, funding is  
25 for the evaluation of mathematics textbooks, other instructional  
26 materials, and diagnostic tools to determine the extent to which they  
27 are aligned with the state standards. Once the evaluations have been  
28 conducted, results will be shared with math teachers, other educators,  
29 and community members for the purposes of validating the conclusions  
30 and then selecting up to three curricula, supporting materials, and  
31 diagnostic instruments as those best able to assist students to learn  
32 and teachers to teach the content of international standards. In  
33 addition, the office of the superintendent shall continue to provide  
34 support and information on essential components of comprehensive,  
35 school-based reading programs.

36 (28) Within the amounts appropriated in this section, funding is  
37 for the mathematics helping corps subject to the following conditions  
38 and limitations:

1 (a) In order to increase the availability and quality of technical  
2 mathematics assistance statewide, the superintendent of public  
3 instruction shall employ mathematics school improvement specialists to  
4 provide assistance to schools and districts. The specialists shall be  
5 hired by and work under the direction of a statewide school improvement  
6 coordinator. The mathematics improvement specialists shall not be  
7 permanent employees of the superintendent of public instruction.

8 (b) The school improvement specialists shall provide the following:

9 (i) Assistance to schools to disaggregate student performance data  
10 and develop improvement plans based on those data;

11 (ii) Consultation with schools and districts concerning their  
12 performance on the Washington assessment of student learning and other  
13 assessments emphasizing the performance on the mathematics assessments;

14 (iii) Consultation concerning curricula that aligns with the  
15 essential academic learning requirements emphasizing the academic  
16 learning requirements for mathematics, the Washington assessment of  
17 student learning, and meets the needs of diverse learners;

18 (iv) Assistance in the identification and implementation of  
19 research-based instructional practices in mathematics;

20 (v) Staff training that emphasizes effective instructional  
21 strategies and classroom-based assessment for mathematics;

22 (vi) Assistance in developing and implementing family and community  
23 involvement programs emphasizing mathematics; and

24 (vii) Other assistance to schools and school districts intended to  
25 improve student mathematics learning.

26 (29) Within the amounts appropriated in this section, funding is  
27 for the improvement of reading achievement and implementation of  
28 research-based reading models. The superintendent shall evaluate  
29 reading curriculum programs and other instructional materials to  
30 determine the extent to which they are aligned with state standards.  
31 A report of the analyses shall be made available to school districts.  
32 The superintendent shall report to districts the assessments that are  
33 available to screen and diagnose reading difficulties, and shall  
34 provide training on how to implement a reading assessment system.  
35 Resources may also be used to disseminate grade level expectations and  
36 develop professional development modules and web-based materials.

37 (30) \$30,706,000 of the general fund--federal appropriation is

1 provided for the reading first program under Title I of the no child  
2 left behind act.

3 (31) \$500,000 of the general fund--state appropriation for fiscal  
4 year 2008 is provided solely for the office of the superintendent of  
5 public instruction to award five grants to parent, community, and  
6 school district partnership programs that will meet the unique needs of  
7 different groups of students in closing the achievement gap. The  
8 legislature intends that the pilot programs will help students meet  
9 state learning standards, achieve the skills and knowledge necessary  
10 for college or the workplace, reduce the achievement gap, prevent  
11 dropouts, and improve graduation rates.

12 (a) The pilot programs shall be designed in such a way as to be  
13 supplemental to educational services provided in the district and shall  
14 utilize a community partnership based approach to helping students and  
15 their parents.

16 (b) The grant recipients shall work in collaboration with the  
17 office of the superintendent of public instruction to develop  
18 measurable goals and evaluation methodologies for the pilot programs.  
19 \$25,000 of this appropriation may be used by the office of the  
20 superintendent of public instruction to hold a statewide meeting to  
21 disseminate successful strategies developed by the grantees.

22 (c) The office of the superintendent of public instruction shall  
23 issue a report to the legislature in the 2009 session on the progress  
24 of each of the pilot programs.

25 (32) Within the amounts appropriated in this section, funding is  
26 for the office of the superintendent of public instruction to support  
27 and award Washington community learning center program grants pursuant  
28 to Engrossed Second Substitute Senate Bill No. 5841 (enhancing student  
29 learning opportunities and achievement). If the bill is not enacted by  
30 June 30, 2007, the amounts provided in this subsection shall lapse.

31 (33) Within the amounts appropriated in this section, funding is  
32 for the elimination of the lunch co-pay for students in grades  
33 kindergarten through third grade that are eligible for reduced price  
34 lunch.

35 (34) Within the amounts appropriated in this section, funding is  
36 for the development of mathematics support activities provided by  
37 community organizations in after school programs. Pursuant to Second  
38 Substitute House Bill No. 1906 (improving mathematics and science

1 education), the office of the superintendent of public instruction  
2 shall administer grants to community organizations that partner with  
3 school districts to provide these activities and develop a mechanism to  
4 report program and student success.

5 (35) Within the amounts appropriated in this section, funding is  
6 for: (a) The meals for kids program under RCW 28A.235.145 through  
7 28A.235.155; (b) to eliminate the breakfast co-pay for students  
8 eligible for reduced price lunch; and (c) for additional assistance for  
9 school districts initiating a summer food service program.

10 (36) Within the amounts appropriated in this section, funding is  
11 for the Washington reading corps. The superintendent shall allocate  
12 reading corps members to low-performing schools and school districts  
13 that are implementing comprehensive, proven, research-based reading  
14 programs. Two or more schools may combine their Washington reading  
15 corps programs. Grants provided under this section may be used by  
16 school districts for expenditures from September 2007 through August  
17 31, 2009.

18 (37) Within the amounts appropriated in this section, funding is  
19 for grants to school districts to provide a continuum of care for  
20 children and families to help children become ready to learn. Grant  
21 proposals from school districts shall contain local plans designed  
22 collaboratively with community service providers. If a continuum of  
23 care program exists in the area in which the school district is  
24 located, the local plan shall provide for coordination with existing  
25 programs to the greatest extent possible. Grant funds shall be  
26 allocated pursuant to RCW 70.190.040.

27 (38) Within the amounts appropriated in this section, funding is  
28 for improving technology infrastructure, monitoring and reporting on  
29 school district technology development, promoting standards for school  
30 district technology, promoting statewide coordination and planning for  
31 technology development, and providing regional educational technology  
32 support centers, including state support activities, under chapter  
33 28A.650 RCW. The superintendent of public instruction shall coordinate  
34 a process to facilitate the evaluation and provision of online  
35 curriculum courses to school districts which includes the following:  
36 Creation of a general listing of the types of available online  
37 curriculum courses; a survey conducted by each regional educational  
38 technology support center of school districts in its region regarding

1 the types of online curriculum courses desired by school districts; a  
2 process to evaluate and recommend to school districts the best online  
3 courses in terms of curriculum, student performance, and cost; and  
4 assistance to school districts in procuring and providing the courses  
5 to students.

6 (39) Within the amounts appropriated in this section, funding is  
7 for the development and posting of web-based instructional tools,  
8 assessment data, and other information that assists schools and  
9 teachers implementing higher academic standards.

10 (40) Within the amounts appropriated in this section, funding is  
11 for the operation of the center for the improvement of student learning  
12 pursuant to RCW 28A.300.130.

13 (41) Within the amounts appropriated in this section, funding is  
14 for one-time allocations for technology upgrades and improvements. The  
15 funding shall be allocated based on \$3,000 for each elementary school,  
16 \$6,000 for each middle or junior high school, and \$11,000 for each high  
17 school. In cases where a particular school's grade span or  
18 configuration does not fall into these categories, the office of  
19 superintendent of public instruction will develop an allocation to that  
20 school that recognizes the unique characteristics but maintains the  
21 proportionate allocation identified in this subsection.

22 (42) Within the amounts appropriated in this section, funding is  
23 for costs associated with office of the superintendent of public  
24 instruction establishing a statewide director of technology position  
25 pursuant to Second Substitute House Bill No. 1906 (improving  
26 mathematics and science education).

27 (43)(a) Within the amounts appropriated in this section, funding is  
28 for the following bonuses for teachers who hold valid, unexpired  
29 certification from the national board for professional teaching  
30 standards and who are teaching in a Washington public school, subject  
31 to the following conditions and limitations:

32 (i) For national board certified teachers, a bonus of \$5,000 per  
33 teacher in fiscal year 2008 and adjusted for inflation in fiscal year  
34 2009. Beginning in the 2007-2008 school year and thereafter, national  
35 board certified teachers who become public school principals shall  
36 continue to receive this bonus for as long as they are principals and  
37 maintain the national board certification;

1 (ii) During the 2007-2008 school year, for national board certified  
2 teachers who teach in schools where at least 70 percent of student  
3 headcount enrollment is eligible for the federal free or reduced price  
4 lunch program, an additional \$5,000 annual bonus to be paid in one lump  
5 sum. Beginning in the 2008-2009 school year and thereafter, an  
6 additional \$5,000 annual bonus shall be paid to national board  
7 certified teachers who teach in either: (A) High schools where at  
8 least 50 percent of student headcount enrollment is eligible for  
9 federal free or reduced price lunch, (B) middle schools where at least  
10 60 percent of student headcount enrollment is eligible for federal free  
11 or reduced price lunch, or (C) elementary schools where at least 70  
12 percent of student headcount enrollment is eligible for federal free or  
13 reduced price lunch; and

14 (iii) The superintendent of public instruction shall adopt rules to  
15 ensure that national board certified teachers meet the qualifications  
16 for bonuses under (a)(ii) of this subsection for less than one full  
17 school year receive bonuses in a pro-rated manner.

18 (b) Included in the amounts provided in this subsection are amounts  
19 for mandatory fringe benefits. Unless Senate Bill No. 6657 (salary  
20 bonuses for individuals certified by the national board for  
21 professional teaching standards) is enacted by June 30, 2008, the  
22 annual bonus shall not be included in the definition of "earnable  
23 compensation" under RCW 41.32.010(10).

24 (c) For purposes of this subsection, "the percent of the student  
25 headcount enrollment eligible for the federal free or reduced price  
26 lunch program" shall be defined as: (i) For the 2007-08 and the 2008-  
27 09 school years, schools in which the prior year percentage of students  
28 eligible for the federal free and reduced price lunch program meets the  
29 criteria specified in subsection (41)(a)(ii) of this section; and (ii)  
30 in the 2008-09 school year, any school that met the criterion in (c)(i)  
31 of this subsection in the 2007-08 school year.

32 (d) Within the amounts appropriated in this subsection, the office  
33 of superintendent of public instruction shall revise rules to allow  
34 teachers who hold valid, unexpired certification from the national  
35 board for professional teaching standards and who are teaching at the  
36 Washington school for the deaf or Washington school for the blind, to  
37 receive the annual bonus amounts specified in this subsection if they  
38 are otherwise eligible.

1 (44) Within the amounts appropriated in this section, funding is  
2 for the implementation of Second Substitute Senate Bill No. 6377  
3 (career and technical education).

4 (45) \$3,900,000 of the general fund--state appropriation for fiscal  
5 year 2009 is provided solely for an allocation of four dollars and nine  
6 cents per full-time equivalent student, or as much as the funding in  
7 this subsection will allow, to maintain and improve library materials,  
8 collections, and services. The funding provided in this subsection  
9 shall be used to augment current funding for librarian programs  
10 provided through basic education and other existing funding mechanisms.  
11 In order to receive allocations under this section, school districts  
12 must agree that to the maximum extent possible they will ensure that  
13 library programs and services are equitably provided throughout the  
14 district.

15 (46) Within the amounts appropriated in this section, funding is  
16 for the implementation of Second Substitute Senate Bill No. 6483 (local  
17 farms-healthy kids and communities).

18 (47) Within the amounts appropriated in this section, funding is  
19 for the implementation of Engrossed Second Substitute Senate Bill No.  
20 6673 (student learning opportunities) which requires the office of the  
21 superintendent of public instruction to explore online curriculum  
22 support in languages other than English.

23 (48) Within the amounts appropriated in this section, funding is  
24 for grants to five skills centers to develop and plan for  
25 implementation of integrated English language development/career skills  
26 programs that pair English language development teachers with  
27 career/technical education instructors in the classroom. The office of  
28 the superintendent of public instruction and skill center staff shall  
29 work with the state board for community and technical colleges I-BEST  
30 program staff and local community and technical college program staff  
31 to develop the program to assure critical program elements are included  
32 and that the skill center programs provide a seamless transition for  
33 high school students to the community and technical college programs  
34 for students choosing that pathway. The request for proposal or grant  
35 application shall be issued no later than May 1, 2008, so that grant  
36 recipients can begin program planning and development efforts on July  
37 1, 2008. The superintendent of public instruction shall provide the

1 resulting implementation plans to the governor and the appropriate  
2 committees of the legislature by November 1, 2008.

3 (49) Within the amounts appropriated in this section, funding is  
4 for support of public high schools' participation in the FIRST robotics  
5 program. The office of the superintendent of public instruction shall  
6 issue grants not to exceed \$10,000 per school to be used for teacher  
7 stipends, registration fees, equipment, and other costs associated with  
8 direct participation in the program. High-poverty schools and schools  
9 starting up robotics programs shall be given priority in funding.

10 (50) In addition to other reductions, the reduced appropriations in  
11 this section reflect an additional (~~(\$499,000)~~) \$602,000 reduction in  
12 administrative costs required by Engrossed Substitute Senate Bill No.  
13 5460 (reducing state government administrative costs). These  
14 administrative reductions shall be achieved, to the greatest extent  
15 possible, by reducing those administrative costs that do not affect  
16 direct client services or direct service delivery or programs.

17 **Sec. 510.** 2009 c 4 s 505 (uncodified) is amended to read as  
18 follows:

19 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR THE LEARNING**  
20 **ASSISTANCE PROGRAM**

|    |   |                                |
|----|---|--------------------------------|
| 21 | General Fund--State Appropriation (FY 2008) . . . . . | \$68,381,000                   |
| 22 | General Fund--State Appropriation (FY 2009) . . . . . | ( <del>(\$84,654,000)</del> )  |
| 23 |   | <u>\$86,268,000</u>            |
| 24 | General Fund--Federal Appropriation . . . . .         | \$360,660,000                  |
| 25 | Education Legacy Trust Account--State                 |                                |
| 26 | Appropriation . . . . .                               | 45,953,000                     |
| 27 | TOTAL APPROPRIATION . . . . .                         | ( <del>(\$559,648,000)</del> ) |
| 28 |   | <u>\$561,262,000</u>           |

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

31 (1) The general fund--state appropriations in this section are  
32 subject to the following conditions and limitations:

33 (a) The appropriations include such funds as are necessary to  
34 complete the school year ending in the fiscal year and for prior fiscal  
35 year adjustments.

36 (b) Funding for school district learning assistance programs shall  
37 be allocated at maximum rates of \$220.34 per funded student for the



1 2007-08 school year and \$265.08 per funded student for the 2008-09  
2 school year exclusive of salary and benefit adjustments provided under  
3 section 504 of this act.

4 (c) A school district's funded students for the learning assistance  
5 program shall be the sum of the following as appropriate:

6 (i) The district's full-time equivalent enrollment in grades K-12  
7 for the prior school year multiplied by the district's percentage of  
8 October headcount enrollment in grades K-12 eligible for free or  
9 reduced price lunch in the prior school year; and

10 (ii) If, in the prior school year, the district's percentage of  
11 October headcount enrollment in grades K-12 eligible for free or  
12 reduced price lunch exceeded forty percent, subtract forty percent from  
13 the district's percentage and multiply the result by the district's K-  
14 12 annual average full-time equivalent enrollment for the prior school  
15 year.

16 (d) In addition to amounts allocated in (b) and (c) of this  
17 subsection, an additional amount shall be allocated to a school  
18 district for each school year in which the district's allocation is  
19 less than the amount the district received for the general fund--state  
20 learning assistance program allocation in the 2004-05 school year. The  
21 amount of the allocation in this section shall be sufficient to  
22 maintain the 2004-05 school year allocation.

23 (e) If Second Substitute Senate Bill No. 6673 (student learning  
24 opportunities) is enacted by June 30, 2008, in addition to the amounts  
25 allocated in (b), (c), and (d) of this subsection, an additional amount  
26 shall be allocated to school districts with high concentrations of  
27 poverty and English language learner students beginning in the 2008-  
28 2009 school year, subject to the following rules and conditions:

29 (i) To qualify for additional funding under this subsection, a  
30 district's October headcount enrollment in grades kindergarten through  
31 grade twelve must have at least twenty percent enrolled in the  
32 transitional bilingual instruction program based on an average of the  
33 program headcount taken in October and May of the prior school year;  
34 and must also have at least forty percent eligible for free or reduced  
35 price lunch based on October headcount enrollment in grades  
36 kindergarten through twelve in the prior school year.

37 (ii) Districts meeting the specifications in (e)(i) of this  
38 subsection shall receive additional funded students for the learning

1 assistance program at the rates specified in subsection (1)(b) of this  
2 section. The number of additional funded student units shall be  
3 calculated by subtracting twenty percent from the district's percent  
4 transitional bilingual instruction program enrollment as defined in  
5 (e)(i) of this subsection, and the resulting percent shall be  
6 multiplied by the district's kindergarten through twelve annual average  
7 full-time equivalent enrollment for the prior school year.

8 (2) The general fund--federal appropriation in this section is  
9 provided for Title I Part A allocations of the no child left behind act  
10 of 2001.

11 (3) Small school districts are encouraged to make the most  
12 efficient use of the funding provided by using regional educational  
13 service district cooperatives to hire staff, provide professional  
14 development activities, and implement reading and mathematics programs  
15 consistent with research-based guidelines provided by the office of the  
16 superintendent of public instruction.

17 (4) A school district may carry over from one year to the next up  
18 to 10 percent of the general fund--state or education legacy trust  
19 funds allocated under this program; however, carryover funds shall be  
20 expended for the learning assistance program.

