

**ESHB 1087 - H AMD 821**

By Representative Hunter

ADOPTED AS AMENDED 05/24/2011

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

3 "NEW SECTION. **Sec. 1.** (1) A budget is hereby adopted and, subject  
4 to the provisions set forth in the following sections, the several  
5 amounts specified in parts I through IX of this act, or so much thereof  
6 as shall be sufficient to accomplish the purposes designated, are  
7 hereby appropriated and authorized to be incurred for salaries, wages,  
8 and other expenses of the agencies and offices of the state and for  
9 other specified purposes for the fiscal biennium beginning July 1,  
10 2011, and ending June 30, 2013, except as otherwise provided, out of  
11 the several funds of the state hereinafter named.

12 (2) Unless the context clearly requires otherwise, the definitions  
13 in this section apply throughout this act.

14 (a) "Fiscal year 2012" or "FY 2012" means the fiscal year ending  
15 June 30, 2012.

16 (b) "Fiscal year 2013" or "FY 2013" means the fiscal year ending  
17 June 30, 2013.

18 (c) "FTE" means full time equivalent.

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

21 (e) "Provided solely" means the specified amount may be spent only  
22 for the specified purpose. Unless otherwise specifically authorized in  
23 this act, any portion of an amount provided solely for a specified  
24 purpose which is not expended subject to the specified conditions and  
25 limitations to fulfill the specified purpose shall lapse.

26 **PART I**

27 **GENERAL GOVERNMENT**

1            NEW SECTION.    **Sec. 101.    FOR THE HOUSE OF REPRESENTATIVES**

2	General Fund--State Appropriation (FY 2012) . . . . .	\$29,923,000
3	General Fund--State Appropriation (FY 2013) . . . . .	\$30,444,000
4	Motor Vehicle Account--State Appropriation . . . . .	\$1,316,000
5	TOTAL APPROPRIATION . . . . .	\$61,683,000

6            NEW SECTION.    **Sec. 102.    FOR THE SENATE**

7	General Fund--State Appropriation (FY 2012) . . . . .	\$21,772,000
8	General Fund--State Appropriation (FY 2013) . . . . .	\$23,868,000
9	Motor Vehicle Account--State Appropriation . . . . .	\$1,400,000
10	TOTAL APPROPRIATION . . . . .	\$47,040,000

11           NEW SECTION.    **Sec. 103.    FOR THE JOINT LEGISLATIVE AUDIT AND REVIEW**  
12 **COMMITTEE**

13	General Fund--State Appropriation (FY 2012) . . . . .	\$2,680,000
14	General Fund--State Appropriation (FY 2013) . . . . .	\$2,741,000
15	Medical Aid Account--State Appropriation . . . . .	\$85,000
16	Accident Account--State Appropriation . . . . .	\$85,000
17	TOTAL APPROPRIATION . . . . .	\$5,591,000

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

20           (1) Notwithstanding the provisions of this section, the joint  
21 legislative audit and review committee may adjust the due dates for  
22 projects included on the committee's 2011-13 work plan as necessary to  
23 efficiently manage workload.

24           (2) Within the amounts appropriated in this section, the committee  
25 shall conduct a review of the state's workplace safety and health  
26 program. The review shall examine workplace safety inspection,  
27 enforcement, training, and outreach efforts compared to other states  
28 and federal programs; analyze workplace injury and illness rates and  
29 trends in Washington; identify factors that may influence workplace  
30 safety and health; and identify practices that may improve workplace  
31 safety and health and/or impact insurance rates.

32           (3) Within the amounts appropriated in this section, the committee  
33 shall conduct a review of marketing and vendor expenditures and  
34 incentive payment programs at the state lottery commission to identify  
35 cost savings and efficiencies to maximize contributions to

1 beneficiaries under this act. This review shall include examination of  
2 the following:

3 (a) An analysis of marketing expenses and the impact on ticket  
4 sales; the impact to sales of tickets from the change in lottery  
5 beneficiaries; the competitive contracting processes for marketing  
6 services and vendors and comparison to other states; identification of  
7 whether there are duplicative or unproductive marketing activities; and  
8 identification of whether savings may occur from changing vendors.

9 (b) A description of how the employee incentive payment program at  
10 the state lottery commission operates, and comparison to best practices  
11 for outcome-based performance payments.

12 (4) \$85,000 of the medical aid account--state appropriation and  
13 \$85,000 of the accident account--state appropriation are provided  
14 solely for the purposes of House Bill No. 2123 (workers' compensation).  
15 If the bill is not enacted by June 30, 2011, the amounts provided in  
16 this subsection shall lapse.

17 NEW SECTION. **Sec. 104. FOR THE LEGISLATIVE EVALUATION AND**  
18 **ACCOUNTABILITY PROGRAM COMMITTEE**

19	General Fund--State Appropriation (FY 2012) . . . . .	\$2,027,000
20	General Fund--State Appropriation (FY 2013) . . . . .	\$2,193,000
21	TOTAL APPROPRIATION . . . . .	\$4,220,000

22 NEW SECTION. **Sec. 105. FOR THE OFFICE OF THE STATE ACTUARY**

23	General Fund--State Appropriation (FY 2012) . . . . .	\$24,000
24	General Fund--State Appropriation (FY 2013) . . . . .	\$24,000
25	Department of Retirement Systems Expense	
26	Account--State Appropriation . . . . .	\$3,344,000
27	TOTAL APPROPRIATION . . . . .	\$3,392,000

28 The appropriations in this section are subject to the following  
29 conditions and limitations: \$75,000 of the department of retirement  
30 services account--state appropriation is for the state actuary to study  
31 the issue of merging the law enforcement officers' and fire fighters'  
32 retirement system plans 1 and 2 into a single retirement plan. The  
33 department of retirement systems shall assist the state actuary by  
34 providing such information and advice as the state actuary requests,  
35 and the state actuary may contract for services as needed to conduct



1 TOTAL APPROPRIATION . . . . . \$1,781,000

2 The appropriations in this section are subject to the following  
3 conditions and limitations: \$443,000 of the general fund--state  
4 appropriation for fiscal year 2012 is provided solely for the support  
5 of legislative redistricting efforts. The commission shall enter into  
6 an interagency agreement with the house of representatives and the  
7 senate for the expenditure of these funds.

8 NEW SECTION. **Sec. 109. FOR THE SUPREME COURT**

9 General Fund--State Appropriation (FY 2012) . . . . . \$6,714,000

10 General Fund--State Appropriation (FY 2013) . . . . . \$6,729,000

11 TOTAL APPROPRIATION . . . . . \$13,443,000

12 NEW SECTION. **Sec. 110. FOR THE LAW LIBRARY**

13 General Fund--State Appropriation (FY 2012) . . . . . \$1,472,000

14 General Fund--State Appropriation (FY 2013) . . . . . \$1,466,000

15 TOTAL APPROPRIATION . . . . . \$2,938,000

16 NEW SECTION. **Sec. 111. FOR THE COURT OF APPEALS**

17 General Fund--State Appropriation (FY 2012) . . . . . \$15,227,000

18 General Fund--State Appropriation (FY 2013) . . . . . \$15,280,000

19 TOTAL APPROPRIATION . . . . . \$30,507,000

20 NEW SECTION. **Sec. 112. FOR THE COMMISSION ON JUDICIAL CONDUCT**

21 General Fund--State Appropriation (FY 2012) . . . . . \$1,057,000

22 General Fund--State Appropriation (FY 2013) . . . . . \$991,000

23 TOTAL APPROPRIATION . . . . . \$2,048,000

24 NEW SECTION. **Sec. 113. FOR THE ADMINISTRATOR FOR THE COURTS**

25 General Fund--State Appropriation (FY 2012) . . . . . \$50,619,000

26 General Fund--State Appropriation (FY 2013) . . . . . \$50,174,000

27 General Fund--Federal Appropriation . . . . . \$1,551,000

28 General Fund--Private/Local Appropriation . . . . . \$248,000

29 Judicial Information Systems Account--State  
30 Appropriation . . . . . \$42,383,000

31 Judicial Stabilization Trust Account--State  
32 Appropriation . . . . . \$5,414,000

33 TOTAL APPROPRIATION . . . . . \$150,389,000

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

3 (1) \$1,800,000 of the general fund--state appropriation for fiscal  
4 year 2012 and \$1,800,000 of the general fund--state appropriation for  
5 fiscal year 2013 are provided solely for school districts for petitions  
6 to juvenile court for truant students as provided in RCW 28A.225.030  
7 and 28A.225.035. The office of the administrator for the courts shall  
8 develop an interagency agreement with the superintendent of public  
9 instruction to allocate the funding provided in this subsection.  
10 Allocation of this money to school districts shall be based on the  
11 number of petitions filed. This funding includes amounts school  
12 districts may expend on the cost of serving petitions filed under RCW  
13 28A.225.030 by certified mail or by personal service or for the  
14 performance of service of process for any hearing associated with RCW  
15 28A.225.030.

16 (2)(a) \$8,252,000 of the general fund--state appropriation for  
17 fiscal year 2012 and \$8,253,000 of the general fund--state  
18 appropriation for fiscal year 2013 are provided solely for distribution  
19 to county juvenile court administrators to fund the costs of processing  
20 truancy, children in need of services, and at-risk youth petitions.  
21 The administrator for the courts, in conjunction with the juvenile  
22 court administrators, shall develop an equitable funding distribution  
23 formula. The formula shall neither reward counties with higher than  
24 average per-petition processing costs nor shall it penalize counties  
25 with lower than average per-petition processing costs.

26 (b) Each fiscal year during the 2009-11 fiscal biennium, each  
27 county shall report the number of petitions processed and the total  
28 actual costs of processing truancy, children in need of services, and  
29 at-risk youth petitions. Counties shall submit the reports to the  
30 administrator for the courts no later than 45 days after the end of the  
31 fiscal year. The administrator for the courts shall electronically  
32 transmit this information to the chairs and ranking minority members of  
33 the house of representatives and senate ways and means committees no  
34 later than 60 days after a fiscal year ends. These reports are deemed  
35 informational in nature and are not for the purpose of distributing  
36 funds.

37 (3) The distributions made under this subsection and distributions  
38 from the county criminal justice assistance account made pursuant to

1 section 801 of this act constitute appropriate reimbursement for costs  
2 for any new programs or increased level of service for purposes of RCW  
3 43.135.060.

4 (4) \$265,000 of the general fund--state appropriation for fiscal  
5 year 2012 is provided solely for the office of public guardianship to  
6 provide guardianship services for low-income incapacitated persons.

7 (5) \$1,178,000 of the judicial information systems account--state  
8 appropriation is provided solely for replacing computer equipment at  
9 state courts and state judicial agencies.

10 (6) No later than September 30, 2011, the judicial information  
11 systems committee shall provide a report to the legislature on the  
12 recommendations of the case management feasibility study, including  
13 plans for a replacement of the superior court management information  
14 system (SCOMIS) and plans for completing the data exchange core system  
15 component consistent with a complete data exchange standard. No later  
16 than December 31, 2011, the judicial information systems committee  
17 shall provide a report to the legislature on the status of the data  
18 exchange, the procurement process for a SCOMIS replacement, and a case  
19 management system that is designed to meet the requirements approved by  
20 the superior courts and county clerks of all thirty-nine counties. The  
21 legislature shall solicit input on both reports from judicial,  
22 legislative, and executive stakeholders.

23 (7) In order to gather better data on juveniles in the criminal  
24 justice system, the administrative office of the courts shall modify  
25 the judgment and sentence form for juvenile and adult sentences to  
26 include one or more check boxes indicating whether (a) the adult  
27 superior court had original jurisdiction for a defendant who was  
28 younger than eighteen years of age at the time the case was filed; (b)  
29 the case was originally filed in juvenile court but transferred to  
30 adult superior court jurisdiction; or (c) the case was originally filed  
31 in adult superior court or transferred to adult superior court but then  
32 returned to the juvenile court.

33 **NEW SECTION. Sec. 114. FOR THE OFFICE OF PUBLIC DEFENSE**

34	General Fund--State Appropriation (FY 2012) . . . . .	\$25,027,000
35	General Fund--State Appropriation (FY 2013) . . . . .	\$24,966,000
36	Judicial Stabilization Trust Account--State	
37	Appropriation . . . . .	\$2,490,000

1 TOTAL APPROPRIATION . . . . . \$52,483,000

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

4 (1) The amounts provided include funding for expert and  
5 investigative services in death penalty personal restraint petitions.

6 (2) By December 1, 2011, the office of public defense shall submit  
7 to the appropriate policy and fiscal committees of the legislature a  
8 proposal for office of public defense to assume the effective and  
9 efficient administration of defense services for indigent persons  
10 throughout the state who are involved in proceedings under chapter  
11 71.09 RCW. In developing its proposal, the office of public defense  
12 should consult with interested stakeholders, including the King county  
13 public defender, the Washington defender association, the Washington  
14 association of criminal defense lawyers, the administrative office of  
15 the courts, the superior court judges association, the office of the  
16 attorney general, the King county prosecuting attorney, the Washington  
17 association of counties, and the department of social and health  
18 services. At a minimum, the proposal should identify:

19 (a) Procedures to control costs and require accountability,  
20 consistent with the state's obligation to ensure the right to counsel  
21 under both the United States Constitution and the Washington  
22 Constitution;

23 (b) Appropriate practice standards for trial-level defense of  
24 indigent persons involved in proceedings under chapter 71.09 RCW, an  
25 estimated number of attorneys statewide who are qualified to provide  
26 such representation, and reasonable compensation for such defense  
27 services;

28 (c) The total budget necessary to implement the proposal statewide  
29 for fiscal year 2013, including administrative support; and

30 (d) Possible savings to the state and counties that might result  
31 from implementing the proposal.

32 **NEW SECTION. Sec. 115. FOR THE OFFICE OF CIVIL LEGAL AID**

33 General Fund--State Appropriation (FY 2012) . . . . . \$11,038,000

34 General Fund--State Appropriation (FY 2013) . . . . . \$11,048,000

35 Judicial Stabilization Trust Account--State  
36 Appropriation . . . . . \$1,093,000

37 TOTAL APPROPRIATION . . . . . \$23,179,000



1 The appropriations in this section are subject to the following  
2 conditions and limitations: An amount not to exceed \$40,000 of the  
3 general fund--state appropriation for fiscal year 2012 and an amount  
4 not to exceed \$40,000 of the general fund--state appropriation for  
5 fiscal year 2013 may be used to provide telephonic legal advice and  
6 assistance to otherwise eligible persons who are sixty years of age or  
7 older on matters authorized by RCW 2.53.030(2) (a) through (k)  
8 regardless of household income or asset level.

9 NEW SECTION. **Sec. 116. FOR THE OFFICE OF THE GOVERNOR**

10	General Fund--State Appropriation (FY 2012) . . . . .	\$5,312,000
11	General Fund--State Appropriation (FY 2013) . . . . .	\$5,293,000
12	Economic Development Strategic Reserve Account--State	
13	Appropriation . . . . .	\$1,500,000
14	TOTAL APPROPRIATION . . . . .	\$12,105,000

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

17 (1) \$1,500,000 of the economic development strategic reserve  
18 account appropriation is provided solely for efforts to assist with  
19 currently active industrial recruitment efforts that will bring new  
20 jobs to the state or will retain headquarter locations of major  
21 companies currently housed in the state.

22 (2) \$547,000 of the general fund--state appropriation for fiscal  
23 year 2012 and \$547,000 of the general fund--state appropriation for  
24 fiscal year 2013 are provided solely for the office of the education  
25 ombudsman.

26 NEW SECTION. **Sec. 117. FOR THE LIEUTENANT GOVERNOR**

27	General Fund--State Appropriation (FY 2012) . . . . .	\$687,000
28	General Fund--State Appropriation (FY 2013) . . . . .	\$698,000
29	General Fund--Private/Local Appropriation . . . . .	\$90,000
30	TOTAL APPROPRIATION . . . . .	\$1,475,000

31 NEW SECTION. **Sec. 118. FOR THE PUBLIC DISCLOSURE COMMISSION**

32	General Fund--State Appropriation (FY 2012) . . . . .	\$2,107,000
33	General Fund--State Appropriation (FY 2013) . . . . .	\$2,130,000
34	TOTAL APPROPRIATION . . . . .	\$4,237,000

1 The appropriations in this section are subject to the following  
2 conditions and limitations: \$43,000 of the general fund--state  
3 appropriation for fiscal year 2012 and \$82,000 of the general fund--  
4 state appropriation for fiscal year 2013 are provided solely for the  
5 implementation of Engrossed Substitute Senate Bill No. 5021 (election  
6 campaign disclosure).

7 NEW SECTION. **Sec. 119. FOR THE SECRETARY OF STATE**

8	General Fund--State Appropriation (FY 2012) . . . . .	\$16,710,000
9	General Fund--State Appropriation (FY 2013) . . . . .	\$14,135,000
10	General Fund--Federal Appropriation . . . . .	\$7,338,000
11	Public Records Efficiency, Preservation, and Access	
12	Account--State Appropriation . . . . .	\$7,943,000
13	Charitable Organization Education Account--State	
14	Appropriation . . . . .	\$452,000
15	Local Government Archives Account--State	
16	Appropriation . . . . .	\$10,556,000
17	Election Account--Federal Appropriation . . . . .	\$17,288,000
18	Washington State Heritage Center Account--State	
19	Appropriation . . . . .	\$1,028,000
20	TOTAL APPROPRIATION . . . . .	\$75,450,000

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

23 (1) \$4,101,000 of the general fund--state appropriation for fiscal  
24 year 2012 is provided solely to reimburse counties for the state's  
25 share of primary and general election costs and the costs of conducting  
26 mandatory recounts on state measures. Counties shall be reimbursed  
27 only for those odd-year election costs that the secretary of state  
28 validates as eligible for reimbursement.

29 (2)(a) \$1,997,000 of the general fund--state appropriation for  
30 fiscal year 2012 and \$2,076,000 of the general fund--state  
31 appropriation for fiscal year 2013 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 2011-2013 biennium. The funding  
35 level for each year of the contract shall be based on the amount  
36 provided in this subsection. The nonprofit organization shall be  
37 required to raise contributions or commitments to make contributions,

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

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

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

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

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

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

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

25 (3) Any reductions to funding for the Washington talking book and  
26 Braille library may not exceed in proportion any reductions taken to  
27 the funding for the library as a whole.

28 NEW SECTION. **Sec. 120. FOR THE GOVERNOR'S OFFICE OF INDIAN**  
29 **AFFAIRS**

30	General Fund--State Appropriation (FY 2012) . . . . .	\$259,000
31	General Fund--State Appropriation (FY 2013) . . . . .	\$267,000
32	TOTAL APPROPRIATION . . . . .	\$526,000

33 The appropriations in this section are subject to the following  
34 conditions and limitations: The office shall assist the department of  
35 enterprise services on providing the government-to-government training  
36 sessions for federal, state, local, and tribal government employees.  
37 The training sessions shall cover tribal historical perspectives, legal

1 issues, tribal sovereignty, and tribal governments. Costs of the  
2 training sessions shall be recouped through a fee charged to the  
3 participants of each session. The department of enterprise services  
4 shall be responsible for all of the administrative aspects of the  
5 training, including the billing and collection of the fees for the  
6 training.

7 NEW SECTION. **Sec. 121. FOR THE COMMISSION ON ASIAN PACIFIC**  
8 **AMERICAN AFFAIRS**

9	General Fund--State Appropriation (FY 2012) . . . . .	\$232,000
10	General Fund--State Appropriation (FY 2013) . . . . .	\$219,000
11	TOTAL APPROPRIATION . . . . .	\$451,000

12 NEW SECTION. **Sec. 122. FOR THE STATE TREASURER**

13	State Treasurer's Service Account--State	
14	Appropriation . . . . .	\$14,996,000

15 NEW SECTION. **Sec. 123. FOR THE STATE AUDITOR**

16	State Auditing Services Revolving Account--State	
17	Appropriation . . . . .	\$10,293,000
18	Performance Audit of Government Account--State	
19	Appropriation . . . . .	\$1,348,000
20	TOTAL APPROPRIATION . . . . .	\$11,641,000

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

23 (1) Audits of school districts by the division of municipal  
24 corporations shall include findings regarding the accuracy of: (a)  
25 Student enrollment data; and (b) the experience and education of the  
26 district's certified instructional staff, as reported to the  
27 superintendent of public instruction for allocation of state funding.

28 (2) \$1,461,000 of the performance audits of government account  
29 appropriation is provided solely for staff and related costs to verify  
30 the accuracy of reported school district data submitted for state  
31 funding purposes; conduct school district program audits of state  
32 funded public school programs; establish the specific amount of state  
33 funding adjustments whenever audit exceptions occur and the amount is  
34 not firmly established in the course of regular public school audits;

1 and to assist the state special education safety net committee when  
2 requested.

3 (3) Within the amounts appropriated in this section, the state  
4 auditor shall continue to complete the annual audit of the state's  
5 comprehensive annual financial report and the annual federal single  
6 audit consistent with the auditing standards generally accepted in the  
7 United States and the standards applicable to financial audits  
8 contained in government auditing standards, issued by the comptroller  
9 general of the United States, and OMB circular A-133, audits of states,  
10 local governments, and nonprofit organizations.

11 (4) \$224,000 of performance audits of state government account  
12 appropriation is provided solely for the fraud ombudsman to review and  
13 audit the fraud investigative work of the division of fraud  
14 investigations of the department of social and health services.

15 NEW SECTION. **Sec. 124. FOR THE CITIZENS' COMMISSION ON SALARIES**  
16 **FOR ELECTED OFFICIALS**

17	General Fund--State Appropriation (FY 2012) . . . . .	\$158,000
18	General Fund--State Appropriation (FY 2013) . . . . .	\$195,000
19	TOTAL APPROPRIATION . . . . .	\$353,000

20 NEW SECTION. **Sec. 125. FOR THE ATTORNEY GENERAL**

21	General Fund--State Appropriation (FY 2012) . . . . .	\$4,028,000
22	General Fund--State Appropriation (FY 2013) . . . . .	\$3,997,000
23	General Fund--Federal Appropriation . . . . .	\$8,819,000
24	New Motor Vehicle Arbitration Account--State	
25	Appropriation . . . . .	\$972,000
26	Legal Services Revolving Account--State	
27	Appropriation . . . . .	\$206,635,000
28	Tobacco Prevention and Control Account--State	
29	Appropriation . . . . .	\$270,000
30	Medicaid Fraud Penalty Account--State Appropriation . . . . .	\$2,825,000
31	TOTAL APPROPRIATION . . . . .	\$227,546,000

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

34 (1) The attorney general shall report each fiscal year on actual  
35 legal services expenditures and actual attorney staffing levels for  
36 each agency receiving legal services. The report shall be submitted to

1 the office of financial management and the fiscal committees of the  
2 senate and house of representatives no later than ninety days after the  
3 end of each fiscal year. As part of its by agency report to the  
4 legislative fiscal committees and the office of financial management,  
5 the office of the attorney general shall include information detailing  
6 the agency's expenditures for its agency-wide overhead and a breakdown  
7 by division of division administration expenses.

8 (2) Prior to entering into any negotiated settlement of a claim  
9 against the state that exceeds five million dollars, the attorney  
10 general shall notify the director of financial management and the  
11 chairs of the senate committee on ways and means and the house of  
12 representatives committee on ways and means.

13 (3) The attorney general shall annually report to the fiscal  
14 committees of the legislature all new *cy pres* awards and settlements  
15 and all new accounts, disclosing their intended uses, balances, the  
16 nature of the claim or account, proposals, and intended timeframes for  
17 the expenditure of each amount. The report shall be distributed  
18 electronically and posted on the attorney general's web site. The  
19 report shall not be printed on paper or distributed physically.

20 (4) The attorney general shall enter into an interagency agreement  
21 with the department of social and health services for expenditure of  
22 the state's proceeds from the *cy pres* settlement in *State of Washington*  
23 *v. AstraZeneca* (Seroquel) for the purposes set forth in sections 204  
24 and 213 of this act.

25 (5) \$62,000 of the legal services revolving fund--state  
26 appropriation is provided solely to implement House Bill No. 1770  
27 (state purchasing). If the bill is not enacted by June 30, 2011, the  
28 amount provided in this subsection shall lapse.

29 (6) \$5,924,000 of the legal services revolving account--state  
30 appropriation is provided solely to implement House Bill No. 2123  
31 (workers' compensation). If the bill is not enacted by June 30, 2011,  
32 the amount provided in this subsection shall lapse.

33 (7) The office of the attorney general is authorized to expend  
34 \$2,100,000 from the *Zyprexa* and other *cy pres* awards towards consumer  
35 protection costs in accordance with uses authorized in the court  
36 orders.

37 (8) \$96,000 of the legal services revolving fund--state

1 appropriation is provided solely to implement Senate Bill No. 5076  
2 (financial institutions). If the bill is not enacted by June 30, 2011,  
3 the amount provided in this subsection shall lapse.

4 (9) \$99,000 of the legal services revolving fund--state  
5 appropriation is provided solely to implement Engrossed Second  
6 Substitute Senate Bill No. 5769 (coal-fired generation). If the bill  
7 is not enacted by June 30, 2011, the amount provided in this subsection  
8 shall lapse.

9 (10) \$416,000 of the legal services revolving fund--state  
10 appropriation is provided solely to implement Substitute Senate Bill  
11 No. 5801 (industrial insurance system). If the bill is not enacted by  
12 June 30, 2011, the amount provided in this subsection shall lapse.

13 (11) \$31,000 of the legal services revolving fund--state  
14 appropriation is provided solely to implement Engrossed Substitute  
15 Senate Bill No. 5021 (election campaign disclosure). If the bill is  
16 not enacted by June 30, 2011, the amount provided in this subsection  
17 shall lapse.

18 (12) The executive ethics board shall: (a) Develop a statewide  
19 plan, with performance measures, to provide overall direction and  
20 accountability in all executive branch agencies and statewide elected  
21 offices; (b) coordinate and work with the commission on judicial  
22 conduct and the legislative ethics board; (c) assess and evaluate each  
23 agency's ethical culture through employee and stakeholder surveys,  
24 review Washington state quality award feedback reports, and publish an  
25 annual report on the results to the public; and (d) solicit outside  
26 evaluations, studies, and recommendations for improvements from  
27 academics, nonprofit organizations, the public disclosure commission,  
28 or other entities with expertise in ethics, integrity, and the public  
29 sector.

30 **NEW SECTION. Sec. 126. FOR THE CASELOAD FORECAST COUNCIL**

31	General Fund--State Appropriation (FY 2012) . . . . .	\$1,308,000
32	General Fund--State Appropriation (FY 2013) . . . . .	\$1,305,000
33	TOTAL APPROPRIATION . . . . .	\$2,613,000

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

36 (1) The appropriations in this section include funding for  
37 activities transferred from the sentencing guidelines commission to the

1 caseload forecast council pursuant to Engrossed Substitute Senate Bill  
2 No. 5891 (criminal justice cost savings). Prior to the effective date  
3 of Engrossed Substitute Senate Bill No. 5891, the appropriations in  
4 this section may be expended for the continued operations and expenses  
5 of the sentencing guidelines commission pursuant to the expenditure  
6 authority schedule produced by the office of financial management in  
7 accordance with chapter 43.88 RCW.

8 (2) \$57,000 of the general fund--state appropriation for fiscal  
9 year 2012 and \$57,000 of the general fund--state appropriation for  
10 fiscal year 2013 are provided solely for the implementation of Senate  
11 Bill No. 5304 (college bound scholarship).

12 NEW SECTION. **Sec. 127. FOR THE DEPARTMENT OF COMMERCE**

13	General Fund--State Appropriation (FY 2012) . . . . .	\$57,271,000
14	General Fund--State Appropriation (FY 2013) . . . . .	\$72,479,000
15	General Fund--Federal Appropriation . . . . .	\$282,218,000
16	General Fund--Private/Local Appropriation . . . . .	\$4,998,000
17	Public Works Assistance Account--State	
18	Appropriation . . . . .	\$2,767,000
19	Drinking Water Assistance Administrative	
20	Account--State Appropriation . . . . .	\$437,000
21	Lead Paint Account--State Appropriation . . . . .	\$65,000
22	Building Code Council Account--State Appropriation . . . . .	\$13,000
23	Home Security Fund Account--State Appropriation . . . . .	\$16,655,000
24	Affordable Housing for All Account--State	
25	Appropriation . . . . .	\$11,902,000
26	County Research Services Account--State Appropriation . . . . .	\$1,081,000
27	Financial Fraud and Identity Theft Crimes Investigation	
28	and Prosecution Account--State Appropriation . . . . .	\$1,166,000
29	Low-Income Weatherization Assistance Account--State	
30	Appropriation . . . . .	\$5,778,000
31	City and Town Research Services Account--State	
32	Appropriation . . . . .	\$5,166,000
33	Manufacturing Innovation and Modernization	
34	Account--State Appropriation . . . . .	\$61,000
35	Community and Economic Development Fee Account--State	
36	Appropriation . . . . .	\$6,488,000
37	Washington Housing Trust Account--State	



1       Appropriation . . . . . \$17,503,000  
 2   Prostitution Prevention and Intervention Account--  
 3       State Appropriation . . . . . \$94,000  
 4   Public Facility Construction Loan Revolving  
 5       Account--State Appropriation . . . . . \$755,000  
 6   Washington Community Technology Opportunity Account--  
 7       State Appropriation . . . . . \$713,000  
 8       TOTAL APPROPRIATION . . . . . \$487,610,000

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

11       (1) Repayments of outstanding mortgage and rental assistance  
 12   program loans administered by the department under RCW 43.63A.640 shall  
 13   be remitted to the department, including any current revolving account  
 14   balances. The department shall collect payments on outstanding loans,  
 15   and deposit them into the state general fund. Repayments of funds owed  
 16   under the program shall be remitted to the department according to the  
 17   terms included in the original loan agreements.

18       (2) \$500,000 of the general fund--state appropriation for fiscal  
 19   year 2012 and \$500,000 of the general fund--state appropriation for  
 20   fiscal year 2013 are provided solely for a grant to resolution  
 21   Washington to building statewide capacity for alternative dispute  
 22   resolution centers and dispute resolution programs that guarantee that  
 23   citizens have access to low-cost resolution as an alternative to  
 24   litigation.

25       (3) \$306,000 of the general fund--state appropriation for fiscal  
 26   year 2012 and \$306,000 of the general fund--state appropriation for  
 27   fiscal year 2013 are provided solely for a grant to the retired senior  
 28   volunteer program.

29       (4) The department shall administer its growth management act  
 30   technical assistance so that smaller cities receive proportionately  
 31   more assistance than larger cities or counties.

32       (5) \$1,800,000 of the home security fund--state appropriation is  
 33   provided for transitional housing assistance or partial payments for  
 34   rental assistance under the independent youth housing program.

35       (6) \$5,000,000 of the home security fund--state appropriation is  
 36   for the operation, repair, and staffing of shelters in the homeless  
 37   family shelter program.

1 (7) \$198,000 of the general fund--state appropriation for fiscal  
2 year 2012 and \$198,000 of the general fund--state appropriation for  
3 fiscal year 2013 are provided solely for the Washington new Americans  
4 program.

5 (8) \$2,949,000 of the general fund--state appropriation for fiscal  
6 year 2012 and \$2,949,000 of the general fund--state appropriation for  
7 fiscal year 2013 are provided solely for associate development  
8 organizations.

9 (9) \$127,000 of the general fund--federal appropriation is provided  
10 solely for implementation of Substitute House Bill No. 1886  
11 (Ruckelshaus center process). If the bill is not enacted by June 30,  
12 2011, the amount provided in this subsection shall lapse.

13 (10) Up to \$200,000 of the general fund--private/local  
14 appropriation is for a grant to the Washington tourism alliance for the  
15 maintenance of the Washington state tourism web site  
16 [www.experiencewa.com](http://www.experiencewa.com) and its related sub-sites. The department may  
17 transfer ownership of the web site and other tourism promotion assets  
18 and assign obligations to the Washington tourism alliance for purposes  
19 of tourism promotion throughout the state. The alliance may use the  
20 assets only in a manner consistent with the purposes for which they  
21 were created. Any revenue generated from these assets must be used by  
22 the alliance for the sole purposes of statewide Washington tourism  
23 promotion. The legislature finds that the Washington tourism alliance,  
24 a not-for-profit, 501.c.6 organization established, funded, and  
25 governed by Washington tourism industry stakeholders to sustain  
26 destination tourism marketing across Washington, is an appropriate body  
27 to receive funding and assets from and assume obligations of the  
28 department for the purposes described in this section.

29 (11) The public works assistance account appropriation reflects  
30 savings required by Substitute Senate Bill No. 5844 (local government  
31 infrastructure), which requires the department to reduce expenditures  
32 from the public works assistance account for central agency  
33 administration for the 2011-2013 biennium.

34 (12) Within the appropriations in this section, specific funding is  
35 provided to implement Substitute Senate Bill No. 5741 (economic  
36 development commission).

37 (13) \$2,000,000 of the community and economic development fee

1 account appropriation is provided solely for the department of commerce  
2 for services to homeless families through the Washington families fund.

3 (14) \$260,000 of the general fund--state appropriation for fiscal  
4 year 2012 and \$259,000 of the general fund--state appropriation for  
5 fiscal year 2013 are provided solely for the Washington asset building  
6 coalitions.

7 (15) \$1,859,000 of the general fund--state appropriation for fiscal  
8 year 2012 and \$1,859,000 of the general fund--state appropriation for  
9 fiscal year 2013 are provided solely for innovative research teams,  
10 also known as entrepreneurial STARS, at higher education research  
11 institutions, and for entrepreneurs-in-residence programs at higher  
12 education research institutions and entrepreneurial assistance  
13 organizations. Of these amounts no more than \$50,000 in fiscal year  
14 2012 and no more than \$50,000 in fiscal year 2013 may be provided for  
15 the operation of entrepreneurs-in-residence programs at entrepreneurial  
16 assistance organizations external to higher education research  
17 institutions.

18 (16) Up to \$700,000 of the general fund--private/local  
19 appropriation is for pass-through grants to cities in central Puget  
20 Sound to plan for transfer of development rights receiving areas under  
21 the central Puget Sound regional transfer of development rights  
22 program.

23 (17) \$16,000 of the general fund--state appropriation for fiscal  
24 year 2012 is provided solely to implement section 503 of Substitute  
25 House Bill No. 1277 (licensed settings for vulnerable adults). The  
26 long-term care ombudsman shall convene an adult family home quality  
27 assurance panel to review problems concerning the quality of care for  
28 residents in adult family homes. If Substitute House Bill No. 1277  
29 (licensed settings for vulnerable adults) is not enacted by June 30,  
30 2011, the amount provided in this subsection shall lapse.

31 (18) \$24,605,000 of the general fund--state appropriation for  
32 fiscal year 2012 and \$39,527,000 of the general fund--state  
33 appropriation for fiscal year 2013 are provided solely for  
34 establishment of the essential needs and housing support program  
35 created in Engrossed Substitute House Bill No. 2082 (essential needs  
36 and assistance program). The department of commerce shall contract for  
37 these services with counties or community-based organizations involved  
38 in providing essential needs and housing supports to low-income persons

1 who meet eligibility pursuant to Engrossed Substitute House Bill No.  
2 2082. The department shall limit the funding used for administration  
3 of the program to no more than five percent. Counties and community  
4 providers shall limit the funding used for administration of the  
5 program to no more than seven percent.

6 (a) Of the amounts provided in this subsection, \$4,000,000 is  
7 provided solely for essential needs to clients who meet the eligibility  
8 established in Engrossed Substitute House Bill No. 2082. Counties and  
9 community-based organizations shall distribute basic essential products  
10 in a manner that prevents abuse. To the greatest extent possible, the  
11 counties or community-based organizations shall leverage local or  
12 private funds, and volunteer support to acquire and distribute the  
13 basic essential products.

14 (b) Of the amounts provided in this subsection, \$30,000,000 is  
15 provided solely for housing support services to individuals who are  
16 homeless and eligible for services under this program pursuant to  
17 Engrossed Substitute House Bill No. 2082.

18 (c) Of the amounts provided in this subsection, \$30,000,000 is  
19 provided solely as a contingency fund to provide housing support  
20 services for individuals who may become homeless and are otherwise  
21 eligible for this program pursuant to Engrossed Substitute House Bill  
22 No. 2082.

23 NEW SECTION. **Sec. 128. FOR THE ECONOMIC AND REVENUE FORECAST**  
24 **COUNCIL**

25	General Fund--State Appropriation (FY 2012) . . . . .	\$674,000
26	General Fund--State Appropriation (FY 2013) . . . . .	\$728,000
27	Lottery Administrative Account--State Appropriation . . . . .	\$50,000
28	TOTAL APPROPRIATION . . . . .	\$1,452,000

29 NEW SECTION. **Sec. 129. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

30	General Fund--State Appropriation (FY 2012) . . . . .	\$18,688,000
31	General Fund--State Appropriation (FY 2013) . . . . .	\$18,547,000
32	General Fund--Federal Appropriation . . . . .	\$31,534,000
33	General Fund--Private/Local Appropriation . . . . .	\$1,270,000
34	Performance Audits of Government Account--	
35	State Appropriation . . . . .	\$25,000
36	Economic Development Strategic Reserve Account--	

1	State Appropriation . . . . .	\$280,000
2	Department of Personnel Services--State Appropriation . . .	\$9,111,000
3	Data Processing Revolving Account--State	
4	Appropriation . . . . .	\$5,208,000
5	Higher Education Personnel Services Account--State	
6	Appropriation . . . . .	\$1,581,000
7	Aquatic Lands Enhancement Account--State Appropriation . . . .	\$100,000
8	TOTAL APPROPRIATION . . . . .	\$86,344,000

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

11 (1) \$1,210,000 of the general fund--state appropriation for fiscal  
12 year 2012 and \$1,210,000 of the general fund--state appropriation for  
13 fiscal year 2013 are provided solely for implementation of House Bill  
14 No. 1178 (regulatory assistance office). If the bill is not enacted by  
15 June 30, 2011, the amounts provided in this subsection shall lapse.

16 (2) \$150,000 of the general fund--state appropriation for fiscal  
17 year 2012 is provided solely for the office of financial management to  
18 contract with an independent consultant to evaluate and recommend the  
19 most cost-effective provision of services required to support the  
20 department of social and health services special commitment center on  
21 McNeil Island. The evaluation shall include island operation services  
22 that include, but are not limited to: (a) Marine transport of  
23 passengers and goods; (b) wastewater treatment; (c) fire protection and  
24 suppression; (d) electrical supply; (e) water supply; and (f) road  
25 maintenance.

26 The office of financial management shall solicit the input of  
27 Pierce county, the department of corrections, and the department of  
28 social and health services in developing the request for proposal,  
29 evaluating applications, and directing the evaluation. The consultant  
30 shall report to the governor and legislature by November 15, 2011.

31 (3) \$100,000 of the aquatic lands enhancement account--state  
32 appropriation is provided solely for the office of financial management  
33 to prepare a report to be used to initiate a comprehensive, long-range  
34 planning process for the future of McNeil Island during the 2013-2015  
35 fiscal biennium.

36 (a) The report on the initiation of the process must document:

37 (i) Ownership issues, including consultation with the federal

1 government about its current legal requirements associated with the  
2 island;

3 (ii) Federal and state decision-making processes to change use or  
4 ownership;

5 (iii) Tribal treaty interests;

6 (iv) Fish and wildlife species and their habitats;

7 (v) Land use and public safety needs;

8 (vi) Recreational opportunities for the general public;

9 (vii) Historic and archaeological resources; and

10 (viii) Revenue from and necessary to support potential future uses  
11 of the island.

12 (b) The report shall develop and recommend a comprehensive, long-  
13 range planning process for the future of the island and associated  
14 aquatic resources, addressing the items in (a) of this subsection.

15 (c) The office of financial management may use its own staff and  
16 other public agency and tribal staff or contract for services, and may  
17 create a work group of knowledgeable agencies, organizations, and  
18 individuals to assist in preparing the report.

19 (d) The office of financial management shall engage in broad  
20 consultation with interested parties, including, but not limited to:

21 (i) Federal agencies with relevant responsibilities;

22 (ii) Tribal governments;

23 (iii) State agencies;

24 (iv) Local governments and communities in the area, including the  
25 Anderson Island community, Steilacoom, and Pierce county; and

26 (v) Interested private organizations and individuals.

27 (e) The report must be submitted to the governor and appropriate  
28 committees of the legislature by October 1, 2012.

29 (4) As part of negotiations for labor contracts for the 2013-2015  
30 fiscal biennium, the office of labor relations shall propose to the  
31 bargaining representatives for state employees the authorization to  
32 collect employee health care premiums on a sliding scale based on the  
33 employee's salary.

34 (5) Funding provided in this section is sufficient for the office  
35 of financial management to conduct an impact and feasibility study to  
36 review possible implications of a direct deposit mandate for state  
37 employees. This mandate would require that state employees receive  
38 their paychecks through direct deposit. The impact and feasibility

1 study will consider the potential impact on employees and potential  
2 liabilities for employers and include a recommendation as to whether  
3 the state should implement a direct deposit mandate. The study shall  
4 be due to the fiscal committees of the legislature by December 1, 2011.

5 (6) Funding provided in this section is sufficient for the office  
6 of financial management to conduct a feasibility study on the potential  
7 impacts of a system that would allow digital signatures to serve as  
8 valid employee signatures for the purpose of employment activities. In  
9 conducting this study, the office of financial management should assume  
10 that this system would be available to all state employees. The study  
11 must consider cost and other impacts to the state, including potential  
12 liabilities. The study shall be due to the fiscal committees of the  
13 legislature by December 1, 2011.

14 (7) The appropriations in this section include funding for  
15 activities transferred from the sentencing guidelines commission to the  
16 office of financial management pursuant to Engrossed Substitute Senate  
17 Bill No. 5891 (criminal justice cost savings). Prior to the effective  
18 date of Engrossed Substitute Senate Bill No. 5891, the appropriations  
19 in this section may be expended for the continued operations and  
20 expenses of the sentencing guidelines commission pursuant to the  
21 expenditure authority schedule produced by the office of financial  
22 management in accordance with chapter 43.88 RCW.

23 (8) \$50,000 of the general fund--state appropriation for fiscal  
24 year 2012 and \$50,000 of the general fund--state appropriation for  
25 fiscal year 2013 are provided solely for the office of financial  
26 management to contract with the Washington state quality award for  
27 training, outreach, and assessments for public agencies and public  
28 agency vendors.

29 (9) The government management and accountability performance  
30 program will develop by October 1, 2011, in coordination with the  
31 Washington state quality award, a plan for all agencies to complete a  
32 Washington state quality award or baldrige full assessment by June 30,  
33 2013. The plan must also include a schedule for agencies to complete  
34 an assessment at least every three years, and for agencies to attain a  
35 score of 60 percent by 2020.

36 (10) The priorities of government program must include in their  
37 report the Washington state quality award assessment score for

1 agencies, as defined in chapter 384, Laws of 2005 (HB 1970), in its  
2 performance measures for implementing the quality management,  
3 accountability and performance system.

4 **NEW SECTION. Sec. 130. FOR THE OFFICE OF ADMINISTRATIVE HEARINGS**

5 Administrative Hearings Revolving Account--State

6 Appropriation . . . . . \$34,040,000

7 The appropriation in this section is subject to the following  
8 conditions and limitations: \$769,000 of the administrative hearings  
9 revolving account--state appropriation is provided solely to implement  
10 Engrossed Substitute Senate Bill No. 5921 (social services programs).  
11 If the bill is not enacted by June 30, 2011, the amount provided in  
12 this subsection shall lapse.

13 **NEW SECTION. Sec. 131. FOR THE WASHINGTON STATE LOTTERY**

14 Lottery Administrative Account--State

15 Appropriation . . . . . \$25,694,000

16 **NEW SECTION. Sec. 132. FOR THE COMMISSION ON HISPANIC AFFAIRS**

17 General Fund--State Appropriation (FY 2012) . . . . . \$246,000

18 General Fund--State Appropriation (FY 2013) . . . . . \$250,000

19 TOTAL APPROPRIATION . . . . . \$496,000

20 **NEW SECTION. Sec. 133. FOR THE COMMISSION ON AFRICAN-AMERICAN**  
21 **AFFAIRS**

22 General Fund--State Appropriation (FY 2012) . . . . . \$239,000

23 General Fund--State Appropriation (FY 2013) . . . . . \$238,000

24 TOTAL APPROPRIATION . . . . . \$477,000

25 **NEW SECTION. Sec. 134. FOR THE DEPARTMENT OF RETIREMENT**  
26 **SYSTEMS--OPERATIONS**

27 Department of Retirement Systems Expense

28 Account--State Appropriation . . . . . \$47,057,000

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

31 (1) \$146,000 of the department of retirement systems--state  
32 appropriation is provided solely for the administrative costs



1 associated with implementation of House Bill No. 2070 (state and local  
2 government employees). If the bill is not enacted by June 30, 2011,  
3 the amount provided in this subsection shall lapse.

4 (2) \$65,000 of the department of retirement systems--state  
5 appropriation is provided solely for the administrative costs  
6 associated with implementation of House Bill No. 1625 (plan 3 default  
7 investment option). If the bill is not enacted by June 30, 2011, the  
8 amount provided in this subsection shall lapse.

9 (3) \$133,000 of the department of retirement systems--state  
10 appropriation is provided solely for the administrative costs  
11 associated with implementation of Engrossed House Bill No. 1981 as  
12 amended (post-retirement employment). If the bill is not enacted by  
13 June 30, 2011, the amount provided in this subsection shall lapse.

14 (4) \$44,000 of the department of retirement systems--state  
15 appropriation is provided solely for the administrative costs  
16 associated with implementation of Substitute Senate Bill No. 5846  
17 (retired public employees). If the bill is not enacted by June 30,  
18 2011, the amount provided in this subsection shall lapse.

19 (5) \$15,000 of the department of retirement systems expense  
20 account--state appropriation is provided solely for the administrative  
21 costs associated with implementation of Substitute House Bill No. 2021  
22 (plan 1 annual increase amounts). If the bill is not enacted by June  
23 30, 2011, the amount provided in this section shall lapse.

24 NEW SECTION. **Sec. 135. FOR THE DEPARTMENT OF REVENUE**

25	General Fund--State Appropriation (FY 2012) . . . . .	\$104,380,000
26	General Fund--State Appropriation (FY 2013) . . . . .	\$104,232,000
27	Timber Tax Distribution Account--State Appropriation . . . . .	\$5,940,000
28	Waste Reduction/Recycling/Litter Control--State	
29	Appropriation . . . . .	\$129,000
30	Waste Tire Removal Account--State Appropriation . . . . .	\$2,000
31	State Toxics Control Account--State Appropriation . . . . .	\$87,000
32	Oil Spill Prevention Account--State Appropriation . . . . .	\$19,000
33	Master License Fund--State Appropriation . . . . .	\$14,012,000
34	Vehicle License Fraud Account--State Appropriation . . . . .	\$5,000
35	Performance Audits of Government Account--State	
36	Appropriation . . . . .	\$3,188,000
37	TOTAL APPROPRIATION . . . . .	\$231,994,000

1        NEW SECTION.    **Sec. 136.    FOR THE STATE INVESTMENT BOARD**

2    State Investment Board Expense Account--State

3        Appropriation . . . . . \$29,256,000

4        NEW SECTION.    **Sec. 137.    FOR THE BOARD OF TAX APPEALS**

5    General Fund--State Appropriation (FY 2012) . . . . . \$1,241,000

6    General Fund--State Appropriation (FY 2013) . . . . . \$1,219,000

7        TOTAL APPROPRIATION . . . . . \$2,460,000

8        NEW SECTION.    **Sec. 138.    FOR THE OFFICE OF MINORITY AND WOMEN'S**  
9    **BUSINESS ENTERPRISES**

10    OMWBE Enterprises Account--State Appropriation . . . . . \$3,266,000

11        NEW SECTION.    **Sec. 139.    FOR THE CONSOLIDATED TECHNOLOGY SERVICES**  
12    **AGENCY**

13    General Fund--State Appropriation (FY 2012) . . . . . \$3,000

14    General Fund--State Appropriation (FY 2013) . . . . . \$4,000

15    General Fund--Private/Local Appropriation . . . . . \$356,000

16    Data Processing Revolving Account--State

17        Appropriation . . . . . \$53,000

18        TOTAL APPROPRIATION . . . . . \$416,000

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

21        (1) The appropriations in this section are for the operations and  
22    expenses of the consolidated technology services agency as established  
23    by Engrossed Substitute Senate Bill No. 5931 (central service functions  
24    of state government), effective October 1, 2011. Prior to October 1,  
25    2011, the appropriations in this section may be expended for the  
26    continued operations and expenses of the department of information  
27    services pursuant to the expenditure authority schedules produced by  
28    the office of financial management in accordance with chapter 43.88  
29    RCW.

30        (2) The appropriations in this section fund implementation of  
31    Senate Bill No. 5931 (streamlining central service functions).

32        (3) \$26,794,000 from the data processing revolving account  
33    appropriation may be expended to design and install the network and  
34    other necessary equipment to operate a consolidated state data center.

1 Before expending any funds from this account for equipping and  
2 operating the data center, the following conditions must be met:

3 (a) The office of the chief information officer shall be  
4 established and a chief information officer appointed as directed under  
5 Engrossed Substitute Senate Bill No. 5931 (information technology  
6 management);

7 (b) Technical standards for agencies to adopt shared services  
8 consistent with the consolidated data center have been developed and  
9 approved by the chief information officer;

10 (c) Labor provisions and contracting and purchasing authority have  
11 been implemented consistent with Engrossed Substitute Senate Bill No.  
12 5931 (information technology management); and

13 (d) The consolidated technology services agency has developed a  
14 rate model that provides competitive rates for agencies that use the  
15 state data center. If necessary, the consolidated technology services  
16 agency shall identify options with input from various stakeholders to  
17 offset the fixed costs of operating the data center to allow for  
18 competitive rates to be charged to agencies, including, but not limited  
19 to, considering the agency competitively selecting a vendor to design,  
20 install, and operate the consolidated data center.

21 (4) Once the conditions in subsection (1) of this section have been  
22 met and approved by the office of financial management and the chief  
23 information officer, the chief information officer and the consolidated  
24 technology services agency shall submit to the appropriate committees  
25 of the legislature a detailed technical, financial, and logistical  
26 implementation plan for operation of the consolidated data center.

27 NEW SECTION. **Sec. 140. FOR THE INSURANCE COMMISSIONER**

28	General Fund--Federal Appropriation . . . . .	\$4,452,000
29	Insurance Commissioners Regulatory Account--State	
30	Appropriation . . . . .	\$47,509,000
31	TOTAL APPROPRIATION . . . . .	\$51,961,000

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

34 (1) \$75,000 of the insurance commissioner's regulatory  
35 account--state appropriation is provided solely for the implementation  
36 of Substitute Senate Bill No. 5445 (health benefit exchange).

1 (2) \$42,000 of the insurance commissioner's regulatory  
2 account--state appropriation is provided solely for the implementation  
3 of Senate Bill No. 5213 (insurance statutes).

4 NEW SECTION. **Sec. 141. FOR THE BOARD OF ACCOUNTANCY**

5 Certified Public Accountants' Account--State  
6 Appropriation . . . . . \$2,810,000

7 NEW SECTION. **Sec. 142. FOR THE FORENSIC INVESTIGATION COUNCIL**

8 Death Investigations Account--State Appropriation . . . . . \$286,000

9 The appropriation in this section is subject to the following  
10 conditions and limitations: \$250,000 of the death investigations  
11 account appropriation is provided solely for providing financial  
12 assistance to local jurisdictions in multiple death investigations.  
13 The forensic investigation council shall develop criteria for awarding  
14 these funds for multiple death investigations involving an  
15 unanticipated, extraordinary, and catastrophic event or those involving  
16 multiple jurisdictions.

17 NEW SECTION. **Sec. 143. FOR THE HORSE RACING COMMISSION**

18 Horse Racing Commission Operating Account--State  
19 Appropriation . . . . . \$4,040,000

20 NEW SECTION. **Sec. 144. FOR THE LIQUOR CONTROL BOARD**

21 Liquor Control Board Construction and Maintenance  
22 Account--State Appropriation . . . . . \$10,081,000  
23 Liquor Revolving Account--State Appropriation . . . . . \$176,646,000  
24 General Fund--Federal Appropriation . . . . . \$120,000  
25 TOTAL APPROPRIATION . . . . . \$186,847,000

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

28 (1) \$198,000 of the liquor revolving account--state appropriation  
29 is provided solely for the implementation of Senate Bill No. 5916 or  
30 House Bill No. 2043 (liquor related products). If neither bill is  
31 enacted by June 30, 2011, the amount provided in this section shall  
32 lapse.

33 (2) \$82,000 of the liquor revolving account--state appropriation is

1 provided solely for the implementation of Senate Bill No. 5917 or House  
2 Bill No. 2043 (co-located contract stores). If neither bill is enacted  
3 by June 30, 2011, the amount provided in this section shall lapse.

4 NEW SECTION. **Sec. 145. FOR THE UTILITIES AND TRANSPORTATION**  
5 **COMMISSION**

6	General Fund--Federal Appropriation . . . . .	\$502,000
7	General Fund--Private/Local Appropriation . . . . .	\$11,175,000
8	Public Service Revolving Account--State	
9	Appropriation . . . . .	\$30,990,000
10	Pipeline Safety Account--State Appropriation . . . . .	\$3,201,000
11	Pipeline Safety Account--Federal Appropriation . . . . .	\$2,848,000
12	TOTAL APPROPRIATION . . . . .	\$48,716,000

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

15 (1) In accordance with RCW 80.36.610(1), the utilities and  
16 transportation commission is authorized to establish federal  
17 telecommunications act services fees in fiscal year 2012 as necessary  
18 to meet the actual costs of conducting business and the appropriation  
19 levels in this section.

20 (2) \$15,000 of the pipeline safety account--state appropriation is  
21 provided solely for the implementation of Engrossed Second Substitute  
22 House Bill No. 1634 (underground utilities).

23 (3) \$182,000 of the public service revolving account--state  
24 appropriation is provided solely for the implementation of Engrossed  
25 Second Substitute Senate Bill No. 5769 (coal-fired generation).

26 (4) \$169,000 of the public service revolving account--state  
27 appropriation is provided solely for the implementation of Second  
28 Substitute Senate Bill No. 5034 (private infrastructure).

29 NEW SECTION. **Sec. 146. FOR THE MILITARY DEPARTMENT**

30	General Fund--State Appropriation (FY 2012) . . . . .	\$8,010,000
31	General Fund--State Appropriation (FY 2013) . . . . .	\$8,001,000
32	General Fund--Federal Appropriation . . . . .	\$159,181,000
33	Enhanced 911 Account--State Appropriation . . . . .	\$46,556,000
34	Disaster Response Account--State Appropriation . . . . .	\$17,933,000
35	Disaster Response Account--Federal Appropriation . . . . .	\$66,266,000
36	Military Department Rent and Lease Account--State	

1	Appropriation . . . . .	\$615,000
2	Worker and Community Right-to-Know Account--State	
3	Appropriation . . . . .	\$2,165,000
4	TOTAL APPROPRIATION . . . . .	\$308,727,000

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

7 (1) \$18,018,000 of the disaster response account--state  
8 appropriation and \$66,266,000 of the disaster response account--federal  
9 appropriation may be spent only on disasters declared by the governor  
10 and with the approval of the office of financial management. The  
11 military department shall submit a report to the office of financial  
12 management and the legislative fiscal committees on October 1st and  
13 February 1st of each year detailing information on the disaster  
14 response account, including: (a) The amount and type of deposits into  
15 the account; (b) the current available fund balance as of the reporting  
16 date; and (c) the projected fund balance at the end of the 2011-2013  
17 biennium based on current revenue and expenditure patterns.

18 (2) \$75,000,000 of the general fund--federal appropriation is  
19 provided solely for homeland security, subject to the following  
20 conditions:

21 (a) Any communications equipment purchased by local jurisdictions  
22 or state agencies shall be consistent with standards set by the  
23 Washington state interoperability executive committee; and

24 (b) The department shall submit an annual report to the office of  
25 financial management and the legislative fiscal committees detailing  
26 the governor's domestic security advisory group recommendations;  
27 homeland security revenues and expenditures, including estimates of  
28 total federal funding for the state; and incremental changes from the  
29 previous estimate.

30 NEW SECTION. **Sec. 147. FOR THE BOARD FOR VOLUNTEER FIREFIGHTERS**  
31 Volunteer Firefighters' and Reserve Officers'

32	Administrative Account--State Appropriation . . . . .	\$1,064,000
----	---	-------------

33 NEW SECTION. **Sec. 148. FOR THE PUBLIC EMPLOYMENT RELATIONS**  
34 **COMMISSION**

35	General Fund--State Appropriation (FY 2012) . . . . .	\$2,347,000
36	General Fund--State Appropriation (FY 2013) . . . . .	\$2,402,000



1 (2) \$3,090,000 of the general fund--state appropriation for fiscal  
2 year 2012 and \$3,090,000 of the general fund--state appropriation for  
3 fiscal year 2013 are provided solely for the payment of facilities and  
4 services charges, utilities and contracts charges, public and historic  
5 facilities charges, and capital projects surcharges allocable to the  
6 senate, house of representatives, statute law committee, and joint  
7 legislative systems committee. The department shall allocate charges  
8 attributable to these agencies among the affected revolving funds. The  
9 department shall maintain an interagency agreement with these agencies  
10 to establish performance standards, prioritization of preservation and  
11 capital improvement projects, and quality assurance provisions for the  
12 delivery of services under this subsection. The legislative agencies  
13 named in this subsection shall continue to enjoy all of the same rights  
14 of occupancy and space use on the capitol campus as historically  
15 established.

16 (3) In accordance with RCW 46.08.172 and 43.135.055, the department  
17 is authorized to increase parking fees in fiscal years 2012 and 2013 as  
18 necessary to meet the actual costs of conducting business.

19 (4) The building code council account appropriation is provided  
20 solely for the operation of the state building code council as required  
21 by statute and modified by the standards established by executive order  
22 10-06. The council shall not consider any proposed code amendment or  
23 take any other action not authorized by statute or in compliance with  
24 the standards established in executive order 10-06. No member of the  
25 council may receive compensation, per diem, or reimbursement for  
26 activities other than physical attendance at those meetings of the  
27 state building code council or the council's designated committees, at  
28 which the opportunity for public comment is provided generally and on  
29 all agenda items upon which the council proposes to take action.

30 (5) Specific funding is provided for the purposes of section 3 of  
31 House Bill No. 1770 (state purchasing).

32 (6) The amounts appropriated in this section are for implementation  
33 of Senate Bill No. 5931 (streamlining central service functions).

34 NEW SECTION. **Sec. 151. FOR INNOVATE WASHINGTON**  
35 General Fund--State Appropriation (FY 2012) . . . . . \$2,999,000



1	General Fund--State Appropriation (FY 2013) . . . . .	\$3,011,000
2	TOTAL APPROPRIATION . . . . .	\$6,010,000

(End of part)

1   **PART II**  
2   **HUMAN SERVICES**

3            NEW SECTION.    **Sec. 201.**    **FOR THE DEPARTMENT OF SOCIAL AND HEALTH**  
4 **SERVICES**

5            (1) The appropriations to the department of social and health  
6 services in this act shall be expended for the programs and in the  
7 amounts specified in this act. Appropriations made in this act to the  
8 department of social and health services shall initially be allotted as  
9 required by this act. Subsequent allotment modifications shall not  
10 include transfers of moneys between sections of this act except as  
11 expressly provided in this act, nor shall allotment modifications  
12 permit moneys that are provided solely for a specified purpose to be  
13 used for other than that purpose.

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

30           (3) The health care authority and the department are authorized to  
31 develop an integrated health care program designed to slow the  
32 progression of illness and disability and better manage medicaid  
33 expenditures for the aged and disabled population. Under this  
34 Washington medicaid integration partnership (WMIP), the health care  
35 authority and the department may combine and transfer such medicaid

1 funds appropriated under sections 204, 206, 208, and 213 of this act as  
2 may be necessary to finance a unified health care plan for the WMIP  
3 program enrollment. The WMIP pilot projects shall not exceed a daily  
4 enrollment of 6,000 persons, nor expand beyond one county during the  
5 2011-2013 fiscal biennium. The amount of funding assigned from each  
6 program may not exceed the average per capita cost assumed in this act  
7 for individuals covered by that program, actuarially adjusted for the  
8 health condition of persons enrolled, times the number of clients  
9 enrolled. In implementing the WMIP, the health care authority and the  
10 department may: (a) Withhold from calculations of "available  
11 resources" as set forth in RCW 71.24.025 a sum equal to the capitated  
12 rate for enrolled individuals; and (b) employ capitation financing and  
13 risk-sharing arrangements in collaboration with health care service  
14 contractors licensed by the office of the insurance commissioner and  
15 qualified to participate in both the medicaid and medicare programs.  
16 The health care authority and the department shall conduct an  
17 evaluation of the WMIP, measuring changes in participant health  
18 outcomes, changes in patterns of service utilization, participant  
19 satisfaction, participant access to services, and the state fiscal  
20 impact.

21 (4) The legislature finds that medicaid payment rates, as  
22 calculated by the department pursuant to the appropriations in this  
23 act, bear a reasonable relationship to the costs incurred by  
24 efficiently and economically operated facilities for providing quality  
25 services and will be sufficient to enlist enough providers so that care  
26 and services are available to the extent that such care and services  
27 are available to the general population in the geographic area. The  
28 legislature finds that cost reports, payment data from the federal  
29 government, historical utilization, economic data, and clinical input  
30 constitute reliable data upon which to determine the payment rates.

31 (5) By October 1, 2011, the department shall compile and submit to  
32 the department of health data regarding food procurement costs for  
33 fiscal year 2011 regarding meals and other food for both residential  
34 and nonresidential clients, including the percentage of food purchased  
35 from Washington sources. The data shall be reported by setting and  
36 population, including costs per client, and be accompanied by the  
37 department's current food purchasing policies and standards.

1 (6) The department shall to the maximum extent practicable use the  
2 same system for delivery of spoken-language interpreter services for  
3 social services appointments as the one established for medical  
4 appointments in section 213 of this act. When contracting directly  
5 with an individual to deliver spoken language interpreter services, the  
6 department shall only contract with language access providers who are  
7 working at a location in the state and who are state-certified or  
8 state-authorized, except that when such a provider is not available,  
9 the department may use a language access provider who meets other  
10 certifications or standards deemed to meet state standards, including  
11 interpreters in other states.

12 NEW SECTION. **Sec. 202. FOR THE DEPARTMENT OF SOCIAL AND HEALTH**  
13 **SERVICES--CHILDREN AND FAMILY SERVICES PROGRAM**

14	General Fund--State Appropriation (FY 2012) . . . . .	\$301,565,000
15	General Fund--State Appropriation (FY 2013) . . . . .	\$302,895,000
16	General Fund--Federal Appropriation . . . . .	\$473,030,000
17	General Fund--Private/Local Appropriation . . . . .	\$1,358,000
18	Home Security Fund--State Appropriation . . . . .	\$10,741,000
19	Domestic Violence Prevention Account--State	
20	Appropriation . . . . .	\$1,154,000
21	Education Legacy Trust Account--State Appropriation . . . . .	\$725,000
22	TOTAL APPROPRIATION . . . . .	\$1,091,468,000

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

25 (1) Within amounts provided for the foster care and adoption  
26 support programs, the department shall control reimbursement decisions  
27 for foster care and adoption support cases such that the aggregate  
28 average cost per case for foster care and for adoption support does not  
29 exceed the amounts assumed in the projected caseload expenditures.

30 (2) \$668,000 of the general fund--state appropriation for fiscal  
31 year 2012 and \$668,000 of the general fund--state appropriation for  
32 fiscal year 2013 are provided solely to contract for the operation of  
33 one pediatric interim care center. The center shall provide  
34 residential care for up to thirteen children through two years of age.  
35 Seventy-five percent of the children served by the center must be in  
36 need of special care as a result of substance abuse by their mothers.  
37 The center shall also provide on-site training to biological, adoptive,

1 or foster parents. The center shall provide at least three months of  
2 consultation and support to the parents accepting placement of children  
3 from the center. The center may recruit new and current foster and  
4 adoptive parents for infants served by the center. The department  
5 shall not require case management as a condition of the contract. The  
6 department shall collaborate with the pediatric interim care center to  
7 determine if and how the center could be appropriately incorporated  
8 into the performance-based contract model and report its findings to  
9 the legislature by December 1, 2012.

10 (3)(a) \$85,114,000 of the general fund--state appropriation for  
11 fiscal year 2012, \$85,409,000 of the general fund--state appropriation  
12 for fiscal year 2013, and \$79,166,000 of the general fund--federal  
13 appropriation are provided solely for services for children and  
14 families subject to RCW 74.13.360 and House Bill No. 2122 (child  
15 welfare). Prior to approval of contract services pursuant to RCW  
16 74.13.360 and House Bill No. 2122, the amounts provided in this section  
17 shall be allotted on a monthly basis and expenditures shall not exceed  
18 allotments based on a three month rolling average without approval of  
19 the office of financial management following notification to the  
20 legislative fiscal committees.

21 (b) The department shall use performance-based contracts to provide  
22 services to safely reduce the number of children in out-of-home care,  
23 safely reduce the time spent in out-of-home care prior to achieving  
24 permanency, and safely reduce the number of children returning to  
25 out-of-home care following permanency. The department shall provide an  
26 initial report to the legislature and the governor by January 15, 2012,  
27 regarding the start-up costs associated with performance-based  
28 contracts under RCW 74.13.360 and House Bill No. 2122 (child welfare).

29 (4) \$176,000 of the general fund--state appropriation for fiscal  
30 year 2012, \$177,000 of the general fund--state appropriation for fiscal  
31 year 2013, \$656,000 of the general fund--private/local appropriation,  
32 \$253,000 of the general fund--federal appropriation, and \$725,000 of  
33 the education legacy trust account--state appropriation are provided  
34 solely for children's administration to contract with an educational  
35 advocacy provider with expertise in foster care educational outreach.  
36 The amounts in this subsection are provided solely for contracted  
37 education coordinators to assist foster children in succeeding in K-12  
38 and higher education systems and to assure a focus on education during

1 the transition to performance based contracts. Funding shall be  
2 prioritized to regions with high numbers of foster care youth and/or  
3 regions where backlogs of youth that have formerly requested  
4 educational outreach services exist. The department shall utilize  
5 private matching funds to maintain educational advocacy services.

6 (5) \$670,000 of the general fund--state appropriation for fiscal  
7 year 2012 and \$670,000 of the general fund--state appropriation for  
8 fiscal year 2013 are provided solely for services provided through  
9 children's advocacy centers.

10 (6) To ensure expenditures remain within available funds  
11 appropriated in this section as required by RCW 74.13A.005 and  
12 74.13A.020, the secretary shall not set the amount of any adoption  
13 assistance payment or payments, made pursuant to RCW 26.33.320 and  
14 74.13A.005 through 74.13A.080, to more than ninety percent of the  
15 foster care maintenance payment for that child had he or she remained  
16 in a foster family home during the same period. This subsection does  
17 not apply to adoption assistance agreements in existence on the  
18 effective date of this section.

19 (7) \$10,741,000 of the home security fund--state appropriation is  
20 provided solely for the department to contract for services pursuant to  
21 RCW 13.32A.030 and 74.15.220. The department shall contract and  
22 collaborate with service providers in a manner that maintains the  
23 availability and geographic representation of secure and semi-secure  
24 crisis residential centers and HOPE centers. To achieve efficiencies  
25 and increase utilization, the department shall allow the co-location of  
26 these centers, except that a youth may not be placed in a secure  
27 facility or the secure portion of a co-located facility except as  
28 specifically authorized by chapter 13.32A RCW. The reductions to  
29 appropriations in this subsection related to semi-secure crisis  
30 residential centers reflect a reduction to the number of beds for semi-  
31 secure crisis residential centers and not a reduction in rates. Any  
32 secure crisis residential center or semi-secure crisis residential  
33 center bed reduction shall not be based solely upon bed utilization.  
34 The department is to exercise its discretion in reducing the number of  
35 beds but to do so in a manner that maintains availability and  
36 geographic representation of semi-secure and secure crisis residential  
37 centers.

1 (8) The department shall convene a workgroup to develop a  
2 methodology for calculating savings associated with reductions in  
3 foster care caseloads that may be made available for reinvestment into  
4 evidence-based prevention and other intervention services designed to  
5 prevent the need for or reduce the duration of foster care placements.  
6 The workgroup membership shall include, at a minimum, the department,  
7 office of financial management, caseload forecast council, Partners for  
8 our Children, and legislative fiscal committee staff. The workgroup  
9 shall obtain input from experts who have provided consultation in the  
10 implementation of performance-based contracting under RCW 74.13.360.  
11 The workgroup shall evaluate necessary data, define and establish a  
12 baseline level of foster care caseloads or spending to use in  
13 calculating savings, and develop a methodology for calculating and  
14 distributing savings. The department shall submit a report to the  
15 governor and relevant fiscal and policy committees of the legislature  
16 by November 15, 2011.

17 (9) \$47,000 of the general fund--state appropriation for fiscal  
18 year 2012, \$14,000 of the general fund--state appropriation for fiscal  
19 year 2013, and \$40,000 of the general fund--federal appropriation are  
20 provided solely to implement Substitute House Bill No. 1697 (dependency  
21 system). If the bill is not enacted by June 30, 2011, the amounts  
22 provided in this subsection shall lapse.

23 (10) \$564,000 of the general fund--federal appropriation is  
24 provided solely to implement Second Substitute House Bill No. 1128  
25 (extended foster care). If the bill is not enacted by June 30, 2011,  
26 the amount provided in this subsection shall lapse.

27 (11) The appropriations in this section reflect reductions in the  
28 appropriations for the children's administration administrative  
29 expenses. It is the intent of the legislature that these reductions  
30 shall be achieved, to the greatest extent possible, by reducing those  
31 administrative costs that do not affect direct client services or  
32 direct service delivery or programs.

33 NEW SECTION. **Sec. 203. FOR THE DEPARTMENT OF SOCIAL AND HEALTH**  
34 **SERVICES--JUVENILE REHABILITATION PROGRAM**

35	General Fund--State Appropriation (FY 2012) . . . . .	\$87,025,000
36	General Fund--State Appropriation (FY 2013) . . . . .	\$86,803,000
37	General Fund--Federal Appropriation . . . . .	\$702,000

1 General Fund--Private/Local Appropriation . . . . . \$1,903,000  
2 Washington Auto Theft Prevention Authority Account--  
3 State Appropriation . . . . . \$196,000  
4 Juvenile Accountability Incentive Account--Federal  
5 Appropriation . . . . . \$2,801,000  
6 TOTAL APPROPRIATION . . . . . \$179,430,000

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

9 (1) \$331,000 of the general fund--state appropriation for fiscal  
10 year 2012 and \$331,000 of the general fund--state appropriation for  
11 fiscal year 2013 are provided solely for deposit in the county criminal  
12 justice assistance account for costs to the criminal justice system  
13 associated with the implementation of chapter 338, Laws of 1997  
14 (juvenile code revisions). The amounts provided in this subsection are  
15 intended to provide funding for county adult court costs associated  
16 with the implementation of chapter 338, Laws of 1997 and shall be  
17 distributed in accordance with RCW 82.14.310.

18 (2) \$2,716,000 of the general fund--state appropriation for fiscal  
19 year 2012 and \$2,716,000 of the general fund--state appropriation for  
20 fiscal year 2013 are provided solely for the implementation of chapter  
21 338, Laws of 1997 (juvenile code revisions). The amounts provided in  
22 this subsection are intended to provide funding for county impacts  
23 associated with the implementation of chapter 338, Laws of 1997 and  
24 shall be distributed to counties as prescribed in the current  
25 consolidated juvenile services (CJS) formula.

26 (3) \$3,482,000 of the general fund--state appropriation for fiscal  
27 year 2012 and \$3,482,000 of the general fund--state appropriation for  
28 fiscal year 2013 are provided solely to implement community juvenile  
29 accountability grants pursuant to chapter 338, Laws of 1997 (juvenile  
30 code revisions). Funds provided in this subsection may be used solely  
31 for community juvenile accountability grants, administration of the  
32 grants, and evaluations of programs funded by the grants.

33 (4) \$1,130,000 of the general fund--state appropriation for fiscal  
34 year 2012 and \$1,130,000 of the general fund--state appropriation for  
35 fiscal year 2013 are provided solely to implement alcohol and substance  
36 abuse treatment programs for locally committed offenders. The juvenile  
37 rehabilitation administration shall award these moneys on a competitive  
38 basis to counties that submitted a plan for the provision of services



1 approved by the division of alcohol and substance abuse. The juvenile  
2 rehabilitation administration shall develop criteria for evaluation of  
3 plans submitted and a timeline for awarding funding and shall assist  
4 counties in creating and submitting plans for evaluation.

5 (5) \$3,123,000 of the general fund--state appropriation for fiscal  
6 year 2012 and \$3,123,000 of the general fund--state appropriation for  
7 fiscal year 2013 are provided solely for grants to county juvenile  
8 courts for the following programs identified by the Washington state  
9 institute for public policy (institute) in its October 2006 report:  
10 "Evidence-Based Public Policy Options to Reduce Future Prison  
11 Construction, Criminal Justice Costs and Crime Rates": Functional  
12 family therapy, multi-systemic therapy, aggression replacement training  
13 and interagency coordination programs, or other programs with a  
14 positive benefit-cost finding in the institute's report. County  
15 juvenile courts shall apply to the juvenile rehabilitation  
16 administration for funding for program-specific participation and the  
17 administration shall provide grants to the courts consistent with the  
18 per-participant treatment costs identified by the institute.

19 (6) \$1,537,000 of the general fund--state appropriation for fiscal  
20 year 2012 and \$1,537,000 of the general fund--state appropriation for  
21 fiscal year 2013 are provided solely for expansion of the following  
22 treatments and therapies in juvenile rehabilitation administration  
23 programs identified by the Washington state institute for public policy  
24 in its October 2006 report: "Evidence-Based Public Policy Options to  
25 Reduce Future Prison Construction, Criminal Justice Costs and Crime  
26 Rates": Multidimensional treatment foster care, family integrated  
27 transitions, and aggression replacement training, or other programs  
28 with a positive benefit-cost finding in the institute's report. The  
29 administration may concentrate delivery of these treatments and  
30 therapies at a limited number of programs to deliver the treatments in  
31 a cost-effective manner.

32 (7)(a) The juvenile rehabilitation administration shall administer  
33 a block grant, rather than categorical funding, of consolidated  
34 juvenile service funds, community juvenile accountability act grants,  
35 the chemical dependency disposition alternative funds, the mental  
36 health disposition alternative, and the sentencing disposition  
37 alternative for the purpose of serving youth adjudicated in the  
38 juvenile justice system. In making the block grant, the juvenile

1 rehabilitation administration shall follow the following formula and  
2 will prioritize evidence-based programs and disposition alternatives  
3 and take into account juvenile courts program-eligible youth in  
4 conjunction with the number of youth served in each approved evidence-  
5 based program or disposition alternative: (i) Thirty-seven and one-  
6 half percent for the at-risk population of youth ten to seventeen years  
7 old; (ii) fifteen percent for moderate and high-risk youth; (iii)  
8 twenty-five percent for evidence-based program participation; (iv)  
9 seventeen and one-half percent for minority populations; (v) three  
10 percent for the chemical dependency disposition alternative; and (vi)  
11 two percent for the mental health and sentencing dispositional  
12 alternatives. Funding for the special sex offender disposition  
13 alternative (SSODA) shall not be included in the block grant, but  
14 allocated on the average daily population in juvenile courts. Funding  
15 for the evidence-based expansion grants shall be excluded from the  
16 block grant formula. Funds may be used for promising practices when  
17 approved by the juvenile rehabilitation administration and juvenile  
18 courts, through the community juvenile accountability act committee,  
19 based on the criteria established in consultation with Washington state  
20 institute for public policy and the juvenile courts.

21 (b) The juvenile rehabilitation administration shall phase the  
22 implementation of the formula provided in subsection (1) of this  
23 section by including a stop-loss formula of five percent in fiscal year  
24 2012 and five percent in fiscal year 2013.

25 (c) The juvenile rehabilitation administration and the juvenile  
26 courts shall establish a block grant funding formula oversight  
27 committee with equal representation from the juvenile rehabilitation  
28 administration and the juvenile courts. The purpose of this committee  
29 is to assess the ongoing implementation of the block grant funding  
30 formula, utilizing data-driven decision making and the most current  
31 available information. The committee will be cochaired by the juvenile  
32 rehabilitation administration and the juvenile courts, who will also  
33 have the ability to change members of the committee as needed to  
34 achieve its purpose. Initial members will include one juvenile court  
35 representative from the finance committee, the community juvenile  
36 accountability act committee, the risk assessment quality assurance  
37 committee, the executive board of the Washington association of  
38 juvenile court administrators, the Washington state center for court

1 research, and a representative of the superior court judges  
2 association; two representatives from the juvenile rehabilitation  
3 administration headquarters program oversight staff, two  
4 representatives of the juvenile rehabilitation administration regional  
5 office staff, one representative of the juvenile rehabilitation  
6 administration fiscal staff and a juvenile rehabilitation  
7 administration division director. The committee may make changes to  
8 the formula categories other than the evidence-based program and  
9 disposition alternative categories if it is determined the changes will  
10 increase statewide service delivery or effectiveness of evidence-based  
11 program or disposition alternative resulting in increased cost benefit  
12 savings to the state. Long-term cost benefit must be considered.  
13 Percentage changes may occur in the evidence-based program or  
14 disposition alternative categories of the formula should it be  
15 determined the changes will increase evidence-based program or  
16 disposition alternative delivery and increase the cost benefit to the  
17 state. These outcomes will also be considered in determining when  
18 evidence-based expansion or special sex offender disposition  
19 alternative funds should be included in the block grant or left  
20 separate.

21 (d) The juvenile courts and administrative office of the courts  
22 shall be responsible for collecting and distributing information and  
23 providing access to the data systems to the juvenile rehabilitation  
24 administration and the Washington state institute for public policy  
25 related to program and outcome data. The juvenile rehabilitation  
26 administration and the juvenile courts will work collaboratively to  
27 develop program outcomes that reinforce the greatest cost benefit to  
28 the state in the implementation of evidence-based practices and  
29 disposition alternatives.

30 (8) The juvenile courts and administrative office of the courts  
31 shall collect and distribute information related to program outcome and  
32 provide access to these data systems to the juvenile rehabilitation  
33 administration and Washington state institute for public policy.  
34 Consistent with chapter 13.50 RCW, all confidentiality agreements  
35 necessary to implement this information-sharing shall be approved  
36 within 30 days of the effective date of this section. The agreements  
37 between administrative office of the courts, the juvenile courts, and  
38 the juvenile rehabilitation administration shall be executed to ensure

1 that the juvenile rehabilitation administration receives the data that  
 2 the juvenile rehabilitation administration identifies as needed to  
 3 comply with this subsection. This includes, but is not limited to,  
 4 information by program at the statewide aggregate level, individual  
 5 court level, and individual client level for the purpose of the  
 6 juvenile rehabilitation administration providing quality assurance and  
 7 oversight for the locally committed youth block grant and associated  
 8 funds and at times as specified by the juvenile rehabilitation  
 9 administration as necessary to carry out these functions. The data  
 10 shall be provided in a manner that reflects the collaborative work the  
 11 juvenile rehabilitation administration and juvenile courts have  
 12 developed regarding program outcomes that reinforce the greatest cost  
 13 benefit to the state in the implementation of evidence-based practices  
 14 and disposition alternatives.

15 NEW SECTION. **Sec. 204. FOR THE DEPARTMENT OF SOCIAL AND HEALTH**  
 16 **SERVICES--MENTAL HEALTH PROGRAM**

17 (1) COMMUNITY SERVICES/REGIONAL SUPPORT NETWORKS

18	General Fund--State Appropriation (FY 2012) . . . . .	\$322,704,000
19	General Fund--State Appropriation (FY 2013) . . . . .	\$327,615,000
20	General Fund--Federal Appropriation . . . . .	\$456,691,000
21	General Fund--Private/Local Appropriation . . . . .	\$17,604,000
22	Hospital Safety Net Assessment Fund--State	
23	Appropriation . . . . .	\$6,802,000
24	TOTAL APPROPRIATION . . . . .	\$1,131,416,000

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

27 (a) \$109,342,000 of the general fund--state appropriation for  
 28 fiscal year 2012 and \$109,341,000 of the general fund--state  
 29 appropriation for fiscal year 2013 are provided solely for persons and  
 30 services not covered by the medicaid program. This is a reduction of  
 31 \$4,348,000 each fiscal year from the nonmedicaid funding that was  
 32 allocated for expenditure by regional support networks during fiscal  
 33 year 2011 prior to supplemental budget reductions. This \$4,348,000  
 34 reduction shall be distributed among regional support networks  
 35 proportional to each network's share of the total state population. To  
 36 the extent possible, levels of regional support network spending shall  
 37 be maintained in the following priority order: (i) Crisis and

1 commitment services; (ii) community inpatient services; and (iii)  
2 residential care services, including personal care and emergency  
3 housing assistance.

4 (b) \$6,590,000 of the general fund--state appropriation for fiscal  
5 year 2012, \$6,590,000 of the general fund--state appropriation for  
6 fiscal year 2013, and \$7,620,000 of the general fund--federal  
7 appropriation are provided solely for the department and regional  
8 support networks to continue to contract for implementation of high-  
9 intensity programs for assertive community treatment (PACT) teams. In  
10 determining the proportion of medicaid and nonmedicaid funding provided  
11 to regional support networks with PACT teams, the department shall  
12 consider the differences between regional support networks in the  
13 percentages of services and other costs associated with the teams that  
14 are not reimbursable under medicaid. The department may allow regional  
15 support networks which have nonmedicaid reimbursable costs that are  
16 higher than the nonmedicaid allocation they receive under this section  
17 to supplement these funds with local dollars or funds received under  
18 section 204(1)(a) of this act. The department and regional support  
19 networks shall maintain consistency with all essential elements of the  
20 PACT evidence-based practice model in programs funded under this  
21 section.

22 (c) \$5,850,000 of the general fund--state appropriation for fiscal  
23 year 2012, \$5,850,000 of the general fund--state appropriation for  
24 fiscal year 2013, and \$1,300,000 of the general fund--federal  
25 appropriation are provided solely for the western Washington regional  
26 support networks to provide either community- or hospital campus-based  
27 services for persons who require the level of care previously provided  
28 by the program for adaptive living skills (PALS) at western state  
29 hospital.

30 (d) The number of nonforensic beds allocated for use by regional  
31 support networks at eastern state hospital shall be 192 per day. The  
32 number of nonforensic beds allocated for use by regional support  
33 networks at western state hospital shall be 557 per day.

34 (e) From the general fund--state appropriations in this subsection,  
35 the secretary of social and health services shall assure that regional  
36 support networks reimburse the aging and disability services  
37 administration for the general fund--state cost of medicaid personal

1 care services that enrolled regional support network consumers use  
2 because of their psychiatric disability.

3 (f) \$4,582,000 of the general fund--state appropriation for fiscal  
4 year 2012 and \$4,582,000 of the general fund--state appropriation for  
5 fiscal year 2013 are provided solely for mental health services for  
6 mentally ill offenders while confined in a county or city jail and for  
7 facilitating access to programs that offer mental health services upon  
8 release from confinement.

9 (g) The department is authorized to continue to contract directly,  
10 rather than through contracts with regional support networks, for  
11 children's long-term inpatient facility services.

12 (h) \$750,000 of the general fund--state appropriation for fiscal  
13 year 2012 and \$750,000 of the general fund--state appropriation for  
14 fiscal year 2013 are provided solely to continue performance-based  
15 incentive contracts to provide appropriate community support services  
16 for individuals with severe mental illness who were discharged from the  
17 state hospitals as part of the expanding community services initiative.  
18 These funds will be used to enhance community residential and support  
19 services provided by regional support networks through other state and  
20 federal funding.

21 (i) \$1,125,000 of the general fund--state appropriation for fiscal  
22 year 2012 and \$1,125,000 of the general fund--state appropriation for  
23 fiscal year 2013 are provided solely for the Spokane regional support  
24 network to implement services to reduce utilization and the census at  
25 eastern state hospital. Such services shall include:

26 (i) High intensity treatment team for persons who are high  
27 utilizers of psychiatric inpatient services, including those with co-  
28 occurring disorders and other special needs;

29 (ii) Crisis outreach and diversion services to stabilize in the  
30 community individuals in crisis who are at risk of requiring inpatient  
31 care or jail services;

32 (iii) Mental health services provided in nursing facilities to  
33 individuals with dementia, and consultation to facility staff treating  
34 those individuals; and

35 (iv) Services at the sixteen-bed evaluation and treatment facility.

36 At least annually, the Spokane regional support network shall  
37 assess the effectiveness of these services in reducing utilization at

1 eastern state hospital, identify services that are not optimally  
2 effective, and modify those services to improve their effectiveness.

3 (j) \$1,529,000 of the general fund--state appropriation for fiscal  
4 year 2012 and \$1,529,000 of the general fund--state appropriation for  
5 fiscal year 2013 are provided solely to reimburse Pierce and Spokane  
6 counties for the cost of conducting 180-day commitment hearings at the  
7 state psychiatric hospitals.

8 (k) Regional support networks may use local funds to earn  
9 additional federal medicaid match, provided the locally matched rate  
10 does not exceed the upper-bound of their federally allowable rate  
11 range, and provided that the enhanced funding is used only to provide  
12 medicaid state plan or waiver services to medicaid clients.  
13 Additionally, regional support networks may use a portion of the state  
14 funds allocated in accordance with (a) of this subsection to earn  
15 additional medicaid match, but only to the extent that the application  
16 of such funds to medicaid services does not diminish the level of  
17 crisis and commitment, community inpatient, residential care, and  
18 outpatient services presently available to persons not eligible for  
19 medicaid.

20 (l) Given the recent approval of federal medicaid matching funds  
21 for the disability lifeline and the alcohol and drug abuse treatment  
22 support act programs, the department shall charge regional support  
23 networks for only the state share rather than the total cost of  
24 community psychiatric hospitalization for persons enrolled in those  
25 programs.

26 (m) \$750,000 of the general fund--state appropriation for fiscal  
27 year 2012, \$750,000 of the general fund--state appropriation for fiscal  
28 year 2013, and \$1,500,000 of the general fund--federal appropriation  
29 are provided solely to adjust regional support network capitation rates  
30 to account for the per diem rates actually paid for psychiatric care  
31 provided at hospitals participating in the certified public expenditure  
32 program operated pursuant to section 213 of this act.

33 (2) INSTITUTIONAL SERVICES

34	General Fund--State Appropriation (FY 2012) . . . . .	\$114,686,000
35	General Fund--State Appropriation (FY 2013) . . . . .	\$113,766,000
36	General Fund--Federal Appropriation . . . . .	\$150,767,000
37	General Fund--Private/Local Appropriation . . . . .	\$65,834,000
38	TOTAL APPROPRIATION . . . . .	\$445,053,000

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

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

6 (b) \$231,000 of the general fund--state appropriation for fiscal  
7 year 2012 and \$231,000 of the general fund--state appropriation for  
8 fiscal year 2013 are provided solely for a community partnership  
9 between western state hospital and the city of Lakewood to support  
10 community policing efforts in the Lakewood community surrounding  
11 western state hospital. The amounts provided in this subsection (2)(b)  
12 are for the salaries, benefits, supplies, and equipment for one full-  
13 time investigator, one full-time police officer, and one full-time  
14 community service officer at the city of Lakewood.

15 (c) \$45,000 of the general fund--state appropriation for fiscal  
16 year 2012 and \$45,000 of the general fund--state appropriation for  
17 fiscal year 2013 are provided solely for payment to the city of  
18 Lakewood for police services provided by the city at western state  
19 hospital and adjacent areas.

20 (d) \$20,000,000 of the general fund--state appropriation for fiscal  
21 year 2012 and \$20,000,000 of the general fund--state appropriation for  
22 fiscal year 2013 are provided solely to maintain staffed capacity to  
23 serve an average daily census in forensic wards at western state  
24 hospital of 270 patients per day.

25 (3) SPECIAL PROJECTS

26	General Fund--State Appropriation (FY 2012) . . . . .	\$1,457,000
27	General Fund--State Appropriation (FY 2013) . . . . .	\$1,462,000
28	General Fund--Federal Appropriation . . . . .	\$2,682,000
29	General Fund--Private/Local Appropriation . . . . .	\$700,000
30	TOTAL APPROPRIATION . . . . .	\$6,301,000

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

33 (a) \$1,161,000 of the general fund--state appropriation for fiscal  
34 year 2012 and \$1,161,000 of the general fund--state appropriation for  
35 fiscal year 2013 are provided solely for children's evidence based  
36 mental health services. Funding is sufficient to continue serving  
37 children at the same levels as fiscal year 2009.



1 (b) \$700,000 of the general fund--private/local appropriation is  
2 provided solely for the University of Washington's evidence based  
3 practice institute which supports the identification, evaluation, and  
4 implementation of evidence-based or promising practices for serving  
5 children and youth with mental health disorders. The department shall  
6 enter into an interagency agreement with the office of the attorney  
7 general for expenditure of \$700,000 of the state's proceeds of the *cy*  
8 *pres* settlement in *State of Washington v. AstraZeneca (Seroquel)* for  
9 this purpose.

10 (4) PROGRAM SUPPORT

11	General Fund--State Appropriation (FY 2012) . . . . .	\$4,276,000
12	General Fund--State Appropriation (FY 2013) . . . . .	\$4,102,000
13	General Fund--Federal Appropriation . . . . .	\$6,894,000
14	General Fund--Private/Local Appropriation . . . . .	\$446,000
15	TOTAL APPROPRIATION . . . . .	\$15,718,000

16 The appropriations in this subsection are subject to the following  
17 conditions and limitations: In accordance with RCW 43.20B.110,  
18 43.135.055, and 71.24.035, the department is authorized to increase  
19 license and certification fees in fiscal years 2012 and 2013 to support  
20 the costs of the regulatory program. The fee schedule increases must  
21 be developed so that the maximum amount of additional fees paid by  
22 providers statewide in the 2011-2013 fiscal biennium is \$446,000. The  
23 department's fee schedule shall have differential rates for providers  
24 with proof of accreditation from organizations that the department has  
25 determined to have substantially equivalent standards to those of the  
26 department, including but not limited to the joint commission on  
27 accreditation of health care organizations, the commission on  
28 accreditation of rehabilitation facilities, and the council on  
29 accreditation. To reflect the reduced costs associated with regulation  
30 of accredited programs, the department's fees for organizations with  
31 such proof of accreditation must reflect the lower costs of licensing  
32 for these programs than for other organizations which are not  
33 accredited.

34 NEW SECTION. **Sec. 205. FOR THE DEPARTMENT OF SOCIAL AND HEALTH**  
35 **SERVICES--DEVELOPMENTAL DISABILITIES PROGRAM**

36 (1) COMMUNITY SERVICES

37	General Fund--State Appropriation (FY 2012) . . . . .	\$418,664,000
----	---	---------------

1	General Fund--State Appropriation (FY 2013) . . . . .	\$422,393,000
2	General Fund--Federal Appropriation . . . . .	\$726,897,000
3	General Fund--Private/Local Appropriation . . . . .	\$184,000
4	TOTAL APPROPRIATION . . . . .	\$1,568,138,000

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

7 (a) Individuals receiving services as supplemental security income  
8 (SSI) state supplemental payments shall not become eligible for medical  
9 assistance under RCW 74.09.510 due solely to the receipt of SSI state  
10 supplemental payments.

11 (b) Amounts appropriated in this subsection reflect a reduction to  
12 funds appropriated for in-home care. The department shall reduce the  
13 number of in-home hours authorized. The reduction shall be scaled  
14 based on the acuity level of care recipients. The largest hour  
15 reductions shall be to lower acuity patients and the smallest hour  
16 reductions shall be to higher acuity patients.

17 (c) Amounts appropriated in this subsection are sufficient to  
18 develop and implement the use of a consistent, statewide outcome-based  
19 vendor contract for employment and day services by July 1, 2012. The  
20 rates paid to vendors under this contract shall also be made  
21 consistent. In its description of activities the agency shall include  
22 activity listings and dollars appropriated for: Employment services,  
23 day services, child development services and county administration of  
24 services to the developmentally disabled. The department shall begin  
25 reporting to the office of financial management on these activities  
26 beginning in fiscal year 2010.

27 (d) \$944,000 of the general fund--state appropriation for fiscal  
28 year 2012, \$944,000 of the general fund--state appropriation for fiscal  
29 year 2013, and \$1,888,000 of the general fund--federal appropriation  
30 are provided solely for state contributions for individual provider  
31 health care benefits. Pursuant to the collective bargaining agreement  
32 negotiated with the exclusive bargaining representative of individual  
33 providers established under RCW 74.39A.270, the state shall contribute  
34 to the multiemployer health benefits trust fund \$1.96 per paid hour  
35 worked by individual providers.

36 (e) \$1,871,000 of the general fund--state appropriation for fiscal  
37 year 2012, \$1,995,000 of the general fund--state appropriation for  
38 fiscal year 2013, and \$3,865,000 of the general fund--federal

1 appropriation are provided solely for home care agencies to purchase  
2 health coverage for home care providers. The department shall  
3 calculate and distribute payments for health care benefits to home care  
4 agencies at \$558 per month for each worker who cares for publicly  
5 funded clients at 86 hours or more per month. In order to negotiate  
6 the most comprehensive health benefits package for its employees, each  
7 agency may determine benefit levels according to the hours an employee  
8 works providing state-funded personal care. Health benefits shall be  
9 offered to all employees who care for publicly funded clients for 86  
10 hours per month or more. At a minimum, employees who care for publicly  
11 funded clients at 140 hours a month or greater must receive a  
12 comprehensive medical benefit. Benefits shall not be provided to  
13 employees who care for publicly funded clients at 85 hours or less per  
14 month or as interim respite workers. The department shall not pay an  
15 agency for benefits provided to an employee who otherwise receives  
16 health care coverage through other family members, other  
17 employment-based coverage, or military or veteran's coverage. The  
18 department shall require annually, each home care agency to review each  
19 of its employee's available health coverage and to provide a written  
20 declaration to the department verifying that health benefits purchased  
21 with public funds are solely for employees that do not have other  
22 available coverage. Home care agencies may determine a reasonable  
23 employee co-premium not to exceed 20 percent of the total benefit cost.

24 (f) \$1,127,000 of the general fund--state appropriation for fiscal  
25 year 2012, \$1,199,000 of the general fund--state appropriation for  
26 fiscal year 2013, and \$2,322,000 of the general fund--federal  
27 appropriation are provided solely for the state's contribution to the  
28 training partnership, as provided in RCW 74.39A.360, for instructional  
29 costs associated with the training of individual providers. House Bill  
30 No. 1548 and Senate Bill No. 5473 (long-term care worker requirements)  
31 make statutory changes to the increased training requirements and  
32 therefore the state shall contribute to the partnership \$0.17 per paid  
33 hour worked by all home care workers. This amount is pursuant to the  
34 collective bargaining agreement negotiated with the exclusive  
35 bargaining representative of individual providers established under RCW  
36 74.39A.270. Expenditures for the purposes specified in this subsection  
37 shall not exceed the amounts provided in this subsection.

1 (g)(i) Within the amounts appropriated in this subsection, the  
2 department shall revise the current working age adult policy to allow  
3 clients to choose between employment and community access activities.  
4 Clients age 21 and older who are receiving services through a home- and  
5 community-based medicaid waiver shall be offered the choice to  
6 transition to a community access program after nine months of  
7 enrollment in an employment program, and the option to transition from  
8 a community access program to an employment program at any time. The  
9 department shall inform clients and their legal representatives of all  
10 available options for employment and day services. Information  
11 provided to the client and the client's legal representative shall  
12 include the types of activities each service option provides, and the  
13 amount, scope, and duration of service for which the client would be  
14 eligible under each service option. An individual client may be  
15 authorized for only one service option, either employment services or  
16 community access services. Clients may not participate in more than  
17 one of these services at any given time.

18 (ii) The department shall work with counties and stakeholders to  
19 strengthen and expand the existing community access program. The  
20 program must emphasize support for the client so they are able to  
21 participate in activities that integrate them into their community and  
22 support independent living and skills.

23 (iii) The appropriation in this subsection includes funding to  
24 provide employment or community access services to 168 medicaid  
25 eligible young adults with developmental disabilities living with their  
26 families who need employment opportunities and assistance after high  
27 school graduation.

28 (h) \$75,000 of the general fund--state appropriation for fiscal  
29 year 2012 and \$75,000 of the general fund--state appropriation for  
30 fiscal year 2013 are provided solely for the restoration of direct  
31 support to local organizations that utilize parent-to-parent networks  
32 and communication to promote access and quality of care for individuals  
33 with developmental disabilities and their families.

34 (i) In accordance with Engrossed Substitute House Bill No. 1277  
35 (licensed settings for vulnerable adults), adult family home license  
36 fees are increased in fiscal years 2012 and 2013 to support the costs  
37 of conducting licensure, inspection, and regulatory programs.

1 (i) The current annual renewal license fee for adult family homes  
2 shall be increased to \$100 per bed beginning in fiscal year 2012 and  
3 \$175 per bed beginning in fiscal year 2013. Adult family homes shall  
4 receive a corresponding vendor rate increase per medicaid patient day  
5 of \$0.22 in fiscal year 2012 and \$0.43 in fiscal year 2013 to cover the  
6 cost of the license fee increase for publicly funded beds.

7 (ii) Beginning in fiscal year 2012, a processing fee of \$2,750  
8 shall be charged to each adult family home when the home is initially  
9 licensed. This fee is nonrefundable.

10 (j) The department shall assess and determine whether it would be  
11 cost-efficient for the state to exercise the option made available  
12 under section 1915(k) of the federal social security act (42 U.S.C.  
13 Sec. 1396n(k)). If the department determines that it would be cost-  
14 efficient for the state to exercise the federal option, it shall  
15 prepare a proposal to provide home- and community-based attendant  
16 services and supports that include assistance with activities of daily  
17 living (ADL's), instrumental activities of daily living (IADL's), and  
18 health-related tasks pursuant to section 1915(k) of the federal social  
19 security act (42 U.S.C. Sec. 1396n(k)) and submit that plan to the  
20 legislature during the next legislative session.

21 (k) Clients with developmental disabilities have demonstrated a  
22 need and a desire for a day services program as verified by over 900  
23 clients currently accessing day programs through a long-term care  
24 service model. In addition, every individual, to include those with a  
25 developmental disability, should have the opportunity for meaningful  
26 employment which allows them to contribute to their communities and to  
27 become as self-sufficient as possible. Providing choice empowers  
28 recipients of publicly funded services and their families by expanding  
29 their degree of control over the services and supports they need.

30 The department shall work with legislators and stakeholders to  
31 develop a new approach to employment and day services. The objective  
32 of this plan is to ensure that adults with developmental disabilities  
33 have optimum choices, and that employment and day offerings are  
34 comprehensive enough to meet the needs of all clients currently served  
35 on a home and community based waiver. The proposal shall be submitted  
36 to the 2012 legislature for consideration and shall be constructed such  
37 that a client ultimately receives employment, community access, or the  
38 community day option but not more than one service at a time. The

1 proposal shall include options for program efficiencies within the  
2 current employment and day structure and shall provide details on the  
3 plan to implement a consistent, statewide outcome-based vendor contract  
4 for employment and day services as specified in (c) of this subsection.

5 (2) INSTITUTIONAL SERVICES

6	General Fund--State Appropriation (FY 2012) . . . . .	\$80,256,000
7	General Fund--State Appropriation (FY 2013) . . . . .	\$79,288,000
8	General Fund--Federal Appropriation . . . . .	\$153,007,000
9	General Fund--Private/Local Appropriation . . . . .	\$22,043,000
10	TOTAL APPROPRIATION . . . . .	\$334,594,000

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

13 (a) Individuals receiving services as supplemental security income  
14 (SSI) state supplemental payments shall not become eligible for medical  
15 assistance under RCW 74.09.510 due solely to the receipt of SSI state  
16 supplemental payments.

17 (b) \$721,000 of the general fund--state appropriation for fiscal  
18 year 2012 and \$721,000 of the general fund--state appropriation for  
19 fiscal year 2013 are for the department to fulfill its contracts with  
20 the school districts under chapter 28A.190 RCW to provide  
21 transportation, building space, and other support services as are  
22 reasonably necessary to support the educational programs of students  
23 living in residential habilitation centers.

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

30 (3) PROGRAM SUPPORT

31	General Fund--State Appropriation (FY 2012) . . . . .	\$1,383,000
32	General Fund--State Appropriation (FY 2013) . . . . .	\$1,376,000
33	General Fund--Federal Appropriation . . . . .	\$1,326,000
34	TOTAL APPROPRIATION . . . . .	\$4,085,000

35 (4) SPECIAL PROJECTS

36	General Fund--State Appropriation (FY 2012) . . . . .	\$4,659,000
37	General Fund--State Appropriation (FY 2013) . . . . .	\$4,659,000

1	General Fund--Federal Appropriation . . . . .	\$9,590,000
2	General Fund--Private/Local Appropriation . . . . .	\$998,000
3	TOTAL APPROPRIATION . . . . .	\$19,906,000

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

6 Amounts appropriated in this subsection are for the purposes of  
7 transitioning clients with developmental disabilities into community  
8 settings. The department is authorized as needed to use these funds to  
9 either pay for clients residing within a residential habilitation  
10 center or for placements in the community. Pursuant to Second  
11 Substitute Senate Bill No. 5459 (services for people with developmental  
12 disabilities), funding in this subsection must be prioritized for the  
13 purpose of facilitating the consolidation and closure of Frances Haddon  
14 Morgan Center. The department shall use a person-centered approach in  
15 developing the discharge plan to assess each resident's needs and  
16 identify services the resident requires to successfully transition to  
17 the community or another residential habilitation center. The  
18 department is authorized to use any savings from this effort for the  
19 purpose of developing community resources to address the needs of  
20 clients with developmental disabilities who are in crisis or in need of  
21 respite. The department shall track the costs and savings of closing  
22 Frances Haddon Morgan Center and any investments into community  
23 placements and resources. The department shall provide a fiscal  
24 progress report to the legislature by December 5, 2011.

25 NEW SECTION. **Sec. 206. FOR THE DEPARTMENT OF SOCIAL AND HEALTH**  
26 **SERVICES--AGING AND ADULT SERVICES PROGRAM**

27	General Fund--State Appropriation (FY 2012) . . . . .	\$783,305,000
28	General Fund--State Appropriation (FY 2013) . . . . .	\$811,670,000
29	General Fund--Federal Appropriation . . . . .	\$1,686,010,000
30	General Fund--Private/Local Appropriation . . . . .	\$27,517,000
31	Traumatic Brain Injury Account--State Appropriation . . . . .	\$3,388,000
32	Nursing Facility Quality Assurance Account--State	
33	Appropriation . . . . .	\$88,000,000
34	TOTAL APPROPRIATION . . . . .	\$3,399,890,000

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

1 (1) For purposes of implementing chapter 74.46 RCW, the weighted  
2 average nursing facility payment rate shall not exceed \$170.37 for  
3 fiscal year 2012 and shall not exceed \$171.43 for fiscal year 2013,  
4 including the rate add-ons described in (a) and (b) of this subsection.  
5 However, if the waiver requested from the federal centers for medicare  
6 and medicaid services in relation to the safety net assessment created  
7 by Engrossed Substitute Senate Bill No. 5581 (nursing home payments) is  
8 for any reason not approved and implemented, the weighted average  
9 nursing facility payment rate shall not exceed \$159.87 for fiscal year  
10 2012 and shall not exceed \$160.93 for fiscal year 2013. There will be  
11 no adjustments for economic trends and conditions in fiscal years 2012  
12 and 2013. The economic trends and conditions factor or factors defined  
13 in the biennial appropriations act shall not be compounded with the  
14 economic trends and conditions factor or factors defined in any other  
15 biennial appropriations acts before applying it to the component rate  
16 allocations established in accordance with chapter 74.46 RCW. When no  
17 economic trends and conditions factor for either fiscal year is defined  
18 in a biennial appropriations act, no economic trends and conditions  
19 factor or factors defined in any earlier biennial appropriations act  
20 shall be applied solely or compounded to the component rate allocations  
21 established in accordance with chapter 74.46 RCW.

22 (a) Within the funds provided, the department shall continue to  
23 provide an add-on per medicaid resident day per facility not to exceed  
24 \$1.57. The add-on shall be used to increase wages, benefits, and/or  
25 staffing levels for certified nurse aides; or to increase wages and/or  
26 benefits for dietary aides, housekeepers, laundry aides, or any other  
27 category of worker whose statewide average dollars-per-hour wage was  
28 less than \$15 in calendar year 2008, according to cost report data.  
29 The add-on may also be used to address resulting wage compression for  
30 related job classes immediately affected by wage increases to low-wage  
31 workers. The department shall continue reporting requirements and a  
32 settlement process to ensure that the funds are spent according to this  
33 subsection.

34 (b) The department shall do a comparative analysis of the facility-  
35 based payment rates calculated on July 1, 2011, using the payment  
36 methodology defined in Engrossed Substitute Senate Bill No. 5581  
37 (nursing home payments), to the facility-based payment rates in effect  
38 June 30, 2010. If the facility-based payment rate calculated on July



1 1, 2011, is smaller than the facility-based payment rate on June 30,  
2 2010, then the difference shall be provided to the individual nursing  
3 facilities as an add-on payment per medicaid resident day.

4 (c) During the comparative analysis performed in subsection (b) of  
5 this section, if it is found that the direct care rate for any facility  
6 calculated using the payment methodology defined in Engrossed  
7 Substitute Senate Bill No. 5581 (nursing home payments) is greater than  
8 the direct care rate in effect on June 30, 2010, then the facility  
9 shall receive a ten percent direct care rate add-on to compensate that  
10 facility for taking on more acute clients than they have in the past.

11 (d) The department shall provide a medicaid rate add-on to  
12 reimburse the medicaid share of the skilled nursing facility safety net  
13 assessment as a medicaid allowable cost. The nursing facility safety  
14 net rate add-on may not be included in the calculation of the annual  
15 statewide weighted average nursing facility payment rate.

16 (e) If the waiver requested from the federal centers for medicare  
17 and medicaid services in relation to the safety net assessment created  
18 by Engrossed Substitute Senate Bill No. 5581 (nursing home payments) is  
19 for any reason not approved and implemented, subsections (b), (c), and  
20 (d) of this subsection do not apply.

21 (2) After examining actual nursing facility cost information, the  
22 legislature finds that the medicaid nursing facility rates calculated  
23 pursuant to Engrossed Substitute Senate Bill No. 5581 (nursing home  
24 payments) provide sufficient reimbursement to efficiently and  
25 economically operating nursing facilities and bear a reasonable  
26 relationship to costs.

27 (3) In accordance with chapter 74.46 RCW, the department shall  
28 issue no additional certificates of capital authorization for fiscal  
29 year 2012 and no new certificates of capital authorization for fiscal  
30 year 2013 and shall grant no rate add-ons to payment rates for capital  
31 improvements not requiring a certificate of need and a certificate of  
32 capital authorization for fiscal years 2012 and 2013.

33 (4) The long-term care program may develop and pay enhanced rates  
34 for exceptional care to nursing homes for persons with traumatic brain  
35 injuries who are transitioning from hospital care. The cost per  
36 patient day for caring for these clients in a nursing home setting may  
37 be equal to or less than the cost of caring for these clients in a  
38 hospital setting.

1 (5) Amounts appropriated in this section reflect a reduction to  
2 funds appropriated for in-home care. The department shall reduce the  
3 number of in-home hours authorized. The reduction shall be scaled  
4 based on the acuity level of care recipients. The largest hour  
5 reductions shall be to lower acuity patients and the smallest hour  
6 reductions shall be to higher acuity patients.

7 (6) \$1,883,000 of the general fund--state appropriation for fiscal  
8 year 2012, \$1,883,000 of the general fund--state appropriation for  
9 fiscal year 2013, and \$3,766,000 of the general fund--federal  
10 appropriation are provided solely for state contributions for  
11 individual provider health care benefits. Pursuant to the collective  
12 bargaining agreement negotiated with the exclusive bargaining  
13 representative of individual providers established under RCW  
14 74.39A.270, the state shall contribute to the multiemployer health  
15 benefits trust fund \$1.96 per paid hour worked by individual providers.

16 (7) \$16,835,000 of the general fund--state appropriation for fiscal  
17 year 2012, \$17,952,000 of the general fund--state appropriation for  
18 fiscal year 2013, and \$34,786,000 of the general fund--federal  
19 appropriation are provided solely for home care agencies to purchase  
20 health coverage for home care providers. The department shall  
21 calculate and distribute payments for health care benefits to home care  
22 agencies at \$558 per month for each worker who cares for publicly  
23 funded clients at 86 hours or more per month. In order to negotiate  
24 the most comprehensive health benefits package for its employees, each  
25 agency may determine benefit levels according to the hours an employee  
26 works providing state-funded personal care. Health benefits shall be  
27 offered to all employees who care for publicly funded clients for 86  
28 hours per month or more. At a minimum, employees who care for publicly  
29 funded clients at 140 hours a month or greater must receive a  
30 comprehensive medical benefit. Benefits shall not be provided to  
31 employees who care for publicly funded clients at 85 hours or less per  
32 month or as interim respite workers. The department shall not pay an  
33 agency for benefits provided to an employee who otherwise receives  
34 health care coverage through other family members, other  
35 employment-based coverage, or military or veteran's coverage. The  
36 department shall require annually, each home care agency to review each  
37 of its employee's available health coverage and to provide a written  
38 declaration to the department verifying that health benefits purchased

1 with public funds are solely for employees that do not have other  
2 available coverage. Home care agencies may determine a reasonable  
3 employee co-premium not to exceed 20 percent of the total benefit cost.

4 (8) \$2,063,000 of the general fund--state appropriation for fiscal  
5 year 2012, \$2,195,000 of the general fund--state appropriation for  
6 fiscal year 2013, and \$4,260,000 of the general fund--federal  
7 appropriation are provided solely for the state's contribution to the  
8 training partnership, as provided in RCW 74.39A.360, for instructional  
9 costs associated with the training of individual providers. House Bill  
10 No. 1548 and Senate Bill No. 5473 (long-term care worker requirements)  
11 make statutory changes to the increased training requirements and  
12 therefore the state shall contribute to the partnership \$0.17 per paid  
13 hour worked by all home care workers. This amount is pursuant to the  
14 collective bargaining agreement negotiated with the exclusive  
15 bargaining representative of individual providers established under RCW  
16 74.39A.270. Expenditures for the purposes specified in this subsection  
17 shall not exceed the amounts provided in this subsection.

18 (9) Individuals receiving services as supplemental security income  
19 (SSI) state supplemental payments shall not become eligible for medical  
20 assistance under RCW 74.09.510 due solely to the receipt of SSI state  
21 supplemental payments.

22 (10) The department shall eliminate the adult day health program  
23 under the state plan 1915(i) option and shall reestablish it under the  
24 long-term care home and community-based waiver.

25 (11) \$4,588,000 of the general fund--state appropriation for fiscal  
26 year 2012, \$4,559,000 of the general fund--state appropriation for  
27 fiscal year 2013, and \$9,237,000 of the general fund--federal  
28 appropriation are provided solely for the continued operation of  
29 community residential and support services for persons who are older  
30 adults or who have co-occurring medical and behavioral disorders and  
31 who have been discharged or diverted from a state psychiatric hospital.  
32 These funds shall be used to serve individuals whose treatment needs  
33 constitute substantial barriers to community placement, who no longer  
34 require active psychiatric treatment at an inpatient hospital level of  
35 care, and who no longer meet the criteria for inpatient involuntary  
36 commitment.

37 (12) \$1,840,000 of the general fund--state appropriation for fiscal  
38 year 2012 and \$1,877,000 of the general fund--state appropriation for

1 fiscal year 2013 are provided solely for operation of the volunteer  
2 services program. Funding shall be prioritized towards serving  
3 populations traditionally served by long-term care services to include  
4 senior citizens and persons with disabilities.

5 (13) In accordance with Engrossed Substitute House Bill No. 1277  
6 (licensed settings for vulnerable adults), nursing facility fees are  
7 increased in fiscal year 2012 and adult family home fees are increased  
8 in fiscal year 2012 and fiscal year 2013 to support the costs of  
9 conducting licensure, inspection, and regulatory programs.

10 (a) The current annual renewal license fee for nursing facilities  
11 shall be increased to \$359 per bed beginning in fiscal year 2012 and  
12 assumes \$517,000 of the general fund--private/local appropriation.  
13 Nursing facilities shall receive a vendor rate increase of \$0.08 per  
14 medicaid patient day to cover the license fee increase for publicly  
15 funded beds.

16 (b) The current annual renewal license fee for adult family homes  
17 shall be increased to \$100 per bed beginning in fiscal year 2012 and  
18 assumes \$1,449,000 of the general fund--private/local appropriation;  
19 and \$175 per bed beginning in fiscal year 2013 and assumes \$2,463,000  
20 of the general fund--private/local appropriation. Adult family homes  
21 shall receive a corresponding vendor rate increase per medicaid patient  
22 day of \$0.22 in fiscal year 2012 and \$0.43 in fiscal year 2013 to cover  
23 the license fee increase for publicly funded beds.

24 (c) Beginning in fiscal year 2012, a processing fee of \$2,750 shall  
25 be charged to each adult family home when the home is initially  
26 licensed. This fee is nonrefundable.

27 (d) \$72,000 of the general fund--state appropriation for fiscal  
28 year 2012, \$708,000 of the general fund--private/local appropriation  
29 and \$708,000 of the general fund--federal appropriation are provided  
30 solely to implement sections 501 through 503 of Engrossed Substitute  
31 House Bill No. 1277 (licensed settings for vulnerable adults). The  
32 department shall use additional investigative resources to address  
33 complaints about provider practices as well as alleged abuse, neglect,  
34 abandonment, and exploitation of residents in adult family homes. The  
35 department shall develop a statewide internal quality review and  
36 accountability program to improve the accountability of staff and the  
37 consistent application of investigative activities, and shall convene

1 a quality assurance panel to review problems in the quality of care in  
2 adult family homes.

3 (14) \$3,316,000 of the traumatic brain injury account--state  
4 appropriation is provided solely to continue services for persons with  
5 traumatic brain injury (TBI) as defined in chapter 143, Laws of 2011  
6 (traumatic brain injury strategic partnership).

7 (15) The department is authorized to place long-term care clients  
8 residing in nursing homes and paid for with state only funds into less  
9 restrictive community care settings while continuing to meet the  
10 client's care needs.

11 (16) \$30,000 of the general fund--state appropriation for fiscal  
12 year 2012 and \$30,000 of the general fund--federal appropriation are  
13 provided solely to implement Engrossed Second Substitute House Bill No.  
14 1901 (reshaping the delivery of long-term care services). If the bill  
15 is not enacted by June 30, 2011, the amounts provided in this  
16 subsection shall lapse.

17 (17) The department shall assess and determine whether it would be  
18 cost-efficient for the state to exercise the option made available  
19 under section 1915(k) of the federal social security act (42 U.S.C.  
20 Sec. 1396n(k)). If the department determines that it would be cost  
21 efficient for the state to exercise the federal option, it shall  
22 prepare a proposal to provide home- and community-based attendant  
23 services and supports that include assistance with activities of daily  
24 living (ADL's), instrumental activities of daily living (IADL's), and  
25 health-related tasks pursuant to section 1915(k) of the federal social  
26 security act (42 U.S.C. Sec. 1396n(k)) and submit that plan to the  
27 legislature during the subsequent legislative session.

28 NEW SECTION. **Sec. 207. FOR THE DEPARTMENT OF SOCIAL AND HEALTH**  
29 **SERVICES--ECONOMIC SERVICES PROGRAM**

30	General Fund--State Appropriation (FY 2012) . . . . .	\$506,611,000
31	General Fund--State Appropriation (FY 2013) . . . . .	\$500,003,000
32	General Fund--Federal Appropriation . . . . .	\$1,115,799,000
33	General Fund--Private/Local Appropriation . . . . .	\$30,592,000
34	TOTAL APPROPRIATION . . . . .	\$2,153,005,000

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

1 (1) \$297,623,000 of the general fund--state appropriation for  
2 fiscal year 2012, \$297,623,000 of the general fund--state appropriation  
3 for fiscal year 2013, and \$672,443,000 of the general fund--federal  
4 appropriation are provided solely for all components of the WorkFirst  
5 program. Under section 2 of Engrossed Substitute Senate Bill No. 5921  
6 (social services programs), the amounts in this subsection assume that  
7 any participant in the temporary assistance for needy families where  
8 their participation is suspended and does not volunteer to participate  
9 in WorkFirst services or unsubsidized employment does not receive child  
10 care subsidies or WorkFirst subsidies as a condition of the suspension.  
11 Within the amounts provided for the WorkFirst program, the department  
12 may provide assistance using state-only funds for families eligible for  
13 temporary assistance for needy families.

14 (a) Within the amounts provided for WorkFirst in this subsection,  
15 the department shall continue to implement WorkFirst program  
16 improvements that are designed to achieve progress against outcome  
17 measures specified in RCW 74.08A.410.

18 (b) The department may establish a career services work transition  
19 program.

20 (c) Within the amounts provided in this subsection, \$1,414,000 of  
21 the general fund--state appropriation for fiscal year 2012 and  
22 \$5,150,000 of the general fund--state appropriation for fiscal year  
23 2013 are provided solely for the implementation and administration of  
24 the electronic benefit transfer system under section 12 of Engrossed  
25 Substitute Senate Bill No. 5921 (social services programs). The  
26 department shall transfer these amounts to the department of early  
27 learning for the implementation and administration of the project.

28 (d) Within amounts appropriated in this section, the legislature  
29 expressly mandates that the department exercise its authority, granted  
30 in 1997 under RCW 74.08A.290, to contract for work activities services  
31 pursuant to that statutory authority and RCW 41.06.142(3).

32 (e) The department shall create a temporary assistance for needy  
33 families budget structure that allows for more transparent tracking of  
34 budget units and subunits of expenditures where these units and  
35 subunits are mutually exclusive from other department budget units.  
36 The budget structure shall include budget units for the following:  
37 Grants, child care, WorkFirst activities, and administration of the  
38 program.

1 (2)(a) \$11,825,000 of the general fund--federal appropriation is  
2 provided solely for a contingency reserve in the event the temporary  
3 assistance for needy families cash benefit is projected to exceed  
4 forecasted amounts by more than one percent. The department shall only  
5 expend an amount equal to the forecasted over-expenditure. For  
6 purposes of this subsection, the temporary assistance forecast shall be  
7 completed every quarter and follow a similar schedule of the caseload  
8 forecast council forecasts.

9 (b) If sufficient savings in subsection (1) of this section are  
10 achieved, the department of early learning shall increase the number of  
11 child care slots available for the working connections child care  
12 program.

13 (3) \$31,960,000 of the general fund--state appropriation for fiscal  
14 year 2012, in addition to supplemental security income recoveries, is  
15 provided solely for financial assistance and other services to  
16 recipients in the program established in section 4, chapter 8, Laws of  
17 2010 1st sp. sess., until the program terminates on October 31, 2011.

18 (4)(a) \$11,690,000 of the general fund--state appropriation for  
19 fiscal year 2012 and \$21,494,000 of the general fund--state  
20 appropriation for fiscal year 2013, in addition to supplemental  
21 security income recoveries, are provided solely for the programs  
22 created in Engrossed Substitute House Bill No. 2082 (essential needs  
23 and assistance program) beginning November 1, 2011.

24 (b) The department shall review clients receiving services through  
25 the aged, blind, or disabled assistance program, to determine whether  
26 they would benefit from assistance in becoming naturalized citizens,  
27 and thus be eligible to receive federal supplemental security income  
28 benefits. Those cases shall be given high priority for naturalization  
29 funding through the department.

30 (c) The department shall continue the interagency agreement with  
31 the department of veterans' affairs to establish a process for referral  
32 of veterans who may be eligible for veterans' services. This agreement  
33 must include out-stationing department of veterans' affairs staff in  
34 selected community service office locations in King and Pierce counties  
35 to facilitate applications for veterans' services.

36 (5) \$1,657,000 of the general fund--state appropriation for fiscal  
37 year 2012 and \$1,657,000 of the general fund--state appropriation for  
38 fiscal year 2013 are provided solely for naturalization services.

1 (6) \$2,366,000 of the general fund--state appropriation for fiscal  
 2 year 2012 is provided solely for refugee employment services, of which  
 3 \$1,774,000 is provided solely for the department to pass through to  
 4 statewide refugee assistance organizations for limited English  
 5 proficiency pathway services; and \$2,366,000 of the general fund--state  
 6 appropriation for fiscal year 2013 is provided solely for refugee  
 7 employment services, of which \$1,774,000 is provided solely for the  
 8 department to pass through to statewide refugee assistance  
 9 organizations for limited English proficiency pathway services.

10 (7) On December 1, 2011, and annually thereafter, the department  
 11 must report to the legislature on all sources of funding available for  
 12 both refugee and immigrant services and naturalization services during  
 13 the current fiscal year and the amounts expended to date by service  
 14 type and funding source. The report must also include the number of  
 15 clients served and outcome data for the clients.

16 (8) To ensure expenditures remain within available funds  
 17 appropriated in this section, the legislature establishes the benefit  
 18 under the state food assistance program, pursuant to RCW 74.08A.120, to  
 19 be fifty percent of the federal supplemental nutrition assistance  
 20 program benefit amount.

21 (9) The appropriations in this section reflect reductions in the  
 22 appropriations for the economic services administration's  
 23 administrative expenses. It is the intent of the legislature that  
 24 these 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 program.

27 **NEW SECTION. Sec. 208. FOR THE DEPARTMENT OF SOCIAL AND HEALTH**  
 28 **SERVICES--ALCOHOL AND SUBSTANCE ABUSE PROGRAM**

29	General Fund--State Appropriation (FY 2012) . . . . .	\$75,785,000
30	General Fund--State Appropriation (FY 2013) . . . . .	\$75,924,000
31	General Fund--Federal Appropriation . . . . .	\$141,516,000
32	General Fund--Private/Local Appropriation . . . . .	\$2,086,000
33	Criminal Justice Treatment Account--State	
34	Appropriation . . . . .	\$17,748,000
35	Problem Gambling Account--State Appropriation . . . . .	\$1,448,000
36	TOTAL APPROPRIATION . . . . .	\$314,507,000



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

3 (1) Within the amounts appropriated in this section, the department  
4 may contract with the University of Washington and community-based  
5 providers for the provision of the parent-child assistance program.  
6 For all contractors, indirect charges for administering the program  
7 shall not exceed ten percent of the total contract amount.

8 (2) Within the amounts appropriated in this section, the department  
9 shall continue to provide for chemical dependency treatment services  
10 for adult medicaid eligible, pregnant and parenting women, disability  
11 lifeline, and alcoholism and drug addiction treatment and support act,  
12 and medical care services clients.

13 (3) In accordance with RCW 70.96A.090 and 43.135.055, the  
14 department is authorized to increase fees for the review and approval  
15 of treatment programs in fiscal years 2012 and 2013 as necessary to  
16 support the costs of the regulatory program. The department's fee  
17 schedule shall have differential rates for providers with proof of  
18 accreditation from organizations that the department has determined to  
19 have substantially equivalent standards to those of the department,  
20 including but not limited to the joint commission on accreditation of  
21 health care organizations, the commission on accreditation of  
22 rehabilitation facilities, and the council on accreditation. To  
23 reflect the reduced costs associated with regulation of accredited  
24 programs, the department's fees for organizations with such proof of  
25 accreditation must reflect the lower cost of licensing for these  
26 programs than for other organizations which are not accredited.

27 (4) \$3,500,000 of the general fund--federal appropriation (from the  
28 substance abuse prevention and treatment federal block grant) is  
29 provided solely for the continued funding of existing county drug and  
30 alcohol use prevention programs.

31 NEW SECTION. **Sec. 209. FOR THE DEPARTMENT OF SOCIAL AND HEALTH**  
32 **SERVICES--VOCATIONAL REHABILITATION PROGRAM**

33	General Fund--State Appropriation (FY 2012) . . . . .	\$10,852,000
34	General Fund--State Appropriation (FY 2013) . . . . .	\$10,861,000
35	General Fund--Federal Appropriation . . . . .	\$102,622,000
36	Telecommunications Devices for the Hearing and	
37	Speech Impaired--State Appropriation . . . . .	\$2,766,000

1 TOTAL APPROPRIATION . . . . . \$127,101,000

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

4 (1) The vocational rehabilitation program shall coordinate closely  
5 with the economic services program to serve lifeline clients under  
6 chapter 8, Laws of 2010 1st sp. sess. who are referred for eligibility  
7 determination and vocational rehabilitation services, and shall make  
8 every effort, within the requirements of the federal rehabilitation act  
9 of 1973, to serve these clients.

10 (2) \$480,000 of the telecommunications devices for the hearing and  
11 speech impaired account--state appropriation is provided solely for the  
12 office of deaf and hard of hearing to contract for services that  
13 provide employment support and help with life activities for deaf-blind  
14 individuals in King county.

15 NEW SECTION. **Sec. 210. FOR THE DEPARTMENT OF SOCIAL AND HEALTH**  
16 **SERVICES--SPECIAL COMMITMENT PROGRAM**

17 General Fund--State Appropriation (FY 2012) . . . . . \$47,779,000  
18 General Fund--State Appropriation (FY 2013) . . . . . \$47,609,000  
19 TOTAL APPROPRIATION . . . . . \$95,388,000

20 NEW SECTION. **Sec. 211. FOR THE DEPARTMENT OF SOCIAL AND HEALTH**  
21 **SERVICES--ADMINISTRATION AND SUPPORTING SERVICES PROGRAM**

22 General Fund--State Appropriation (FY 2012) . . . . . \$25,698,000  
23 General Fund--State Appropriation (FY 2013) . . . . . \$23,960,000  
24 General Fund--Federal Appropriation . . . . . \$38,917,000  
25 General Fund--Private/Local Appropriation . . . . . \$2,116,000  
26 Performance Audits of State Government--State  
27 Appropriation . . . . . \$4,812,000  
28 TOTAL APPROPRIATION . . . . . \$95,503,000

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

31 (1) \$300,000 of the general fund--state appropriation for fiscal  
32 year 2012 and \$300,000 of the general fund--state appropriation for  
33 fiscal year 2013 are provided solely for the Washington state mentors  
34 program to continue its public-private partnerships to provide  
35 technical assistance and training to mentoring programs that serve  
36 at-risk youth.

1 (2) \$445,000 of the general fund--state appropriation for fiscal  
2 year 2012 and \$445,000 of the general fund--state appropriation for  
3 fiscal year 2013 are provided solely for funding of the teamchild  
4 project.

5 (3) \$178,000 of the general fund--state appropriation for fiscal  
6 year 2012 and \$178,000 of the general fund--state appropriation for  
7 fiscal year 2013 are provided solely for the juvenile detention  
8 alternatives initiative.

9 (4) \$4,812,000 of the performance audits of state government--state  
10 appropriation is provided solely for support and expansion of the  
11 division of fraud investigation. The division shall conduct  
12 investigatory and enforcement activities for all department programs,  
13 including the child support and TANF programs.

14 (5) \$1,400,000 of the general fund--state appropriation for fiscal  
15 year 2012 is provided solely for the department to distribute as  
16 support to community public health and safety networks that have a  
17 history of providing training and services related to adverse childhood  
18 experiences. Distribution of these funds is contingent upon securing  
19 funding from a private entity or entities to provide one dollar in  
20 matching funds for each dollar in state funds received by a network so  
21 that the funding received by a community public health and safety  
22 network will be equal portions of state and private funding.

23 NEW SECTION. **Sec. 212. FOR THE DEPARTMENT OF SOCIAL AND HEALTH**  
24 **SERVICES--PAYMENTS TO OTHER AGENCIES PROGRAM**

25	General Fund--State Appropriation (FY 2012) . . . . .	\$66,410,000
26	General Fund--State Appropriation (FY 2013) . . . . .	\$63,304,000
27	General Fund--Federal Appropriation . . . . .	\$60,313,000
28	TOTAL APPROPRIATION . . . . .	\$190,027,000

29 The appropriations in this section are subject to the following  
30 conditions and limitations: \$469,000 of the general fund--state  
31 appropriation for fiscal year 2011 and \$270,000 of the general fund--  
32 state appropriation for fiscal year 2012 are provided solely for  
33 implementation of Engrossed Substitute Senate Bill No. 5921 (social  
34 services programs). If the bill is not enacted by June 30, 2011, the  
35 amounts provided in this subsection shall lapse.

1            NEW SECTION.    **Sec. 213.    FOR THE STATE HEALTH CARE AUTHORITY**

2	General Fund--State Appropriation (FY 2012) . . . . .	\$2,195,580,000
3	General Fund--State Appropriation (FY 2013) . . . . .	\$2,263,679,000
4	General Fund--Federal Appropriation . . . . .	\$5,608,085,000
5	General Fund--Private/Local Appropriation . . . . .	\$60,277,000
6	Emergency Medical Services and Trauma Care Systems	
7	Trust Account--State Appropriation . . . . .	\$15,077,000
8	Hospital Safety Net Assessment Fund--State	
9	Appropriation . . . . .	\$404,438,000
10	State Health Care Authority Administration Account--	
11	State Appropriation . . . . .	\$34,476,000
12	Medicaid Fraud Penalty Account--State Appropriation . . . . .	\$17,039,000
13	Basic Health Plan Stabilization Account--	
14	State Appropriation . . . . .	\$44,000,000
15	Medical Aid Account--State Appropriation . . . . .	\$529,000
16	TOTAL APPROPRIATION . . . . .	\$10,643,180,000

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

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

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

34            (3)(a) \$1,200,000 of the general fund--state appropriation for  
35 fiscal year 2012 is provided solely to plan the implementation of a  
36 system of consolidated public school employee health benefits  
37 purchasing.

1 It is the intent of the legislature to improve the administration,  
2 transparency, and equity in delivering a K-12 employees' health  
3 benefits system. In addition, the legislature intends that any cost  
4 savings that result from changes to K-12 health benefits be dedicated  
5 to public schools.

6 To further this legislative intent, the state health care authority  
7 shall develop a plan to implement a consolidated health benefits'  
8 system for K-12 employees for the 2013-14 school year. The health care  
9 authority shall deliver a report to the legislature by December 15,  
10 2011, that sets forth the implementation plan to the ways and means  
11 committees of the house of representatives and the senate.

12 (b) The report prepared by the health care authority shall compare  
13 and contrast the costs and benefits, both long and short term, of:

14 (i) The current K-12 health benefits system;

15 (ii) A new K-12 employee benefits pool; and

16 (iii) Enrolling K-12 employees into the health benefits pool for  
17 state employees.

18 (c) In addition to the implementation plan, the report shall  
19 include the following information:

20 (i) The costs and benefits of the current K-12 health benefits  
21 system;

22 (ii) The costs and benefits of providing a new statewide K-12  
23 employees' health benefits pool to school districts and school  
24 employees;

25 (iii) The costs and benefits of enrolling K-12 employees into the  
26 existing health benefits pool for state employees;

27 (iv) Recommendations of ways to limit administrative duplication  
28 and costs, improve transparency to employees, the legislature, and the  
29 public and assure equity among beneficiaries of publicly provided  
30 employee health benefits;

31 (v) Recommendations for standardizing benefit packages and  
32 purchasing efforts in a manner that seeks to maximize funding and  
33 equity for all school employees;

34 (vi) Recommendations regarding the use of incentives, including how  
35 changes to state health benefit allocations could provide employees  
36 with benefits that would encourage participation;

37 (vii) Recommendations regarding the implementation of a new K-12

1 employee benefit plan, with separate options for voluntary  
2 participation and mandatory statewide participation;

3 (viii) Recommendations regarding methods to reduce inequities  
4 between individual and family coverage;

5 (ix) Consolidation of the purchasing and budget accountability for  
6 school employee benefits to maximize administrative efficiency and  
7 leverage existing skills and resources; and

8 (x) Other details the health care authority deems necessary,  
9 including but not limited to recommendations on the following:

10 (A) Approaches for implementing the transition to a statewide pool,  
11 including administrative and statutory changes necessary to ensure a  
12 successful transition, and whether the pool should be separate from, or  
13 combined with, the public employees' benefits pool;

14 (B) The structure of a permanent governing group to provide ongoing  
15 oversight to the consolidated pool, in a manner similar to the public  
16 employees benefits board functions for employee health benefits,  
17 including statutory duties and authorities of the board; and

18 (C) Options for including potential changes to: Eligibility  
19 standardization, the public employees benefits risk pools, the movement  
20 of school employee retirees into the new K-12 pool or pools, and the  
21 movement of educational service district employees into the new K-12  
22 pool or pools.

23 (d) In determining its costs and benefits of a new statewide K-12  
24 employees' health benefits pool for school districts and school  
25 employees, the health care authority shall assume the following:

26 (i) School district enrollees must constitute an entire bargaining  
27 unit, or an entire group of nonrepresented employees;

28 (ii) Staffing and administration for benefits purchasing shall be  
29 provided by the health care authority; and

30 (iii) The new K-12 pool would operate on a schedule that  
31 coordinates with the financing and enrollment schedule used for school  
32 districts.

33 (e) The office of the superintendent of public instruction and the  
34 office of the insurance commissioner shall provide information and  
35 technical assistance to the health care authority as requested by the  
36 health care authority. The health care authority shall not implement  
37 the new school employee benefits pool until authorized to do so by the  
38 legislature.

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

19 (5) Enrollment in the subsidized basic health plan shall be limited  
20 to only include persons who qualify as subsidized enrollees as defined  
21 in RCW 70.47.020 and who (a) qualify for services under 1115 medicaid  
22 demonstration project number 11-W-00254/10; or (b) are foster parents  
23 licensed under chapter 74.15 RCW.

24 (6) \$23,700,000 of the general fund--federal appropriation is  
25 provided solely for planning and implementation of a health benefit  
26 exchange under the federal patient protection and affordable care act.  
27 Within the amounts provided in this subsection, funds used by the  
28 authority for information technology projects are conditioned on the  
29 authority satisfying the requirements of Engrossed Second Substitute  
30 Senate Bill No. 5931 (central service agencies).

31 (7) Based on quarterly expenditure reports and caseload forecasts,  
32 if the health care authority estimates that expenditures for the  
33 medical assistance program will exceed the appropriations, the health  
34 care authority shall take steps including but not limited to reduction  
35 of rates or elimination of optional services to reduce expenditures so  
36 that total program costs do not exceed the annual appropriation  
37 authority.

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

5 (9) The legislature affirms that it is in the state's interest for  
6 Harborview medical center to remain an economically viable component of  
7 the state's health care system.

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

13 (11) \$4,261,000 of the general fund--state appropriation for fiscal  
14 year 2012, \$4,261,000 of the general fund--state appropriation for  
15 fiscal year 2013, and \$8,522,000 of the general fund--federal  
16 appropriation are provided solely for low-income disproportionate share  
17 hospital payments under RCW 74.09.730(1)(a).

18 (12) \$5,905,000 of the general fund--state appropriation for fiscal  
19 year 2012, \$5,905,000 of the general fund--state appropriation for  
20 fiscal year 2013, and \$11,810,000 of the general fund--federal  
21 appropriation are provided solely for nonrural indigent assistance  
22 disproportionate share hospital payments in accordance with RCW  
23 74.09.730(1).

24 (13) \$665,000 of the general fund--state appropriation for fiscal  
25 year 2012, \$665,000 of the general fund--state appropriation for fiscal  
26 year 2013, and \$1,330,000 of the general fund--federal appropriation  
27 are provided solely for small rural indigent assistance  
28 disproportionate share hospital payments in accordance with RCW  
29 74.09.730(1).

30 (14) \$6,000,000 of the general fund--federal appropriation is  
31 provided solely for supplemental payments to nursing homes operated by  
32 public hospital districts. The public hospital district shall be  
33 responsible for providing the required nonfederal match for the  
34 supplemental payment, and the payments shall not exceed the maximum  
35 allowable under federal rules. It is the legislature's intent that the  
36 payments shall be supplemental to and shall not in any way offset or  
37 reduce the payments calculated and provided in accordance with part E  
38 of chapter 74.46 RCW. It is the legislature's further intent that



1 costs otherwise allowable for rate-setting and settlement against  
2 payments under chapter 74.46 RCW shall not be disallowed solely because  
3 such costs have been paid by revenues retained by the nursing home from  
4 these supplemental payments. The supplemental payments are subject to  
5 retrospective interim and final cost settlements based on the nursing  
6 homes' as-filed and final medicare cost reports. The timing of the  
7 interim and final cost settlements shall be at the health care  
8 authority's discretion. During either the interim cost settlement or  
9 the final cost settlement, the health care authority shall recoup from  
10 the public hospital districts the supplemental payments that exceed the  
11 medicaid cost limit and/or the medicare upper payment limit. The  
12 health care authority shall apply federal rules for identifying the  
13 eligible incurred medicaid costs and the medicare upper payment limit.

14 (15) The health care authority shall continue the inpatient  
15 hospital certified public expenditures program for the 2011-2013 fiscal  
16 biennium. The program shall apply to all public hospitals, including  
17 those owned or operated by the state, except those classified as  
18 critical access hospitals or state psychiatric institutions. The  
19 health care authority shall submit reports to the governor and  
20 legislature by November 1, 2011, and by November 1, 2012, that evaluate  
21 whether savings continue to exceed costs for this program. If the  
22 certified public expenditures (CPE) program in its current form is no  
23 longer cost-effective to maintain, the health care authority shall  
24 submit a report to the governor and legislature detailing  
25 cost-effective alternative uses of local, state, and federal resources  
26 as a replacement for this program. During fiscal year 2012 and fiscal  
27 year 2013, hospitals in the program shall be paid and shall retain one  
28 hundred percent of the federal portion of the allowable hospital cost  
29 for each medicaid inpatient fee-for-service claim payable by medical  
30 assistance and one hundred percent of the federal portion of the  
31 maximum disproportionate share hospital payment allowable under federal  
32 regulations. Inpatient medicaid payments shall be established using an  
33 allowable methodology that approximates the cost of claims submitted by  
34 the hospitals. Payments made to each hospital in the program in each  
35 fiscal year of the biennium shall be compared to a baseline amount.  
36 The baseline amount will be determined by the total of (a) the  
37 inpatient claim payment amounts that would have been paid during the  
38 fiscal year had the hospital not been in the CPE program based on the

1 reimbursement rates developed, implemented, and consistent with  
2 policies approved in the 2011-13 biennial operating appropriations act  
3 and in effect on July 1, 2011, (b) one half of the indigent assistance  
4 disproportionate share hospital payment amounts paid to and retained by  
5 each hospital during fiscal year 2005, and (c) all of the other  
6 disproportionate share hospital payment amounts paid to and retained by  
7 each hospital during fiscal year 2005 to the extent the same  
8 disproportionate share hospital programs exist in the 2011-13 biennium.  
9 If payments during the fiscal year exceed the hospital's baseline  
10 amount, no additional payments will be made to the hospital except the  
11 federal portion of allowable disproportionate share hospital payments  
12 for which the hospital can certify allowable match. If payments during  
13 the fiscal year are less than the baseline amount, the hospital will be  
14 paid a state grant equal to the difference between payments during the  
15 fiscal year and the applicable baseline amount. Payment of the state  
16 grant shall be made in the applicable fiscal year and distributed in  
17 monthly payments. The grants will be recalculated and redistributed as  
18 the baseline is updated during the fiscal year. The grant payments are  
19 subject to an interim settlement within eleven months after the end of  
20 the fiscal year. A final settlement shall be performed. To the extent  
21 that either settlement determines that a hospital has received funds in  
22 excess of what it would have received as described in this subsection,  
23 the hospital must repay the excess amounts to the state when requested.  
24 \$32,673,000 of the general fund--state appropriation for fiscal year  
25 2012, of which \$6,570,000 is appropriated in section 204(1) of this  
26 act, and \$29,693,000 of the general fund--state appropriation for  
27 fiscal year 2013, of which \$6,570,000 is appropriated in section 204(1)  
28 of this act, are provided solely for state grants for the participating  
29 hospitals. CPE hospitals will receive the inpatient and outpatient  
30 reimbursement rate restorations in RCW 74.60.080 and rate increases in  
31 RCW 74.60.090 funded through the hospital safety net assessment fund  
32 rather than through the baseline mechanism specified in this  
33 subsection.

34 (16) The contract with the managed care plan to provide services  
35 for disability lifeline clients shall be designed to incentivize care  
36 in the most appropriate setting, including maximizing primary care-  
37 based services and optimizing appropriate hospital utilization and  
38 savings. The health care authority may include shared savings or other

1 risk sharing arrangements in the contract with the managed care plan in  
2 order to incentivize aggressive management of hospital services,  
3 including prior authorization, concurrent review, and discharge  
4 planning. In determining the allocation of shared savings, the health  
5 care authority shall consider the appropriate balance between  
6 incentivizing aggressive management of hospital services by the managed  
7 care plan and realizing budgetary savings from the state's investment  
8 in the inclusion of care management and mental health services in the  
9 managed care contract.

10 (17) The health care authority shall evaluate the impact of the use  
11 of a managed care delivery and financing system on state costs and  
12 outcomes for lifeline medical clients. Outcomes measured shall include  
13 state costs, utilization, changes in mental health status and symptoms,  
14 and involvement in the criminal justice system.

15 (18) The health care authority shall seek public-private  
16 partnerships and federal funds that are or may become available to  
17 provide on-going support for outreach and education efforts under the  
18 federal children's health insurance program reauthorization act of  
19 2009.

20 (19) The health care authority shall target funding for maternity  
21 support services towards pregnant women with factors that lead to  
22 higher rates of poor birth outcomes, including hypertension, a preterm  
23 or low birth weight birth in the most recent previous birth, a  
24 cognitive deficit or developmental disability, substance abuse, severe  
25 mental illness, unhealthy weight or failure to gain weight, tobacco  
26 use, or African American or Native American race. The health care  
27 authority shall prioritize evidence-based practices for delivery of  
28 maternity support services. To the extent practicable, the health care  
29 authority shall develop a mechanism to increase federal funding for  
30 maternity support services by leveraging local public funding for those  
31 services.

32 (20) For children with family incomes above 200 percent of the  
33 federal poverty level in the state-funded children's health program for  
34 children who are not eligible for coverage under the federally funded  
35 children's health insurance program, premiums shall be set every two  
36 years in an amount equal to the average state-only share of the per  
37 capita cost of coverage in the state-funded children's health program

1 for children in families with incomes at or less than two hundred  
2 percent of the federal poverty level.

3 (21) \$704,000 of the general fund--state appropriation for fiscal  
4 year 2012, \$726,000 of the general fund--state appropriation for fiscal  
5 year 2013, and \$1,431,000 of the general fund--federal appropriation  
6 are provided solely for disproportionate share hospital payments to  
7 hospitals that provide services to children in the children's health  
8 program who are not eligible for services under Title XIX or XXI of the  
9 federal social security act due to their citizenship status.

10 (22) \$998,000 of the general fund--state appropriation for fiscal  
11 year 2012, \$979,000 of the general fund--state appropriation for fiscal  
12 year 2013, and \$1,980,000 of the general fund--federal appropriation  
13 are provided solely to increase prior authorization activities for  
14 advanced imaging procedures.

15 (23) \$249,000 of the general fund--state appropriation for fiscal  
16 year 2012, \$246,000 of the general fund--state appropriation for fiscal  
17 year 2013, and \$495,000 of the general fund--federal appropriation are  
18 provided solely to increase prior authorization activities for surgical  
19 procedures, which may include orthopedic procedures, spinal procedures  
20 and interventions, and nerve procedures.

21 (24) \$300,000 of the general fund--private/local appropriation and  
22 \$300,000 of the general fund--federal appropriation are provided solely  
23 for a prescriptive practices improvement collaborative focusing upon  
24 atypical antipsychotics and other medications commonly used in the  
25 treatment of severe and persistent mental illnesses among adults. The  
26 project shall promote collaboration among community mental health  
27 centers, other major prescribers of atypical antipsychotic medications  
28 to adults enrolled in state medical assistance programs, and  
29 psychiatrists, pharmacists, and other specialists at the University of  
30 Washington department of psychiatry and/or other research universities.  
31 The collaboration shall include patient-specific prescriber  
32 consultations by psychiatrists and pharmacists specializing in  
33 treatment of severe and persistent mental illnesses among adults;  
34 production of profiles to assist prescribers and clinics in tracking  
35 their prescriptive practices and their patients' medication use and  
36 adherence relative to evidence-based practices guidelines, other  
37 prescribers, and patients at other clinics; and in-service seminars at  
38 which participants can share and increase their knowledge of evidence-

1 based and other effective prescriptive practices. The health care  
2 authority shall enter into an interagency agreement with the office of  
3 the attorney general for expenditure of \$300,000 of the state's  
4 proceeds of the *cy pres* settlement in *State of Washington v.*  
5 *AstraZeneca* (Seroquel) for this purpose.

6 (25) \$570,000 of the general fund--private/local appropriation is  
7 provided solely for continued operation of the partnership access line  
8 for child mental health consultations. The health care authority shall  
9 enter into an interagency agreement with the office of the attorney  
10 general for expenditure of \$570,000 of the state's proceeds of the *cy*  
11 *pres* settlement in *State of Washington v. AstraZeneca* (Seroquel) for  
12 this purpose.

13 (26) \$80,000 of the general fund--state appropriation for fiscal  
14 year 2012, \$80,000 of the general fund--state appropriation for fiscal  
15 year 2013, and \$160,000 of the general fund--federal appropriation are  
16 provided solely to fund the Tacoma-Pierce county health department for  
17 access and outreach activities to reduce infant mortality.

18 (27) \$75,000 of the general fund--state appropriation for fiscal  
19 year 2012, \$75,000 of the general fund--state appropriation for fiscal  
20 year 2013, and \$150,000 of the general fund--federal appropriation are  
21 provided solely to assist with development and implementation of  
22 evidence-based strategies regarding the appropriate, safe, and  
23 effective role of C-section surgeries and early induced labor in births  
24 and neonatal care. The strategies shall be identified and implemented  
25 in consultation with clinical research specialists, physicians,  
26 hospitals, advanced registered nurse practitioners, and organizations  
27 concerned with maternal and child health.