21 (5) School districts are encouraged to coordinate the use of these  
22 funds with other federal, state, and local sources to serve students  
23 who are below grade level and to make efficient use of resources in  
24 meeting the needs of students with the greatest academic deficits.

25 (6) Within the amounts appropriated in this section, funding is for  
26 the implementation of Engrossed Second Substitute Senate Bill No. 6673  
27 (student learning opportunities) which establishes the extended  
28 learning program to provide additional instructional services for  
29 eligible students in grades eight, eleven, and twelve during the  
30 regular school day, evenings, on weekends, or at other times in order  
31 to meet the needs of these students. This funding is in addition to  
32 the estimated \$986,000 of associated compensation increases associated  
33 with this legislation in section 504 of this act.

34 **Sec. 511.** 2009 c 4 s 506 (uncodified) is amended to read as  
35 follows:

36 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR STUDENT ACHIEVEMENT**

|   |  |                                |
|---|--|--------------------------------|
| 1 | <b>PROGRAM</b>                                       |                                |
| 2 | Student Achievement Account--State Appropriation     |                                |
| 3 | (FY 2008) . . . . .                                  | \$423,369,000                  |
| 4 | Student Achievement Account--State Appropriation     |                                |
| 5 | (FY 2009) . . . . .                                  | (( <del>\$436,910,000</del> )) |
| 6 |  | <u>\$136,910,000</u>           |
| 7 | <u>General Fund--Federal Appropriation . . . . .</u> | <u>\$300,000,000</u>           |
| 8 | TOTAL APPROPRIATION . . . . .                        | \$860,279,000                  |

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

11 (1) Funding for school district student achievement programs shall  
12 be allocated at a maximum rate of \$450.00 per FTE student for the 2007-  
13 08 school year and \$458.10 per FTE student for the 2008-09 school year.  
14 For the purposes of this section, FTE student refers to the annual  
15 average full-time equivalent enrollment of the school district in  
16 grades kindergarten through twelve for the prior school year, as  
17 reported to the office of the superintendent of public instruction by  
18 August 31st of the previous school year.

19 (2) \$300,000,000 of the general fund--federal appropriation is from  
20 the American recovery and reinvestment act of 2009 fiscal stabilization  
21 funds which shall be used, in combination with student achievement  
22 funds, to achieve the maximum rate allocations per FTE student  
23 designated in subsection (1) of this section.

24 (3) The appropriations ((is)) are allocated for the following uses  
25 as specified in RCW 28A.505.210:

26 (a) To reduce class size by hiring certificated elementary  
27 classroom teachers in grades K-4 and paying nonemployee-related costs  
28 associated with those new teachers;

29 (b) To make selected reductions in class size in grades 5-12, such  
30 as small high school writing classes;

31 (c) To provide extended learning opportunities to improve student  
32 academic achievement in grades K-12, including, but not limited to,  
33 extended school year, extended school day, before-and-after-school  
34 programs, special tutoring programs, weekend school programs, summer  
35 school, and all-day kindergarten;

36 (d) To provide additional professional development for educators  
37 including additional paid time for curriculum and lesson redesign and  
38 alignment, training to ensure that instruction is aligned with state

1 standards and student needs, reimbursement for higher education costs  
2 related to enhancing teaching skills and knowledge, and mentoring  
3 programs to match teachers with skilled, master teachers. The funding  
4 shall not be used for salary increases or additional compensation for  
5 existing teaching duties, but may be used for extended year and  
6 extended day teaching contracts;

7 (e) To provide early assistance for children who need  
8 prekindergarten support in order to be successful in school; or

9 (f) To provide improvements or additions to school building  
10 facilities which are directly related to the class size reductions and  
11 extended learning opportunities under (a) through (c) of this  
12 subsection (~~((+2))~~) (3).

13 (~~((+3))~~) (4) The superintendent of public instruction shall  
14 distribute the school year allocation according to the monthly schedule  
15 defined in RCW 28A.505.220.

16 **Sec. 512.** 2008 c 329 s 512 (uncodified) is amended to read as  
17 follows:

18 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR TRANSITIONAL**  
19 **BILINGUAL PROGRAMS**

|    |   |                                |
|----|---|--------------------------------|
| 20 | General Fund--State Appropriation (FY 2008) . . . . . | \$65,595,000                   |
| 21 | General Fund--State Appropriation (FY 2009) . . . . . | <del>(( \$69,560,000 ))</del>  |
| 22 |   | <u>\$68,924,000</u>            |
| 23 | General Fund--Federal Appropriation . . . . .         | \$45,243,000                   |
| 24 | TOTAL APPROPRIATION . . . . .                         | <del>(( \$180,398,000 ))</del> |
| 25 |   | <u>\$179,762,000</u>           |

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

28 (1) Each general fund fiscal year appropriation includes such funds  
29 as are necessary to complete the school year ending in the fiscal year  
30 and for prior fiscal year adjustments.

31 (2) The superintendent shall distribute a maximum of \$824.12 per  
32 eligible bilingual student in the 2007-08 school year and \$840.64 in  
33 the 2008-09 school year, exclusive of salary and benefit adjustments  
34 provided in section 504 of this act.

35 (3) The superintendent may withhold up to 1.5 percent of the school  
36 year allocations to school districts in subsection (2) of this section,

1 and adjust the per eligible pupil rates in subsection (2) of this  
2 section accordingly, solely for the central provision of assessments as  
3 provided in RCW 28A.180.090 (1) and (2).

4 (4) \$70,000 of the amounts appropriated in this section are  
5 provided solely to track current and former transitional bilingual  
6 program students.

7 (5) The general fund--federal appropriation in this section is  
8 provided for migrant education under Title I Part C and English  
9 language acquisition, and language enhancement grants under Title III  
10 of the elementary and secondary education act.

11 (6) Pursuant to RCW 28A.150.260, during the 2007-09 biennium, the  
12 office of the superintendent of public instruction shall not make exit  
13 of the transitional bilingual program contingent on passing both the  
14 Washington language proficiency test and the Washington assessment of  
15 student learning without prior legislative approval.

(End of part)

PART VI  
HIGHER EDUCATION

Sec. 601. 2009 c 4 s 603 (uncodified) is amended to read as follows:

**FOR THE UNIVERSITY OF WASHINGTON**

|   |                            |
|---|----------------------------|
| General Fund--State Appropriation (FY 2008) . . . . . | \$373,726,000              |
| General Fund--State Appropriation (FY 2009) . . . . . | \$358,727,000              |
| General Fund--Private/Local Appropriation . . . . .   | <del>(\$300,000)</del>     |
|   | <u>\$350,000</u>           |
| Education Legacy Trust Account--State                 |                            |
| Appropriation . . . . .                               | \$43,181,000               |
| Accident Account--State Appropriation . . . . .       | \$6,513,000                |
| Medical Aid Account--State Appropriation . . . . .    | \$6,371,000                |
| TOTAL APPROPRIATION . . . . .                         | <del>(\$788,818,000)</del> |
|   | <u>\$788,868,000</u>       |

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

(1) \$15,744,000 of the education legacy trust account--state appropriation is to expand general enrollments by 625 student FTEs in fiscal year 2008 and by an additional 625 student FTEs in fiscal year 2009. Of these, 165 FTEs in 2008 and 165 FTEs in 2009 are expected to be graduate student FTEs.

(2) \$6,975,000 of the education legacy trust account--state appropriation is to expand math and science undergraduate enrollments by 250 student FTEs in each fiscal year. The programs expanded shall include mathematics, engineering, and the physical sciences. The university shall provide data to the office of financial management that is required to track changes in enrollments, graduations, and the employment of college graduates related to state investments in math and science programs. Data may be provided through the public centralized higher education enrollment system or through an alternative means agreed to by the institutions and the office of financial management.

(3) \$85,000 of the general fund--state appropriation for fiscal year 2008 and \$85,000 of the general fund--state appropriation for

1 fiscal year 2009 are provided solely for operating support of the  
2 Washington state academy of sciences, authorized by chapter 70.220 RCW.

3 (4) \$100,000 of the general fund--state appropriation for fiscal  
4 year 2008 and \$100,000 of the general fund--state appropriation for  
5 fiscal year 2009 are provided solely for operating support of the  
6 William D. Ruckelshaus center.

7 (5) \$500,000 of the education legacy trust account--state  
8 appropriation is provided solely to expand the number of TRIO eligible  
9 students served in the student support services program at the  
10 University of Washington by 250 students each year. TRIO students  
11 include low-income, first-generation, and college students with  
12 disabilities. The student support services program shall report  
13 annually to the office of financial management and the appropriate  
14 policy and fiscal committees of the legislature on the retention and  
15 completion rates of students served through this appropriation.  
16 Retention rates shall continue to exceed 85 percent for TRIO students  
17 in this program.

18 (6) \$84,000 of the general fund--state appropriation for fiscal  
19 year 2008 and \$84,000 of the general fund--state appropriation for  
20 fiscal year 2009 are provided solely to establish the state  
21 climatologist position.

22 (7) \$25,000 of the general fund--state appropriation for fiscal  
23 year 2008 and \$125,000 of the general fund--state appropriation for  
24 fiscal year 2009 are provided solely for the William D. Ruckelshaus  
25 center to identify and carry out, or otherwise appropriately support,  
26 a process to identify issues that have led to conflict around land use  
27 requirements and property rights, and explore practical and effective  
28 ways to resolve or reduce that conflict. A report with conclusions and  
29 recommendations shall be submitted to the governor and the chairs of  
30 the appropriate committees of the legislature by October 31, 2007.  
31 Work will continue after the submission of the initial report, to  
32 include continuing research and the development of financial and policy  
33 options and a progress report on fact finding efforts and stakeholder  
34 positions due December 1, 2008.

35 (8) \$3,830,000 of the education legacy trust account--state  
36 appropriation is provided solely to expand health sciences capacity at  
37 the University of Washington. Consistent with the medical and dental  
38 school extension program appropriations at Washington State University

1 and Eastern Washington University, funding is provided to expand  
2 classes at the University of Washington. Medical and dental students  
3 shall take the first year of courses for this program at the Riverpoint  
4 campus in Spokane and the second year of courses at the University of  
5 Washington in Seattle.

6 (9) The higher education coordinating board, the office of  
7 financial management, and the higher education institutions negotiated  
8 a set of performance measures, checkpoints, and targets in 2006. By  
9 July 31, 2007, the university and the board shall review and revise  
10 these targets based on per-student funding in the 2007-09  
11 appropriations act. In addition, the board shall compile comparable  
12 data from peer institutions in the eight global challenge states  
13 identified in the Washington Learns study.

14 The checkpoints previously agreed by the board and the University  
15 of Washington are enumerated as follows:

16 (a) Increase the combined number of baccalaureate degrees conferred  
17 per year at all campuses to 8,850;

18 (b) Increase the combined number of high-demand baccalaureate  
19 degrees conferred at all campuses per year to 1,380;

20 (c) Increase the combined number of advanced degrees conferred per  
21 year at all campuses to 3,610;

22 (d) Improve the six-year graduation rate for baccalaureate students  
23 to 74.7 percent;

24 (e) Improve the three-year graduation rate for students who  
25 transfer with an associates degree to 76.0 percent;

26 (f) Improve the freshman retention rate to 93.0 percent;

27 (g) Improve time to degree for baccalaureate students to 92 percent  
28 at the Seattle campus and 92.5 percent at the Bothell and Tacoma  
29 campuses, measured by the percent of admitted students who graduate  
30 within 125 percent of the credits required for a degree; and

31 (h) The institution shall provide a report on Pell grant  
32 recipients' performance within each of the measures included in this  
33 subsection.

34 The University of Washington shall report its progress and ongoing  
35 efforts toward meeting the provisions of this section to the higher  
36 education coordinating board prior to November 1, 2009.

37 (10) \$750,000 of the education legacy trust account appropriation  
38 is provided solely to increase participation in international learning



1 opportunities, particularly for students with lower incomes who would  
2 otherwise not have the chance to study, work, or volunteer outside the  
3 United States.

4 (11) \$75,000 of the general fund--state appropriation for fiscal  
5 year 2008 and \$75,000 of the general fund--state appropriation for  
6 fiscal year 2009 are provided solely for forestry research by the  
7 Olympic natural resources center.

8 (12) \$25,000 of the general fund--state appropriation for fiscal  
9 year 2008 and \$25,000 of the general fund--state appropriation for  
10 fiscal year 2009 are provided solely for coastal marine research by the  
11 Olympic natural resources center.

12 (13) \$95,000 of the general fund--state appropriation for fiscal  
13 year 2008 and \$30,000 of the general fund--state appropriation for  
14 fiscal year 2009 are provided solely for increased education, training,  
15 and support services for the families of children with autism, and for  
16 the production and distribution of digital video discs in both English  
17 and Spanish about strategies for working with people with autism.

18 (14) \$2,900,000 of the general fund--state appropriation for fiscal  
19 year 2008 and \$3,400,000 of the general fund--state appropriation for  
20 fiscal year 2009 are provided solely for operating support for the  
21 department of global health.

22 (15) In an effort to introduce students to and inform students of  
23 post-secondary opportunities in Washington state, by October 1st of  
24 each year the university shall report to the higher education  
25 coordinating board progress towards developing and implementing  
26 outreach programs designed to increase awareness of higher education to  
27 K-12 populations.

28 (16) \$150,000 of the general fund--state appropriation for fiscal  
29 year 2008 is provided solely for the rural technology initiative  
30 (initiative) at the University of Washington and the transportation  
31 research group (group) at the Washington State University to conduct an  
32 economic analysis of the costs to safely provide log hauling services.  
33 The initiative will be the lead investigator and administer the  
34 project. Neither the University of Washington nor the Washington State  
35 University may make a deduction for administrative costs. The project  
36 shall rely upon the Washington state patrol for determination of basic  
37 safe characteristics, consistent with applicable state and federal law.  
38 The analysis shall include:

1 (a) An estimate of log haulers' cost to operate and maintain a  
2 basic and safe log truck without operator including:

3 (i) Variable costs such as fuel, etc;

4 (ii) Quasi-variable costs such as:

5 (A) Tires, brakes, wrappers, and other safety related equipment;

6 (B) Vehicle insurance, taxes, fees, etc;

7 (C) Maintenance costs such as oil, lubrication, and minor repairs;

8 and

9 (D) Depreciation and replacement costs;

10 (b) The source of these cost estimates where possible should be  
11 independent vendors of equipment and services or already existing  
12 studies;

13 (c) A calculation of costs for safe operation expressed as per  
14 mile, hour or load volume including consideration for regional  
15 differences as well as off-road vs. on-road;

16 (d) An evaluation of comparable trucking services; and

17 (e) A review of log truck safety statistics in Washington state.

18 In conducting the analysis, the initiative shall consult with the  
19 northwest log truckers cooperative, the Washington trucking  
20 association, the Washington contract loggers association, the  
21 Washington farm forestry association, and the Washington forest  
22 protection association. By June 30, 2008, the initiative shall provide  
23 a report of its findings to the legislature and governor and distribute  
24 the findings to interested industry groups.

25 (17) \$500,000 of the general fund--state appropriation for fiscal  
26 year 2008 and \$500,000 of the general fund--state appropriation for  
27 fiscal year 2009 are provided solely to the Burke museum to support  
28 science and social science educational programs including public  
29 outreach programs, new educational programs and resources, web-based  
30 interactive learning experiences, teacher training, and traveling  
31 educational opportunities.

32 (18) \$150,000 of the general fund--state appropriation for fiscal  
33 year 2008 and \$300,000 of the general fund--state appropriation for  
34 fiscal year 2009 are provided solely to the institute for learning and  
35 brain sciences.

36 (19) \$30,000 of the general fund--state appropriation for fiscal  
37 year 2008 and \$30,000 of the general fund--state appropriation for  
38 fiscal year 2009 are provided solely for the University of Washington

1 to gather data and conduct research associated with preparing the  
2 basin-wide assessment and to solicit nominations for review and  
3 submittal to the Washington academy of sciences for the creation of the  
4 Puget Sound science panel pursuant to Engrossed Second Substitute  
5 Senate Bill No. 5372 (Puget Sound partnership).

6 (20)(a) \$500,000 of the general fund--state appropriation for  
7 fiscal year 2008 is provided solely for the University of Washington  
8 school of law loan repayment assistance program endowment fund. The  
9 University of Washington shall conduct fund-raising activities to  
10 increase private sector support of the endowment program and \$250,000  
11 of the appropriation in this subsection is contingent on a private  
12 sector match. Funds in the law school repayment assistance program  
13 endowment fund shall be used to provide graduates who pursue careers in  
14 public interest legal positions with payment assistance toward their  
15 student loan debt.

16 (b) The University of Washington law school shall report to the  
17 legislature by December 1, 2010, information about the loan repayment  
18 assistance program. The report shall contain at least the following  
19 information:

20 (i) A financial summary of the endowment program;

21 (ii) The number of individuals receiving assistance from the  
22 program and information related to the positions in which these  
23 individuals are working;

24 (iii) Any available information regarding the effect of the loan  
25 repayment assistance program on student recruitment and enrollment; and

26 (iv) Other information the school of law deems relevant to the  
27 evaluation of the program.

28 (c) In its rules for administering the program, the school of law  
29 must make provision for cases of hardship or exceptional circumstances,  
30 as defined by the school of law. Examples of such circumstances  
31 include, but are not limited to, family leave, medical leave, illness  
32 or disability, and loss of employment.

33 (d) The loan repayment assistance program must be available to  
34 otherwise eligible graduates of the law school who work in positions  
35 with nonprofit organizations or government agencies. Such positions  
36 must be located within Washington state. Government agencies shall  
37 include the various branches of the military.