28 (28) \$4,126,000 of the general fund--state appropriation for fiscal  
29 year 2012, \$4,268,000 of the general fund--state appropriation for  
30 fiscal year 2013, \$11,816,000 of the general fund--private/local  
31 appropriation, and \$20,207,000 of the general fund--federal  
32 appropriation are provided solely for continued provision of  
33 school-based medical services by means of an intergovernmental transfer  
34 arrangement. Under the arrangement, the state shall provide forty  
35 percent and school districts sixty percent of the nonfederal matching  
36 funds required for receipt of federal medicaid funding for the service.

37 (29) \$263,000 of the general fund--state appropriation for fiscal  
38 year 2012, \$88,000 of the general fund--state appropriation for fiscal

1 year 2013, and \$351,000 of the general fund--federal appropriation are  
2 provided solely for development and submission to the federal  
3 government by October 1, 2011, of a demonstration project proposal as  
4 provided in Substitute Senate Bill No. 5596 (medicaid demonstration  
5 waiver).

6 (30) \$19,000 of the general fund--state appropriation for fiscal  
7 year 2012, \$17,000 of the general fund--state appropriation for fiscal  
8 year 2013, and \$34,000 of the general fund--federal appropriation are  
9 provided solely to support a partnership among the department of social  
10 and health services, the department of health, and agencies that  
11 deliver medical care and behavioral health services in Cowlitz county.  
12 The partnership shall identify and recommend strategies for resolving  
13 regulatory, licensing, data management, reporting, and funding barriers  
14 to more effective integration of primary medical and behavioral health  
15 care services in the county.

16 (31) \$4,761,000 of the general fund--state appropriation for fiscal  
17 year 2012, \$4,066,000 of the general fund--state appropriation for  
18 fiscal year 2013, and \$10,902,000 of the general fund--federal  
19 appropriation are provided solely for spoken-language interpreter  
20 services. The authority shall develop and implement a new model for  
21 delivery of such services no later than January 1, 2012. The model  
22 shall include:

23 (a) Development by the authority in consultation with subject-area  
24 experts of guidelines to assist medical practitioners identify the  
25 circumstances under which it is appropriate to use telephonic or video-  
26 remote interpreting;

27 (b) The requirement that the state contract with delivery  
28 organizations, including foreign language agencies, who employ or  
29 subcontract only with language access providers or interpreters working  
30 in the state who are certified or authorized by the state. When a  
31 state-certified or state-authorized in-state language access provider  
32 or interpreter is not available, the delivery organization, including  
33 foreign language agencies, may use a provider with other certifications  
34 or qualifications deemed to meet state standards, including  
35 interpreters in other states; and

36 (c) Provision of a secure, web-based tool that medical  
37 practitioners will use to schedule appointments for interpreter

1 services and to identify the most appropriate, cost-effective method of  
2 service delivery in accordance with the state guidelines.

3 Nothing in this subsection affects the ability of health care  
4 providers to provide interpretive services through employed staff or  
5 through telephone and video remote technologies when not reimbursed  
6 directly by the department. The amounts in this subsection do not  
7 include federal administrative funds provided to match nonstate  
8 expenditures by local health jurisdictions and governmental hospitals.

9 (32) In its procurement of contractors for delivery of medical  
10 managed care services for nondisabled, nonelderly persons, the medical  
11 assistance program shall (a) place substantial emphasis upon price  
12 competition in the selection of successful bidders; and (b) not require  
13 delivery of any services that would increase the actuarial cost of  
14 service beyond the levels included in current healthy options  
15 contracts.

16 (33) \$1,430,000 of the general fund--state appropriation for fiscal  
17 year 2012, \$1,430,000 of the general fund--state appropriation for  
18 fiscal year 2013, and \$2,860,000 of the general fund--federal  
19 appropriation are provided solely to pay federally-designated rural  
20 health clinics their standard encounter rate for prenatal and  
21 well-child visits, whether delivered under a managed care contract or  
22 fee-for-service. In reconciling managed care enhancement payments for  
23 calendar years 2009 and 2010, the department shall treat well-child and  
24 prenatal care visits as encounters subject to the clinic's encounter  
25 rate.

26 (34) The medical assistance program shall continue to purchase  
27 power wheelchairs for all nursing home residents for whom they are  
28 determined to be medically necessary, and shall not limit such  
29 purchases to only those residents who are in school or employed.

30 (35) \$280,000 of the general fund--state appropriation for fiscal  
31 year 2012 and \$282,000 of the general fund--federal appropriation are  
32 provided solely to increase utilization management of drugs and drug  
33 classes for which there is evidence of over-utilization, off-label use,  
34 excessive dosing, duplicative therapy, or opportunities to shift  
35 utilization to less expensive, equally effective formulations.

36 (36) \$70,000 of the general fund--state appropriation for fiscal  
37 year 2012, \$70,000 of the general fund--state appropriation for fiscal  
38 year 2013, and \$140,000 of the general fund--federal appropriation are

1 provided solely to continue operation by a nonprofit organization of a  
2 toll-free hotline that assists families to learn about and enroll in  
3 the apple health for kids program.

4 (37) \$400,000 of the general fund--state appropriation for fiscal  
5 year 2012 and \$400,000 of the general fund--state appropriation for  
6 fiscal year 2013 is provided solely for the local outreach, case  
7 management, and coordination with dental providers needed to execute  
8 the access to baby and child dentistry program, which provides dental  
9 care to Medicaid eligible children up to age six.

10 (38) Payments to federally qualified health centers and rural  
11 health clinics shall be made under an alternative payment methodology,  
12 consistent with the requirements of 42 U.S.C. Sec. 1396a(bb).  
13 Encounter rates for clinics whose rates were rebased in 2010 shall be  
14 their allowed cost per visit during the cost report year, as determined  
15 by the authority, inflated each calendar year by the cumulative  
16 percentage increase in the medicare economic index since the cost  
17 report year. Encounter rates for clinics that did not rebase in 2010  
18 shall be their prospective payment system rate from 2001, or from a  
19 subsequent year to the extent that the 2001 rate was updated to account  
20 for addition of a new clinic or type of service, inflated by the  
21 cumulative percentage increase in the global insight Washington health  
22 care inflator through calendar year 2007, and by the cumulative  
23 increase in the medicare economic index from 2007 through 2011 (for the  
24 first six months of fiscal year 2012) and through 2012 (for that  
25 calendar year). Effective January 2013, encounter rates for clinics  
26 whose rates were not rebased in 2010 shall be their allowed cost per  
27 visit during cost report year 2010, inflated forward by the cumulative  
28 increase in the medicare economic index from that year to 2013.

29 (39) \$1,555,000 of the general fund--state appropriation for fiscal  
30 year 2012, \$1,580,000 of the general fund--state appropriation for  
31 fiscal year 2013, and \$2,171,000 of the general fund--federal  
32 appropriation are provided solely to continue to provide dental  
33 services to pregnant women. Services shall include preventive,  
34 routine, and emergent dental care.

35 (40) \$395,000 of the general fund--state appropriation for fiscal  
36 year 2012, \$395,000 of the general fund--state appropriation for fiscal  
37 year 2013, and \$790,000 of the general fund--federal appropriation are



1 provided solely for continued operation of the dental education in care  
2 of persons with disabilities (DECOD) program at the University of  
3 Washington.

4 (41) \$112,000 of the general fund--state appropriation for fiscal  
5 year 2012, \$112,000 of the general fund--state appropriation for fiscal  
6 year 2013, and \$1,928,000 of the general fund--federal appropriation  
7 are provided solely for the provider incentive program and other  
8 initiatives related to the health information technology Medicaid plan.

9 (42) \$1,373,000 of the general fund--state appropriation for fiscal  
10 year 2012, \$2,105,000 of the medicaid fraud penalty account--state  
11 appropriation, and \$3,701,000 of the general fund--federal  
12 appropriation are provided solely for efforts to reduce Medicaid fraud  
13 and abuse and to seek coverage or recovery from other medical payers.

14 (43) \$2,926,000 of the general fund--local appropriation and  
15 \$2,928,000 of the general fund--federal appropriation are provided  
16 solely to support medical airlift services.

17 (44) The authority shall collect data on enrollment and utilization  
18 to study whether the expansion of family planning coverage under  
19 Substitute Senate Bill No. 5912 is reducing state medical expenditures  
20 by reducing unwanted pregnancies. The authority shall report its  
21 findings to the legislature by December 1, 2012.

22 (45) \$480,000 of the general fund--state appropriation for fiscal  
23 year 2012, \$480,000 of the general fund--state appropriation for fiscal  
24 year 2013, and \$824,000 of the general fund--federal appropriation are  
25 provided solely for customer services staff. The authority will  
26 attempt to improve the phone answer rate to 40 percent and reduce the  
27 response times to written questions to ten days for clients and 25 days  
28 for providers. The authority will report to the legislature on its  
29 progress toward achieving these goals by January 1, 2012. If the  
30 authority has not achieved these goals by July 1, 2012, then the  
31 authority shall reduce expenditures on management staff in order to  
32 increase expenditures on customer service staff until the goals are  
33 achieved.

34 (46) The department shall purchase a brand name drug when it  
35 determines that the cost of the brand name drug after rebates is less  
36 than the cost of generic alternatives and that purchase of the brand  
37 rather than generic version can save at least \$250,000. The department

1 may purchase generic alternatives when changes in market prices make  
2 the price of the brand name drug after rebates more expensive than the  
3 generic alternatives.

4 (47) The department shall contract with an organization that will  
5 use Washington state pharmacists to provide medication therapy  
6 management services to increase the use of lower cost alternative  
7 medications, improve patient compliance with prescribed regimens,  
8 reduce harmful side effects from medication, and ensure that  
9 medications achieve their desired therapeutic results. The department  
10 shall not contract for these services unless the contractor guarantees  
11 that the services will generate savings, as measured by the  
12 department's actual experience after implementation that are greater  
13 than the cost of the contracted services.

14 (48) All not-for-profit hospitals that apply for disproportionate  
15 share hospital payments in accordance with RCW 74.09.730(1) shall  
16 submit a completed copy of federal internal revenue service schedule H  
17 for the most recently completed year to the department. The department  
18 shall report to the appropriate fiscal and policy committees of the  
19 legislature by December 1, 2011, with an assessment of the extent to  
20 which information on community benefit as reported on the schedule H  
21 would provide a more consistent and accurate measure of hospital  
22 charity care efforts than the measures presently used by the  
23 department.

24 (49) The department shall collaborate closely with the Washington  
25 state hospital and medical associations in identification of the  
26 diagnostic codes and retroactive review procedures that will be used to  
27 determine whether an emergency room visit is a nonemergency condition  
28 to assure that conditions that require emergency treatment continue to  
29 be covered.

30 **NEW SECTION. Sec. 214. FOR THE HUMAN RIGHTS COMMISSION**

31	General Fund--State Appropriation (FY 2012) . . . . .	\$2,240,000
32	General Fund--State Appropriation (FY 2013) . . . . .	\$2,242,000
33	General Fund--Federal Appropriation . . . . .	\$1,903,000
34	TOTAL APPROPRIATION . . . . .	\$6,385,000

35 **NEW SECTION. Sec. 215. FOR THE BOARD OF INDUSTRIAL INSURANCE**

1 **APPEALS**

2 Worker and Community Right-to-Know Account--State

3       Appropriation . . . . . \$10,000

4 Accident Account--State Appropriation . . . . . \$19,685,000

5 Medical Aid Account--State Appropriation . . . . . \$19,685,000

6       TOTAL APPROPRIATION . . . . . \$39,380,000

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

9       (1) \$36,000 of the accident account--state appropriation and  
10 \$36,000 of the medical aid account--state appropriation are solely  
11 provided for Engrossed Substitute Senate Bill No. 5068 (industrial  
12 safety and health act). If the bill is not enacted by June 30, 2011,  
13 the amounts provided in this subsection shall lapse.

14       (2) \$16,000 of the accident account--state appropriation and  
15 \$16,000 of the medical aid account--state appropriation are solely  
16 provided for Substitute Senate Bill No. 5801 (industrial insurance  
17 system). If the bill is not enacted by June 30, 2011, the amounts  
18 provided in this subsection shall lapse.

19       (3) \$1,893,000 of the accident account--state appropriation and  
20 \$1,893,000 of the medical aid account--state appropriation are provided  
21 solely for implementation of House Bill No. 2123 (workers'  
22 compensation). If the bill is not enacted by June 30, 2011, the  
23 amounts provided in this subsection shall lapse.

24       NEW SECTION.       **Sec. 216. FOR THE CRIMINAL JUSTICE TRAINING**  
25 **COMMISSION**

26 General Fund--State Appropriation (FY 2012) . . . . . \$15,165,000

27 General Fund--State Appropriation (FY 2013) . . . . . \$15,140,000

28 General Fund--Federal Appropriation . . . . . \$456,000

29 General Fund--Private/Local Appropriation . . . . . \$4,048,000

30 Death Investigations Account--State Appropriation . . . . . \$148,000

31 Municipal Criminal Justice Assistance Account--

32       State Appropriation . . . . . \$460,000

33 Washington Auto Theft Prevention Authority Account--

34       State Appropriation . . . . . \$8,597,000

35       TOTAL APPROPRIATION . . . . . \$44,014,000

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

1 (1) \$5,000,000 of the general fund--state appropriation for fiscal  
2 year 2012 and \$5,000,000 of the general fund--state appropriation for  
3 fiscal year 2013, are provided to the Washington association of  
4 sheriffs and police chiefs solely to verify the address and residency  
5 of registered sex offenders and kidnapping offenders under RCW  
6 9A.44.130.

7 (2) \$321,000 of the general fund--local appropriation is provided  
8 solely to purchase ammunition for the basic law enforcement academy.  
9 Jurisdictions shall reimburse to the criminal justice training  
10 commission the costs of ammunition, based on the average cost of  
11 ammunition per cadet, for cadets that they enroll in the basic law  
12 enforcement academy.

13 (3) The criminal justice training commission may not run a basic  
14 law enforcement academy class of fewer than 30 students.

15 (4) \$100,000 of the general fund--state appropriation for fiscal  
16 year 2012 and \$100,000 of the general fund--state appropriation for  
17 fiscal year 2013 are provided solely for a school safety program. The  
18 commission, in collaboration with the school safety center advisory  
19 committee, shall provide the school safety training for all school  
20 administrators and school safety personnel hired after the effective  
21 date of this section.

22 (5) \$96,000 of the general fund--state appropriation for fiscal  
23 year 2012 and \$90,000 of the general fund--state appropriation for  
24 fiscal year 2013 are provided solely for the school safety center  
25 within the commission. The safety center shall act as an information  
26 dissemination and resource center when an incident occurs in a school  
27 district in Washington or in another state, coordinate activities  
28 relating to school safety, and review and approve manuals and curricula  
29 used for school safety models and training. Through an interagency  
30 agreement, the commission shall provide funding for the office of the  
31 superintendent of public instruction to continue to develop and  
32 maintain a school safety information web site. The school safety  
33 center advisory committee shall develop and revise the training  
34 program, using the best practices in school safety, for all school  
35 safety personnel. The commission shall provide research-related  
36 programs in school safety and security issues beneficial to both law  
37 enforcement and schools.

1 (6) \$1,000,000 of the general fund--state appropriation for fiscal  
 2 year 2012 and \$1,000,000 of the general fund--state appropriation for  
 3 fiscal year 2013 are provided solely for grants to counties enforcing  
 4 illegal drug laws and which have been underserved by federally funded  
 5 state narcotics task forces. The Washington association of sheriffs  
 6 and police chiefs, the Washington association of prosecuting attorneys,  
 7 and the Washington association of county officials shall jointly  
 8 develop funding allocations for the offices of the county sheriff,  
 9 county prosecutor, and county clerk in qualifying counties. The  
 10 commission shall not impose an administrative cost on this program.

11 NEW SECTION. **Sec. 217. FOR THE DEPARTMENT OF LABOR AND**  
 12 **INDUSTRIES**

13	General Fund--State Appropriation (FY 2012) . . . . .	\$18,605,000
14	General Fund--State Appropriation (FY 2013) . . . . .	\$19,513,000
15	General Fund--Federal Appropriation . . . . .	\$10,100,000
16	Asbestos Account--State Appropriation . . . . .	\$395,000
17	Electrical License Account--State Appropriation . . . . .	\$37,019,000
18	Farm Labor Revolving Account--Private/Local Appropriation . . .	\$28,000
19	Worker and Community Right-to-Know Account--	
20	State Appropriation . . . . .	\$949,000
21	Public Works Administration Account--State	
22	Appropriation . . . . .	\$6,814,000
23	Manufactured Home Installation Training Account--	
24	State Appropriation . . . . .	\$151,000
25	Accident Account--State Appropriation . . . . .	\$252,689,000
26	Accident Account--Federal Appropriation . . . . .	\$13,622,000
27	Medical Aid Account--State Appropriation . . . . .	\$264,070,000
28	Medical Aid Account--Federal Appropriation . . . . .	\$3,186,000
29	Plumbing Certificate Account--State Appropriation . . . . .	\$1,688,000
30	Pressure Systems Safety Account--State Appropriation . . . . .	\$4,068,000
31	TOTAL APPROPRIATION . . . . .	\$632,897,000

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

34 (1) Pursuant to RCW 43.135.055, the department is authorized to  
 35 increase fees related to factory assembled structures, contractor  
 36 registration, electricians, plumbers, asbestos removal, boilers,  
 37 elevators, and manufactured home installers. These increases are

1 necessary to support expenditures authorized in this section,  
2 consistent with chapters 43.22, 18.27, 19.28, and 18.106 RCW, RCW  
3 49.26.130, and chapters 70.79, 70.87, and 43.22A RCW.

4 (2) \$50,000 of the general fund--state appropriation for fiscal  
5 year 2012 and \$50,000 of the general fund--state appropriation for  
6 fiscal year 2013 are provided solely for the crime victims compensation  
7 program to pay claims for mental health services for crime victim  
8 compensation program clients who have an established relationship with  
9 a mental health provider and subsequently obtain coverage under the  
10 medicaid program or the medical care services program under chapter  
11 74.09 RCW. Prior to making such payment, the program must have  
12 determined that payment for the specific treatment or provider is not  
13 available under the medicaid or medical care services program. In  
14 addition, the program shall make efforts to contact any healthy options  
15 or medical care services health plan in which the client may be  
16 enrolled to help the client obtain authorization to pay the claim on an  
17 out-of-network basis.

18 (3) \$34,000 of the general fund--state appropriation for fiscal  
19 year 2012 is provided solely for implementation of Engrossed Second  
20 Substitute House Bill No. 1701 (contractor misclassification). If the  
21 bill is not enacted by June 30, 2011, the amount provided in this  
22 subsection shall lapse.

23 (4) \$1,281,000 of the accident account--state appropriation and  
24 \$1,281,000 of the medical aid account--state appropriation are provided  
25 solely for implementation of Engrossed Substitute House Bill No. 1725  
26 (workers' compensation). If the bill is not enacted by June 30, 2011,  
27 the amounts provided in this subsection shall lapse.

28 (5) \$51,000 of the accident account--state appropriation and  
29 \$51,000 of the medical aid account--state appropriation are provided  
30 solely for implementation of Engrossed Substitute House Bill No. 1367  
31 (for hire vehicles, operators). If the bill is not enacted by June 30,  
32 2011, the amounts provided in this subsection shall lapse.

33 (6) \$8,727,000 of the medical aid account--state appropriation is  
34 provided solely for implementation of Substitute Senate Bill No. 5801  
35 (industrial insurance system). If the bill is not enacted by June 30,  
36 2011, the amount provided in this subsection shall lapse.

37 (7) \$625,000 of the general fund--state appropriation for fiscal  
38 year 2012, \$625,000 of the general fund--state appropriation for fiscal

1 year 2013, \$1,250,000 of the public works administration account--state  
 2 appropriation, \$708,000 of the accident account--state appropriation,  
 3 and \$708,000 of the medical aid account--state appropriation are  
 4 provided solely for the purposes of expanding the detecting  
 5 unregistered employers targeting system and to support field staff in  
 6 investigation and enforcement. Within the funds appropriated in this  
 7 subsection, the department shall aggressively combat the underground  
 8 economy in construction. Of the amounts provided in this subsection,  
 9 \$800,000 shall be used for investigation and enforcement.

10 (8) \$8,583,000 of the accident account--state appropriation and  
 11 \$18,278,000 of the medical aid account--state appropriation are  
 12 provided solely for implementation of House Bill No. 2123 (workers'  
 13 compensation). If the bill is not enacted by June 30, 2011, the  
 14 amounts provided in this subsection shall lapse.

15 NEW SECTION. **Sec. 218. FOR THE DEPARTMENT OF VETERANS AFFAIRS**

16 (1) HEADQUARTERS

17	General Fund--State Appropriation (FY 2012) . . . . .	\$1,832,000
18	General Fund--State Appropriation (FY 2013) . . . . .	\$1,826,000
19	Charitable, Educational, Penal, and Reformatory	
20	Institutions Account--State Appropriation . . . . .	\$10,000
21	TOTAL APPROPRIATION . . . . .	\$3,668,000

22 (2) FIELD SERVICES

23	General Fund--State Appropriation (FY 2012) . . . . .	\$5,006,000
24	General Fund--State Appropriation (FY 2013) . . . . .	\$5,001,000
25	General Fund--Federal Appropriation . . . . .	\$2,704,000
26	General Fund--Private/Local Appropriation . . . . .	\$4,161,000
27	Veterans Innovations Program Account--State	
28	Appropriation . . . . .	\$812,000
29	Veteran Estate Management Account--Private/Local	
30	Appropriation . . . . .	\$1,083,000
31	TOTAL APPROPRIATION . . . . .	\$18,767,000

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

34 (a) The department shall collaborate with the department of social  
 35 and health services to identify and assist eligible general assistance  
 36 unemployable clients to access the federal department of veterans  
 37 affairs benefits.

1 (b) \$821,000 of the veterans innovations program account--state  
2 appropriation is provided solely for the department to continue support  
3 for returning combat veterans through the veterans innovation program,  
4 including emergency financial assistance through the defenders' fund  
5 and long-term financial assistance through the competitive grant  
6 program.

7 (3) INSTITUTIONAL SERVICES

8	General Fund--State Appropriation (FY 2012) . . . . .	\$1,693,000
9	General Fund--State Appropriation (FY 2013) . . . . .	\$903,000
10	General Fund--Federal Appropriation . . . . .	\$56,141,000
11	General Fund--Private/Local Appropriation . . . . .	\$33,630,000
12	TOTAL APPROPRIATION . . . . .	\$92,367,000

13 NEW SECTION. **Sec. 219. FOR THE DEPARTMENT OF HEALTH**

14	General Fund--State Appropriation (FY 2012) . . . . .	\$80,370,000
15	General Fund--State Appropriation (FY 2013) . . . . .	\$80,177,000
16	General Fund--Federal Appropriation . . . . .	\$533,065,000
17	General Fund--Private/Local Appropriation . . . . .	\$148,386,000
18	Hospital Data Collection Account--State Appropriation . . . . .	\$214,000
19	Health Professions Account--State Appropriation . . . . .	\$94,505,000
20	Aquatic Lands Enhancement Account--State Appropriation . . . . .	\$604,000
21	Emergency Medical Services and Trauma Care Systems	
22	Trust Account--State Appropriation . . . . .	\$12,302,000
23	Safe Drinking Water Account--State Appropriation . . . . .	\$4,480,000
24	Drinking Water Assistance Account--Federal	
25	Appropriation . . . . .	\$22,884,000
26	Waterworks Operator Certification--State	
27	Appropriation . . . . .	\$1,532,000
28	Drinking Water Assistance Administrative Account--	
29	State Appropriation . . . . .	\$326,000
30	Site Closure Account--State Appropriation . . . . .	\$349,000
31	Biotoxin Account--State Appropriation . . . . .	\$1,167,000
32	State Toxics Control Account--State Appropriation . . . . .	\$3,649,000
33	Medical Test Site Licensure Account--State	
34	Appropriation . . . . .	\$2,321,000
35	Youth Tobacco Prevention Account--State Appropriation . . . . .	\$1,512,000
36	Community and Economic Development Fee Account--State	
37	Appropriation . . . . .	\$596,000



1	Public Health Supplemental Account--Private/Local	
2	Appropriation . . . . .	\$3,598,000
3	Accident Account--State Appropriation . . . . .	\$297,000
4	Medical Aid Account--State Appropriation . . . . .	\$50,000
5	Tobacco Prevention and Control Account--State	
6	Appropriation . . . . .	\$4,037,000
7	TOTAL APPROPRIATION . . . . .	\$996,421,000

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

10       (1) The department of health shall not initiate any services that  
11 will require expenditure of state general fund moneys unless expressly  
12 authorized in this act or other law. The department of health and the  
13 state board of health shall not implement any new or amended rules  
14 pertaining to primary and secondary school facilities until the rules  
15 and a final cost estimate have been presented to the legislature, and  
16 the legislature has formally funded implementation of the rules through  
17 the omnibus appropriations act or by statute. The department may seek,  
18 receive, and spend, under RCW 43.79.260 through 43.79.282, federal  
19 moneys not anticipated in this act as long as the federal funding does  
20 not require expenditure of state moneys for the program in excess of  
21 amounts anticipated in this act. If the department receives  
22 unanticipated unrestricted federal moneys, those moneys shall be spent  
23 for services authorized in this act or in any other legislation that  
24 provides appropriation authority, and an equal amount of appropriated  
25 state moneys shall lapse. Upon the lapsing of any moneys under this  
26 subsection, the office of financial management shall notify the  
27 legislative fiscal committees. As used in this subsection,  
28 "unrestricted federal moneys" includes block grants and other funds  
29 that federal law does not require to be spent on specifically defined  
30 projects or matched on a formula basis by state funds.

31       (2) In accordance with RCW 43.70.250 and 43.135.055, the department  
32 is authorized to establish and raise fees in fiscal year 2012 as  
33 necessary to meet the actual costs of conducting business and the  
34 appropriation levels in this section. This authorization applies to  
35 fees required for: The review of health care facility construction;  
36 review of health facility requests for certificate of need; the  
37 regulation and inspection of farm worker housing, hospital licensing,  
38 in-home health service agencies, and producers of radioactive waste;

1 the regulation and inspection of shellfish sanitary control, surgical  
2 facility licensing, and; fees associated with the following  
3 professions: Dieticians and nutritionists, occupational therapists,  
4 pharmacy, veterinarian, orthotics and prosthetics, surgical  
5 technicians, nursing home administrators, health care assistants,  
6 hearing and speech, psychology, hypnotherapy, chiropractic, social  
7 workers, physicians, and physician assistants.

8 (3) \$1,969,000 of the health professions account--state  
9 appropriation is provided solely to implement online licensing for  
10 health care providers. The department must submit a detailed  
11 investment plan for this project to the office of financial management.  
12 The office of financial management must review and approve this plan  
13 before funding may be expended. The department of health must  
14 successfully implement online application and renewal for at least one  
15 profession as a pilot project before pursuing additional professions.  
16 The department must report to the office of financial management on the  
17 outcome of the pilot project.

18 (4) \$16,000 of the health professions account--state appropriation  
19 is provided solely for the implementation of House Bill No. 1181 (board  
20 of naturopathy). If the bill is not enacted by June 30, 2011, the  
21 amount provided in this subsection shall lapse.

22 (5) \$21,000 of the health professions account--state appropriation  
23 is provided solely for the implementation of Substitute House Bill No.  
24 1304 (health care assistants). If the bill is not enacted by June 30,  
25 2011, the amount provided in this subsection shall lapse.

26 (6) \$54,000 of the health professions account--state appropriation  
27 is provided solely for the implementation of House Bill No. 1353  
28 (pharmacy technicians). If the bill is not enacted by June 30, 2011,  
29 the amount provided in this subsection shall lapse.

30 (7) \$142,000 of the health professions account--state appropriation  
31 is provided solely for the implementation of Engrossed Substitute  
32 Senate Bill No. 5020 (social workers). If the bill is not enacted by  
33 June 30, 2011, the amount provided in this subsection shall lapse.

34 (8) \$336,000 of the health professions account--state appropriation  
35 is provided solely for the implementation of Senate Bill No. 5480  
36 (physicians and physician assistants). If the bill is not enacted by  
37 June 30, 2011, the amount provided in this subsection shall lapse.

1 (9) \$46,000 of the health professions account--state appropriation  
2 is provided solely for the implementation of Substitute Senate Bill No.  
3 5071 (online access for midwives and marriage and family therapists).  
4 If the bill is not enacted by June 30, 2011, the amount provided in  
5 this subsection shall lapse.

6 (10) \$137,000 of the health professions account--state  
7 appropriation is provided solely for implementation of Substitute House  
8 Bill No. 1133 (massage practitioner license). If the bill is not  
9 enacted by June 30, 2011, the amount provided in this subsection shall  
10 lapse.

11 (11) \$1,670,000 of the safe drinking water account--state  
12 appropriation is provided solely for implementation of Substitute House  
13 Bill No. 1468 (public water system permits). If the bill is not  
14 enacted by June 30, 2011, the amount provided in this subsection shall  
15 lapse.

16 (12) \$85,000 of the general fund--state appropriation for fiscal  
17 year 2012 and \$85,000 of the general fund--state appropriation for  
18 fiscal year 2013 are provided solely for the developmental disabilities  
19 council to contract for a family-to-family mentor program to provide  
20 information and support to families and guardians of persons who are  
21 transitioning out of residential habilitation centers. To the maximum  
22 extent allowable under federal law, these funds shall be matched under  
23 medicaid through the department of social and health services and  
24 federal funds shall be transferred to the department for the purposes  
25 stated in this subsection. If Second Substitute Senate Bill No. 5459  
26 (people with developmental disabilities) is not enacted by June 30,  
27 2011, the amounts provided in this subsection shall lapse.

28 (13) \$57,000 of the general fund--state appropriation for fiscal  
29 year 2012 and \$58,000 of the general fund--state appropriation for  
30 fiscal year 2013 are provided solely for the midwifery licensure and  
31 regulatory program to offset a reduction in revenue from fees. There  
32 shall be no change to the current annual fees for new or renewed  
33 licenses for the midwifery program, except from online access to HEAL-  
34 WA. The department shall convene the midwifery advisory committee on  
35 a quarterly basis to address issues related to licensed midwifery.

36 (14) The department shall coordinate the collection of data among  
37 identified state agencies and, by November 15, 2011, provide a report  
38 to the legislature regarding food procurement costs to inform state

1 food purchasing decisions. The data shall include food procurement  
2 costs for fiscal year 2011: For the department of health on behalf of  
3 its employees and stakeholders; for the department of corrections and  
4 the department of social and health services regarding meals and other  
5 food served to both residential and nonresidential clients; and for the  
6 department of services for the blind for vending machine services and  
7 on-site food and beverage vending services.

8 (15) \$118,000 of the general fund--state appropriation for fiscal  
9 year 2012 and \$118,000 of the general fund--state appropriation for  
10 fiscal year 2013 are provided solely for prevention of youth suicides.

11 (16) \$87,000 of the general fund--state appropriation for fiscal  
12 year 2012 and \$87,000 of the general fund--state appropriation for  
13 fiscal year 2013 are provided solely for the senior falls prevention  
14 program.

15 (17) \$4,000,000 of the tobacco prevention and control account--  
16 state appropriation is provided solely for tobacco use prevention and  
17 treatment. The department's prevention and treatment program shall  
18 include efforts that target those most at risk of engaging in tobacco  
19 usage, including contracts with community programs to reach underserved  
20 and hard to reach populations with smoking rates higher than the state  
21 average. If Substitute Senate Bill No. 5542 (cigar  
22 lounges/tobacconists) is not enacted by June 30, 2011, the amount  
23 provided in this subsection shall lapse.

24 **NEW SECTION. Sec. 220. FOR THE DEPARTMENT OF CORRECTIONS**

25 (1) ADMINISTRATION AND SUPPORT SERVICES

26 General Fund--State Appropriation (FY 2012) . . . . .	\$54,895,000
27 General Fund--State Appropriation (FY 2013) . . . . .	\$54,044,000
28 TOTAL APPROPRIATION . . . . .	\$108,939,000

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

31 (a) \$35,000 of the general fund--state appropriation for fiscal  
32 year 2012 and \$35,000 of the general fund--state appropriation for  
33 fiscal year 2013 are provided solely for the support of a statewide  
34 council on mentally ill offenders that includes as its members  
35 representatives of community-based mental health treatment programs,  
36 current or former judicial officers, and directors and commanders of  
37 city and county jails and state prison facilities. The council will

1 investigate and promote cost-effective approaches to meeting the  
2 long-term needs of adults and juveniles with mental disorders who have  
3 a history of offending or who are at-risk of offending, including their  
4 mental health, physiological, housing, employment, and job training  
5 needs.

6 (b) By October 1, 2011, the department shall compile and submit to  
7 the department of health data regarding food procurement costs for  
8 fiscal year 2011 regarding meals and other food for both residential  
9 and nonresidential clients, including the percentage of food purchased  
10 from Washington sources. The data shall be reported by setting and  
11 population, including costs per client, and be accompanied by the  
12 department's current food purchasing policies and standards.

13 (2) CORRECTIONAL OPERATIONS

14	General Fund--State Appropriation (FY 2012) . . . . .	\$612,803,000
15	General Fund--State Appropriation (FY 2013) . . . . .	\$577,647,000
16	General Fund--Federal Appropriation . . . . .	\$3,398,000
17	General Fund--Private/Local Appropriation . . . . .	\$2,336,000
18	Washington Auto Theft Prevention Authority Account--	
19	State Appropriation . . . . .	\$14,079,000
20	TOTAL APPROPRIATION . . . . .	\$1,210,263,000

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

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

28 (b) During the 2011-13 biennium, when contracts are established or  
29 renewed for offender pay phone and other telephone services provided to  
30 inmates, the department shall select the contractor or contractors  
31 primarily based on the following factors: (i) The lowest rate charged  
32 to both the inmate and the person paying for the telephone call; and  
33 (ii) the lowest commission rates paid to the department, while  
34 providing reasonable compensation to cover the costs of the department  
35 to provide the telephone services to inmates and provide sufficient  
36 revenues for the activities funded from the institutional welfare  
37 betterment account.

1 (c) The Harborview medical center and the University of Washington  
2 medical center shall provide inpatient and outpatient hospital services  
3 to offenders confined in department of corrections facilities at a rate  
4 no greater than the average rate that the department has negotiated  
5 with other community hospitals in Washington state.

6 (d) \$102,000 of the general fund--state appropriation for fiscal  
7 year 2012 and \$102,000 of the general fund--state appropriation for  
8 fiscal year 2013 are provided solely to implement House Bill No. 1290  
9 (health care employee overtime). If the bill is not enacted by June  
10 30, 2011, the amounts provided in this subsection shall lapse.

11 (e) \$32,000 of the general fund--state appropriation for fiscal  
12 year 2012 and \$33,000 of the general fund--state appropriation for  
13 fiscal year 2013 are provided solely to implement Substitute House Bill  
14 No. 1718 (offenders with developmental disabilities). If the bill is  
15 not enacted by June 30, 2011, the amounts provided in this subsection  
16 shall lapse.

17 (f) The department of corrections shall contract with local and  
18 tribal governments for the provision of jail capacity to house  
19 offenders. A contract shall not have a cost of incarceration in excess  
20 of \$85 per day per offender. A contract shall not have a year-to-year  
21 increase in excess of three percent per year. The contracts may  
22 include rates for the medical care of offenders which exceed the daily  
23 cost of incarceration and the limitation on year-to-year increase,  
24 provided that medical payments conform to the department's offender  
25 health plan, pharmacy formulary, and all off-site medical expenses are  
26 preapproved by department utilization management staff.

27 (3) COMMUNITY SUPERVISION

28 General Fund--State Appropriation (FY 2012) . . . . .	\$128,403,000
29 General Fund--State Appropriation (FY 2013) . . . . .	\$124,709,000
30 TOTAL APPROPRIATION . . . . .	\$253,112,000

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

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

1 (b) \$875,000 of the general fund--state appropriation for fiscal  
2 year 2012 is provided solely to implement Engrossed Substitute House  
3 Bill No. 5891 (criminal justice cost savings). If the bill is not  
4 enacted by June 30, 2011, the amount provided in this subsection shall  
5 lapse.

6 (4) CORRECTIONAL INDUSTRIES

7	General Fund--State Appropriation (FY 2012) . . . . .	\$3,598,000
8	General Fund--State Appropriation (FY 2013) . . . . .	\$3,589,000
9	TOTAL APPROPRIATION . . . . .	\$7,187,000

10 The appropriations in this subsection are subject to the following  
11 conditions and limitations: \$132,000 of the general fund--state  
12 appropriation for fiscal year 2012 and \$132,000 of the general  
13 fund--state appropriation for fiscal year 2013 are provided solely for  
14 transfer to the jail industries board. The board shall use the amounts  
15 provided only for administrative expenses, equipment purchases, and  
16 technical assistance associated with advising cities and counties in  
17 developing, promoting, and implementing consistent, safe, and efficient  
18 offender work programs.

19 (5) INTERAGENCY PAYMENTS

20	General Fund--State Appropriation (FY 2012) . . . . .	\$39,765,000
21	General Fund--State Appropriation (FY 2013) . . . . .	\$36,035,000
22	TOTAL APPROPRIATION . . . . .	\$75,800,000

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

25 (a) The state prison institutions may use funds appropriated in  
26 this subsection to rent uniforms from correctional industries in  
27 accordance with existing legislative mandates.

28 (b) The state prison medical facilities may use funds appropriated  
29 in this subsection to purchase goods and supplies through hospital or  
30 other group purchasing organizations when it is cost effective to do  
31 so.

32 (c) The department shall reduce payments to the department of  
33 information services or its successor by \$213,000 in fiscal year 2012  
34 and by \$1,150,000 in fiscal year 2013. The reduction in payment shall  
35 be related to the elimination of the offender base tracking system,  
36 including moving remaining portions of the offender base tracking  
37 system into the offender management network information system.

1 NEW SECTION. **Sec. 221. FOR THE DEPARTMENT OF SERVICES FOR THE**

2 **BLIND**

3	General Fund--State Appropriation (FY 2012) . . . . .	\$2,278,000
4	General Fund--State Appropriation (FY 2013) . . . . .	\$2,264,000
5	General Fund--Federal Appropriation . . . . .	\$19,082,000
6	General Fund--Private/Local Appropriation . . . . .	\$30,000
7	TOTAL APPROPRIATION . . . . .	\$23,654,000

8 The appropriations in this subsection are subject to the following  
9 conditions and limitations: By October 1, 2011, the department shall  
10 compile and submit to the department of health data regarding food  
11 procurement costs for fiscal year 2011 regarding vending machine  
12 services and on-site food and beverage vending services. The data  
13 shall be reported by location and type and be accompanied by the  
14 department's food purchasing policies and standards.

15 NEW SECTION. **Sec. 222. FOR THE EMPLOYMENT SECURITY DEPARTMENT**

16	General Fund--State Appropriation (FY 2012) . . . . .	\$43,000
17	General Fund--State Appropriation (FY 2013) . . . . .	\$26,000
18	General Fund--Federal Appropriation . . . . .	\$267,328,000
19	General Fund--Private/Local Appropriation . . . . .	\$33,937,000
20	Unemployment Compensation Administration Account--	
21	Federal Appropriation . . . . .	\$359,598,000
22	Administrative Contingency Account--State Appropriation . .	\$20,429,000
23	Employment Service Administrative Account--State	
24	Appropriation . . . . .	\$33,738,000
25	TOTAL APPROPRIATION . . . . .	\$715,099,000

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

28 (1) \$39,666,000 of the unemployment compensation administration  
29 account--federal appropriation is from amounts made available to the  
30 state by section 903 (d), (f), and (g) of the social security act (Reed  
31 act). This amount is provided solely for continuing current  
32 unemployment insurance functions and department services to employers  
33 and job seekers.

34 (2) \$35,584,000 of the unemployment compensation administration  
35 account--federal appropriation is from amounts made available to the  
36 state by section 903 (d), (f), and (g) of the social security act (Reed  
37 act). This amount is provided solely for the replacement of the



1 unemployment insurance tax information system for the employment  
2 security department. The employment security department shall support  
3 the department of revenue and department of labor and industries to  
4 develop a common vision to ensure technological compatibility between  
5 the three agencies to facilitate a coordinated business tax system for  
6 the future that improves services to business customers. The amounts  
7 provided in this subsection are conditioned on the department  
8 satisfying the requirements of the project management oversight  
9 standards and policies established by the office of the chief  
10 information officer created in Engrossed Substitute Senate Bill No.  
11 5931 (information technology management).

12 (3) \$25,000 of the unemployment compensation administration  
13 account--federal appropriation is from amounts made available to the  
14 state by section 903 (d), (f), and (g) of the social security act (Reed  
15 act). This amount is provided solely for implementation of system  
16 changes to the unemployment insurance tax information system required  
17 under chapter 4, Laws of 2011 (unemployment insurance program).

18 (4) \$1,459,000 of the unemployment compensation administration  
19 account--federal appropriation is from amounts available to the state  
20 by section 903 (d), (f), and (g) of the social security act (Reed act).  
21 This amount is provided solely for implementation of chapter 4, Laws of  
22 2011 (unemployment insurance program).

23 (5) \$60,000 of the unemployment compensation administration  
24 account--federal appropriation is provided solely for costs associated  
25 with the initial review and evaluation of the training benefits program  
26 as directed in section 15(2), chapter 4, Laws of 2011 (unemployment  
27 insurance program). The initial review shall be developed by the joint  
28 legislative audit and review committee. This appropriation is provided  
29 from funds made available to the state by section 903 (d), (f), and (g)  
30 of the social security act (Reed act).

(End of part)

PART III  
NATURAL RESOURCES

NEW SECTION.   **Sec. 301. FOR THE COLUMBIA RIVER GORGE COMMISSION**

General Fund--State Appropriation (FY 2012) . . . . .	\$364,000
General Fund--Federal Appropriation . . . . .	\$16,000
General Fund--Private/Local Appropriation . . . . .	\$386,000
TOTAL APPROPRIATION . . . . .	\$766,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations in this section are for fiscal year 2012. Appropriations for fiscal year 2013 are contained in section 302 of this act.

NEW SECTION.   **Sec. 302. FOR THE DEPARTMENT OF ECOLOGY**

General Fund--State Appropriation (FY 2012) . . . . .	\$49,002,000
General Fund--State Appropriation (FY 2013) . . . . .	\$47,789,000
General Fund--Federal Appropriation . . . . .	\$77,467,000
General Fund--Private/Local Appropriation . . . . .	\$17,005,000
Special Grass Seed Burning Research Account--State Appropriation . . . . .	\$3,000
Reclamation Revolving Account--State Appropriation . . . . .	\$3,642,000
Flood Control Assistance Account--State Appropriation . . . . .	\$1,940,000
State Emergency Water Projects Revolving Account--State Appropriation . . . . .	\$270,000
Waste Reduction/Recycling/Litter Control--State Appropriation . . . . .	\$11,475,000
State Drought Preparedness Account--State Appropriation . . . . .	\$118,000
State and Local Improvements Revolving Account (Water Supply Facilities)--State Appropriation . . . . .	\$423,000
Freshwater Aquatic Algae Control Account--State Appropriation . . . . .	\$509,000
Water Rights Tracking System Account--State Appropriation . . . . .	\$46,000
Site Closure Account--State Appropriation . . . . .	\$354,000
Wood Stove Education and Enforcement Account--State Appropriation . . . . .	\$612,000
Worker and Community Right-to-Know Account--State	

1	Appropriation . . . . .	\$1,668,000
2	Water Rights Processing Account--State Appropriation . . . . .	\$136,000
3	State Toxics Control Account--State Appropriation . . . . .	\$112,512,000
4	State Toxics Control Account--Private/Local	
5	Appropriation . . . . .	\$968,000
6	Local Toxics Control Account--State Appropriation . . . . .	\$27,384,000
7	Water Quality Permit Account--State Appropriation . . . . .	\$37,730,000
8	Underground Storage Tank Account--State Appropriation . . . . .	\$3,251,000
9	Biosolids Permit Account--State Appropriation . . . . .	\$1,805,000
10	Hazardous Waste Assistance Account--State Appropriation . . . . .	\$5,854,000
11	Air Pollution Control Account--State Appropriation . . . . .	\$2,468,000
12	Oil Spill Prevention Account--State Appropriation . . . . .	\$5,563,000
13	Air Operating Permit Account--State Appropriation . . . . .	\$2,744,000
14	Freshwater Aquatic Weeds Account--State Appropriation . . . . .	\$1,700,000
15	Oil Spill Response Account--State Appropriation . . . . .	\$7,076,000
16	Metals Mining Account--State Appropriation . . . . .	\$14,000
17	Pollution Liability Insurance Account--State	
18	Appropriation . . . . .	\$333,000
19	Water Pollution Control Revolving Account--State	
20	Appropriation . . . . .	\$611,000
21	Water Pollution Control Revolving Account--Federal	
22	Appropriation . . . . .	\$2,517,000
23	TOTAL APPROPRIATION . . . . .	\$424,989,000

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

26 (1) \$170,000 of the oil spill prevention account--state  
27 appropriation is provided solely for a contract with the University of  
28 Washington's sea grant program to continue an educational program  
29 targeted to small spills from commercial fishing vessels, ferries,  
30 cruise ships, ports, and marinas.

31 (2) Pursuant to RCW 43.135.055, the department is authorized to  
32 increase the following fees as necessary to meet the actual costs of  
33 conducting business and the appropriation levels in this section:  
34 Wastewater discharge permit, not more than 4.34 percent in fiscal year  
35 2012 and 4.62 percent in fiscal year 2013; biosolids permit fee, not  
36 more than 10 percent during the biennium; and air contaminate source  
37 registration fee, not more than 36 percent during the biennium; and dam

1 safety and inspection fees, not more than 35 percent in fiscal year  
2 2012 and 4.62 percent in fiscal year 2013.

3 (3) If Substitute House Bill No. 1294 (Puget Sound corps) is not  
4 enacted by June 30, 2011, \$322,000 of the general fund--state  
5 appropriation for fiscal year 2012 and \$322,000 of the general fund--  
6 state appropriation for fiscal year 2013 shall be transferred to the  
7 department of natural resources.

8 (4) \$463,000 of the state toxics control account--state  
9 appropriation is provided solely for implementation of Engrossed Second  
10 Substitute House Bill No. 1186 (state's oil spill program). If the  
11 bill is not enacted by June 30, 2011, the amount provided in this  
12 subsection shall lapse.

13 (5) The department may not spend waste reduction, recycling, and  
14 litter control account funds to support the following activities: The  
15 beyond waste plan, work on national solid waste recycling issues, work  
16 on construction and demolition recycling and green building  
17 alternatives, education programs including the green schools  
18 initiative, and management of the 1-800-recycle hotline and database on  
19 school awards. Waste reduction, recycling, and litter account control  
20 funds must be prioritized to support litter pickup using correctional  
21 crews, regulatory programs, and technical assistance to local  
22 governments.

23 (6) The department shall make every possible effort through its  
24 existing statutory authorities to obtain federal funding for public  
25 participation grants regarding the Hanford nuclear reservation and  
26 associated properties and facilities. Such federal funding shall not  
27 limit the total state funding authorized under this section for public  
28 participation grants made pursuant to RCW 70.105D.070(5), but the  
29 amount of any individual grant from such federal funding shall be  
30 offset against any grant award amount to an individual grantee from  
31 state funds under RCW 70.105D.070(5).

32 (7) The department shall review its water rights application review  
33 procedures to simplify the procedures, eliminate unnecessary steps, and  
34 decrease the time required to issue decisions. The department shall  
35 implement changes to improve water rights processing for which it has  
36 current administrative authority. The department shall report on  
37 reforms implemented and efficiencies achieved as demonstrated through

1 enhanced permit processing to the appropriate committees of the  
2 legislature on December 1, 2011, and October 1, 2012.

3 (a) The department shall consult with key stakeholders on statutory  
4 barriers to efficient water rights processing and effective water  
5 management, including identification of obsolete, confusing, or  
6 conflicting statutory provisions. The department shall report  
7 stakeholder recommendations to appropriate committees of the  
8 legislature by December 1, 2011, and October 1, 2012.

9 (b) \$500,000 of the general fund--state appropriation for fiscal  
10 year 2013 is provided solely for processing water right permit  
11 applications only if the department of ecology issues at least five  
12 hundred water right decisions in fiscal year 2012, and if the  
13 department of ecology does not issue at least five hundred water right  
14 decisions in fiscal year 2012 the amount provided in this subsection  
15 shall lapse and remain unexpended. The department of ecology shall  
16 submit a report to the office of financial management and the state  
17 treasurer by June 30, 2012, that documents whether five hundred water  
18 right decisions were issued in fiscal year 2012.

19 (c) The department shall maintain an ongoing accounting of water  
20 right applications received and acted on and shall post that  
21 information to the department's internet site.

22 (8) Appropriations for fiscal year 2013 are included for  
23 consolidation of the Columbia river gorge commission and the pollution  
24 liability insurance agency into the department of ecology.

25 (9) Appropriations for fiscal year 2013 are included for  
26 consolidation of the department of health's reclaimed water program  
27 into the department of ecology.

28 (10) The appropriations in this section for the low-level  
29 radioactive waste site use permit program are for fiscal year 2012.  
30 Appropriations for fiscal year 2013 are contained in section 221 of  
31 this act.

32 (11) \$1,075,000 of the general fund--state appropriation for fiscal  
33 year 2012 and \$1,075,000 of the general fund--state appropriation for  
34 fiscal year 2013 are provided solely for processing the backlog of  
35 pending water rights permit applications in the water resources  
36 program.

1            NEW SECTION.        **Sec. 303.     FOR THE STATE PARKS AND RECREATION**

2     **COMMISSION**

3     General Fund--State Appropriation (FY 2012) . . . . . \$8,955,000

4     General Fund--State Appropriation (FY 2013) . . . . . \$8,379,000

5     General Fund--Federal Appropriation . . . . . \$5,905,000

6     Winter Recreation Program Account--State Appropriation . . . \$1,761,000

7     ORV and Nonhighway Vehicle Account--State Appropriation . . . \$224,000

8     Snowmobile Account--State Appropriation . . . . . \$4,848,000

9     Aquatic Lands Enhancement Account--State Appropriation . . . . \$363,000

10    Parks Renewal and Stewardship Account--State

11        Appropriation . . . . . \$115,779,000

12    Parks Renewal and Stewardship Account--Private/Local

13        Appropriation . . . . . \$300,000

14        TOTAL APPROPRIATION . . . . . \$146,514,000

15            The appropriations in this section are subject to the following

16     conditions and limitations:

17            (1) \$8,876,000 of the general fund--state appropriation for fiscal

18     year 2012 and \$8,300,000 of the general fund--state appropriation for

19     fiscal year 2013 are provided solely to assist state parks in its

20     implementation of a new fee structure. The goal of this structure is

21     to make the parks system self-supporting. By August 1, 2012, state

22     parks must submit a report to the office of financial management

23     detailing its progress toward this goal and outlining any additional

24     statutory changes needed for successful implementation.

25            (2) \$79,000 of the general fund--state appropriation for fiscal

26     year 2012 and \$79,000 of the general fund--state appropriation for

27     fiscal year 2013 are provided solely for a grant for the operation of

28     the Northwest avalanche center.

29            (3) \$53,928,000 of the parks renewal and stewardship account--state

30     appropriation is provided solely for implementation of Second

31     Substitute Senate Bill No. 5622 (state land recreation access). If the

32     bill is not enacted by June 30, 2011, the amount provided in this

33     subsection shall lapse.

34            (4) During the 2011-2013 fiscal biennium, the commission shall not

35     expend state moneys to purchase or acquire lands other than those

36     called for in Senate Bill No. 5467 or House Bill No. 1497.

37            (5) Prior to closing any state park, the commission must notify all

38     affected local governments and relevant nonprofit organizations of the

1 intended closure and provide an opportunity for the notified local  
2 governments and nonprofit organizations to elect to acquire, or enter  
3 into, a maintenance and operating contract with the commission that  
4 would allow the park to remain open.

5 NEW SECTION. **Sec. 304. FOR THE RECREATION AND CONSERVATION**  
6 **FUNDING BOARD**

7	General Fund--State Appropriation (FY 2012) . . . . .	\$953,000
8	General Fund--State Appropriation (FY 2013) . . . . .	\$972,000
9	General Fund--Federal Appropriation . . . . .	\$3,299,000
10	General Fund--Private/Local Appropriation . . . . .	\$274,000
11	Aquatic Lands Enhancement Account--State Appropriation . . . . .	\$278,000
12	Vessel Response Account--State Appropriation . . . . .	\$100,000
13	Firearms Range Account--State Appropriation . . . . .	\$37,000
14	Recreation Resources Account--State Appropriation . . . . .	\$2,874,000
15	NOVA Program Account--State Appropriation . . . . .	\$900,000
16	TOTAL APPROPRIATION . . . . .	\$9,687,000

17 The appropriations in this section are subject to the following  
18 conditions and limitations: \$40,000 of the general fund--federal  
19 appropriation, \$24,000 of the general fund--private/local  
20 appropriation, \$100,000 of the vessel response account--state  
21 appropriation, and \$12,000 of the recreation resources account--state  
22 appropriation are provided solely for House Bill No. 1413 (invasive  
23 species council). If the bill is not enacted by June 30, 2011, the  
24 amounts provided in this subsection shall lapse.

25 NEW SECTION. **Sec. 305. FOR THE ENVIRONMENTAL AND LAND USE**  
26 **HEARINGS OFFICE**

27	General Fund--State Appropriation (FY 2012) . . . . .	\$2,419,000
28	General Fund--State Appropriation (FY 2013) . . . . .	\$2,422,000
29	TOTAL APPROPRIATION . . . . .	\$4,841,000

30 NEW SECTION. **Sec. 306. FOR THE CONSERVATION COMMISSION**

31	General Fund--State Appropriation (FY 2012) . . . . .	\$6,790,000
32	General Fund--State Appropriation (FY 2013) . . . . .	\$6,793,000
33	General Fund--Federal Appropriation . . . . .	\$1,301,000
34	TOTAL APPROPRIATION . . . . .	\$14,884,000

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

3 (1) The conservation commission, in cooperation with all  
4 conservation districts, will seek to minimize conservation district  
5 overhead costs. These efforts may include consolidating conservation  
6 districts.

7 (2) \$122,000 of the general fund--federal appropriation is provided  
8 solely for Engrossed Substitute House Bill No. 1886 (Ruckelshaus center  
9 process). If the bill is not enacted by June 30, 2011, the amount  
10 provided in this subsection shall lapse.

11 **NEW SECTION. Sec. 307. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

12	General Fund--State Appropriation (FY 2012) . . . . .	\$35,721,000
13	General Fund--State Appropriation (FY 2013) . . . . .	\$33,666,000
14	General Fund--Federal Appropriation . . . . .	\$105,717,000
15	General Fund--Private/Local Appropriation . . . . .	\$50,711,000
16	ORV and Nonhighway Vehicle Account--State Appropriation . . .	\$391,000
17	Aquatic Lands Enhancement Account--State Appropriation . . .	\$6,856,000
18	Recreational Fisheries Enhancement--State Appropriation . . .	\$3,550,000
19	Warm Water Game Fish Account--State Appropriation . . . . .	\$3,051,000
20	Eastern Washington Pheasant Enhancement Account--State	
21	Appropriation . . . . .	\$849,000
22	Aquatic Invasive Species Enforcement Account--State	
23	Appropriation . . . . .	\$204,000
24	Aquatic Invasive Species Prevention Account--State	
25	Appropriation . . . . .	\$719,000
26	State Wildlife Account--State Appropriation . . . . .	\$100,169,000
27	Special Wildlife Account--State Appropriation . . . . .	\$2,384,000
28	Special Wildlife Account--Federal Appropriation . . . . .	\$3,428,000
29	Special Wildlife Account--Private/Local Appropriation . . . . .	\$487,000
30	Wildlife Rehabilitation Account--State Appropriation . . . . .	\$259,000
31	Regional Fisheries Enhancement Salmonid Recovery	
32	Account--Federal Appropriation . . . . .	\$5,001,000
33	Oil Spill Prevention Account--State Appropriation . . . . .	\$887,000
34	Oyster Reserve Land Account--State Appropriation . . . . .	\$921,000
35	TOTAL APPROPRIATION . . . . .	\$354,971,000

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



1 (1) \$294,000 of the aquatic lands enhancement account--state  
2 appropriation is provided solely for the implementation of hatchery  
3 reform recommendations defined by the hatchery scientific review group.

4 (2) \$355,000 of the general fund--state appropriation for fiscal  
5 year 2012 and \$355,000 of the general fund--state appropriation for  
6 fiscal year 2013 are provided solely for the department to continue a  
7 pilot project with the Confederated Tribes of the Colville Reservation  
8 to develop expanded recreational fishing opportunities on Lake Rufus  
9 Woods and its northern shoreline and to conduct joint enforcement of  
10 lake fisheries on Lake Rufus Woods and adjoining waters, pursuant to  
11 state and tribal intergovernmental agreements developed under the  
12 Columbia River water supply program. For the purposes of the pilot  
13 project:

14 (a) A fishing permit issued to a nontribal member by the Colville  
15 Tribes shall satisfy the license requirement of RCW 77.32.010 on the  
16 waters of Lake Rufus Woods and on the north shore of Lake Rufus Woods;

17 (b) The Colville Tribes have agreed to provide to holders of its  
18 nontribal member fishing permits a means to demonstrate that fish in  
19 their possession were lawfully taken in Lake Rufus Woods;

20 (c) A Colville tribal member identification card shall satisfy the  
21 license requirement of RCW 77.32.010 on all waters of Lake Rufus Woods;

22 (d) The department and the Colville Tribes shall jointly designate  
23 fishing areas on the north shore of Lake Rufus Woods for the purposes  
24 of enhancing access to the recreational fisheries on the lake; and

25 (e) The Colville Tribes have agreed to recognize a fishing license  
26 issued under RCW 77.32.470 or RCW 77.32.490 as satisfying the nontribal  
27 member fishing permit requirements of Colville tribal law on the  
28 reservation portion of the waters of Lake Rufus Woods and at designated  
29 fishing areas on the north shore of Lake Rufus Woods;

30 (3) Prior to submitting its 2013-2015 biennial operating and  
31 capital budget request related to state fish hatcheries to the office  
32 of financial management, the department shall contract with the  
33 hatchery scientific review group (HSRG) to review this request. This  
34 review shall: (a) Determine if the proposed requests are consistent  
35 with HSRG recommendations; (b) prioritize the components of the  
36 requests based on their contributions to protecting wild salmonid  
37 stocks and meeting the recommendations of the HSRG; and (c) evaluate

1 whether the proposed requests are being made in the most cost effective  
2 manner. The department shall provide a copy of the HSRG review to the  
3 office of financial management with their agency budget proposal.

4 (4) \$400,000 of the general fund--state appropriation for fiscal  
5 year 2012 and \$400,000 of the general fund--state appropriation for  
6 fiscal year 2013 are provided solely for a state match to support the  
7 Puget Sound nearshore partnership between the department and the U.S.  
8 army corps of engineers.

9 (5) \$50,000 of the general fund--state appropriation for fiscal  
10 year 2012 and \$50,000 of the general fund--state appropriation for  
11 fiscal year 2013 are provided solely for removal of derelict gear in  
12 Washington waters.

13 (6) \$100,000 of the eastern Washington pheasant enhancement  
14 account--state appropriation is provided solely for the department to  
15 support efforts to enhance permanent and temporary pheasant habitat on  
16 public and private lands in Grant, Franklin, and Adams counties. The  
17 department may support efforts by entities including conservation  
18 districts, nonprofit organizations, and landowners, and must require  
19 such entities to provide significant nonstate matching resources, which  
20 may be in the form of funds, material, or labor.

21 (7) Within the amounts appropriated in this section, the department  
22 shall identify additional opportunities for partnerships in order to  
23 keep fish hatcheries operational. Such partnerships shall aim to  
24 maintain fish production and salmon recovery with less reliance on  
25 state operating funds.

26 (8) By September 1, 2011, the department shall update its  
27 interagency agreement dated September 30, 2010, with the department of  
28 natural resources concerning land management services on the department  
29 of fish and wildlife's wildlife conservation and recreation lands. The  
30 update shall include rates and terms for services.

31 (9) Prior to opening game management unit 490 to public hunting,  
32 the department shall complete an environmental impact statement that  
33 includes an assessment of how public hunting activities will impact the  
34 ongoing protection of the public water supply.

35 (10) \$18,514,000 of the state wildlife account--state appropriation  
36 is provided solely for the implementation of Second Substitute Senate  
37 Bill No. 5385 (state wildlife account). If the bill is not enacted by  
38 June 30, 2011, the amount provided in this subsection shall lapse.

1 (11) \$9,418,000 of the state wildlife account--state appropriation  
2 is provided solely for the implementation of Second Substitute Senate  
3 Bill No. 5622 (state land recreation access). If the bill is not  
4 enacted by June 30, 2011, the amount provided in this subsection shall  
5 lapse.

6 (12) During the 2011-2013 fiscal biennium, the department shall not  
7 expend state moneys to purchase or acquire additional lands other than  
8 those called for in Senate Bill No. 5467 (capital budget) or House Bill  
9 No. 1497 (capital budget).

10 **NEW SECTION. Sec. 308. FOR THE DEPARTMENT OF NATURAL RESOURCES**

11	General Fund--State Appropriation (FY 2012) . . . . .	\$33,856,000
12	General Fund--State Appropriation (FY 2013) . . . . .	\$35,057,000
13	General Fund--Federal Appropriation . . . . .	\$27,919,000
14	General Fund--Private/Local Appropriation . . . . .	\$2,374,000
15	Forest Development Account--State Appropriation . . . . .	\$41,507,000
16	ORV and Nonhighway Vehicle Account--State Appropriation . .	\$4,387,000
17	Surveys and Maps Account--State Appropriation . . . . .	\$2,346,000
18	Aquatic Lands Enhancement Account--State	
19	Appropriation . . . . .	\$7,218,000
20	Resources Management Cost Account--State	
21	Appropriation . . . . .	\$81,800,000
22	Surface Mining Reclamation Account--State	
23	Appropriation . . . . .	\$3,484,000
24	Disaster Response Account--State Appropriation . . . . .	\$5,000,000
25	Forest and Fish Support Account--State Appropriation . . . .	\$7,933,000
26	Aquatic Land Dredged Material Disposal Site	
27	Account--State Appropriation . . . . .	\$838,000
28	Natural Resources Conservation Areas Stewardship	
29	Account--State Appropriation . . . . .	\$34,000
30	State Toxics Control Account--State Appropriation . . . . .	\$80,000
31	Air Pollution Control Account--State Appropriation . . . . .	\$1,319,000
32	NOVA Program Account--State Appropriation . . . . .	\$639,000
33	Derelict Vessel Removal Account--State Appropriation . . . .	\$1,761,000
34	Agricultural College Trust Management Account--State	
35	Appropriation . . . . .	\$1,854,000
36	TOTAL APPROPRIATION . . . . .	\$259,406,000

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

3       (1) \$977,000 of the general fund--state appropriation for fiscal  
4 year 2012 and \$915,000 of the general fund--state appropriation for  
5 fiscal year 2013 are provided solely for deposit into the agricultural  
6 college trust management account and are provided solely to manage  
7 approximately 70,700 acres of Washington State University's  
8 agricultural college trust lands.

9       (2) \$10,037,000 of the general fund--state appropriation for fiscal  
10 year 2012, \$10,037,000 of the general fund--state appropriation for  
11 fiscal year 2013, and \$5,000,000 of the disaster response account--  
12 state appropriation are provided solely for emergency fire suppression.  
13 None of the general fund and disaster response account amounts provided  
14 in this subsection may be used to fund agency indirect and  
15 administrative expenses. Agency indirect and administrative costs  
16 shall be allocated among the agency's remaining accounts and  
17 appropriations. The department of natural resources shall submit a  
18 quarterly report to the office of financial management and the  
19 legislative fiscal committees detailing information on current and  
20 planned expenditures from the disaster response account. This work  
21 shall be done in coordination with the military department.

22       (3) \$4,000,000 of the forest and fish support account--state  
23 appropriation is provided solely for adaptive management, monitoring,  
24 and participation grants to tribes. If federal funding for this  
25 purpose is reinstated, the amount provided in this subsection shall  
26 lapse.

27       (4) \$333,000 of the forest and fish support account--state  
28 appropriation is provided solely for adaptive management, monitoring,  
29 and participation grants to nongovernmental organizations.

30       (5) \$487,000 of the general fund--state appropriation is provided  
31 solely to fund interagency agreements with the department of ecology  
32 and the department of fish and wildlife as part of the adaptive  
33 management process.

34       (6) \$1,000,000 of the general fund--federal appropriation and  
35 \$1,000,000 of the forest and fish support account--state appropriation  
36 are provided solely for continuing scientific studies already underway  
37 as part of the adaptive management process. Funds may not be used to

1 initiate new studies unless the department secures new federal funding  
2 for the adaptive management process.

3 (7) The department is authorized to increase the silviculture  
4 burning permit fee in the 2011-2013 biennium by up to eighty dollars  
5 plus fifty cents per ton for each ton of material burned in excess of  
6 one hundred tons.

7 (8) \$440,000 of the state general fund--state appropriation for  
8 fiscal year 2012 and \$440,000 of the state general fund--state  
9 appropriation for fiscal year 2013 are provided solely for forest work  
10 crews that support correctional camps and are contingent upon  
11 continuing operations of Naselle youth camp.

12 (9) By September 1, 2011, the department shall update its  
13 interagency agreement dated September 30, 2010, with the department of  
14 fish and wildlife concerning land management services on the department  
15 of fish and wildlife's wildlife conservation and recreation lands. The  
16 update shall include rates and terms for services.

17 (10)(a) The department shall convene the marine rents review  
18 committee so that the committee can recommend to the legislature  
19 alternative methods of calculating rents for marinas occupying  
20 state-owned aquatic lands. The committee must explore ways to refine  
21 and improve the averaging method for calculating rents for marinas as  
22 generally described in Senate Bill No. 5550 (marina annual rent rates);  
23 examine current methodologies; address significant fluctuations in  
24 assessed value among similarly sized and situated properties; and  
25 explore how marina rents in similar regional marina markets can affect  
26 market conditions for marinas. The department shall also consider  
27 expanding representation and stakeholder outreach on the committee,  
28 based on recommendations of existing committee members. The department  
29 is authorized to use independent facilitators and outside parties to  
30 partner in the committee's efforts. Recommendations provided by the  
31 committee must meet these minimum requirements:

32 (i) Provide more equitable treatment of marina lessees through  
33 similar lease rates for similar uses in similar markets or geographic  
34 locations;

35 (ii) Minimize administrative burdens to the department;

36 (iii) Be designed with strategies to be revenue neutral or positive  
37 to the state over a time frame agreeable to the department.

1 (b) The committee shall strive for unanimous agreement in its  
2 recommendations. In the absence of a unanimous agreement, a vote may  
3 be taken to assess preferences and majority and minority views, and  
4 recommendations must be reported to the legislature by December 1,  
5 2011, consistent with RCW 43.01.036.

6 (11) Within the funds provided in this section, the department of  
7 natural resources must prepare recommendations, delivered to the  
8 legislature by October 31, 2011, consistent with RCW 43.01.036, for  
9 increases in fees under chapter 76.09 RCW with the goal of making the  
10 department's forest practices division completely fee supported. In  
11 developing the recommendations, the department must involve the  
12 participation of a broad range of affected stakeholders and interested  
13 parties.

14 NEW SECTION. **Sec. 309. FOR THE DEPARTMENT OF AGRICULTURE**

15	General Fund--State Appropriation (FY 2012) . . . . .	\$15,729,000
16	General Fund--State Appropriation (FY 2013) . . . . .	\$15,371,000
17	General Fund--Federal Appropriation . . . . .	\$22,925,000
18	General Fund--Private/Local Appropriation . . . . .	\$190,000
19	Aquatic Lands Enhancement Account--State	
20	Appropriation . . . . .	\$2,074,000
21	State Toxics Control Account--State Appropriation . . . . .	\$5,116,000
22	Water Quality Permit Account--State Appropriation . . . . .	\$60,000
23	TOTAL APPROPRIATION . . . . .	\$61,465,000

24 The appropriations in this section are subject to the following  
25 conditions and limitations: \$5,308,445 of the general fund--state  
26 appropriation for fiscal year 2012 and \$5,302,905 of the general fund--  
27 state appropriation for fiscal year 2013 are provided solely for  
28 implementing the food assistance program as defined in RCW 43.23.290.

29 NEW SECTION. **Sec. 310. FOR THE WASHINGTON POLLUTION LIABILITY**  
30 **INSURANCE PROGRAM**

31	Pollution Liability Insurance Program Trust	
32	Account--State Appropriation . . . . .	\$335,000

33 The appropriations in this section are subject to the following  
34 conditions and limitations: The appropriations in this section are for  
35 fiscal year 2012. Appropriations for fiscal year 2013 are contained in  
36 section 302 of this act.



1 (a) The appropriate background and training for personnel that  
2 conduct inspections of and provide technical assistance to livestock  
3 operators and whether personnel need to be specifically trained and  
4 assigned to serve this function;

5 (b) The roles and relationships between technical assistance,  
6 inspection, and enforcement, and the concept of customer service;

7 (c) The use, availability, and limitations of DNA testing as a  
8 water quality diagnosis tool and the recommendation of water quality  
9 testing protocols needed for livestock operations investigations;

10 (d) The availability and constraints of state and federal programs  
11 for planning, installation, maintenance of conservation and pollution  
12 control practices, and review of alternative practices;

13 (e) The extent of known water quality problems relating to  
14 livestock operations;

15 (f) Best methods to achieve state water quality objectives in the  
16 context of a system that includes both regulatory and incentive-based  
17 approaches;

18 (g) A review of considerations used to determine water quality  
19 standards, including those applicable to the shellfish industry; and

20 (h) The availability of state and federal funding and whether it is  
21 being appropriately allocated.

22 (2) The directors identified in subsection (1) of this section  
23 shall develop recommendations for the administration and improvement of  
24 the program, including recommendations on the use of DNA technology.  
25 The directors shall provide a written summary of the activities and  
26 recommendations to the legislature and the governor by December 1,  
27 2011.

28 (3) The activities under this section must be completed to the  
29 extent feasible from within existing fiscal resources available to the  
30 involved state agencies.

31 (4) This section expires December 31, 2011.

(End of part)



PART IV  
TRANSPORTATION

NEW SECTION.    **Sec. 401. FOR THE DEPARTMENT OF LICENSING**

4	General Fund--State Appropriation (FY 2012) . . . . .	\$1,265,000
5	General Fund--State Appropriation (FY 2013) . . . . .	\$1,508,000
6	Architects' License Account--State Appropriation . . . . .	\$1,084,000
7	Professional Engineers' Account--State	
8	Appropriation . . . . .	\$3,524,000
9	Real Estate Commission Account--State Appropriation . . . . .	\$9,843,000
10	Uniform Commercial Code Account--State Appropriation . . . . .	\$3,126,000
11	Real Estate Education Account--State Appropriation . . . . .	\$276,000
12	Real Estate Appraiser Commission Account--State	
13	Appropriation . . . . .	\$1,687,000
14	Business and Professions Account--State Appropriation . . . . .	\$15,646,000
15	Real Estate Research Account--State Appropriation . . . . .	\$622,000
16	Geologists' Account--State Appropriation . . . . .	\$51,000
17	Derelict Vessel Removal Account--State Appropriation . . . . .	\$31,000
18	TOTAL APPROPRIATION . . . . .	\$38,663,000

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

21       (1) Pursuant to RCW 43.135.055, the department is authorized to  
22 increase fees for collection agencies. This increase is necessary to  
23 support the expenditures authorized in this section, consistent with  
24 RCW 43.24.086.

25       (2) \$8,000 of the business and professions account--state  
26 appropriation is provided solely to implement Substitute Senate Bill  
27 No. 5574 (collection agencies).

28       (3) \$54,000 of the business and professions account--state  
29 appropriation is provided solely to implement Substitute House Bill No.  
30 1205 (court reporter licensing). If the bill is not enacted by June  
31 30, 2011, the amount provided in this subsection shall lapse.

32       (4) Pursuant to Substitute House Bill No. 2017 (master license  
33 program), all powers, duties, and functions of the master license  
34 service program, including all related resources, are transferred from  
35 the department of licensing to the department of revenue effective July

1 1, 2011. If the transfer is not complete by the effective date, the  
2 department of licensing will absorb any associated cost overruns  
3 through the department's general fund--state appropriation.