1 (21) \$54,000 of the general fund--state appropriation for fiscal  
2 year 2008 and \$54,000 of the general fund--state appropriation for  
3 fiscal year 2009 are provided solely for the University of Washington  
4 geriatric education center to develop a voluntary adult family home  
5 certification program. In addition to the minimum qualifications  
6 required under RCW 70.128.120, individuals participating in the  
7 voluntary adult family home certification program shall complete fifty-  
8 two hours of class requirements as established by the University of  
9 Washington geriatric education center. Individuals completing the  
10 requirements of RCW 70.128.120 and the voluntary adult family home  
11 certification program shall be issued a certified adult family home  
12 license by the department of social and health services. The  
13 department of social and health services shall adopt rules implementing  
14 the provisions of this subsection.

15 (22) \$22,000 of the general fund--state appropriation for fiscal  
16 year 2008 and \$97,000 of the general fund--state appropriation for  
17 fiscal year 2009 are provided solely for the William D. Ruckelshaus  
18 center for implementation of section 5 of Engrossed Second Substitute  
19 House Bill No. 3123 (nurse staffing). If section 5 of the bill is not  
20 enacted by June 30, 2008, the amount provided in this subsection shall  
21 lapse.

22 (23) \$1,000,000 of the general fund--state appropriation for fiscal  
23 year 2009 is provided solely to establish an e-Science institute that  
24 will provide infrastructure and consulting expertise to university  
25 researchers in advanced computational techniques needed to capture,  
26 store, organize, access, mine, visualize, and interpret massive data  
27 sets.

28 (24) \$50,000 of the general fund--state appropriation for fiscal  
29 year 2009 is provided solely for incentive grants to support medical  
30 research or medical training projects focused upon improvement of  
31 services to persons with developmental disabilities. The university  
32 shall report to appropriate committees of the legislature by December  
33 1, 2008, on incentive grants awarded, and other efforts to improve  
34 training for medical students in treating persons with developmental  
35 disabilities.

36 (25) When implementing reductions in fiscal year 2009, the  
37 University of Washington shall minimize impacts on academic programs,

1 maximize reductions in administration, and not reduce enrollments below  
2 enrollment levels referenced in 2008 c 329 s 604 and section 601 of  
3 this act.

4 **Sec. 602.** 2009 c 4 s 606 (uncodified) is amended to read as  
5 follows:

6 **FOR CENTRAL WASHINGTON UNIVERSITY**

|    |   |                            |
|----|---|----------------------------|
| 7  | General Fund--State Appropriation (FY 2008) . . . . . | \$47,691,000               |
| 8  | General Fund--State Appropriation (FY 2009) . . . . . | <del>(\$45,272,000)</del>  |
| 9  |   | <u>\$45,275,000</u>        |
| 10 | Education Legacy Trust Account--State                 |                            |
| 11 | Appropriation . . . . .                               | \$16,219,000               |
| 12 | Pension Funding Stabilization Account                 |                            |
| 13 | Appropriation . . . . .                               | \$4,330,000                |
| 14 | TOTAL APPROPRIATION . . . . .                         | <del>(\$113,512,000)</del> |
| 15 |   | <u>\$113,515,000</u>       |

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

18 (1) \$2,474,000 of the education legacy trust account--state  
19 appropriation is to increase general enrollments by 70 FTE students in  
20 fiscal year 2008 and by an additional 211 FTE enrollments in fiscal  
21 year 2009. At least 30 of the additional fiscal year 2009 enrollments  
22 are expected to be graduate students.

23 (2) \$1,816,000 of the education legacy trust account--state  
24 appropriation for fiscal year 2008 is to increase math and science  
25 enrollments by 105 FTE students in fiscal year 2008 and by an  
26 additional 89 FTE students in fiscal year 2009. The university shall  
27 provide data to the office of financial management regarding math and  
28 science enrollments, graduations, and employment of college graduates  
29 related to state investments in math and science enrollment programs.  
30 Data may be provided through the centralized higher education  
31 enrollment system or through an alternative means agreed to by the  
32 institutions and the office of financial management.

33 (3) \$1,801,000 of the education legacy trust account--state  
34 appropriation is to increase high-demand undergraduate enrollments by  
35 85 student FTEs in fiscal year 2008 and by an additional 70 FTE  
36 students in fiscal year 2009. The programs expanded shall include, but  
37 are not limited to, bilingual education and information technology.

1 The university shall provide data to the office of financial management  
2 that is required to track changes in enrollments, graduations, and the  
3 employment of college graduates related to state investments in high-  
4 demand enrollment programs. Data may be provided through the public  
5 centralized higher education enrollment system or through an  
6 alternative means agreed to by the institutions and the office of  
7 financial management.

8 (4) \$500,000 of the education legacy trust account--state  
9 appropriation is provided solely to expand the number of TRIO eligible  
10 students served in the student support services program at Central  
11 Washington University by 250 students each year. TRIO students include  
12 low-income, first-generation, and college students with disabilities.  
13 The student support services program shall report annually to the  
14 office of financial management and the appropriate policy and fiscal  
15 committees of the legislature on the retention and completion rates of  
16 students served through this appropriation. Retention rates shall  
17 continue to exceed 85 percent for TRIO students in this program.

18 (5) The higher education coordinating board, the office of  
19 financial management, and the higher education institutions negotiated  
20 a set of performance measures, checkpoints, and targets in 2006. By  
21 July 31, 2007, the university and the board shall review and revise  
22 these targets based on per-student funding in the 2007-09  
23 appropriations act. In addition, the board shall compile comparable  
24 data from peer institutions in the eight global challenge states  
25 identified in the Washington Learns study.

26 The checkpoints previously agreed by the board and the Central  
27 Washington University are enumerated as follows:

28 (a) Increase the number of baccalaureate degrees conferred per year  
29 to 2,050;

30 (b) Increase the number of high-demand baccalaureate degrees  
31 conferred per year to 49;

32 (c) Increase the number of advanced degrees conferred per year at  
33 all campuses to 196;

34 (d) Improve the six-year graduation rate for baccalaureate students  
35 to 51.1 percent;

36 (e) Improve the three-year graduation rate for students who  
37 transfer with an associates degree to 72.3 percent;

38 (f) Improve the freshman retention rate to 78.2 percent;

1 (g) Improve time to degree for baccalaureate students to 86.6  
2 percent, measured by the percent of admitted students who graduate  
3 within 125 percent of the credits required for a degree; and

4 (h) The institution shall provide a report on Pell grant  
5 recipients' performance within each of the measures included in this  
6 section.

7 Central Washington University shall report its progress and ongoing  
8 efforts toward meeting the provisions of this section to the higher  
9 education coordinating board prior to November 1, 2009.

10 (6) \$500,000 of the education legacy trust account appropriation is  
11 provided solely to implement Engrossed Substitute House Bill No. 1497  
12 (Central Washington University operating fee waivers). If the bill is  
13 not enacted by June 30, 2007, this appropriation shall lapse.

14 (7) In an effort to introduce students to and inform students of  
15 post-secondary opportunities in Washington state, by October 1st of  
16 each year the university shall report to the higher education  
17 coordinating board progress towards developing and implementing  
18 outreach programs designed to increase awareness of higher education to  
19 K-12 populations.

20 (8) When implementing reductions in fiscal year 2009, Central  
21 Washington University shall minimize impacts on academic programs,  
22 maximize reductions in administration, and not reduce enrollments below  
23 enrollment levels referenced in 2008 c 329 s 604 and section 601 of  
24 this act.

25 **Sec. 603.** 2009 c 4 s 609 (uncodified) is amended to read as  
26 follows:

27 **FOR THE HIGHER EDUCATION COORDINATING BOARD--POLICY COORDINATION AND**  
28 **ADMINISTRATION**

|    |   |              |
|----|---|--------------|
| 29 | General Fund--State Appropriation (FY 2008) . . . . . | \$7,008,000  |
| 30 | General Fund--State Appropriation (FY 2009) . . . . . | \$6,533,000  |
| 31 | General Fund--Federal Appropriation . . . . .         | \$4,333,000  |
| 32 | TOTAL APPROPRIATION . . . . .                         | \$17,874,000 |

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

35 (1) (~~(\$87,000 of the general fund state appropriation for fiscal~~  
36 ~~year 2008 and \$169,000 of the general fund state appropriation for~~  
37 ~~fiscal year 2009 are provided solely to)) Within the funds appropriated~~

1 in this section, the board shall maintain and update a scholarship  
2 clearinghouse that lists every public and private scholarship available  
3 to Washington students. The higher education coordinating board shall  
4 develop a web-based interface for students and families as well as a  
5 common application for these scholarships.

6 ~~(((\$339,000 of the general fund--state appropriation for fiscal~~  
7 ~~year 2008 and \$330,000 of the general fund--state appropriation for~~  
8 ~~fiscal year 2009 are provided solely for implementation of))~~ Within the  
9 funds appropriated in this section, the board shall implement Second  
10 Substitute Senate Bill No. 5098 (the college bound scholarship). If  
11 the bill is not enacted by June 30, 2007, the amounts provided in this  
12 subsection shall lapse.

13 ~~(((\$200,000 of the general fund--state appropriation for fiscal~~  
14 ~~year 2008 and \$150,000 of the general fund--state appropriation for~~  
15 ~~fiscal year 2009 are provided solely for implementation of))~~ Within the  
16 funds appropriated in this section, the board shall implement Engrossed  
17 Substitute House Bill No. 1131 (the passport to college promise). If  
18 the bill is not enacted by June 30, 2007, the amounts provided in this  
19 subsection shall lapse.

20 ~~(((\$152,000 of the general fund--state appropriation for fiscal~~  
21 ~~year 2008 and \$191,000 of the general fund--state appropriation for~~  
22 ~~fiscal year 2009 are provided solely for administration of))~~ Within the  
23 funds appropriated in this section, the board shall administer  
24 conditional scholarships.

25 ~~((Except for moneys provided in this section for specific~~  
26 ~~purposes, and to the extent that the executive director finds that the~~  
27 ~~agency will not require the full amount appropriated for a fiscal year~~  
28 ~~in this section, the unexpended appropriation shall be transferred to~~  
29 ~~the state education trust account established under RCW 28B.92.140 for~~  
30 ~~purposes of fulfilling unfunded scholarship commitments that the board~~  
31 ~~made under its federal GEAR UP Grant 1-~~

32 ~~(6+))~~ \$200,000 of the general fund--state appropriation is provided  
33 solely to implement a capital facility and technology capacity study  
34 which will compare the 10-year enrollment projections with the capital  
35 facility requirements and technology application and hardware capacity  
36 needed to deliver higher education programs for the period 2009-2019.  
37 The higher education coordinating board shall:



1 (a) Develop the study in collaboration with the state board for  
2 community and technical colleges, four-year universities, and the  
3 Washington independent colleges;

4 (b) Determine the 10-year capital facilities and technology  
5 application and hardware investment needed by location to deliver  
6 higher education programs to additional student FTE;

7 (c) Estimate operational and capital costs of the additional  
8 capacity; and

9 (d) Report findings to the legislature on October 1, 2008.

10 ~~((7) \$85,000 of the general fund state appropriation for fiscal~~  
11 ~~year 2008 and \$127,000 of the general fund state appropriation for~~  
12 ~~fiscal year 2009 are provided solely for the board to))~~ (6) Within the  
13 funds appropriated in this section, the board shall prepare a program  
14 and operating plan for a higher education center in the Kitsap county  
15 area. The plan shall be developed in consultation with an advisory  
16 committee of civic, business, and educational leaders from Clallam,  
17 Jefferson, Kitsap, and Mason counties. It shall include a projection  
18 of lower and upper division and graduate enrollment trends in the study  
19 area; a review of assessments of employer needs; an inventory of  
20 existing and needed postsecondary programs; recommended strategies for  
21 promoting active program participation in and extensive program  
22 offerings at the center by public and private baccalaureate  
23 institutions; and an estimate of operating and capital costs for the  
24 creation and operation of the center. The board shall submit its  
25 findings and recommendations to the governor and legislature by  
26 December 1, 2008.

27 ~~((8) \$60,000 of the general fund state appropriation for fiscal~~  
28 ~~year 2009 is provided solely for implementation of))~~ (7) Within the  
29 funds appropriated in this section, the board shall implement Engrossed  
30 House Bill No. 2641 (education performance agreements). If the bill is  
31 not enacted by June 30, 2008, the amount provided in this subsection  
32 shall lapse.

33 ~~((9))~~ (8) The higher education coordinating board, the department  
34 of licensing, and the department of health shall jointly review and  
35 report to appropriate policy committees of the legislature by December  
36 1, 2008, on barriers and opportunities for increasing the extent to  
37 which veterans separating from duty are able to apply skills sets and

1 education required while in service to certification, licensure, and  
2 degree requirements.

3 ~~((10) \$100,000 of the general fund--state appropriation for fiscal~~  
4 ~~year 2009 is provided solely for the higher education coordinating~~  
5 ~~board to)) (9) Within the funds appropriated in this section, the board~~  
6 shall convene interested parties from Snohomish, Island, and Skagit  
7 counties to consider the November 2007 site options and recommendations  
8 for a new campus of the University of Washington in Snohomish county.  
9 The three local communities shall develop a consensus recommendation on  
10 a single preferred site and present the recommendation to the higher  
11 education coordinating board. The higher education coordinating board  
12 shall then present the single preferred site recommendation to the  
13 appropriate legislative fiscal and policy committees by December 1,  
14 2008.

15 **Sec. 604.** 2009 c 4 s 610 (uncodified) is amended to read as  
16 follows:

17 **FOR THE HIGHER EDUCATION COORDINATING BOARD--FINANCIAL AID AND GRANT**  
18 **PROGRAMS**

|    |   |                               |
|----|---|-------------------------------|
| 19 | General Fund--State Appropriation (FY 2008) . . . . . | \$163,286,000                 |
| 20 | General Fund--State Appropriation (FY 2009) . . . . . | \$188,498,000                 |
| 21 | General Fund--Federal Appropriation . . . . .         | \$13,113,000                  |
| 22 | Education Legacy Trust Account--State                 |                               |
| 23 | Appropriation . . . . .                               | <del>(((\$108,188,000))</del> |
| 24 |   | <u>\$106,588,000</u>          |
| 25 | TOTAL APPROPRIATION . . . . .                         | <del>(((\$473,085,000))</del> |
| 26 |   | <u>\$471,485,000</u>          |

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

29 (1) \$154,760,000 of the general fund--state appropriation for  
30 fiscal year 2008, \$178,707,000 of the general fund--state appropriation  
31 for fiscal year 2009, \$49,902,000 of the education legacy trust account  
32 appropriation for fiscal year 2008, \$40,050,000 of the education legacy  
33 trust account appropriation for fiscal year 2009, and \$2,886,000 of the  
34 general fund--federal appropriation are provided solely for student  
35 financial aid payments under the state need grant; the state work study  
36 program including a four percent administrative allowance; the  
37 Washington scholars program; and the Washington award for vocational

1 excellence. All four programs shall increase grant awards sufficiently  
2 to offset the full cost of the resident undergraduate tuition increases  
3 authorized under this act.

4 (2) Within the funds appropriated in this section, eligibility for  
5 the state need grant shall be expanded to include students with family  
6 incomes at or below 70 percent of the state median family income,  
7 adjusted for family size. Awards for students with incomes between 66  
8 percent and 70 percent of the state median shall be 50 percent of the  
9 award amount granted to those with incomes below 51 percent of the  
10 median.

11 ~~(3) ((To the extent that the executive director determines that the~~  
12 ~~agency will not award the full amount appropriated in subsection (1) of~~  
13 ~~this section for a fiscal year, unexpended funds shall be transferred~~  
14 ~~to the state education trust account established under RCW 28B.92.140~~  
15 ~~for purposes first of fulfilling the unfunded scholarship commitments~~  
16 ~~that the board made under its federal GEAR UP Grant 1.~~

17 ~~(4))~~ \$7,400,000 of the education legacy trust account  
18 appropriation is provided solely for investment to fulfill the  
19 scholarship commitments that the state incurs in accordance with Second  
20 Substitute Senate Bill No. 5098 (the college bound scholarship). If  
21 the bill is not enacted by June 30, 2007, the amount provided in this  
22 subsection shall lapse.

23 ~~((+5))~~ (4) \$2,500,000 of the education legacy trust account--state  
24 appropriation is provided solely to expand the gaining early awareness  
25 and readiness for undergraduate programs project to at least 25  
26 additional school districts.

27 ~~((+6))~~ (5) \$1,000,000 of the education legacy trust account--state  
28 appropriation is provided solely to encourage more students to teach  
29 secondary mathematics and science. \$500,000 of this amount is provided  
30 to increase the future teacher scholarship and conditional loan program  
31 by at least 35 students per year. \$500,000 of this amount is provided  
32 to support state work study positions for students to intern in  
33 secondary math and science classrooms.

34 ~~((+7) \$2,336,000))~~ (6) \$736,000 of the education legacy trust  
35 account--state appropriation for fiscal year 2009 is provided solely  
36 for implementation of Engrossed Substitute House Bill No. 1131  
37 (passport to college). Funds are provided for student scholarships,  
38 and for incentive payments to the colleges they attend for

1 individualized student support services which may include, but are not  
2 limited to, college and career advising, counseling, tutoring, costs  
3 incurred for students while school is not in session, personal  
4 expenses, health insurance, and emergency services. If the bill is not  
5 enacted by June 30, 2007, the amount provided in this subsection shall  
6 lapse.

7 ~~((+8+))~~ (7) \$246,000 of the general fund--state appropriation for  
8 fiscal year 2008 and \$246,000 of the general fund--state appropriation  
9 for fiscal year 2009 are for community scholarship matching grants and  
10 its administration. To be eligible for the matching grant, nonprofit  
11 groups organized under section 501(c)(3) of the federal internal  
12 revenue code must demonstrate they have raised at least \$2,000 in new  
13 moneys for college scholarships after the effective date of this  
14 section. Groups may receive no more than one \$2,000 matching grant per  
15 year and preference shall be given to groups affiliated with  
16 scholarship America. Up to a total of \$46,000 per year of the amount  
17 appropriated in this section may be awarded to a nonprofit community  
18 organization to administer scholarship matching grants, with preference  
19 given to an organization affiliated with scholarship America.