4 NEW SECTION. **Sec. 402. FOR THE STATE PATROL**

5	General Fund--State Appropriation (FY 2012) . . . . .	\$38,921,000
6	General Fund--State Appropriation (FY 2013) . . . . .	\$36,578,000
7	General Fund--Federal Appropriation . . . . .	\$16,081,000
8	General Fund--Private/Local Appropriation . . . . .	\$3,021,000
9	Death Investigations Account--State Appropriation . . . . .	\$5,572,000
10	County Criminal Justice Assistance Account--State	
11	Appropriation . . . . .	\$3,215,000
12	Municipal Criminal Justice Assistance Account--State	
13	Appropriation . . . . .	\$1,290,000
14	Fire Service Trust Account--State Appropriation . . . . .	\$131,000
15	Disaster Response Account--State Appropriation . . . . .	\$8,002,000
16	Fire Service Training Account--State Appropriation . . . . .	\$9,010,000
17	Aquatic Invasive Species Enforcement Account--State	
18	Appropriation . . . . .	\$54,000
19	State Toxics Control Account--State Appropriation . . . . .	\$505,000
20	Fingerprint Identification Account--State	
21	Appropriation . . . . .	\$8,788,000
22	Vehicle License Fraud Account--State Appropriation . . . . .	\$339,000
23	TOTAL APPROPRIATION . . . . .	\$131,507,000

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

26 (1) \$200,000 of the fire service training account--state  
27 appropriation is provided solely for two FTEs in the office of the  
28 state director of fire protection to exclusively review K-12  
29 construction documents for fire and life safety in accordance with the  
30 state building code. It is the intent of this appropriation to provide  
31 these services only to those districts that are located in counties  
32 without qualified review capabilities.

33 (2) \$8,000,000 of the disaster response account--state  
34 appropriation is provided solely for Washington state fire service  
35 resource mobilization costs incurred in response to an emergency or  
36 disaster authorized under RCW 43.43.960 and 43.43.964. The state  
37 patrol shall submit a report quarterly to the office of financial

1 management and the legislative fiscal committees detailing information  
2 on current and planned expenditures from this account. This work shall  
3 be done in coordination with the military department.

4 (3) \$400,000 of the fire service training account--state  
5 appropriation is provided solely for the firefighter apprenticeship  
6 training program.

7 (4) In accordance with RCW 43.43.742 the state patrol is authorized  
8 to increase the following fees in fiscal year 2012 as necessary to meet  
9 the actual costs of conducting business and the appropriation levels in  
10 this section: Notary service fee.

11 (5) \$59,000 of the fingerprint identification account--state  
12 appropriation is provided solely for implementation of Engrossed Second  
13 Substitute House Bill No. 1776 (child care center licensing). If the  
14 bill is not enacted by June 30, 2011, the amount provided in this  
15 subsection shall lapse.

16 (6) \$6,000 of the fingerprint identification account--state  
17 appropriation is provided solely for implementation of Engrossed  
18 Substitute House Bill No. 1494 (vulnerable adult referrals). If the  
19 bill is not enacted by June 30, 2011, the amount provided in this  
20 subsection shall lapse.

(End of part)



1 identifies best practices for how graduation coaches work in  
2 coordination with school counselors and in the context of a  
3 comprehensive school guidance and counseling program.

4 (iv) Within the amounts provided, the office of the superintendent  
5 of public instruction shall develop a new electronic certification  
6 system for educators, pursuant to Engrossed Substitute House Bill No.  
7 1449 (educator certificate fee). The office of the superintendent of  
8 public instruction and the office of financial management shall work to  
9 allocate sufficient funding from federal grant funds for the state's P-  
10 20 longitudinal data system, to the extent allowable, for the purpose  
11 of developing and implementing a new electronic certification system.

12 (v) The office of the superintendent of public instruction shall,  
13 no later than August 1, 2011, establish a standard statewide definition  
14 of unexcused absence. The definition shall be reported to the ways and  
15 means committees of the senate and house of representatives for  
16 legislative review in the 2012 legislative session. Beginning no later  
17 than January 1, 2012, districts shall report to the office of the  
18 superintendent of public instruction, daily student unexcused absence  
19 data by school.

20 (b) \$1,964,000 of the general fund--state appropriation for fiscal  
21 year 2012 and \$1,017,000 of the general fund--state appropriation for  
22 fiscal year 2013 are provided solely for activities associated with the  
23 implementation of new school finance systems required by chapter 236,  
24 Laws of 2010 (K-12 education funding) and chapter 548, Laws of 2009  
25 (state's education system), including technical staff, systems  
26 reprogramming, and workgroup deliberations, including the quality  
27 education council and the data governance working group.

28 (c) \$851,000 of the general fund--state appropriation for fiscal  
29 year 2012 and \$851,000 of the general fund--state appropriation for  
30 fiscal year 2013 are provided solely for the operation and expenses of  
31 the state board of education, including basic education assistance  
32 activities.

33 (d) \$1,744,000 of the general fund--state appropriation for fiscal  
34 year 2012 and \$1,362,000 of the general fund--state appropriation for  
35 fiscal year 2013 are provided solely to the professional educator  
36 standards board for the following:

37 (i) \$1,050,000 in fiscal year 2012 and \$1,050,000 in fiscal year

1 2013 are for the operation and expenses of the Washington professional  
2 educator standards board; and

3 (ii) \$694,000 of the general fund--state appropriation for fiscal  
4 year 2012 and \$312,000 of the general fund--state appropriation for  
5 fiscal year 2013 are for conditional scholarship loans and mentor  
6 stipends provided through the alternative routes to certification  
7 program administered by the professional educator standards board,  
8 including the pipeline for paraeducators program and the retooling to  
9 teach conditional loan programs. Funding within this subsection  
10 (1)(d)(ii) is also provided for the recruiting Washington teachers  
11 program. Funding reductions in this subsection (1)(d)(ii) in the 2011-  
12 2013 fiscal biennium are intended to be one-time.

13 (e) \$133,000 of the general fund--state appropriation for fiscal  
14 year 2012 and \$133,000 of the general fund--state appropriation for  
15 fiscal year 2013 are provided solely for the implementation of chapter  
16 240, Laws of 2010, including staffing the office of equity and civil  
17 rights.

18 (f) \$50,000 of the general fund--state appropriation for fiscal  
19 year 2012 and \$50,000 of the general fund--state appropriation for  
20 fiscal year 2013 are provided solely for the ongoing work of the  
21 achievement gap oversight and accountability committee.

22 (g) \$45,000 of the general fund--state appropriation for fiscal  
23 year 2012 and \$45,000 of the general fund--state appropriation for  
24 fiscal year 2013 are provided solely for the implementation of chapter  
25 380, Laws of 2009 (enacting the interstate compact on educational  
26 opportunity for military children).

27 (h) \$159,000 of the general fund--state appropriation for fiscal  
28 year 2012 and \$93,000 of the general fund--state appropriation for  
29 fiscal year 2013 are provided solely for the implementation of chapter  
30 185, Laws of 2011 (bullying prevention), which requires the office of  
31 the superintendent of public instruction to convene an ongoing  
32 workgroup on school bullying and harassment prevention. Within the  
33 amounts provided, \$140,000 is for youth suicide prevention activities.

34 (i) \$91,000 of the general fund--state appropriation for fiscal  
35 year 2012 and \$5,000 of the general fund--state appropriation for  
36 fiscal year 2013 are provided solely for the implementation of House  
37 Bill No. 2111 (implementing selected recommendations from the 2011

1 report of the quality education council). If the bill is not enacted  
2 by June 30, 2011, the amounts provided in this subsection shall lapse.

3 (j) \$1,227,000 of the general fund--state appropriation for fiscal  
4 year 2012 and \$1,227,000 of the general fund--state appropriation for  
5 fiscal year 2013 are provided solely for implementing a comprehensive  
6 data system to include financial, student, and educator data, including  
7 development and maintenance of the comprehensive education data and  
8 research system (CEDARS).

9 (k) \$25,000 of the general fund--state appropriation for fiscal  
10 year 2012 and \$25,000 of the general fund--state appropriation for  
11 fiscal year 2013 are provided solely for project citizen, a program  
12 sponsored by the national conference of state legislatures and the  
13 center for civic education to promote participation in government by  
14 middle school students.

15 (2) \$9,267,000 of the general fund--state appropriation for fiscal  
16 year 2012 and \$9,167,000 of the general fund--state appropriation for  
17 fiscal year 2013 are for statewide programs.

18 (3) \$166,000 of the general fund--state appropriation for fiscal  
19 year 2012 is provided solely for the implementation of chapter 192,  
20 Laws of 2011 (school district insolvency). Funding is provided to  
21 develop a clear legal framework and process for dissolution of a school  
22 district.

23 (a) HEALTH AND SAFETY

24 (i) \$2,541,000 of the general fund--state appropriation for fiscal  
25 year 2012 and \$2,541,000 of the general fund--state appropriation for  
26 fiscal year 2013 are provided solely for a corps of nurses located at  
27 educational service districts, as determined by the superintendent of  
28 public instruction, to be dispatched to the most needy schools to  
29 provide direct care to students, health education, and training for  
30 school staff.

31 (ii) \$50,000 of the general fund--state appropriation for fiscal  
32 year 2012 and \$50,000 of the general fund--state appropriation for  
33 fiscal year 2013 are provided solely for a nonviolence and leadership  
34 training program provided by the institute for community leadership.

35 (b) TECHNOLOGY

36 \$1,221,000 of the general fund--state appropriation for fiscal year  
37 2012 and \$1,221,000 of the general fund--state appropriation for fiscal  
38 year 2013 are provided solely for K-20 telecommunications network

1 technical support in the K-12 sector to prevent system failures and  
2 avoid interruptions in school utilization of the data processing and  
3 video-conferencing capabilities of the network. These funds may be  
4 used to purchase engineering and advanced technical support for the  
5 network.

6 (c) GRANTS AND ALLOCATIONS

7 (i) \$675,000 of the general fund--state appropriation for fiscal  
8 year 2012 and \$675,000 of the general fund--state appropriation for  
9 fiscal year 2013 are provided solely for the Washington state achievers  
10 scholarship program. The funds shall be used to support community  
11 involvement officers that recruit, train, and match community volunteer  
12 mentors with students selected as achievers scholars.

13 (ii) \$1,000,000 of the general fund--state appropriation for fiscal  
14 year 2012 and \$1,000,000 of the general fund--state appropriation for  
15 fiscal year 2013 are provided solely for contracting with a college  
16 scholarship organization with expertise in conducting outreach to  
17 students concerning eligibility for the Washington college bound  
18 scholarship consistent with chapter 405, Laws of 2007.

19 (iii) \$2,808,000 of the general fund--state appropriation for  
20 fiscal year 2012 and \$2,808,000 of the general fund--state  
21 appropriation for fiscal year 2013 are provided solely for the  
22 dissemination of the navigation 101 curriculum to all districts. The  
23 funding shall support electronic student planning tools and software  
24 for analyzing the impact of navigation 101 on student performance, as  
25 well as grants to a maximum of one hundred school districts each year,  
26 based on progress and need for the implementation of the navigation 101  
27 program. The implementation grants shall be awarded to a cross-section  
28 of school districts reflecting a balance of geographic and demographic  
29 characteristics. Within the amounts provided, the office of the  
30 superintendent of public instruction will create a navigation 101  
31 accountability model to analyze the impact of the program.

32 (iv) \$337,000 of the general fund--state appropriation for fiscal  
33 year 2012 and \$337,000 of the general fund--state appropriation for  
34 fiscal year 2013 are provided solely for implementation of the building  
35 bridges statewide program for comprehensive dropout prevention,  
36 intervention, and reengagement strategies.

37 (v) \$135,000 of the general fund--state appropriation for fiscal  
38 year 2012 and \$135,000 of the general fund--state appropriation for





1 (b) Additional certificated instructional staff units provided in  
2 this subsection (2) that exceed the minimum requirements in RCW  
3 28A.150.260 are enhancements outside the program of basic education,  
4 except as otherwise provided in this section.

5 (c)(i) The superintendent shall base allocations for each level of  
6 prototypical school on the following regular education average class  
7 size of full-time equivalent students per teacher, except as provided  
8 in (c)(ii) of this subsection:

9 General education class size:

10 Grade	RCW 28A.150.260
11 Grades K-3 .....	25.23
12 Grade 4 .....	27.00
13 Grades 5-6 .....	27.00
14 Grades 7-8 .....	28.53
15 Grades 9-12 .....	28.74

16 The superintendent shall base allocations for career and technical  
17 education (CTE) and skill center programs average class size as  
18 provided in RCW 28A.150.260.

19 (ii) For each level of prototypical school at which more than fifty  
20 percent of the students were eligible for free and reduced-price meals  
21 in the prior school year, the superintendent shall allocate funding  
22 based on the following average class size of full-time equivalent  
23 students per teacher:

24 General education class size in high poverty  
25 school:

26 Grades K-3 .....	24.10
27 Grade 4 .....	27.00
28 Grades 5-6 .....	27.00
29 Grades 7-8 .....	28.53
30 Grades 9-12 .....	28.74

31 (iii) Pursuant to RCW 28A.150.260(4)(a), the assumed teacher

1 planning period, expressed as a percentage of a teacher work day, is  
2 13.42 percent in grades K-6, and 16.67 percent in grades 7-12; and

3 (iv) Laboratory science, advanced placement, and international  
4 baccalaureate courses are funded at the same class size assumptions as  
5 general education schools in the same grade; and

6 (d)(i) Funding for teacher librarians, school nurses, social  
7 workers, school psychologists, and guidance counselors is allocated  
8 based on the school prototypes as provided in RCW 28A.150.260 and is  
9 considered certificated instructional staff, except as provided in  
10 (d)(ii) of this subsection.

11 (ii) Students in approved career and technical education and skill  
12 center programs generate certificated instructional staff units to  
13 provide for the services of teacher librarians, school nurses, social  
14 workers, school psychologists, and guidance counselors at the following  
15 combined rate per 1000 students:

16	Career and Technical Education	
17	students . . . . .	2.02 per 1000 student FTE's
18	Skill Center students . . . . .	2.36 per 1000 student FTE's

19 (3) ADMINISTRATIVE STAFF ALLOCATIONS

20 (a) Allocations for school building-level certificated  
21 administrative staff salaries for the 2011-12 and 2012-13 school years  
22 for general education students are determined using the formula-  
23 generated staff units provided in RCW 28A.150.260, and adjusted based  
24 on a district's annual average full-time equivalent student enrollment  
25 in each grade.

26 (b) Students in approved career and technical education and skill  
27 center programs generate certificated school building-level  
28 administrator staff units at per student rates that exceed the general  
29 education rate in (a) of this subsection by the following percentages:

30	Career and Technical Education students . . . . .	2.5 percent
31	Skill Center students . . . . .	19.75 percent

32 (4) CLASSIFIED STAFF ALLOCATIONS

33 Allocations for classified staff units providing school building-  
34 level and district-wide support services for the 2011-12 and 2012-13  
35 school years are determined using the formula-generated staff units  
36 provided in RCW 28A.150.260, and adjusted based on each district's  
37 annual average full-time equivalent student enrollment in each grade.

1 (5) CENTRAL OFFICE ALLOCATIONS

2 In addition to classified and administrative staff units allocated  
3 in subsections (3) and (4) of this section, classified and  
4 administrative staff units are provided for the 2011-12 and 2012-13  
5 school year for the central office administrative costs of operating a  
6 school district, at the following rates:

7 (a) The total central office staff units provided in this  
8 subsection (5) are calculated by first multiplying the total number of  
9 eligible certificated instructional, certificated administrative, and  
10 classified staff units providing school-based or district-wide support  
11 services, as identified in RCW 28A.150.260(6)(b), by 5.3 percent.

12 (b) Of the central office staff units calculated in (a) of this  
13 subsection, 74.53 percent are allocated as classified staff units, as  
14 generated in subsection (4) of this section, and 25.47 percent shall be  
15 allocated as administrative staff units, as generated in subsection (3)  
16 of this section.

17 (c) Staff units generated as enhancements outside the program of  
18 basic education to the minimum requirements of RCW 28A.150.260, and  
19 staff units generated by skill center and career-technical students,  
20 are excluded from the total central office staff units calculation in  
21 (a) of this subsection.

22 (d) For students in approved career-technical and skill center  
23 programs, central office classified units are allocated at the same  
24 staff unit per student rate as those generated for general education  
25 students of the same grade in this subsection (5), and central office  
26 administrative staff units are allocated at staff unit per student  
27 rates that exceed the general education rate established for students  
28 in the same grade in this subsection (5) by 3.69 percent for career and  
29 technical education students, and 21.92 percent for skill center  
30 students.

31 (6) FRINGE BENEFIT ALLOCATIONS

32 Fringe benefit allocations shall be calculated at a rate of 16.49  
33 percent in the 2011-12 school year and 16.50 percent in the 2012-13  
34 school year for certificated salary allocations provided under  
35 subsections (2), (3), and (5) of this section, and a rate of 18.86  
36 percent in the 2011-12 school year and 18.88 percent in the 2012-13  
37 school year for classified salary allocations provided under  
38 subsections (4) and (5) of this section.

1 (7) INSURANCE BENEFIT ALLOCATIONS

2 Insurance benefit allocations shall be calculated at the  
3 maintenance rate specified in section 504 of this act, based on the  
4 number of benefit units determined as follows:

5 (a) The number of certificated staff units determined in  
6 subsections (2), (3), and (5) of this section; and

7 (b) The number of classified staff units determined in subsections  
8 (4) and (5) of this section multiplied by 1.152. This factor is  
9 intended to adjust allocations so that, for the purposes of  
10 distributing insurance benefits, full-time equivalent classified  
11 employees may be calculated on the basis of 1440 hours of work per  
12 year, with no individual employee counted as more than one full-time  
13 equivalent.

14 (8) MATERIALS, SUPPLIES, AND OPERATING COSTS (MSOC) ALLOCATIONS

15 Funding is allocated per annual average full-time equivalent  
16 student for the materials, supplies, and operating costs (MSOC)  
17 incurred by school districts, consistent with the requirements of RCW  
18 28A.150.260.

19 (a) MSOC funding for general education students are allocated at  
20 the following per student rates:

21 MSOC RATES/STUDENT FTE

22 MSOC Component	23 2011-12	24 2012-13
	25 SCHOOL YEAR	SCHOOL YEAR
26 Technology	\$57.02	\$57.99
27 Utilities and Insurance	\$154.93	\$157.56
28 Curriculum and Textbooks	\$61.22	\$62.26
29 Other Supplies and Library Materials	\$129.97	\$132.18
30 Instructional Professional Development for Certificated and Classified Staff	\$9.47	\$9.63
31 Facilities Maintenance	\$76.75	\$78.06
32 Security and Central Office	\$53.17	\$54.08
33 TOTAL BASIC EDUCATION MSOC/STUDENT FTE	\$542.53	\$551.76

1 (b) Students in approved skill center programs generate per student  
2 FTE MSOC allocations which equal the rate for general education  
3 students calculated in (a) of this subsection, multiplied by a factor  
4 of 2.187.

5 (c) Students in approved exploratory and preparatory career and  
6 technical education programs generate a per student MSOC allocation  
7 that is equal to the rate for general education students calculated in  
8 (a) of this subsection, multiplied by a factor of 2.459.

9 (d) Students in laboratory science courses generate per student FTE  
10 MSOC allocations which equal the per student FTE rate for general  
11 education students established in (a) of this subsection.

12 (9) SUBSTITUTE TEACHER ALLOCATIONS

13 For the 2011-12 and 2012-13 school years, funding for substitute  
14 costs for classroom teachers is based on four (4) funded substitute  
15 days per classroom teacher unit generated under subsection (2) of this  
16 section, at a daily substitute rate of \$151.86.

17 (10) ALTERNATIVE LEARNING EXPERIENCE PROGRAM FUNDING

18 (a) Amounts provided in this section are adjusted to reflect  
19 provisions of House Bill No. 2065 (allocation of funding for funding  
20 for students enrolled in alternative learning experiences).

21 (b) The superintendent of public instruction shall require all  
22 districts receiving general apportionment funding for alternative  
23 learning experience (ALE) programs as defined in WAC 392-121-182 to  
24 provide separate financial accounting of expenditures for the ALE  
25 programs offered in district or with a provider, including but not  
26 limited to private companies and multidistrict cooperatives, as well as  
27 accurate, monthly headcount and FTE enrollment claimed for basic  
28 education, including separate counts of resident and nonresident  
29 students.

30 (11) VOLUNTARY FULL DAY KINDERGARTEN PROGRAMS

31 Funding in this section is sufficient to fund voluntary full day  
32 kindergarten programs in qualifying high poverty schools, pursuant to  
33 RCW 28A.150.220 and 28A.150.315. Each kindergarten student who enrolls  
34 for the voluntary full-day program in a qualifying school shall count  
35 as one-half of one full-time equivalent student for purpose of making  
36 allocations under this section. Funding in this section provides full-  
37 day kindergarten programs for 21 percent of kindergarten enrollment in

1 the 2011-12 school year, and 22 percent in the 2012-13 school year.  
2 Funding priority shall be given to schools with the highest poverty  
3 levels, as measured by prior year free and reduced price lunch  
4 eligibility rates in each school. Funding in this section is  
5 sufficient to fund voluntary full day kindergarten programs for July  
6 and August of the 2010-11 school year.

7 (12) ADDITIONAL FUNDING FOR SMALL SCHOOL DISTRICTS AND REMOTE AND  
8 NECESSARY PLANTS

9 For small school districts and remote and necessary school plants  
10 within any district which have been judged to be remote and necessary  
11 by the superintendent of public instruction, additional staff units are  
12 provided to ensure a minimum level of staffing support. Additional  
13 administrative and certificated instructional staff units provided to  
14 districts in this subsection shall be reduced by the general education  
15 staff units, excluding career and technical education and skills center  
16 enhancement units, otherwise provided in subsections (2) through (5) of  
17 this section on a per district basis.

18 (a) For districts enrolling not more than twenty-five average  
19 annual full-time equivalent students in grades K-8, and for small  
20 school plants within any school district which have been judged to be  
21 remote and necessary by the superintendent of public instruction and  
22 enroll not more than twenty-five average annual full-time equivalent  
23 students in grades K-8:

24 (i) For those enrolling no students in grades 7 and 8, 1.76  
25 certificated instructional staff units and 0.24 certificated  
26 administrative staff units for enrollment of not more than five  
27 students, plus one-twentieth of a certificated instructional staff unit  
28 for each additional student enrolled; and

29 (ii) For those enrolling students in grades 7 or 8, 1.68  
30 certificated instructional staff units and 0.32 certificated  
31 administrative staff units for enrollment of not more than five  
32 students, plus one-tenth of a certificated instructional staff unit for  
33 each additional student enrolled;

34 (b) For specified enrollments in districts enrolling more than  
35 twenty-five but not more than one hundred average annual full-time  
36 equivalent students in grades K-8, and for small school plants within  
37 any school district which enroll more than twenty-five average annual

1 full-time equivalent students in grades K-8 and have been judged to be  
2 remote and necessary by the superintendent of public instruction:

3 (i) For enrollment of up to sixty annual average full-time  
4 equivalent students in grades K-6, 2.76 certificated instructional  
5 staff units and 0.24 certificated administrative staff units; and

6 (ii) For enrollment of up to twenty annual average full-time  
7 equivalent students in grades 7 and 8, 0.92 certificated instructional  
8 staff units and 0.08 certificated administrative staff units;

9 (c) For districts operating no more than two high schools with  
10 enrollments of less than three hundred average annual full-time  
11 equivalent students, for enrollment in grades 9-12 in each such school,  
12 other than alternative schools:

13 (i) For remote and necessary schools enrolling students in any  
14 grades 9-12 but no more than twenty-five average annual full-time  
15 equivalent students in grades K-12, four and one-half certificated  
16 instructional staff units and one-quarter of a certificated  
17 administrative staff unit;

18 (ii) For all other small high schools under this subsection, nine  
19 certificated instructional staff units and one-half of a certificated  
20 administrative staff unit for the first sixty average annual full-time  
21 equivalent students, and additional staff units based on a ratio of  
22 0.8732 certificated instructional staff units and 0.1268 certificated  
23 administrative staff units per each additional forty-three and one-half  
24 average annual full-time equivalent students;

25 (d) For each nonhigh school district having an enrollment of more  
26 than seventy annual average full-time equivalent students and less than  
27 one hundred eighty students, operating a grades K-8 program or a grades  
28 1-8 program, an additional one-half of a certificated instructional  
29 staff unit;

30 (e) For each nonhigh school district having an enrollment of more  
31 than fifty annual average full-time equivalent students and less than  
32 one hundred eighty students, operating a grades K-6 program or a grades  
33 1-6 program, an additional one-half of a certificated instructional  
34 staff unit;

35 (f)(i) For enrollments generating certificated staff unit  
36 allocations under (a) through (e) of this subsection, one classified  
37 staff unit for each 2.94 certificated staff units allocated under such  
38 subsections;



1 (ii) For each nonhigh school district with an enrollment of more  
2 than fifty annual average full-time equivalent students and less than  
3 one hundred eighty students, an additional one-half of a classified  
4 staff unit; and

5 (g) School districts receiving additional staff units to support  
6 small student enrollments and remote and necessary plants under  
7 subsection (12) of this section shall generate additional MSOC  
8 allocations consistent with the nonemployee related costs (NERC)  
9 allocation formula in place for the 2010-11 school year as provided  
10 section 502, chapter 37, Laws of 2010 1st sp. sess. (2010 supplemental  
11 budget), adjusted annually for inflation.

12 (13) Any school district board of directors may petition the  
13 superintendent of public instruction by submission of a resolution  
14 adopted in a public meeting to reduce or delay any portion of its basic  
15 education allocation for any school year. The superintendent of public  
16 instruction shall approve such reduction or delay if it does not impair  
17 the district's financial condition. Any delay shall not be for more  
18 than two school years. Any reduction or delay shall have no impact on  
19 levy authority pursuant to RCW 84.52.0531 and local effort assistance  
20 pursuant to chapter 28A.500 RCW.

21 (14) The superintendent may distribute funding for the following  
22 programs outside the basic education formula during fiscal years 2012  
23 and 2013 as follows:

24 (a) \$589,000 of the general fund--state appropriation for fiscal  
25 year 2012 and \$599,000 of the general fund--state appropriation for  
26 fiscal year 2013 are provided solely for fire protection for school  
27 districts located in a fire protection district as now or hereafter  
28 established pursuant to chapter 52.04 RCW.

29 (b) \$436,000 of the general fund--state appropriation for fiscal  
30 year 2012 and \$436,000 of the general fund--state appropriation for  
31 fiscal year 2013 are provided solely for programs providing skills  
32 training for secondary students who are enrolled in extended day  
33 school-to-work programs, as approved by the superintendent of public  
34 instruction. The funds shall be allocated at a rate not to exceed \$500  
35 per full-time equivalent student enrolled in those programs.

36 (c) Funding in this section is sufficient to fund adjustments to  
37 school districts' allocations resulting from the implementation of the  
38 prototypical school funding formula, pursuant to chapter 236, Laws of

1 2010 (K-12 education funding). The funding in this section is intended  
2 to hold school districts harmless in total for funding changes  
3 resulting from conversion to the prototypical school formula in the  
4 general apportionment program, the learning assistance program, the  
5 transitional bilingual program, and the highly capable program, after  
6 adjustment for changes in enrollment and other caseload adjustments.

7 (15) \$208,000 of the general fund--state appropriation for fiscal  
8 year 2012 and \$211,000 of the general fund--state appropriation for  
9 fiscal year 2013 are provided solely for school district emergencies as  
10 certified by the superintendent of public instruction. At the close of  
11 the fiscal year the superintendent of public instruction shall report  
12 to the office of financial management and the appropriate fiscal  
13 committees of the legislature on the allocations provided to districts  
14 and the nature of the emergency.

15 (16) Amounts in this section include adjustments made by the  
16 superintendent of public instruction for the repayment of financial  
17 contingency funds allocated in fiscal year 2011, as specified in  
18 section 501 of the 2011 supplemental budget. For any amount allocated  
19 to a district in state fiscal year 2011, the superintendent of public  
20 instruction shall deduct in state fiscal year 2012 from the district's  
21 general apportionment the amount of the emergency contingency  
22 allocation and any earnings by the school district on the investment of  
23 a temporary cash surplus due to the emergency contingency allocation.  
24 Repayments or advances will be accomplished by a reduction in the  
25 school district's apportionment payments on or before June 30th of the  
26 school year following the distribution of the emergency contingency  
27 allocation. All disbursements, repayments, and outstanding allocations  
28 to be repaid of the emergency contingency pool shall be reported to the  
29 office of financial management and the appropriate fiscal committees of  
30 the legislature on July 1st and January 1st of each year.

31 (17) Funding in this section is sufficient to fund a maximum of 1.6  
32 FTE enrollment for skills center students pursuant to chapter 463, Laws  
33 of 2007.

34 (18) Beginning in the 2011-12 school year, students participating  
35 in running start programs may be funded up to a combined maximum  
36 enrollment of 1.2 FTE including school district and institution of  
37 higher education enrollment. Additionally, the office of the  
38 superintendent of public instruction, in consultation with the state

1 board for community and technical colleges, the higher education  
2 coordinating board, and the education data center, shall annually track  
3 and report to the fiscal committees of the legislature on the combined  
4 FTE experience of students participating in the running start program,  
5 including course load analyses at both the high school and community  
6 and technical college system.

7 (19) If two or more school districts consolidate and each district  
8 was receiving additional basic education formula staff units pursuant  
9 to subsection (12) of this section, the following apply:

10 (a) For three school years following consolidation, the number of  
11 basic education formula staff units shall not be less than the number  
12 of basic education formula staff units received by the districts in the  
13 school year prior to the consolidation; and

14 (b) For the fourth through eighth school years following  
15 consolidation, the difference between the basic education formula staff  
16 units received by the districts for the school year prior to  
17 consolidation and the basic education formula staff units after  
18 consolidation pursuant to subsection (12) of this section shall be  
19 reduced in increments of twenty percent per year.

20 (20)(a) Indirect cost charges by a school district to approved  
21 career and technical education middle and secondary programs shall not  
22 exceed 15 percent of the combined basic education and career and  
23 technical education program enhancement allocations of state funds.  
24 Middle and secondary career and technical education programs are  
25 considered separate programs for funding and financial reporting  
26 purposes under this section.

27 (b) Career and technical education program full-time equivalent  
28 enrollment shall be reported on the same monthly basis as the  
29 enrollment for students eligible for basic support, and payments shall  
30 be adjusted for reported career and technical education program  
31 enrollments on the same monthly basis as those adjustments for  
32 enrollment for students eligible for basic support.

33 NEW SECTION. **Sec. 503. FOR THE SUPERINTENDENT OF PUBLIC**  
34 **INSTRUCTION--BASIC EDUCATION EMPLOYEE COMPENSATION**

35 (1) The following calculations determine the salaries used in the  
36 state allocations for certificated instructional, certificated

1 administrative, and classified staff units as provided in RCW  
2 28A.150.280 and under section 503 of this act:

3 (a) Salary allocations for certificated instructional staff units  
4 are determined for each district by multiplying the district's  
5 certificated instructional total base salary shown on LEAP Document 2  
6 by the district's average staff mix factor for certificated  
7 instructional staff in that school year, computed using LEAP document  
8 1; and

9 (b) Salary allocations for certificated administrative staff units  
10 and classified staff units for each district are determined based on  
11 the district's certificated administrative and classified salary  
12 allocation amounts shown on LEAP Document 2.

13 (2) For the purposes of this section:

14 (a) "LEAP Document 1" means the staff mix factors for certificated  
15 instructional staff according to education and years of experience, as  
16 developed by the legislative evaluation and accountability program  
17 committee on May 23, 2011, at 16:10 hours; and

18 (b) "LEAP Document 2" means the school year salary allocations for  
19 certificated administrative staff and classified staff and derived and  
20 total base salaries for certificated instructional staff as developed  
21 by the legislative evaluation and accountability program committee on  
22 May 23, 2011, at 16:10 hours.

23 (3) Incremental fringe benefit factors are applied to salary  
24 adjustments at a rate of 15.85 percent for school year 2011-12 and  
25 15.86 percent for school year 2012-13 for certificated instructional  
26 and certificated administrative staff and 15.36 percent for school year  
27 2011-12 and 15.38 percent for the 2012-13 school year for classified  
28 staff.

29 (4)(a) Pursuant to RCW 28A.150.410, the following state-wide salary  
30 allocation schedules for certificated instructional staff are  
31 established for basic education salary allocations:

32 Table Of Total Base Salaries For Certificated Instructional Staff For School Year 2011-12

33 \*\*\*Education Experience\*\*\*

34

35 Years

MA+90

36 of

OR

1	Service	BA	BA+15	BA+30	BA+45	BA+90	BA+135	MA	MA+45	Ph.D.
2	0	33,401	34,303	35,238	36,175	39,180	41,116	40,045	43,051	44,989
3	1	33,851	34,765	35,712	36,690	39,727	41,652	40,490	43,527	45,452
4	2	34,279	35,202	36,159	37,212	40,241	42,186	40,938	43,966	45,912
5	3	34,720	35,653	36,620	37,706	40,729	42,722	41,363	44,384	46,377
6	4	35,153	36,127	37,099	38,224	41,264	43,271	41,808	44,849	46,857
7	5	35,600	36,578	37,561	38,748	41,777	43,824	42,261	45,291	47,339
8	6	36,060	37,017	38,032	39,279	42,293	44,352	42,725	45,740	47,797
9	7	36,868	37,839	38,868	40,182	43,241	45,356	43,594	46,652	48,768
10	8	38,050	39,074	40,127	41,550	44,651	46,844	44,961	48,063	50,254
11	9		40,353	41,459	42,933	46,106	48,373	46,343	49,518	51,785
12	10			42,806	44,387	47,602	49,945	47,798	51,014	53,356
13	11				45,883	49,169	51,558	49,295	52,581	54,969
14	12				47,332	50,777	53,238	50,850	54,188	56,650
15	13					52,425	54,959	52,460	55,836	58,370
16	14					54,081	56,745	54,117	57,600	60,157
17	15					55,488	58,221	55,523	59,098	61,721
18	16 or more					56,597	59,385	56,634	60,279	62,955

Table Of Total Base Salaries For Certificated Instructional Staff For School Year 2012-13

\*\*\*Education Experience\*\*\*

23	Years	BA	BA+15	BA+30	BA+45	BA+90	BA+135	MA	MA+45	MA+90
24	of									OR
25	Service	BA	BA+15	BA+30	BA+45	BA+90	BA+135	MA	MA+45	Ph.D.
26	0	33,401	34,303	35,238	36,175	39,180	41,116	40,045	43,051	44,989
27	1	33,851	34,765	35,712	36,690	39,727	41,652	40,490	43,527	45,452
28	2	34,279	35,202	36,159	37,212	40,241	42,186	40,938	43,966	45,912
29	3	34,720	35,653	36,620	37,706	40,729	42,722	41,363	44,384	46,377
30	4	35,153	36,127	37,099	38,224	41,264	43,271	41,808	44,849	46,857
31	5	35,600	36,578	37,561	38,748	41,777	43,824	42,261	45,291	47,339
32	6	36,060	37,017	38,032	39,279	42,293	44,352	42,725	45,740	47,797
33	7	36,868	37,839	38,868	40,182	43,241	45,356	43,594	46,652	48,768
34	8	38,050	39,074	40,127	41,550	44,651	46,844	44,961	48,063	50,254
35	9		40,353	41,459	42,933	46,106	48,373	46,343	49,518	51,785

1	10	42,806	44,387	47,602	49,945	47,798	51,014	53,356
2	11		45,883	49,169	51,558	49,295	52,581	54,969
3	12		47,332	50,777	53,238	50,850	54,188	56,650
4	13			52,425	54,959	52,460	55,836	58,370
5	14			54,081	56,745	54,117	57,600	60,157
6	15			55,488	58,221	55,523	59,098	61,721
7	16 or more			56,597	59,385	56,634	60,279	62,955

8 (b) As used in this subsection, the column headings "BA+(N)" refer  
9 to the number of credits earned since receiving the baccalaureate  
10 degree.

11 (c) For credits earned after the baccalaureate degree but before  
12 the masters degree, any credits in excess of forty-five credits may be  
13 counted after the masters degree. Thus, as used in this subsection,  
14 the column headings "MA+(N)" refer to the total of:

- 15 (i) Credits earned since receiving the masters degree; and
- 16 (ii) Any credits in excess of forty-five credits that were earned  
17 after the baccalaureate degree but before the masters degree.

18 (5) For the purposes of this section:

- 19 (a) "BA" means a baccalaureate degree.
- 20 (b) "MA" means a masters degree.
- 21 (c) "PHD" means a doctorate degree.

22 (d) "Years of service" shall be calculated under the same rules  
23 adopted by the superintendent of public instruction.

24 (e) "Credits" means college quarter hour credits and equivalent  
25 in-service credits computed in accordance with RCW 28A.415.020 and  
26 28A.415.023.

27 (6) No more than ninety college quarter-hour credits received by  
28 any employee after the baccalaureate degree may be used to determine  
29 compensation allocations under the state salary allocation schedule and  
30 LEAP documents referenced in this part V, or any replacement schedules  
31 and documents, unless:

- 32 (a) The employee has a masters degree; or
- 33 (b) The credits were used in generating state salary allocations  
34 before January 1, 1992.

35 (7) The salary allocation schedules established in this section are  
36 for allocation purposes only except as provided in RCW 28A.400.200(2).



1 methodology for general apportionment salaries and benefits in sections  
2 503 and 504 of this act.

3 (f) The appropriations in this section include no salary  
4 adjustments for substitute teachers.

5 (2) The maintenance rate for insurance benefit allocations is  
6 \$768.00 per month for the 2011-12 and 2012-13 school years. The  
7 appropriations in this section reflect the incremental change in cost  
8 of allocating rates of \$768.00 per month for the 2011-12 school year  
9 and \$768.00 per month for the 2012-13 school year.

10 (3) The rates specified in this section are subject to revision  
11 each year by the legislature.

12 NEW SECTION. **Sec. 505. FOR THE SUPERINTENDENT OF PUBLIC**  
13 **INSTRUCTION--FOR PUPIL TRANSPORTATION**

14	General Fund--State Appropriation (FY 2012) . . . . .	\$323,759,000
15	General Fund--State Appropriation (FY 2013) . . . . .	\$326,054,000
16	TOTAL APPROPRIATION . . . . .	\$649,813,000

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

19 (1) Each general fund fiscal year appropriation includes such funds  
20 as are necessary to complete the school year ending in the fiscal year  
21 and for prior fiscal year adjustments.

22 (2)(a) For the 2011-12 and 2012-13 school years, the superintendent  
23 shall allocate funding to school district programs for the  
24 transportation of students as provided in RCW 28A.160.192.

25 (b) From July 1, 2011 to August 31, 2011, the superintendent shall  
26 allocate funding to school districts programs for the transportation of  
27 students as provided in section 505, chapter 564, Laws of 2009, as  
28 amended through section 1404 of this act.

29 (3) Any amounts appropriated for maintenance level funding for  
30 pupil transportation that exceed actual maintenance level expenditures  
31 as calculated under the funding formula that takes effect September 1,  
32 2011, shall be distributed to districts according to RCW  
33 28A.160.192(2)(b).

34 (4) A maximum of \$892,000 of this fiscal year 2012 appropriation  
35 and a maximum of \$892,000 of the fiscal year 2013 appropriation may be  
36 expended for regional transportation coordinators and related  
37 activities. The transportation coordinators shall ensure that data



1 submitted by school districts for state transportation funding shall,  
2 to the greatest extent practical, reflect the actual transportation  
3 activity of each district.

4 (5) The office of the superintendent of public instruction shall  
5 provide reimbursement funding to a school district for school bus  
6 purchases only after the superintendent of public instruction  
7 determines that the school bus was purchased from the list established  
8 pursuant to RCW 28A.160.195(2) or a comparable competitive bid process  
9 based on the lowest price quote based on similar bus categories to  
10 those used to establish the list pursuant to RCW 28A.160.195.

11 (6) The superintendent of public instruction shall base  
12 depreciation payments for school district buses on the pre-sales tax  
13 five-year average of lowest bids in the appropriate category of bus.  
14 In the final year on the depreciation schedule, the depreciation  
15 payment shall be based on the lowest bid in the appropriate bus  
16 category for that school year.

17 (7) Funding levels in this section reflect waivers granted by the  
18 state board of education for four-day school weeks as allowed under RCW  
19 28A.305.141.

20 **NEW SECTION. Sec. 506. FOR THE SUPERINTENDENT OF PUBLIC**  
21 **INSTRUCTION--FOR SCHOOL FOOD SERVICE PROGRAMS**

22	General Fund--State Appropriation (FY 2012) . . . . .	\$7,111,000
23	General Fund--State Appropriation (FY 2013) . . . . .	\$7,111,000
24	General Fund--Federal Appropriation . . . . .	\$437,988,000
25	TOTAL APPROPRIATION . . . . .	\$452,210,000

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

28 (1) \$7,111,000 of the general fund--state appropriation for fiscal  
29 year 2012 and \$7,111,000 of the general fund--state appropriation for  
30 fiscal year 2013 are provided solely for state matching money for  
31 federal child nutrition programs, and may support the meals for kids  
32 program through the following allowable uses:

33 (a) Elimination of breakfast copays for eligible public school  
34 students and lunch copays for eligible public school students in grades  
35 kindergarten through third grade who are eligible for reduced price  
36 lunch;

1 (b) Assistance to school districts and authorized public and  
2 private nonprofit organizations for supporting summer food service  
3 programs, and initiating new summer food service programs in low-income  
4 areas;

5 (c) Reimbursements to school districts for school breakfasts served  
6 to students eligible for free and reduced price lunch, pursuant to  
7 chapter 287, Laws of 2005; and

8 (d) Assistance to school districts in initiating and expanding  
9 school breakfast programs.

10 The office of the superintendent of public instruction shall report  
11 annually to the fiscal committees of the legislature on annual  
12 expenditures in (a), (b), and (c) of this subsection.

13 NEW SECTION. **Sec. 507. FOR THE SUPERINTENDENT OF PUBLIC**  
14 **INSTRUCTION--FOR SPECIAL EDUCATION PROGRAMS**

15	General Fund--State Appropriation (FY 2012) . . . . .	\$659,950,000
16	General Fund--State Appropriation (FY 2013) . . . . .	\$689,480,000
17	General Fund--Federal Appropriation . . . . .	\$691,796,000
18	Education Legacy Trust Account--State Appropriation . . . . .	\$756,000
19	TOTAL APPROPRIATION . . . . .	\$2,041,982,000

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

22 (1) Funding for special education programs is provided on an excess  
23 cost basis, pursuant to RCW 28A.150.390. School districts shall ensure  
24 that special education students as a class receive their full share of  
25 the general apportionment allocation accruing through sections 502 and  
26 504 of this act. To the extent a school district cannot provide an  
27 appropriate education for special education students under chapter  
28 28A.155 RCW through the general apportionment allocation, it shall  
29 provide services through the special education excess cost allocation  
30 funded in this section.

- 31 (2)(a) The superintendent of public instruction shall ensure that:
- 32 (i) Special education students are basic education students first;
  - 33 (ii) As a class, special education students are entitled to the  
34 full basic education allocation; and
  - 35 (iii) Special education students are basic education students for  
36 the entire school day.

1 (b) The superintendent of public instruction shall continue to  
2 implement the full cost method of excess cost accounting, as designed  
3 by the committee and recommended by the superintendent, pursuant to  
4 section 501(1)(k), chapter 372, Laws of 2006.

5 (c) Beginning with the 2010-11 school year award cycle, the office  
6 of the superintendent of public instruction shall make award  
7 determinations for state safety net funding in August of each school  
8 year. Determinations on school district eligibility for state safety  
9 net awards shall be based on analysis of actual expenditure data from  
10 the current school year.

11 (3) Each fiscal year appropriation includes such funds as are  
12 necessary to complete the school year ending in the fiscal year and for  
13 prior fiscal year adjustments.

14 (4)(a) For the 2011-12 and 2012-13 school years, the superintendent  
15 shall allocate funding to school district programs for special  
16 education students as provided in RCW 28A.150.390.

17 (b) From July 1, 2011 to August 31, 2011, the superintendent shall  
18 allocate funding to school district programs for special education  
19 students as provided in section 507, chapter 564, Laws of 2009, as  
20 amended through section 1406 of this act.

21 (5) The following applies throughout this section: The definitions  
22 for enrollment and enrollment percent are as specified in RCW  
23 28A.150.390(3). Each district's general fund--state funded special  
24 education enrollment shall be the lesser of the district's actual  
25 enrollment percent or 12.7 percent.

26 (6) At the request of any interdistrict cooperative of at least 15  
27 districts in which all excess cost services for special education  
28 students of the districts are provided by the cooperative, the maximum  
29 enrollment percent shall be calculated in accordance with RCW  
30 28A.150.390(3) (c) and (d), and shall be calculated in the aggregate  
31 rather than individual district units. For purposes of this  
32 subsection, the average basic education allocation per full-time  
33 equivalent student shall be calculated in the aggregate rather than  
34 individual district units.

35 (7) \$16,404,000 of the general fund--state appropriation for fiscal  
36 year 2012, \$30,807,000 of the general fund--state appropriation for  
37 fiscal year 2013, and \$29,574,000 of the general fund--federal  
38 appropriation are provided solely for safety net awards for districts

1 with demonstrated needs for special education funding beyond the  
2 amounts provided in subsection (4) of this section. If the federal  
3 safety net awards based on the federal eligibility threshold exceed the  
4 federal appropriation in this subsection (7) in any fiscal year, the  
5 superintendent shall expend all available federal discretionary funds  
6 necessary to meet this need. At the conclusion of each school year,  
7 the superintendent shall recover safety net funds that were distributed  
8 prospectively but for which districts were not subsequently eligible.

9 (a) For the 2011-12 and 2012-13 school years, safety net funds  
10 shall be awarded by the state safety net oversight committee as  
11 provided in section 109(1) chapter 548, Laws of 2009 (ESHB 2261).

12 (b) From July 1, 2011 to August 31, 2011, the superintendent shall  
13 operate the safety net oversight committee and shall award safety net  
14 funds as provided in section 507, chapter 564, Laws of 2009, as amended  
15 through section 1406 of this act.

16 (8) A maximum of \$678,000 may be expended from the general fund--  
17 state appropriations to fund 5.43 full-time equivalent teachers and 2.1  
18 full-time equivalent aides at children's orthopedic hospital and  
19 medical center. This amount is in lieu of money provided through the  
20 home and hospital allocation and the special education program.

21 (9) The superintendent shall maintain the percentage of federal  
22 flow-through to school districts at 85 percent. In addition to other  
23 purposes, school districts may use increased federal funds for high-  
24 cost students, for purchasing regional special education services from  
25 educational service districts, and for staff development activities  
26 particularly relating to inclusion issues.

27 (10) A school district may carry over from one year to the next  
28 year up to 10 percent of the general fund--state funds allocated under  
29 this program; however, carryover funds shall be expended in the special  
30 education program.

31 (11) \$251,000 of the general fund--state appropriation for fiscal  
32 year 2012 and \$251,000 of the general fund--state appropriation for  
33 fiscal year 2013 are provided solely for two additional full-time  
34 equivalent staff to support the work of the safety net committee and to  
35 provide training and support to districts applying for safety net  
36 awards.

37 (12) \$50,000 of the general fund--state appropriation for fiscal  
38 year 2012, \$50,000 of the general fund--state appropriation for fiscal

1 year 2013, and \$100,000 of the general fund--federal appropriation  
2 shall be expended to support a special education ombudsman program  
3 within the office of superintendent of public instruction.

4 NEW SECTION. **Sec. 508. FOR THE SUPERINTENDENT OF PUBLIC**  
5 **INSTRUCTION--FOR EDUCATIONAL SERVICE DISTRICTS**

6	General Fund--State Appropriation (FY 2012) . . . . .	\$7,898,000
7	General Fund--State Appropriation (FY 2013) . . . . .	\$7,917,000
8	TOTAL APPROPRIATION . . . . .	\$15,815,000

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

11 (1) The educational service districts shall continue to furnish  
12 financial services required by the superintendent of public instruction  
13 and RCW 28A.310.190 (3) and (4).

14 (2) Funding within this section is provided for regional  
15 professional development related to mathematics and science curriculum  
16 and instructional strategies. Funding shall be distributed among the  
17 educational service districts in the same proportion as distributions  
18 in the 2007-2009 biennium. Each educational service district shall use  
19 this funding solely for salary and benefits for a certificated  
20 instructional staff with expertise in the appropriate subject matter  
21 and in professional development delivery, and for travel, materials,  
22 and other expenditures related to providing regional professional  
23 development support.

24 (3) The educational service districts, at the request of the state  
25 board of education pursuant to RCW 28A.310.010 and 28A.310.340, may  
26 receive and screen applications for school accreditation, conduct  
27 school accreditation site visits pursuant to state board of education  
28 rules, and submit to the state board of education post-site visit  
29 recommendations for school accreditation. The educational service  
30 districts may assess a cooperative service fee to recover actual plus  
31 reasonable indirect costs for the purposes of this subsection.

32 NEW SECTION. **Sec. 509. FOR THE SUPERINTENDENT OF PUBLIC**  
33 **INSTRUCTION--FOR LOCAL EFFORT ASSISTANCE**

34	General Fund--State Appropriation (FY 2012) . . . . .	\$303,337,000
35	General Fund--State Appropriation (FY 2013) . . . . .	\$308,445,000
36	TOTAL APPROPRIATION . . . . .	\$611,782,000

1 The appropriations in this section are subject to the following  
2 conditions and limitations: For purposes of RCW 84.52.0531, the  
3 increase per full-time equivalent student is 3 percent from the 2010-11  
4 school year to the 2011-12 school year and 5 percent from the 2011-12  
5 school year to the 2012-13 school year.

6 NEW SECTION. **Sec. 510. FOR THE SUPERINTENDENT OF PUBLIC**  
7 **INSTRUCTION--FOR INSTITUTIONAL EDUCATION PROGRAMS**

8	General Fund--State Appropriation (FY 2012) . . . . .	\$16,420,000
9	General Fund--State Appropriation (FY 2013) . . . . .	\$16,190,000
10	TOTAL APPROPRIATION . . . . .	\$32,610,000

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

13 (1) Each general fund--state fiscal year appropriation includes  
14 such funds as are necessary to complete the school year ending in the  
15 fiscal year and for prior fiscal year adjustments.

16 (2) State funding provided under this section is based on salaries  
17 and other expenditures for a 220-day school year. The superintendent  
18 of public instruction shall monitor school district expenditure plans  
19 for institutional education programs to ensure that districts plan for  
20 a full-time summer program.

21 (3) State funding for each institutional education program shall be  
22 based on the institution's annual average full-time equivalent student  
23 enrollment. Staffing ratios for each category of institution shall  
24 remain the same as those funded in the 1995-97 biennium.

25 (4) The funded staffing ratios for education programs for juveniles  
26 age 18 or less in department of corrections facilities shall be the  
27 same as those provided in the 1997-99 biennium.

28 (5) \$509,000 of the general fund--state appropriation for fiscal  
29 year 2012 and \$509,000 of the general fund--state appropriation for  
30 fiscal year 2013 are provided solely to maintain at least one  
31 certificated instructional staff and related support services at an  
32 institution whenever the K-12 enrollment is not sufficient to support  
33 one full-time equivalent certificated instructional staff to furnish  
34 the educational program. The following types of institutions are  
35 included: Residential programs under the department of social and  
36 health services for developmentally disabled juveniles, programs for

1 juveniles under the department of corrections, programs for juveniles  
2 under the juvenile rehabilitation administration, and programs for  
3 juveniles operated by city and county jails.

4 (6) Ten percent of the funds allocated for each institution may be  
5 carried over from one year to the next.

6 NEW SECTION. **Sec. 511. FOR PROGRAMS FOR HIGHLY CAPABLE STUDENTS**

7	General Fund--State Appropriation (FY 2012) . . . . .	\$8,741,000
8	General Fund--State Appropriation (FY 2013) . . . . .	\$8,794,000
9	TOTAL APPROPRIATION . . . . .	\$17,535,000

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

12 (1) Each general fund fiscal year appropriation includes such funds  
13 as are necessary to complete the school year ending in the fiscal year  
14 and for prior fiscal year adjustments.

15 (2)(a) For the 2011-12 and 2012-13 school years, the superintendent  
16 shall allocate funding to school district programs for highly capable  
17 students as provided in RCW 28A.150.260(10)(c). In calculating the  
18 allocations, the superintendent shall assume the following: (i)  
19 Additional instruction of 2.1590 hours per week per funded highly  
20 capable program student; (ii) fifteen highly capable program students  
21 per teacher; (iii) 36 instructional weeks per year; (iv) 900  
22 instructional hours per teacher; and (v) the district's average staff  
23 mix and compensation rates as provided in sections 503 and 504 of this  
24 act.

25 (b) From July 1, 2011, to August 31, 2011, the superintendent shall  
26 allocate funding to school districts programs for highly capable  
27 students as provided in section 511, chapter 564, Laws of 2009, as  
28 amended through section 1409 of this act.

29 (3) \$85,000 of the general fund--state appropriation for fiscal  
30 year 2012 and \$85,000 of the general fund--state appropriation for  
31 fiscal year 2013 are provided solely for the centrum program at Fort  
32 Worden state park.

33 NEW SECTION. **Sec. 512. FOR THE SUPERINTENDENT OF PUBLIC**  
34 **INSTRUCTION--FOR MISCELLANEOUS--NO CHILD LEFT BEHIND ACT**

35	General Fund--Federal Appropriation . . . . .	\$7,352,000
----	---	-------------





1 development, promoting standards for school district technology,  
2 promoting statewide coordination and planning for technology  
3 development, and providing regional educational technology support  
4 centers, including state support activities, under chapter 28A.650 RCW.

5 (4) \$3,852,000 of the general fund--state appropriation for fiscal  
6 year 2012 and \$2,624,000 of the general fund--state appropriation for  
7 fiscal year 2013 are provided solely for continued implementation of  
8 chapter 235, Laws of 2010 (education reform) including development of  
9 new performance-based evaluation systems for certificated educators.

10 (5)(a) \$40,863,000 of the general fund--state appropriation for  
11 fiscal year 2013 is provided solely for the following bonuses for  
12 teachers who hold valid, unexpired certification from the national  
13 board for professional teaching standards and who are teaching in a  
14 Washington public school, subject to the following conditions and  
15 limitations:

16 (i) For national board certified teachers, a bonus of \$5,090 per  
17 teacher in the 2011-12 and 2012-13 school years, adjusted for inflation  
18 in each school year in which Initiative 732 cost of living adjustments  
19 are provided;

20 (ii) An additional \$5,000 annual bonus shall be paid to national  
21 board certified teachers who teach in either: (A) High schools where  
22 at least 50 percent of student headcount enrollment is eligible for  
23 federal free or reduced price lunch, (B) middle schools where at least  
24 60 percent of student headcount enrollment is eligible for federal free  
25 or reduced price lunch, or (C) elementary schools where at least 70  
26 percent of student headcount enrollment is eligible for federal free or  
27 reduced price lunch;

28 (iii) The superintendent of public instruction shall adopt rules to  
29 ensure that national board certified teachers meet the qualifications  
30 for bonuses under (a)(ii) of this subsection for less than one full  
31 school year receive bonuses in a pro-rated manner. Beginning in the  
32 2011-12 school year, all bonuses in (a)(i) and (ii) of this subsection  
33 will be paid in July of each school year. Bonuses in (a)(i) and (ii)  
34 of this subsection shall be reduced by a factor of 40 percent for first  
35 year NBPTS certified teachers, to reflect the portion of the  
36 instructional school year they are certified; and

37 (iv) During the 2011-12 and 2012-13 school years, and within  
38 available funds, certificated instructional staff who have met the

1 eligibility requirements and have applied for certification from the  
2 national board for professional teaching standards may receive a  
3 conditional loan of two thousand dollars or the amount set by the  
4 office of the superintendent of public instruction to contribute toward  
5 the current assessment fee, not including the initial up-front  
6 candidacy payment. The fee shall be an advance on the first annual  
7 bonus under RCW 28A.405.415. The conditional loan is provided in  
8 addition to compensation received under a district's salary schedule  
9 and shall not be included in calculations of a district's average  
10 salary and associated salary limitation under RCW 28A.400.200.  
11 Recipients who fail to receive certification after three years are  
12 required to repay the conditional loan. The office of the  
13 superintendent of public instruction shall adopt rules to define the  
14 terms for initial grant of the assessment fee and repayment, including  
15 applicable fees. To the extent necessary, the superintendent may use  
16 revenues from the repayment of conditional loan scholarships to ensure  
17 payment of all national board bonus payments required by this section  
18 in each school year.

19 (6) \$477,000 of the general fund--state appropriation for fiscal  
20 year 2012 and \$477,000 of the general fund--state appropriation for  
21 fiscal year 2013 are provided solely for the leadership internship  
22 program for superintendents, principals, and program administrators.

23 (7) \$950,000 of the general fund--state appropriation for fiscal  
24 year 2012 and \$950,000 of the general fund--state appropriation for  
25 fiscal year 2013 are provided solely for the Washington reading corps.  
26 The superintendent shall allocate reading corps members to low-  
27 performing schools and school districts that are implementing  
28 comprehensive, proven, research-based reading programs. Two or more  
29 schools may combine their Washington reading corps programs.

30 (8) \$810,000 of the general fund--state appropriation for fiscal  
31 year 2012 and \$810,000 of the general fund--state appropriation for  
32 fiscal year 2013 are provided solely for the development of a  
33 leadership academy for school principals and administrators. The  
34 superintendent of public instruction shall contract with an independent  
35 organization to design, field test, and implement a state-of-the-art  
36 education leadership academy that will be accessible throughout the  
37 state. Initial development of the content of the academy activities  
38 shall be supported by private funds. Semiannually the independent

1 organization shall report on amounts committed by foundations and  
2 others to support the development and implementation of this program.  
3 Leadership academy partners shall include the state level organizations  
4 for school administrators and principals, the superintendent of public  
5 instruction, the professional educator standards board, and others as  
6 the independent organization shall identify.

7 (9) \$3,234,000 of the general fund--state appropriation for fiscal  
8 year 2012 and \$3,234,000 of the general fund--state appropriation for  
9 fiscal year 2013 are provided solely for grants to school districts to  
10 provide a continuum of care for children and families to help children  
11 become ready to learn. Grant proposals from school districts shall  
12 contain local plans designed collaboratively with community service  
13 providers. If a continuum of care program exists in the area in which  
14 the school district is located, the local plan shall provide for  
15 coordination with existing programs to the greatest extent possible.

16 (10) \$1,500,000 of the general fund--state appropriation for fiscal  
17 year 2012 and \$1,500,000 of the general fund--state appropriation for  
18 fiscal year 2013 are provided solely for the implementation of chapter  
19 288, Laws of 2011 (actual student success program), including  
20 allocations to the opportunity internship program, the jobs for  
21 America's graduates program, the building bridges program, services  
22 provided by a college scholarship organization. Funding shall not be  
23 used in the 2011-2013 fiscal biennium to provide awards for schools and  
24 school districts.

25 (11) \$843,000 of the general fund--state appropriation for fiscal  
26 year 2012, \$848,000 of the general fund--state appropriation for fiscal  
27 year 2013, and \$247,000 of the education legacy trust account--state  
28 appropriation are for administrative support of education reform  
29 programs.

30 (12) \$2,000,000 of the general fund--state appropriation for fiscal  
31 year 2012 and \$2,000,000 of the general fund--state appropriation for  
32 fiscal year 2013 are provided solely for a statewide information  
33 technology (IT) academy program. This public-private partnership will  
34 provide educational software, as well as IT certification and software  
35 training opportunities for students and staff in public schools.

36 (13) \$977,000 of the general fund--state appropriation for fiscal  
37 year 2012 and \$977,000 of the general fund--state appropriation for  
38 fiscal year 2013 are provided solely for secondary career and technical

1 education grants pursuant to chapter 170, Laws of 2008. If equally  
2 matched by private donations, \$300,000 of the 2012 appropriation and  
3 \$300,000 of the 2013 appropriation shall be used to support FIRST  
4 robotics programs.

5 (14) \$125,000 of the general fund--state appropriation for fiscal  
6 year 2012 and \$125,000 of the general fund--state appropriation for  
7 fiscal year 2013 are provided solely for (a) staff at the office of the  
8 superintendent of public instruction to coordinate and promote efforts  
9 to develop integrated math, science, technology, and engineering  
10 programs in schools and districts across the state; and (b) grants of  
11 \$2,500 to provide twenty middle and high school teachers each year with  
12 professional development training for implementing integrated math,  
13 science, technology, and engineering programs in their schools.

14 (15) \$135,000 of the general fund--state appropriation for fiscal  
15 year 2012 and \$135,000 of the general fund--state appropriation for  
16 fiscal year 2013 are provided solely for science, technology,  
17 engineering and mathematics lighthouse projects, consistent with  
18 chapter 238, Laws of 2010.

19 (16) \$1,000,000 of the general fund--state appropriation for fiscal  
20 year 2012 and \$1,000,000 of the general fund--state appropriation for  
21 fiscal year 2013 are provided solely for a beginning educator support  
22 program. School districts and/or regional consortia may apply for  
23 grant funding. The superintendent shall implement this program in 5 to  
24 15 school districts and/or regional consortia. The program provided by  
25 a district and/or regional consortia shall include: A paid  
26 orientation; assignment of a qualified mentor; development of a  
27 professional growth plan for each beginning teacher aligned with  
28 professional certification; release time for mentors and new teachers  
29 to work together; and teacher observation time with accomplished peers.  
30 \$250,000 may be used to provide statewide professional development  
31 opportunities for mentors and beginning educators.

32 **NEW SECTION. Sec. 514. FOR THE SUPERINTENDENT OF PUBLIC**  
33 **INSTRUCTION--FOR TRANSITIONAL BILINGUAL PROGRAMS**

34	General Fund--State Appropriation (FY 2012) . . . . .	\$83,959,000
35	General Fund--State Appropriation (FY 2013) . . . . .	\$88,580,000
36	General Fund--Federal Appropriation . . . . .	\$71,001,000
37	TOTAL APPROPRIATION . . . . .	\$243,540,000

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

3 (1) Each general fund fiscal year appropriation includes such funds  
4 as are necessary to complete the school year ending in the fiscal year  
5 and for prior fiscal year adjustments.

6 (2)(a) For the 2011-12 and 2012-13 school years, the superintendent  
7 shall allocate funding to school districts for transitional bilingual  
8 programs as provided in RCW 28A.150.260(10)(b). In calculating the  
9 allocations, the superintendent shall assume the following averages:

10 (i) Additional instruction of 4.7780 hours per week per transitional  
11 bilingual program student; (ii) fifteen transitional bilingual program  
12 students per teacher; (iii) 36 instructional weeks per year; (iv) 900  
13 instructional hours per teacher; and (v) the district's average staff  
14 mix and compensation rates as provided in sections 503 and 504 of this  
15 act.

16 (b) From July 1, 2011, to August 31, 2011, the superintendent shall  
17 allocate funding to school districts for transitional bilingual  
18 instruction programs as provided in section 514, chapter 564, Laws of  
19 2009, as amended through section 1411 of this act.

20 (c) The allocations in this section reflect the implementation of  
21 a new funding formula for the transitional bilingual instructional  
22 program, effective September 1, 2011, as specified in RCW  
23 28A.150.260(10)(b).

24 (3) The superintendent may withhold up to 3.0 percent of the school  
25 year allocations to school districts in subsection (2) of this section  
26 solely for the central provision of assessments as provided in RCW  
27 28A.180.090 (1) and (2).

28 (4) The general fund--federal appropriation in this section is for  
29 migrant education under Title I Part C and English language  
30 acquisition, and language enhancement grants under Title III of the  
31 elementary and secondary education act.

32 (5)(a) The office of the superintendent of public instruction shall  
33 implement a funding model for the transitional bilingual program,  
34 beginning in school year 2012-13, that is scaled to provide more  
35 support to students requiring most intensive intervention, (students  
36 with beginning levels of English language proficiency) and less support  
37 to students requiring less intervention. The funding model shall also

1 provide up to two years of bonus funding upon successful exit from the  
2 bilingual program to facilitate successful transition to a standard  
3 program of education.

4 (b) It is expected that per-pupil funding for level 2 proficiency  
5 will be set at the same level as would have been provided statewide  
6 prior to establishing differential per-pupil amounts; level 1 will be  
7 125 percent of level 2; level 3 through the level prior to exit will be  
8 75 percent of level 2; and two bonus years upon successful  
9 demonstration of proficiency will be 100 percent of level 2. Prior to  
10 implementing in school year 2012-13, the office of the superintendent  
11 of public instruction shall provide to the senate and house of  
12 representatives ways and means committees recommended rates based on  
13 the results of proficiency test procurement, expressed as both per-  
14 pupil rates and hours of instruction as provided in RCW  
15 28A.150.260(10)(b).

16 (c) Each bilingual student shall be tested for proficiency level  
17 and, therefore, eligibility for the transitional bilingual program each  
18 year. The bonus payments for up to two school years following  
19 successful exit from the transitional bilingual program shall be  
20 allocated to the exiting school district. If the student graduates or  
21 transfers to another district prior to the district receiving both  
22 years' bonuses, the district shall receive the bonus for only the  
23 length of time the student remains enrolled in the exiting district.

24 (d) The quality education council shall examine the revised  
25 funding model developed under this subsection and provide a report to  
26 the education and fiscal committees of the legislature by December 1,  
27 2011, that includes recommendations for:

28 (i) Changing the prototypical school funding formula for the  
29 transitional bilingual program to align with the revised model in an  
30 accurate and transparent manner;

31 (ii) Reconciling the revised model with statutory requirements for  
32 categorical funding of the transitional bilingual instructional program  
33 that is restricted to students eligible for and enrolled in that  
34 program;

35 (iii) Clarifying the elements of the transitional bilingual  
36 instructional program that fall under the definition of basic education  
37 and the impact of the revised model on them; and

1 (iv) The extent that the disparate financial impact of the revised  
2 model on different school districts should be addressed and options for  
3 addressing it.

4 (e) The office of the superintendent of public instruction shall  
5 report to the senate and house of representatives ways and means  
6 committees and education committees annually by December 31st of each  
7 year, through 2018, regarding any measurable changes in proficiency,  
8 time-in-program, and transition experience.

9 (6) \$35,000 of the general fund--state appropriation for fiscal  
10 year 2012 and \$35,000 of the general fund--state appropriation for  
11 fiscal year 2013 are provided solely to track current and former  
12 transitional bilingual program students.

13 NEW SECTION. **Sec. 515. FOR THE SUPERINTENDENT OF PUBLIC**  
14 **INSTRUCTION--FOR THE LEARNING ASSISTANCE PROGRAM**

15	General Fund--State Appropriation (FY 2012) . . . . .	\$102,104,000
16	General Fund--State Appropriation (FY 2013) . . . . .	\$102,137,000
17	General Fund--Federal Appropriation . . . . .	\$581,207,000
18	Education Legacy Trust Account--State Appropriation . . . . .	\$47,980,000
19	TOTAL APPROPRIATION . . . . .	\$833,428,000

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

22 (1) The general fund--state appropriations in this section are  
23 subject to the following conditions and limitations:

24 (a) The appropriations include such funds as are necessary to  
25 complete the school year ending in the fiscal year and for prior fiscal  
26 year adjustments.

27 (b)(i) For the 2011-12 and 2012-13 school years, the superintendent  
28 shall allocate funding to school districts for learning assistance  
29 programs as provided in RCW 28A.150.260(10)(a). In calculating the  
30 allocations, the superintendent shall assume the following averages:

31 (A) Additional instruction of 1.51560 hours per week per funded  
32 learning assistance program student; (B) fifteen learning assistance  
33 program students per teacher; (C) 36 instructional weeks per year; (D)  
34 900 instructional hours per teacher; and (E) the district's average  
35 staff mix and compensation rates as provided in sections 503 and 504 of  
36 this act.

1 (ii) From July 1, 2011, to August 31, 2011, the superintendent  
2 shall allocate funding to school districts for learning assistance  
3 programs as provided in section 515, chapter 564, Laws of 2009, as  
4 amended through section 1412 of this act.

5 (c) A school district's funded students for the learning assistance  
6 program shall be the sum of the district's full-time equivalent  
7 enrollment in grades K-12 for the prior school year multiplied by the  
8 district's percentage of October headcount enrollment in grades K-12  
9 eligible for free or reduced price lunch in the prior school year.

10 (2) Allocations made pursuant to subsection (1) of this section  
11 shall be adjusted to reflect ineligible applications identified through  
12 the annual income verification process required by the national school  
13 lunch program, as recommended in the report of the state auditor on the  
14 learning assistance program dated February, 2010.

15 (3) The general fund--federal appropriation in this section is  
16 provided for Title I Part A allocations of the no child left behind act  
17 of 2001.

18 (4) A school district may carry over from one year to the next up  
19 to 10 percent of the general fund-state or education legacy trust funds  
20 allocated under this program; however, carryover funds shall be  
21 expended for the learning assistance program.

22 (5) The office of the superintendent of public instruction shall  
23 research and recommend options for an adjustment factor for middle  
24 school and high school free and reduced price lunch eligibility  
25 reporting rates pursuant to RCW 28A.150.260(12)(a), and submit a report  
26 to the fiscal committees of the legislature by June 1, 2012. For the  
27 2011-12 and 2012-13 school years, the adjustment factor is 1.0.

28 NEW SECTION. **Sec. 516. FOR THE SUPERINTENDENT OF PUBLIC**  
29 **INSTRUCTION**

30 (1) Amounts distributed to districts by the superintendent through  
31 part V of this act are for allocations purposes only and do not entitle  
32 a particular district, district employee, or student to a specific  
33 service, beyond what has been expressly provided in statute. Part V of  
34 this act restates the requirements of various sections of Title 28A  
35 RCW. If any conflict exists, the provisions of Title 28A RCW control  
36 unless this act explicitly states that it is providing an enhancement.



1 Any amounts provided in part V of this act in excess of the amounts  
2 required by Title 28A RCW provided in statute, are not within the  
3 program of basic education.

4 (2) To the maximum extent practicable, when adopting new or revised  
5 rules or policies relating to the administration of allocations in part  
6 V of this act that result in fiscal impact, the office of the  
7 superintendent of public instruction shall attempt to seek legislative  
8 approval through the budget request process.

9 (3) Appropriations made in this act to the office of the  
10 superintendent of public instruction shall initially be allotted as  
11 required by this act. Subsequent allotment modifications shall not  
12 include transfers of moneys between sections of this act.

13 NEW SECTION. **Sec. 517.** Pursuant to House Bill No. 1131 (regarding  
14 student achievement fund allocations), per-student allocation  
15 distributions for school years 2011-12 and 2012-13 are suspended.

(End of part)



1 hours per day or week, voluntary leave without pay, and temporary  
2 furloughs that enable employees to maintain permanent employment  
3 status. Institutions are further encouraged to implement such  
4 strategies in ways that will enable employees to maintain full  
5 insurance benefits, full retirement service credit, and a living wage.

6 (6)(a) For institutions receiving appropriations in section 605 of  
7 this act the only allowable salary increases provided are those with  
8 normally occurring promotions and increases related to faculty and  
9 staff retention. In fiscal year 2012 and fiscal year 2013, the state  
10 board for community and technical colleges may use salary and benefit  
11 savings from faculty turnover to provide salary increments and  
12 associated benefits for faculty who qualify through professional  
13 development and training.

14 (b) For employees under the jurisdiction of chapter 41.56 RCW,  
15 salary increases will be in accordance with the applicable collective  
16 bargaining agreement. However, an increase shall not be provided to  
17 any classified employee whose salary is above the approved salary range  
18 maximum for the class to which the employee's position is allocated.

19 (c) For each institution of higher education receiving  
20 appropriations under sections 606 through 611 of this act:

21 (i) The only allowable salary increases are those associated with  
22 normally occurring promotions and increases related to faculty and  
23 staff retention; and

24 (ii) Institutions may provide salary increases from other sources  
25 to instructional and research faculty at the universities and The  
26 Evergreen State College, exempt professional staff, teaching and  
27 research assistants, as classified by the office of financial  
28 management, and all other nonclassified staff, but not including  
29 employees under RCW 28B.16.015. Any salary increase granted under the  
30 authority of this subsection (6)(c)(ii) shall not be included in an  
31 institution's salary base for future state funding. It is the intent  
32 of the legislature that state general fund support for an institution  
33 shall not increase during the current or any future biennium as a  
34 result of any salary increases authorized under this subsection  
35 (6)(c)(ii).

36 NEW SECTION. **Sec. 602.** (1) Within the funds appropriated in this

1 act, each institution of higher education is expected to enroll and  
2 educate at least the following numbers of full-time equivalent state-  
3 supported students per academic year:

	2011-12	2012-13	
	Annual Average	Annual Average	
4			
5			
6			
7			
8	University of Washington	37,162	37,162
9	Washington State University	22,228	22,228
10	Central Washington University	8,808	8,808
11	Eastern Washington University	8,734	8,734
12	The Evergreen State College	4,213	4,213
13	Western Washington University	11,762	11,762
14	State Board for Community &		
15	Technical Colleges		
16	Adult Students	139,237	139,237
17	Running Start Students	11,558	11,558

18 (2) In achieving or exceeding these enrollment targets, each  
19 institution shall seek to:

20 (a) Maintain and to the extent possible increase enrollment  
21 opportunities at branch campuses;

22 (b) Maintain and to the extent possible increase enrollment  
23 opportunities at university centers and other partnership programs that  
24 enable students to earn baccalaureate degrees on community college  
25 campuses; and

26 (c) Eliminate and consolidate programs of study for which there is  
27 limited student or employer demand, or that are not areas of core  
28 academic strength for the institution, particularly when such programs  
29 duplicate offerings by other in-state institutions.

30 (3) For purposes of monitoring and reporting statewide enrollment,  
31 the University of Washington and Washington State University shall  
32 notify the office of financial management of the number of full-time  
33 student equivalent enrollments budgeted for each of their campuses.

34 NEW SECTION. **Sec. 603. PUBLIC BACCALAUREATE INSTITUTIONS**

1 (1) For the purposes of chapter 28B.15 RCW, the omnibus  
2 appropriations act assumes increases of tuition levels for resident  
3 undergraduate students over the amounts charged to resident  
4 undergraduate students for the prior year, as follows:

5	University of Washington	16%
6	Washington State University	16%
7	Central Washington University	14%
8	Eastern Washington University	11%
9	The Evergreen State College	14%
10	Western Washington University	16%

11 (2) The governing boards of the state research universities, the  
12 state regional universities, and The Evergreen State College may exceed  
13 the tuition levels assumed in subsection (1) of this section. However,  
14 to the extent that tuition levels exceed the tuition levels assumed in  
15 subsection (1) of this section, the institution shall be subject to the  
16 conditions and limitations provided in chapter 28B.15 RCW as amended by  
17 Engrossed Second Substitute House Bill No. 1795 (higher education  
18 opportunity act). In order to facilitate the full implementation of  
19 Engrossed Second Substitute House Bill No. 1795 for the 2011-12  
20 academic year and thereafter, the institutions of higher education are  
21 authorized to adopt tuition levels that are less than, equal to, or  
22 greater than the tuition levels assumed in subsection (1) of this  
23 section.

24 (3) Each governing board is authorized to increase tuition charges  
25 to graduate and professional students, and to nonresident undergraduate  
26 students, by amounts judged reasonable and necessary by the governing  
27 board.

28 (4) Each governing board is authorized to increase summer quarter  
29 or semester tuition fees for resident and nonresident undergraduate,  
30 graduate, and professional students pursuant to RCW 28B.15.067.

31 (5) Each governing board is authorized to adopt or increase charges  
32 for fee-based, self-sustaining degree programs, credit courses,  
33 noncredit workshops and courses, and special contract courses by  
34 amounts judged reasonable and necessary by the governing board.

1 (6) Each governing board is authorized to adopt or increase  
2 services and activities fees for all categories of students as provided  
3 in RCW 28B.15.069.

4 (7) Each governing board is authorized to adopt or increase  
5 technology fees as provided in RCW 28B.15.069.

6 (8) Each governing board is authorized to adopt or increase special  
7 course and lab fees, and health and counseling fees, to the extent  
8 necessary to cover the reasonable and necessary exceptional cost of the  
9 course or service.

10 (9) Each governing board is authorized to adopt or increase  
11 administrative fees such as, but not limited to, those charged for  
12 application, matriculation, special testing, and transcripts by amounts  
13 judged reasonable and necessary by the governing board.

14 (10) The state universities, the regional universities, and The  
15 Evergreen State College must accept the transfer of college-level  
16 courses taken by running start students if a student seeking a transfer  
17 of the college-level courses has been admitted to the state university,  
18 the regional university, or The Evergreen State College, and if the  
19 college-level courses are recognized as transferrable by the admitting  
20 institution of higher education.

21 NEW SECTION. **Sec. 604. STATE BOARD FOR COMMUNITY AND TECHNICAL**  
22 **COLLEGES**

23 In order to operate within the state funds appropriated in this  
24 act, the state board for community and technical colleges and the  
25 trustees of the state's community and technical colleges are authorized  
26 to adopt and adjust tuition and fees for the 2011-12 and 2012-13  
27 academic years as provided in this section:

28 (1) The state board may increase the tuition fees charged to  
29 resident undergraduate students by no more than twelve percent over the  
30 amounts charged to resident undergraduates during the prior academic  
31 year. The board may increase tuition fees under this subsection  
32 differentially based on student credit hour load, provided that the  
33 overall increase in average tuition revenue per student does not exceed  
34 ten percent each year.

35 (2) The state board may increase the tuition fees charged to  
36 resident undergraduates enrolled in upper division applied

1 baccalaureate programs by no more than twelve percent over the amounts  
2 charged during the prior academic year.

3 (3) The state board may increase the tuition fees charged to  
4 nonresident students by amounts judged reasonable and necessary by the  
5 board.

6 (4) The trustees of the technical colleges are authorized to either  
7 (a) increase operating fees by no more than the percentage increases  
8 authorized for community colleges by the state board; or (b) fully  
9 adopt the tuition fee charge schedule adopted by the state board for  
10 community colleges.

11 (5) For academic years 2011-2012 and 2012-2013, the trustees of the  
12 technical colleges are authorized to increase building fees by an  
13 amount judged reasonable in order to progress toward parity with the  
14 building fees charged students attending the community colleges.

15 (6) The state board is authorized to increase the maximum allowable  
16 services and activities fee as provided in RCW 28B.15.069. The  
17 trustees of the community and technical colleges are authorized to  
18 increase services and activities fees up to the maximum level  
19 authorized by the state board.

20 (7) The trustees of the community and technical colleges are  
21 authorized to adopt or increase charges for fee-based, self-sustaining  
22 programs such as summer session, international student contracts, and  
23 special contract courses by amounts judged reasonable and necessary by  
24 the trustees.

25 (8) The trustees of the community and technical colleges are  
26 authorized to adopt or increase special course and lab fees to the  
27 extent necessary to cover the reasonable and necessary exceptional cost  
28 of the course or service.

29 (9) The trustees of the community and technical colleges are  
30 authorized to adopt or increase administrative fees such as but not  
31 limited to those charged for application, matriculation, special  
32 testing, and transcripts by amounts judged reasonable and necessary by  
33 the trustees.

34 NEW SECTION. **Sec. 605. FOR THE STATE BOARD FOR COMMUNITY AND**  
35 **TECHNICAL COLLEGES**

36	General Fund--State Appropriation (FY 2012) . . . . .	\$566,834,000
37	General Fund--State Appropriation (FY 2013) . . . . .	\$492,519,000





1 (4) \$4,500,000 of the general fund--state appropriation for fiscal  
2 year 2012 and \$4,500,000 of the general fund--state appropriation for  
3 fiscal year 2013 is provided solely for worker retraining.

4 (5) Of the amounts appropriated in this section, \$5,000,000 is  
5 provided solely for the student achievement initiative.

6 (6) When implementing the appropriations in this section, the state  
7 board and the trustees of the individual community and technical  
8 colleges shall minimize impact on academic programs, maximize  
9 reductions in administration, and shall at least maintain, and endeavor  
10 to increase, enrollment opportunities and degree and certificate  
11 production in high employer-demand fields of study at their academic  
12 year 2008-09 levels.

13 (7) Community and technical colleges are not required to send mass  
14 mailings of course catalogs to residents of their districts. Community  
15 and technical colleges shall consider lower cost alternatives, such as  
16 mailing postcards or brochures that direct individuals to online  
17 information and other ways of acquiring print catalogs.

18 (8) Bellevue college is authorized to offer applied baccalaureate  
19 degrees in information technology, health care services and management,  
20 biotechnology, and preprofessional preparation for medical fields.  
21 These degrees shall be directed at high school graduates and transfer-  
22 oriented degree and professional and technical degree holders. In  
23 fiscal year 2012, Bellevue college will develop a two-year plan for  
24 offering these new degrees. The plan will assume funding for these new  
25 degrees shall come through redistribution of its current per full-time  
26 enrollment funding. The plan shall be delivered to the legislature by  
27 June 30, 2012.

28 (9) The Seattle community college district is authorized to offer  
29 applied baccalaureate degree programs in business/international  
30 business and technology management, interactive and artistic digital  
31 media, sustainability, building science technology, and allied and  
32 global health. These degrees shall be directed at high school  
33 graduates and professional and technical degree holders. In fiscal  
34 year 2012, Seattle community colleges shall develop a two-year plan for  
35 offering these new degrees. The plan will assume that funding for  
36 these new degrees comes through redistribution of its current per full-  
37 time enrollment funding. The plan shall be delivered to the  
38 legislature by June 30, 2012.

1            NEW SECTION.    **Sec. 606. FOR THE UNIVERSITY OF WASHINGTON**

2	General Fund--State Appropriation (FY 2012) . . . . .	\$201,471,000
3	General Fund--State Appropriation (FY 2013) . . . . .	\$206,523,000
4	Education Legacy Trust Account--State Appropriation . . . . .	\$18,579,000
5	University of Washington Building Account--State	
6	Appropriation . . . . .	\$239,000
7	Biotoxin Account--State Appropriation . . . . .	\$450,000
8	Accident Account--State Appropriation . . . . .	\$6,699,000
9	Medical Aid Account--State Appropriation . . . . .	\$6,502,000
10	TOTAL APPROPRIATION . . . . .	\$440,463,000

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

13            (1) In implementing the appropriations in this section, the  
14 president and regents shall seek to minimize impacts on student  
15 services and instructional programs by maximizing reductions in  
16 administration and other noninstructional activities.

17            (2) \$150,000 of the general fund--state appropriation for fiscal  
18 year 2012 and \$150,000 of the general fund--state appropriation for  
19 fiscal year 2013 are provided solely for the development of integrated  
20 medical curriculum for the Washington/Wyoming/Alaska/Montana/Idaho  
21 (WWAMI) medical education program in Spokane and eastern Washington.  
22 Funding is contingent on appropriations being provided to Washington  
23 State University for WWAMI program expansion in Spokane and eastern  
24 Washington.

25            (3) \$52,000 of the general fund--state appropriation for fiscal  
26 year 2012 and \$52,000 of the general fund--state appropriation for  
27 fiscal year 2013 are provided solely for the center for international  
28 trade in forest products in the college of forest resources.

29            (4) \$88,000 of the general fund--state appropriation for fiscal  
30 year 2012 is provided solely for implementation of Engrossed Second  
31 Substitute Senate Bill No. 5485 (state's natural resources). If the  
32 bill is not enacted by June 30, 2011, the amount provided in this  
33 subsection shall lapse.

34            (5) \$143,000 of the general fund--state appropriation for fiscal  
35 year 2012 and \$144,000 of the general fund--state appropriation for  
36 fiscal year 2013 are provided solely for the ongoing management of the  
37 Washington park arboretum.

1            NEW SECTION.    **Sec. 607.    FOR WASHINGTON STATE UNIVERSITY**

2    General Fund--State Appropriation (FY 2012) . . . . . \$134,912,000  
3    General Fund--State Appropriation (FY 2013) . . . . . \$135,389,000  
4    Washington State University Building Account--State  
5        Appropriation . . . . . \$5,364,000  
6    Education Legacy Trust Account--State Appropriation . . . . \$33,065,000  
7        TOTAL APPROPRIATION . . . . . \$308,730,000

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

10          (1) In implementing the appropriations in this section, the  
11    president and regents shall seek to minimize impacts on student  
12    services and instructional programs by maximizing reductions in  
13    administration and other noninstructional activities.

14          (2) Within available funds, Washington State University shall serve  
15    an additional cohort of fifteen full-time equivalent students in the  
16    mechanical engineering program located at Olympic College.

17          (3) \$300,000 of the general fund--state appropriation for fiscal  
18    year 2012 and \$300,000 of the general fund--state appropriation for  
19    fiscal year 2013 are provided solely for the expansion of health  
20    sciences capacity through the Washington/Wyoming/Alaska/Montana/Idaho  
21    (WWAMI) medical education program in Spokane and eastern Washington.  
22    Funding is contingent on appropriations being provided to the  
23    University of Washington for integrated medical curriculum development  
24    for WWAMI.

25           NEW SECTION.    **Sec. 608.    FOR EASTERN WASHINGTON UNIVERSITY**

26    General Fund--State Appropriation (FY 2012) . . . . . \$26,281,000  
27    General Fund--State Appropriation (FY 2013) . . . . . \$26,589,000  
28    Education Legacy Trust Account--State Appropriation . . . . \$16,087,000  
29        TOTAL APPROPRIATION . . . . . \$68,957,000

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

32          (1) In implementing the appropriations in this section, the  
33    president and governing board shall seek to minimize impacts on student  
34    services and instructional programs by maximizing reductions in  
35    administration and other noninstructional activities.

36          (2) At least \$200,000 of the general fund--state appropriation for

1 fiscal year 2012 and at least \$200,000 of the general fund--state  
2 appropriation for fiscal year 2013 shall be expended on the northwest  
3 autism center.

4 NEW SECTION. **Sec. 609. FOR CENTRAL WASHINGTON UNIVERSITY**

5	General Fund--State Appropriation (FY 2012) . . . . .	\$22,492,000
6	General Fund--State Appropriation (FY 2013) . . . . .	\$22,573,000
7	Education Legacy Trust Account--State Appropriation . . . . .	\$19,076,000
8	TOTAL APPROPRIATION . . . . .	\$64,141,000

9 The appropriations in this section are subject to the following  
10 conditions and limitations: In implementing the appropriations in this  
11 section, the president and governing board shall seek to minimize  
12 impacts on student services and instructional programs by maximizing  
13 reductions in administration and other noninstructional activities.

14 NEW SECTION. **Sec. 610. FOR THE EVERGREEN STATE COLLEGE**

15	General Fund--State Appropriation (FY 2012) . . . . .	\$15,698,000
16	General Fund--State Appropriation (FY 2013) . . . . .	\$15,366,000
17	Education Legacy Trust Account--State Appropriation . . . . .	\$5,450,000
18	TOTAL APPROPRIATION . . . . .	\$36,514,000

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

21 (1) In implementing the appropriations in this section, the  
22 president and governing board shall seek to minimize impacts on student  
23 services and instructional programs by maximizing reductions in  
24 administration and other noninstructional activities.

25 (2) \$50,000 of the general fund--state appropriation for fiscal  
26 year 2012 and \$25,000 of the general fund--state appropriation for  
27 fiscal year 2013 are provided solely for the Washington state institute  
28 for public policy to conduct a detailed study of the commitment of  
29 sexually violent predators to the special commitment center pursuant to  
30 chapter 71.09 RCW and the subsequent release of those persons to  
31 less-restrictive alternatives.

32 (a) Specifically, the institute's study shall examine:

33 (i) The projected future demand for the special commitment center,  
34 including profiles and characteristics of persons referred and  
35 committed to the special commitment center since its inception, whether

1 the profiles of those persons have changed over time, and, given  
2 current trends, the likelihood of the continuing rate of referral;

3 (ii) Residents' participation in treatment over time and the impact  
4 of treatment on eventual release to a less-restrictive alternative;

5 (iii) The annual review process and the process for a committed  
6 person to petition for conditional or unconditional release,  
7 specifically:

8 (A) The time frames for conducting mandatory reviews;

9 (B) The role of the special commitment center clinical team;

10 (C) Options and standards utilized by other jurisdictions or  
11 similar processes to conduct periodic reviews, including specialized  
12 courts, parole boards, independent review boards, and other commitment  
13 proceedings;

14 (iv) The capacity and future demand for appropriate less  
15 restrictive alternatives for moving residents out of the special  
16 commitment center, including:

17 (A) The capacity and demand for secure community transition  
18 facilities;

19 (B) Options for specialized populations such as the elderly or  
20 those with developmental disabilities and whether more cost-efficient  
21 options might be used to house those populations while keeping the  
22 public safe;

23 (C) Prospects for moving residents to noninstitutionalized settings  
24 beyond a secure community transition facility.

25 (b) The department of social and health services shall cooperate  
26 with the institute in conducting its examination and must provide the  
27 institute with requested data and records in a timely manner.

28 (c) The institute shall provide a status report to the governor and  
29 the legislature no later than November 1, 2011, with a final report due  
30 no later than November 1, 2012.

31 (3) \$91,000 of the general fund--state appropriation for fiscal  
32 year 2012 and \$54,000 of the general fund--state appropriation for  
33 fiscal year 2013 are provided solely for the Washington state institute  
34 for public policy to design and implement a research study to measure  
35 the impact on student achievement of remediation strategies funded by  
36 the learning assistance program pursuant to Engrossed Second Substitute  
37 House Bill No. 1443 (education reforms). If the bill is not enacted by  
38 June 30, 2011, the amounts provided in this subsection shall lapse.

1 (4) \$50,000 of the general fund--state appropriation for fiscal  
2 year 2012 and \$50,000 of the general fund--state appropriation for  
3 fiscal year 2013 are provided solely for the institute for public  
4 policy to provide research support to the council on quality education.

5 (5) To the extent federal or private funding is available for this  
6 purpose, the Washington state institute for public policy and the  
7 center for reinventing public education at the University of Washington  
8 shall examine the relationship between participation in pension systems  
9 and teacher quality and mobility patterns in the state. The department  
10 of retirement systems shall facilitate researchers' access to necessary  
11 individual-level data necessary to effectively conduct the study. The  
12 researchers shall ensure that no individually identifiable information  
13 will be disclosed at any time. An interim report on project findings  
14 shall be completed by November 15, 2010, and a final report shall be  
15 submitted to the governor and to the relevant committees of the  
16 legislature by October 15, 2011.

17 (6) Funding provided in this section is sufficient for The  
18 Evergreen State College to continue operations of the Longhouse Center  
19 and the Northwest Indian applied research institute.

20 (7) If, and to the extent that private funding is available for  
21 this purpose, the Washington state institute for public policy shall  
22 study and report on the child welfare and educational characteristics  
23 and outcomes for foster youth who are served by educational advocates.  
24 The department of social and health services and the office of the  
25 superintendent of public instruction shall facilitate researchers'  
26 access to data necessary to effectively complete the study. The  
27 institute shall submit an interim report with baseline characteristics  
28 of youth served by educational advocates by December 2011 and a final  
29 report by October 31, 2012, to the governor and to the appropriate  
30 committees of the legislature.

31 (8) \$75,000 of the general fund--state appropriation for fiscal  
32 year 2012 is provided to the Washington state institute for public  
33 policy (WSIPP) to conduct a review of state investments in the family  
34 caregiver and support program. Funding for this program is provided by  
35 assumed savings from diverting seniors from entering into long-term  
36 care medicaid placements by supporting informal caregivers. WSIPP  
37 shall work with the department of social and health services to  
38 establish and review outcome data for this investment. A preliminary

1 report on the outcomes of the investment into this program is due to  
2 the appropriate legislative committees by December 15, 2011, and a  
3 final report is due to the appropriate legislative committees by August  
4 30, 2012.

5 (9) \$25,000 of the general fund--state appropriation is provided  
6 solely for the Washington state institute for public policy to  
7 investigate the fiscal and other costs and benefits to state and local  
8 governments, and to the people of Washington, arising from the  
9 implementation of current state controlled substance policies in  
10 Washington, excluding alcohol, tobacco, and pharmaceuticals. A report  
11 is due to the legislature by December 1, 2012. The institute may  
12 receive funds from outside sources for the purpose of conducting this  
13 study. If these funds are not obtained, then the study shall not be  
14 undertaken.

15 NEW SECTION. **Sec. 611. FOR WESTERN WASHINGTON UNIVERSITY**

16	General Fund--State Appropriation (FY 2012) . . . . .	\$33,709,000
17	General Fund--State Appropriation (FY 2013) . . . . .	\$33,654,000
18	Education Legacy Trust Account--State Appropriation . . . . .	\$13,266,000
19	TOTAL APPROPRIATION . . . . .	\$80,629,000

20 The appropriations in this section are subject to the following  
21 conditions and limitations: In implementing the appropriations in this  
22 section, the president and governing board shall seek to minimize  
23 impacts on student services and instructional programs by maximizing  
24 reductions in administration and other noninstructional activities.

25 NEW SECTION. **Sec. 612. FOR THE HIGHER EDUCATION COORDINATING**  
26 **BOARD--POLICY COORDINATION AND ADMINISTRATION**

27	General Fund--State Appropriation (FY 2012) . . . . .	\$1,041,000
28	General Fund--Federal Appropriation . . . . .	\$1,976,000
29	TOTAL APPROPRIATION . . . . .	\$3,017,000

30 The appropriations in this section are subject to the following  
31 conditions and limitations: The higher education coordinating board is  
32 authorized to increase or establish fees for initial degree  
33 authorization, degree authorization renewal, degree authorization  
34 reapplication, new program applications, and new site applications  
35 pursuant to RCW 28B.85.060.

1            NEW SECTION.    **Sec. 613.    FOR THE HIGHER EDUCATION COORDINATING**  
2 **BOARD--FINANCIAL AID AND GRANT PROGRAMS**

3	General Fund--State Appropriation (FY 2012) . . . . .	\$215,439,000
4	General Fund--Federal Appropriation . . . . .	\$6,570,000
5	Opportunity Pathways Account--State Appropriation . . . . .	\$73,500,000
6	TOTAL APPROPRIATION . . . . .	\$295,509,000

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

9            (1) \$196,214,000 of the general fund--state appropriation for  
10 fiscal year 2012, \$73,500,000 of the opportunity pathways account--  
11 state appropriation, and \$740,000 of the general fund--federal  
12 appropriation are provided solely for student financial aid payments  
13 under the state need grant and the state work study program including  
14 up to a four percent administrative allowance for the state work study  
15 program.

16            (2)(a) Within the funds appropriated in this section, eligibility  
17 for the state need grant shall include students with family incomes at  
18 or below 70 percent of the state median family income (MFI), adjusted  
19 for family size, and shall include students enrolled in three to five  
20 credit-bearing quarter credits, or the equivalent semester credits.  
21 The higher education coordinating board shall report to the legislature  
22 by December 1, 2013, regarding the number of students enrolled in three  
23 to five credit-bearing quarter credits, or the equivalent semester  
24 credits, and their academic progress including degree completion.  
25 Awards for all students shall be adjusted by the estimated amount by  
26 which Pell grant increases exceed projected increases in the  
27 noninstructional costs of attendance. Awards for students with incomes  
28 between 51 and 70 percent of the state median shall be prorated at the  
29 following percentages of the award amount granted to those with incomes  
30 below 51 percent of the MFI: 70 percent for students with family  
31 incomes between 51 and 55 percent MFI; 65 percent for students with  
32 family incomes between 56 and 60 percent MFI; 60 percent for students  
33 with family incomes between 61 and 65 percent MFI; and 50 percent for  
34 students with family incomes between 66 and 70 percent MFI.

35            (b) Grant awards for students at private four-year colleges shall  
36 be set at the same level as the student would receive if attending one  
37 of the public regional universities.



1 (3) For fiscal year 2012, the board shall defer loan or conditional  
2 scholarship repayments to the future teachers conditional scholarship  
3 and loan repayment program for up to one year for each participant if  
4 the participant has shown evidence of efforts to find a teaching job  
5 but has been unable to secure a teaching job per the requirements of  
6 the program.

7 (4) \$1,500,000 of the education legacy trust account--state  
8 appropriation is provided solely for the gaining early awareness and  
9 readiness for undergraduate programs project.

10 (5) \$500,000 of the general fund--state appropriation for fiscal  
11 year 2012 is provided solely for the leadership 1000 program.

12 (6) \$2,436,000 of the general fund--state appropriation for fiscal  
13 year 2012 is provided solely for the passport to college program. The  
14 maximum scholarship award shall be \$5,000. The board shall contract  
15 with a nonprofit organization to provide support services to increase  
16 student completion in their postsecondary program and shall, under this  
17 contract provide a minimum of \$500,000 in fiscal year 2012.

18 (7) \$250,000 of the general fund--state appropriation for fiscal  
19 year 2012 is provided solely for implementation of the aerospace  
20 training scholarship and student loan program as specified in Engrossed  
21 Substitute House Bill No. 1846 (aerospace student loans). If this bill  
22 is not enacted by June 30, 2011, the amount provided in this subsection  
23 shall lapse.

24 NEW SECTION. **Sec. 614. FOR THE COUNCIL FOR HIGHER EDUCATION**

25	General Fund--State Appropriation (FY 2013) . . . . .	\$997,000
26	General Fund--Federal Appropriation . . . . .	\$2,377,000
27	TOTAL APPROPRIATION . . . . .	\$3,374,000

28 The appropriations in this section are subject to the following  
29 conditions and limitations: The council for higher education is  
30 authorized to increase or establish fees for initial degree  
31 authorization, degree authorization renewal, degree authorization  
32 reapplication, new program applications, and new site applications  
33 pursuant to RCW 28B.85.060.

34 NEW SECTION. **Sec. 615. FOR THE OFFICE OF STUDENT FINANCIAL**  
35 **ASSISTANCE**

36	General Fund--State Appropriation (FY 2013) . . . . .	\$250,432,000
----	---	---------------

1 General Fund--Federal Appropriation . . . . . \$6,557,000  
2 Washington Opportunity Pathways Account--State  
3 Appropriation . . . . . \$73,500,000  
4 TOTAL APPROPRIATION . . . . . \$330,489,000

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

7 (1) \$230,889,000 of the general fund--state appropriation for  
8 fiscal year 2013, \$73,500,000 of the opportunity pathways account--  
9 state appropriation, and \$740,000 of the general fund--federal  
10 appropriation are provided solely for student financial aid payments  
11 under the state need grant and the state work study program including  
12 up to a four percent administrative allowance for the state work study  
13 program.

14 (2) Within the funds appropriated in this section, eligibility for  
15 the state need grant shall include students with family incomes at or  
16 below 70 percent of the state median family income (MFI), adjusted for  
17 family size, and shall include students enrolled in three to five  
18 credit-bearing quarter credits, or the equivalent semester credits.  
19 The office of student financial assistance shall report to the  
20 legislature by December 1, 2013, regarding the number of students  
21 enrolled in three to five credit-bearing quarter credits, or the  
22 equivalent semester credits, and their academic progress including  
23 degree completion. Awards for all students shall be adjusted by the  
24 estimated amount by which Pell grant increases exceed projected  
25 increases in the noninstructional costs of attendance. Awards for  
26 students with incomes between 51 and 70 percent of the state median  
27 shall be prorated at the following percentages of the award amount  
28 granted to those with incomes below 51 percent of the MFI: 70 percent  
29 for students with family incomes between 51 and 55 percent MFI; 65  
30 percent for students with family incomes between 56 and 60 percent MFI;  
31 60 percent for students with family incomes between 61 and 65 percent  
32 MFI; and 50 percent for students with family incomes between 66 and 70  
33 percent MFI.

34 (3) \$250,000 of the general fund--state appropriation for fiscal  
35 year 2013 is provided solely for implementation of the aerospace  
36 training scholarship and student loan program as specified in Engrossed  
37 Substitute House Bill No. 1846 (aerospace student loans). If this bill

1 is not enacted by June 30, 2011, the amount provided in this subsection  
2 shall lapse.

3 (4) For fiscal year 2013, the board shall defer loan or conditional  
4 scholarship repayments to the future teachers conditional scholarship  
5 and loan repayment program for up to one year for each participant if  
6 the participant has shown evidence of efforts to find a teaching job  
7 but has been unable to secure a teaching job per the requirements of  
8 the program.

9 (5) \$1,000,000 of the education legacy trust account--state  
10 appropriation is provided solely for the gaining early awareness and  
11 readiness for undergraduate programs project.

12 (6) \$500,000 of the general fund--state appropriation for fiscal  
13 year 2013 is provided solely for the leadership 1000 program.

14 (7) \$2,436,000 of the general fund--state appropriation for fiscal  
15 year 2013 is provided solely for the passport to college program. The  
16 maximum scholarship award shall be \$5,000. The board shall contract  
17 with a nonprofit organization to provide support services to increase  
18 student completion in their postsecondary program and shall, under this  
19 contract provide a minimum of \$500,000 in fiscal year 2013 for this  
20 purpose.

21 NEW SECTION. **Sec. 616. FOR THE WORK FORCE TRAINING AND EDUCATION**  
22 **COORDINATING BOARD**

23	General Fund--State Appropriation (FY 2012) . . . . .	\$1,382,000
24	General Fund--State Appropriation (FY 2013) . . . . .	\$1,388,000
25	General Fund--Federal Appropriation . . . . .	\$62,758,000
26	TOTAL APPROPRIATION . . . . .	\$65,528,000

27 The appropriations in this section are subject to the following  
28 conditions and limitations: For the 2011-2013 fiscal biennium the  
29 board shall not designate recipients of the Washington award for  
30 vocational excellence or recognize them at award ceremonies as provided  
31 in RCW 28C.04.535.

32 NEW SECTION. **Sec. 617. FOR THE DEPARTMENT OF EARLY LEARNING**

33	General Fund--State Appropriation (FY 2012) . . . . .	\$27,570,000
34	General Fund--State Appropriation (FY 2013) . . . . .	\$27,557,000
35	General Fund--Federal Appropriation . . . . .	\$253,530,000
36	Opportunity Pathways Account--State Appropriation . . . . .	\$80,000,000

1 TOTAL APPROPRIATION . . . . . \$388,657,000

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

4 (1) \$16,028,000 of the general fund--state appropriation for fiscal  
5 year 2012, \$16,028,000 of the general fund--state appropriation of  
6 fiscal year 2013, \$80,000,000 of the opportunity pathways account  
7 appropriation, and \$2,256,000 of the general fund--federal  
8 appropriation are provided solely for the early childhood education  
9 assistance program services. Of these amounts, \$10,284,000 is a  
10 portion of the biennial amount of state maintenance of effort dollars  
11 required to receive federal child care and development fund grant  
12 dollars.

13 (2) In accordance to RCW 43.215.255(2) and 43.135.055, the  
14 department is authorized to increase child care center and child care  
15 family home licensure fees in fiscal years 2012 and 2013 for costs to  
16 the department for the licensure activity, including costs of necessary  
17 inspection. These increases are necessary to support expenditures  
18 authorized in this section.

19 (3) \$638,000 of the general fund--state appropriation for fiscal  
20 year 2012 and \$638,000 of the general fund--state appropriation for  
21 fiscal year 2013 are provided solely for child care resource and  
22 referral network services.

23 (4) \$200,000 of the general fund--state appropriation for fiscal  
24 year 2012 and \$200,000 of the general fund--state appropriation for  
25 fiscal year 2013 are provided solely to develop and provide culturally  
26 relevant supports for parents, family, and other caregivers.

27 (5) The department is the lead agency for and recipient of the  
28 federal child care and development fund grant. Amounts within this  
29 grant shall be used to fund child care licensing, quality initiatives,  
30 agency administration, and other costs associated with child care  
31 subsidies. The department shall transfer a portion of this grant to  
32 the department of social and health services to fund the child care  
33 subsidies paid by the department of social and health services on  
34 behalf of the department of early learning.

35 (6) The appropriations in this section reflect reductions in the  
36 appropriations for the department's administrative expenses. It is the  
37 intent of the legislature that these reductions shall be achieved, to

1 the greatest extent possible, by reducing those administrative costs  
2 that do not affect direct client services or direct service delivery or  
3 program.

4 (7) The department may not adopt, enforce, or implement any rules  
5 or policies restricting the eligibility of consumers for the child care  
6 subsidy benefits to a countable income below one hundred seventy-five  
7 percent of the federal poverty guidelines.

8 (8) \$934,000 of the general fund--state appropriation for fiscal  
9 year 2012, \$934,000 of the general fund--state appropriation for fiscal  
10 year 2013, and \$2,400,000 of the general fund--federal appropriation  
11 are provided solely for expenditure into the home visiting services  
12 account. This funding is intended to meet federal maintenance of  
13 effort requirements and to secure private matching funds.

14 (9) In addition to groups that were given prioritized access to the  
15 working connections child care program effective March 1, 2011, the  
16 department shall also give prioritized access into the program to  
17 families in which a parent of a child in care is a minor who is not  
18 living with a parent or guardian and who is a full-time student in a  
19 high school that has a school-sponsored on-site child care center.

20 (10) Within available amounts, the department in consultation with  
21 the office of financial management and the department of social and  
22 health services shall report quarterly enrollments and active caseload  
23 for the working connections child care program to the legislative  
24 fiscal committees. The report shall also identify the number of cases  
25 participating in both temporary assistance for needy families and  
26 working connections child care.

27 (11) The department is encouraged to work with the legislative-  
28 executive task force established in Engrossed Substitute Senate Bill  
29 No. 5921 (social services programs) to implement a working child care  
30 copayment structure that gradually increases copayments based on  
31 income, household size, and other factors. The copayment structure  
32 should not lead to an excessive administrative burden for providers,  
33 parents or the state, and is revenue neutral to the state.

34 (12) \$2,522,000 of the general fund--state appropriation for fiscal  
35 year 2012, \$2,522,000 of the general fund--state appropriation for  
36 fiscal year 2013, and \$4,304,000 of the general fund--federal  
37 appropriation are provided solely for the medicaid treatment child care  
38 (MTCC) program. The department shall contract for MTCC services to

1 provide therapeutic child care and other specialized treatment services  
 2 to abused, neglected, at-risk, and/or drug-affected children. Priority  
 3 for services shall be given to children referred from the department of  
 4 social and health services children's administration. In addition to  
 5 referrals made by children's administration, the department shall  
 6 authorize services for children referred to the MTCC program, as long  
 7 as the children meet the eligibility requirements as outlined in the  
 8 Washington state plan for the MTCC program. Of the amounts  
 9 appropriated in this subsection, \$60,000 per fiscal year may be used by  
 10 the department for administering the MTCC program, if needed.

11 **NEW SECTION. Sec. 618. FOR THE STATE SCHOOL FOR THE BLIND**

12	General Fund--State Appropriation (FY 2012) . . . . .	\$5,780,000
13	General Fund--State Appropriation (FY 2013) . . . . .	\$5,746,000
14	General Fund--Private/Local Appropriation . . . . .	\$1,961,000
15	TOTAL APPROPRIATION . . . . .	\$13,487,000

16 The appropriations in this section are subject to the following  
 17 conditions and limitations: \$271,000 of the general fund--  
 18 private/local appropriation is provided solely for the school for the  
 19 blind to offer short course programs, allowing students the opportunity  
 20 to leave their home schools for short periods and receive intensive  
 21 training. The school for the blind shall provide this service to the  
 22 extent that it is funded by contracts with school districts and  
 23 educational services districts.

24 **NEW SECTION. Sec. 619. FOR THE WASHINGTON STATE CENTER FOR**  
 25 **CHILDHOOD DEAFNESS AND HEARING LOSS**

26	General Fund--State Appropriation (FY 2012) . . . . .	\$8,451,000
27	General Fund--State Appropriation (FY 2013) . . . . .	\$8,449,000
28	General Fund--Private/Local Appropriation . . . . .	\$526,000
29	TOTAL APPROPRIATION . . . . .	\$17,426,000

30 **NEW SECTION. Sec. 620. FOR THE WASHINGTON STATE ARTS COMMISSION**

31	General Fund--Federal Appropriation . . . . .	\$1,961,000
32	General Fund--Private/Local Appropriation . . . . .	\$1,056,000
33	Washington State Heritage Center Account--State	
34	Appropriation . . . . .	\$2,213,000
35	TOTAL APPROPRIATION . . . . .	\$5,230,000

1        NEW SECTION.     **Sec. 621.**     **FOR THE WASHINGTON STATE HISTORICAL**  
2 **SOCIETY**  
3 Washington State Heritage Center Account--State  
4        Appropriation . . . . . \$4,249,000

5        NEW SECTION.     **Sec. 622.**     **FOR THE EASTERN WASHINGTON STATE**  
6 **HISTORICAL SOCIETY**  
7 Washington State Heritage Center Account--State  
8        Appropriation . . . . . \$2,965,000

(End of part)

PART VII

SPECIAL APPROPRIATIONS

NEW SECTION. Sec. 701. FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT SUBJECT TO THE DEBT LIMIT

General Fund--State Appropriation (FY 2012)	\$924,047,000
General Fund--State Appropriation (FY 2013)	\$981,486,000
State Building Construction Account--State Appropriation	\$1,589,000
Columbia River Basin Water Supply Development Account--State Appropriation	\$73,000
Hood Canal Aquatic Rehabilitation Bond Account--State Appropriation	\$6,000
State Taxable Building Construction Account--State Appropriation	\$345,000
Gardner-Evans Higher Education Construction Account--State Appropriation	\$1,000
Debt-Limit Reimbursable Bond Retire Account--State Appropriation	\$2,300,000
TOTAL APPROPRIATION	\$1,909,847,000

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 2012 shall be expended into the debt-limit general fund bond retirement account by June 30, 2012.

NEW SECTION. Sec. 702. FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR GENERAL OBLIGATION DEBT TO BE REIMBURSED BY ENTERPRISE ACTIVITIES

Accident Account--State Appropriation	\$4,110,000
Medical Aid Account--State Appropriation	\$4,110,000
TOTAL APPROPRIATION	\$8,220,000





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 to be used for any  
4 Washington state fire service resource mobilization costs incurred by  
5 the Washington state patrol in response to an emergency or disaster  
6 authorized under RCW 43.43.960 and 43.43.964.

7 NEW SECTION. **Sec. 706. FOR THE OFFICE OF FINANCIAL MANAGEMENT--**  
8 **DISASTER RESPONSE ACCOUNT**

9	General Fund--State Appropriation (FY 2012) . . . . .	\$14,575,000
10	General Fund--State Appropriation (FY 2013) . . . . .	\$75,000
11	TOTAL APPROPRIATION . . . . .	\$14,650,000

12 The appropriations in this section are subject to the following  
13 conditions and limitations: The appropriations are provided solely for  
14 expenditure into the disaster response account. \$5,000,000 of the  
15 appropriation is provided for emergency fire suppression by the  
16 department of natural resources.

17 NEW SECTION. **Sec. 707. FOR THE OFFICE OF FINANCIAL MANAGEMENT--**  
18 **EMERGENCY FUND**

19	General Fund--State Appropriation (FY 2012) . . . . .	\$850,000
20	General Fund--State Appropriation (FY 2013) . . . . .	\$850,000
21	TOTAL APPROPRIATION . . . . .	\$1,700,000

22 The appropriations in this section are subject to the following  
23 conditions and limitations: The appropriations in this section are for  
24 the governor's emergency fund for the critically necessary work of any  
25 agency.

26 NEW SECTION. **Sec. 708. FOR THE OFFICE OF FINANCIAL MANAGEMENT--**  
27 **EDUCATION TECHNOLOGY REVOLVING ACCOUNT**

28	General Fund--State Appropriation (FY 2012) . . . . .	\$8,000,000
29	General Fund--State Appropriation (FY 2013) . . . . .	\$8,000,000
30	TOTAL APPROPRIATION . . . . .	\$16,000,000

31 The appropriations in this section are subject to the following  
32 conditions and limitations: The appropriations in this section are  
33 provided solely for expenditure into the education technology revolving

1 account for the purpose of covering ongoing operational and equipment  
2 replacement costs incurred by the K-20 educational network program in  
3 providing telecommunication services to network participants.

4 NEW SECTION. **Sec. 709. INCENTIVE SAVINGS--FY 2012**

5 The sum of one hundred twenty-five million dollars or so much  
6 thereof as may be available on June 30, 2012, from the total amount of  
7 unspent fiscal year 2012 state general fund appropriations, exclusive  
8 of amounts expressly placed into unallotted status by this act, is  
9 appropriated for the purposes of RCW 43.79.460 in the manner provided  
10 in this section.

11 (1) Of the total appropriated amount, one-half of that portion that  
12 is attributable to incentive savings, not to exceed twenty-five million  
13 dollars, is appropriated to the savings incentive account for the  
14 purpose of improving the quality, efficiency, and effectiveness of  
15 agency services, and credited to the agency that generated the savings.

16 (2) The remainder of the total amount, not to exceed one hundred  
17 million dollars, is appropriated to the education savings account.

18 NEW SECTION. **Sec. 710. INCENTIVE SAVINGS--FY 2013**

19 The sum of one hundred twenty-five million dollars or so much  
20 thereof as may be available on June 30, 2013, from the total amount of  
21 unspent fiscal year 2013 state general fund appropriations, exclusive  
22 of amounts expressly placed into unallotted status by this act, is  
23 appropriated for the purposes of RCW 43.79.460 in the manner provided  
24 in this section.

25 (1) Of the total appropriated amount, one-half of that portion that  
26 is attributable to incentive savings, not to exceed twenty-five million  
27 dollars, is appropriated to the savings incentive account for the  
28 purpose of improving the quality, efficiency, and effectiveness of  
29 agency services, and credited to the agency that generated the savings.

30 (2) The remainder of the total amount, not to exceed one hundred  
31 million dollars, is appropriated to the education savings account.

32 NEW SECTION. **Sec. 711. FOR THE OFFICE OF FINANCIAL MANAGEMENT--**  
33 **O'BRIEN BUILDING IMPROVEMENT**

34	General Fund--State Appropriation (FY 2012) . . . . .	\$2,846,000
35	General Fund--State Appropriation (FY 2013) . . . . .	\$2,950,000

1 TOTAL APPROPRIATION . . . . . \$5,796,000

2 The appropriations in this section are subject to the following  
3 conditions and limitations: The appropriations are provided solely for  
4 expenditure into the general administration services account for  
5 payment of principal, interest, and financing expenses associated with  
6 the certificate of participation for the O'Brien building improvement,  
7 project number 20081007.

8 NEW SECTION. **Sec. 712. FOR THE DEPARTMENT OF HEALTH--COUNTY**  
9 **PUBLIC HEALTH ASSISTANCE**

10 General Fund--State Appropriation (FY 2012) . . . . . \$24,000,000  
11 General Fund--State Appropriation (FY 2013) . . . . . \$24,000,000  
12 TOTAL APPROPRIATION . . . . . \$48,000,000

13 The appropriations in this section are subject to the following  
14 conditions and limitations: The director of the department of health  
15 shall distribute the appropriations to the following counties and  
16 health districts in the amounts designated to support public health  
17 services, including public health nursing:

19 Health District	FY 2012	FY 2013	FY 2011-13 20 Biennium
21 Adams County Health District	\$30,951	\$30,951	\$61,902
22 Asotin County Health District	\$67,714	\$67,714	\$135,428
23 Benton-Franklin Health District	\$1,165,612	\$1,165,612	\$2,331,224
24 Chelan-Douglas Health District	\$184,761	\$184,761	\$369,522
25 Clallam County Health and Human Services 26 Department	\$141,752	\$141,752	\$283,504
27 Clark County Health District	\$1,057,792	\$1,057,792	\$2,115,594
28 Skamania County Health Department	\$26,681	\$26,681	\$53,362
29 Columbia County Health District	\$40,529	\$40,529	\$81,058
30 Cowlitz County Health Department	\$278,560	\$278,560	\$557,120
31 Garfield County Health District	\$15,028	\$15,028	\$30,056
32 Grant County Health District	\$118,595	\$118,596	\$237,191
33 Grays Harbor Health Department	\$183,870	\$183,870	\$367,740
34 Island County Health Department	\$91,892	\$91,892	\$183,784



1 (2) There is appropriated for contributions to the judicial  
2 retirement system:  
3 General Fund--State Appropriation (FY 2012) . . . . . \$9,100,000  
4 General Fund--State Appropriation (FY 2013) . . . . . \$13,100,000  
5 TOTAL APPROPRIATION . . . . . \$22,200,000

6 NEW SECTION. **Sec. 714. BELATED CLAIMS**

7 The agencies and institutions of the state may expend moneys  
8 appropriated in this act, upon approval of the office of financial  
9 management, for the payment of supplies and services furnished to the  
10 agency or institution in prior fiscal biennia.

11 NEW SECTION. **Sec. 715. FOR THE OFFICE OF FINANCIAL MANAGEMENT--**  
12 **EXTRAORDINARY CRIMINAL JUSTICE COSTS**

13 General Fund--State Appropriation (FY 2012) . . . . . \$591,000

14 The appropriation in this section is subject to the following  
15 conditions and limitations: The director of financial management shall  
16 distribute \$338,000 to Franklin county, \$128,000 to Jefferson county,  
17 and \$125,000 to Okanogan county for extraordinary criminal justice  
18 costs.

19 NEW SECTION. **Sec. 716. FOR THE OFFICE OF FINANCIAL MANAGEMENT--**  
20 **AGENCY REALLOCATION AND REALIGNMENT COMMISSION**

21 General Fund--State Appropriation (FY 2012) . . . . . \$100,000

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

24 (1) The agency reallocation and realignment of Washington (ARROW)  
25 commission on restructuring state government is established, with  
26 members as provided in this section.

27 (a) The governor, the president of the senate, and the speaker of  
28 the house of representatives shall each appoint two members to the  
29 commission, each of whom shall have broad statewide policy and fiscal  
30 experience. Each appointing authority shall appoint a member to  
31 replace any member who resigns.

32 (b) The commission shall choose its chair from among its membership  
33 or may select a representative of the administering higher education  
34 institution as chair. The president of the senate and the speaker of

1 the house, or their mutually selected designee, shall convene the  
2 initial meeting of the commission and shall preside until a chair is  
3 chosen.

4 (2) The commission shall:

5 (a) Review budget, revenue, and caseload forecasts and estimates  
6 over the ensuing six-year period;

7 (b) Examine current operations and organization of state  
8 government, assuming no expansion of current funding sources; and

9 (c) Evaluate operational and organizational restructuring  
10 possibilities to find cost savings and efficiencies in order to  
11 maintain or enhance governmental functions with fewer resources.

12 (3) The commission may make proposals to:

13 (a) Adopt methods and procedures for reducing expenditures to the  
14 lowest amount consistent with the efficient performance of essential  
15 services, activities, and functions;

16 (b) Eliminate duplication and overlapping of services, activities,  
17 and functions, and time-consuming or wasteful practices;

18 (c) Consolidate services, activities, and functions of a similar  
19 nature;

20 (d) Abolish services, activities, and functions to improve the  
21 efficient operation of government;

22 (e) Eliminate state departments and agencies, create new state  
23 departments and agencies, reorganize existing state departments and  
24 agencies, and transfer functions and responsibilities among state  
25 departments and agencies;

26 (f) Define or redefine the duties and responsibilities of state  
27 officers; and

28 (g) Revise present provisions for continuing appropriations of  
29 state funds of whatever kind for whatever purpose, eliminate any such  
30 existing provisions, or adopt new provisions.

31 (4) Staffing and administrative support to the commission shall be  
32 provided by a university or college that volunteers to do so.

33 (5) Commissioners are entitled to be reimbursed for travel expenses  
34 in accordance with RCW 43.03.050 and 43.03.060 from funds appropriated  
35 to the commission.

36 (6) The expenses of the commission shall be paid out of funds  
37 appropriated to the commission, funds made available by the university

1 or college administering the commission, and gifts, grants, and  
2 donations.

3 (7) The commission shall report its findings and recommendations,  
4 including proposed legislation, to the appropriate committees of the  
5 legislature. Recommendations may be in bill form as proposed  
6 legislation, as appropriations or revenue proposals, revisions to  
7 administrative rules, or other appropriate formats.

8 (8) The office of the code reviser shall assist the commission with  
9 bill drafting as needed.

10 (9) This section expires June 30, 2012.

11 NEW SECTION. **Sec. 717. FOR THE OFFICE OF FINANCIAL MANAGEMENT--**  
12 **STATE EFFICIENCY AND RESTRUCTURING REPAYMENT**

13	General Fund--State Appropriation (FY 2012) . . . . .	\$5,487,000
14	General Fund--State Appropriation (FY 2013) . . . . .	\$5,487,000
15	TOTAL APPROPRIATION . . . . .	\$10,974,000

16 The appropriations in this section are subject to the following  
17 conditions and limitations: The appropriations in this section are  
18 provided solely for expenditure into the cleanup settlement account on  
19 July 1, 2011, and July 1, 2012, as repayment of moneys that were  
20 transferred to the state efficiency and restructuring account.

21 NEW SECTION. **Sec. 718.** A new section is added to 2011 c 367  
22 (uncodified) to read as follows:

23 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--TRANSPORTATION EMPLOYEES--**  
24 **RETIREMENT SYSTEM CONTRIBUTIONS**

25	Dedicated Funds and Accounts Appropriation . . . . .	\$148,000
----	--	-----------

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

28 (1) The appropriation in this section is provided solely to  
29 increase agency and institution appropriations in accordance with the  
30 schedules in LEAP Transportation Document C-AFS dated May 22, 2011,  
31 which is hereby incorporated by reference. The office of financial  
32 management shall allocate the moneys appropriated in this section in  
33 the amounts specified and adjust appropriation schedules accordingly.

34 (2) The appropriation in this section reflects additional  
35 retirement system contributions resulting from House Bill No. 2070



1 (average final compensation). If the bill is not enacted by June 30,  
2 2011, the amounts provided in this section shall lapse.

3 NEW SECTION. **Sec. 719.** A new section is added to 2011 c 367  
4 (uncodified) to read as follows:

5 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--TRANSPORTATION EMPLOYEES--**  
6 **RETIREMENT SYSTEM CONTRIBUTIONS**

7 Dedicated Funds and Accounts Appropriation . . . . . (\$64,000)

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

10 (1) The appropriation in this section is provided solely to reduce  
11 agency and institution appropriations in accordance with the schedules  
12 in LEAP Transportation Document C-RTA dated May 22, 2011, which is  
13 hereby incorporated by reference. The office of financial management  
14 shall allocate the moneys appropriated in this section in the amounts  
15 specified and adjust appropriation schedules accordingly.

16 (2) The appropriation in this section reflects reduced retirement  
17 system contributions resulting from Substitute Bill No. 1981 (higher  
18 education retirement plans and postretirement employment). If the bill  
19 is not enacted by June 30, 2011, this section shall not take effect.

20 NEW SECTION. **Sec. 720.** A new section is added to 2011 c 367  
21 (uncodified) to read as follows:

22 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--TRANSPORTATION EMPLOYEE SALARY**  
23 **REDUCTIONS**

24 Dedicated Funds and Accounts Appropriation . . . . . (\$17,856,000)

25 The appropriation in this section is solely for the purposes  
26 designated in this section and is subject to the following conditions  
27 and limitations:

28 (1) The appropriation in this section is provided solely to reduce  
29 agency appropriations in the transportation appropriations act to  
30 reflect savings associated with a 3.0 percent salary reduction for  
31 state employees as provided in Substitute Senate Bill No. 5860 (state  
32 government employee compensation).

33 (2) The appropriation from dedicated funds and accounts shall be  
34 made in the amounts specified and from the dedicated funds and accounts  
35 specified in LEAP Transportation Document C-GLK dated May 22, 2011,  
36 which is hereby incorporated by reference. The office of financial

1 management shall allocate the moneys appropriated in this section in  
2 the amounts specified and to the state agencies specified in LEAP  
3 Transportation Document C-GLK and adjust appropriation schedules  
4 accordingly. The office of financial management shall make any further  
5 allotment adjustments necessary to reflect agency mergers or  
6 consolidations assumed in this act.

7 NEW SECTION. **Sec. 721.** A new section is added to 2011 c 367  
8 (uncodified) to read as follows:

9 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--TRANSPORTATION EMPLOYEES**  
10 **RETIREMENT SYSTEM CONTRIBUTIONS**

11 Dedicated Funds and Accounts Appropriation . . . . . (\$13,576,000)

12 The appropriation in this section is solely for the purposes  
13 designated in this section and is subject to the following conditions  
14 and limitations:

15 (1) The appropriation in this section is provided solely to reduce  
16 agency appropriations in the transportation appropriations act to  
17 reflect retirement system employer contribution rate changes. The  
18 appropriation from dedicated funds and accounts shall be made in the  
19 amounts specified and from the dedicated funds and accounts specified  
20 in LEAP Transportation Document C-GLU dated May 22, 2011, which is  
21 hereby incorporated by reference. The office of financial management  
22 shall allocate the moneys appropriated in this section in the amounts  
23 specified and to the state agencies specified in LEAP Transportation  
24 Document C-GLU and adjust appropriation schedules accordingly.

25 (2) The appropriation in this section reflect reduced retirement  
26 system contributions resulting from Senate Bill No. 5920 (limiting  
27 annual increase amounts). If the bill is not enacted by June 30, 2011,  
28 this section shall not take effect.

29 NEW SECTION. **Sec. 722.** **FOR THE OFFICE OF FINANCIAL MANAGEMENT--**  
30 **CENTRAL SERVICES EFFICIENCIES**

31 The office of financial management shall work with the appropriate  
32 state agencies to generate savings of \$1,875,000 from the state general  
33 fund resulting from Senate Bill No. 5931 (state government). From  
34 appropriations in this act, the office of financial management shall  
35 reduce general fund--state allotments by \$1,875,000 for fiscal year

1 2013 to reflect savings resulting from Senate Bill No. 5931 (state  
2 government). The allotment reductions shall be placed in unallotted  
3 status and remain unexpended.

4 NEW SECTION. **Sec. 723. FOR THE OFFICE OF FINANCIAL MANAGEMENT--**  
5 **TRANSITIONAL HOUSING OPERATING AND RENT ACCOUNT**

6 Home Security Fund--State Appropriation . . . . . \$7,500,000

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 transitional housing operating and rent account.

10 NEW SECTION. **Sec. 724. COMPENSATION--RETIRED SCHOOL EMPLOYEES--**  
11 **INSURANCE BENEFITS**

12 General Fund--State Appropriation (FY 2012) . . . . . \$1,332,000

13 General Fund--State Appropriation (FY 2013) . . . . . \$1,332,000

14 TOTAL APPROPRIATION . . . . . \$2,664,000

15 The appropriations in this section are subject to the following  
16 conditions and limitations: The appropriations are provided solely for  
17 deposit into the public employees' and retirees' insurance account to  
18 offset the cost of providing monthly subsidies for retired teachers  
19 pursuant to Substitute Senate Bill No. 5846 (health benefit subsidies).  
20 If the bill is not enacted by June 30, 2011, the appropriations shall  
21 lapse.

22 NEW SECTION. **Sec. 725. FOR THE OFFICE OF FINANCIAL MANAGEMENT--**  
23 **INDUSTRIAL INSURANCE SAVINGS**

24 From the appropriations in this act, the office of financial  
25 management shall reduce general fund--state allotments for fiscal year  
26 2012 by \$3,014,000 and for fiscal year 2013 by \$3,015,000 to reflect  
27 savings in the industrial insurance costs of state agencies resulting  
28 from the implementation of House Bill No. 2123 (workers' compensation  
29 system). The allotment reductions shall be placed in reserve status  
30 and remain unexpended. If the bill is not enacted by June 30, 2011,  
31 this section shall not take effect.

32 NEW SECTION. **Sec. 726. FOR THE OFFICE OF FINANCIAL MANAGEMENT--**  
33 **VEHICLE LICENSE FRAUD ACCOUNT**

34 General Fund--State Appropriation (FY 2012) . . . . . \$100,000

1 General Fund--State Appropriation (FY 2013) . . . . . \$100,000  
2 TOTAL APPROPRIATION . . . . . \$200,000

3 The appropriations in this section are subject to the following  
4 conditions and limitations: The appropriations in this section are  
5 provided solely for expenditure into the vehicle license fraud account.

(End of part)

PART VIII

OTHER TRANSFERS AND APPROPRIATIONS

NEW SECTION. Sec. 801. FOR THE STATE TREASURER--STATE REVENUES FOR DISTRIBUTION

Table with 2 columns: Description and Amount. Rows include: General Fund Appropriation for fire insurance premium distributions (\$8,368,000), General Fund Appropriation for public utility district excise tax distributions (\$49,418,000), General Fund Appropriation for prosecuting attorney distributions (\$6,281,000), General Fund Appropriation for boating safety and education distributions (\$4,000,000), General Fund Appropriation for other tax distributions (\$58,000), General Fund Appropriation for habitat conservation program distributions (\$3,000,000), Death Investigations Account Appropriation for distribution to counties for publicly funded autopsies (\$2,960,000), Aquatic Lands Enhancement Account Appropriation for harbor improvement revenue distribution (\$160,000), Timber Tax Distribution Account Appropriation for distribution to "timber" counties (\$40,421,000), County Criminal Justice Assistance Appropriation (\$69,801,000), Municipal Criminal Justice Assistance Appropriation (\$26,950,000), City-County Assistance Account Appropriation for local government financial assistance distribution (\$16,589,000), Liquor Excise Tax Account Appropriation for liquor excise tax distribution (\$52,152,000), Streamlined Sales and Use Tax Mitigation Account Appropriation for distribution to local taxing jurisdictions to mitigate the unintended revenue redistribution effect of the sourcing law changes (\$49,635,000), Columbia River Water Delivery Account Appropriation for the Confederated Tribes of the Colville Reservation (\$7,441,000), Columbia River Water Delivery Account Appropriation for

1 the Spokane Tribe of Indians . . . . . \$4,748,000  
2 Liquor Revolving Account Appropriation for liquor  
3 profits distribution . . . . . \$69,318,000  
4 TOTAL APPROPRIATION . . . . . \$411,301,000

5 The total expenditures from the state treasury under the  
6 appropriations in this section shall not exceed the funds available  
7 under statutory distributions for the stated purposes.

8 NEW SECTION. **Sec. 802. FOR THE STATE TREASURER--FOR THE COUNTY**  
9 **CRIMINAL JUSTICE ASSISTANCE ACCOUNT**

10 Impaired Driver Safety Account Appropriation . . . . . \$2,501,000

11 The appropriation in this section is subject to the following  
12 conditions and limitations: The amount appropriated in this section  
13 shall be distributed quarterly during the 2011-2013 fiscal biennium in  
14 accordance with RCW 82.14.310. This funding is provided to counties  
15 for the costs of implementing criminal justice legislation including,  
16 but not limited to: Chapter 206, Laws of 1998 (drunk driving  
17 penalties); chapter 207, Laws of 1998 (DUI penalties); chapter 208,  
18 Laws of 1998 (deferred prosecution); chapter 209, Laws of 1998  
19 (DUI/license suspension); chapter 210, Laws of 1998 (ignition interlock  
20 violations); chapter 211, Laws of 1998 (DUI penalties); chapter 212,  
21 Laws of 1998 (DUI penalties); chapter 213, Laws of 1998 (intoxication  
22 levels lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter  
23 215, Laws of 1998 (DUI provisions).

24 NEW SECTION. **Sec. 803. FOR THE STATE TREASURER--MUNICIPAL**  
25 **CRIMINAL JUSTICE ASSISTANCE ACCOUNT**

26 Impaired Driver Safety Account Appropriation . . . . . \$1,666,000

27 The appropriation in this section is subject to the following  
28 conditions and limitations: The amount appropriated in this section  
29 shall be distributed quarterly during the 2011-2013 biennium to all  
30 cities ratably based on population as last determined by the office of  
31 financial management. The distributions to any city that substantially  
32 decriminalizes or repeals its criminal code after July 1, 1990, and  
33 that does not reimburse the county for costs associated with criminal  
34 cases under RCW 3.50.800 or 3.50.805(2), shall be made to the county in  
35 which the city is located. This funding is provided to cities for the

1 costs of implementing criminal justice legislation including, but not  
2 limited to: Chapter 206, Laws of 1998 (drunk driving penalties);  
3 chapter 207, Laws of 1998 (DUI penalties); chapter 208, Laws of 1998  
4 (deferred prosecution); chapter 209, Laws of 1998 (DUI/license  
5 suspension); chapter 210, Laws of 1998 (ignition interlock violations);  
6 chapter 211, Laws of 1998 (DUI penalties); chapter 212, Laws of 1998  
7 (DUI penalties); chapter 213, Laws of 1998 (intoxication levels  
8 lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter 215,  
9 Laws of 1998 (DUI provisions).

10 NEW SECTION. **Sec. 804. FOR THE STATE TREASURER--FEDERAL REVENUES**  
11 **FOR DISTRIBUTION**

12	General Fund Appropriation for federal flood control	
13	funds distribution . . . . .	\$74,000
14	General Fund Appropriation for federal grazing fees	
15	distribution . . . . .	\$2,430,000
16	Forest Reserve Fund Appropriation for federal forest	
17	reserve fund distribution . . . . .	\$29,175,000
18	TOTAL APPROPRIATION . . . . .	\$31,679,000

19 The total expenditures from the state treasury under the  
20 appropriations in this section shall not exceed the funds available  
21 under statutory distributions for the stated purposes.

22 NEW SECTION. **Sec. 805. FOR THE STATE TREASURER--TRANSFERS**

23	State Treasurer's Service Account: For transfer to	
24	the state general fund, \$10,000,000 for fiscal	
25	year 2012 and \$15,000,000 for fiscal year 2013 . . . . .	\$25,000,000
26	Waste Reduction, Recycling, and Litter Control	
27	Account: For transfer to the state general	
28	fund, \$3,500,000 for fiscal year 2012 and	
29	\$3,500,000 for fiscal year 2013 . . . . .	\$7,000,000
30	Aquatics Lands Enhancement Account: For transfer to	
31	the state general fund, \$3,500,000 for fiscal	
32	year 2012 and \$3,500,000 for fiscal year 2013 . . . . .	\$7,000,000
33	Drinking Water Assistance Account: For transfer to	
34	the drinking water assistance repayment account . . . . .	\$38,000,000
35	Economic Development Strategic Reserve Account: For	
36	transfer to the state general fund, \$2,100,000	





1 Foster Care Endowed Scholarship Trust Fund: For transfer  
 2 to the state general fund, \$200,000 for fiscal year  
 3 2012 and \$200,000 for fiscal year 2013 . . . . . \$400,000  
 4 Affordable Housing For All Account: For transfer to  
 5 the home security fund, \$1,000,000 for fiscal year  
 6 2012 and \$1,000,000 for fiscal year 2013 . . . . . \$2,000,000  
 7 Tobacco Settlement Account: For transfer to the state  
 8 general fund, in an amount not to exceed the actual  
 9 amount of the annual base payment to the tobacco  
 10 settlement account . . . . . \$158,205,000  
 11 Tobacco Settlement Account: For transfer to the basic  
 12 health plan stabilization account from the amounts  
 13 deposited in the account that are attributable to the  
 14 annual strategic contribution payment received in  
 15 fiscal year 2012 . . . . . \$22,000,000  
 16 Tobacco Settlement Account: For transfer to the basic  
 17 health plan stabilization account from the amounts  
 18 deposited in the account that are attributable to the  
 19 annual strategic contribution payment received in  
 20 fiscal year 2013 . . . . . \$22,000,000  
 21 Tobacco Settlement Account: For transfer to the life  
 22 sciences discovery fund, in an amount not to exceed  
 23 the actual remaining amount of the annual strategic  
 24 contribution payment to the tobacco settlement account  
 25 for fiscal year 2012 . . . . . \$6,000,000  
 26 Tobacco Settlement Account: For transfer to the life  
 27 sciences discovery fund, in an amount not to exceed  
 28 the actual remaining amount of the annual strategic  
 29 contribution payment to the tobacco settlement account  
 30 for fiscal year 2013 . . . . . \$6,000,000

31 The transfer to the life sciences discovery fund is subject to the  
 32 following conditions:

33 (1) All new grants awarded during the 2011-2013 fiscal biennium  
 34 shall support and accelerate the commercialization of an identifiable  
 35 product;

36 (2) Prior to the awarding of new grants, the life sciences  
 37 discovery fund authority must seek the input of the executive director  
 38 of the Washington economic development commission;

1           (3) Upon the recommendation of the Washington economic development  
2 commission, funds may be used for the recruitment of life sciences  
3 researchers who have a history of commercialization of new  
4 technologies, to public research institutions in the state;

5           (4) Funds may be used to collaborate and contract with innovate  
6 Washington in commercializing life sciences technology and promoting  
7 biomedical manufacturing;

8           (5) Funds may be granted to public and private entities for the  
9 purpose of leveraging private funds to the highest degree possible.  
10 Proposals involving a startup company or corporate participant must be  
11 given a higher priority;

12           (6) The life sciences discovery fund authority must develop a  
13 payment system that allows both regular payments and payments based on  
14 deliverables for the purpose of assisting with initial project costs;  
15 and

16           (7) By December 1, 2013, the life sciences discovery fund must  
17 report to the fiscal and economic development committees of the  
18 legislature on the impact of grant awards on commercialization.

(End of part)



1 building funds and accounts such amounts as are necessary to pay the  
2 expenses incurred in the issuance and sale of the subject bonds.

3 NEW SECTION. **Sec. 905. VOLUNTARY RETIREMENT, SEPARATION, AND**  
4 **DOWNSHIFTING INCENTIVES**

5 As a management tool to reduce costs and make more effective use of  
6 resources, while improving employee productivity and morale, agencies  
7 may implement a voluntary retirement, separation, and/or downshifting  
8 incentive program that is cost neutral or results in cost savings over  
9 a two-year period following the commencement of the program, provided  
10 that such a program is approved by the director of financial  
11 management. Agencies participating in this authorization may offer  
12 voluntary retirement, separation, and/or downshifting incentives and  
13 options according to procedures and guidelines established by the  
14 office of financial management, in consultation with the department of  
15 personnel and the department of retirement systems. The options may  
16 include, but are not limited to, financial incentives for: Voluntary  
17 separation or retirement, voluntary leave without pay, voluntary work  
18 week or work hour reduction, voluntary downward movement, or temporary  
19 separation for development purposes. An employee does not have a  
20 contractual right to a financial incentive offered pursuant to this  
21 section. Offers shall be reviewed and monitored jointly by the  
22 department of personnel and the department of retirement systems.  
23 Agencies are required to submit a report by June 30, 2013, to the  
24 legislature and the office of financial management on the outcome of  
25 their approved incentive program. The report should include  
26 information on the details of the program including the cost of the  
27 incentive per participant, the total cost to the state, and the  
28 projected or actual net dollar savings over the 2011-2013 biennium.

29 NEW SECTION. **Sec. 906. COLLECTIVE BARGAINING AGREEMENTS NOT**  
30 **IMPAIRED**

31 Nothing in this act prohibits the expenditure of any funds by an  
32 agency or institution of the state for benefits guaranteed by any  
33 collective bargaining agreement in effect on the effective date of this  
34 section.

35 NEW SECTION. **Sec. 907. COLLECTIVE BARGAINING AGREEMENTS**

1       The following sections represent the results of the 2011-2013  
2 collective bargaining process required under the provisions of chapters  
3 41.80 and 41.56 RCW. Provisions of the collective bargaining  
4 agreements contained in this act are described in general terms. Only  
5 major economic terms are included in the descriptions. These  
6 descriptions do not contain the complete contents of the agreements.  
7 The collective bargaining agreements or the continuation of terms and  
8 conditions of the 2009-2011 agreements contained in Part IX of this act  
9 may also be funded by expenditures from nonappropriated accounts. If  
10 positions are funded with lidded grants or dedicated fund sources with  
11 insufficient revenue, additional funding from other sources is not  
12 provided.

13       NEW SECTION.   **Sec. 908. COLLECTIVE BARGAINING AGREEMENTS--WFSE,**  
14 **TEAMSTERS, UFCW, WAFWP, IFPTE 17, COALITION OF UNIONS**

15       Agreements have been reached between the governor and the following  
16 unions: Washington federation of state employees, teamsters local  
17 union 117, united food and commercial workers, Washington association  
18 of fish and wildlife professionals, international federation of  
19 professional and technical engineers local 17, and the coalition of  
20 unions, under the provisions of chapter 41.80 RCW for the 2011-2013  
21 biennium subject to union internal processes/procedures. Funding is  
22 reduced to reflect a 3.0 percent temporary salary reduction for all  
23 employees whose monthly full-time equivalent salary is \$2,500 or more  
24 per month covered under the agreements for fiscal years 2012 and 2013  
25 through June 29, 2013. Effective June 30, 2013, the salary schedules  
26 effective July 1, 2009, through June 30, 2011 will be reinstated. For  
27 employees entitled to leave, temporary salary reduction leave is  
28 granted for the term of the 2011-2013 agreement.

29       NEW SECTION.   **Sec. 909. COLLECTIVE BARGAINING AGREEMENT--SEIU**  
30 **HEALTHCARE 1199NW**

31       An agreement has been reached between the governor and the service  
32 employees international union healthcare 1199nw under the provisions of  
33 chapter 41.80 RCW for the 2011-2013 biennium subject to union internal  
34 processes/procedures. Funding is reduced to reflect 8 days of leave  
35 without pay per year for fiscal years 2012 and 2013.

1        NEW SECTION.    **Sec. 910.    COLLECTIVE BARGAINING AGREEMENT--TERMS**  
2 **AND CONDITIONS**

3        No agreements have been reached between the governor and the  
4 following unions: Washington public employees association, Washington  
5 public employees association higher education community college  
6 coalition, Washington federation of state employees higher education  
7 community college coalition, Washington federation of state employees  
8 Central Washington University, Washington federation of state employees  
9 Western Washington University, Washington federation of state employees  
10 The Evergreen State College, and public school employees Western  
11 Washington University, under the provisions of chapter 41.80 RCW for  
12 the 2011-2013 biennium. Appropriations in this act provide funding to  
13 continue the terms and conditions of the 2009-2011 general government  
14 and higher education agreements negotiated by the office of financial  
15 management's labor relations office under the provisions of chapter  
16 41.80 RCW. For fiscal year 2012, appropriations have been reduced in  
17 an amount equal to a 3 percent salary reduction for all represented  
18 employees whose monthly full-time equivalent salary is \$2,500 or more  
19 per month. This reduction will be implemented according to the terms  
20 and conditions of the 2009-2011 agreements. For fiscal year 2013,  
21 funding is reduced to reflect a 3.0 percent temporary salary reduction  
22 for all employees whose monthly full-time equivalent salary is \$2,500  
23 or more per month through June 29, 2013. Effective June 30, 2013, the  
24 salary schedules effective July 1, 2009, through June 30, 2011, will be  
25 reinstated. For employees entitled to leave, temporary salary  
26 reduction leave is granted for fiscal year 2013. These changes will be  
27 implemented according to law.

28        NEW SECTION.    **Sec. 911.    COLLECTIVE BARGAINING AGREEMENT--WSP**  
29 **TROOPERS ASSOCIATION**

30        No agreement has been reached between the governor and the  
31 Washington state patrol trooper's association under the provisions of  
32 chapter 41.56 RCW for the 2011-2013 biennium. Appropriations in this  
33 act for the Washington state patrol provide funding to continue the  
34 provisions of the 2009-2011 agreement.

35        NEW SECTION.    **Sec. 912.    COLLECTIVE BARGAINING AGREEMENT--WSP**  
36 **LIEUTENANTS ASSOCIATION**

1 No agreement has been reached between the governor and the  
2 Washington state patrol lieutenant's association under the provisions  
3 of chapter 41.56 RCW for the 2011-2013 biennium. Appropriations in  
4 this act for the Washington state patrol provide funding to continue  
5 the provisions of the 2009-2011 agreement.

6 NEW SECTION. **Sec. 913. COLLECTIVE BARGAINING AGREEMENT FOR**  
7 **NONSTATE EMPLOYEES--SEIU HEALTHCARE 775NW HOMECARE WORKERS**

8 An agreement has been reached between the governor and the service  
9 employees international union healthcare 775nw under chapter 74.39A RCW  
10 for the 2011-2013 fiscal biennium, subject to union internal processes  
11 and procedures. Appropriations pursuant to sections 205 and 206 of  
12 this act reflect the tentative agreement reached on January 6, 2011,  
13 and include an increase in the state's health care contributions for  
14 individual providers of home care services. Due to policy reductions  
15 elsewhere in this act that reduce personal care hours, delay increases  
16 to required training, and modify agency parity requirements, no  
17 additional appropriation is included for the health care increase.  
18 Appropriations in sections 205 and 206 of this act are reduced to  
19 reflect a reduced contribution to the training partnership due to the  
20 delay in the implementation of increased required training.

21 NEW SECTION. **Sec. 914. COLLECTIVE BARGAINING AGREEMENT FOR**  
22 **NONSTATE EMPLOYEES--SEIU LOCAL 925 CHILDCARE WORKERS**

23 An agreement has been reached between the governor and the service  
24 employees international union local 925 under the provisions of chapter  
25 41.56 RCW for the 2011-2013 biennium, subject to union internal  
26 processes/procedures. Funding for an increase in the state's health  
27 care contribution for childcare workers is included in the budget.

28 NEW SECTION. **Sec. 915. COLLECTIVE BARGAINING AGREEMENT FOR**  
29 **NONSTATE EMPLOYEES--WSRCC ADULT FAMILY HOMES**

30 Appropriations in this act reflect the collective bargaining  
31 agreement reached between the governor and the Washington state  
32 residential care council under the provisions of chapter 41.56 RCW for  
33 the 2011-2013 biennium. For those covered under this agreement,  
34 economic provisions are the same as the terms and conditions in the  
35 2009-2011 agreement.

1        NEW SECTION.    **Sec. 916.    COLLECTIVE BARGAINING AGREEMENT--CENTRAL**  
2 **WASHINGTON UNIVERSITY PUBLIC SCHOOL EMPLOYEES OF WASHINGTON**

3        An agreement has been reached between Central Washington University  
4 and the public school employees of Washington under the provisions of  
5 chapter 41.80 RCW for the 2011-2013 biennium subject to union internal  
6 processes/procedures. Funding is reduced to reflect a 3.0 percent  
7 temporary salary reduction for all employees whose monthly full-time  
8 equivalent salary is \$2,500 or more per month for fiscal years 2012 and  
9 2013 through June 29, 2013. Effective June 30, 2013, the salary  
10 schedules effective July 1, 2009 through June 30, 2011 will be  
11 reinstated. For employees entitled to leave temporary salary reduction  
12 leave is granted for the term of the 2011-2013 agreement.