20 ~~((+9+))~~ (8) \$75,000 of the general fund--state appropriation for  
21 fiscal year 2008 and \$75,000 of the general fund--state appropriation  
22 for fiscal year 2009 are provided solely for higher education student  
23 child care matching grants under chapter 28B.135 RCW.

24 ~~((+10+))~~ (9) \$500,000 of the general fund--state appropriation for  
25 fiscal year 2008 and \$500,000 of the general fund--state appropriation  
26 for fiscal year 2009 are provided solely for implementation of  
27 Engrossed Substitute House Bill No. 1179 (state need grant). State  
28 need grants provided to students enrolled in just three to five  
29 credit-bearing quarter credits, or the equivalent semester credits,  
30 shall not exceed the amounts appropriated in this subsection. By  
31 November 1 of each year, the board shall report to the office of  
32 financial management and to the operating budget committees of the  
33 house of representatives and senate on the number of eligible but  
34 unserved students enrolled in just three to five quarterly credits, or  
35 the semester equivalent, and the estimated cost of serving them. If  
36 the bill is not enacted by June 30, 2007, the amounts provided in this  
37 subsection shall lapse.

1 ((+11+)) (10) \$5,000,000 of the education legacy trust account  
2 appropriation is provided solely to implement Engrossed Second  
3 Substitute House Bill No. 1779 (GET ready for math and science). If  
4 the bill is not enacted by June 30, 2007, the amount provided in this  
5 subsection shall lapse.

6 ((+12+)) (11) \$1,250,000 of the general fund--state appropriation  
7 for fiscal year 2009 is provided solely for the health professional  
8 scholarship and loan program. The funds provided in this subsection  
9 (a) shall be prioritized for health care deliver sites demonstrating a  
10 commitment to serving the uninsured; and (b) shall be allocated between  
11 loan repayments and scholarships proportional to current program  
12 allocations.

13 **Sec. 605.** 2009 c 4 s 613 (uncodified) is amended to read as  
14 follows:

15 **FOR THE DEPARTMENT OF EARLY LEARNING**

|    |   |                            |
|----|---|----------------------------|
| 16 | General Fund--State Appropriation (FY 2008) . . . . . | \$62,362,000               |
| 17 | General Fund--State Appropriation (FY 2009) . . . . . | \$69,120,000               |
| 18 | General Fund--Federal Appropriation . . . . .         | <del>(\$192,192,000)</del> |
| 19 |   | <u>\$202,483,000</u>       |
| 20 | General Fund--Private/Local Appropriation . . . . .   | \$6,000                    |
| 21 | TOTAL APPROPRIATION . . . . .                         | <del>(\$323,680,000)</del> |
| 22 |   | <u>\$333,971,000</u>       |

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

25 (1) \$47,919,000 of the general fund--state appropriation for fiscal  
26 year 2008 and \$56,437,000 of the general fund--state appropriation for  
27 fiscal year 2009 are provided solely for early childhood education and  
28 assistance program services.

29 (a) Of these amounts, \$10,284,000 is a portion of the biennial  
30 amount of state matching dollars required to receive federal child care  
31 and development fund grant dollars.

32 (b) Within the amounts provided in this subsection (1), the  
33 department shall increase the number of children receiving early  
34 childhood education and assistance program services by 2,250 slots.

35 (c) Within the amounts provided in this subsection (1), the  
36 department shall increase the minimum provider per slot payment to  
37 \$6,500 in fiscal year 2008. Any provider receiving slot payments

1 higher than \$6,500 shall receive a 2.0 percent vendor rate increase in  
2 fiscal year 2008. All providers shall receive a 2.0 percent vendor  
3 rate increase in fiscal year 2009.

4 (2) \$775,000 of the general fund--state appropriation for fiscal  
5 year 2008 and \$1,825,000 of the general fund--state appropriation for  
6 fiscal year 2009 are provided solely to: (a) Develop a quality rating  
7 and improvement system; and (b) pilot the quality rating and  
8 improvement system in multiple locations. Four of the pilot sites are  
9 to be located within the following counties: Spokane, Kitsap, King, and  
10 Yakima. The department shall analyze and evaluate the pilot sites and  
11 report initial findings to the legislature by December 1, 2008. Prior  
12 to statewide implementation of the quality rating and improvement  
13 system, the department of early learning shall present the system to  
14 the legislature and the legislature shall formally approve the  
15 implementation of the system through the omnibus appropriations act or  
16 by statute or concurrent resolution.

17 (3) \$850,000 of the general fund--state appropriation for fiscal  
18 year 2008 and \$850,000 of the general fund--state appropriation for  
19 fiscal year 2009 are provided solely for the department to contract for  
20 child care referral services.

21 (4) \$1,200,000 of the general fund--state appropriation for fiscal  
22 year 2008 and \$800,000 of the general fund--state appropriation for  
23 fiscal year 2009 are provided solely to develop and provide culturally  
24 relevant supports for parents, family, and other caregivers. This  
25 includes funding for the department to conduct a random sample survey  
26 of parents to determine the types of early learning services and  
27 materials parents are interested in receiving from the state. The  
28 department shall report the findings to the appropriate policy and  
29 fiscal committees of the legislature by October 1, 2008.

30 (5) \$250,000 of the general fund--state appropriation for fiscal  
31 year 2008 and \$250,000 of the general fund--state appropriation for  
32 fiscal year 2009 are provided solely for a child care consultation  
33 pilot program linking child care providers with evidence-based and best  
34 practice resources regarding caring for infants and young children who  
35 present behavior concerns.

36 (6) \$500,000 of the general fund--state appropriation for fiscal  
37 year 2008 and (~~(\$500,000)~~) \$400,000 of the general fund--state

1 appropriation for fiscal year 2009 are provided solely to expand the  
2 child care career and wage ladder program created by chapter 507, Laws  
3 of 2005.

4 (7) \$172,000 of the general fund--state appropriation for fiscal  
5 year 2008 is provided solely for the department to purchase licensing  
6 capability from the department of social and health services through  
7 the statewide automated child welfare information system.

8 (8) \$1,100,000 of the general fund--state appropriation for fiscal  
9 year 2008 and (~~(\$1,100,000)~~) \$1,025,000 of the general fund--state  
10 appropriation for fiscal year 2009 are provided solely for a childcare  
11 grant program for public community colleges and public universities.  
12 A community college or university that employs collectively bargained  
13 staff to operate childcare programs may apply for up to \$25,000 per  
14 year from the department per each type of the following programs: Head  
15 start, childcare, early childhood assistance and education. The  
16 funding shall only be provided for salaries for collectively bargained  
17 employees.

18 (9) Beginning October 1, 2007, the department shall be the lead  
19 agency for and recipient of the federal child care and development fund  
20 grant. Amounts within this grant shall be used to fund child care  
21 licensing, quality initiatives, agency administration, and other costs  
22 associated with child care subsidies. The department shall transfer a  
23 portion of this grant to the department of social and health services  
24 to partially fund the child care subsidies paid by the department of  
25 social and health services on behalf of the department of early  
26 learning.

27 (10) Prior to the development of an early learning information  
28 system, the department shall submit to the education and fiscal  
29 committees of the legislature a completed feasibility study and a  
30 proposal approved by the department of information systems and the  
31 information services board. The department shall ensure that any  
32 proposal for the early learning information system includes the cost  
33 for modifying the system as a result of licensing rule changes and  
34 implementation of the quality rating and improvement system.

35 (11) The department, in conjunction with the early learning  
36 advisory council, shall report by June 30, 2009, to the governor and  
37 the appropriate committees of the legislature regarding the following:

1 (a) Administration of the state training and registry system,  
2 including annual expenditures, participants, and average hours of  
3 training provided per participant; and

4 (b) An evaluation of the child care resource and referral network  
5 in providing information to parents and training and technical  
6 assistance to child care providers.

7 (12) The department shall use child care development fund money to  
8 satisfy the federal audit requirement of the improper payments act  
9 (IPIA) of 2002. In accordance with the IPIA's rules, the money spent  
10 on the audits will not count against the five percent state limit on  
11 administrative expenditures.

12 (13) \$150,000 of the general fund--state appropriation for fiscal  
13 year 2009 is provided solely for the department of early learning to  
14 work with the office of the superintendent of public instruction, and  
15 collaborate with thrive by five Washington, to study and make  
16 recommendations regarding the implementation of a statewide  
17 kindergarten entry assessment. The department and the office of the  
18 superintendent of public instruction shall jointly submit a report with  
19 recommendations for implementing the kindergarten entry assessment to  
20 the governor and the appropriate committees of the legislature by  
21 December 15, 2008. In the study and development of the  
22 recommendations, the department shall:

23 (a) Consult with early learning experts, including research and  
24 educator associations, early learning and kindergarten teachers, and  
25 Washington Indian tribes;

26 (b) Identify a preferred kindergarten entry assessment based on  
27 research and examples of other assessments, and which is sensitive to  
28 cultural and socioeconomic differences influencing the development of  
29 young children;

30 (c) Recommend a plan for the use of the assessment in a pilot phase  
31 and a voluntary use phase, and recommend a time certain when school  
32 districts must offer the assessment;

33 (d) Recommend how to report the results of the assessment to  
34 parents, the office of the superintendent of public instruction, and  
35 the department of early learning in a common format, and for a  
36 methodology for conducting the assessments;

37 (e) Analyze how the assessment could be used to improve instruction



1 for individual students entering kindergarten and identify whether and  
2 how the assessment results could be used to improve the early learning  
3 and K-12 systems, including the transition between the systems;

4 (f) Identify the costs of the assessment, including the time  
5 required to administer the assessment; and

6 (g) Recommend how to ensure that the assessment shall not be used  
7 to screen or otherwise preclude children from entering kindergarten if  
8 they are otherwise eligible.

9 (14) \$120,000 of the general fund--state appropriation for fiscal  
10 year 2009 is provided solely for encouraging private match investment  
11 for innovative, existing local early learning coalitions to achieve one  
12 or more of the following:

13 (a) Increase communities' abilities to implement their business  
14 plans for comprehensive local and regional early learning systems;

15 (b) Involve parents in their children's education;

16 (c) Enhance coordination between the early childhood and K-12  
17 system; or

18 (d) Improve training and support for raising the level of child  
19 care givers' professional skills to ensure that children are healthy  
20 and ready to succeed in school and life.

21 **Sec. 606.** 2009 c 4 s 614 (uncodified) is amended to read as  
22 follows:

23 **FOR THE STATE SCHOOL FOR THE BLIND**

|    |   |                           |
|----|---|---------------------------|
| 24 | General Fund--State Appropriation (FY 2008) . . . . . | \$5,969,000               |
| 25 | General Fund--State Appropriation (FY 2009) . . . . . | <del>(\$6,069,000)</del>  |
| 26 |   | <u>\$6,135,000</u>        |
| 27 | General Fund--Private/Local Appropriation . . . . .   | \$1,561,000               |
| 28 | TOTAL APPROPRIATION . . . . .                         | <del>(\$13,599,000)</del> |
| 29 |   | <u>\$13,665,000</u>       |

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

32 (1) \$10,000 of the general fund--state appropriation for fiscal  
33 year 2008 and \$40,000 of the general fund--state appropriation for  
34 fiscal year 2009 are provided solely to defend the state's interpretive  
35 position in the case of *Delyria & Koch v. Washington State School for*  
36 *the Blind*.

1 (2) \$5,000 of the general fund--state appropriation for fiscal year  
2 2009 is provided solely for increasing salaries for certificated  
3 instructional staff by an average of one-half of one percent effective  
4 July 1, 2008.

5 **Sec. 607.** 2009 c 4 s 615 (uncodified) is amended to read as  
6 follows:

7 **FOR THE STATE SCHOOL FOR THE DEAF**

|    |   |                           |
|----|---|---------------------------|
| 8  | General Fund--State Appropriation (FY 2008) . . . . . | \$8,858,000               |
| 9  | General Fund--State Appropriation (FY 2009) . . . . . | <del>(\$8,764,000)</del>  |
| 10 |   | <u>\$8,792,000</u>        |
| 11 | General Fund--Private/Local Appropriation . . . . .   | \$316,000                 |
| 12 | TOTAL APPROPRIATION . . . . .                         | <del>(\$17,938,000)</del> |
| 13 |   | <u>\$17,966,000</u>       |

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

16 (1) \$84,000 of the general fund--private/local appropriation for  
17 fiscal year 2009 is provided solely for the operation of the shared  
18 reading video outreach program. The school for the deaf shall provide  
19 this service to the extent it is funded by contracts with school  
20 districts and educational service districts.

21 (2) \$9,000 of the general fund--state appropriation for fiscal year  
22 2009 is provided solely for increasing salaries for certificated  
23 instructional staff by an average of one-half of one percent effective  
24 July 1, 2008.

25 **Sec. 608.** 2009 c 4 s 616 (uncodified) is amended to read as  
26 follows:

27 **FOR THE WASHINGTON STATE ARTS COMMISSION**

|    |   |                          |
|----|---|--------------------------|
| 28 | General Fund--State Appropriation (FY 2008) . . . . . | \$2,548,000              |
| 29 | General Fund--State Appropriation (FY 2009) . . . . . | \$2,454,000              |
| 30 | General Fund--Federal Appropriation . . . . .         | <del>(\$1,382,000)</del> |
| 31 |   | <u>\$1,518,000</u>       |
| 32 | General Fund--Private/Local Appropriation . . . . .   | \$154,000                |
| 33 | TOTAL APPROPRIATION . . . . .                         | <del>(\$6,538,000)</del> |
| 34 |   | <u>\$6,674,000</u>       |

(End of part)

PART VII

SPECIAL APPROPRIATIONS

Sec. 701. 2008 c 329 s 701 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT SUBJECT TO THE DEBT LIMIT

Table with 2 columns: Description and Amount. Rows include General Fund--State Appropriation (FY 2008), General Fund--State Appropriation (FY 2009), State Building Construction Account--State Appropriation, Columbia River Basin Water Supply Development Account--State Appropriation, Hood Canal Aquatic Rehabilitation Bond Account--State Appropriation, State Taxable Building Construction Account--State Appropriation, Gardner-Evans Higher Education Construction Account--State Appropriation, Debt-Limit Reimbursable Bond Retire Account--State Appropriation, and TOTAL APPROPRIATION.

The appropriations in this section are subject to the following conditions and limitations: The general fund appropriations are for expenditure into the debt-limit general fund bond retirement account. The entire general fund--state appropriation for fiscal year 2008 shall be expended into the debt-limit general fund bond retirement account by June 30, 2008.

Sec. 702. 2008 c 329 s 702 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING

1 **BOND REGISTRATION AND TRANSFER CHARGES: FOR GENERAL OBLIGATION DEBT TO**  
2 **BE REIMBURSED BY ENTERPRISE ACTIVITIES**  
3 State Convention and Trade Center Account--State  
4 Appropriation . . . . . \$22,535,000  
5 Accident Account--State Appropriation . . . . . ((~~\$5,135,000~~))  
6 \$5,136,000  
7 Medical Aid Account--State Appropriation . . . . . ((~~\$5,135,000~~))  
8 \$5,136,000  
9 TOTAL APPROPRIATION . . . . . ((~~\$32,805,000~~))  
10 \$32,807,000

11 **Sec. 703.** 2008 c 329 s 703 (uncodified) is amended to read as  
12 follows:

13 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**  
14 **BOND REGISTRATION AND TRANSFER CHARGES: FOR GENERAL OBLIGATION DEBT TO**  
15 **BE REIMBURSED AS PRESCRIBED BY STATUTE**

16 General Fund--State Appropriation (FY 2008) . . . . . \$26,848,000  
17 General Fund--State Appropriation (FY 2009) . . . . . ((~~\$27,728,000~~))  
18 \$27,729,000  
19 School Construction and Skill Centers Building  
20 Account--State Appropriation . . . . . \$50,000  
21 Nondebt-Limit Reimbursable Bond Retirement  
22 Account--State Appropriation . . . . . ((~~\$135,967,000~~))  
23 \$136,147,000  
24 TOTAL APPROPRIATION . . . . . ((~~\$190,543,000~~))  
25 \$190,774,000

26 The appropriations in this section are subject to the following  
27 conditions and limitations: The general fund appropriation is for  
28 expenditure into the nondebt-limit general fund bond retirement  
29 account. The entire general fund--state appropriation for fiscal year  
30 2008 shall be expended into the nondebt-limit general fund bond  
31 retirement account by June 30, 2008.

32 **Sec. 704.** 2008 c 329 s 704 (uncodified) is amended to read as  
33 follows:

34 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**

|    |   |                                   |
|----|---|-----------------------------------|
| 1  | <b>BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES</b> |                                   |
| 2  | General Fund--State Appropriation (FY 2008) . . . . .                 | \$750,000                         |
| 3  | General Fund--State Appropriation (FY 2009) . . . . .                 | \$750,000                         |
| 4  | State Building Construction Account--State                            |                                   |
| 5  | Appropriation . . . . .   | \$1,546,000                       |
| 6  | Columbia River Basin Water Supply Development                         |                                   |
| 7  | Account--State Appropriation . . . . .                                | \$17,000                          |
| 8  | Hood Canal Aquatic Rehabilitation Bond                                |                                   |
| 9  | Account--State Appropriation . . . . .                                | \$3,000                           |
| 10 | State Taxable Building Construction                                   |                                   |
| 11 | Account--State Appropriation . . . . .                                | \$122,000                         |
| 12 | Gardner-Evans Higher Education Construction                           |                                   |
| 13 | Account--State Appropriation . . . . .                                | \$452,000                         |
| 14 | <u>School Construction and Skill Centers Building</u>                 |                                   |
| 15 | <u>Account--State Appropriation . . . . .</u>                         | <u>\$9,000</u>                    |
| 16 | TOTAL APPROPRIATION . . . . .   | <u>((<del>\$3,640,000</del>))</u> |
| 17 |   | <u>\$3,649,000</u>                |

18       **Sec. 705.** 2008 c 329 s 705 (uncodified) is amended to read as  
19 follows:

|    |  |                                       |
|----|--|---------------------------------------|
| 20 | <b>FOR THE OFFICE OF FINANCIAL MANAGEMENT--FIRE CONTINGENCY POOL</b> |                                       |
| 21 | Disaster Response Account--State Appropriation . . . . .             | <del>((<del>\$8,500,000</del>))</del> |
| 22 |  | <u>\$9,500,000</u>                    |

23       The appropriation in this section is subject to the following  
24 conditions and limitations: The entire appropriation is for the  
25 purpose of making allocations to the Washington state patrol for any  
26 Washington state fire service resource mobilization costs incurred in  
27 response to an emergency or disaster authorized under RCW 43.43.960 and  
28 43.43.964.