13        NEW SECTION.    **Sec. 917.    COLLECTIVE BARGAINING AGREEMENT--**  
14 **WASHINGTON STATE UNIVERSITY POLICE GUILD**

15        An agreement has been reached between Washington State University  
16 and the Washington State University police guild. The financial  
17 provisions of the 2009-2011 remain in place for the 2011-2013 biennium.

18        NEW SECTION.    **Sec. 918.    COLLECTIVE BARGAINING AGREEMENT FOR WFSE**  
19 **POLICE MANAGEMENT ASSOCIATION**

20        An agreement has been reached between the University of Washington  
21 and the Washington federation of state employees police management  
22 association under chapter 41.80 RCW for the 2011-2013 fiscal biennium,  
23 subject to union internal processes and procedures. If appropriations  
24 in this act require reduced salaries and wages, the agreement can be  
25 reopened to negotiate compliance with the requirement.

26        NEW SECTION.    **Sec. 919.    COLLECTIVE BARGAINING AGREEMENTS--**  
27 **UNIVERSITY OF WASHINGTON AND WASHINGTON STATE UNIVERSITY**

28        Appropriations in this act reflect the collective bargaining  
29 agreements reached between the University of Washington and the service  
30 employees' international union 925 and the Washington federation of  
31 state employees and between Washington State University and the  
32 Washington federation of state employees. The financial provisions of  
33 the 2009-2011 contracts remain in place for the 2011-2013 fiscal  
34 biennium. For the contract period 2011-2013, appropriations have been  
35 reduced in an amount equal to a temporary three percent salary



1 reduction for all represented employees making \$2,500 or more per  
2 month. Reductions will be implemented according to the terms and  
3 conditions of the 2011 agreements.

4 NEW SECTION. **Sec. 920. COMPENSATION--NONREPRESENTED EMPLOYEES--**  
5 **INSURANCE BENEFITS**

6 Appropriations for state agencies in this act are sufficient for  
7 nonrepresented state employee health benefits for state agencies,  
8 including institutions of higher education, and are subject to the  
9 following conditions and limitations:

10 (1)(a) The monthly employer funding rate for insurance benefit  
11 premiums, public employees' benefits board administration, and the  
12 uniform medical plan, shall not exceed \$850 per eligible employee for  
13 fiscal year 2012. For fiscal year 2013 the monthly employer funding  
14 rate shall not exceed \$850 per eligible employee.

15 (b) In order to achieve the level of funding provided for health  
16 benefits, the public employees' benefits board shall require any or all  
17 of the following: Employee premium copayments, increases in point-of-  
18 service cost sharing, the implementation of managed competition, or  
19 make other changes to benefits consistent with RCW 41.05.065.

20 (c) The health care authority shall deposit any moneys received on  
21 behalf of the uniform medical plan as a result of rebates on  
22 prescription drugs, audits of hospitals, subrogation payments, or any  
23 other moneys recovered as a result of prior uniform medical plan claims  
24 payments, into the public employees' and retirees' insurance account to  
25 be used for insurance benefits. Such receipts shall not be used for  
26 administrative expenditures.

27 (2) The health care authority, subject to the approval of the  
28 public employees' benefits board, shall provide subsidies for health  
29 benefit premiums to eligible retired or disabled public employees and  
30 school district employees who are eligible for medicare, pursuant to  
31 RCW 41.05.085. For calendar years 2012 and 2013, the subsidy shall be  
32 \$150.00 per month.

33 (3) Technical colleges, school districts, and educational service  
34 districts shall remit to the health care authority for deposit into the  
35 public employees' and retirees' insurance account established in RCW  
36 41.05.120 the following amounts:

1 (a) For each full-time employee, \$66.01 per month beginning  
2 September 1, 2011, and \$67.91 beginning September 1, 2012;

3 (b) For each part-time employee, who at the time of the remittance  
4 is employed in an eligible position as defined in RCW 41.32.010 or  
5 41.40.010 and is eligible for employer fringe benefit contributions for  
6 basic benefits, \$66.01 each month beginning September 1, 2011, and  
7 \$67.91 beginning September 1, 2012, prorated by the proportion of  
8 employer fringe benefit contributions for a full-time employee that the  
9 part-time employee receives. The remittance requirements specified in  
10 this subsection shall not apply to employees of a technical college,  
11 school district, or educational service district who purchase insurance  
12 benefits through contracts with the health care authority.

13 NEW SECTION. **Sec. 921. COMPENSATION--REPRESENTED EMPLOYEES**  
14 **OUTSIDE SUPER COALITION--INSURANCE BENEFITS**

15 Appropriations for state agencies in this act are sufficient for  
16 represented employees outside the super coalition for health benefits,  
17 and are subject to the following conditions and limitations:

18 (1)(a) The monthly employer funding rate for insurance benefit  
19 premiums, public employees' benefits board administration, and the  
20 uniform medical plan, shall not exceed \$850 per eligible employee for  
21 fiscal year 2012. For fiscal year 2013 the monthly employer funding  
22 rate shall not exceed \$850 per eligible employee.

23 (b) In order to achieve the level of funding provided for health  
24 benefits, the public employees' benefits board shall require any or all  
25 of the following: Employee premium copayments, increases in point-of-  
26 service cost sharing, the implementation of managed competition, or  
27 make other changes to benefits consistent with RCW 41.05.065.

28 (c) The health care authority shall deposit any moneys received on  
29 behalf of the uniform medical plan as a result of rebates on  
30 prescription drugs, audits of hospitals, subrogation payments, or any  
31 other moneys recovered as a result of prior uniform medical plan claims  
32 payments, into the public employees' and retirees' insurance account to  
33 be used for insurance benefits. Such receipts shall not be used for  
34 administrative expenditures.

35 (2) The health care authority, subject to the approval of the  
36 public employees' benefits board, shall provide subsidies for health  
37 benefit premiums to eligible retired or disabled public employees and

1 school district employees who are eligible for medicare, pursuant to  
2 RCW 41.05.085. For calendar years 2012 and 2013, the subsidy shall be  
3 \$150.00 per month.

4 (3) Technical colleges, school districts, and educational service  
5 districts shall remit to the health care authority for deposit into the  
6 public employees' and retirees' insurance account established in RCW  
7 41.05.120 the following amounts:

8 (a) For each full-time employee, \$66.01 per month beginning  
9 September 1, 2011, and \$67.91 beginning September 1, 2012;

10 (b) For each part-time employee, who at the time of the remittance  
11 is employed in an eligible position as defined in RCW 41.32.010 or  
12 41.40.010 and is eligible for employer fringe benefit contributions for  
13 basic benefits, \$66.01 each month beginning September 1, 2011, and  
14 \$67.91 beginning September 1, 2012, prorated by the proportion of  
15 employer fringe benefit contributions for a full-time employee that the  
16 part-time employee receives. The remittance requirements specified in  
17 this subsection shall not apply to employees of a technical college,  
18 school district, or educational service district who purchase insurance  
19 benefits through contracts with the health care authority.

20 NEW SECTION. **Sec. 922. COMPENSATION--REPRESENTED EMPLOYEES--**  
21 **SUPER COALITION--INSURANCE BENEFITS**

22 The collective bargaining agreement negotiated with the super  
23 coalition under chapter 41.80 RCW includes employer premiums at 85  
24 percent of the total weighted average of the projected health care  
25 premiums across all plans and tiers. Appropriations in this act for  
26 state agencies, including institutions of higher education are  
27 sufficient to fund state employees health benefits for employees  
28 represented by the super coalition on health benefits, and are subject  
29 to the following conditions and limitations:

30 (1)(a) The monthly employer funding rate for insurance benefit  
31 premiums, public employees' benefits board administration, and the  
32 uniform medical plan, shall not exceed \$850 per eligible employee for  
33 fiscal year 2012. For fiscal year 2013 the monthly employer funding  
34 rate shall not exceed \$850 per eligible employee.

35 (b) In order to achieve the level of funding provided for health  
36 benefits, the public employees' benefits board shall require any or all

1 of the following: Employee premium copayments, increases in point-of-  
2 service cost sharing, the implementation of managed competition, or  
3 make other changes to benefits consistent with RCW 41.05.065.

4 (c) The health care authority shall deposit any moneys received on  
5 behalf of the uniform medical plan as a result of rebates on  
6 prescription drugs, audits of hospitals, subrogation payments, or any  
7 other moneys recovered as a result of prior uniform medical plan claims  
8 payments, into the public employees' and retirees' insurance account to  
9 be used for insurance benefits. Such receipts shall not be used for  
10 administrative expenditures.

11 (2) The health care authority, subject to the approval of the  
12 public employees' benefits board, shall provide subsidies for health  
13 benefit premiums to eligible retired or disabled public employees and  
14 school district employees who are eligible for medicare, pursuant to  
15 RCW 41.05.085. For calendar years 2012 and 2013, the subsidy shall be  
16 \$150.00 per month.

17 NEW SECTION. **Sec. 923. COLLECTIVE BARGAINING AGREEMENTS--**  
18 **LANGUAGE ACCESS PROVIDERS**

19 If the governor and the Washington federation of state employees  
20 reach an agreement under chapter 41.56 RCW for the 2011-2013 fiscal  
21 biennium that does not exceed the funding provided in section 213 of  
22 this act for spoken language interpreter services, after reserving the  
23 requisite amount of that funding for contracts with delivery  
24 organizations including foreign language agencies, funding for the  
25 agreement shall be considered approved pursuant to RCW 41.56.510(8) and  
26 the parties shall execute the agreement.

27 NEW SECTION. **Sec. 924. COLLECTIVE BARGAINING AGREEMENTS**

28 For the collective bargaining agreements negotiated with the state  
29 for the 2011-2013 fiscal biennium under chapters 41.56, 41.80, or  
30 74.39A RCW, the governor may request funds necessary to implement the  
31 terms and conditions of an agreement submitted to the office of  
32 financial management after October 1st if that agreement is determined  
33 to be feasible financially to the state by the director of financial  
34 management.

1        NEW SECTION.     **Sec. 925.**     (1) All state agencies must track  
2 employees trained in performance management, including, but not limited  
3 to lean, lean-six-sigma, and the baldrige system. The agencies shall  
4 report the number of employees trained in each performance management  
5 technique to the government management and accountability performance  
6 (GMAP) program.

7        (2) All state agencies shall provide electronic copies of their  
8 Washington state quality award or baldrige assessments, feedback  
9 reports, and corrective action plans to the government management and  
10 accountability performance (GMAP) program, the office of the state  
11 auditor, and the joint legislative audit and review committee. These  
12 results must be posted on the GMAP web site for use in developing best  
13 practices.

14        (3) All state agencies must integrate performance management  
15 assessments, including the Washington state quality award assessment  
16 into their agency's strategic plan.

17        **Sec. 926.**     RCW 15.76.115 and 2011 c 103 s 10 are each amended to  
18 read as follows:

19        The fair fund is created in the custody of the state treasury. All  
20 moneys received by the department of agriculture for the purposes of  
21 this fund and from RCW 67.16.105(7) shall be deposited into the fund.  
22 At the beginning of fiscal year 2002 and each fiscal year thereafter,  
23 the state treasurer shall transfer into the fair fund from the general  
24 fund the sum of two million dollars, except for fiscal year 2011 the  
25 state treasurer shall transfer into the fair fund from the general fund  
26 the sum of one million one hundred three thousand dollars, and except  
27 during fiscal year 2012 and fiscal year 2013 the state treasurer shall  
28 transfer into the fair fund from the general fund the sum of one  
29 million seven hundred fifty thousand dollars each fiscal year.  
30 Expenditures from the fund may be used only for assisting fairs in the  
31 manner provided in this chapter. Only the director of agriculture or  
32 the director's designee may authorize expenditures from the fund. The  
33 fund is subject to allotment procedures under chapter 43.88 RCW, but no  
34 appropriation is required for expenditures.

35        **Sec. 927.**     RCW 19.30.030 and 1985 c 280 s 3 are each amended to  
36 read as follows:



1 accept service of summons when I am not present in the jurisdiction in  
2 which the action is commenced or have in any other way become  
3 unavailable to accept service"; and

4 ((+7)) (g) The applicant has stated on his or her application  
5 whether or not his or her contractor's license or the license of any of  
6 his or her agents, partners, associates, stockholders, or profit  
7 sharers has ever been suspended, revoked, or denied by any state or  
8 federal agency, and whether or not there are any outstanding judgments  
9 against him or her or any of his or her agents, partners, associates,  
10 stockholders, or profit sharers in any state or federal court arising  
11 out of activities as a farm labor contractor.

12 (2) The farm labor contractor account is created in the state  
13 treasury. All receipts from farm labor contractor licenses, security  
14 deposits, penalties, and donations must be deposited into the account.  
15 Moneys in the account may be spent only after appropriation.  
16 Expenditures from the account may be used only for administering the  
17 farm labor contractor licensing program, subject to authorization from  
18 the director or the director's designee.

19 **Sec. 928.** RCW 28B.15.068 and 2009 c 540 s 1 are each amended to  
20 read as follows:

21 (1) Beginning with the 2007-08 academic year and ending with the  
22 2016-17 academic year, tuition fees charged to full-time resident  
23 undergraduate students, except in academic years 2009-10 and 2010-11,  
24 may increase no greater than seven percent over the previous academic  
25 year in any institution of higher education. Annual reductions or  
26 increases in full-time tuition fees for resident undergraduate students  
27 shall be as provided in the omnibus appropriations act, within the  
28 seven percent increase limit established in this section. For academic  
29 years 2009-10 and 2010-11 the omnibus appropriations act may provide  
30 tuition increases greater than seven percent. To the extent that state  
31 appropriations combined with tuition and fee revenues are insufficient  
32 to achieve the total per-student funding goals established in  
33 subsection (2) of this section, the legislature may revisit state  
34 appropriations, authorized enrollment levels, and changes in tuition  
35 fees for any given fiscal year. In order to facilitate the full  
36 implementation of chapter . . . (Engrossed Second Substitute House Bill  
37 No. 1795), Laws of 2011 1st sp. sess. for the 2011-12 academic year and

1 thereafter, the institutions of higher education are authorized to  
2 adopt tuition levels that are less than, equal to, or greater than the  
3 tuition levels assumed in the omnibus appropriations act, subject to  
4 the conditions and limitations in this chapter and the omnibus  
5 appropriations act.

6 (2) The state shall adopt as its goal total per-student funding  
7 levels, from state appropriations plus tuition and fees, of at least  
8 the sixtieth percentile of total per-student funding at similar public  
9 institutions of higher education in the global challenge states. In  
10 defining comparable per-student funding levels, the office of financial  
11 management shall adjust for regional cost-of-living differences; for  
12 differences in program offerings and in the relative mix of lower  
13 division, upper division, and graduate students; and for accounting and  
14 reporting differences among the comparison institutions. The office of  
15 financial management shall develop a funding trajectory for each four-  
16 year institution of higher education and for the community and  
17 technical college system as a whole that when combined with tuition and  
18 fees revenue allows the state to achieve its funding goal for each  
19 four-year institution and the community and technical college system as  
20 a whole no later than fiscal year 2017. The state shall not reduce  
21 enrollment levels below fiscal year 2007 budgeted levels in order to  
22 improve or alter the per-student funding amount at any four-year  
23 institution of higher education or the community and technical college  
24 system as a whole. The state recognizes that each four-year  
25 institution of higher education and the community and technical college  
26 system as a whole have different funding requirements to achieve  
27 desired performance levels, and that increases to the total per-student  
28 funding amount may need to exceed the minimum funding goal.

29 (3) By September 1st of each year beginning in 2008, the office of  
30 financial management shall report to the governor, the higher education  
31 coordinating board, and appropriate committees of the legislature with  
32 updated estimates of the total per-student funding level that  
33 represents the sixtieth percentile of funding for comparable  
34 institutions of higher education in the global challenge states, and  
35 the progress toward that goal that was made for each of the public  
36 institutions of higher education.

37 (4) As used in this section, "global challenge states" are the top  
38 performing states on the new economy index published by the progressive



1 policy institute as of July 22, 2007. The new economy index ranks  
2 states on indicators of their potential to compete in the new economy.  
3 At least once every five years, the office of financial management  
4 shall determine if changes to the list of global challenge states are  
5 appropriate. The office of financial management shall report its  
6 findings to the governor and the legislature.

7 (5) During the 2009-10 and the 2010-11 academic years, institutions  
8 of higher education shall include information on their billing  
9 statements notifying students of tax credits available through the  
10 American opportunity tax credit provided in the American recovery and  
11 reinvestment act of 2009.

12 **Sec. 929.** RCW 28B.116.050 and 2005 c 215 s 6 are each amended to  
13 read as follows:

14 (1) The foster care endowed scholarship trust fund is created in  
15 the custody of the state treasurer.

16 (2) Funds appropriated by the legislature for the foster care  
17 endowed scholarship trust fund shall be deposited in the foster care  
18 endowed scholarship trust fund. When conditions in RCW 28B.116.070 are  
19 met, the higher education coordinating board shall deposit state  
20 matching moneys from the trust fund into the foster care scholarship  
21 endowment fund.

22 (3) No appropriation is required for expenditures from the trust  
23 fund.

24 (4) During the 2011-2013 fiscal biennium, the legislature may  
25 transfer from the foster care endowed scholarship trust fund to the  
26 state general fund such amounts as reflect the excess fund balance of  
27 the account.

28 **Sec. 930.** RCW 28C.04.535 and 1995 1st sp.s. c 7 s 4 are each  
29 amended to read as follows:

30 Except for the 2011-12 and 2012-13 school years, the Washington  
31 award for vocational excellence shall be granted annually. The  
32 workforce training and education coordinating board shall notify the  
33 students receiving the award, their vocational instructors, local  
34 chambers of commerce, the legislators of their respective districts,  
35 and the governor, after final selections have been made. The workforce  
36 training and education coordinating board, in conjunction with the

1 governor's office, shall prepare appropriate certificates to be  
2 presented to the selected students. Awards shall be presented in  
3 public ceremonies at times and places determined by the workforce  
4 training and education coordinating board in cooperation with the  
5 office of the governor.

6 **Sec. 931.** RCW 36.22.175 and 2008 c 328 s 6006 are each amended to  
7 read as follows:

8 (1)(a) In addition to any other charge authorized by law, the  
9 county auditor shall charge a surcharge of one dollar per instrument  
10 for each document recorded. Revenue generated through this surcharge  
11 shall be transmitted monthly to the state treasurer for deposit in the  
12 local government archives account under RCW 40.14.024. These funds  
13 shall be used solely for providing records scheduling, security  
14 microfilm inspection and storage, archival preservation, cataloging,  
15 and indexing for local government records and digital data and access  
16 to those records and data through the regional branch archives of the  
17 division of archives and records management.

18 (b) The division of archives and records management within the  
19 office of the secretary of state shall provide records management  
20 training for local governments and shall establish a competitive grant  
21 program to solicit and prioritize project proposals from local  
22 governments for potential funding to be paid for by funds from the  
23 auditor surcharge and tax warrant surcharge revenues. Application for  
24 specific projects may be made by local government agencies only. The  
25 state archivist in consultation with the advisory committee established  
26 under RCW 40.14.027 shall adopt rules governing project eligibility,  
27 evaluation, awarding of grants, and other criteria including  
28 requirements for records management training for grant recipients.

29 (2) The advisory committee established under RCW 40.14.027 shall  
30 review grant proposals and establish a prioritized list of projects to  
31 be considered for funding by January 1st of each even-numbered year,  
32 beginning in 2002. The evaluation of proposals and development of the  
33 prioritized list must be developed through open public meetings.  
34 Funding for projects shall be granted according to the ranking of each  
35 application on the prioritized list and projects will be funded only to  
36 the extent that funds are available. A grant award may have an

1 effective date other than the date the project is placed on the  
2 prioritized list.

3 (3)(a) In addition to any other surcharge authorized by law, the  
4 county auditor shall charge a surcharge of one dollar per instrument  
5 for every document recorded after January 1, 2002. Revenue generated  
6 through this surcharge shall be transmitted to the state treasurer  
7 monthly for deposit in the local government archives account under RCW  
8 40.14.024 to be used exclusively for: (i) The construction and  
9 improvement of a specialized regional facility located in eastern  
10 Washington designed to serve the archives, records management, and  
11 digital data management needs of local government; and (ii) payment of  
12 the certificate of participation issued for the Washington state  
13 heritage center to the extent there is an excess fund balance in the  
14 account and fees generated under RCW 36.18.010 and 43.07.128 are  
15 insufficient to meet debt service payments on the certificate of  
16 participation.

17 (b) To the extent the facilities are used for the storage and  
18 retrieval of state agency records and digital data, that portion of the  
19 construction of such facilities used for state government records and  
20 data shall be supported by other charges and fees paid by state  
21 agencies and shall not be supported by the surcharge authorized in this  
22 subsection, except that to the extent there is an excess fund balance  
23 in the account and fees generated under RCW 36.18.010 and 43.07.128 are  
24 insufficient to meet debt service payments for the Washington state  
25 heritage center, the local government archives account under RCW  
26 40.14.024 may be used for the Washington state heritage center.

27 (c) At such time that all debt service from construction of the  
28 specialized regional archive facility located in eastern Washington has  
29 been paid, fifty percent of the surcharge authorized by this subsection  
30 shall be reverted to the centennial document preservation and  
31 modernization account as prescribed in RCW 36.22.170 and fifty percent  
32 of the surcharge authorized by this section shall be reverted to the  
33 state treasurer for deposit in the ((~~archives and records management~~))  
34 public records efficiency, preservation, and access account to serve  
35 the archives, records management, and digital data management needs of  
36 local government, except that the state treasurer shall not revert  
37 funds to the centennial document preservation and modernization account  
38 and to the ((~~archives and records management~~)) public records

1 efficiency, preservation, and access account if fees generated under  
2 RCW 36.18.010 and 43.07.128 are insufficient to meet debt service  
3 payments on the Washington state heritage center.

4 **Sec. 932.** RCW 40.14.025 and 2003 c 163 s 1 are each amended to  
5 read as follows:

6 (1) The secretary of state and the director of financial management  
7 shall jointly establish a procedure and formula for allocating the  
8 costs of services provided by the division of archives and records  
9 management to state agencies. The total amount allotted for services  
10 to state agencies shall not exceed the appropriation to the archives  
11 and records management account during any allotment period.

12 (2) There is created the (~~archives and records management~~) public  
13 records efficiency, preservation, and access account in the state  
14 treasury which shall consist of all fees and charges collected under  
15 this section. The account shall be appropriated exclusively for the  
16 payment of costs and expenses incurred in the operation of the division  
17 of archives and records management as specified by law.

18 **Sec. 933.** RCW 40.14.027 and 2003 c 163 s 4 are each amended to  
19 read as follows:

20 State agencies shall collect a surcharge of twenty dollars from the  
21 judgment debtor upon the satisfaction of a warrant filed in superior  
22 court for unpaid taxes or liabilities. The surcharge is imposed on the  
23 judgment debtor in the form of a penalty in addition to the filing fee  
24 provided in RCW 36.18.012(10). The surcharge revenue shall be  
25 transmitted to the state treasurer for deposit in the (~~archives and~~  
26 ~~records management~~) public records efficiency, preservation, and  
27 access account.

28 Surcharge revenue deposited in the local government archives  
29 account under RCW 40.14.024 shall be expended by the secretary of state  
30 exclusively for disaster recovery, essential records protection  
31 services, and records management training for local government agencies  
32 by the division of archives and records management. The secretary of  
33 state shall, with local government representatives, establish a  
34 committee to advise the state archivist on the local government  
35 archives and records management program.

1       **Sec. 934.** RCW 41.06.022 and 2002 c 354 s 207 are each amended to  
2 read as follows:

3       For purposes of this chapter, "manager" means any employee who:

4       (1) Formulates statewide policy or directs the work of an agency or  
5 agency subdivision;

6       (2) Is responsible to administer one or more statewide policies or  
7 programs of an agency or agency subdivision;

8       (3) Manages, administers, and controls a local branch office of an  
9 agency or agency subdivision, including the physical, financial, or  
10 personnel resources;

11       (4) Has substantial responsibility in personnel administration,  
12 legislative relations, public information, or the preparation and  
13 administration of budgets; or

14       (5) Functionally is above the first level of supervision and  
15 exercises authority that is not merely routine or clerical in nature  
16 and requires the consistent use of independent judgment.

17       No employee who is a member of the Washington management service  
18 may be included in a collective bargaining unit established under RCW  
19 41.80.001 and 41.80.010 through 41.80.130.

20       During the 2011-2013 fiscal biennium, except as required by a  
21 collective bargaining agreement in place on the effective date of this  
22 section, a manager whose position is eliminated as a result of the  
23 management reductions included in the state agency appropriations in  
24 this act and who is hired or transferred to a different position shall  
25 be compensated at a level no higher than that which is commensurate  
26 with the employee's new position.

27       During the 2011-2013 biennium, unless required by a collective  
28 bargaining agreement in place on the effective date of this section, no  
29 manager shall have the right of reversion to a classified position in  
30 the event that the employee's position is eliminated as a result of the  
31 management reductions included in the state agency appropriations in  
32 this act unless the employee was employed in the classified position in  
33 question, or a substantially equivalent classified position, within the  
34 three year period prior to the effective date of this act.

35       **Sec. 935.** RCW 41.06.070 and 2010 c 271 s 801, 2010 c 2 s 2, and  
36 2010 c 1 s 1 are each reenacted and amended to read as follows:

37       (1) The provisions of this chapter do not apply to:

1 (a) The members of the legislature or to any employee of, or  
2 position in, the legislative branch of the state government including  
3 members, officers, and employees of the legislative council, joint  
4 legislative audit and review committee, statute law committee, and any  
5 interim committee of the legislature;

6 (b) The justices of the supreme court, judges of the court of  
7 appeals, judges of the superior courts or of the inferior courts, or to  
8 any employee of, or position in the judicial branch of state  
9 government;

10 (c) Officers, academic personnel, and employees of technical  
11 colleges;

12 (d) The officers of the Washington state patrol;

13 (e) Elective officers of the state;

14 (f) The chief executive officer of each agency;

15 (g) In the departments of employment security and social and health  
16 services, the director and the director's confidential secretary; in  
17 all other departments, the executive head of which is an individual  
18 appointed by the governor, the director, his or her confidential  
19 secretary, and his or her statutory assistant directors;

20 (h) In the case of a multimember board, commission, or committee,  
21 whether the members thereof are elected, appointed by the governor or  
22 other authority, serve ex officio, or are otherwise chosen:

23 (i) All members of such boards, commissions, or committees;

24 (ii) If the members of the board, commission, or committee serve on  
25 a part-time basis and there is a statutory executive officer: The  
26 secretary of the board, commission, or committee; the chief executive  
27 officer of the board, commission, or committee; and the confidential  
28 secretary of the chief executive officer of the board, commission, or  
29 committee;

30 (iii) If the members of the board, commission, or committee serve  
31 on a full-time basis: The chief executive officer or administrative  
32 officer as designated by the board, commission, or committee; and a  
33 confidential secretary to the chair of the board, commission, or  
34 committee;

35 (iv) If all members of the board, commission, or committee serve ex  
36 officio: The chief executive officer; and the confidential secretary  
37 of such chief executive officer;

1 (i) The confidential secretaries and administrative assistants in  
2 the immediate offices of the elective officers of the state;  
3 (j) Assistant attorneys general;  
4 (k) Commissioned and enlisted personnel in the military service of  
5 the state;  
6 (l) Inmate, student, part-time, or temporary employees, and part-  
7 time professional consultants, as defined by the Washington personnel  
8 resources board;  
9 (m) The public printer or to any employees of or positions in the  
10 state printing plant;  
11 (n) Officers and employees of the Washington state fruit  
12 commission;  
13 (o) Officers and employees of the Washington apple commission;  
14 (p) Officers and employees of the Washington state dairy products  
15 commission;  
16 (q) Officers and employees of the Washington tree fruit research  
17 commission;  
18 (r) Officers and employees of the Washington state beef commission;  
19 (s) Officers and employees of the Washington grain commission;  
20 (t) Officers and employees of any commission formed under chapter  
21 15.66 RCW;  
22 (u) Officers and employees of agricultural commissions formed under  
23 chapter 15.65 RCW;  
24 (v) Officers and employees of the nonprofit corporation formed  
25 under chapter 67.40 RCW;  
26 (w) Executive assistants for personnel administration and labor  
27 relations in all state agencies employing such executive assistants  
28 including but not limited to all departments, offices, commissions,  
29 committees, boards, or other bodies subject to the provisions of this  
30 chapter and this subsection shall prevail over any provision of law  
31 inconsistent herewith unless specific exception is made in such law;  
32 (x) In each agency with fifty or more employees: Deputy agency  
33 heads, assistant directors or division directors, and not more than  
34 three principal policy assistants who report directly to the agency  
35 head or deputy agency heads;  
36 (y) All employees of the marine employees' commission;  
37 (z) Staff employed by the department of commerce to administer  
38 energy policy functions;

1 (aa) The manager of the energy facility site evaluation council;  
2 (bb) A maximum of ten staff employed by the department of commerce  
3 to administer innovation and policy functions, including the three  
4 principal policy assistants exempted under (x) of this subsection;  
5 (cc) Staff employed by Washington State University to administer  
6 energy education, applied research, and technology transfer programs  
7 under RCW 43.21F.045 as provided in RCW 28B.30.900(5).

8 (2) The following classifications, positions, and employees of  
9 institutions of higher education and related boards are hereby exempted  
10 from coverage of this chapter:

11 (a) Members of the governing board of each institution of higher  
12 education and related boards, all presidents, vice presidents, and  
13 their confidential secretaries, administrative, and personal  
14 assistants; deans, directors, and chairs; academic personnel; and  
15 executive heads of major administrative or academic divisions employed  
16 by institutions of higher education; principal assistants to executive  
17 heads of major administrative or academic divisions; other managerial  
18 or professional employees in an institution or related board having  
19 substantial responsibility for directing or controlling program  
20 operations and accountable for allocation of resources and program  
21 results, or for the formulation of institutional policy, or for  
22 carrying out personnel administration or labor relations functions,  
23 legislative relations, public information, development, senior computer  
24 systems and network programming, or internal audits and investigations;  
25 and any employee of a community college district whose place of work is  
26 one which is physically located outside the state of Washington and who  
27 is employed pursuant to RCW 28B.50.092 and assigned to an educational  
28 program operating outside of the state of Washington;

29 (b) The governing board of each institution, and related boards,  
30 may also exempt from this chapter classifications involving research  
31 activities, counseling of students, extension or continuing education  
32 activities, graphic arts or publications activities requiring  
33 prescribed academic preparation or special training as determined by  
34 the board: PROVIDED, That no nonacademic employee engaged in office,  
35 clerical, maintenance, or food and trade services may be exempted by  
36 the board under this provision;

37 (c) Printing craft employees in the department of printing at the  
38 University of Washington.



1 (3) In addition to the exemptions specifically provided by this  
2 chapter, the director of personnel may provide for further exemptions  
3 pursuant to the following procedures. The governor or other  
4 appropriate elected official may submit requests for exemption to the  
5 director of personnel stating the reasons for requesting such  
6 exemptions. The director of personnel shall hold a public hearing,  
7 after proper notice, on requests submitted pursuant to this subsection.  
8 If the director determines that the position for which exemption is  
9 requested is one involving substantial responsibility for the  
10 formulation of basic agency or executive policy or one involving  
11 directing and controlling program operations of an agency or a major  
12 administrative division thereof, the director of personnel shall grant  
13 the request and such determination shall be final as to any decision  
14 made before July 1, 1993. The total number of additional exemptions  
15 permitted under this subsection shall not exceed one percent of the  
16 number of employees in the classified service not including employees  
17 of institutions of higher education and related boards for those  
18 agencies not directly under the authority of any elected public  
19 official other than the governor, and shall not exceed a total of  
20 twenty-five for all agencies under the authority of elected public  
21 officials other than the governor.

22 The salary and fringe benefits of all positions presently or  
23 hereafter exempted except for the chief executive officer of each  
24 agency, full-time members of boards and commissions, administrative  
25 assistants and confidential secretaries in the immediate office of an  
26 elected state official, and the personnel listed in subsections (1)(j)  
27 through (v) and (y) and (2) of this section, shall be determined by the  
28 director of personnel. Changes to the classification plan affecting  
29 exempt salaries must meet the same provisions for classified salary  
30 increases resulting from adjustments to the classification plan as  
31 outlined in RCW 41.06.152.

32 During the 2011-2013 fiscal biennium, except as required by a  
33 collective bargaining agreement in place on the effective date of this  
34 section, an employee whose position exempt under this chapter is  
35 eliminated as a result of the management reductions included in the  
36 state agency appropriations in and who is hired or transferred to a  
37 different position exempt under the provisions of this chapter shall be

1 compensated at a level no higher than that which is commensurate with  
2 the employee's new position.

3 From February 18, 2009, through June 30, 2011, a salary or wage  
4 increase shall not be granted to any position exempt from  
5 classification under this chapter, except that a salary or wage  
6 increase may be granted to employees pursuant to collective bargaining  
7 agreements negotiated under chapter 28B.52, 41.56, 47.64, or 41.76 RCW,  
8 or negotiated by the nonprofit corporation formed under chapter 67.40  
9 RCW, and except that increases may be granted for positions for which  
10 the employer has demonstrated difficulty retaining qualified employees  
11 if the following conditions are met:

12 (a) The salary increase can be paid within existing resources; and

13 (b) The salary increase will not adversely impact the provision of  
14 client services.

15 Any agency granting a salary increase from February 15, 2010,  
16 through June 30, 2011, to a position exempt from classification under  
17 this chapter shall submit a report to the fiscal committees of the  
18 legislature no later than July 31, 2011, detailing the positions for  
19 which salary increases were granted, the size of the increases, and the  
20 reasons for giving the increases.

21 Any person holding a classified position subject to the provisions  
22 of this chapter shall, when and if such position is subsequently  
23 exempted from the application of this chapter, be afforded the  
24 following rights: If such person previously held permanent status in  
25 another classified position, such person shall have a right of  
26 reversion to the highest class of position previously held, or to a  
27 position of similar nature and salary.

28 Any classified employee having civil service status in a classified  
29 position who accepts an appointment in an exempt position shall have  
30 the right of reversion to the highest class of position previously  
31 held, or to a position of similar nature and salary, except that during  
32 the 2011-2013 biennium, unless required by a collective bargaining  
33 agreement in place on the effective date of this section, no employee  
34 shall have the right of reversion to a classified position in the event  
35 that the employee's position is eliminated as a result of the  
36 management reductions included in the state agency appropriations in  
37 this act unless the employee was employed in the classified position in

1 question, or a substantially equivalent classified position, within the  
2 three year period prior to the effective date of this act.

3 A person occupying an exempt position who is terminated from the  
4 position for gross misconduct or malfeasance does not have the right of  
5 reversion to a classified position as provided for in this section.

6 From February 15, 2010, until June 30, 2011, no monetary  
7 performance-based awards or incentives may be granted by the director  
8 or employers to employees covered by rules adopted under this section.  
9 This subsection does not prohibit the payment of awards provided for in  
10 chapter 41.60 RCW.

11 **Sec. 936.** RCW 41.50.110 and 2009 c 564 s 924 are each amended to  
12 read as follows:

13 (1) Except as provided by RCW 41.50.255 and subsection (6) of this  
14 section, all expenses of the administration of the department, the  
15 expenses of administration of the retirement systems, and the expenses  
16 of the administration of the office of the state actuary created in  
17 chapters 2.10, 2.12, 41.26, 41.32, 41.40, 41.34, 41.35, 41.37, 43.43,  
18 and 44.44 RCW shall be paid from the department of retirement systems  
19 expense fund.

20 (2) In order to reimburse the department of retirement systems  
21 expense fund on an equitable basis the department shall ascertain and  
22 report to each employer, as defined in RCW 41.26.030, 41.32.010,  
23 41.35.010, 41.37.010, or 41.40.010, the sum necessary to defray its  
24 proportional share of the entire expense of the administration of the  
25 retirement system that the employer participates in during the ensuing  
26 biennium or fiscal year whichever may be required. Such sum is to be  
27 computed in an amount directly proportional to the estimated entire  
28 expense of the administration as the ratio of monthly salaries of the  
29 employer's members bears to the total salaries of all members in the  
30 entire system. It shall then be the duty of all such employers to  
31 include in their budgets or otherwise provide the amounts so required.

32 (3) The department shall compute and bill each employer, as defined  
33 in RCW 41.26.030, 41.32.010, 41.35.010, 41.37.010, or 41.40.010, at the  
34 end of each month for the amount due for that month to the department  
35 of retirement systems expense fund and the same shall be paid as are  
36 its other obligations. Such computation as to each employer shall be  
37 made on a percentage rate of salary established by the department.

1 However, the department may at its discretion establish a system of  
2 billing based upon calendar year quarters in which event the said  
3 billing shall be at the end of each such quarter.

4 (4) The director may adjust the expense fund contribution rate for  
5 each system at any time when necessary to reflect unanticipated costs  
6 or savings in administering the department.

7 (5) An employer who fails to submit timely and accurate reports to  
8 the department may be assessed an additional fee related to the  
9 increased costs incurred by the department in processing the deficient  
10 reports. Fees paid under this subsection shall be deposited in the  
11 retirement system expense fund.

12 (a) Every six months the department shall determine the amount of  
13 an employer's fee by reviewing the timeliness and accuracy of the  
14 reports submitted by the employer in the preceding six months. If  
15 those reports were not both timely and accurate the department may  
16 prospectively assess an additional fee under this subsection.

17 (b) An additional fee assessed by the department under this  
18 subsection shall not exceed fifty percent of the standard fee.

19 (c) The department shall adopt rules implementing this section.

20 (6) Expenses other than those under RCW 41.34.060(3) shall be paid  
21 pursuant to subsection (1) of this section.

22 (7) During the (~~(2007-2009 and)~~) 2009-2011 and 2011-2013 fiscal  
23 biennia, the legislature may transfer from the department of retirement  
24 systems' expense fund to the state general fund such amounts as reflect  
25 the excess fund balance of the fund.

26 **Sec. 937.** RCW 41.60.050 and 1991 sp.s. c 16 s 918 are each amended  
27 to read as follows:

28 The legislature shall appropriate from the department of personnel  
29 service fund for the payment of administrative costs of the  
30 productivity board. However, during the (~~(1991-93)~~) 2011-2013 fiscal  
31 biennium, the (~~(administrative costs)~~) operations of the productivity  
32 board shall be (~~(appropriated from the savings recovery account)~~)  
33 suspended.

34 **Sec. 938.** RCW 41.80.010 and 2010 c 104 s 1 are each amended to  
35 read as follows:

36 (1) For the purpose of negotiating collective bargaining agreements

1 under this chapter, the employer shall be represented by the governor  
2 or governor's designee, except as provided for institutions of higher  
3 education in subsection (4) of this section.

4 (2)(a) If an exclusive bargaining representative represents more  
5 than one bargaining unit, the exclusive bargaining representative shall  
6 negotiate with each employer representative as designated in subsection  
7 (1) of this section one master collective bargaining agreement on  
8 behalf of all the employees in bargaining units that the exclusive  
9 bargaining representative represents. For those exclusive bargaining  
10 representatives who represent fewer than a total of five hundred  
11 employees each, negotiation shall be by a coalition of all those  
12 exclusive bargaining representatives. The coalition shall bargain for  
13 a master collective bargaining agreement covering all of the employees  
14 represented by the coalition. The governor's designee and the  
15 exclusive bargaining representative or representatives are authorized  
16 to enter into supplemental bargaining of agency-specific issues for  
17 inclusion in or as an addendum to the master collective bargaining  
18 agreement, subject to the parties' agreement regarding the issues and  
19 procedures for supplemental bargaining. This section does not prohibit  
20 cooperation and coordination of bargaining between two or more  
21 exclusive bargaining representatives.

22 (b) This subsection (2) does not apply to exclusive bargaining  
23 representatives who represent employees of institutions of higher  
24 education, except when the institution of higher education has elected  
25 to exercise its option under subsection (4) of this section to have its  
26 negotiations conducted by the governor or governor's designee under the  
27 procedures provided for general government agencies in subsections (1)  
28 through (3) of this section.

29 (c) If five hundred or more employees of an independent state  
30 elected official listed in RCW 43.01.010 are organized in a bargaining  
31 unit or bargaining units under RCW 41.80.070, the official shall be  
32 consulted by the governor or the governor's designee before any  
33 agreement is reached under (a) of this subsection concerning  
34 supplemental bargaining of agency specific issues affecting the  
35 employees in such bargaining unit.

36 (3) The governor shall submit a request for funds necessary to  
37 implement the compensation and fringe benefit provisions in the master  
38 collective bargaining agreement or for legislation necessary to

1 implement the agreement. Requests for funds necessary to implement the  
2 provisions of bargaining agreements shall not be submitted to the  
3 legislature by the governor unless such requests:

4 (a) Have been submitted to the director of the office of financial  
5 management by October 1 prior to the legislative session at which the  
6 requests are to be considered; and

7 (b) Have been certified by the director of the office of financial  
8 management as being feasible financially for the state.

9 The legislature shall approve or reject the submission of the  
10 request for funds as a whole. The legislature shall not consider a  
11 request for funds to implement a collective bargaining agreement unless  
12 the request is transmitted to the legislature as part of the governor's  
13 budget document submitted under RCW 43.88.030 and 43.88.060. If the  
14 legislature rejects or fails to act on the submission, either party may  
15 reopen all or part of the agreement or the exclusive bargaining  
16 representative may seek to implement the procedures provided for in RCW  
17 41.80.090.

18 (4)(a)(i) For the purpose of negotiating agreements for  
19 institutions of higher education, the employer shall be the respective  
20 governing board of each of the universities, colleges, or community  
21 colleges or a designee chosen by the board to negotiate on its behalf.

22 (ii) A governing board of a university or college may elect to have  
23 its negotiations conducted by the governor or governor's designee under  
24 the procedures provided for general government agencies in subsections  
25 (1) through (3) of this section, except that:

26 (A) The governor or the governor's designee and an exclusive  
27 bargaining representative shall negotiate one master collective  
28 bargaining agreement for all of the bargaining units of employees of a  
29 university or college that the representative represents; or

30 (B) If the parties mutually agree, the governor or the governor's  
31 designee and an exclusive bargaining representative shall negotiate one  
32 master collective bargaining agreement for all of the bargaining units  
33 of employees of more than one university or college that the  
34 representative represents.

35 (iii) A governing board of a community college may elect to have  
36 its negotiations conducted by the governor or governor's designee under  
37 the procedures provided for general government agencies in subsections  
38 (1) through (3) of this section.

1 (b) Prior to entering into negotiations under this chapter, the  
2 institutions of higher education or their designees shall consult with  
3 the director of the office of financial management regarding financial  
4 and budgetary issues that are likely to arise in the impending  
5 negotiations.

6 (c)(i) If appropriations are necessary to implement the  
7 compensation and fringe benefit provisions of the bargaining agreements  
8 reached between institutions of higher education and exclusive  
9 bargaining representatives agreed to under the provisions of this  
10 chapter, the governor shall submit a request for such funds to the  
11 legislature according to the provisions of subsection (3) of this  
12 section, except as provided in (c)(ii) of this subsection.

13 (ii) In the case of a bargaining unit of employees of institutions  
14 of higher education in which the exclusive bargaining representative is  
15 certified during or after the conclusion of a legislative session, the  
16 legislature may act upon the compensation and fringe benefit provisions  
17 of the unit's initial collective bargaining agreement if those  
18 provisions are agreed upon and submitted to the office of financial  
19 management and legislative budget committees before final legislative  
20 action on the biennial or supplemental operating budget by the sitting  
21 legislature.

22 (5) There is hereby created a joint committee on employment  
23 relations, which consists of two members with leadership positions in  
24 the house of representatives, representing each of the two largest  
25 caucuses; the chair and ranking minority member of the house  
26 appropriations committee, or its successor, representing each of the  
27 two largest caucuses; two members with leadership positions in the  
28 senate, representing each of the two largest caucuses; and the chair  
29 and ranking minority member of the senate ways and means committee, or  
30 its successor, representing each of the two largest caucuses. The  
31 governor shall periodically consult with the committee regarding  
32 appropriations necessary to implement the compensation and fringe  
33 benefit provisions in the master collective bargaining agreements, and  
34 upon completion of negotiations, advise the committee on the elements  
35 of the agreements and on any legislation necessary to implement the  
36 agreements.

37 (6) If, after the compensation and fringe benefit provisions of an  
38 agreement are approved by the legislature, a significant revenue

1 shortfall occurs resulting in reduced appropriations, as declared by  
2 proclamation of the governor or by resolution of the legislature, both  
3 parties shall immediately enter into collective bargaining for a  
4 mutually agreed upon modification of the agreement.

5 (7) After the expiration date of a collective bargaining agreement  
6 negotiated under this chapter, all of the terms and conditions  
7 specified in the collective bargaining agreement remain in effect until  
8 the effective date of a subsequently negotiated agreement, not to  
9 exceed one year from the expiration date stated in the agreement.  
10 Thereafter, the employer may unilaterally implement according to law.

11 (8) For the 2011-2013 fiscal biennium, a collective bargaining  
12 agreement related to employee health care benefits negotiated between  
13 the employer and coalition pursuant to RCW 41.80.020(3) regarding the  
14 dollar amount expended on behalf of each employee shall be a separate  
15 agreement for which the governor may request funds necessary to  
16 implement the agreement. If such an agreement is negotiated and funded  
17 by the legislature, this agreement will supersede any terms and  
18 conditions of an expired 2009-2011 biennial master collective  
19 bargaining agreement under this chapter regarding health care benefits.

20 **Sec. 939.** RCW 41.80.020 and 2010 c 283 s 16 are each amended to  
21 read as follows:

22 (1) Except as otherwise provided in this chapter, the matters  
23 subject to bargaining include wages, hours, and other terms and  
24 conditions of employment, and the negotiation of any question arising  
25 under a collective bargaining agreement.

26 (2) The employer is not required to bargain over matters pertaining  
27 to:

28 (a) Health care benefits or other employee insurance benefits,  
29 except as required in subsection (3) of this section;

30 (b) Any retirement system or retirement benefit; or

31 (c) Rules of the director of personnel or the Washington personnel  
32 resources board adopted under section 203, chapter 354, Laws of 2002.

33 (3) Matters subject to bargaining include the number of names to be  
34 certified for vacancies, promotional preferences, and the dollar amount  
35 expended on behalf of each employee for health care benefits. However,  
36 except as provided otherwise in this subsection for institutions of  
37 higher education, negotiations regarding the number of names to be



1 certified for vacancies, promotional preferences, and the dollar amount  
2 expended on behalf of each employee for health care benefits shall be  
3 conducted between the employer and one coalition of all the exclusive  
4 bargaining representatives subject to this chapter. The exclusive  
5 bargaining representatives for employees that are subject to chapter  
6 47.64 RCW shall bargain the dollar amount expended on behalf of each  
7 employee for health care benefits with the employer as part of the  
8 coalition under this subsection. Any such provision agreed to by the  
9 employer and the coalition shall be included in all master collective  
10 bargaining agreements negotiated by the parties. For institutions of  
11 higher education, promotional preferences and the number of names to be  
12 certified for vacancies shall be bargained under the provisions of RCW  
13 41.80.010(4). For agreements covering the 2011-2013 fiscal biennium,  
14 any agreement between the employer and the coalition regarding the  
15 dollar amount expended on behalf of each employee for health care  
16 benefits is a separate agreement and shall not be included in the  
17 master collective bargaining agreements negotiated by the parties.

18 (4) The employer and the exclusive bargaining representative shall  
19 not agree to any proposal that would prevent the implementation of  
20 approved affirmative action plans or that would be inconsistent with  
21 the comparable worth agreement that provided the basis for the salary  
22 changes implemented beginning with the 1983-1985 biennium to achieve  
23 comparable worth.

24 (5) The employer and the exclusive bargaining representative shall  
25 not bargain over matters pertaining to management rights established in  
26 RCW 41.80.040.

27 (6) Except as otherwise provided in this chapter, if a conflict  
28 exists between an executive order, administrative rule, or agency  
29 policy relating to wages, hours, and terms and conditions of employment  
30 and a collective bargaining agreement negotiated under this chapter,  
31 the collective bargaining agreement shall prevail. A provision of a  
32 collective bargaining agreement that conflicts with the terms of a  
33 statute is invalid and unenforceable.

34 (7) This section does not prohibit bargaining that affects  
35 contracts authorized by RCW 41.06.142.

36 **Sec. 940.** RCW 43.07.129 and 2007 c 523 s 4 are each amended to  
37 read as follows:

1 The Washington state heritage center account is created in the  
2 custody of the state treasurer. All moneys received under RCW  
3 36.18.010(11) and 43.07.128 must be deposited in the account.  
4 Expenditures from the account may be made only for the following  
5 purposes:

6 (1) Payment of the certificate of participation issued for the  
7 Washington state heritage center;

8 (2) Capital maintenance of the Washington state heritage center;  
9 and

10 (3) Program operations that serve the public, relate to the  
11 collections and exhibits housed in the Washington state heritage  
12 center, or fulfill the missions of the state archives, state library,  
13 and capital museum.

14 Only the secretary of state or the secretary of state's designee  
15 may authorize expenditures from the account. An appropriation is not  
16 required for expenditures, but the account is subject to allotment  
17 procedures under chapter 43.88 RCW. During the 2011-2013 fiscal  
18 biennium, the legislature may appropriate from the Washington state  
19 heritage center account for the purposes of state arts, historical, and  
20 library programs.

21 **Sec. 941.** RCW 43.08.190 and 2010 c 222 s 3 are each amended to  
22 read as follows:

23 There is hereby created a fund within the state treasury to be  
24 known as the "state treasurer's service fund." Such fund shall be used  
25 solely for the payment of costs and expenses incurred in the operation  
26 and administration of the state treasurer's office.

27 Moneys shall be allocated monthly and placed in the state  
28 treasurer's service fund equivalent to a maximum of one percent of the  
29 trust and treasury average daily cash balances from the earnings  
30 generated under the authority of RCW 43.79A.040 and 43.84.080 other  
31 than earnings generated from investment of balances in funds and  
32 accounts specified in RCW 43.79A.040(4)(c). The allocation shall  
33 precede the distribution of the remaining earnings as prescribed under  
34 RCW 43.79A.040 and 43.84.092. The state treasurer shall establish a  
35 uniform allocation rate for all funds and accounts; except that the  
36 state treasurer may negotiate a different allocation rate with any  
37 state agency that has independent authority over funds not statutorily

1 required to be held in the state treasury or in the custody of the  
2 state treasurer. In no event shall the rate be less than the actual  
3 costs incurred by the state treasurer's office. If no rate is  
4 separately negotiated, the default rate for any funds held shall be the  
5 rate set for funds held pursuant to statute.

6 During the 2009-2011 fiscal biennium and the 2011-2013 fiscal  
7 biennium, the legislature may transfer from the state treasurer's  
8 service fund to the state general fund such amounts as reflect the  
9 excess fund balance of the fund.

10 **Sec. 942.** RCW 43.09.475 and 2009 c 564 s 929 are each amended to  
11 read as follows:

12 The performance audits of government account is hereby created in  
13 the custody of the state treasurer. Revenue identified in RCW  
14 82.08.020(5) and 82.12.0201 shall be deposited in the account. Money  
15 in the account shall be used to fund the performance audits and follow-  
16 up performance audits under RCW 43.09.470 and shall be expended by the  
17 state auditor in accordance with chapter 1, Laws of 2006. Only the  
18 state auditor or the state auditor's designee may authorize  
19 expenditures from the account. The account is subject to allotment  
20 procedures under chapter 43.88 RCW, but an appropriation is not  
21 required for expenditures. During the 2009-2011 fiscal biennium, the  
22 legislature may transfer from the performance audits of government  
23 account to the state general fund such amounts as deemed to be  
24 appropriate or necessary. During 2011-2013 fiscal biennium, the  
25 performance audits of government account may be appropriated for fraud  
26 investigations in the state auditor's office and the department of  
27 social and health services, audit and collection functions in the  
28 department of revenue, and audits of school districts. In addition,  
29 during the 2011-2013 fiscal biennium the account may be used to fund  
30 the office of financial management's contract for the compliance audit  
31 of the state auditor.

32 **Sec. 943.** RCW 43.19.501 and 2009 c 564 s 932 are each amended to  
33 read as follows:

34 The Thurston county capital facilities account is created in the  
35 state treasury. The account is subject to the appropriation and  
36 allotment procedures under chapter 43.88 RCW. Moneys in the account

1 may be expended for capital projects in facilities owned and managed by  
2 the department of general administration in Thurston county. For the  
3 2007-2009 biennium, moneys in the account may be used for predesign  
4 identified in section 1037, chapter 328, Laws of 2008.

5 During the 2009-2011 and 2011-2013 fiscal (~~(biennium)~~) biennia, the  
6 legislature may transfer from the Thurston county capital facilities  
7 account to the state general fund such amounts as reflect the excess  
8 fund balance of the account.

9 **Sec. 944.** RCW 43.20A.725 and 2010 1st sp.s. c 37 s 921 are each  
10 amended to read as follows:

11 (1) The department, through the sole authority of the office or its  
12 successor organization, shall maintain a program whereby an individual  
13 of school age or older who possesses a hearing or speech impairment is  
14 provided with telecommunications equipment, software, and/or peripheral  
15 devices, digital or otherwise, that is determined by the office to be  
16 necessary for such a person to access and use telecommunications  
17 transmission services effectively.

18 (2) The department, through the sole authority of the office or its  
19 successor organization, shall maintain a program where  
20 telecommunications relay services of a human or electronic nature will  
21 be provided to connect hearing impaired, deaf-blind, or speech impaired  
22 persons with persons who do not have a hearing or speech impairment.  
23 Such telecommunications relay services shall provide the ability for an  
24 individual who has a hearing or speech impairment to engage in voice,  
25 tactile, or visual communication by wire or radio with a hearing  
26 individual in a manner that is functionally equivalent to the ability  
27 of an individual who does not have a hearing or speech impairment to  
28 communicate using voice or visual communication services by wire or  
29 radio subject to subsection (4)(b) of this section.

30 (3) The telecommunications relay service and equipment distribution  
31 program may operate in such a manner as to provide communications  
32 transmission opportunities that are capable of incorporating new  
33 technologies that have demonstrated benefits consistent with the intent  
34 of this chapter and are in the best interests of the citizens of this  
35 state.

36 (4) The office shall administer and control the award of money to  
37 all parties incurring costs in implementing and maintaining

1 telecommunications services, programs, equipment, and technical support  
2 services according to this section. The relay service contract shall  
3 be awarded to an individual company registered as a telecommunications  
4 company by the utilities and transportation commission, to a group of  
5 registered telecommunications companies, or to any other company or  
6 organization determined by the office as qualified to provide relay  
7 services, contingent upon that company or organization being approved  
8 as a registered telecommunications company prior to final contract  
9 approval. The relay system providers and telecommunications equipment  
10 vendors shall be selected on the basis of cost-effectiveness and  
11 utility to the greatest extent possible under the program and technical  
12 specifications established by the office.

13 (a) To the extent funds are available under the then-current rate  
14 and not otherwise held in reserve or required for other purposes  
15 authorized by this chapter, the office may award contracts for  
16 communications and related services and equipment for hearing impaired  
17 or speech impaired individuals accessing or receiving services provided  
18 by, or contracted for, the department to meet access obligations under  
19 Title 2 of the federal Americans with disabilities act or related  
20 federal regulations.

21 (b) The office shall perform its duties under this section with the  
22 goal of achieving functional equivalency of access to and use of  
23 telecommunications services similar to the enjoyment of access to and  
24 use of such services experienced by an individual who does not have a  
25 hearing or speech impairment only to the extent that funds are  
26 available under the then-current rate and not otherwise held in reserve  
27 or required for other purposes authorized by this chapter.

28 (5) The program shall be funded by a telecommunications relay  
29 service (TRS) excise tax applied to each switched access line provided  
30 by the local exchange companies. The office shall determine, in  
31 consultation with the office's program advisory committee, the budget  
32 needed to fund the program on an annual basis, including both  
33 operational costs and a reasonable amount for capital improvements such  
34 as equipment upgrade and replacement. The budget proposed by the  
35 office, together with documentation and supporting materials, shall be  
36 submitted to the office of financial management for review and  
37 approval. The approved budget shall be given by the department in an  
38 annual budget to the department of revenue no later than March 1st

1 prior to the beginning of the fiscal year. The department of revenue  
2 shall then determine the amount of telecommunications relay service  
3 excise tax to be placed on each switched access line and shall inform  
4 local exchange companies and the utilities and transportation  
5 commission of this amount no later than May 1st. The department of  
6 revenue shall determine the amount of telecommunications relay service  
7 excise tax to be collected in the following fiscal year by dividing the  
8 total of the program budget, as submitted by the office, by the total  
9 number of switched access lines in the prior calendar year, as reported  
10 to the department of revenue under chapter 82.14B RCW, and shall not  
11 exercise any further oversight of the program under this subsection  
12 other than administering the collection of the telecommunications relay  
13 service excise tax as provided in RCW 82.72.010 through 82.72.090. The  
14 telecommunications relay service excise tax shall not exceed nineteen  
15 cents per month per access line. The telecommunications relay service  
16 excise tax shall be separately identified on each ratepayer's bill with  
17 the following statement: "Funds federal ADA requirement." All  
18 proceeds from the telecommunications relay service excise tax shall be  
19 put into a fund to be administered by the office through the  
20 department. During the 2009-2011 and 2011-2013 fiscal (~~biennium~~)  
21 biennia, the funds may also be used to provide individualized  
22 employment services and employment-related counseling to people with  
23 disabilities, and technical assistance to employers about the  
24 employment of people with disabilities. "Switched access line" has the  
25 meaning provided in RCW 82.14B.020.

26 (6) The telecommunications relay service program and equipment  
27 vendors shall provide services and equipment consistent with the  
28 requirements of federal law for the operation of both interstate and  
29 intrastate telecommunications services for the hearing impaired or  
30 speech impaired. The department and the utilities and transportation  
31 commission shall be responsible for ensuring compliance with federal  
32 requirements and shall provide timely notice to the legislature of any  
33 legislation that may be required to accomplish compliance.

34 (7) The department shall adopt rules establishing eligibility  
35 criteria, ownership obligations, financial contributions, and a program  
36 for distribution to individuals requesting and receiving such  
37 telecommunications devices distributed by the office, and other rules

1 necessary to administer programs and services consistent with this  
2 chapter.

3 **Sec. 945.** RCW 43.79.201 and 2009 c 564 s 935 are each amended to  
4 read as follows:

5 (1) The charitable, educational, penal and reformatory institutions  
6 account is hereby created, in the state treasury, into which account  
7 there shall be deposited all moneys arising from the sale, lease or  
8 transfer of the land granted by the United States government to the  
9 state for charitable, educational, penal and reformatory institutions  
10 by section 17 of the enabling act, or otherwise set apart for such  
11 institutions, except all moneys arising from the sale, lease, or  
12 transfer of that certain one hundred thousand acres of such land  
13 assigned for the support of the University of Washington by chapter 91,  
14 Laws of 1903 and section 9, chapter 122, Laws of 1893.

15 (2) If feasible, not less than one-half of all income to the  
16 charitable, educational, penal, and reformatory institutions account  
17 shall be appropriated for the purpose of providing housing, including  
18 repair and renovation of state institutions, for persons with mental  
19 illness or developmental disabilities, or youth who are blind, deaf, or  
20 otherwise disabled. If moneys are appropriated for community-based  
21 housing, the moneys shall be appropriated to the department of  
22 (~~community, trade, and economic development~~) commerce for the housing  
23 assistance program under chapter 43.185 RCW. During the 2009-2011 and  
24 2011-2013 fiscal (~~biennium~~) biennia, the legislature may transfer  
25 from the charitable, educational, penal and reformatory institutions  
26 account to the state general fund such amounts as reflect excess fund  
27 balance of the (~~fund [account]~~) account.

28 **Sec. 946.** RCW 43.79.465 and 2010 1st sp.s. c 37 s 929 are each  
29 amended to read as follows:

30 The education savings account is created in the state treasury.  
31 The account shall consist of all moneys appropriated to the account by  
32 the legislature.

33 (1) Ten percent of legislative appropriations to the education  
34 savings account shall be distributed as follows: (a) Fifty percent to  
35 the distinguished professorship trust fund under RCW 28B.76.565; (b)

1 seventeen percent to the graduate fellowship trust fund under RCW  
2 28B.76.610; and (c) thirty-three percent to the college faculty awards  
3 trust fund under RCW 28B.50.837.

4 (2) The remaining moneys in the education savings account may be  
5 appropriated solely for (a) common school construction projects that  
6 are eligible for funding from the common school construction account,  
7 (b) technology improvements in the common schools, (c) during the 2001-  
8 03 fiscal biennium, technology improvements in public higher education  
9 institutions, (d) during the 2007-2009 fiscal biennium, the legislature  
10 may transfer from the education savings account to the state general  
11 fund such amounts as reflect the excess fund balance of the account  
12 attributable to unspent state general fund appropriations for fiscal  
13 year 2008, ~~((and))~~ (e) for fiscal year 2010, the legislature may  
14 transfer from the education savings account to the state general fund  
15 such amounts as reflect the fund balance of the account attributable to  
16 unspent general fund appropriations for fiscal year 2009; and (f) for  
17 fiscal years 2012 and 2013, the legislature may transfer from the  
18 education savings account to the state general fund such amounts as  
19 reflect the fund balance of the account attributable to unspent general  
20 fund appropriations for fiscal years 2011 and 2012.

21 **Sec. 947.** RCW 43.79.480 and 2009 c 564 s 937 and 2009 c 479 s 30  
22 are each reenacted and amended to read as follows:

23 (1) Moneys received by the state of Washington in accordance with  
24 the settlement of the state's legal action against tobacco product  
25 manufacturers, exclusive of costs and attorneys' fees, shall be  
26 deposited in the tobacco settlement account created in this section  
27 except as these moneys are sold or assigned under chapter 43.340 RCW.

28 (2) The tobacco settlement account is created in the state  
29 treasury. Moneys in the tobacco settlement account may only be  
30 transferred to the state general fund, and to the tobacco prevention  
31 and control account for purposes set forth in this section. The  
32 legislature shall transfer amounts received as strategic contribution  
33 payments as defined in RCW 43.350.010 to the life sciences discovery  
34 fund created in RCW 43.350.070. During the 2009-2011 and 2011-2013  
35 fiscal ~~((biennium))~~ biennia, the legislature may transfer less than the  
36 entire strategic contribution payments, and may transfer amounts



1 attributable to strategic contribution payments into the basic health  
2 plan stabilization account.

3 (3) The tobacco prevention and control account is created in the  
4 state treasury. The source of revenue for this account is moneys  
5 transferred to the account from the tobacco settlement account,  
6 investment earnings, donations to the account, and other revenues as  
7 directed by law. Expenditures from the account are subject to  
8 appropriation. During the 2009-2011 fiscal biennium, the legislature  
9 may transfer from the tobacco prevention and control account to the  
10 state general fund such amounts as represent the excess fund balance of  
11 the account.

12 **Sec. 948.** RCW 43.88.150 and 1995 c 6 s 1 are each amended to read  
13 as follows:

14 (1) For those agencies that make expenditures from both  
15 appropriated and nonappropriated funds for the same purpose, the  
16 governor shall direct such agencies to charge their expenditures in  
17 such ratio, as between appropriated and nonappropriated funds, as will  
18 conserve appropriated funds. This subsection does not apply to  
19 institutions of higher education, as defined in RCW 28B.10.016, except  
20 during the 2011-2013 fiscal biennium.

21 (2) Unless otherwise provided by law, if state moneys are  
22 appropriated for a capital project and matching funds or other  
23 contributions are required as a condition of the receipt of the state  
24 moneys, the state moneys shall be disbursed in proportion to and only  
25 to the extent that the matching funds or other contributions have been  
26 received and are available for expenditure.

27 (3) The office of financial management shall adopt guidelines for  
28 the implementation of this section. The guidelines may account for  
29 federal matching requirements or other requirements to spend other  
30 moneys in a particular manner.

31 **Sec. 949.** RCW 43.101.200 and 1997 c 351 s 13 are each amended to  
32 read as follows:

33 (1) All law enforcement personnel, except volunteers, and reserve  
34 officers whether paid or unpaid, initially employed on or after January  
35 1, 1978, shall engage in basic law enforcement training which complies  
36 with standards adopted by the commission pursuant to RCW 43.101.080.

1 For personnel initially employed before January 1, 1990, such training  
2 shall be successfully completed during the first fifteen months of  
3 employment of such personnel unless otherwise extended or waived by the  
4 commission and shall be requisite to the continuation of such  
5 employment. Personnel initially employed on or after January 1, 1990,  
6 shall commence basic training during the first six months of employment  
7 unless the basic training requirement is otherwise waived or extended  
8 by the commission. Successful completion of basic training is  
9 requisite to the continuation of employment of such personnel initially  
10 employed on or after January 1, 1990.

11 (2) Except as otherwise provided in this chapter, the commission  
12 shall provide the aforementioned training together with necessary  
13 facilities, supplies, materials, and the board and room of noncommuting  
14 attendees for seven days per week, except during the 2011-2013 fiscal  
15 biennium when the employing, county, city or state law enforcement  
16 agency shall reimburse the commission for twenty-five percent of the  
17 cost of training its personnel. Additionally, to the extent funds are  
18 provided for this purpose, the commission shall reimburse to  
19 participating law enforcement agencies with ten or less full-time  
20 commissioned patrol officers the cost of temporary replacement of each  
21 officer who is enrolled in basic law enforcement training: PROVIDED,  
22 That such reimbursement shall include only the actual cost of temporary  
23 replacement not to exceed the total amount of salary and benefits  
24 received by the replaced officer during his or her training period.

25 **Sec. 950.** RCW 43.135.045 and 2010 1st sp.s. c 27 s 5 are each  
26 amended to read as follows:

27 The education construction fund is hereby created in the state  
28 treasury.

29 (1) Funds may be appropriated from the education construction fund  
30 exclusively for common school construction or higher education  
31 construction. During the 2007-2009 fiscal biennium, funds may also be  
32 used for higher education facilities preservation and maintenance.  
33 During the 2009-2011 (~~fiscal biennium~~) and 2011-2013 fiscal biennia,  
34 the legislature may transfer from the education construction fund to  
35 the state general fund such amounts as reflect the excess fund balance  
36 of the fund.

1 (2) Funds may be appropriated for any other purpose only if  
2 approved by a two-thirds vote of each house of the legislature and if  
3 approved by a vote of the people at the next general election. An  
4 appropriation approved by the people under this subsection shall result  
5 in an adjustment to the state expenditure limit only for the fiscal  
6 period for which the appropriation is made and shall not affect any  
7 subsequent fiscal period.

8 (3) Funds for the student achievement program in RCW 28A.505.210  
9 and 28A.505.220 shall be appropriated to the superintendent of public  
10 instruction strictly for distribution to school districts to meet the  
11 provisions set out in the student achievement act. Allocations shall  
12 be made on an equal per full-time equivalent student basis to each  
13 school district.

14 (4) After July 1, 2010, the state treasurer shall transfer one  
15 hundred two million dollars from the general fund to the education  
16 construction fund by June 30th of each year.

17 **Sec. 951.** RCW 43.155.050 and 2010 1st sp.s. c 37 s 932 and 2010  
18 1st sp.s. c 36 s 6007 are each reenacted and amended to read as  
19 follows:

20 The public works assistance account is hereby established in the  
21 state treasury. Money may be placed in the public works assistance  
22 account from the proceeds of bonds when authorized by the legislature  
23 or from any other lawful source. Money in the public works assistance  
24 account shall be used to make loans and to give financial guarantees to  
25 local governments for public works projects. Moneys in the account may  
26 also be appropriated to provide for state match requirements under  
27 federal law for projects and activities conducted and financed by the  
28 board under the drinking water assistance account. Not more than  
29 fifteen percent of the biennial capital budget appropriation to the  
30 public works board from this account may be expended or obligated for  
31 preconstruction loans, emergency loans, or loans for capital facility  
32 planning under this chapter; of this amount, not more than ten percent  
33 of the biennial capital budget appropriation may be expended for  
34 emergency loans and not more than one percent of the biennial capital  
35 budget appropriation may be expended for capital facility planning  
36 loans. For the 2007-2009 biennium, moneys in the account may be used  
37 for grants for projects identified in section 138, chapter 488, Laws of

1 2005 and section 1033, chapter 520, Laws of 2007. During the 2009-2011  
2 fiscal biennium, sums in the public works assistance account may be  
3 used for the water pollution control revolving fund program match in  
4 section 3013, chapter 36, Laws of 2010 1st sp. sess. During the 2009-  
5 2011 fiscal biennium, the legislature may transfer from the job  
6 development fund to the general fund such amounts as reflect the excess  
7 fund balance of the fund. During the 2011-2013 fiscal biennium, the  
8 legislature may transfer from the public works assistance account to  
9 the general fund, the water pollution control revolving account, and  
10 the drinking water assistance account such amounts as reflect the  
11 excess fund balance of the account.

12 NEW SECTION. **Sec. 952.** Section 951 (RCW 43.155.050) of this act  
13 takes effect June 30, 2011.

14 **Sec. 953.** RCW 43.185.050 and 2006 c 371 s 236 are each amended to  
15 read as follows:

16 (1) The department shall use moneys from the housing trust fund and  
17 other legislative appropriations to finance in whole or in part any  
18 loans or grant projects that will provide housing for persons and  
19 families with special housing needs and with incomes at or below fifty  
20 percent of the median family income for the county or standard  
21 metropolitan statistical area where the project is located. At least  
22 thirty percent of these moneys used in any given funding cycle shall be  
23 for the benefit of projects located in rural areas of the state as  
24 defined by the department. If the department determines that it has  
25 not received an adequate number of suitable applications for rural  
26 projects during any given funding cycle, the department may allocate  
27 unused moneys for projects in nonrural areas of the state.

28 (2) Activities eligible for assistance from the housing trust fund  
29 and other legislative appropriations include, but are not limited to:

30 (a) New construction, rehabilitation, or acquisition of low and  
31 very low-income housing units;

32 (b) Rent subsidies;

33 (c) Matching funds for social services directly related to  
34 providing housing for special-need tenants in assisted projects;

35 (d) Technical assistance, design and finance services and

1 consultation, and administrative costs for eligible nonprofit community  
2 or neighborhood-based organizations;

3 (e) Administrative costs for housing assistance groups or  
4 organizations when such grant or loan will substantially increase the  
5 recipient's access to housing funds other than those available under  
6 this chapter;

7 (f) Shelters and related services for the homeless, including  
8 emergency shelters and overnight youth shelters;

9 (g) Mortgage subsidies, including temporary rental and mortgage  
10 payment subsidies to prevent homelessness;

11 (h) Mortgage insurance guarantee or payments for eligible projects;

12 (i) Down payment or closing cost assistance for eligible first-time  
13 home buyers;

14 (j) Acquisition of housing units for the purpose of preservation as  
15 low-income or very low-income housing;

16 (k) Projects making housing more accessible to families with  
17 members who have disabilities; and

18 (l) During the 2005-2007 fiscal biennium, a manufactured/mobile  
19 home landlord-tenant ombudsman conflict resolution and park  
20 registration program.

21 (3) During the 2005-2007 fiscal biennium, revenues generated under  
22 RCW 36.22.178 may be used for the development of affordable housing  
23 projects and other activities funded in section 108, chapter 371, Laws  
24 of 2006.

25 (4) Legislative appropriations from capital bond proceeds may be  
26 used only for the costs of projects authorized under subsection (2)(a),  
27 (i), and (j) of this section, and not for the administrative costs of  
28 the department.

29 (5) Moneys from repayment of loans from appropriations from capital  
30 bond proceeds may be used for all activities necessary for the proper  
31 functioning of the housing assistance program except for activities  
32 authorized under subsection (2)(b) and (c) of this section.

33 (6) Administrative costs of the department shall not exceed five  
34 percent of the annual funds available for the housing assistance  
35 program, except during the 2011-2013 fiscal biennium when  
36 administrative costs associated with housing trust fund application,  
37 distribution, and project development activities may not exceed three  
38 percent of the annual funds available for the housing assistance

1 program; administrative costs associated with compliance and monitoring  
2 activities of the department may not exceed one quarter of one percent  
3 annually of the contracted amount of state investment in the housing  
4 assistance program; and reappropriations may not be included in the  
5 calculation of the annual funds available for determining the  
6 administrative costs.

7 **Sec. 954.** RCW 43.185A.030 and 2005 c 518 s 1803 and 2005 c 219 s  
8 3 are each reenacted and amended to read as follows:

9 (1) Using moneys specifically appropriated for such purpose, the  
10 department shall finance in whole or in part projects that will provide  
11 housing for low-income households.

12 (2) Activities eligible for assistance include, but are not limited  
13 to:

14 (a) New construction, rehabilitation, or acquisition of housing for  
15 low-income households;

16 (b) Rent subsidies in new construction or rehabilitated multifamily  
17 units;

18 (c) Down payment or closing costs assistance for first-time home  
19 buyers;

20 (d) Mortgage subsidies for new construction or rehabilitation of  
21 eligible multifamily units; and

22 (e) Mortgage insurance guarantee or payments for eligible projects.