29       **Sec. 706.** 2008 c 329 s 706 (uncodified) is amended to read as  
30 follows:

|    |   |                                       |
|----|---|---------------------------------------|
| 31 | <b>FOR THE OFFICE OF FINANCIAL MANAGEMENT--FIRE CONTINGENCY</b> |                                       |
| 32 | General Fund--State Appropriation (FY 2008) . . . . .           | \$6,500,000                           |
| 33 | General Fund--State Appropriation (FY 2009) . . . . .           | <del>((<del>\$2,000,000</del>))</del> |
| 34 |   | <u>\$3,000,000</u>                    |
| 35 | TOTAL APPROPRIATION . . . . .                                   | <u>((<del>\$8,500,000</del>))</u>     |
| 36 |   | <u>\$9,500,000</u>                    |

1 The appropriations in this section are subject to the following  
2 conditions and limitations: The appropriations are provided solely for  
3 expenditure into the disaster response account for the purposes  
4 specified in section 705 of this act.

5 **Sec. 707.** 2008 c 329 s 707 (uncodified) is amended to read as  
6 follows:

7 **FOR SUNDRY CLAIMS.** The following sums, or so much thereof as may  
8 be necessary, are appropriated from the general fund, unless otherwise  
9 indicated, for relief of various individuals, firms, and corporations  
10 for sundry claims. These appropriations are to be disbursed on  
11 vouchers approved by the director of financial management, except as  
12 otherwise provided, as follows:

13 (1) Reimbursement of criminal defendants acquitted on the basis of  
14 self-defense, pursuant to RCW 9A.16.110:

- 15 (a) George E. Linkenhoker, claim number SCJ 2008-01 . . . . \$24,628
- 16 (b) Charles A. Gardner, claim number SCJ 2008-02 . . . . . \$ 2,715
- 17 (c) Judd Hurst, claim number SCJ 2008-03 . . . . . \$ 2,000
- 18 (d) Thomas J. Nelson, claim number SCJ 2008-04 . . . . . \$ 5,000
- 19 (e) William R. Sauters, Jr., claim number  
20 SCJ 2008-05 . . . . . \$11,408
- 21 (f) Michael E. Greene, claim number SCJ 2008-06 . . . . . \$ 1,500
- 22 (g) Jeffery A. Cobb, claim number SCJ 2008-08 . . . . . \$ 7,600
- 23 (h) Robert R. Park, claim number SCJ 2008-09 . . . . . \$26,385
- 24 (i) Donald Willett, claim number SCJ 2008-11 . . . . . \$6,600
- 25 (j) Antonio Perez, claim number SCJ 2009-01 . . . . . \$7,179
- 26 (k) James D. Romans, claim number SCJ 2009-02 . . . . . \$4,481
- 27 (l) Michael V. Shong, claim number SCJ 2009-03 . . . . . \$15,118
- 28 (m) Gerald A. Tinkess, claim number SCJ 2009-04 . . . . . \$68,865
- 29 (n) Linh D. Hguyen, claim number SCJ 2009-05 . . . . . \$4,000
- 30 (o) Rafael R. Robinson, claim number SCJ 2009-06 . . . . . \$7,200
- 31 (p) Anthony J. Magnesi, claim number SCJ 2009-07 . . . . . \$74,888
- 32 (q) Jerry Startzell, claim number 99970000 . . . . . \$12,975

33 (2) Payment from the state wildlife account for damage to crops by  
34 wildlife pursuant to RCW 77.36.050:

- 35 (a) David Guenther, claim number 99970001 . . . . . \$3,660
- 36 (b) Wilbur Eaton, claim number 99970002 . . . . . \$3,069
- 37 (c) Eaton Brothers, claim number 99970003 . . . . . \$2,809



|   |   |   |
|---|---|---|
| 1 | Appropriation (FY 2008) . . . . .                                 | \$1,000                                 |
| 2 | Violence Reduction and Drug Enforcement Account--State            |   |
| 3 | Appropriation (FY 2009) . . . . .                                 | \$1,000                                 |
| 4 | Health Services Account--State Appropriation (FY 2008) . . . . .  | \$7,000                                 |
| 5 | Health Services Account--State Appropriation (FY 2009) . . . . .  | \$7,000                                 |
| 6 | <del>((Dedicated Funds and Accounts Appropriation . . . . .</del> | <del>\$640,000))</del>                  |
| 7 | TOTAL APPROPRIATION . . . . .                                     | <del>((</del> \$5,301,000) <del>)</del> |
| 8 |   | <u>\$4,661,000</u>                      |

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

11 (1) The appropriations are provided solely for expenditure into the  
12 health care authority administrative account.

13 (2) To facilitate the transfer of moneys from dedicated funds and  
14 accounts, the office of financial management shall transfer or direct  
15 the transfer of sufficient moneys from each dedicated fund or account,  
16 including local funds of state agencies and institutions of higher  
17 education, to the health care authority administrative account in  
18 accordance with LEAP document number C04-2008, dated March 10, 2008.  
19 Agencies and institutions of higher education with local funds will  
20 deposit sufficient money to the health care authority administrative  
21 account.

22 NEW SECTION. **Sec. 710.** A new section is added to 2007 c 522  
23 (uncodified) to read as follows:

24 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--CAPITOL BUILDING CONSTRUCTION**  
25 **ACCOUNT**

26 General Fund--State Appropriation (FY 2009) . . . . . \$5,512,000

27 The appropriation in this section is subject to the following  
28 conditions and limitations: The appropriation is provided solely for  
29 expenditure into the capitol building construction account.

30 NEW SECTION. **Sec. 711.** A new section is added to 2007 c 522  
31 (uncodified) to read as follows:

32 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--HELP AMERICA VOTE ACT**

33 General Fund--State Appropriation (FY 2009) . . . . . \$228,000

34 The appropriation in this section is subject to the following



1 conditions and limitations: The appropriation is provided solely for  
2 expenditure into the election account.

3 NEW SECTION. **Sec. 712.** A new section is added to 2007 c 522  
4 (uncodified) to read as follows:

5 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--CLARKE-MCNARY ACCOUNT**  
6 General Fund--State Appropriation (FY 2009) . . . . . \$1,353,000

7 The appropriation in this section is subject to the following  
8 conditions and limitations: The appropriation is provided solely for  
9 expenditure into the Clarke-McNary account.

10 NEW SECTION. **Sec. 713.** A new section is added to 2007 c 522  
11 (uncodified) to read as follows:

12 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--BUDGET STABILIZATION ACCOUNT**  
13 Budget Stabilization Account--State Appropriation . . . . \$400,000,000

14 The appropriation in this section is subject to the following  
15 conditions and limitations: The appropriation is provided solely for  
16 expenditure into the state general fund.

(End of part)

PART VIII

OTHER TRANSFERS AND APPROPRIATIONS

Sec. 801. 2009 c 4 s 801 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--STATE REVENUES FOR DISTRIBUTION

General Fund Appropriation for fire insurance premium distributions . . . . . ((~~\$7,654,000~~))
\$7,499,000

General Fund Appropriation for public utility district excise tax distributions . . . . . ((~~\$47,557,000~~))
\$46,743,000

General Fund Appropriation for prosecuting attorney distributions. Of this amount, \$903,000 is provided solely for the implementation of Substitute Senate Bill No. 6297 (prosecuting attorney salaries). If the bill is not enacted by June 30, 2008, the amount provided shall lapse. . . . . ((~~\$4,902,000~~))
\$4,829,000

General Fund Appropriation for boating safety and education distributions . . . . . ((~~\$4,400,000~~))
\$4,491,000

General Fund Appropriation for other tax distributions . . . . . ((~~\$48,000~~))
\$47,000

General Fund Appropriation for habitat conservation program distributions . . . . . ((~~\$1,245,000~~))
\$2,296,000

Columbia River Water Delivery Account Appropriation for the Confederated Tribes of the Colville Reservation. This amount is provided solely for implementation of Engrossed Substitute Senate Bill No. 6874 (Columbia River water delivery). If the bill is not enacted by June 30, 2008, this amount

1 shall lapse. . . . . \$3,775,000  
2 Columbia River Water Delivery Account  
3 Appropriation for the Spokane Tribe  
4 of Indians. This amount is provided  
5 solely for implementation of Engrossed  
6 Substitute Senate Bill No. 6874 (Columbia  
7 River water delivery). If the bill is  
8 not enacted by June 30, 2008, this amount  
9 shall lapse. . . . . \$2,250,000  
10 Death Investigations Account Appropriation for  
11 distribution to counties for publicly  
12 funded autopsies . . . . . ((~~\$2,192,000~~))  
13 \$2,352,000  
14 Aquatic Lands Enhancement Account Appropriation  
15 for harbor improvement revenue distribution . . . . . \$148,000  
16 Timber Tax Distribution Account Appropriation  
17 for distribution to "timber" counties . . . . . ((~~\$77,753,000~~))  
18 \$65,089,000  
19 County Criminal Justice Assistance Appropriation . . . . . ((~~\$62,127,000~~))  
20 \$62,778,000  
21 Municipal Criminal Justice Assistance  
22 Appropriation . . . . . ((~~\$24,636,000~~))  
23 \$24,375,000  
24 Liquor Excise Tax Account Appropriation for  
25 liquor excise tax distribution . . . . . ((~~\$49,397,000~~))  
26 \$55,244,000  
27 Liquor Revolving Account Appropriation for liquor  
28 profits distribution . . . . . ((~~\$82,148,000~~))  
29 \$69,817,000  
30 City-County Assistance Account Appropriation for local  
31 government financial assistance distribution;  
32 PROVIDED: That the legislature, in making this  
33 appropriation for distribution under the formula  
34 prescribed in RCW 43.08.290 for the 2007-09  
35 biennium, ratifies and approves the prior  
36 distributions, as certified by the department  
37 of revenue to the state treasurer, made for the  
38 2005-07 biennium from the appropriation in

1 section 801, chapter 372, Laws of 2006 as amended  
2 by section 1701, chapter 522, Laws of 2007 . . . . . (~~(\$29,865,000)~~)  
3 \$22,679,000  
4 Streamline Sales and Use Tax Account Appropriation  
5 for distribution to local taxing jurisdictions  
6 to mitigate the unintended revenue redistribution  
7 effect of the sourcing law changes . . . . . \$22,980,000  
8 TOTAL APPROPRIATION . . . . . (~~(\$423,077,000)~~)  
9 \$.....

10 The total expenditures from the state treasury under the  
11 appropriations in this section shall not exceed the funds available  
12 under statutory distributions for the stated purposes.

13 **Sec. 802.** 2007 c 522 s 802 (uncodified) is amended to read as  
14 follows:

15 **FOR THE STATE TREASURER--FOR THE COUNTY CRIMINAL JUSTICE ASSISTANCE**  
16 **ACCOUNT**  
17 Impaired Driving Safety Account Appropriation . . . . . (~~(\$2,174,000)~~)  
18 \$3,050,000

19 The appropriation in this section is subject to the following  
20 conditions and limitations: The amount appropriated in this section  
21 shall be distributed quarterly during the 2007-09 biennium in  
22 accordance with RCW 82.14.310. This funding is provided to counties  
23 for the costs of implementing criminal justice legislation including,  
24 but not limited to: Chapter 206, Laws of 1998 (drunk driving  
25 penalties); chapter 207, Laws of 1998 (DUI penalties); chapter 208,  
26 Laws of 1998 (deferred prosecution); chapter 209, Laws of 1998  
27 (DUI/license suspension); chapter 210, Laws of 1998 (ignition interlock  
28 violations); chapter 211, Laws of 1998 (DUI penalties); chapter 212,  
29 Laws of 1998 (DUI penalties); chapter 213, Laws of 1998 (intoxication  
30 levels lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter  
31 215, Laws of 1998 (DUI provisions).

32 **Sec. 803.** 2007 c 522 s 803 (uncodified) is amended to read as  
33 follows:

34 **FOR THE STATE TREASURER--FOR THE MUNICIPAL CRIMINAL JUSTICE ASSISTANCE**

1 **ACCOUNT**

2 Impaired Driving Safety Account Appropriation . . . . . ((~~\$1,449,000~~))  
3 \$2,033,000

4 The appropriation in this section is subject to the following  
5 conditions and limitations: The amount appropriated in this section  
6 shall be distributed quarterly during the 2007-09 biennium to all  
7 cities ratably based on population as last determined by the office of  
8 financial management. The distributions to any city that substantially  
9 decriminalizes or repeals its criminal code after July 1, 1990, and  
10 that does not reimburse the county for costs associated with criminal  
11 cases under RCW 3.50.800 or 3.50.805(2), shall be made to the county in  
12 which the city is located. This funding is provided to cities for the  
13 costs of implementing criminal justice legislation including, but not  
14 limited to: Chapter 206, Laws of 1998 (drunk driving penalties);  
15 chapter 207, Laws of 1998 (DUI penalties); chapter 208, Laws of 1998  
16 (deferred prosecution); chapter 209, Laws of 1998 (DUI/license  
17 suspension); chapter 210, Laws of 1998 (ignition interlock violations);  
18 chapter 211, Laws of 1998 (DUI penalties); chapter 212, Laws of 1998  
19 (DUI penalties); chapter 213, Laws of 1998 (intoxication levels  
20 lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter 215,  
21 Laws of 1998 (DUI provisions).

22 **Sec. 804.** 2007 c 522 s 804 (uncodified) is amended to read as  
23 follows:

24 **FOR THE STATE TREASURER--FEDERAL REVENUES FOR DISTRIBUTION**

25 General Fund Appropriation for federal  
26 grazing fees distribution . . . . . ((~~\$2,950,000~~))  
27 \$3,145,000

28 General Fund Appropriation for federal flood  
29 control funds distribution . . . . . ((~~\$74,000~~))  
30 \$69,000

31 Forest Reserve Fund Appropriation for federal  
32 forest reserve fund distribution . . . . . ((~~\$84,500,000~~))  
33 \$85,201,000

34 TOTAL APPROPRIATION . . . . . ((~~\$87,524,000~~))  
35 \$88,415,000

36 The total expenditures from the state treasury under the

1 appropriations in this section shall not exceed the funds available  
2 under statutory distributions for the stated purposes.

3 **Sec. 805.** 2009 c 4 s 802 (uncodified) is amended to read as  
4 follows:

5 **FOR THE STATE TREASURER--TRANSFERS.**

6 State Treasurer's Service Account: For  
7 transfer to the state general fund,  
8 \$10,000,000 for fiscal year 2008 and  
9 \$31,000,000 for fiscal year  
10 2009 . . . . . \$41,000,000

11 Education Legacy Trust Account: For transfer to  
12 the state general fund for fiscal year 2009 . . . . . ((\$67,000,000))  
13 \$66,000,000

14 ~~((Pension Funding Stabilization Account: For~~  
15 ~~transfer to the state general fund for~~  
16 ~~fiscal year 2009 . . . . . \$10,000,000))~~

17 Economic Development Strategic Reserve Account:  
18 For transfer to the state general fund for  
19 fiscal year 2009 . . . . . \$4,000,000

20 State Convention and Trade Center Operations Account:  
21 For transfer to the state general fund on June 30,  
22 2009 . . . . . \$5,000,000

23 State Convention and Trade Center Capital Account:  
24 For transfer to the state general fund on  
25 June 30, 2009 . . . . . \$52,000,000

26 After the transfers in this section are made from  
27 the state convention and trade center operations  
28 and capital accounts, these accounts will  
29 have sufficient funds for: (1) A ten million  
30 dollar requirement for the retrofit of the museum  
31 of history and industry; (2) the requirements of  
32 RCW 67.40.040(5) and 67.40.040(6); and (3) a  
33 sufficient capital reserve. After the transfer  
34 is made, the capital reserve may be applicable for  
35 payment of debt service or operating shortfalls.

36 Department of Retirement Systems Expense Account:  
37 For transfer to the state general fund for

|    |  |                                |
|----|--|--------------------------------|
| 1  | fiscal year 2009 . . . . .   | \$11,200,000                   |
| 2  | General Fund: For transfer to the water                              |                                |
| 3  | quality account, \$12,200,000 for fiscal year                        |                                |
| 4  | 2008 and ( <del>(\$12,201,000)</del> ) <u>\$7,851,000</u> for fiscal |                                |
| 5  | year 2009 . . . . .  | ( <del>(\$24,401,000)</del> )  |
| 6  |  | <u>\$20,051,000</u>            |
| 7  | Education Legacy Trust Account: For transfer                         |                                |
| 8  | to the student achievement account for                               |                                |
| 9  | fiscal year 2009 . . . . .   | \$90,800,000                   |
| 10 | Drinking Water Assistance Account: For transfer                      |                                |
| 11 | to the drinking water assistance repayment                           |                                |
| 12 | account, an amount not to exceed . . . . .                           | ( <del>(\$25,000,000)</del> )  |
| 13 |  | <u>\$24,000,000</u>            |
| 14 | Public Works Assistance Account: For transfer                        |                                |
| 15 | to the drinking water assistance account,                            |                                |
| 16 | \$7,200,000 for fiscal year 2008 and                                 |                                |
| 17 | \$3,600,000 for fiscal year 2009 . . . . .                           | \$10,800,000                   |
| 18 | Public Works Assistance Account: For transfer                        |                                |
| 19 | to the job development account, \$25,000,000                         |                                |
| 20 | for fiscal year 2008 and \$25,000,000 for                            |                                |
| 21 | fiscal year 2009 . . . . .   | \$50,000,000                   |
| 22 | State Toxics Control Account: For transfer to                        |                                |
| 23 | the oil spill prevention account for                                 |                                |
| 24 | fiscal year 2009 . . . . .   | \$2,400,000                    |
| 25 | <u>State Toxics Control Account: For transfer to the</u>             |                                |
| 26 | <u>state general fund for fiscal year 2009 . . . . .</u>             | <u>\$2,000,000</u>             |
| 27 | Tobacco Settlement Account: For transfer                             |                                |
| 28 | to the health services account, in an                                |                                |
| 29 | amount not to exceed the actual amount                               |                                |
| 30 | of the annual base payment to the tobacco                            |                                |
| 31 | settlement account . . . . .   | ( <del>(\$168,111,000)</del> ) |
| 32 |  | <u>\$178,373,000</u>           |
| 33 | Tobacco Settlement Account: For transfer to the                      |                                |
| 34 | life sciences discovery fund, in an amount                           |                                |
| 35 | not to exceed the actual amount of the                               |                                |
| 36 | strategic contribution supplemental payment                          |                                |
| 37 | to the tobacco settlement account . . . . .                          | ( <del>(\$70,000,000)</del> )  |
| 38 |  | <u>\$64,000,000</u>            |

1 Health Services Account: For transfer to the water  
2 quality account, \$3,942,500 for fiscal year 2008  
3 and \$3,942,500 for fiscal year 2009 . . . . . \$7,885,000  
4 Health Services Account: For transfer to the violence  
5 reduction and drug enforcement account, \$3,466,000  
6 for fiscal year 2008 and \$3,466,000 for fiscal year  
7 2009 . . . . . \$6,932,000  
8 Health Services Account: For transfer to the tobacco  
9 prevention and control account,  
10 \$10,523,000 for fiscal year 2008 and (~~(\$10,168,000)~~)  
11 \$9,601,000 for fiscal year 2009 . . . . . (~~(\$20,691,000)~~)  
12 \$20,124,000  
13 General Fund: For transfer to the streamline  
14 sales and use tax account for fiscal year 2009 . . . . . \$31,600,000  
15 (~~(General Fund: For transfer to the health services~~  
16 ~~account for fiscal year 2009 . . . . . \$53,000,000)~~)  
17 Nisqually Earthquake Account: For transfer to the  
18 disaster response account for fiscal year 2008 . . . . . \$3,000,000  
19 Public Safety and Education Account: For transfer to  
20 the state general fund for fiscal year 2009 . . . . . \$6,000,000  
21 Reading Achievement Account: For transfer to the  
22 state general fund, an amount not to exceed the  
23 actual balance of the reading achievement account.  
24 This transfer is intended to liquidate the reading  
25 achievement account . . . . . \$1,691,000  
26 Family Leave Insurance Account: For transfer to  
27 the state general fund, an amount not to exceed  
28 the actual balance of the family leave insurance  
29 account on the effective date of this section. . . . . \$4,458,000  
30 Streamline Sales Tax Account: For transfer to the  
31 state general fund on June 30, 2009, an amount not  
32 to exceed the actual balance of the streamline sales  
33 tax account. . . . . \$8,620,000  
34 Savings Incentive Account: For transfer to the state  
35 general fund for fiscal year 2009 . . . . . \$9,204,000  
36 Education Savings Account: For transfer to the state  
37 general fund for fiscal year 2009 . . . . . \$51,088,000  
38 Pension Funding Stabilization Account: For transfer to the



1        state general fund on June 30, 2009, an amount not  
2        to exceed the actual balance of the pension funding  
3        stabilization account. This transfer is intended  
4        to liquidate the pension funding stabilization  
5        account . . . . . \$12,400,000  
6        Judicial Information System Account: For transfer to  
7        the state general fund for fiscal year 2009 . . . . . \$5,000,000  
8        Aquatic Lands Enhancement Account: For transfer to the  
9        state general fund for fiscal year  
10       2009 . . . . . \$1,500,000  
11       Natural Resources Equipment Account: For transfer to  
12       the state general fund for fiscal year  
13       2009 . . . . . \$3,300,000  
14       Site Closure Account: For transfer to the state  
15       general fund for fiscal year 2009 . . . . . \$3,000,000  
16       Employment Training Finance Account: For transfer to the  
17       state general fund for fiscal year 2009. After the  
18       transfer in this section is made, the employment  
19       training finance account shall have a balance of  
20       \$175,000 to continue customized training program  
21       activities . . . . . \$3,000,000  
22       College Faculty Awards Trust Fund: For transfer to the  
23       state general fund for fiscal year 2009, an amount  
24       not to exceed the actual balance of the college  
25       faculty awards trust fund. This transfer is intended  
26       to liquidate the college faculty awards trust  
27       fund . . . . . \$4,900,000  
28       Washington Distinguished Professorship Trust Account:  
29       For transfer to the state general fund for fiscal  
30       year 2009, an amount not to exceed the actual  
31       balance of the Washington distinguished professorship  
32       trust account. This transfer is intended to  
33       liquidate the Washington distinguished professorship  
34       trust account . . . . . \$5,000,000  
35       Washington Graduate Fellowship Trust Account: For  
36       transfer to the state general fund for fiscal year  
37       2009, an amount not to exceed the actual balance of  
38       the Washington graduate fellowship trust account. This

1       transfer is intended to liquidate the Washington  
2       graduate fellowship trust account . . . . . \$1,400,000  
3       Get Ready for Math and Science Scholarship Account: For  
4       transfer to the state general fund for fiscal year  
5       2009 . . . . . \$1,900,000  
6       Local Toxics Control Account: For transfer to  
7       the state general fund for fiscal year 2009 . . . . . \$75,000,000  
8       Health Services Account: For transfer to the state  
9       general fund for fiscal year 2009 . . . . . \$47,000,000  
10       Student Achievement Fund: For transfer to the state  
11       general fund for fiscal year 2009 . . . . . \$243,000,000  
12       Student Achievement Fund: For transfer to the  
13       education legacy trust account . . . . . \$66,000,000  
14       Oil Spill Response Account: For transfer to the oil  
15       spill prevention account for fiscal year 2009 . . . . . \$6,500,000

(End of part)

**PART IX**  
**MISCELLANEOUS**

NEW SECTION.   **Sec. 901.**   A new section is added to 2007 c 522 (uncodified) to read as follows:

**COLLECTIVE BARGAINING AGREEMENTS NOT IMPAIRED.**   Nothing in this act or chapter 5 (ESSB 5460), Laws of 2009 prohibits the expenditure of any funds by an agency or institution of the state for benefits guaranteed by any collective bargaining agreement in effect on the effective date of chapter 5, Laws of 2009 (February 18, 2009).

**Sec. 902.**   RCW 2.68.020 and 2005 c 282 s 11 are each amended to read as follows:

There is created an account in the custody of the state treasurer to be known as the judicial information system account. The administrative office of the courts shall maintain and administer the account, in which shall be deposited all moneys received from in-state noncourt users and any out-of-state users of the judicial information system and moneys as specified in RCW 2.68.040 for the purposes of providing judicial information system access to noncourt users and providing an adequate level of automated services to the judiciary. The legislature shall appropriate the funds in the account for the purposes of the judicial information system. The account shall be used for the acquisition of equipment, software, supplies, services, and other costs incidental to the acquisition, development, operation, and administration of information services, telecommunications, systems, software, supplies, and equipment, including the payment of principal and interest on items paid in installments. During the 2007-2009 fiscal biennium, the legislature may transfer from the judicial information system account to the state general fund such amounts as reflect the excess fund balance of the account.

**Sec. 903.**   RCW 28B.50.837 and 2003 c 129 s 2 are each amended to read as follows:

(1) The Washington community and technical college exceptional faculty awards program is established. The program shall be

1 administered by the college board. The college faculty awards trust  
2 fund hereby created shall be administered by the state treasurer.

3 (2) Funds appropriated by the legislature for the community and  
4 technical college exceptional faculty awards program shall be deposited  
5 in the college faculty awards trust fund. At the request of the  
6 college board, the treasurer shall release the state matching funds to  
7 the local endowment fund of the college or its foundation. No  
8 appropriation is necessary for the expenditure of moneys from the fund.  
9 Expenditures from the fund may be used solely for the exceptional  
10 faculty awards program. During the 2007-2009 fiscal biennium, the  
11 legislature may transfer from the college faculty awards trust fund to  
12 the state general fund such amounts as reflect the excess fund balance  
13 in the account.

14 **Sec. 904.** RCW 28B.67.030 and 2006 c 112 s 8 are each amended to  
15 read as follows:

16 (1) All payments received from a participant in the Washington  
17 customized employment training program created in RCW 28B.67.020 shall  
18 be deposited into the employment training finance account, which is  
19 hereby created in the custody of the state treasurer. Only the state  
20 board for community and technical colleges may authorize expenditures  
21 from the account and no appropriation is required for expenditures.  
22 The money in the account must be used solely for training allowances  
23 under the Washington customized employment training program created in  
24 RCW 28B.67.020. The deposit of payments under this section from a  
25 participant shall cease when the board specifies that the participant  
26 has met the monetary obligations of the program. During the 2007-2009  
27 fiscal biennium, the legislature may transfer from the employment  
28 training finance account to the state general fund such amounts as  
29 reflect the excess fund balance in the account.

30 (2) All revenue solicited and received under the provisions of RCW  
31 28B.67.020(4) shall be deposited into the employment training finance  
32 account to provide training allowances.

33 (3) The definitions in RCW 28B.67.010 apply to this section.

34 (4) This section expires July 1, 2012.

35 **Sec. 905.** RCW 28B.76.565 and 2004 c 275 s 20 are each amended to  
36 read as follows:

1 Funds appropriated by the legislature for the distinguished  
2 professorship program shall be deposited in the distinguished  
3 professorship trust fund. At the request of the higher education  
4 coordinating board under RCW 28B.76.575, the treasurer shall release  
5 the state matching funds to the designated institution's local  
6 endowment fund. No appropriation is required for expenditures from the  
7 fund. During the 2007-2009 fiscal biennium, the legislature may  
8 transfer from the distinguished professorship trust fund to the state  
9 general fund such amounts as reflect the excess fund balance in the  
10 account.

11 **Sec. 906.** RCW 28B.76.610 and 2004 c 275 s 22 are each amended to  
12 read as follows:

13 Funds appropriated by the legislature for the graduate fellowship  
14 program shall be deposited in the graduate fellowship trust fund. At  
15 the request of the higher education coordinating board under RCW  
16 28B.76.620, the treasurer shall release the state matching funds to the  
17 designated institution's local endowment fund. No appropriation is  
18 required for expenditures from the fund. During the 2007-2009 fiscal  
19 biennium, the legislature may transfer from the graduate fellowship  
20 trust fund to the state general fund such amounts as reflect the excess  
21 fund balance in the account.

22 **Sec. 907.** RCW 28B.105.110 and 2008 c 329 s 908 are each amended to  
23 read as follows:

24 (1) The GET ready for math and science scholarship account is  
25 created in the custody of the state treasurer.

26 (2) The board shall deposit into the account all money received for  
27 the GET ready for math and science scholarship program from  
28 appropriations and private sources. The account shall be  
29 self-sustaining.

30 (3) Expenditures from the account shall be used for scholarships to  
31 eligible students and for purchases of GET units. Purchased GET units  
32 shall be owned and held in trust by the board. Expenditures from the  
33 account shall be an equal match of state appropriations and private  
34 funds raised by the program administrator. During the 2007-09 fiscal  
35 biennium, expenditures from the account not to exceed five percent may

1 be used by the program administrator to carry out the provisions of RCW  
2 28B.105.090.

3 (4) With the exception of the operating costs associated with the  
4 management of the account by the treasurer's office as authorized in  
5 chapter 43.79A RCW, the account shall be credited with all investment  
6 income earned by the account.

7 (5) Disbursements from the account are exempt from appropriations  
8 and the allotment provisions of chapter 43.88 RCW.

9 (6) Disbursements from the account shall be made only on the  
10 authorization of the board.

11 (7) During the 2007-2009 fiscal biennium, the legislature may  
12 transfer state appropriations to the GET ready for math and science  
13 scholarship account that have not been matched by private contributions  
14 to the state general fund.

15 **Sec. 908.** RCW 41.45.230 and 2008 c 329 s 910 are each amended to  
16 read as follows:

17 The pension funding stabilization account is created in the state  
18 treasury. Moneys in the account may be spent only after appropriation.  
19 Expenditures from the account may be used only for payment of state  
20 government employer contributions for members of the public employees'  
21 retirement system, the teachers' retirement system, the school  
22 employees' retirement system, and the public safety employees'  
23 retirement system. During the 2007-09 fiscal biennium, expenditures  
24 from the account may also be used for payment of the retirement and  
25 annuity plans for higher education employees and for transfer into the  
26 general fund. The account may not be used to pay for any new benefit  
27 or for any benefit increase that takes effect after July 1, 2005. An  
28 increase that is provided in accordance with a formula that is in  
29 existence on July 1, 2005, is not considered a benefit increase for  
30 this purpose. Moneys in the account shall be for the exclusive use of  
31 the specified retirement systems and invested by the state investment  
32 board pursuant to RCW 43.33A.030 and 43.33A.170. For purposes of RCW  
33 43.135.035, expenditures from the pension funding stabilization account  
34 shall not be considered a state program cost shift from the state  
35 general fund to another account. During the 2007-2009 fiscal biennium,  
36 the legislature may transfer from the pension funding stabilization

1 account to the state general fund such amounts as reflect the excess  
2 fund balance of the account.

3 **Sec. 909.** RCW 43.30.305 and 2005 c 518 s 928 are each amended to  
4 read as follows:

5 A revolving fund in the custody of the state treasurer, to be known  
6 as the natural resources equipment fund, is hereby created to be  
7 expended by the department without appropriation solely for the  
8 purchase of equipment, machinery, and supplies for the use of the  
9 department and for the payment of the costs of repair and maintenance  
10 of such equipment, machinery, and supplies. During the ((2005-2007))  
11 2007-2009 fiscal biennium the legislature may transfer such amounts as  
12 represent the excess balance of the fund to the state general fund.

13 **Sec. 910.** RCW 43.72.900 and 2005 c 518 s 930 are each amended to  
14 read as follows:

15 (1) The health services account is created in the state treasury.  
16 Moneys in the account may be spent only after appropriation. Subject  
17 to the transfers described in subsection (3) of this section, moneys in  
18 the account may be expended only for maintaining and expanding health  
19 services access for low-income residents, maintaining and expanding the  
20 public health system, maintaining and improving the capacity of the  
21 health care system, containing health care costs, and the regulation,  
22 planning, and administering of the health care system.

23 (2) Funds deposited into the health services account under RCW  
24 82.24.028 ((and ~~82.26.028~~)) shall be used solely as follows:

25 (a) Five million dollars for the state fiscal year beginning July  
26 1, 2002, and five million dollars for the state fiscal year beginning  
27 July 1, 2003, shall be appropriated by the legislature for programs  
28 that effectively improve the health of low-income persons, including  
29 efforts to reduce diseases and illnesses that harm low-income persons.  
30 The department of health shall submit a report to the legislature on  
31 March 1, 2002, evaluating the cost-effectiveness of programs that  
32 improve the health of low-income persons and address diseases and  
33 illnesses that disproportionately affect low-income persons, and making  
34 recommendations to the legislature on which of these programs could  
35 most effectively utilize the funds appropriated under this subsection.

1 (b) Ten percent of the funds deposited into the health services  
2 account under RCW 82.24.028 (~~and 82.26.028~~) remaining after the  
3 appropriation under (a) of this subsection shall be transferred no less  
4 frequently than annually by the treasurer to the tobacco prevention and  
5 control account established by RCW 43.79.480. The funds transferred  
6 shall be used exclusively for implementation of the Washington state  
7 tobacco prevention and control plan and shall be used only to  
8 supplement, and not supplant, funds in the tobacco prevention and  
9 control account as of January 1, 2001, however, these funds may be used  
10 to replace funds appropriated by the legislature for further  
11 implementation of the Washington state tobacco prevention and control  
12 plan for the biennium beginning July 1, 2001. For each state fiscal  
13 year beginning on and after July 1, 2002, the legislature shall  
14 appropriate no less than twenty-six million two hundred forty thousand  
15 dollars from the tobacco prevention and control account for  
16 implementation of the Washington state tobacco prevention and control  
17 plan.

18 (c) Because of its demonstrated effectiveness in improving the  
19 health of low-income persons and addressing illnesses and diseases that  
20 harm low-income persons, the remainder of the funds deposited into the  
21 health services account under RCW 82.24.028 (~~and 82.26.028~~) shall be  
22 appropriated solely for Washington basic health plan enrollment as  
23 provided in chapter 70.47 RCW. Funds appropriated under this  
24 subsection may be used to support outreach and enrollment activities  
25 only to the extent necessary to achieve the enrollment goals described  
26 in this section.