23 (3) Legislative appropriations from capital bond proceeds may be  
24 used only for the costs of projects authorized under subsection (2)  
25 (a), (c), (d), and (e) of this section, and not for the administrative  
26 costs of the department.

27 (4) Moneys from repayment of loans from appropriations from capital  
28 bond proceeds may be used for all activities necessary for the proper  
29 functioning of the affordable housing program except for activities  
30 authorized under subsection (2)(b) of this section.

31 (5) Administrative costs of the department shall not exceed four  
32 percent of the annual funds available for the affordable housing  
33 program, except during the 2011-2013 fiscal biennium when  
34 administrative costs associated with housing trust fund application,  
35 distribution, and project development activities may not exceed three  
36 percent of the annual funds available for the housing assistance  
37 program; administrative costs associated with compliance and monitoring

1 activities of the department may not exceed one quarter of one percent  
2 annually of the contracted amount of state investment in the housing  
3 assistance program; and reappropriations may not be included in the  
4 calculation of the annual funds available for determining the  
5 administrative costs.

6 **Sec. 955.** RCW 43.185C.190 and 2007 c 427 s 2 are each amended to  
7 read as follows:

8 The affordable housing for all account is created in the state  
9 treasury, subject to appropriation. The state's portion of the  
10 surcharges established in RCW 36.22.178 shall be deposited in the  
11 account. Expenditures from the account may only be used for affordable  
12 housing programs. During the 2011-2013 fiscal biennium, moneys in the  
13 account may be transferred to the home security fund.

14 **Sec. 956.** RCW 43.330.250 and 2009 c 565 s 13 and 2009 c 564 s 943  
15 are each reenacted and amended to read as follows:

16 (1) The economic development strategic reserve account is created  
17 in the state treasury to be used only for the purposes of this section.

18 (2) Only the governor, with the recommendation of the director of  
19 the department of commerce and the economic development commission, may  
20 authorize expenditures from the account.

21 (3) Expenditures from the account shall be made in an amount  
22 sufficient to fund a minimum of one staff position for the economic  
23 development commission and to cover any other operational costs of the  
24 commission.

25 (4) During the 2009-2011 (~~fiscal biennium~~) and 2011-2013 fiscal  
26 biennia, moneys in the account may also be transferred into the state  
27 general fund.

28 (5) Expenditures from the account may be made to prevent closure of  
29 a business or facility, to prevent relocation of a business or facility  
30 in the state to a location outside the state, or to recruit a business  
31 or facility to the state. Expenditures may be authorized for:

32 (a) Workforce development;

33 (b) Public infrastructure needed to support or sustain the  
34 operations of the business or facility; and

35 (c) Other lawfully provided assistance, including, but not limited  
36 to, technical assistance, environmental analysis, relocation

1 assistance, and planning assistance. Funding may be provided for such  
2 assistance only when it is in the public interest and may only be  
3 provided under a contractual arrangement ensuring that the state will  
4 receive appropriate consideration, such as an assurance of job creation  
5 or retention.

6 (6) The funds shall not be expended from the account unless:

7 (a) The circumstances are such that time does not permit the  
8 director of the department of commerce or the business or facility to  
9 secure funding from other state sources;

10 (b) The business or facility produces or will produce significant  
11 long-term economic benefits to the state, a region of the state, or a  
12 particular community in the state;

13 (c) The business or facility does not require continuing state  
14 support;

15 (d) The expenditure will result in new jobs, job retention, or  
16 higher incomes for citizens of the state;

17 (e) The expenditure will not supplant private investment; and

18 (f) The expenditure is accompanied by private investment.

19 (7) No more than three million dollars per year may be expended  
20 from the account for the purpose of assisting an individual business or  
21 facility pursuant to the authority specified in this section.

22 (8) If the account balance in the strategic reserve account exceeds  
23 fifteen million dollars at any time, the amount in excess of fifteen  
24 million dollars shall be transferred to the education construction  
25 account.

26 **Sec. 957.** RCW 43.336.020 and 2009 c 549 s 5178 are each amended to  
27 read as follows:

28 (1) The Washington tourism commission is created.

29 (2) The commission shall be cochaired by the director of the  
30 department or the director's designee, and by an industry-member  
31 representative who is elected by the commission members.

32 (3) The commission shall have nineteen members. In appointing  
33 members, the governor shall endeavor to balance the geographic and  
34 demographic composition of the commission to include members with  
35 special expertise from tourism organizations, local jurisdictions, and  
36 small businesses directly engaged in tourism-related activities.  
37 Before making appointments to the Washington tourism commission, the



1 governor shall consider nominations from recognized organizations that  
2 represent the entities or interests identified in this section.  
3 Commission members shall be appointed by the governor as follows:

4 (a) Three members to represent the lodging industry, at least two  
5 of which shall be chosen from a list of three nominees per position  
6 submitted by the state's largest lodging industry trade association.  
7 Members should represent all property categories and different regions  
8 of the state;

9 (b) Three representatives from nonprofit destination marketing  
10 organizations or visitor and convention bureaus;

11 (c) Three industry representatives from the arts, entertainment,  
12 attractions, or recreation industry;

13 (d) Four private industry representatives, two from each of the  
14 business categories in this subsection:

15 (i) The food, beverage, and wine industries; and

16 (ii) The travel and transportation industries;

17 (e) Four legislative members, one from each major caucus of the  
18 senate, designated by the president of the senate, and one from each  
19 major caucus of the house of representatives, designated by the speaker  
20 of the house of representatives;

21 (f) The chair of the Washington convention and trade center; and

22 (g) The director or the director's designee.

23 (4)(a) Terms of nonlegislative members shall be three years, except  
24 that initial terms shall be staggered such that terms of one-third of  
25 the initial members shall expire each year.

26 (b) Terms of legislative members shall be two years.

27 (c) Vacancies shall be appointed in the same manner as the original  
28 appointment.

29 (d) A member appointed by the governor may not be absent from more  
30 than fifty percent of the regularly scheduled meetings in any one  
31 calendar year. Any member who exceeds this absence limitation is  
32 deemed to have withdrawn from the office and may be replaced by the  
33 governor.

34 (5) Members shall be reimbursed for travel expenses as provided in  
35 RCW 43.03.050 and 43.03.060.

36 (6) The commission shall meet at least four times per year, but may  
37 meet more frequently as necessary.

38 (7) A majority of members currently appointed constitutes a quorum.

1 (8) Staff support shall be provided by the department, and staff  
2 shall report to the executive director.

3 (9) The director, in consultation with the commission, shall  
4 appoint an executive director.

5 (10) The commission may adopt rules under chapter 34.05 RCW as  
6 necessary to carry out the purposes of this chapter.

7 (11) During the 2011-2013 fiscal biennium, the commission and its  
8 activities and responsibilities are suspended.

9 **Sec. 958.** RCW 46.66.080 and 2011 c 5 s 915 are each amended to  
10 read as follows:

11 (1) The Washington auto theft prevention authority account is  
12 created in the state treasury, subject to appropriation. All revenues  
13 from the traffic infraction surcharge in RCW 46.63.110(7)(b) and all  
14 receipts from gifts, grants, bequests, devises, or other funds from  
15 public and private sources to support the activities of the auto theft  
16 prevention authority must be deposited into the account. Expenditures  
17 from the account may be used only for activities relating to motor  
18 vehicle theft, including education, prevention, law enforcement,  
19 investigation, prosecution, and confinement. During the 2009-2011 and  
20 2011-2013 fiscal (~~biennium~~) biennia, the legislature may appropriate  
21 moneys from the Washington auto theft prevention authority account for  
22 criminal justice purposes and community building and may transfer funds  
23 to the state general fund such amounts as reflect the excess fund  
24 balance of the account.

25 (2) The authority shall allocate moneys appropriated from the  
26 account to public agencies for the purpose of establishing,  
27 maintaining, and supporting programs that are designed to prevent motor  
28 vehicle theft, including:

29 (a) Financial support to prosecution agencies to increase the  
30 effectiveness of motor vehicle theft prosecution;

31 (b) Financial support to a unit of local government or a team  
32 consisting of units of local governments to increase the effectiveness  
33 of motor vehicle theft enforcement;

34 (c) Financial support for the procurement of equipment and  
35 technologies for use by law enforcement agencies for the purpose of  
36 enforcing motor vehicle theft laws; and

1 (d) Financial support for programs that are designed to educate and  
2 assist the public in the prevention of motor vehicle theft.

3 (3) The costs of administration shall not exceed ten percent of the  
4 moneys in the account in any one year so that the greatest possible  
5 portion of the moneys available to the authority is expended on  
6 combating motor vehicle theft.

7 (4) Prior to awarding any moneys from the Washington auto theft  
8 prevention authority account for motor vehicle theft enforcement, the  
9 auto theft prevention authority must verify that the financial award  
10 includes sufficient funding to cover proposed activities, which  
11 include, but are not limited to: (a) State, municipal, and county  
12 offender and juvenile confinement costs; (b) administration costs; (c)  
13 law enforcement costs; (d) prosecutor costs; and (e) court costs, with  
14 a priority being given to ensuring that sufficient funding is available  
15 to cover state, municipal, and county offender and juvenile confinement  
16 costs.

17 (5) Moneys expended from the Washington auto theft prevention  
18 authority account under subsection (2) of this section shall be used to  
19 supplement, not supplant, other moneys that are available for motor  
20 vehicle theft prevention.

21 (6) Grants provided under subsection (2) of this section constitute  
22 reimbursement for purposes of RCW 43.135.060(1).

23 **Sec. 959.** RCW 66.08.170 and 2009 c 564 s 947 are each amended to  
24 read as follows:

25 There shall be a fund, known as the "liquor revolving fund", which  
26 shall consist of all license fees, permit fees, penalties, forfeitures,  
27 and all other moneys, income, or revenue received by the board. The  
28 state treasurer shall be custodian of the fund. All moneys received by  
29 the board or any employee thereof, except for change funds and an  
30 amount of petty cash as fixed by the board within the authority of law  
31 shall be deposited each day in a depository approved by the state  
32 treasurer and transferred to the state treasurer to be credited to the  
33 liquor revolving fund. During the 2009-2011 fiscal biennium, the  
34 legislature may transfer funds from the liquor revolving account [fund]  
35 to the state general fund and may direct an additional amount of liquor  
36 profits to be distributed to local governments. Neither the transfer  
37 of funds nor the additional distribution of liquor profits to local

1 governments during the 2009-2011 fiscal biennium may reduce the excess  
2 fund distributions that otherwise would occur under RCW 66.08.190.  
3 During the 2011-2013 fiscal biennium, the state treasurer shall  
4 transfer from the liquor revolving fund to the state general fund  
5 forty-two million five hundred thousand dollars for fiscal year 2012  
6 and forty-two million five hundred thousand dollars for fiscal year  
7 2013. The transfer during the 2011-2013 fiscal biennium may not reduce  
8 the excess fund distributions that otherwise would occur under RCW  
9 66.08.190. Sales to licensees are exempt from any liquor price  
10 increases that may result from the transfer of funds from the liquor  
11 revolving fund to the state general fund during the 2011-2013 fiscal  
12 biennium. Disbursements from the revolving fund shall be on  
13 authorization of the board or a duly authorized representative thereof.  
14 In order to maintain an effective expenditure and revenue control the  
15 liquor revolving fund shall be subject in all respects to chapter 43.88  
16 RCW but no appropriation shall be required to permit expenditures and  
17 payment of obligations from such fund.

18 **Sec. 960.** RCW 66.08.190 and 2003 1st sp.s. c 25 s 927 are each  
19 amended to read as follows:

20 (1) Except for revenues generated by the 2003 surcharge of  
21 \$0.42/liter on retail sales of spirits that (~~shall~~) must be  
22 distributed to the state general fund during the 2003-2005 biennium,  
23 when excess funds are distributed, all moneys subject to distribution  
24 (~~shall~~) must be disbursed as follows:

25 (a) Three-tenths of one percent to border areas under RCW  
26 66.08.195; and

27 (b) Except as provided in subsection (4) of this section, from the  
28 amount remaining after distribution under (a) of this subsection, (i)  
29 fifty percent to the general fund of the state, (ii) ten percent to the  
30 counties of the state, and (iii) forty percent to the incorporated  
31 cities and towns of the state.

32 (2) During the months of June, September, December, and March of  
33 each year, prior to disbursing the distribution to incorporated cities  
34 and towns under subsection (1)(b) of this section, the treasurer  
35 (~~shall~~) must deduct from that distribution an amount that will fund  
36 that quarter's allotments under RCW 43.88.110 from any legislative

1 appropriation from the city and town research services account. The  
2 treasurer (~~shall~~) must deposit the amount deducted into the city and  
3 town research services account.

4 (3) The governor may notify and direct the state treasurer to  
5 withhold the revenues to which the counties and cities are entitled  
6 under this section if the counties or cities are found to be in  
7 noncompliance pursuant to RCW 36.70A.340.

8 (4) During the 2011-2013 fiscal biennium, from the amount remaining  
9 after distribution under subsection (1)(a) of this section, (a) 51.7  
10 percent to the general fund of the state, (b) 9.7 percent to the  
11 counties of the state, and (c) 38.6 percent to the incorporated cities  
12 and towns of the state.

13 **Sec. 961.** RCW 66.08.235 and 2005 c 151 s 4 are each amended to  
14 read as follows:

15 The liquor control board construction and maintenance account is  
16 created within the state treasury. The liquor control board shall  
17 deposit into this account a portion of the board's markup, as  
18 authorized by chapter 66.16 RCW, placed upon liquor as determined by  
19 the board. Moneys in the account may be spent only after  
20 appropriation. The liquor control board shall use deposits to this  
21 account to fund construction and maintenance of a centralized  
22 distribution center for liquor products intended for sale through the  
23 board's liquor store and contract liquor store system. During the  
24 (~~2001-2003~~) 2011-2013 fiscal biennium, the legislature may transfer  
25 from the liquor control board construction and maintenance account to  
26 the state general fund such amounts as reflect the (~~appropriations~~  
27 ~~reductions made by the 2002 supplemental appropriations act for~~  
28 ~~administrative efficiencies and savings~~) excess fund balance of the  
29 account.

30 **Sec. 962.** RCW 67.70.260 and 2002 c 371 s 919 are each amended to  
31 read as follows:

32 There is hereby created the lottery administrative account in the  
33 state treasury. The account shall be managed, controlled, and  
34 maintained by the director. The legislature may appropriate from the  
35 account for the payment of costs incurred in the operation and  
36 administration of the lottery. During the 2001-2003 fiscal biennium,

1 the legislature may transfer from the lottery administrative account to  
2 the state general fund such amounts as reflect the appropriations  
3 reductions made by the 2002 supplemental appropriations act for  
4 administrative efficiencies and savings. During the 2011-2013 fiscal  
5 biennium, the lottery administrative account may also be used to fund  
6 an independent forecast of the lottery revenues conducted by the  
7 economic and revenue forecast council.

8 **Sec. 963.** RCW 70.93.180 and 2010 1st sp.s. c 37 s 945 are each  
9 amended to read as follows:

10 (1) There is hereby created an account within the state treasury to  
11 be known as the "waste reduction, recycling, and litter control  
12 account". Moneys in the account may be spent only after appropriation.  
13 Expenditures from the waste reduction, recycling, and litter control  
14 account shall be used as follows:

15 (a) Fifty percent to the department of ecology, for use by the  
16 departments of ecology, natural resources, revenue, transportation, and  
17 corrections, and the parks and recreation commission, for use in litter  
18 collection programs, to be distributed under RCW 70.93.220. The amount  
19 to the department of ecology shall also be used for a central  
20 coordination function for litter control efforts statewide, for the  
21 biennial litter survey under RCW 70.93.200(8), and for statewide public  
22 awareness programs under RCW 70.93.200(7). The amount to the  
23 department shall also be used to defray the costs of administering the  
24 funding, coordination, and oversight of local government programs for  
25 waste reduction, litter control, and recycling, so that local  
26 governments can apply one hundred percent of their funding to achieving  
27 program goals. The amount to the department of revenue shall be used  
28 to enforce compliance with the litter tax imposed in chapter 82.19 RCW;

29 (b) Twenty percent to the department for local government funding  
30 programs for waste reduction, litter control, and recycling activities  
31 by cities and counties under RCW 70.93.250, to be administered by the  
32 department of ecology; and

33 (c) Thirty percent to the department of ecology for waste reduction  
34 and recycling efforts.

35 (2) All taxes imposed in RCW 82.19.010 and fines and bail  
36 forfeitures collected or received pursuant to this chapter shall be

1 deposited in the waste reduction, recycling, and litter control account  
2 and used for the programs under subsection (1) of this section.

3 (3) Not less than five percent and no more than ten percent of the  
4 amount appropriated into the waste reduction, recycling, and litter  
5 control account every biennium shall be reserved for capital needs,  
6 including the purchase of vehicles for transporting crews and for  
7 collecting litter and solid waste. Capital funds shall be distributed  
8 among state agencies and local governments according to the same  
9 criteria provided in RCW 70.93.220 for the remainder of the funds, so  
10 that the most effective waste reduction, litter control, and recycling  
11 programs receive the most funding. The intent of this subsection is to  
12 provide funds for the purchase of equipment that will enable the  
13 department to account for the greatest return on investment in terms of  
14 reaching a zero litter goal.

15 (4) During the 2009-2011 fiscal biennium, the legislature may  
16 transfer from the waste reduction, recycling, and litter control  
17 account to the state general fund such amounts as reflect the excess  
18 fund balance of the account. Additionally, during the 2009-2011 fiscal  
19 biennium, subsection (1)(a), (b), and (c) of this section is suspended.

20 (5) During the 2011-2013 fiscal biennium, the legislature may  
21 transfer from the waste reduction, recycling, and litter control  
22 account to the state general fund such amounts as reflect the excess  
23 fund balance of the account. Additionally, during the 2011-2013 fiscal  
24 biennium, subsection (1)(a), (b), and (c) of this section is suspended.

25 **Sec. 964.** RCW 70.105D.070 and 2010 1st sp.s. c 37 s 942 are each  
26 amended to read as follows:

27 (1) The state toxics control account and the local toxics control  
28 account are hereby created in the state treasury.

29 (2) The following moneys shall be deposited into the state toxics  
30 control account: (a) Those revenues which are raised by the tax  
31 imposed under RCW 82.21.030 and which are attributable to that portion  
32 of the rate equal to thirty-three one-hundredths of one percent; (b)  
33 the costs of remedial actions recovered under this chapter or chapter  
34 70.105A RCW; (c) penalties collected or recovered under this chapter;  
35 and (d) any other money appropriated or transferred to the account by  
36 the legislature. Moneys in the account may be used only to carry out

1 the purposes of this chapter, including but not limited to the  
2 following activities:

3 (i) The state's responsibility for hazardous waste planning,  
4 management, regulation, enforcement, technical assistance, and public  
5 education required under chapter 70.105 RCW;

6 (ii) The state's responsibility for solid waste planning,  
7 management, regulation, enforcement, technical assistance, and public  
8 education required under chapter 70.95 RCW;

9 (iii) The hazardous waste cleanup program required under this  
10 chapter;

11 (iv) State matching funds required under the federal cleanup law;

12 (v) Financial assistance for local programs in accordance with  
13 chapters 70.95, 70.95C, 70.95I, and 70.105 RCW;

14 (vi) State government programs for the safe reduction, recycling,  
15 or disposal of hazardous wastes from households, small businesses, and  
16 agriculture;

17 (vii) Hazardous materials emergency response training;

18 (viii) Water and environmental health protection and monitoring  
19 programs;

20 (ix) Programs authorized under chapter 70.146 RCW;

21 (x) A public participation program, including regional citizen  
22 advisory committees;

23 (xi) Public funding to assist potentially liable persons to pay for  
24 the costs of remedial action in compliance with cleanup standards under  
25 RCW 70.105D.030(2)(e) but only when the amount and terms of such  
26 funding are established under a settlement agreement under RCW  
27 70.105D.040(4) and when the director has found that the funding will  
28 achieve both (A) a substantially more expeditious or enhanced cleanup  
29 than would otherwise occur, and (B) the prevention or mitigation of  
30 unfair economic hardship;

31 (xii) Development and demonstration of alternative management  
32 technologies designed to carry out the hazardous waste management  
33 priorities of RCW 70.105.150;

34 (xiii) During the 2009-2011 and 2011-2013 fiscal (~~biennium~~)  
35 biennia, shoreline update technical assistance; (~~and~~)

36 (xiv) During the 2009-2011 fiscal biennium, multijurisdictional  
37 permitting teams; and



1       (xv) During the 2011-2013 fiscal biennium, actions for reducing  
2 public exposure to toxic air pollution.

3       (3) The following moneys shall be deposited into the local toxics  
4 control account: Those revenues which are raised by the tax imposed  
5 under RCW 82.21.030 and which are attributable to that portion of the  
6 rate equal to thirty-seven one-hundredths of one percent.

7       (a) Moneys deposited in the local toxics control account shall be  
8 used by the department for grants or loans to local governments for the  
9 following purposes in descending order of priority:

10       (i) Remedial actions;

11       (ii) Hazardous waste plans and programs under chapter 70.105 RCW;

12       (iii) Solid waste plans and programs under chapters 70.95, 70.95C,  
13 70.95I, and 70.105 RCW;

14       (iv) Funds for a program to assist in the assessment and cleanup of  
15 sites of methamphetamine production, but not to be used for the initial  
16 containment of such sites, consistent with the responsibilities and  
17 intent of RCW 69.50.511; and

18       (v) Cleanup and disposal of hazardous substances from abandoned or  
19 derelict vessels, defined for the purposes of this section as vessels  
20 that have little or no value and either have no identified owner or  
21 have an identified owner lacking financial resources to clean up and  
22 dispose of the vessel, that pose a threat to human health or the  
23 environment.

24       (b) Funds for plans and programs shall be allocated consistent with  
25 the priorities and matching requirements established in chapters  
26 70.105, 70.95C, 70.95I, and 70.95 RCW, except that any applicant that  
27 is a Puget Sound partner, as defined in RCW 90.71.010, along with any  
28 project that is referenced in the action agenda developed by the Puget  
29 Sound partnership under RCW 90.71.310, shall, except as conditioned by  
30 RCW 70.105D.120, receive priority for any available funding for any  
31 grant or funding programs or sources that use a competitive bidding  
32 process. During the 2007-2009 fiscal biennium, moneys in the account  
33 may also be used for grants to local governments to retrofit public  
34 sector diesel equipment and for storm water planning and implementation  
35 activities.

36       (c) To expedite cleanups throughout the state, the department shall  
37 partner with local communities and liable parties for cleanups. The

1 department is authorized to use the following additional strategies in  
2 order to ensure a healthful environment for future generations:

3 (i) The director may alter grant-matching requirements to create  
4 incentives for local governments to expedite cleanups when one of the  
5 following conditions exists:

6 (A) Funding would prevent or mitigate unfair economic hardship  
7 imposed by the clean-up liability;

8 (B) Funding would create new substantial economic development,  
9 public recreational, or habitat restoration opportunities that would  
10 not otherwise occur; or

11 (C) Funding would create an opportunity for acquisition and  
12 redevelopment of vacant, orphaned, or abandoned property under RCW  
13 70.105D.040(5) that would not otherwise occur;

14 (ii) The use of outside contracts to conduct necessary studies;

15 (iii) The purchase of remedial action cost-cap insurance, when  
16 necessary to expedite multiparty clean-up efforts.

17 (d) To facilitate and expedite cleanups using funds from the local  
18 toxics control account, during the 2009-2011 fiscal biennium the  
19 director may establish grant-funded accounts to hold and disperse local  
20 toxics control account funds and funds from local governments to be  
21 used for remedial actions.

22 (4) Except for unanticipated receipts under RCW 43.79.260 through  
23 43.79.282, moneys in the state and local toxics control accounts may be  
24 spent only after appropriation by statute.

25 (5) Except during the 2009-2011 fiscal biennium, one percent of the  
26 moneys deposited into the state and local toxics control accounts shall  
27 be allocated only for public participation grants to persons who may be  
28 adversely affected by a release or threatened release of a hazardous  
29 substance and to not-for-profit public interest organizations. The  
30 primary purpose of these grants is to facilitate the participation by  
31 persons and organizations in the investigation and remedying of  
32 releases or threatened releases of hazardous substances and to  
33 implement the state's solid and hazardous waste management priorities.  
34 No grant may exceed sixty thousand dollars. Grants may be renewed  
35 annually. Moneys appropriated for public participation from either  
36 account which are not expended at the close of any biennium shall  
37 revert to the state toxics control account.

1 (6) No moneys deposited into either the state or local toxics  
2 control account may be used for solid waste incinerator feasibility  
3 studies, construction, maintenance, or operation, or, after January 1,  
4 2010, for projects designed to address the restoration of Puget Sound,  
5 funded in a competitive grant process, that are in conflict with the  
6 action agenda developed by the Puget Sound partnership under RCW  
7 90.71.310.

8 (7) The department shall adopt rules for grant or loan issuance and  
9 performance.

10 (8) During the 2007-2009 and 2009-2011 fiscal biennia, the  
11 legislature may transfer from the local toxics control account to  
12 either the state general fund or the oil spill prevention account, or  
13 both such amounts as reflect excess fund balance in the account.

14 (9) During the 2009-2011 fiscal biennium, the local toxics control  
15 account may also be used for a standby rescue tug at Neah Bay, local  
16 government shoreline update grants, private and public sector diesel  
17 equipment retrofit, and oil spill prevention, preparedness, and  
18 response activities.

19 (10) During the 2009-2011 fiscal biennium, the legislature may  
20 transfer from the state toxics control account to the state general  
21 fund such amounts as reflect the excess fund balance in the account.

22 (11) During the 2011-2013 fiscal biennium, the local toxics control  
23 account may also be used for local government shoreline update grants  
24 and actions for reducing public exposure to toxic air pollution.

25 **Sec. 965.** RCW 74.13.621 and 2009 c 564 s 954 are each amended to  
26 read as follows:

27 (1) Within existing resources, the department shall establish an  
28 oversight committee to monitor, guide, and report on kinship care  
29 recommendations and implementation activities. The committee shall:

30 (a) Draft a kinship care definition that is restricted to persons  
31 related by blood, marriage, or adoption, including marriages that have  
32 been dissolved, or for a minor defined as an "Indian child" under the  
33 federal Indian child welfare act (25 U.S.C. Sec. 1901 et seq.), the  
34 definition of "extended family member" under the federal Indian child  
35 welfare act, and a set of principles. If the committee concludes that  
36 one or more programs or services would be more efficiently and  
37 effectively delivered under a different definition of kin, it shall

1 state what definition is needed, and identify the program or service in  
2 the report. It shall also provide evidence of how the program or  
3 service will be more efficiently and effectively delivered under the  
4 different definition. The department shall not adopt rules or policies  
5 changing the definition of kin without authorizing legislation;

6 (b) Monitor and provide consultation on the implementation of  
7 recommendations contained in the 2002 kinship care report, including  
8 but not limited to the recommendations relating to legal and respite  
9 care services and resources;

10 (c) Partner with nonprofit organizations and private sector  
11 businesses to guide a public education awareness campaign; and

12 (d) Assist with developing future recommendations on kinship care  
13 issues.

14 (2) The department shall consult with the oversight committee on  
15 its efforts to better collaborate and coordinate services to benefit  
16 kinship care families.

17 (3) The oversight committee must consist of a minimum of thirty  
18 percent kinship caregivers, who shall represent a diversity of kinship  
19 families. Statewide representation with geographic, ethnic, and gender  
20 diversity is required. Other members shall include representatives of  
21 the department, representatives of relevant state agencies,  
22 representatives of the private nonprofit and business sectors, child  
23 advocates, representatives of Washington state Indian tribes as defined  
24 under the federal Indian welfare act (25 U.S.C. Sec. 1901 et seq.), and  
25 representatives of the legal or judicial field. Birth parents, foster  
26 parents, and others who have an interest in these issues may also be  
27 included.

28 (4) To the extent funding is available, the department may  
29 reimburse nondepartmental members of the oversight committee for costs  
30 incurred in participating in the meetings of the oversight committee.

31 (5) The kinship care oversight committee shall update the  
32 legislature and governor annually on committee activities, with the  
33 first update due by January 1, 2006.

34 (6) This section expires June 30, (~~(2011)~~) 2013.

35 **Sec. 966.** RCW 79.64.040 and 2009 c 564 s 957 are each amended to  
36 read as follows:

37 (1) The board shall determine the amount deemed necessary in order

1 to achieve the purposes of this chapter and shall provide by rule for  
2 the deduction of this amount from the moneys received from all leases,  
3 sales, contracts, licenses, permits, easements, and rights-of-way  
4 issued by the department and affecting state lands and aquatic lands,  
5 provided that no deduction shall be made from the proceeds from  
6 agricultural college lands.

7 (2) Moneys received as deposits from successful bidders, advance  
8 payments, and security under RCW 79.15.100, 79.15.080, and 79.11.150  
9 prior to December 1, 1981, which have not been subjected to deduction  
10 under this section are not subject to deduction under this section.

11 (3) Except as otherwise provided in subsection (5) of this section,  
12 the deductions authorized under this section shall not exceed twenty-  
13 five percent of the moneys received by the department in connection  
14 with any one transaction pertaining to state lands and aquatic lands  
15 other than second-class tide and shore lands and the beds of navigable  
16 waters, and fifty percent of the moneys received by the department  
17 pertaining to second-class tide and shore lands and the beds of  
18 navigable waters.

19 (4) In the event that the department sells logs using the contract  
20 harvesting process described in RCW 79.15.500 through 79.15.530, the  
21 moneys received subject to this section are the net proceeds from the  
22 contract harvesting sale.

23 (5) During the 2009-2011 fiscal biennium and fiscal year 2012, the  
24 twenty-five percent limitation on deductions set in subsection (3) of  
25 this section may be increased up to thirty percent by the board.

26 **Sec. 967.** RCW 79.105.150 and 2010 1st sp.s. c 37 s 949 are each  
27 amended to read as follows:

28 (1) After deduction for management costs as provided in RCW  
29 79.64.040 and payments to towns under RCW 79.115.150(2), all moneys  
30 received by the state from the sale or lease of state-owned aquatic  
31 lands and from the sale of valuable material from state-owned aquatic  
32 lands shall be deposited in the aquatic lands enhancement account which  
33 is hereby created in the state treasury. After appropriation, these  
34 funds shall be used solely for aquatic lands enhancement projects; for  
35 the purchase, improvement, or protection of aquatic lands for public  
36 purposes; for providing and improving access to the lands; and for  
37 volunteer cooperative fish and game projects. During the 2009-2011 and

1 2011-2013 fiscal (~~biennium~~) biennia, the aquatic lands enhancement  
2 account may also be used for scientific research as part of the  
3 adaptive management process and for developing a planning report for  
4 McNeil Island. During the 2009-~~2011~~ (~~fiscal biennium~~) and 2011-2013  
5 fiscal biennia, the legislature may transfer from the aquatic lands  
6 enhancement account to the state general fund such amounts as reflect  
7 excess fund balance of the account.

8 (2) In providing grants for aquatic lands enhancement projects, the  
9 recreation and conservation funding board shall:

10 (a) Require grant recipients to incorporate the environmental  
11 benefits of the project into their grant applications;

12 (b) Utilize the statement of environmental benefits, consideration,  
13 except as provided in RCW 79.105.610, of whether the applicant is a  
14 Puget Sound partner, as defined in RCW 90.71.010, whether a project is  
15 referenced in the action agenda developed by the Puget Sound  
16 partnership under RCW 90.71.310, and except as otherwise provided in  
17 RCW 79.105.630, and effective one calendar year following the  
18 development and statewide availability of model evergreen community  
19 management plans and ordinances under RCW 35.105.050, whether the  
20 applicant is an entity that has been recognized, and what gradation of  
21 recognition was received, in the evergreen community recognition  
22 program created in RCW 35.105.030 in its prioritization and selection  
23 process; and

24 (c) Develop appropriate outcome-focused performance measures to be  
25 used both for management and performance assessment of the grants.

26 (3) To the extent possible, the department should coordinate its  
27 performance measure system with other natural resource-related agencies  
28 as defined in RCW 43.41.270.

29 (4) The department shall consult with affected interest groups in  
30 implementing this section.

31 (5) After January 1, 2010, any project designed to address the  
32 restoration of Puget Sound may be funded under this chapter only if the  
33 project is not in conflict with the action agenda developed by the  
34 Puget Sound partnership under RCW 90.71.310.

35 **Sec. 968.** RCW 80.36.430 and 2011 c 5 s 919 are each amended to  
36 read as follows:

37 (1) The Washington telephone assistance program shall be funded by

1 a telephone assistance excise tax on all switched access lines and by  
2 funds from any federal government or other programs for this purpose.  
3 Switched access lines are defined in RCW 82.14B.020. The telephone  
4 assistance excise tax shall be applied equally to all residential and  
5 business access lines not to exceed fourteen cents per month. The  
6 department shall submit an approved annual budget for the Washington  
7 telephone assistance program to the department of revenue no later than  
8 March 1st prior to the beginning of each fiscal year. The department  
9 of revenue shall then determine the amount of telephone assistance  
10 excise tax to be placed on each switched access line and shall inform  
11 local exchange companies and the utilities and transportation  
12 commission of this amount no later than May 1st. The department of  
13 revenue shall determine the amount of telephone assistance excise tax  
14 by dividing the total of the program budget funded by the telephone  
15 assistance excise tax, as submitted by the department, by the total  
16 number of switched access lines in the prior calendar year. The  
17 telephone assistance excise tax shall be separately identified on each  
18 ratepayer's bill as the "Washington telephone assistance program." All  
19 money collected from the telephone assistance excise tax shall be  
20 transferred to a telephone assistance fund administered by the  
21 department.

22 (2) Local exchange companies shall bill the fund for their expenses  
23 incurred in offering the telephone assistance program, including  
24 administrative and program expenses. The department shall disburse the  
25 money to the local exchange companies. The department is exempted from  
26 having to conclude a contract with local exchange companies in order to  
27 effect this reimbursement. The department shall recover its  
28 administrative costs from the fund. The department may specify by rule  
29 the range and extent of administrative and program expenses that will  
30 be reimbursed to local exchange companies.

31 (3) The department shall enter into an agreement with the  
32 department of commerce for an amount not to exceed eight percent of the  
33 prior fiscal year's total revenue for the administrative and program  
34 expenses of providing community service voice mail services. The  
35 community service voice mail service may include toll-free lines in  
36 community action agencies through which recipients can access their  
37 community service voice mailboxes at no charge.

1 (4) During the 2009-2011 (~~biennium~~) and 2011-2013 biennia, the  
2 department shall enter into an agreement with the WIN 211 organization  
3 for operational support. During the 2011-2013 biennium, the department  
4 shall provide five hundred thousand dollars per fiscal year for this  
5 purpose.

6 (5) During the 2009-2011 biennium, the telephone assistance fund  
7 shall also be used in support of the economic services administration  
8 call centers and related operations.

9 **Sec. 969.** RCW 82.08.160 and 1982 1st ex.s. c 35 s 4 are each  
10 amended to read as follows:

11 (1) On or before the twenty-fifth day of each month, all taxes  
12 collected under RCW 82.08.150 during the preceding month (~~shall~~) must  
13 be remitted to the state department of revenue, to be deposited with  
14 the state treasurer. Except as provided in subsection (2) of this  
15 section, upon receipt of such moneys the state treasurer (~~shall~~) must  
16 credit sixty-five percent of the sums collected and remitted under RCW  
17 82.08.150 (1) and (2) and one hundred percent of the sums collected and  
18 remitted under RCW 82.08.150 (3) and (4) to the state general fund and  
19 thirty-five percent of the sums collected and remitted under RCW  
20 82.08.150 (1) and (2) to a fund which is hereby created to be known as  
21 the "liquor excise tax fund."

22 (2) During the 2011-2013 fiscal biennium, 66.19 percent of the sums  
23 collected and remitted under RCW 82.08.150 (1) and (2) must be  
24 deposited in the state general fund and the remainder collected and  
25 remitted under RCW 82.08.150 (1) and (2) must be deposited in the  
26 liquor excise tax fund.

27 **Sec. 970.** RCW 82.14.310 and 2005 c 282 s 49 are each amended to  
28 read as follows:

29 (1) The county criminal justice assistance account is created in  
30 the state treasury. Beginning in fiscal year 2000, the state treasurer  
31 (~~shall~~) must transfer into the county criminal justice assistance  
32 account from the general fund the sum of twenty-three million two  
33 hundred thousand dollars divided into four equal deposits occurring on  
34 July 1, October 1, January 1, and April 1. For each fiscal year  
35 thereafter, the state treasurer (~~shall~~) must increase the total



1 transfer by the fiscal growth factor, as defined in RCW 43.135.025,  
2 forecast for that fiscal year by the office of financial management in  
3 November of the preceding year.

4 (2) The moneys deposited in the county criminal justice assistance  
5 account for distribution under this section, less any moneys  
6 appropriated for purposes under subsection (4) of this section,  
7 (~~shall~~) must be distributed at such times as distributions are made  
8 under RCW 82.44.150 and on the relative basis of each county's funding  
9 factor as determined under this subsection.

10 (a) A county's funding factor is the sum of:

11 (i) The population of the county, divided by one thousand, and  
12 multiplied by two-tenths;

13 (ii) The crime rate of the county, multiplied by three-tenths; and

14 (iii) The annual number of criminal cases filed in the county  
15 superior court, for each one thousand in population, multiplied by  
16 five-tenths.

17 (b) Under this section and RCW 82.14.320 and 82.14.330:

18 (i) The population of the county or city (~~shall be~~) is as last  
19 determined by the office of financial management;

20 (ii) The crime rate of the county or city is the annual occurrence  
21 of specified criminal offenses, as calculated in the most recent annual  
22 report on crime in Washington state as published by the Washington  
23 association of sheriffs and police chiefs, for each one thousand in  
24 population;

25 (iii) The annual number of criminal cases filed in the county  
26 superior court (~~shall~~) must be determined by the most recent annual  
27 report of the courts of Washington, as published by the administrative  
28 office of the courts;

29 (iv) Distributions and eligibility for distributions in the (~~1989-~~  
30 ~~91~~) 1989-1991 biennium (~~shall~~) must be based on 1988 figures for  
31 both the crime rate as described under (ii) of this subsection and the  
32 annual number of criminal cases that are filed as described under (iii)  
33 of this subsection. Future distributions (~~shall~~) must be based on  
34 the most recent figures for both the crime rate as described under (ii)  
35 of this subsection and the annual number of criminal cases that are  
36 filed as described under (iii) of this subsection.

37 (3) Moneys distributed under this section (~~shall~~) must be  
38 expended exclusively for criminal justice purposes and (~~shall~~) may

1 not be used to replace or supplant existing funding. Criminal justice  
2 purposes are defined as activities that substantially assist the  
3 criminal justice system, which may include circumstances where  
4 ancillary benefit to the civil or juvenile justice system occurs, and  
5 which includes (a) domestic violence services such as those provided by  
6 domestic violence programs, community advocates, and legal advocates,  
7 as defined in RCW 70.123.020, and (b) during the 2001-2003 fiscal  
8 biennium, juvenile dispositional hearings relating to petitions for at-  
9 risk youth, truancy, and children in need of services. Existing  
10 funding for purposes of this subsection is defined as calendar year  
11 1989 actual operating expenditures for criminal justice purposes.  
12 Calendar year 1989 actual operating expenditures for criminal justice  
13 purposes exclude the following: Expenditures for extraordinary events  
14 not likely to reoccur, changes in contract provisions for criminal  
15 justice services, beyond the control of the local jurisdiction  
16 receiving the services, and major nonrecurring capital expenditures.

17 (4) Not more than five percent of the funds deposited to the county  
18 criminal justice assistance account (~~shall~~) may be available for  
19 appropriations for enhancements to the state patrol crime laboratory  
20 system and the continuing costs related to these enhancements. Funds  
21 appropriated from this account for such enhancements (~~shall~~) may not  
22 supplant existing funds from the state general fund.

23 (5) During the 2011-2013 fiscal biennium, the amount that would  
24 otherwise be transferred into the county criminal justice assistance  
25 account from the general fund under subsection (1) of this section must  
26 be reduced by 3.4 percent.

27 **Sec. 971.** RCW 82.14.320 and 1998 c 321 s 12 are each amended to  
28 read as follows:

29 (1) The municipal criminal justice assistance account is created in  
30 the state treasury. Beginning in fiscal year 2000, the state treasurer  
31 (~~shall~~) must transfer into the municipal criminal justice assistance  
32 account for distribution under this section from the general fund the  
33 sum of four million six hundred thousand dollars divided into four  
34 equal deposits occurring on July 1, October 1, January 1, and April 1.  
35 For each fiscal year thereafter, the state treasurer (~~shall~~) must  
36 increase the total transfer by the fiscal growth factor, as defined in

1 RCW 43.135.025, forecast for that fiscal year by the office of  
2 financial management in November of the preceding year.

3 (2) No city may receive a distribution under this section from the  
4 municipal criminal justice assistance account unless:

5 (a) The city has a crime rate in excess of one hundred twenty-five  
6 percent of the statewide average as calculated in the most recent  
7 annual report on crime in Washington state as published by the  
8 Washington association of sheriffs and police chiefs;

9 (b) The city has levied the tax authorized in RCW 82.14.030(2) at  
10 the maximum rate or the tax authorized in RCW 82.46.010(3) at the  
11 maximum rate; and

12 (c) The city has a per capita yield from the tax imposed under RCW  
13 82.14.030(1) at the maximum rate of less than one hundred fifty percent  
14 of the statewide average per capita yield for all cities from such  
15 local sales and use tax.

16 (3) The moneys deposited in the municipal criminal justice  
17 assistance account for distribution under this section, less any moneys  
18 appropriated for purposes under subsection (7) of this section,  
19 (~~shall~~) must be distributed at such times as distributions are made  
20 under RCW 82.44.150. The distributions (~~shall~~) must be made as  
21 follows:

22 (a) Unless reduced by this subsection, thirty percent of the moneys  
23 (~~shall~~) must be distributed ratably based on population as last  
24 determined by the office of financial management to those cities  
25 eligible under subsection (2) of this section that have a crime rate  
26 determined under subsection (2)(a) of this section which is greater  
27 than one hundred seventy-five percent of the statewide average crime  
28 rate. No city may receive more than fifty percent of any moneys  
29 distributed under this subsection (a) but, if a city distribution is  
30 reduced as a result of exceeding the fifty percent limitation, the  
31 amount not distributed (~~shall~~) must be distributed under (b) of this  
32 subsection.

33 (b) The remainder of the moneys, including any moneys not  
34 distributed in subsection (2)(a) of this section, (~~shall~~) must be  
35 distributed to all cities eligible under subsection (2) of this section  
36 ratably based on population as last determined by the office of  
37 financial management.

1 (4) No city may receive more than thirty percent of all moneys  
2 distributed under subsection (3) of this section.

3 (5) Notwithstanding other provisions of this section, the  
4 distributions to any city that substantially decriminalizes or repeals  
5 its criminal code after July 1, 1990, and that does not reimburse the  
6 county for costs associated with criminal cases under RCW 3.50.800 or  
7 3.50.805(2), (~~shall~~) must be made to the county in which the city is  
8 located.

9 (6) Moneys distributed under this section (~~shall~~) must be  
10 expended exclusively for criminal justice purposes and (~~shall~~) may  
11 not be used to replace or supplant existing funding. Criminal justice  
12 purposes are defined as activities that substantially assist the  
13 criminal justice system, which may include circumstances where  
14 ancillary benefit to the civil justice system occurs, and which  
15 includes domestic violence services such as those provided by domestic  
16 violence programs, community advocates, and legal advocates, as defined  
17 in RCW 70.123.020, and publications and public educational efforts  
18 designed to provide information and assistance to parents in dealing  
19 with runaway or at-risk youth. Existing funding for purposes of this  
20 subsection is defined as calendar year 1989 actual operating  
21 expenditures for criminal justice purposes. Calendar year 1989 actual  
22 operating expenditures for criminal justice purposes exclude the  
23 following: Expenditures for extraordinary events not likely to  
24 reoccur, changes in contract provisions for criminal justice services,  
25 beyond the control of the local jurisdiction receiving the services,  
26 and major nonrecurring capital expenditures.

27 (7) Not more than five percent of the funds deposited to the  
28 municipal criminal justice assistance account (~~shall~~) may be  
29 available for appropriations for enhancements to the state patrol crime  
30 laboratory system and the continuing costs related to these  
31 enhancements. Funds appropriated from this account for such  
32 enhancements (~~shall~~) may not supplant existing funds from the state  
33 general fund.

34 (8) During the 2011-2013 fiscal biennium, the amount that would  
35 otherwise be transferred into the municipal criminal justice assistance  
36 account from the general fund under subsection (1) of this section must  
37 be reduced by 3.4 percent.

1       **Sec. 972.** RCW 82.14.330 and 2003 c 90 s 1 are each amended to read  
2 as follows:

3       (1)(a) Beginning in fiscal year 2000, the state treasurer (~~shall~~)  
4 must transfer into the municipal criminal justice assistance account  
5 for distribution under this section from the general fund the sum of  
6 four million six hundred thousand dollars divided into four equal  
7 deposits occurring on July 1, October 1, January 1, and April 1. For  
8 each fiscal year thereafter, the state treasurer (~~shall~~) must  
9 increase the total transfer by the fiscal growth factor, as defined in  
10 RCW 43.135.025, forecast for that fiscal year by the office of  
11 financial management in November of the preceding year. The moneys  
12 deposited in the municipal criminal justice assistance account for  
13 distribution under this section, less any moneys appropriated for  
14 purposes under subsection (4) of this section, (~~shall~~) must be  
15 distributed to the cities of the state as follows:

16       (~~(a)~~) (i) Twenty percent appropriated for distribution (~~shall~~)  
17 must be distributed to cities with a three-year average violent crime  
18 rate for each one thousand in population in excess of one hundred fifty  
19 percent of the statewide three-year average violent crime rate for each  
20 one thousand in population. The three-year average violent crime rate  
21 (~~shall~~) must be calculated using the violent crime rates for each of  
22 the preceding three years from the annual reports on crime in  
23 Washington state as published by the Washington association of sheriffs  
24 and police chiefs. Moneys (~~shall~~) must be distributed under this  
25 subsection (1)(a) ratably based on population as last determined by the  
26 office of financial management, but no city may receive more than one  
27 dollar per capita. Moneys remaining undistributed under this  
28 subsection at the end of each calendar year (~~shall~~) must be  
29 distributed to the criminal justice training commission to reimburse  
30 participating city law enforcement agencies with ten or fewer full-time  
31 commissioned patrol officers the cost of temporary replacement of each  
32 officer who is enrolled in basic law enforcement training, as provided  
33 in RCW 43.101.200.

34       (~~(b)~~) (ii) Sixteen percent (~~shall~~) must be distributed to  
35 cities ratably based on population as last determined by the office of  
36 financial management, but no city may receive less than one thousand  
37 dollars.

1       **(b)** The moneys deposited in the municipal criminal justice  
2 assistance account for distribution under this subsection (~~(shall)~~) (1)  
3 must be distributed at such times as distributions are made under RCW  
4 82.44.150.

5       **(c)** Moneys distributed under this subsection (~~(shall)~~) (1) must be  
6 expended exclusively for criminal justice purposes and (~~(shall)~~) may  
7 not be used to replace or supplant existing funding. Criminal justice  
8 purposes are defined as activities that substantially assist the  
9 criminal justice system, which may include circumstances where  
10 ancillary benefit to the civil justice system occurs, and which  
11 includes domestic violence services such as those provided by domestic  
12 violence programs, community advocates, and legal advocates, as defined  
13 in RCW 70.123.020. Existing funding for purposes of this subsection is  
14 defined as calendar year 1989 actual operating expenditures for  
15 criminal justice purposes. Calendar year 1989 actual operating  
16 expenditures for criminal justice purposes exclude the following:  
17 Expenditures for extraordinary events not likely to reoccur, changes in  
18 contract provisions for criminal justice services, beyond the control  
19 of the local jurisdiction receiving the services, and major  
20 nonrecurring capital expenditures.

21       **(2)(a)** In addition to the distributions under subsection (1) of  
22 this section:

23       (~~(a)~~) **(i)** Ten percent (~~(shall)~~) must be distributed on a per  
24 capita basis to cities that contract with another governmental agency  
25 for the majority of the city's law enforcement services. Cities that  
26 subsequently qualify for this distribution (~~(shall)~~) must notify the  
27 department of (~~community, trade, and economic development~~) commerce  
28 by November 30th for the upcoming calendar year. The department of  
29 (~~community, trade, and economic development shall~~) commerce must  
30 provide a list of eligible cities to the state treasurer by December  
31 31st. The state treasurer (~~(shall)~~) must modify the distribution of  
32 these funds in the following year. Cities have the responsibility to  
33 notify the department of (~~community, trade, and economic development~~)  
34 commerce of any changes regarding these contractual relationships.  
35 Adjustments in the distribution formula to add or delete cities may be  
36 made only for the upcoming calendar year; no adjustments may be made  
37 retroactively.

1       (~~(b)~~) (ii) The remaining fifty-four percent (~~(shall)~~) must be  
2 distributed to cities and towns by the state treasurer on a per capita  
3 basis. These funds (~~(shall)~~) must be used for: (~~(i)~~) (A) Innovative  
4 law enforcement strategies; (~~(ii)~~) (B) programs to help at-risk  
5 children or child abuse victim response programs; and (~~(iii)~~) (C)  
6 programs designed to reduce the level of domestic violence or to  
7 provide counseling for domestic violence victims.

8       (b) The moneys deposited in the municipal criminal justice  
9 assistance account for distribution under this subsection (2), less any  
10 moneys appropriated for purposes under subsection (4) of this section,  
11 (~~(shall)~~) must be distributed at the times as distributions are made  
12 under RCW 82.44.150. Moneys remaining undistributed under this  
13 subsection at the end of each calendar year (~~(shall)~~) must be  
14 distributed to the criminal justice training commission to reimburse  
15 participating city law enforcement agencies with ten or fewer full-time  
16 commissioned patrol officers the cost of temporary replacement of each  
17 officer who is enrolled in basic law enforcement training, as provided  
18 in RCW 43.101.200.

19       (c) If a city is found by the state auditor to have expended funds  
20 received under this subsection (2) in a manner that does not comply  
21 with the criteria under which the moneys were received, the city  
22 (~~(shall be)~~) is ineligible to receive future distributions under this  
23 subsection (2) until the use of the moneys are justified to the  
24 satisfaction of the director or are repaid to the state general fund.

25       (3) Notwithstanding other provisions of this section, the  
26 distributions to any city that substantially decriminalizes or repeals  
27 its criminal code after July 1, 1990, and that does not reimburse the  
28 county for costs associated with criminal cases under RCW 3.50.800 or  
29 3.50.805(2), (~~(shall)~~) must be made to the county in which the city is  
30 located.

31       (4) Not more than five percent of the funds deposited to the  
32 municipal criminal justice assistance account (~~(shall)~~) may be  
33 available for appropriations for enhancements to the state patrol crime  
34 laboratory system and the continuing costs related to these  
35 enhancements. Funds appropriated from this account for such  
36 enhancements (~~(shall)~~) may not supplant existing funds from the state  
37 general fund.

1 (5) During the 2011-2013 fiscal biennium, the amount that would  
2 otherwise be transferred into the municipal criminal justice assistance  
3 account from the general fund under subsection (1) of this section must  
4 be reduced by 3.4 percent.

5 **Sec. 973.** RCW 82.14.390 and 2008 c 48 s 1 are each amended to read  
6 as follows:

7 (1) Except as provided in subsection (7) of this section, the  
8 governing body of a public facilities district (a) created before July  
9 31, 2002, under chapter 35.57 or 36.100 RCW that commences construction  
10 of a new regional center, or improvement or rehabilitation of an  
11 existing new regional center, before January 1, 2004; (b) created  
12 before July 1, 2006, under chapter 35.57 RCW in a county or counties in  
13 which there are no other public facilities districts on June 7, 2006,  
14 and in which the total population in the public facilities district is  
15 greater than ninety thousand that commences construction of a new  
16 regional center before February 1, 2007; (c) created under the  
17 authority of RCW 35.57.010(1)(d); or (d) created before September 1,  
18 2007, under chapter 35.57 or 36.100 RCW, in a county or counties in  
19 which there are no other public facilities districts on July 22, 2007,  
20 and in which the total population in the public facilities district is  
21 greater than seventy thousand, that commences construction of a new  
22 regional center before January 1, 2009, or before January 1, 2011, in  
23 the case of a new regional center in a county designated by the  
24 president as a disaster area in December 2007, may impose a sales and  
25 use tax in accordance with the terms of this chapter. The tax is in  
26 addition to other taxes authorized by law and (~~shall~~) must be  
27 collected from those persons who are taxable by the state under  
28 chapters 82.08 and 82.12 RCW upon the occurrence of any taxable event  
29 within the public facilities district. The rate of tax (~~shall~~) may  
30 not exceed 0.033 percent of the selling price in the case of a sales  
31 tax or value of the article used in the case of a use tax.

32 (2)(a) The governing body of a public facilities district imposing  
33 a sales and use tax under the authority of this section may increase  
34 the rate of tax up to 0.037 percent if, within three fiscal years of  
35 July 1, 2008, the department determines that, as a result of RCW  
36 82.14.490 and the chapter 6, Laws of 2007 amendments to RCW 82.14.020,  
37 a public facilities district's sales and use tax collections for fiscal



1 years after July 1, 2008, have been reduced by a net loss of at least  
2 0.50 percent from the fiscal year before July 1, 2008. The fiscal year  
3 in which this section becomes effective is the first fiscal year after  
4 July 1, 2008.

5 (b) The department (~~shall~~) must determine sales and use tax  
6 collection net losses under this section as provided in RCW 82.14.500  
7 (2) and (3). The department (~~shall~~) must provide written notice of  
8 its determinations to public facilities districts. Determinations by  
9 the department of a public facilities district's sales and use tax  
10 collection net losses as a result of RCW 82.14.490 and the chapter 6,  
11 Laws of 2007 amendments to RCW 82.14.020 are final and not appealable.

12 (c) A public facilities district may increase its rate of tax after  
13 it has received written notice from the department as provided in (b)  
14 of this subsection. The increase in the rate of tax must be made in  
15 0.001 percent increments and must be the least amount necessary to  
16 mitigate the net loss in sales and use tax collections as a result of  
17 RCW 82.14.490 and the chapter 6, Laws of 2007 amendments to RCW  
18 82.14.020. The increase in the rate of tax is subject to RCW  
19 82.14.055.

20 (3) The tax imposed under subsection (1) of this section (~~shall~~)  
21 must be deducted from the amount of tax otherwise required to be  
22 collected or paid over to the department of revenue under chapter 82.08  
23 or 82.12 RCW. The department of revenue (~~shall~~) must perform the  
24 collection of such taxes on behalf of the county at no cost to the  
25 public facilities district. During the 2011-2013 fiscal biennium,  
26 distributions by the state to a public facilities district based on the  
27 additional rate authorized in subsection (2) of this section must be  
28 reduced by 3.4 percent.

29 (4) No tax may be collected under this section before August 1,  
30 2000. The tax imposed in this section (~~shall~~) expires when the bonds  
31 issued for the construction of the regional center and related parking  
32 facilities are retired, but not more than twenty-five years after the  
33 tax is first collected.

34 (5) Moneys collected under this section (~~shall~~) may only be used  
35 for the purposes set forth in RCW 35.57.020 and must be matched with an  
36 amount from other public or private sources equal to thirty-three  
37 percent of the amount collected under this section(~~, provided that~~);  
38 however, amounts generated from nonvoter approved taxes authorized

1 under chapter 35.57 RCW or nonvoter approved taxes authorized under  
2 chapter 36.100 RCW (~~shall~~) do not constitute a public or private  
3 source. For the purpose of this section, public or private sources  
4 includes, but is not limited to cash or in-kind contributions used in  
5 all phases of the development or improvement of the regional center,  
6 land that is donated and used for the siting of the regional center,  
7 cash or in-kind contributions from public or private foundations, or  
8 amounts attributed to private sector partners as part of a public and  
9 private partnership agreement negotiated by the public facilities  
10 district.

11 (6) The combined total tax levied under this section (~~shall~~) may  
12 not be greater than 0.037 percent. If both a public facilities  
13 district created under chapter 35.57 RCW and a public facilities  
14 district created under chapter 36.100 RCW impose a tax under this  
15 section, the tax imposed by a public facilities district created under  
16 chapter 35.57 RCW (~~shall~~) must be credited against the tax imposed by  
17 a public facilities district created under chapter 36.100 RCW.

18 (7) A public facilities district created under chapter 36.100 RCW  
19 is not eligible to impose the tax under this section if the legislative  
20 authority of the county where the public facilities district is located  
21 has imposed a sales and use tax under RCW 82.14.0485 or 82.14.0494.

22 **Sec. 974.** RCW 82.14.500 and 2007 c 6 s 903 are each amended to  
23 read as follows:

24 (1)(a) In order to mitigate local sales tax revenue net losses as  
25 a result of the sourcing provisions of the streamlined sales and use  
26 tax agreement under this title, the state treasurer (~~shall~~), on July  
27 1, 2011, and each July 1st thereafter, must transfer into the  
28 streamlined sales and use tax mitigation account from the general fund  
29 (~~the sum of thirty one million six hundred thousand dollars on July 1,~~  
30 ~~2008. On July 1, 2009, and each July 1st thereafter, the state~~  
31 ~~treasurer shall transfer into the streamlined sales and use tax~~  
32 ~~mitigation account from the general fund~~) the sum required to mitigate  
33 actual net losses as determined under this section.

34 (b) During the 2011-2013 fiscal biennium, the amount that would  
35 otherwise be transferred under (a) of this subsection must be reduced  
36 by 3.4 percent.

1           (2) Beginning July 1, 2008, and continuing until the department  
2 determines annual losses under subsection (3) of this section, the  
3 department (~~shall~~) must determine the amount of local sales tax net  
4 loss each local taxing jurisdiction experiences as a result of the  
5 sourcing provisions of the streamlined sales and use tax agreement  
6 under this title each calendar quarter. The department (~~shall~~) must  
7 determine losses by analyzing and comparing data from tax return  
8 information and tax collections for each local taxing jurisdiction  
9 before and after July 1, 2008, on a calendar quarter basis. The  
10 department's analysis may be revised and supplemented in consultation  
11 with the oversight committee as provided in subsection (4) of this  
12 section. To determine net losses, the department (~~shall~~) must reduce  
13 losses by the amount of voluntary compliance revenue for the calendar  
14 quarter analyzed. Beginning December 31, 2008, distributions (~~shall~~)  
15 must be made quarterly from the streamlined sales and use tax  
16 mitigation account by the state treasurer, as directed by the  
17 department, to each local taxing jurisdiction, other than public  
18 facilities districts for losses in respect to taxes imposed under the  
19 authority of RCW 82.14.390, in an amount representing its net losses  
20 for the previous calendar quarter. Distributions (~~shall~~) must be  
21 made on the last working day of each calendar quarter and (~~shall~~)  
22 must cease when distributions under subsection (3) of this section  
23 begin.

24           (3)(a) By December 31, 2009, or such later date the department in  
25 consultation with the oversight committee determines that sufficient  
26 data is available, the department (~~shall~~) must determine each local  
27 taxing jurisdiction's annual loss. The department (~~shall~~) must  
28 determine annual losses by comparing at least twelve months of data  
29 from tax return information and tax collections for each local taxing  
30 jurisdiction before and after July 1, 2008. The department (~~shall~~)  
31 is not (~~be~~) required to determine annual losses on a recurring basis,  
32 but may make any adjustments to annual losses as it deems proper as a  
33 result of the annual reviews provided in (b) of this subsection.  
34 Beginning the calendar quarter in which the department determines  
35 annual losses, and each calendar quarter thereafter, distributions  
36 (~~shall~~) must be made from the streamlined sales and use tax  
37 mitigation account by the state treasurer on the last working day of  
38 the calendar quarter, as directed by the department, to each local

1 taxing jurisdiction, other than public facilities districts for losses  
2 in respect to taxes imposed under the authority of RCW 82.14.390, in an  
3 amount representing one-fourth of the jurisdiction's annual loss  
4 reduced by voluntary compliance revenue reported during the previous  
5 calendar quarter.

6 (b) The department's analysis of annual losses (~~shall~~) must be  
7 reviewed by December 1st of each year and may be revised and  
8 supplemented in consultation with the oversight committee as provided  
9 in subsection (4) of this section.

10 (4) The department (~~shall~~) must convene an oversight committee to  
11 assist in the determination of losses. The committee (~~shall~~)  
12 includes one representative of one city whose revenues are increased,  
13 one representative of one city whose revenues are reduced, one  
14 representative of one county whose revenues are increased, one  
15 representative of one county whose revenues are decreased, one  
16 representative of one transportation authority under RCW 82.14.045  
17 whose revenues are increased, and one representative of one  
18 transportation authority under RCW 82.14.045 whose revenues are  
19 reduced, as a result of RCW 82.14.490 and the chapter 6, Laws of 2007  
20 amendments to RCW 82.14.020. Beginning July 1, 2008, the oversight  
21 committee (~~shall~~) must meet quarterly with the department to review  
22 and provide additional input and direction on the department's analyses  
23 of losses. Local taxing jurisdictions may also present to the  
24 oversight committee additional information to improve the department's  
25 analyses of the jurisdiction's loss. Beginning January 1, 2010, the  
26 oversight committee (~~shall~~) must meet at least annually with the  
27 department by December 1st.

28 (5) The rule-making provisions of chapter 34.05 RCW do not apply to  
29 this section.

30 **Sec. 975.** RCW 82.45.060 and 2005 c 450 s 1 are each amended to  
31 read as follows:

32 There is imposed an excise tax upon each sale of real property at  
33 the rate of one and twenty-eight one-hundredths percent of the selling  
34 price. An amount equal to six and one-tenth percent of the proceeds of  
35 this tax to the state treasurer (~~shall~~) must be deposited in the  
36 public works assistance account created in RCW 43.155.050. Except as  
37 otherwise provided in this section, an amount equal to one and six-

1 tenths percent of the proceeds of this tax to the state treasurer  
2 (~~shall~~) must be deposited in the city-county assistance account  
3 created in RCW 43.08.290. During the 2011-2013 fiscal biennium, 1.546  
4 percent of the proceeds of this tax to the state treasurer must be  
5 deposited in the city-county assistance account.

6 **Sec. 976.** RCW 86.26.007 and 2009 c 564 s 961 are each amended to  
7 read as follows:

8 The flood control assistance account is hereby established in the  
9 state treasury. At the beginning of the 2005-2007 fiscal biennium, the  
10 state treasurer shall transfer three million dollars from the general  
11 fund to the flood control assistance account. Each biennium thereafter  
12 the state treasurer shall transfer four million dollars from the  
13 general fund to the flood control assistance account, except that  
14 during the 2009-2011 and 2011-2013 fiscal (~~biennium~~) biennia, the  
15 state treasurer shall transfer two million dollars from the general  
16 fund to the flood control assistance account. Moneys in the flood  
17 control assistance account may be spent only after appropriation for  
18 purposes specified under this chapter.

19 **Sec. 977.** RCW 90.71.370 and 2010 1st sp.s. c 36 s 6013 are each  
20 amended to read as follows:

21 (1) By December 1, 2008, and by September 1st of each even-numbered  
22 year beginning in 2010, the council shall provide to the governor and  
23 the appropriate fiscal committees of the senate and house of  
24 representatives its recommendations for the funding necessary to  
25 implement the action agenda in the succeeding biennium. The  
26 recommendations shall:

- 27 (a) Identify the funding needed by action agenda element;  
28 (b) Address funding responsibilities among local, state, and  
29 federal governments, as well as nongovernmental funding; and  
30 (c) Address funding needed to support the work of the partnership,  
31 the panel, the ecosystem work group, and entities assisting in  
32 coordinating local efforts to implement the plan.

33 (2) In the 2008 report required under subsection (1) of this  
34 section, the council shall include recommendations for projected  
35 funding needed through 2020 to implement the action agenda; funding  
36 needs for science panel staff; identify methods to secure stable and

1 sufficient funding to meet these needs; and include proposals for new  
2 sources of funding to be dedicated to Puget Sound protection and  
3 recovery. In preparing the science panel staffing proposal, the  
4 council shall consult with the panel.

5 (3) By November 1st of each odd-numbered year beginning in 2009,  
6 the council shall produce a state of the Sound report that includes, at  
7 a minimum:

8 (a) An assessment of progress by state and nonstate entities in  
9 implementing the action agenda, including accomplishments in the use of  
10 state funds for action agenda implementation;

11 (b) A description of actions by implementing entities that are  
12 inconsistent with the action agenda and steps taken to remedy the  
13 inconsistency;

14 (c) The comments by the panel on progress in implementing the plan,  
15 as well as findings arising from the assessment and monitoring program;

16 (d) A review of citizen concerns provided to the partnership and  
17 the disposition of those concerns;

18 (e) A review of the expenditures of funds to state agencies for the  
19 implementation of programs affecting the protection and recovery of  
20 Puget Sound, and an assessment of whether the use of the funds is  
21 consistent with the action agenda; and

22 (f) An identification of all funds provided to the partnership, and  
23 recommendations as to how future state expenditures for all entities,  
24 including the partnership, could better match the priorities of the  
25 action agenda.

26 (4)(a) The council shall review state programs that fund facilities  
27 and activities that may contribute to action agenda implementation. By  
28 November 1, 2009, the council shall provide initial recommendations  
29 regarding program changes to the governor and appropriate fiscal and  
30 policy committees of the senate and house of representatives. By  
31 November 1, 2010, the council shall provide final recommendations  
32 regarding program changes, including proposed legislation to implement  
33 the recommendation, to the governor and appropriate fiscal and policy  
34 committees of the senate and house of representatives.

35 (b) The review in this subsection shall be conducted with the  
36 active assistance and collaboration of the agencies administering these  
37 programs, and in consultation with local governments and other entities  
38 receiving funding from these programs:

- 1 (i) Water pollution control facilities financing, chapter 70.146  
2 RCW;
- 3 (ii) The water pollution control revolving fund, chapter 90.50A  
4 RCW;
- 5 (iii) The public works assistance account, chapter 43.155 RCW;
- 6 (iv) The aquatic lands enhancement account, RCW 79.105.150;
- 7 (v) The state toxics control account and local toxics control  
8 account and clean-up program, chapter 70.105D RCW;
- 9 (vi) The acquisition of habitat conservation and outdoor recreation  
10 land, chapter 79A.15 RCW;
- 11 (vii) The salmon recovery funding board, RCW 77.85.110 through  
12 77.85.150;
- 13 (viii) The community economic revitalization board, chapter 43.160  
14 RCW;
- 15 (ix) Other state financial assistance to water quality-related  
16 projects and activities; and
- 17 (x) Water quality financial assistance from federal programs  
18 administered through state programs or provided directly to local  
19 governments in the Puget Sound basin.
- 20 (c) The council's review shall include but not be limited to:
- 21 (i) Determining the level of funding and types of projects and  
22 activities funded through the programs that contribute to  
23 implementation of the action agenda;
- 24 (ii) Evaluating the procedures and criteria in each program for  
25 determining which projects and activities to fund, and their  
26 relationship to the goals and priorities of the action agenda;
- 27 (iii) Assessing methods for ensuring that the goals and priorities  
28 of the action agenda are given priority when program funding decisions  
29 are made regarding water quality-related projects and activities in the  
30 Puget Sound basin and habitat-related projects and activities in the  
31 Puget Sound basin;
- 32 (iv) Modifying funding criteria so that projects, programs, and  
33 activities that are inconsistent with the action agenda are ineligible  
34 for funding;
- 35 (v) Assessing ways to incorporate a strategic funding approach for  
36 the action agenda within the outcome-focused performance measures  
37 required by RCW 43.41.270 in administering natural resource-related and  
38 environmentally based grant and loan programs.

1 (5) During the 2009-2011 fiscal biennium, the council's review must  
2 result in a ranking of projects affecting the protection and recovery  
3 of the Puget Sound basin that are proposed in the governor's capital  
4 budget submitted under RCW 43.88.060. The ranking shall include  
5 recommendations for reallocation of total requested funds for Puget  
6 Sound basin projects to achieve the greatest positive outcomes for  
7 protection and recovery of Puget Sound and shall be submitted to the  
8 appropriate fiscal committees of the legislature no later than February  
9 1, 2011.

10 (6) During the 2011-2013 fiscal biennium, the council shall by  
11 November 1, 2012, produce the state of the sound report as defined in  
12 subsection (3) of this section.

13 NEW SECTION. Sec. 978. BUDGET SUSTAINABILITY. The full  
14 disclosure of the long-term fiscal impacts of budget proposals under  
15 consideration by the legislature will improve the informed  
16 participation in the budget process of the citizens of the state and  
17 their legislators and contribute to the sustainable use of the state's  
18 limited fiscal resources. For each proposed omnibus operating  
19 appropriations bill reported by a legislative fiscal committee or  
20 approved by either house of the legislature during the 2012 and 2013  
21 legislative sessions, the relevant fiscal committee shall provide a  
22 public report that documents the policy-level proposals in the bill and  
23 the cost of each proposal in the current fiscal biennium and the  
24 estimated cost in the next ensuing fiscal biennium. This information  
25 shall also be provided by the governor for each proposed omnibus  
26 operating appropriations bill submitted to the legislature by the  
27 governor for the 2012 and 2013 legislative sessions.

(End of part)



1 **PART X**

2 **GENERAL GOVERNMENT**

3 **Sec. 1001.** 2010 2nd sp.s. c 1 s 101 (uncodified) is amended to  
4 read as follows:

5 **FOR THE HOUSE OF REPRESENTATIVES**

6	General Fund--State Appropriation (FY 2010) . . . . .	\$33,505,000
7	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$30,934,000)</del>
8		<u>\$30,918,000</u>
9	TOTAL APPROPRIATION . . . . .	<del>(\$64,439,000)</del>
10		<u>\$64,423,000</u>

11 **Sec. 1002.** 2010 2nd sp.s. c 1 s 102 (uncodified) is amended to  
12 read as follows:

13 **FOR THE SENATE**

14	General Fund--State Appropriation (FY 2010) . . . . .	\$24,960,000
15	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$24,020,000)</del>
16		<u>\$24,008,000</u>
17	TOTAL APPROPRIATION . . . . .	<del>(\$48,980,000)</del>
18		<u>\$48,968,000</u>

19 **Sec. 1003.** 2010 2nd sp.s. c 1 s 106 (uncodified) is amended to  
20 read as follows:

21 **FOR THE SUPREME COURT**

22	General Fund--State Appropriation (FY 2010) . . . . .	\$6,912,000
23	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$6,844,000)</del>
24		<u>\$6,924,000</u>
25	TOTAL APPROPRIATION . . . . .	<del>(\$13,756,000)</del>
26		<u>\$13,836,000</u>

27 The appropriations in this section are subject to the following  
28 conditions and limitations: It is the intent of the legislature that  
29 the reductions in appropriations in this section shall be achieved, to  
30 the greatest extent possible, by reducing those state government  
31 administrative costs that do not affect direct client services or  
32 direct service delivery or programs. The agency shall, to the greatest

1 extent possible, reduce spending in those areas that shall have the  
2 least impact on implementing its mission.

3 **Sec. 1004.** 2010 2nd sp.s. c 1 s 107 (uncodified) is amended to  
4 read as follows:

5 **FOR THE LAW LIBRARY**

6	General Fund--State Appropriation (FY 2010) . . . . .	\$1,925,000
7	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$1,592,000)</del>
8		<u>\$1,596,000</u>
9	TOTAL APPROPRIATION . . . . .	<del>(\$3,517,000)</del>
10		<u>\$3,521,000</u>

11 The appropriations in this section are subject to the following  
12 conditions and limitations: It is the intent of the legislature that  
13 the reductions in appropriations in this section shall be achieved, to  
14 the greatest extent possible, by reducing those state government  
15 administrative costs that do not affect direct client services or  
16 direct service delivery or programs. The agency shall, to the greatest  
17 extent possible, reduce spending in those areas that shall have the  
18 least impact on implementing its mission.

19 **Sec. 1005.** 2010 2nd sp.s. c 1 s 108 (uncodified) is amended to  
20 read as follows:

21 **FOR THE COURT OF APPEALS**

22	General Fund--State Appropriation (FY 2010) . . . . .	\$15,632,000
23	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$15,517,000)</del>
24		<u>\$15,593,000</u>
25	TOTAL APPROPRIATION . . . . .	<del>(\$31,149,000)</del>
26		<u>\$31,225,000</u>

27 The appropriations in this section are subject to the following  
28 conditions and limitations: It is the intent of the legislature that  
29 the reductions in appropriations in this section shall be achieved, to  
30 the greatest extent possible, by reducing those state government  
31 administrative costs that do not affect direct client services or  
32 direct service delivery or programs. The agency shall, to the greatest  
33 extent possible, reduce spending in those areas that shall have the  
34 least impact on implementing its mission.



1 The administrator for the courts, in conjunction with the juvenile  
2 court administrators, shall develop an equitable funding distribution  
3 formula. The formula shall neither reward counties with higher than  
4 average per-petition processing costs nor shall it penalize counties  
5 with lower than average per-petition processing costs.