27 (3) Prior to expenditure for the purposes described in subsection  
28 (2) of this section, funds deposited into the health services account  
29 under RCW 82.24.028 (~~and 82.26.028~~) shall first be transferred to the  
30 following accounts to ensure the continued availability of previously  
31 dedicated revenues for certain existing programs:

32 (a) To the violence reduction and drug enforcement account under  
33 RCW 69.50.520, two million two hundred forty-nine thousand five hundred  
34 dollars for the state fiscal year beginning July 1, 2001, four million  
35 two hundred forty-eight thousand dollars for the state fiscal year  
36 beginning July 1, 2002, seven million seven hundred eighty-nine  
37 thousand dollars for the biennium beginning July 1, 2003, six million



1 nine hundred thirty-two thousand dollars for the biennium beginning  
2 July 1, 2005, and six million nine hundred thirty-two thousand dollars  
3 for each biennium thereafter, as required by RCW 82.24.020(2);

4 (b) To the health services account under this section, nine million  
5 seventy-seven thousand dollars for the state fiscal year beginning July  
6 1, 2001, seventeen million one hundred eighty-eight thousand dollars  
7 for the state fiscal year beginning July 1, 2002, thirty-one million  
8 seven hundred fifty-five thousand dollars for the biennium beginning  
9 July 1, 2003, twenty-eight million six hundred twenty-two thousand  
10 dollars for the biennium beginning July 1, 2005, and twenty-eight  
11 million six hundred twenty-two thousand dollars for each biennium  
12 thereafter, as required by RCW 82.24.020(3); and

13 (c) To the water quality account under RCW 70.146.030, two million  
14 two hundred three thousand five hundred dollars for the state fiscal  
15 year beginning July 1, 2001, four million two hundred forty-four  
16 thousand dollars for the state fiscal year beginning July 1, 2002,  
17 eight million one hundred eighty-two thousand dollars for the biennium  
18 beginning July 1, 2003, seven million eight hundred eighty-five  
19 thousand dollars for the biennium beginning July 1, 2005, and seven  
20 million eight hundred eighty-five thousand dollars for each biennium  
21 thereafter, as required by RCW 82.24.027(~~(+2)~~(a)).

22 During the (~~(2005-2007)~~) 2007-2009 fiscal biennium, the legislature  
23 may transfer from the health services account such amounts as reflect  
24 the excess fund balance of the account to the state general fund.

25 **Sec. 911.** RCW 43.135.045 and 2007 c 520 s 6035 and 2007 c 484 s 5  
26 are each reenacted and amended to read as follows:

27 (1) The student achievement fund is hereby created in the state  
28 treasury.

29 (2) The education construction fund is hereby created in the state  
30 treasury.

31 (a) Funds may be appropriated from the education construction fund  
32 exclusively for common school construction or higher education  
33 construction. During the 2007-2009 fiscal biennium, funds may also be  
34 used for higher education facilities preservation and maintenance.

35 (b) Funds may be appropriated for any other purpose only if  
36 approved by a two-thirds vote of each house of the legislature and if  
37 approved by a vote of the people at the next general election. An

1 appropriation approved by the people under this subsection shall result  
2 in an adjustment to the state expenditure limit only for the fiscal  
3 period for which the appropriation is made and shall not affect any  
4 subsequent fiscal period.

5 (3) Funds from the student achievement fund shall be appropriated  
6 to the superintendent of public instruction strictly for distribution  
7 to school districts to meet the provisions set out in the student  
8 achievement act. Allocations shall be made on an equal per full-time  
9 equivalent student basis to each school district.

10 (4) During the 2007-2009 fiscal biennium, the legislature may  
11 transfer from the student achievement fund such amounts as reflect the  
12 excess fund balance of the account.

13 **Sec. 912.** RCW 43.200.080 and 2003 1st sp.s. c 21 s 1 are each  
14 amended to read as follows:

15 The director of ecology shall, in addition to the powers and duties  
16 otherwise imposed by law, have the following special powers and duties:

17 (1) To fulfill the responsibilities of the state under the lease  
18 between the state of Washington and the federal government executed  
19 September 10, 1964, covering one thousand acres of land lying within  
20 the Hanford reservation near Richland, Washington. The department of  
21 ecology may sublease to private or public entities all or a portion of  
22 the land for specific purposes or activities which are determined,  
23 after public hearing, to be in agreement with the terms of the lease  
24 and in the best interests of the citizens of the state consistent with  
25 any criteria that may be developed as a requirement by the legislature;

26 (2) To assume the responsibilities of the state under the perpetual  
27 care agreement between the state of Washington and the federal  
28 government executed July 29, 1965 and the sublease between the state of  
29 Washington and the site operator of the Hanford low-level radioactive  
30 waste disposal facility. In order to finance perpetual surveillance  
31 and maintenance under the agreement and ensure site closure under the  
32 sublease, the department of ecology shall impose and collect fees from  
33 parties holding radioactive materials for waste management purposes.  
34 The fees shall be established by rule adopted under chapter 34.05 RCW  
35 and shall be an amount determined by the department of ecology to be  
36 necessary to defray the estimated liability of the state. Such fees  
37 shall reflect equity between the disposal facilities of this and other

1 states. A site closure account and a perpetual surveillance and  
2 maintenance account is hereby created in the state treasury. The site  
3 closure account shall be exclusively available to reimburse, to the  
4 extent that moneys are available in the account, the site operator for  
5 its costs plus a reasonable profit as agreed by the operator and the  
6 state, or to reimburse the state licensing agency and any agencies  
7 under contract to the state licensing agency for their costs in final  
8 closure and decommissioning of the Hanford low-level radioactive waste  
9 disposal facility. If a balance remains in the account after  
10 satisfactory performance of closure and decommissioning, this balance  
11 shall be transferred to the perpetual surveillance and maintenance  
12 account. The perpetual surveillance and maintenance account shall be  
13 used exclusively by the state to meet post-closure surveillance and  
14 maintenance costs, or for otherwise satisfying surveillance and  
15 maintenance obligations. Appropriations are required to permit  
16 expenditures and payment of obligations from the site closure account  
17 and the perpetual surveillance and maintenance account. All moneys,  
18 including earnings from the investment of balances in the site closure  
19 and the perpetual surveillance and maintenance account, less the  
20 allocation to the state treasurer's service fund, pursuant to RCW  
21 43.08.190 accruing under the authority of this section shall be  
22 directed to the site closure account until December 31, 1992.  
23 Thereafter receipts including earnings from the investment of balances  
24 in the site closure and the perpetual surveillance and maintenance  
25 account, less the allocation to the state treasurer's service fund,  
26 pursuant to RCW 43.08.190 shall be directed to the site closure account  
27 and the perpetual surveillance and maintenance account as specified by  
28 the department. Additional moneys specifically appropriated by the  
29 legislature or received from any public or private source may be placed  
30 in the site closure account and the perpetual surveillance and  
31 maintenance account. During the 2003-2005 fiscal biennium, the  
32 legislature may transfer up to thirteen million eight hundred thousand  
33 dollars from the site closure account to the general fund;

34 (3)(a) Subject to the conditions in (b) of this subsection, on July  
35 1, 2008, and each July 1st thereafter, the treasurer shall transfer  
36 from the perpetual surveillance and maintenance account to the site  
37 closure account the sum of nine hundred sixty-six thousand dollars.  
38 The nine hundred sixty-six thousand dollars transferred on July 1,

1 2009, and thereafter shall be adjusted to a level equal to the  
2 percentage increase in the United States implicit price deflator for  
3 personal consumption. The last transfer under this section shall occur  
4 on July 1, 2033.

5 (b) The transfer in (a) of this subsection shall occur only if  
6 written agreement is reached between the state department of ecology  
7 and the United States department of energy pursuant to section 6 of the  
8 perpetual care agreement dated July 29, 1965, between the United States  
9 atomic energy commission and the state of Washington. If agreement  
10 cannot be reached between the state department of ecology and the  
11 United States department of energy by June 1, 2008, the treasurer shall  
12 transfer the funds from the general fund to the site closure account  
13 according to the schedule in (a) of this subsection.

14 (c) If for any reason the Hanford low level radioactive waste  
15 disposal facility is closed to further disposal operations during or  
16 after the 2003-2005 biennium and before 2033, then the amount remaining  
17 to be repaid from the 2003-2005 transfer of thirteen million eight  
18 hundred thousand dollars from the site closure account shall be  
19 transferred by the treasurer from the general fund to the site closure  
20 account to fund the closure and decommissioning of the facility. The  
21 treasurer shall transfer to the site closure account in full the amount  
22 remaining to be repaid upon written notice from the secretary of health  
23 that the department of health has authorized closure or that disposal  
24 operations have ceased. The treasurer shall complete the transfer  
25 within sixty days of written notice from the secretary of health.

26 (d) To the extent that money in the site closure account together  
27 with the amount of money identified for repayment to the site closure  
28 account, pursuant to (a) through (c) of this subsection, equals or  
29 exceeds the cost estimate approved by the department of health for  
30 closure and decommissioning of the facility, the money in the site  
31 closure account together with the amount of money identified for  
32 repayment to the site closure account shall constitute adequate  
33 financial assurance for purposes of the department of health financial  
34 assurance requirements;

35 (4) To assure maintenance of such insurance coverage by state  
36 licensees, lessees, or sublessees as will adequately, in the opinion of  
37 the director, protect the citizens of the state against nuclear

1 accidents or incidents that may occur on privately or state-controlled  
2 nuclear facilities;

3 (5) To institute a user permit system and issue site use permits,  
4 consistent with regulatory practices, for generators, packagers, or  
5 brokers using the Hanford low-level radioactive waste disposal  
6 facility. The costs of administering the user permit system shall be  
7 borne by the applicants for site use permits. The site use permit fee  
8 shall be set at a level that is sufficient to fund completely the  
9 executive and legislative participation in activities related to the  
10 Northwest Interstate Compact on Low-Level Radioactive Waste Management;

11 (6) To make application for or otherwise pursue any federal funds  
12 to which the state may be eligible, through the federal resource  
13 conservation and recovery act or any other federal programs, for the  
14 management, treatment or disposal, and any remedial actions, of wastes  
15 that are both radioactive and hazardous at all Hanford low-level  
16 radioactive waste disposal facilities; ((and))

17 (7) To develop contingency plans for duties and options for the  
18 department and other state agencies related to the Hanford low-level  
19 radioactive waste disposal facility based on various projections of  
20 annual levels of waste disposal. These plans shall include an analysis  
21 of expected revenue to the state in various taxes and funds related to  
22 low-level radioactive waste disposal and the resulting implications  
23 that any increase or decrease in revenue may have on state agency  
24 duties or responsibilities. The plans shall be updated annually;

25 (8) During the 2007-2009 fiscal biennium, the legislature may  
26 transfer from the site closure account to the state general fund such  
27 amounts as reflect the excess fund balance of the account.

28 **Sec. 913.** RCW 44.04.120 and 1985 c 3 s 1 are each amended to read  
29 as follows:

30 Each member of the senate or house of representatives when serving  
31 on official legislative business shall be entitled to receive, in lieu  
32 of per diem or any other payment, for each day or major portion thereof  
33 in which he is actually engaged in legislative business or business of  
34 the committee, commission, or council, notwithstanding any laws to the  
35 contrary, an allowance in an amount fixed by the secretary of the  
36 senate and chief clerk of the house, respectively, in accordance with  
37 applicable rules and resolutions of each body. Such allowance shall be

1 reasonably calculated to reimburse expenses, exclusive of mileage,  
2 which are ordinary and necessary in the conduct of legislative  
3 business, recognizing cost variances which are encountered in different  
4 locales. The allowance authorized shall not exceed the greater of  
5 forty-four dollars per day or the maximum daily amount determined under  
6 RCW 43.03.050, as now or hereafter amended. In addition, a mileage  
7 allowance shall be paid at the rate per mile provided for in RCW  
8 43.03.060, as now or hereafter amended, when authorized by the house,  
9 committee, commission, or council of which he is a member and on the  
10 business of which he is engaged. Daily expense allowances shall not be  
11 paid to any member of the legislature during any special session of the  
12 legislature in fiscal year 2009.

13 **Sec. 914.** RCW 70.105D.070 and 2008 c 329 s 921, 2008 c 329 s 920,  
14 2008 c 329 s 919, and 2008 c 328 s 6009 are each reenacted and amended  
15 to read as follows:

16 (1) The state toxics control account and the local toxics control  
17 account are hereby created in the state treasury.

18 (2) The following moneys shall be deposited into the state toxics  
19 control account: (a) Those revenues which are raised by the tax  
20 imposed under RCW 82.21.030 and which are attributable to that portion  
21 of the rate equal to thirty-three one-hundredths of one percent; (b)  
22 the costs of remedial actions recovered under this chapter or chapter  
23 70.105A RCW; (c) penalties collected or recovered under this chapter;  
24 and (d) any other money appropriated or transferred to the account by  
25 the legislature. Moneys in the account may be used only to carry out  
26 the purposes of this chapter, including but not limited to the  
27 following activities:

28 (i) The state's responsibility for hazardous waste planning,  
29 management, regulation, enforcement, technical assistance, and public  
30 education required under chapter 70.105 RCW;

31 (ii) The state's responsibility for solid waste planning,  
32 management, regulation, enforcement, technical assistance, and public  
33 education required under chapter 70.95 RCW;

34 (iii) The hazardous waste cleanup program required under this  
35 chapter;

36 (iv) State matching funds required under the federal cleanup law;

1 (v) Financial assistance for local programs in accordance with  
2 chapters 70.95, 70.95C, 70.95I, and 70.105 RCW;

3 (vi) State government programs for the safe reduction, recycling,  
4 or disposal of hazardous wastes from households, small businesses, and  
5 agriculture;

6 (vii) Hazardous materials emergency response training;

7 (viii) Water and environmental health protection and monitoring  
8 programs;

9 (ix) Programs authorized under chapter 70.146 RCW;

10 (x) A public participation program, including regional citizen  
11 advisory committees;

12 (xi) Public funding to assist potentially liable persons to pay for  
13 the costs of remedial action in compliance with cleanup standards under  
14 RCW 70.105D.030(2)(e) but only when the amount and terms of such  
15 funding are established under a settlement agreement under RCW  
16 70.105D.040(4) and when the director has found that the funding will  
17 achieve both (A) a substantially more expeditious or enhanced cleanup  
18 than would otherwise occur, and (B) the prevention or mitigation of  
19 unfair economic hardship; and

20 (xii) Development and demonstration of alternative management  
21 technologies designed to carry out the hazardous waste management  
22 priorities of RCW 70.105.150.

23 (3) The following moneys shall be deposited into the local toxics  
24 control account: Those revenues which are raised by the tax imposed  
25 under RCW 82.21.030 and which are attributable to that portion of the  
26 rate equal to thirty-seven one-hundredths of one percent.

27 (a) Moneys deposited in the local toxics control account shall be  
28 used by the department for grants or loans to local governments for the  
29 following purposes in descending order of priority:

30 (i) Remedial actions;

31 (ii) Hazardous waste plans and programs under chapter 70.105 RCW;

32 (iii) Solid waste plans and programs under chapters 70.95, 70.95C,  
33 70.95I, and 70.105 RCW;

34 (iv) Funds for a program to assist in the assessment and cleanup of  
35 sites of methamphetamine production, but not to be used for the initial  
36 containment of such sites, consistent with the responsibilities and  
37 intent of RCW 69.50.511; and

1 (v) Cleanup and disposal of hazardous substances from abandoned or  
2 derelict vessels, defined for the purposes of this section as vessels  
3 that have little or no value and either have no identified owner or  
4 have an identified owner lacking financial resources to clean up and  
5 dispose of the vessel, that pose a threat to human health or the  
6 environment.

7 (b) Funds for plans and programs shall be allocated consistent with  
8 the priorities and matching requirements established in chapters  
9 70.105, 70.95C, 70.95I, and 70.95 RCW, except that any applicant that  
10 is a Puget Sound partner, as defined in RCW 90.71.010, along with any  
11 project that is referenced in the action agenda developed by the Puget  
12 Sound partnership under RCW 90.71.310, shall, except as conditioned by  
13 RCW 70.105D.120, receive priority for any available funding for any  
14 grant or funding programs or sources that use a competitive bidding  
15 process. During the 2007-2009 fiscal biennium, moneys in the account  
16 may also be used for grants to local governments to retrofit public  
17 sector diesel equipment and for storm water planning and implementation  
18 activities.

19 ~~(c) ((Funds may also be appropriated to the department of health to  
20 implement programs to reduce testing requirements under the federal  
21 safe drinking water act for public water systems. The department of  
22 health shall reimburse the account from fees assessed under RCW  
23 70.119A.115 by June 30, 1995.~~

24 ~~(d))~~ To expedite cleanups throughout the state, the department  
25 shall partner with local communities and liable parties for cleanups.  
26 The department is authorized to use the following additional strategies  
27 in order to ensure a healthful environment for future generations:

28 (i) The director may alter grant-matching requirements to create  
29 incentives for local governments to expedite cleanups when one of the  
30 following conditions exists:

31 (A) Funding would prevent or mitigate unfair economic hardship  
32 imposed by the clean-up liability;

33 (B) Funding would create new substantial economic development,  
34 public recreational, or habitat restoration opportunities that would  
35 not otherwise occur; or

36 (C) Funding would create an opportunity for acquisition and  
37 redevelopment of vacant, orphaned, or abandoned property under RCW  
38 70.105D.040(5) that would not otherwise occur;



1 (ii) The use of outside contracts to conduct necessary studies;  
2 (iii) The purchase of remedial action cost-cap insurance, when  
3 necessary to expedite multiparty clean-up efforts.

4 (4) Except for unanticipated receipts under RCW 43.79.260 through  
5 43.79.282, moneys in the state and local toxics control accounts may be  
6 spent only after appropriation by statute.

7 (5) One percent of the moneys deposited into the state and local  
8 toxics control accounts shall be allocated only for public  
9 participation grants to persons who may be adversely affected by a  
10 release or threatened release of a hazardous substance and to not-for-  
11 profit public interest organizations. The primary purpose of these  
12 grants is to facilitate the participation by persons and organizations  
13 in the investigation and remedying of releases or threatened releases  
14 of hazardous substances and to implement the state's solid and  
15 hazardous waste management priorities. (~~However, during the 1999-2001~~  
16 ~~fiscal biennium, funding may not be granted to entities engaged in~~  
17 ~~lobbying activities, and applicants may not be awarded grants if their~~  
18 ~~cumulative grant awards under this section exceed two hundred thousand~~  
19 ~~dollars.)) No grant may exceed sixty thousand dollars. Grants may be  
20 renewed annually. Moneys appropriated for public participation from  
21 either account which are not expended at the close of any biennium  
22 shall revert to the state toxics control account.~~

23 (6) No moneys deposited into either the state or local toxics  
24 control account may be used for solid waste incinerator feasibility  
25 studies, construction, maintenance, or operation, or, after January 1,  
26 2010, for projects designed to address the restoration of Puget Sound,  
27 funded in a competitive grant process, that are in conflict with the  
28 action agenda developed by the Puget Sound partnership under RCW  
29 90.71.310.

30 (7) The department shall adopt rules for grant or loan issuance and  
31 performance.

32 (8) During the 2007-2009 fiscal biennium, the legislature may  
33 transfer from the local toxics control account to the state toxics  
34 control account and the state general fund such amounts as reflect  
35 excess fund balance in the account.

36 (9) During the 2007-2009 fiscal biennium, the local toxics control  
37 account may also be used for a standby rescue tug at Neah Bay.

1       (10) During the 2007-2009 fiscal biennium, the legislature may  
2 transfer from the state toxics control account to the state general  
3 fund such amounts as reflect the excess fund balance in the account.

4       **Sec. 915.** RCW 71.24.310 and 2006 c 333 s 107 are each amended to  
5 read as follows:

6       The legislature finds that administration of chapter 71.05 RCW and  
7 this chapter can be most efficiently and effectively implemented as  
8 part of the regional support network defined in RCW 71.24.025. For  
9 this reason, the legislature intends that the department and the  
10 regional support networks shall work together to implement chapter  
11 71.05 RCW as follows:

12       (1) By June 1, 2006, regional support networks shall recommend to  
13 the department the number of state hospital beds that should be  
14 allocated for use by each regional support network. The statewide  
15 total allocation shall not exceed the number of state hospital beds  
16 offering long-term inpatient care, as defined in this chapter, for  
17 which funding is provided in the biennial appropriations act.

18       (2) If there is consensus among the regional support networks  
19 regarding the number of state hospital beds that should be allocated  
20 for use by each regional support network, the department shall contract  
21 with each regional support network accordingly.

22       (3) If there is not consensus among the regional support networks  
23 regarding the number of beds that should be allocated for use by each  
24 regional support network, the department shall establish by emergency  
25 rule the number of state hospital beds that are available for use by  
26 each regional support network. The emergency rule shall be effective  
27 September 1, 2006. The primary factor used in the allocation shall be  
28 the estimated number of (~~acutely and chronically mentally ill~~) adults  
29 with acute and chronic mental illness in each regional support network  
30 area, based upon population-adjusted incidence and utilization.

31       (4) The allocation formula shall be updated at least every three  
32 years to reflect demographic changes, and new evidence regarding the  
33 incidence of acute and chronic mental illness and the need for long-  
34 term inpatient care. In the updates, the statewide total allocation  
35 shall include (a) all state hospital beds offering long-term inpatient  
36 care for which funding is provided in the biennial appropriations act;

1 plus (b) the estimated equivalent number of beds or comparable  
2 diversion services contracted in accordance with subsection (5) of this  
3 section.

4 (5) The department is encouraged to enter performance-based  
5 contracts with regional support networks to provide some or all of the  
6 regional support network's allocated long-term inpatient treatment  
7 capacity in the community, rather than in the state hospital. The  
8 performance contracts shall specify the number of patient days of care  
9 available for use by the regional support network in the state  
10 hospital.

11 (6) If a regional support network uses more state hospital patient  
12 days of care than it has been allocated under subsection (3) or (4) of  
13 this section, or than it has contracted to use under subsection (5) of  
14 this section, whichever is less, it shall reimburse the department for  
15 that care. The reimbursement rate per day shall be the hospital's  
16 total annual budget for long-term inpatient care, divided by the total  
17 patient days of care assumed in development of that budget.

18 (7) One-half of any reimbursements received pursuant to subsection  
19 (6) of this section shall be used to support the cost of operating the  
20 state hospital and, during the 2007-2009 fiscal biennium, implementing  
21 new services that will enable a regional support network to reduce its  
22 utilization of the state hospital. The department shall distribute the  
23 remaining half of such reimbursements among regional support networks  
24 that have used less than their allocated or contracted patient days of  
25 care at that hospital, proportional to the number of patient days of  
26 care not used.

27 **Sec. 916.** RCW 79.105.150 and 2008 c 299 s 28 are each amended to  
28 read as follows:

29 (1) After deduction for management costs as provided in RCW  
30 79.64.040 and payments to towns under RCW 79.115.150(2), all moneys  
31 received by the state from the sale or lease of state-owned aquatic  
32 lands and from the sale of valuable material from state-owned aquatic  
33 lands shall be deposited in the aquatic lands enhancement account which  
34 is hereby created in the state treasury. After appropriation, these  
35 funds shall be used solely for aquatic lands enhancement projects; for  
36 the purchase, improvement, or protection of aquatic lands for public  
37 purposes; for providing and improving access to the lands; and for

1 volunteer cooperative fish and game projects. During the 2007-2009  
2 fiscal biennium, the legislature may transfer from the aquatic lands  
3 enhancement account to the state general fund such amounts as reflect  
4 the excess fund balance of the account.

5 (2) In providing grants for aquatic lands enhancement projects, the  
6 recreation and conservation funding board shall:

7 (a) Require grant recipients to incorporate the environmental  
8 benefits of the project into their grant applications;

9 (b) Utilize the statement of environmental benefits, consideration,  
10 except as provided in RCW 79.105.610, of whether the applicant is a  
11 Puget Sound partner, as defined in RCW 90.71.010, whether a project is  
12 referenced in the action agenda developed by the Puget Sound  
13 partnership under RCW 90.71.310, and except as otherwise provided in  
14 RCW 79.105.630, and effective one calendar year following the  
15 development and statewide availability of model evergreen community  
16 management plans and ordinances under RCW 35.105.050, whether the  
17 applicant is an entity that has been recognized, and what gradation of  
18 recognition was received, in the evergreen community recognition  
19 program created in RCW 35.105.030 in its prioritization and selection  
20 process; and

21 (c) Develop appropriate outcome-focused performance measures to be  
22 used both for management and performance assessment of the grants.

23 (3) To the extent possible, the department should coordinate its  
24 performance measure system with other natural resource-related agencies  
25 as defined in RCW 43.41.270.

26 (4) The department shall consult with affected interest groups in  
27 implementing this section.

28 (5) After January 1, 2010, any project designed to address the  
29 restoration of Puget Sound may be funded under this chapter only if the  
30 project is not in conflict with the action agenda developed by the  
31 Puget Sound partnership under RCW 90.71.310.

32 **Sec. 917.** RCW 82.14.495 and 2007 c 6 s 902 are each amended to  
33 read as follows:

34 (1) The streamlined sales and use tax mitigation account is created  
35 in the state treasury. The state treasurer shall transfer into the  
36 account from the general fund amounts as directed in RCW 82.14.500.  
37 Expenditures from the account may be used only for the purpose of

1 mitigating the negative fiscal impacts to local taxing jurisdictions as  
2 a result of RCW 82.14.490 and the chapter 6, Laws of 2007 amendments to  
3 RCW 82.14.020. During the 2007-2009 fiscal biennium, the legislature  
4 may transfer from the streamlined sales and use tax mitigation account  
5 to the state general fund such amounts as reflect the excess fund  
6 balance of the account.

7 (2) Beginning July 1, 2008, the state treasurer, as directed by the  
8 department, shall distribute the funds in the streamlined sales and use  
9 tax mitigation account to local taxing jurisdictions in accordance with  
10 RCW 82.14.500.

11 (3) The definitions in this subsection apply throughout this  
12 section and RCW 82.14.390 and 82.14.500.

13 (a) "Agreement" means the same as in RCW 82.32.020.

14 (b) "Local taxing jurisdiction" means counties, cities,  
15 transportation authorities under RCW 82.14.045, public facilities  
16 districts under chapters 36.100 and 35.57 RCW, public transportation  
17 benefit areas under RCW 82.14.440, and regional transit authorities  
18 under chapter 81.112 RCW, that impose a sales and use tax.

19 (c) "Loss" or "losses" means the local sales and use tax revenue  
20 reduction to a local taxing jurisdiction resulting from the sourcing  
21 provisions in RCW (~~82.14.020~~) 82.14.490 and the chapter 6, Laws of  
22 2007 amendments to RCW 82.14.020.

23 (d) "Net loss" or "net losses" means a loss offset by any voluntary  
24 compliance revenue.

25 (e) "Voluntary compliance revenue" means the local sales tax  
26 revenue gain to each local taxing jurisdiction reported to the  
27 department from persons registering through the central registration  
28 system authorized under the agreement.

29 (f) "Working day" has the same meaning as in RCW 82.45.180.

30 **Sec. 918.** RCW 90.56.500 and 1991 c 200 s 805 are each amended to  
31 read as follows:

32 (1) The legislature finds that the incidence of oil spills has  
33 declined due to increased oil spill prevention efforts. This has  
34 reduced the costs associated with oil spill response, clean up and  
35 restoration. Increasing the investment in oil spill prevention will  
36 further reduce the need for expenditures from the account established  
37 in subsection (2) of this section. During the 2007-2009 fiscal

1 biennium it is therefore prudent to allow transfers of fees collected  
2 under RCW 82.23B.020(1) from the account established in subsection (2)  
3 of this section to the oil spill prevention account established under  
4 90.56.510.

5 (2) The state oil spill response account is created in the state  
6 treasury. All receipts from RCW 82.23B.020(1) shall be deposited in  
7 the account. All costs reimbursed to the state by a responsible party  
8 or any other person for responding to a spill of oil shall also be  
9 deposited in the account. Moneys in the account shall be spent only  
10 after appropriation. The account is subject to allotment procedures  
11 under chapter 43.88 RCW. The account shall be used exclusively to pay  
12 for the costs associated with the response to spills of crude oil or  
13 petroleum products into the navigable waters of the state. Payment of  
14 response costs under this section shall be limited to spills which the  
15 director has determined are likely to exceed fifty thousand dollars.  
16 Before expending moneys from the account, the director shall make  
17 reasonable efforts to obtain funding for response costs from the person  
18 responsible for the spill and from other sources, including the federal  
19 government. Reimbursement for response costs shall be allowed only for  
20 costs which are not covered by funds appropriated to the agencies  
21 responsible for response activities. Costs associated with the  
22 response to spills of crude oil or petroleum products shall include:

23 ~~((+1))~~ (a) Natural resource damage assessment and related  
24 activities;

25 ~~((+2))~~ (b) Spill related response, containment, wildlife rescue,  
26 cleanup, disposal, and associated costs;

27 ~~((+3))~~ (c) Interagency coordination and public information related  
28 to a response; and

29 ~~((+4))~~ (d) Appropriate travel, goods and services, contracts, and  
30 equipment.

31 During the 2007-2009 fiscal biennium, the legislature may transfer  
32 from the state oil spill response account to the state oil spill  
33 prevention account such amounts as reflect the excess fund balance of  
34 the account.

35 NEW SECTION. **Sec. 919.** If any provision of this act or its  
36 application to any person or circumstance is held invalid, the

1 remainder of the act or the application of the provision to other  
2 persons or circumstances is not affected.

3 NEW SECTION. **Sec. 920.** This act is necessary for the immediate  
4 preservation of the public peace, health, or safety, or support of the  
5 state government and its existing public institutions, and takes effect  
6 immediately.

(End of part)

| INDEX  | PAGE # |
|--|--------|
| ADMINISTRATOR FOR THE COURTS . . . . .             | 4      |
| ATTORNEY GENERAL . . . . .                         | 11     |
| BOARD OF ACCOUNTANCY . . . . .                     | 25     |
| BOARD OF INDUSTRIAL INSURANCE APPEALS . . . . .    | 86     |
| CENTRAL WASHINGTON UNIVERSITY . . . . .            | 213    |
| COLUMBIA RIVER GORGE COMMISSION . . . . .          | 119    |
| COURT OF APPEALS . . . . .                         | 3      |
| CRIMINAL JUSTICE TRAINING COMMISSION . . . . .     | 87     |
| DEPARTMENT OF CORRECTIONS . . . . .                | 107    |
| DEPARTMENT OF EARLY LEARNING . . . . .             | 221    |
| DEPARTMENT OF ECOLOGY . . . . .                    | 119    |
| DEPARTMENT OF FISH AND WILDLIFE . . . . .          | 131    |
| DEPARTMENT OF GENERAL ADMINISTRATION . . . . .     | 21     |
| DEPARTMENT OF HEALTH . . . . .                     | 95     |
| DEPARTMENT OF LABOR AND INDUSTRIES . . . . .       | 90     |
| DEPARTMENT OF NATURAL RESOURCES . . . . .          | 140    |
| DEPARTMENT OF RETIREMENT SYSTEMS                   |        |
| CONTRIBUTIONS TO RETIREMENT SYSTEMS . . . . .      | 231    |
| OPERATIONS . . . . .                               | 19     |
| DEPARTMENT OF REVENUE . . . . .                    | 22     |
| DEPARTMENT OF SERVICES FOR THE BLIND . . . . .     | 114    |
| DEPARTMENT OF SOCIAL AND HEALTH SERVICES . . . . . | 30     |
| AGING AND ADULT SERVICES PROGRAM . . . . .         | 57     |
| ALCOHOL AND SUBSTANCE ABUSE PROGRAM . . . . .      | 67     |
| CHILDREN AND FAMILY SERVICES PROGRAM . . . . .     | 32     |
| DEVELOPMENTAL DISABILITIES PROGRAM . . . . .       | 49     |
| ECONOMIC SERVICES PROGRAM . . . . .                | 63     |
| JUVENILE REHABILITATION PROGRAM . . . . .          | 38     |
| MEDICAL ASSISTANCE PROGRAM . . . . .               | 70     |
| MENTAL HEALTH PROGRAM . . . . .                    | 42     |
| PAYMENTS TO OTHER AGENCIES PROGRAM . . . . .       | 82     |
| SPECIAL COMMITMENT PROGRAM . . . . .               | 82     |
| VOCATIONAL REHABILITATION PROGRAM . . . . .        | 81     |
| DEPARTMENT OF VETERANS AFFAIRS . . . . .           | 94     |
| EMPLOYMENT SECURITY DEPARTMENT . . . . .           | 115    |
| GROWTH MANAGEMENT HEARINGS BOARD . . . . .         | 29     |



|   |          |
|---|----------|
| HIGHER EDUCATION COORDINATING BOARD                     |          |
| FINANCIAL AID AND GRANT PROGRAMS . . . . .              | 218      |
| POLICY COORDINATION AND ADMINISTRATION . . . . .        | 215      |
| HOUSE OF REPRESENTATIVES . . . . .                      | 2        |
| HUMAN RIGHTS COMMISSION . . . . .                       | 86       |
| LIQUOR CONTROL BOARD . . . . .                          | 25       |
| MILITARY DEPARTMENT . . . . .                           | 26       |
| OFFICE OF ADMINISTRATIVE HEARINGS . . . . .             | 18       |
| OFFICE OF FINANCIAL MANAGEMENT . . . . .                | 14       |
| BUDGET STABILIZATION ACCOUNT . . . . .                  | 233      |
| CAPITOL BUILDING CONSTRUCTION ACCOUNT . . . . .         | 232      |
| CLARKE-MCNARY ACCOUNT . . . . .                         | 233      |
| FIRE CONTINGENCY . . . . .                              | 229      |
| FIRE CONTINGENCY POOL . . . . .                         | 229      |
| HEALTH CARE AUTHORITY ADMINISTRATIVE ACCOUNT . . . . .  | 231      |
| HELP AMERICA VOTE ACT . . . . .                         | 232      |
| PUGET SOUND PARTNERSHIP . . . . .                       | 147      |
| SECRETARY OF STATE . . . . .                            | 9        |
| SENATE . . . . .  | 2        |
| STATE CONVENTION AND TRADE CENTER . . . . .             | 29       |
| STATE HEALTH CARE AUTHORITY . . . . .                   | 83       |
| STATE PARKS AND RECREATION COMMISSION . . . . .         | 128      |
| STATE PATROL . . . . .                                  | 149      |
| STATE SCHOOL FOR THE BLIND . . . . .                    | 225      |
| STATE SCHOOL FOR THE DEAF . . . . .                     | 226      |
| STATE TREASURER   |          |
| BOND RETIREMENT AND INTEREST . . . . .                  | 227, 228 |
| COUNTY CRIMINAL JUSTICE ASSISTANCE ACCOUNT . . . . .    | 236      |
| FEDERAL REVENUES FOR DISTRIBUTION . . . . .             | 237      |
| MUNICIPAL CRIMINAL JUSTICE ASSISTANCE ACCOUNT . . . . . | 236      |
| STATE REVENUES FOR DISTRIBUTION . . . . .               | 234      |
| TRANSFERS . . . . .                                     | 238      |
| SUNDRY CLAIMS . . . . .                                 | 230      |
| SUPERINTENDENT OF PUBLIC INSTRUCTION . . . . .          | 152      |
| EDUCATION REFORM PROGRAMS . . . . .                     | 183      |
| GENERAL APPORTIONMENT . . . . .                         | 164      |
| INSTITUTIONAL EDUCATION PROGRAMS . . . . .              | 181      |
| LEARNING ASSISTANCE PROGRAM . . . . .                   | 200      |
| LOCAL EFFORT ASSISTANCE . . . . .                       | 181      |

|  |     |
|--|-----|
| PROGRAMS FOR HIGHLY CAPABLE STUDENTS . . . . .     | 183 |
| PUPIL TRANSPORTATION . . . . .                     | 174 |
| SCHOOL EMPLOYEE COMPENSATION ADJUSTMENTS . . . . . | 172 |
| SPECIAL EDUCATION PROGRAMS . . . . .               | 176 |
| STUDENT ACHIEVEMENT PROGRAM . . . . .              | 202 |
| TRANSITIONAL BILINGUAL PROGRAMS . . . . .          | 204 |
| UNIVERSITY OF WASHINGTON . . . . .                 | 206 |
| WASHINGTON STATE ARTS COMMISSION . . . . .         | 226 |

--- END ---