6 (b) Each fiscal year during the 2009-11 fiscal biennium, each  
7 county shall report the number of petitions processed and the total  
8 actual costs of processing truancy, children in need of services, and  
9 at-risk youth petitions. Counties shall submit the reports to the  
10 administrator for the courts no later than 45 days after the end of the  
11 fiscal year. The administrator for the courts shall electronically  
12 transmit this information to the chairs and ranking minority members of  
13 the house of representatives appropriations committee and the senate  
14 ways and means committee no later than 60 days after a fiscal year  
15 ends. These reports are deemed informational in nature and are not for  
16 the purpose of distributing funds.

17 (3) The distributions made under this subsection and distributions  
18 from the county criminal justice assistance account made pursuant to  
19 section 801 of this act constitute appropriate reimbursement for costs  
20 for any new programs or increased level of service for purposes of RCW  
21 43.135.060.

22 (4) \$5,700,000 of the judicial information systems account--state  
23 appropriation is provided solely for modernization and integration of  
24 the judicial information system.

25 (a) Of this amount, \$1,700,000 is for the development of a  
26 comprehensive enterprise-level information technology strategy and  
27 detailed business and operational plans in support of that strategy,  
28 and \$4,000,000 is to continue to modernize and integrate current  
29 systems and enhance case management functionality on an incremental  
30 basis.

31 (b) The amount provided in this subsection may not be expended  
32 without prior approval by the judicial information system committee.  
33 The administrator shall regularly submit project plan updates for  
34 approval to the judicial information system committee.

35 (c) The judicial information system committee shall review project  
36 progress on a regular basis and may require quality assurance plans.  
37 The judicial information systems committee shall provide a report to  
38 the appropriate committees of the legislature no later than November 1,

1 2011, on the status of the judicial information system modernization  
2 and integration, and the consistency of the project with the state's  
3 architecture, infrastructure and statewide enterprise view of service  
4 delivery.

5 (d) \$100,000 of the judicial information systems account--state  
6 appropriation is provided solely for the administrative office of the  
7 courts, in coordination with the judicial information system committee,  
8 to conduct an independent third-party executive-level review of the  
9 judicial information system. This review shall examine, at a minimum,  
10 the scope of the current project plan, governance structure, and  
11 organizational change management procedures. The review will also  
12 benchmark the system plans against similarly sized projects in other  
13 states or localities, review the large scale program risks, and  
14 estimate life cycle costs, including capital and on-going operational  
15 expenditures.

16 (5) \$3,000,000 of the judicial information systems account--state  
17 appropriation is provided solely for replacing computer equipment at  
18 state courts, and at state judicial agencies. The administrator for  
19 the courts shall prioritize equipment replacement purchasing and shall  
20 fund those items that are most essential or critical. By October 1,  
21 2010, the administrative office of the courts shall report to the  
22 appropriate legislative fiscal committees on expenditures for equipment  
23 under this subsection.

24 (6) \$12,000 of the judicial information systems account--state  
25 appropriation is provided solely to implement Engrossed Substitute  
26 House Bill No. 1954 (sealing juvenile records). If the bill is not  
27 enacted by June 30, 2009, the amount provided in this subsection shall  
28 lapse.

29 ~~(7) ((\$106,000 of the general fund--state appropriation for fiscal~~  
30 ~~year 2010 and \$106,000 of the general fund--state appropriation for~~  
31 ~~fiscal year 2011 are provided solely for the twenty-third superior~~  
32 ~~court judge position in Pierce county. The funds appropriated in this~~  
33 ~~subsection shall be expended only if the judge is appointed and serving~~  
34 ~~on the bench.~~

35 (+8)) It is the intent of the legislature that the reductions in  
36 appropriations in this section shall be achieved, to the greatest  
37 extent possible, by reducing those state government administrative  
38 costs that do not affect direct client services or direct service

1 delivery or programs. The agency shall, to the greatest extent  
2 possible, reduce spending in those areas that shall have the least  
3 impact on implementing its mission.

4 ((+9)) (8) \$44,000 of the judicial information systems account--  
5 state appropriation is provided solely to implement chapter 272, Laws  
6 of 2010 (SHB 2680; guardianship).

7 ((+10)) (9) \$274,000 of the general fund--state appropriation for  
8 fiscal year 2011 is provided solely for the office of public  
9 guardianship to provide guardianship services for low-income  
10 incapacitated persons.

11 ((+11)) (10) \$3,797,000 of the judicial information systems  
12 account--state appropriation is provided solely for continued planning  
13 and implementation of improvements to the court case management system.

14 ((+12)) (11) In accordance with RCW 43.135.055, the administrative  
15 office of the courts is authorized to adopt and increase the fees set  
16 forth in and previously authorized in section 6, chapter 491, Laws of  
17 2009.

18 **Sec. 1007.** 2011 c 5 s 107 (uncodified) is amended to read as  
19 follows:

20 **FOR THE SECRETARY OF STATE**

21	General Fund--State Appropriation (FY 2010) . . . . .	\$21,105,000
22	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$13,612,000)</del>
23		<u>\$14,727,000</u>
24	General Fund--Federal Appropriation . . . . .	\$8,082,000
25	Archives and Records Management Account--State	
26	Appropriation . . . . .	\$8,990,000
27	Charitable Organization Education Account--State	
28	Appropriation . . . . .	\$76,000
29	Department of Personnel Service Account--State	
30	Appropriation . . . . .	\$757,000
31	Election Account--State Appropriation . . . . .	\$77,000
32	Local Government Archives Account--State	
33	Appropriation . . . . .	\$11,515,000
34	Election Account--Federal Appropriation . . . . .	\$31,163,000
35	TOTAL APPROPRIATION . . . . .	<del>(\$95,377,000)</del>
36		<u>\$96,492,000</u>

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

3 (1) \$4,101,000 of the general fund--state appropriation for fiscal  
4 year 2010 is provided solely to reimburse counties for the state's  
5 share of primary and general election costs and the costs of conducting  
6 mandatory recounts on state measures. Counties shall be reimbursed  
7 only for those odd-year election costs that the secretary of state  
8 validates as eligible for reimbursement.

9 (2)(a) \$1,897,000 of the general fund--state appropriation for  
10 fiscal year 2010 and \$1,845,000 of the general fund--state  
11 appropriation for fiscal year 2011 are provided solely for contracting  
12 with a nonprofit organization to produce gavel-to-gavel television  
13 coverage of state government deliberations and other events of  
14 statewide significance during the 2009-2011 biennium. The funding  
15 level for each year of the contract shall be based on the amount  
16 provided in this subsection. The nonprofit organization shall be  
17 required to raise contributions or commitments to make contributions,  
18 in cash or in kind, in an amount equal to forty percent of the state  
19 contribution. The office of the secretary of state may make full or  
20 partial payment once all criteria in this subsection have been  
21 satisfactorily documented.

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

27 (c) The nonprofit organization shall prepare an annual independent  
28 audit, an annual financial statement, and an annual report, including  
29 benchmarks that measure the success of the nonprofit organization in  
30 meeting the intent of the program.

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

33 (i) Attempting to influence the passage or defeat of any  
34 legislation by the legislature of the state of Washington, by any  
35 county, city, town, or other political subdivision of the state of  
36 Washington, or by the congress, or the adoption or rejection of any  
37 rule, standard, rate, or other legislative enactment of any state  
38 agency;

1 (ii) Making contributions reportable under chapter 42.17 RCW; or  
2 (iii) Providing any: (A) Gift; (B) honoraria; or (C) travel,  
3 lodging, meals, or entertainment to a public officer or employee.

4 (3) The appropriations in this section are based upon savings  
5 assumed from the implementation of Senate Bill No. 6122 (election  
6 costs).

7 (4) In implementing budget reductions, the office of the secretary  
8 of state must make its first priority to maintain funding for the  
9 elections division.

10 (5) \$76,000 of the charitable organization education account--state  
11 appropriation for fiscal year 2011 is provided solely to implement  
12 Second Substitute House Bill No. 2576 (corporation and charity fees).  
13 If the bill is not enacted by June 30, 2010, the amount provided in  
14 this subsection shall lapse.

15 (6) \$77,000 of the general fund--state appropriation for fiscal  
16 year 2011 is provided solely for deposit to the election account.

17 **Sec. 1008.** 2011 c 5 s 108 (uncodified) is amended to read as  
18 follows:

19 **FOR THE PUBLIC DISCLOSURE COMMISSION**

20	General Fund--State Appropriation (FY 2010) . . . . .	\$2,249,000
21	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$1,969,000)</del>
22		<u>\$1,967,000</u>
23	TOTAL APPROPRIATION . . . . .	<del>(\$4,218,000)</del>
24		<u>\$4,216,000</u>

25 **Sec. 1009.** 2011 c 5 s 113 (uncodified) is amended to read as  
26 follows:

27 **FOR THE ATTORNEY GENERAL**

28	General Fund--State Appropriation (FY 2010) . . . . .	\$5,732,000
29	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$5,272,000)</del>
30		<u>\$5,268,000</u>
31	General Fund--Federal Appropriation . . . . .	\$4,026,000
32	New Motor Vehicle Arbitration Account--State	
33	Appropriation . . . . .	\$1,350,000
34	Legal Services Revolving Account--State	
35	Appropriation . . . . .	<del>(\$224,523,000)</del>
36		<u>\$225,910,000</u>





1 (6) \$53,000 of the legal services revolving account--state  
2 appropriation is provided solely to implement Engrossed Second  
3 Substitute House Bill No. 3026 (school district compliance with state  
4 and federal civil rights laws).

5 **Sec. 1010.** 2011 c 5 s 114 (uncodified) is amended to read as  
6 follows:

7 **FOR THE CASELOAD FORECAST COUNCIL**

8	General Fund--State Appropriation (FY 2010) . . . . .	\$766,000
9	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$660,000)</del>
10		<u>\$658,000</u>
11	TOTAL APPROPRIATION . . . . .	<del>(\$1,426,000)</del>
12		<u>\$1,424,000</u>

13 The appropriations in this section are subject to the following  
14 conditions and limitations: \$13,000 of the general fund--state  
15 appropriation for fiscal year 2010 and \$7,000 of the general  
16 fund--state appropriation for fiscal year 2011 are for the  
17 implementation of Second Substitute House Bill No. 2106 (improving  
18 child welfare outcomes through the phased implementation of strategic  
19 and proven reforms). If the bill is not enacted by June 30, 2009, the  
20 amounts provided in this subsection shall lapse.

21 **Sec. 1011.** 2011 c 5 s 115 (uncodified) is amended to read as  
22 follows:

23 **FOR THE DEPARTMENT OF COMMERCE**

24	General Fund--State Appropriation (FY 2010) . . . . .	\$49,670,000
25	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$36,739,000)</del>
26		<u>\$36,710,000</u>
27	General Fund--Federal Appropriation . . . . .	\$385,601,000
28	General Fund--Private/Local Appropriation . . . . .	\$10,972,000
29	Public Works Assistance Account--State	
30	Appropriation . . . . .	\$2,974,000
31	Tourism Development and Promotion Account--State	
32	Appropriation . . . . .	\$798,000
33	Drinking Water Assistance Administrative	
34	Account--State Appropriation . . . . .	\$433,000
35	Lead Paint Account--State Appropriation . . . . .	\$35,000
36	Building Code Council Account--State Appropriation . . . . .	\$688,000

1	Home Security Fund Account--State Appropriation . . . . .	\$24,486,000
2	Affordable Housing for All Account--State	
3	Appropriation . . . . .	\$11,896,000
4	Washington Auto Theft Prevention Authority	
5	Account--State Appropriation . . . . .	\$300,000
6	Independent Youth Housing Account--State Appropriation . . . .	\$220,000
7	County Research Services Account--State Appropriation . . . .	\$469,000
8	Community Preservation and Development Authority	
9	Account--State Appropriation . . . . .	\$350,000
10	Financial Fraud and Identity Theft Crimes Investigation	
11	and Prosecution Account--State Appropriation . . . . .	\$1,166,000
12	Low-Income Weatherization Assistance Account--State	
13	Appropriation . . . . .	\$6,882,000
14	City and Town Research Services Account--State	
15	Appropriation . . . . .	\$2,246,000
16	Manufacturing Innovation and Modernization	
17	Account--State Appropriation . . . . .	\$230,000
18	Community and Economic Development Fee Account--State	
19	Appropriation . . . . .	\$6,922,000
20	Washington Housing Trust Account--State	
21	Appropriation . . . . .	\$15,348,000
22	Prostitution Prevention and Intervention Account--	
23	State Appropriation . . . . .	\$125,000
24	Public Facility Construction Loan Revolving	
25	Account--State Appropriation . . . . .	\$754,000
26	TOTAL APPROPRIATION . . . . .	<del>(( \$559,304,000 ))</del>
27		<u>\$559,275,000</u>

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

30       (1) \$2,378,000 of the general fund--state appropriation for fiscal  
31 year 2010 and \$2,117,000 of the general fund--state appropriation for  
32 fiscal year 2011 are provided solely for a contract with the Washington  
33 technology center for work essential to the mission of the Washington  
34 technology center and conducted in partnership with universities.

35       (2) Repayments of outstanding loans granted under RCW 43.63A.600,  
36 the mortgage and rental assistance program, shall be remitted to the  
37 department, including any current revolving account balances. The  
38 department shall collect payments on outstanding loans, and deposit

1 them into the state general fund. Repayments of funds owed under the  
2 program shall be remitted to the department according to the terms  
3 included in the original loan agreements.

4 (3) \$100,000 of the general fund--state appropriation for fiscal  
5 year 2010 and \$89,000 of the general fund--state appropriation for  
6 fiscal year 2011 are provided solely to implement section 2(7) of  
7 Engrossed Substitute House Bill No. 1959 (land use and transportation  
8 planning for marine container ports).

9 (4) \$102,000 of the building code council account--state  
10 appropriation is provided solely for the implementation of sections 3  
11 and 7 of Engrossed Second Substitute Senate Bill No. 5854 (built  
12 environment pollution). If sections 3 and 7 of the bill are not  
13 enacted by June 30, 2009, the amounts provided in this subsection shall  
14 lapse.

15 (5)(a) \$10,500,000 of the general fund--federal appropriation is  
16 provided for training and technical assistance associated with low  
17 income weatherization programs. Subject to federal requirements, the  
18 department shall provide: (i) Up to \$4,000,000 to the state board for  
19 community and technical colleges to provide workforce training related  
20 to weatherization and energy efficiency; (ii) up to \$3,000,000 to the  
21 Bellingham opportunity council to provide workforce training related to  
22 energy efficiency and weatherization; and (iii) up to \$3,500,000 to  
23 community-based organizations and to community action agencies  
24 consistent with the provisions of Engrossed Second Substitute House  
25 Bill No. 2227 (evergreen jobs act). Any funding remaining shall be  
26 expended in project 91000013, weatherization, in the omnibus capital  
27 appropriations act, Substitute House Bill No. 1216 (capital budget).

28 (b) \$6,787,000 of the general fund--federal appropriation is  
29 provided solely for the state energy program, including not less than  
30 \$5,000,000 to provide credit enhancements consistent with the  
31 provisions of Engrossed Second Substitute Senate Bill No. 5649 (energy  
32 efficiency in buildings).

33 (c) Of the general fund--federal appropriation the department shall  
34 provide: \$14,500,000 to the Washington State University for the  
35 purpose of making grants for pilot projects providing community-wide  
36 urban, residential, and commercial energy efficiency upgrades  
37 consistent with the provisions of Engrossed Second Substitute Senate  
38 Bill No. 5649 (energy efficiency in buildings); \$500,000 to Washington

1 State University to conduct farm energy assessments. In contracting  
2 with the Washington State University for the provision of these  
3 services, the total administration of Washington State University and  
4 the department shall not exceed 3 percent of the amounts provided.

5 ~~(d) ((\$38,500,000 of the general fund--federal appropriation is  
6 provided for deposit in the energy recovery act account to establish a  
7 revolving loan program, consistent with the provisions of Engrossed  
8 Substitute House Bill No. 2289 (expanding energy freedom program).~~

9 ~~(e))~~ \$10,646,000 of the general fund--federal appropriation is  
10 provided pursuant to the energy efficiency and conservation block grant  
11 under the American reinvestment and recovery act. The department may  
12 use up to \$3,000,000 of the amount provided in this subsection to  
13 provide technical assistance for energy programs administered by the  
14 agency under the American reinvestment and recovery act.

15 (6) \$14,000 of the general fund--state appropriation for fiscal  
16 year 2010 is provided solely for the implementation of Engrossed Second  
17 Substitute Senate Bill No. 5560 (state agency climate leadership). If  
18 the bill is not enacted by June 30, 2009, the amount provided in this  
19 subsection shall lapse.

20 (7) \$22,400,000 of the general fund--federal appropriation is  
21 provided solely for the justice assistance grant program and is  
22 contingent upon the department transferring: \$1,200,000 to the  
23 department of corrections for security threat mitigation, \$2,336,000 to  
24 the department of corrections for offender reentry, \$1,960,000 to the  
25 Washington state patrol for law enforcement activities, \$2,087,000 to  
26 the department of social and health services, division of alcohol and  
27 substance abuse for drug courts, and \$428,000 to the department of  
28 social and health services for sex abuse recognition training. The  
29 remaining funds shall be distributed by the department to local  
30 jurisdictions.

31 (8) \$20,000 of the general fund--state appropriation for fiscal  
32 year 2010 and \$18,000 of the general fund--state appropriation for  
33 fiscal year 2011 are provided solely for a grant to KCTS public  
34 television to support Spanish language programming and the V-me Spanish  
35 language channel.

36 (9) \$500,000 of the general fund--state appropriation for fiscal  
37 year 2010 and \$447,000 of the general fund--state appropriation for  
38 fiscal year 2011 are provided solely for a grant to resolution

1 Washington to building statewide capacity for alternative dispute  
2 resolution centers and dispute resolution programs that guarantee that  
3 citizens have access to low-cost resolution as an alternative to  
4 litigation.

5 (10) \$30,000 of the general fund--state appropriation for fiscal  
6 year 2010 is provided solely for implementation of Engrossed Second  
7 Substitute Senate Bill No. 6015 (commercialization of technology). If  
8 the bill is not enacted by June 30, 2009, the amount provided in this  
9 subsection shall lapse.

10 (11) By June 30, 2011, the department shall request information  
11 that describes what jurisdictions have adopted, or are in the process  
12 of adopting, plans that address RCW 36.70A.020 and helps achieve the  
13 greenhouse gas emission reductions established in RCW 70.235.020. This  
14 information request in this subsection applies to jurisdictions that  
15 are required to review and if necessary revise their comprehensive  
16 plans in accordance with RCW 36.70A.130.

17 (12) During the 2009-11 fiscal biennium, the department shall allot  
18 all of its appropriations subject to allotment by object, account, and  
19 expenditure authority code to conform with the office of financial  
20 management's definition of an option 2 allotment. For those funds  
21 subject to allotment but not appropriation, the agency shall submit  
22 option 2 allotments to the office of financial management.

23 (13) \$50,000 of the general fund--state appropriation for fiscal  
24 year 2010 and \$35,000 of the general fund--state appropriation for  
25 fiscal year 2011 are provided solely for a grant for the state's  
26 participation in the Pacific Northwest economic region.

27 (14) \$712,000 of the general fund--state appropriation for fiscal  
28 year 2010 and \$559,000 of the general fund--state appropriation for  
29 fiscal year 2011 are provided solely to the office of crime victims  
30 advocacy. These funds shall be contracted with the 39 county  
31 prosecuting attorneys' offices to support victim-witness services. The  
32 funds must be prioritized to ensure a full-time victim-witness  
33 coordinator in each county. The office may retain only the amount  
34 currently allocated for this activity for administrative costs.

35 (15) \$306,000 of the general fund--state appropriation for fiscal  
36 year 2010 and \$274,000 of the general fund--state appropriation for  
37 fiscal year 2011 are provided solely for a grant to the retired senior  
38 volunteer program.

1 (16) \$65,000 of the general fund--state appropriation for fiscal  
2 year 2010 is provided solely for a contract with a food distribution  
3 program for communities in the southwestern portion of the state and  
4 for workers impacted by timber and salmon fishing closures and  
5 reductions. The department may not charge administrative overhead or  
6 expenses to the funds provided in this subsection.

7 (17) \$371,000 of the general fund--state appropriation for fiscal  
8 year 2010 and \$290,000 of the general fund--state appropriation for  
9 fiscal year 2011 are provided solely to the northwest agriculture  
10 business center.

11 (18) The department shall administer its growth management act  
12 technical assistance so that smaller cities receive proportionately  
13 more assistance than larger cities or counties.

14 (19) \$212,000 of the general fund--federal appropriation is  
15 provided solely for implementation of Second Substitute House Bill No.  
16 1172 (development rights transfer). If the bill is not enacted by June  
17 30, 2009, the amount provided in this subsection shall lapse.

18 (20) \$69,000 of the general fund--state appropriation for fiscal  
19 year 2010 and \$60,000 of the general fund--state appropriation for  
20 fiscal year 2011 are provided solely for implementation of Engrossed  
21 Second Substitute House Bill No. 2227 (evergreen jobs act). If the  
22 bill is not enacted by June 30, 2009, the amounts provided in this  
23 subsection shall lapse.

24 (21) \$350,000 of the community development and preservation  
25 authority account--state appropriation is provided solely for a grant  
26 to a community development authority established under chapter 43.167  
27 RCW. The community preservation and development's board of directors  
28 may contract with nonprofit community organizations to aid in  
29 mitigating the effects of increased public impact on urban  
30 neighborhoods due to events in stadia that have a capacity of over  
31 50,000 spectators.

32 (22) \$300,000 of the Washington auto theft prevention authority  
33 account--state appropriation is provided solely for a contract with a  
34 community group to build local community capacity and economic  
35 development within the state by strengthening political relationships  
36 between economically distressed communities and governmental  
37 institutions. The community group shall identify opportunities for  
38 collaboration and initiate activities and events that bring community

1 organizations, local governments, and state agencies together to  
2 address the impacts of poverty, political disenfranchisement, and  
3 economic inequality on communities of color. These funds must be  
4 matched by other nonstate sources on an equal basis.

5 (23) \$1,800,000 of the home security fund--state appropriation is  
6 provided for transitional housing assistance or partial payments for  
7 rental assistance under the independent youth housing program.

8 (24) \$5,000,000 of the home security fund--state appropriation is  
9 provided solely for the operation, repair, and staffing of shelters in  
10 the homeless family shelter program.

11 (25) \$253,000 of the general fund--state appropriation for fiscal  
12 year 2010 and \$253,000 of the general fund--state appropriation for  
13 fiscal year 2011 are provided solely for the Washington new Americans  
14 program.

15 (26) \$438,000 of the general fund--state appropriation for fiscal  
16 year 2010 and \$394,000 of the general fund--state appropriation for  
17 fiscal year 2011 are provided solely for the Washington asset building  
18 coalitions.

19 (27) \$3,231,000 of the general fund--state appropriation for fiscal  
20 year 2010 and \$2,953,000 of the general fund--state appropriation for  
21 fiscal year 2011 are provided solely for associate development  
22 organizations.

23 (28) \$5,400,000 of the community and economic development fee  
24 account is provided as follows: \$1,000,000 is provided solely for the  
25 department of commerce for services for homeless families through the  
26 Washington families fund; \$2,600,000 is provided solely for housing  
27 trust fund operations and maintenance; \$800,000 is provided solely for  
28 housing trust fund portfolio management; \$500,000 is provided solely  
29 for foreclosure counseling and support; and \$500,000 is provided solely  
30 for use as a reserve in the account.

31 (29) \$237,000 of the general fund--state appropriation for fiscal  
32 year 2011 is provided solely for the department to administer a  
33 competitive grant program to fund economic development activities  
34 designed to further regional cluster growth and to integrate its  
35 sector-based and cluster-based strategies with its support for the  
36 development of innovation partnership zones. Grant recipients must  
37 provide matching funds equal to the size of the grant. Grants may be  
38 awarded to support the formation of sector associations or cluster



1 associations, the identification of the technology and  
2 commercialization needs of a sector or cluster, facilitating working  
3 relationships between a sector association or cluster association and  
4 an innovation partnership zone, expanding the operations of an  
5 innovation partnership zone, and developing and implementing plans to  
6 meet the technology development and commercialization needs of industry  
7 sectors, industry clusters, and innovation partnership zones. The  
8 projects receiving grants must not duplicate the purpose or efforts of  
9 industry skill panels but priority must be given to applicants that  
10 complement industry skill panels and will use the grant funds to build  
11 linkages and joint projects.

12 (30) \$62,000 of the general fund--state appropriation for fiscal  
13 year 2011 is provided solely to:

14 (a) Develop a rural manufacturer export outreach program in  
15 conjunction with impact Washington. The program must provide outreach  
16 services to rural manufacturers in Washington to inform them of the  
17 importance of and opportunities in international trade, and to inform  
18 them of the export assistance programs available to assist these  
19 businesses to become exporters; and

20 (b) Develop export loan or loan guarantee programs in conjunction  
21 with the Washington economic development finance authority and the  
22 appropriate federal and private entities.

23 (31) \$750,000 of the general fund--state appropriation for fiscal  
24 year 2011 is provided solely to implement the provisions of chapter 13,  
25 Laws of 2010 (global health program).

26 (32) \$50,000 of the general fund--state appropriation for fiscal  
27 year 2011 is provided solely for the creation of the Washington  
28 entrepreneurial development and small business reference service in the  
29 department of commerce.

30 (a) The department must:

31 (i) In conjunction with and drawing on information compiled by the  
32 work force training and education coordinating board and the Washington  
33 economic development commission:

34 (A) Establish and maintain an inventory of the public and private  
35 entrepreneurial training and technical assistance services, programs,  
36 and resources available in the state;

37 (B) Disseminate information about available entrepreneurial  
38 development and small business assistance services, programs, and

1 resources via in-person presentations and electronic and printed  
2 materials and undertake other activities to raise awareness of  
3 entrepreneurial training and small business assistance offerings; and

4 (C) Evaluate the extent to which existing entrepreneurial training  
5 and technical assistance programs in the state are effective and  
6 represent a consistent, integrated approach to meeting the needs of  
7 start-up and existing entrepreneurs;

8 (ii) Assist providers of entrepreneurial development and small  
9 business assistance services in applying for federal and private  
10 funding to support the entrepreneurial development and small business  
11 assistance activities in the state;

12 (iii) Distribute awards for excellence in entrepreneurial training  
13 and small business assistance; and

14 (iv) Report to the governor, the economic development commission,  
15 the work force training and education coordinating board, and the  
16 appropriate legislative committees its recommendations for statutory  
17 changes necessary to enhance operational efficiencies or enhance  
18 coordination related to entrepreneurial development and small business  
19 assistance.

20 (b) In carrying out the duties under this section, the department  
21 must seek the advice of small business owners and advocates, the  
22 Washington economic development commission, the work force training and  
23 education coordinating board, the state board for community and  
24 technical colleges, the employment security department, the Washington  
25 state microenterprise association, associate development organizations,  
26 impact Washington, the Washington quality award council, the Washington  
27 technology center, the small business export finance assistance center,  
28 the Spokane intercollegiate research and technology institute,  
29 representatives of the University of Washington business school and the  
30 Washington State University college of business and economics, the  
31 office of minority and women's business enterprises, the Washington  
32 economic development finance authority, and staff from small business  
33 development centers.

34 (c) The director may appoint an advisory board or convene such  
35 other individuals or groups as he or she deems appropriate to assist in  
36 carrying out the department's duties under this section.

37 (33) \$45,000 of the general fund--state appropriation for fiscal  
38 year 2011 is provided solely for a grant to HistoryLink.

1       **Sec. 1012.** 2010 2nd sp.s. c 1 s 116 (uncodified) is amended to  
2 read as follows:

3 **FOR THE OFFICE OF FINANCIAL MANAGEMENT**

4	General Fund--State Appropriation (FY 2010) . . . . .	\$21,089,000
5	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$18,285,000)</del>
6		<u>\$17,996,000</u>
7	General Fund--Federal Appropriation . . . . .	\$27,103,000
8	General Fund--Private/Local Appropriation . . . . .	\$1,270,000
9	State Auditing Services Revolving	
10	Account--State Appropriation . . . . .	\$25,000
11	Economic Development Strategic Reserve Account--	
12	State Appropriation . . . . .	\$278,000
13	TOTAL APPROPRIATION . . . . .	<del>(\$68,050,000)</del>
14		<u>\$67,761,000</u>

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

17       (1) \$188,000 of the general fund--state appropriation for fiscal  
18 year 2010 is provided solely for the implementation of Second  
19 Substitute Senate Bill No. 5945 (Washington health partnership plan).

20       If the bill is not enacted by June 30, 2009, the amount provided in  
21 this subsection shall lapse.

22       (2) The office of financial management shall conduct a study on  
23 alternatives for consolidating or transferring activities and  
24 responsibilities of the state lottery commission, state horse racing  
25 commission, state liquor control board, and the state gambling  
26 commission to achieve cost savings and regulatory efficiencies. In  
27 conducting the study, the office of financial management shall consult  
28 with the legislative fiscal committees. Further, the office of  
29 financial management shall establish an advisory group to include, but  
30 not be limited to, representatives of affected businesses, state  
31 agencies or entities, local governments, and stakeholder groups. The  
32 office of financial management shall submit a final report to the  
33 governor and the legislative fiscal committees by November 15, 2009.

34       (3) \$110,000 of the general fund--state appropriation for fiscal  
35 year 2011 is provided solely to implement Second Substitute Senate Bill  
36 No. 6578 (multiagency permitting teams). If the bill is not enacted by  
37 June 30, 2010, the amount provided in this subsection shall lapse.

1 (4) The office of financial management shall, with the assistance  
2 of the natural resources cabinet as created in executive order 09-07,  
3 reduce the number of facilities being leased by the state by  
4 consolidating, wherever possible, regional offices and storage  
5 facilities of the natural resource agencies. The office of financial  
6 management and the natural resources cabinet shall submit a report on  
7 the progress of this effort and the associated savings to the  
8 appropriate fiscal committees of the legislature no later than December  
9 1, 2010.

10 (5)(a) \$50,000 of the general fund--state appropriation for fiscal  
11 year 2010 and \$150,000 of the general fund--state appropriation for  
12 fiscal year 2011 are provided solely for the purposes of the office of  
13 financial management:

14 (i) Conducting a technical and financial analysis of the state's  
15 plan for the consolidated state data center and office building; and

16 (ii) Developing a strategic business plan outlining the various  
17 options for use of the site that maximize taxpayer value consistent  
18 with the terms of the finance lease and related agreements.

19 (b) The analysis required in (a)(i) of this subsection must consist  
20 of, at a minimum, an assessment of the following issues:

21 (i) The total capital and operational costs for the proposed data  
22 center and office building;

23 (ii) The occupancy rate for the consolidated state data center, as  
24 compared to total capacity, that will result in revenue exceeding total  
25 capital and operating expenses;

26 (iii) The potential reallocation of resources that could result  
27 from the consolidation of state data centers and office space; and

28 (iv) The potential return on investment for the consolidated state  
29 data center and office building that may be realized without impairing  
30 any existing contractual rights under the terms of the financing lease  
31 and related agreements.

32 (c) This review must build upon the analysis and migration strategy  
33 for the consolidated state data center being prepared for the  
34 department of information services.

35 (d) The strategic plan must be submitted to the governor and the  
36 legislature by December 1, 2010.

37 (6) Appropriations in this section include amounts sufficient to

1 implement Engrossed Substitute House Bill No. 3178 (technology  
2 efficiencies).

3 **Sec. 1013.** 2011 c 5 s 117 (uncodified) is amended to read as  
4 follows:

5 **FOR THE OFFICE OF ADMINISTRATIVE HEARINGS**

6 Administrative Hearings Revolving Account--State  
7 Appropriation . . . . . (~~(\$34,468,000)~~)  
8 \$34,805,000

9 The appropriation in this section is subject to the following  
10 conditions and limitations: \$725,000 of the administrative hearings  
11 revolving account--state appropriation is provided solely to implement  
12 Engrossed Second Substitute House Bill No. 2782 (security lifeline  
13 act). If the bill is not enacted by June 30, 2010, the amount provided  
14 in this subsection shall lapse.

15 **Sec. 1014.** 2011 c 5 s 118 (uncodified) is amended to read as  
16 follows:

17 **FOR THE COMMISSION ON HISPANIC AFFAIRS**

18 General Fund--State Appropriation (FY 2010) . . . . . \$250,000  
19 General Fund--State Appropriation (FY 2011) . . . . . (~~(\$227,000)~~)  
20 \$226,000  
21 TOTAL APPROPRIATION . . . . . (~~(\$477,000)~~)  
22 \$476,000

23 **Sec. 1015.** 2011 c 5 s 119 (uncodified) is amended to read as  
24 follows:

25 **FOR THE COMMISSION ON AFRICAN-AMERICAN AFFAIRS**

26 General Fund--State Appropriation (FY 2010) . . . . . \$243,000  
27 General Fund--State Appropriation (FY 2011) . . . . . (~~(\$210,000)~~)  
28 \$221,000  
29 TOTAL APPROPRIATION . . . . . (~~(\$453,000)~~)  
30 \$464,000

31 **Sec. 1016.** 2011 c 5 s 120 (uncodified) is amended to read as  
32 follows:

33 **FOR THE DEPARTMENT OF REVENUE**

34 General Fund--State Appropriation (FY 2010) . . . . . \$109,472,000

1	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$107,662,000</del> ))
2		<u>\$107,169,000</u>
3	Timber Tax Distribution Account--State Appropriation . . . . .	\$5,933,000
4	Waste Reduction/Recycling/Litter Control--State	
5	Appropriation . . . . .	\$130,000
6	Waste Tire Removal Account--State Appropriation . . . . .	\$2,000
7	Real Estate Excise Tax Grant Account--State	
8	Appropriation . . . . .	\$3,429,000
9	State Toxics Control Account--State Appropriation . . . . .	\$87,000
10	Oil Spill Prevention Account--State Appropriation . . . . .	\$19,000
11	TOTAL APPROPRIATION . . . . .	(( <del>\$226,734,000</del> ))
12		<u>\$226,241,000</u>

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

15       (1) \$469,000 of the general fund--state appropriation for fiscal  
16 year 2010 and \$374,000 of the general fund--state appropriation for  
17 fiscal year 2011 are for the implementation of Substitute Senate Bill  
18 No. 5368 (annual property revaluation). If the bill is not enacted by  
19 June 30, 2009, the amounts in this subsection shall lapse.

20       (2) \$4,653,000 of the general fund--state appropriation for fiscal  
21 year 2010 and \$4,242,000 of the general fund--state appropriation for  
22 fiscal year 2011 are for the implementation of revenue enhancement  
23 strategies. The strategies must include increased out-of-state  
24 auditing and compliance, the purchase of third party data sources for  
25 enhanced audit selection, and increased traditional auditing and  
26 compliance efforts.

27       (3) \$3,127,000 of the general fund--state appropriation for fiscal  
28 year 2010 and \$1,737,000 of the general fund--state appropriation for  
29 fiscal year 2011 are for the implementation of Senate Bill No. 6173  
30 (sales tax compliance). If the bill is not enacted by June 30, 2009,  
31 the amounts provided in this subsection shall lapse.

32       (4) \$1,294,000 of the general fund--state appropriation for fiscal  
33 year 2010 and \$3,085,000 of the general fund--state appropriation for  
34 fiscal year 2011 are for the implementation of Second Engrossed  
35 Substitute Senate Bill No. 6143 (excise tax law modifications). If the  
36 bill is not enacted by June 30, 2010, the amounts provided in this  
37 subsection shall lapse.

1 (5) \$163,000 of the general fund--state appropriation for fiscal  
2 year 2011 is provided solely to implement Substitute Senate Bill No.  
3 6846 (enhanced 911 services). If the bill is not enacted by June 30,  
4 2010, the amount provided in this subsection shall lapse.

5 (6) \$304,000 of the general fund--state appropriation for fiscal  
6 year 2011 is provided solely for making the necessary preparations for  
7 implementation of the working families tax exemption pursuant to RCW  
8 82.08.0206 in 2012.

9 **Sec. 1017.** 2011 c 5 s 121 (uncodified) is amended to read as  
10 follows:

11 **FOR THE BOARD OF TAX APPEALS**

12	General Fund--State Appropriation (FY 2010) . . . . .	\$1,346,000
13	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$1,195,000)</del>
14		<u>\$1,194,000</u>
15	TOTAL APPROPRIATION . . . . .	<del>(\$2,541,000)</del>
16		<u>\$2,540,000</u>

17 **Sec. 1018.** 2011 c 5 s 122 (uncodified) is amended to read as  
18 follows:

19 **FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

20	General Fund--State Appropriation (FY 2010) . . . . .	\$815,000
21	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$3,527,000)</del>
22		<u>\$3,524,000</u>
23	General Fund--Federal Appropriation . . . . .	\$2,956,000
24	Building Code Council Account--State Appropriation . . . . .	\$875,000
25	General Fund--Private/Local Appropriation . . . . .	\$84,000
26	General Administration Service Account--State	
27	Appropriation . . . . .	\$31,397,000
28	TOTAL APPROPRIATION . . . . .	<del>(\$39,654,000)</del>
29		<u>\$39,651,000</u>

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

32 (1) \$28,000 of the general fund--state appropriation for fiscal  
33 year 2010 and \$14,000 of the general fund--state appropriation for  
34 fiscal year 2011 are provided solely for the purposes of section 8 of  
35 Engrossed Second Substitute Senate Bill No. 5854 (built environment

1 pollution). If section 8 of the bill is not enacted by June 30, 2009,  
2 the amounts provided in this subsection shall lapse.

3 (2) \$3,197,000 of the general fund--state appropriation for fiscal  
4 year 2011 is provided solely for the payment of facilities and services  
5 charges, utilities and contracts charges, public and historic  
6 facilities charges, and capital projects surcharges allocable to the  
7 senate, house of representatives, statute law committee, and joint  
8 legislative systems committee. The department shall allocate charges  
9 attributable to these agencies among the affected revolving funds. The  
10 department shall enter into an interagency agreement with these  
11 agencies by July 1, 2010, to establish performance standards,  
12 prioritization of preservation and capital improvement projects, and  
13 quality assurance provisions for the delivery of services under this  
14 subsection. The agencies named in this subsection shall continue to  
15 enjoy all of the same rights of occupancy, support, and space use on  
16 the capitol campus as historically established.

17 (3) \$84,000 of the general fund--private/local appropriation and  
18 \$593,000 of the building code council account--state appropriation are  
19 provided solely to implement Engrossed Second Substitute House Bill No.  
20 2658 (refocusing the department of commerce, including transferring  
21 programs). If the bill is not enacted by June 30, 2010, the amounts  
22 provided in this subsection shall lapse.

23 (4) In accordance with RCW 46.08.172 and 43.135.055, the department  
24 is authorized to increase parking fees in fiscal year 2011 as necessary  
25 to meet the actual costs of conducting business.

26 **Sec. 1019.** 2011 c 5 s 125 (uncodified) is amended to read as  
27 follows:

28 **FOR THE MILITARY DEPARTMENT**

29	General Fund--State Appropriation (FY 2010) . . . . .	\$9,350,000
30	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$7,898,000)</del>
31		<u>\$7,890,000</u>
32	General Fund--Federal Appropriation . . . . .	\$168,599,000
33	Enhanced 911 Account--State Appropriation . . . . .	\$44,508,000
34	Disaster Response Account--State Appropriation . . . . .	\$28,350,000
35	Disaster Response Account--Federal Appropriation . . . . .	\$114,496,000
36	Military Department Rent and Lease Account--State	
37	Appropriation . . . . .	\$612,000



1	Military Department Active State Service Account--Federal	
2	Appropriation . . . . .	\$592,000
3	Worker and Community Right-to-Know Account--State	
4	Appropriation . . . . .	\$341,000
5	Nisqually Earthquake Account--State Appropriation . . . . .	\$307,000
6	Nisqually Earthquake Account--Federal Appropriation . . . . .	\$1,067,000
7	TOTAL APPROPRIATION . . . . .	<del>(\$376,120,000)</del>
8		<u>\$376,112,000</u>

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

11       (1) \$28,326,000 of the disaster response account--state  
12 appropriation and \$114,496,000 of the disaster response  
13 account--federal appropriation may be spent only on disasters declared  
14 by the governor and with the approval of the office of financial  
15 management. The military department shall submit a report to the  
16 office of financial management and the legislative fiscal committees on  
17 October 1st and February 1st of each year detailing information on the  
18 disaster response account, including: (a) The amount and type of  
19 deposits into the account; (b) the current available fund balance as of  
20 the reporting date; and (c) the projected fund balance at the end of  
21 the 2009-2011 biennium based on current revenue and expenditure  
22 patterns.

23       (2) \$307,000 of the Nisqually earthquake account--state  
24 appropriation and \$1,067,000 of the Nisqually earthquake  
25 account--federal appropriation are provided solely for response and  
26 recovery costs associated with the February 28, 2001, earthquake. The  
27 military department shall submit a report to the office of financial  
28 management and the legislative fiscal committees on October 1st and  
29 February 1st of each year detailing earthquake recovery costs,  
30 including: (a) Estimates of total costs; (b) incremental changes from  
31 the previous estimate; (c) actual expenditures; (d) estimates of total  
32 remaining costs to be paid; and (e) estimates of future payments by  
33 biennium. This information shall be displayed by fund, by type of  
34 assistance, and by amount paid on behalf of state agencies or local  
35 organizations. The military department shall also submit a report  
36 quarterly to the office of financial management and the legislative  
37 fiscal committees detailing information on the Nisqually earthquake  
38 account, including: (a) The amount and type of deposits into the

1 account; (b) the current available fund balance as of the reporting  
2 date; and (c) the projected fund balance at the end of the 2009-2011  
3 biennium based on current revenue and expenditure patterns.

4 (3) \$85,000,000 of the general fund--federal appropriation is  
5 provided solely for homeland security, subject to the following  
6 conditions:

7 (a) Any communications equipment purchased by local jurisdictions  
8 or state agencies shall be consistent with standards set by the  
9 Washington state interoperability executive committee; and

10 (b) The department shall submit an annual report to the office of  
11 financial management and the legislative fiscal committees detailing  
12 the governor's domestic security advisory group recommendations;  
13 homeland security revenues and expenditures, including estimates of  
14 total federal funding for the state; and incremental changes from the  
15 previous estimate.

16 (4) \$500,000 of the general fund--state appropriation for fiscal  
17 year 2010 is provided solely for the military department to contract  
18 with the Washington information network 2-1-1 to operate a statewide 2-  
19 1-1 system. The department shall provide the entire amount for 2-1-1  
20 and may not use any of the funds for administrative purposes.

21 **Sec. 1020.** 2011 c 5 s 126 (uncodified) is amended to read as  
22 follows:

23 **FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION**

24	General Fund--State Appropriation (FY 2010) . . . . .	\$2,667,000
25	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$2,345,000)</del>
26		<u>\$2,344,000</u>
27	Higher Education Personnel Services Account--State	
28	Appropriation . . . . .	\$250,000
29	Department of Personnel Service Account--State	
30	Appropriation . . . . .	\$3,263,000
31	TOTAL APPROPRIATION . . . . .	<del>(\$8,525,000)</del>
32		<u>\$8,524,000</u>

33 The appropriations in this section are subject to the following  
34 conditions and limitations: \$50,000 of the general fund--state  
35 appropriation for fiscal year 2011 is provided solely for  
36 implementation of Engrossed Substitute Senate Bill No. 6726 (language  
37 access provider bargaining).





1 (WMIP), the department may combine and transfer such medicaid funds  
2 appropriated under sections 204, 206, 208, and 209 of this act as may  
3 be necessary to finance a unified health care plan for the WMIP program  
4 enrollment. The WMIP pilot projects shall not exceed a daily  
5 enrollment of 6,000 persons, nor expand beyond one county, during the  
6 2009-2011 biennium. The amount of funding assigned to the pilot  
7 projects from each program may not exceed the average per capita cost  
8 assumed in this act for individuals covered by that program,  
9 actuarially adjusted for the health condition of persons enrolled in  
10 the pilot project, times the number of clients enrolled in the pilot  
11 project. In implementing the WMIP pilot projects, the department may:  
12 (a) Withhold from calculations of "available resources" as set forth in  
13 RCW 71.24.025 a sum equal to the capitated rate for individuals  
14 enrolled in the pilots; and (b) employ capitation financing and risk-  
15 sharing arrangements in collaboration with health care service  
16 contractors licensed by the office of the insurance commissioner and  
17 qualified to participate in both the medicaid and medicare programs.  
18 The department shall conduct an evaluation of the WMIP, measuring  
19 changes in participant health outcomes, changes in patterns of service  
20 utilization, participant satisfaction, participant access to services,  
21 and the state fiscal impact.

22 (5)(a) The appropriations to the department of social and health  
23 services in this act shall be expended for the programs and in the  
24 amounts specified in this act. However, after May 1, (~~(2010)~~) 2011,  
25 unless specifically prohibited by this act, the department may transfer  
26 general fund--state appropriations for fiscal year (~~(2010)~~) 2011 among  
27 programs after approval by the director of financial management.  
28 However, the department shall not transfer state moneys that are  
29 provided solely for a specified purpose except as expressly provided in  
30 (b) of this subsection.

31 (b) To the extent that transfers under (a) of this subsection are  
32 insufficient to fund actual expenditures in excess of fiscal year  
33 (~~(2010)~~) 2011 caseload forecasts and utilization assumptions in the  
34 medical assistance, long-term care, foster care, adoptions support, and  
35 child support programs, the department may transfer state moneys that  
36 are provided solely for a specified purpose. The department shall not  
37 transfer funds, and the director of financial management shall not  
38 approve the transfer, unless the transfer is consistent with the

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

10 (6) The legislature finds that medicaid payment rates, as  
11 calculated by the department pursuant to the appropriations in this  
12 act, bear a reasonable relationship to the costs incurred by  
13 efficiently and economically operated facilities for providing quality  
14 services and will be sufficient to enlist enough providers so that care  
15 and services are available to the extent that such care and services  
16 are available to the general population in the geographic area. The  
17 legislature finds that cost reports, payment data from the federal  
18 government, historical utilization, economic data, and clinical input  
19 constitute reliable data upon which to determine the payment rates.

20 **Sec. 1102.** 2011 c 5 s 201 (uncodified) is amended to read as  
21 follows:

22 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--CHILDREN AND FAMILY**  
23 **SERVICES PROGRAM**

24	General Fund--State Appropriation (FY 2010) . . . . .	\$315,002,000
25	General Fund--State Appropriation (FY 2011) . . . . .	<del>(( \$287,643,000 ))</del>
26		<u>\$285,342,000</u>
27	General Fund--Federal Appropriation . . . . .	<del>(( \$494,136,000 ))</del>
28		<u>\$494,749,000</u>
29	General Fund--Private/Local Appropriation . . . . .	\$3,320,000
30	Home Security Fund Appropriation . . . . .	\$8,406,000
31	Domestic Violence Prevention Account--State	
32	Appropriation . . . . .	\$1,154,000
33	Education Legacy Trust Account--State Appropriation . . . . .	\$725,000
34	TOTAL APPROPRIATION . . . . .	<del>(( \$1,110,386,000 ))</del>
35		<u>\$1,108,698,000</u>

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

1 (1) \$937,000 of the general fund--state appropriation for fiscal  
2 year 2010 and \$696,000 of the general fund--state appropriation for  
3 fiscal year 2011 are provided solely to contract for the operation of  
4 one pediatric interim care facility. The facility shall provide  
5 residential care for up to thirteen children through two years of age.  
6 Seventy-five percent of the children served by the facility must be in  
7 need of special care as a result of substance abuse by their mothers.  
8 The facility shall also provide on-site training to biological,  
9 adoptive, or foster parents. The facility shall provide at least three  
10 months of consultation and support to parents accepting placement of  
11 children from the facility. The facility may recruit new and current  
12 foster and adoptive parents for infants served by the facility. The  
13 department shall not require case management as a condition of the  
14 contract.

15 (2) \$369,000 of the general fund--state appropriation for fiscal  
16 year 2010, \$343,000 of the general fund--state appropriation for fiscal  
17 year 2011, and \$306,000 of the general fund--federal appropriation are  
18 provided solely for up to three nonfacility-based programs for the  
19 training, consultation, support, and recruitment of biological, foster,  
20 and adoptive parents of children through age three in need of special  
21 care as a result of substance abuse by their mothers, except that each  
22 program may serve up to three medically fragile nonsubstance-abuse-  
23 affected children. In selecting nonfacility-based programs, preference  
24 shall be given to programs whose federal or private funding sources  
25 have expired or that have successfully performed under the existing  
26 pediatric interim care program.

27 (3) \$2,500,000 of the general fund--state appropriation for fiscal  
28 year 2010 and \$46,000 of the general fund--state appropriation for  
29 fiscal year 2011, and \$2,098,000 of the home security fund--state  
30 appropriation are provided solely for secure crisis residential  
31 centers. Within appropriated amounts, the department shall collaborate  
32 with providers to maintain no less than forty-five beds that are  
33 geographically representative of the state. The department shall  
34 examine current secure crisis residential staffing requirements,  
35 flexible payment options, center specific waivers, and other  
36 appropriate methods to accomplish this outcome.

37 (4) A maximum of \$69,190,000 of the general fund--state  
38 appropriations and \$54,443,000 of the general fund--federal

1 appropriations for the 2009-11 biennium shall be expended for  
2 behavioral rehabilitative services and these amounts are provided  
3 solely for this purpose. The department shall work with behavioral  
4 rehabilitative service providers to safely keep youth with emotional,  
5 behavioral, or medical needs at home, with relatives, or with other  
6 permanent placement resources and decrease the length of service  
7 through improved emotional, behavioral, or medical outcomes for  
8 children in behavioral rehabilitative services in order to achieve the  
9 appropriated levels.

10 (a) Contracted providers shall act in good faith and accept the  
11 hardest to serve children, to the greatest extent possible, in order to  
12 improve their emotional, behavioral, or medical conditions.

13 (b) The department and the contracted provider shall mutually agree  
14 and establish an exit date for when the child is to exit the behavioral  
15 rehabilitative service provider. The department and the contracted  
16 provider should mutually agree, to the greatest extent possible, on a  
17 viable placement for the child to go to once the child's treatment  
18 process has been completed. The child shall exit only when the  
19 emotional, behavioral, or medical condition has improved or if the  
20 provider has not shown progress toward the outcomes specified in the  
21 signed contract at the time of exit. This subsection (b) does not  
22 prevent or eliminate the department's responsibility for removing the  
23 child from the provider if the child's emotional, behavioral, or  
24 medical condition worsens or is threatened.

25 (c) The department is encouraged to use performance-based contracts  
26 with incentives directly tied to outcomes described in this section.  
27 The contracts should incentivize contracted providers to accept the  
28 hardest to serve children and incentivize improvement in children's  
29 emotional, mental, and medical well-being within the established exit  
30 date. The department is further encouraged to increase the use of  
31 behavioral rehabilitative service group homes, wrap around services to  
32 facilitate and support placement of youth at home with relatives, or  
33 other permanent resources, and other means to control expenditures.

34 (d) The total foster care per capita amount shall not increase more  
35 than four percent in the 2009-11 biennium and shall not include  
36 behavioral rehabilitative service.

37 (5) 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 (6) \$13,387,000 of the general fund--state appropriation for fiscal  
5 year 2011 and \$6,231,000 of the general fund--federal appropriation are  
6 provided solely for the department to provide contracted prevention and  
7 early intervention services. The legislature recognizes the need for  
8 flexibility as the department transitions to performance-based  
9 contracts. The following services are included in the prevention and  
10 early intervention block grant: Crisis family intervention services,  
11 family preservation services, intensive family preservation services,  
12 evidence-based programs, public health nurses, and early family support  
13 services. The legislature intends for the department to maintain and  
14 build on existing evidence-based and research-based programs with the  
15 goal of utilizing contracted prevention and intervention services to  
16 keep children safe at home and to safely reunify families. Priority  
17 shall be given to proven intervention models, including evidence-based  
18 prevention and early intervention programs identified by the Washington  
19 state institute for public policy and the department. The department  
20 shall include information on the number, type, and outcomes of the  
21 evidence-based programs being implemented in its reports on child  
22 welfare reform efforts and shall provide the legislature and governor  
23 a report regarding the allocation of resources in this subsection by  
24 September 30, 2010. The department shall expend federal funds under  
25 this subsection in compliance with federal regulations.

26 (7) \$36,000 of the general fund--state appropriation for fiscal  
27 year 2010, \$34,000 of the general fund--state appropriation for fiscal  
28 year 2011, and \$29,000 of the general fund--federal appropriation are  
29 provided solely for the implementation of chapter 465, Laws of 2007  
30 (child welfare).

31 (8) \$125,000 of the general fund--state appropriation for fiscal  
32 year 2010 and \$118,000 of the general fund--state appropriation for  
33 fiscal year 2011 are provided solely for continuum of care services.  
34 \$100,000 of this amount is for Casey family partners and \$25,000 of  
35 this amount is for volunteers of America crosswalk in fiscal year 2010.  
36 \$95,000 of this amount is for Casey family partners and \$23,000 of this  
37 amount is for volunteers of America crosswalk in fiscal year 2011.

1 (9) \$1,904,000 of the general fund--state appropriation for fiscal  
2 year 2010, \$1,441,000 of the general fund--state appropriation for  
3 fiscal year 2011, and \$335,000 of the general fund--federal  
4 appropriation are provided solely to contract with medical  
5 professionals for comprehensive safety assessments of high-risk  
6 families and for foster care assessments. The safety assessments will  
7 use validated assessment tools to guide intervention decisions through  
8 the identification of additional safety and risk factors. The  
9 department will maintain the availability of comprehensive foster care  
10 assessments and follow up services for children in out-of-home care who  
11 do not have permanent plans, comprehensive safety assessments for  
12 families receiving in-home child protective services or family  
13 voluntary services, and comprehensive safety assessments for families  
14 with an infant age birth to fifteen days where the infant was, at  
15 birth, diagnosed as substance exposed and the department received an  
16 intake referral related to the infant due to the substance exposure.  
17 The department must consolidate contracts, streamline administration,  
18 and explore efficiencies to achieve savings.

19 (10) \$7,679,000 of the general fund--state appropriation for fiscal  
20 year 2010, \$6,226,000 of the general fund--state appropriation for  
21 fiscal year 2011, and \$4,658,000 of the general fund--federal  
22 appropriation are provided solely for court-ordered supervised visits  
23 between parents and dependent children and for sibling visits. The  
24 department shall work collaboratively with the juvenile dependency  
25 courts and revise the supervised visit reimbursement procedures to stay  
26 within appropriations without impeding reunification outcomes between  
27 parents and dependent children. The department shall report to the  
28 legislative fiscal committees on September 30, 2010, and December 30,  
29 2010, the number of children in foster care who receive supervised  
30 visits, their frequency, length of time of each visit, and whether  
31 reunification is attained.

32 (11) \$145,000 of the general fund--state appropriation for fiscal  
33 year 2010, \$817,000 of the general fund--state appropriation for fiscal  
34 year 2011, and \$668,000 of the home security fund--state appropriation  
35 is provided solely for street youth program services.

36 (12) \$1,522,000 of the general fund--state appropriation for fiscal  
37 year 2010, \$1,256,000 of the general fund--state appropriation for  
38 fiscal year 2011, and \$1,372,000 of the general fund--federal

1 appropriation are provided solely for the department to recruit foster  
2 parents. The recruitment efforts shall include collaborating with  
3 community-based organizations and current or former foster parents to  
4 recruit foster parents.

5 (13) \$493,000 of the general fund--state appropriation for fiscal  
6 year 2010, \$102,000 of the general fund--state appropriation for fiscal  
7 year 2011, \$466,000 of the general fund--private/local appropriation,  
8 \$182,000 of the general fund--federal appropriation, and \$725,000 of  
9 the education legacy trust account--state appropriation are provided  
10 solely for children's administration to contract with an educational  
11 advocacy provider with expertise in foster care educational outreach.  
12 Funding is provided solely for contracted education coordinators to  
13 assist foster children in succeeding in K-12 and higher education  
14 systems. Funding shall be prioritized to regions with high numbers of  
15 foster care youth and/or regions where backlogs of youth that have  
16 formerly requested educational outreach services exist. The department  
17 shall utilize private matching funds to maintain educational advocacy  
18 services.

19 (14) \$1,273,000 of the home security fund account--state  
20 appropriation is provided solely for HOPE beds.

21 (15) \$4,234,000 of the home security fund account--state  
22 appropriation is provided solely for the crisis residential centers.

23 (16) The appropriations in this section reflect reductions in the  
24 appropriations for the children's administration administrative  
25 expenses. It is the intent of the legislature that these reductions  
26 shall be achieved, to the greatest extent possible, by reducing those  
27 administrative costs that do not affect direct client services or  
28 direct service delivery or programs.

29 (17) Within the amounts appropriated in this section, the  
30 department shall contract for a pilot project with family and community  
31 networks in Whatcom county and up to four additional counties to  
32 provide services. The pilot project shall be designed to provide a  
33 continuum of services that reduce out-of-home placements and the  
34 lengths of stay for children in out-of-home placement. The department  
35 and the community networks shall collaboratively select the additional  
36 counties for the pilot project and shall collaboratively design the  
37 contract. Within the framework of the pilot project, the contract  
38 shall seek to maximize federal funds. The pilot project in each county

1 shall include the creation of advisory and management teams which  
2 include members from neighborhood-based family advisory committees,  
3 residents, parents, youth, providers, and local and regional department  
4 staff. The Whatcom county team shall facilitate the development of  
5 outcome-based protocols and policies for the pilot project and develop  
6 a structure to oversee, monitor, and evaluate the results of the pilot  
7 projects. The department shall report the costs and savings of the  
8 pilot project to the appropriate committees of the legislature by  
9 November 1 of each year.

10 (18) \$157,000 of the general fund--state appropriation for fiscal  
11 year 2010 and \$78,000 of the general fund--state appropriation for  
12 fiscal year 2011 are provided solely for the department to contract  
13 with a nonprofit entity for a reunification pilot project in Whatcom  
14 and Skagit counties. The contract for the reunification pilot project  
15 shall include a rate of \$46.16 per hour for evidence-based  
16 interventions, in combination with supervised visits, to provide 3,564  
17 hours of services to reduce the length of stay for children in the  
18 child welfare system. The contract shall also include evidence-based  
19 intensive parenting skills building services and family support case  
20 management services for 38 families participating in the reunification  
21 pilot project. The contract shall include the flexibility for the  
22 nonprofit entity to subcontract with trained providers.

23 (19) \$303,000 of the general fund--state appropriation for fiscal  
24 year 2010, \$392,000 of the general fund--state appropriation for fiscal  
25 year 2011, and \$241,000 of the general fund--federal appropriation are  
26 provided solely to implement Engrossed Substitute House Bill No. 1961  
27 (increasing adoptions act). If the bill is not enacted by June 30,  
28 2009, the amounts provided in this subsection shall lapse.

29 (20) \$98,000 of the general fund--state appropriation for fiscal  
30 year 2010 and \$49,000 of the general fund--state appropriation for  
31 fiscal year 2011 are provided solely for the department to contract  
32 with an agency that is working in partnership with, and has been  
33 evaluated by, the University of Washington school of social work to  
34 implement promising practice constellation hub models of foster care  
35 support.

36 (21) The legislature intends for the department to reduce the time  
37 a child remains in the child welfare system. The department shall  
38 establish a measurable goal and report progress toward meeting that

1 goal to the legislature by January 15 of each fiscal year of the  
2 2009-11 fiscal biennium. To the extent that actual caseloads exceed  
3 those assumed in this section, it is the intent of the legislature to  
4 address those issues in a manner similar to all other caseload  
5 programs.

6 (22) \$715,000 of the general fund--state appropriation for fiscal  
7 year 2010 and \$671,000 of the general fund--state appropriation for  
8 fiscal year 2011 are provided solely for services provided through  
9 children's advocacy centers.

10 (23) \$10,000 of the general fund--state appropriation for fiscal  
11 year 2011 and \$3,000 of the general fund--federal appropriation are  
12 provided solely for implementation of chapter 224, Laws of 2010  
13 (confinement alternatives). If the bill is not enacted by June 30,  
14 2010, the amounts provided in this subsection shall lapse.

15 (24) \$1,867,000 of the general fund--state appropriation for fiscal  
16 year 2010, \$1,677,000 of the general fund--state appropriation for  
17 fiscal year 2011, and \$4,379,000 of the general fund--federal  
18 appropriation are provided solely for the department to contract for  
19 medicaid treatment child care (MTCC) services. Children's  
20 administration case workers, local public health nurses and case  
21 workers from the temporary assistance for needy families program shall  
22 refer children to MTCC services, as long as the children meet the  
23 eligibility requirements as outlined in the Washington state plan for  
24 the MTCC services.

25 (25) The department shall contract for at least one pilot project  
26 with adolescent services providers to deliver a continuum of short-term  
27 crisis stabilization services. The pilot project shall include  
28 adolescent services provided through secure crisis residential centers,  
29 crisis residential centers, and hope beds. The department shall work  
30 with adolescent service providers to maintain availability of  
31 adolescent services and maintain the delivery of services in a  
32 geographically representative manner. The department shall examine  
33 current staffing requirements, flexible payment options, center-  
34 specific licensing waivers, and other appropriate methods to achieve  
35 savings and streamline the delivery of services. The legislature  
36 intends for the pilot project to provide flexibility to the department  
37 to improve outcomes and to achieve more efficient utilization of  
38 existing resources, while meeting the statutory goals of the adolescent

1 services programs. The department shall provide an update to the  
2 appropriate legislative committees and governor on the status of the  
3 pilot project implementation by December 1, 2010.

4 (26) To ensure expenditures remain within available funds  
5 appropriated in this section as required by RCW 74.13A.005 and  
6 74.13A.020, the secretary shall not set the amount of any adoption  
7 assistance payment or payments, made pursuant to RCW 26.33.320 and  
8 74.13A.005 through 74.13A.080, to more than ninety percent of the  
9 foster care maintenance payment for that child had he or she remained  
10 in a foster family home during the same period. This subsection does  
11 not apply to adoption assistance agreements in existence on the  
12 effective date of this section.

13 (27) Receipts from fees per chapter 289, Laws of 2010, as deposited  
14 into the prostitution prevention and intervention account for services  
15 provided to sexually exploited children as defined in RCW 13.32A.030 in  
16 secure and semi-secure crisis residential centers with access to staff  
17 trained to meet their specific needs shall be used to expand capacity  
18 for secure crisis residential centers and not supplant existing  
19 funding.

20 ~~((28) The appropriations in this section reflect reductions to the  
21 foster care maintenance payment rates during fiscal year 2011.))~~

22 **Sec. 1103.** 2011 c 5 s 202 (uncodified) is amended to read as  
23 follows:

24 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--JUVENILE**  
25 **REHABILITATION PROGRAM**

26	General Fund--State Appropriation (FY 2010) . . . . .	\$103,437,000
27	General Fund--State Appropriation (FY 2011) . . . . .	<del>(( \$90,240,000 ))</del>
28		<u>\$89,127,000</u>
29	General Fund--Federal Appropriation . . . . .	<del>(( \$1,715,000 ))</del>
30		<u>\$1,734,000</u>
31	General Fund--Private/Local Appropriation . . . . .	<del>(( \$1,899,000 ))</del>
32		<u>\$1,931,000</u>
33	Washington Auto Theft Prevention Authority Account--	
34	State Appropriation . . . . .	\$3,896,000
35	Juvenile Accountability Incentive Account--Federal	
36	Appropriation . . . . .	\$2,805,000
37	State Efficiency and Restructuring Account--State	

1	Appropriation . . . . .	\$4,958,000
2	TOTAL APPROPRIATION . . . . .	<del>(\$208,950,000)</del>
3		<u>\$207,888,000</u>

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

6 (1) \$353,000 of the general fund--state appropriation for fiscal  
7 year 2010 and \$331,000 of the general fund--state appropriation for  
8 fiscal year 2011 are provided solely for deposit in the county criminal  
9 justice assistance account for costs to the criminal justice system  
10 associated with the implementation of chapter 338, Laws of 1997  
11 (juvenile code revisions). The amounts provided in this subsection are  
12 intended to provide funding for county adult court costs associated  
13 with the implementation of chapter 338, Laws of 1997 and shall be  
14 distributed in accordance with RCW 82.14.310.

15 (2) \$3,408,000 of the general fund--state appropriation for fiscal  
16 year 2010 and \$2,716,000 of the general fund--state appropriation for  
17 fiscal year 2011 are provided solely for the implementation of chapter  
18 338, Laws of 1997 (juvenile code revisions). The amounts provided in  
19 this subsection are intended to provide funding for county impacts  
20 associated with the implementation of chapter 338, Laws of 1997 and  
21 shall be distributed to counties as prescribed in the current  
22 consolidated juvenile services (CJS) formula.

23 (3) \$3,716,000 of the general fund--state appropriation for fiscal  
24 year 2010 and \$3,482,000 of the general fund--state appropriation for  
25 fiscal year 2011 are provided solely to implement community juvenile  
26 accountability grants pursuant to chapter 338, Laws of 1997 (juvenile  
27 code revisions). Funds provided in this subsection may be used solely  
28 for community juvenile accountability grants, administration of the  
29 grants, and evaluations of programs funded by the grants.

30 (4) \$1,427,000 of the general fund--state appropriation for fiscal  
31 year 2010 and \$1,130,000 of the general fund--state appropriation for  
32 fiscal year 2011 are provided solely to implement alcohol and substance  
33 abuse treatment programs for locally committed offenders. The juvenile  
34 rehabilitation administration shall award these moneys on a competitive  
35 basis to counties that submitted a plan for the provision of services  
36 approved by the division of alcohol and substance abuse. The juvenile  
37 rehabilitation administration shall develop criteria for evaluation of

1 plans submitted and a timeline for awarding funding and shall assist  
2 counties in creating and submitting plans for evaluation.

3 (5) \$3,066,000 of the general fund--state appropriation for fiscal  
4 year 2010 and \$2,873,000 of the general fund--state appropriation for  
5 fiscal year 2011 are provided solely for grants to county juvenile  
6 courts for the following programs identified by the Washington state  
7 institute for public policy (institute) in its October 2006 report:  
8 "Evidence-Based Public Policy Options to Reduce Future Prison  
9 Construction, Criminal Justice Costs and Crime Rates": Functional  
10 family therapy, multi-systemic therapy, aggression replacement training  
11 and interagency coordination programs, or other programs with a  
12 positive benefit-cost finding in the institute's report. County  
13 juvenile courts shall apply to the juvenile rehabilitation  
14 administration for funding for program-specific participation and the  
15 administration shall provide grants to the courts consistent with the  
16 per-participant treatment costs identified by the institute.

17 (6) \$1,287,000 of the general fund--state appropriation for fiscal  
18 year 2010 and \$1,287,000 of the general fund--state appropriation for  
19 fiscal year 2011 are provided solely for expansion of the following  
20 treatments and therapies in juvenile rehabilitation administration  
21 programs identified by the Washington state institute for public policy  
22 in its October 2006 report: "Evidence-Based Public Policy Options to  
23 Reduce Future Prison Construction, Criminal Justice Costs and Crime  
24 Rates": Multidimensional treatment foster care, family integrated  
25 transitions, and aggression replacement training. The administration  
26 may concentrate delivery of these treatments and therapies at a limited  
27 number of programs to deliver the treatments in a cost-effective  
28 manner.

29 (7)(a) For the fiscal year ending June 30, 2011, the juvenile  
30 rehabilitation administration shall administer a block grant, rather  
31 than categorical funding, of consolidated juvenile service funds,  
32 community juvenile accountability act grants, the chemical dependency  
33 disposition alternative funds, the mental health disposition  
34 alternative, and the sentencing disposition alternative for the purpose  
35 of serving youth adjudicated in the juvenile justice system. In making  
36 the block grant, the juvenile rehabilitation administration shall  
37 follow the following formula and will prioritize evidence-based  
38 programs and disposition alternatives and take into account juvenile



1 courts program-eligible youth in conjunction with the number of youth  
2 served in each approved evidence-based program or disposition  
3 alternative: (i) Thirty-seven and one-half percent for the at-risk  
4 population of youth ten to seventeen years old; (ii) fifteen percent  
5 for moderate and high-risk youth; (iii) twenty-five percent for  
6 evidence-based program participation; (iv) seventeen and one-half  
7 percent for minority populations; (v) three percent for the chemical  
8 dependency disposition alternative; and (vi) two percent for the mental  
9 health and sentencing dispositional alternatives. Funding for the  
10 special sex offender disposition alternative (SSODA) shall not be  
11 included in the block grant, but allocated on the average daily  
12 population in juvenile courts. Funding for the evidence-based  
13 expansion grants shall be excluded from the block grant formula. Funds  
14 may be used for promising practices when approved by the juvenile  
15 rehabilitation administration and juvenile courts, through the  
16 community juvenile accountability act committee, based on the criteria  
17 established in consultation with Washington state institute for public  
18 policy and the juvenile courts.

19 (b) It is the intent of the legislature that the juvenile  
20 rehabilitation administration phase the implementation of the formula  
21 provided in subsection (1) of this section by including a stop-loss  
22 formula of three percent in fiscal year 2011, five percent in fiscal  
23 year 2012, and five percent in fiscal year 2013. It is further the  
24 intent of the legislature that the evidence-based expansion grants be  
25 incorporated into the block grant formula by fiscal year 2013 and SSODA  
26 remain separate unless changes would result in increasing the cost  
27 benefit savings to the state as identified in (c) of this subsection.

28 (c) The juvenile rehabilitation administration and the juvenile  
29 courts shall establish a block grant funding formula oversight  
30 committee with equal representation from the juvenile rehabilitation  
31 administration and the juvenile courts. The purpose of this committee  
32 is to assess the ongoing implementation of the block grant funding  
33 formula, utilizing data-driven decision making and the most current  
34 available information. The committee will be cochaired by the juvenile  
35 rehabilitation administration and the juvenile courts, who will also  
36 have the ability to change members of the committee as needed to  
37 achieve its purpose. Initial members will include one juvenile court  
38 representative from the finance committee, the community juvenile

1 accountability act committee, the risk assessment quality assurance  
2 committee, the executive board of the Washington association of  
3 juvenile court administrators, the Washington state center for court  
4 research, and a representative of the superior court judges  
5 association; two representatives from the juvenile rehabilitation  
6 administration headquarters program oversight staff, two  
7 representatives of the juvenile rehabilitation administration regional  
8 office staff, one representative of the juvenile rehabilitation  
9 administration fiscal staff and a juvenile rehabilitation  
10 administration division director. The committee may make changes to  
11 the formula categories other than the evidence-based program and  
12 disposition alternative categories if it is determined the changes will  
13 increase statewide service delivery or effectiveness of evidence-based  
14 program or disposition alternative resulting in increased cost benefit  
15 savings to the state. Long-term cost benefit must be considered.  
16 Percentage changes may occur in the evidence-based program or  
17 disposition alternative categories of the formula should it be  
18 determined the changes will increase evidence-based program or  
19 disposition alternative delivery and increase the cost benefit to the  
20 state. These outcomes will also be considered in determining when  
21 evidence-based expansion or special sex offender disposition  
22 alternative funds should be included in the block grant or left  
23 separate.

24 (d) The juvenile courts and administrative office of the courts  
25 shall be responsible for collecting and distributing information and  
26 providing access to the data systems to the juvenile rehabilitation  
27 administration and the Washington state institute for public policy  
28 related to program and outcome data. The juvenile rehabilitation  
29 administration and the juvenile courts will work collaboratively to  
30 develop program outcomes that reinforce the greatest cost benefit to  
31 the state in the implementation of evidence-based practices and  
32 disposition alternatives.

33 (e) By December 1, 2010, the Washington state institute for public  
34 policy shall report to the office of financial management and  
35 appropriate committees of the legislature on the administration of the  
36 block grant authorized in this subsection. The report shall include  
37 the criteria used for allocating the funding as a block grant and the

1 participation targets and actual participation in the programs subject  
2 to the block grant.

3 (8) \$3,700,000 of the Washington auto theft prevention authority  
4 account--state appropriation is provided solely for competitive grants  
5 to community-based organizations to provide at-risk youth intervention  
6 services, including but not limited to, case management, employment  
7 services, educational services, and street outreach intervention  
8 programs. Projects funded should focus on preventing, intervening, and  
9 suppressing behavioral problems and violence while linking at-risk  
10 youth to pro-social activities. The department may not expend more  
11 than \$1,850,000 per fiscal year. The costs of administration must not  
12 exceed four percent of appropriated funding for each grant recipient.  
13 Each entity receiving funds must report to the juvenile rehabilitation  
14 administration on the number and types of youth served, the services  
15 provided, and the impact of those services upon the youth and the  
16 community.

17 (9) The appropriations in this section assume savings associated  
18 with the transfer of youthful offenders age eighteen or older whose  
19 sentences extend beyond age twenty-one to the department of corrections  
20 to complete their sentences. Prior to transferring an offender to the  
21 department of corrections, the juvenile rehabilitation administration  
22 shall evaluate the offender to determine the offender's physical and  
23 emotional suitability for transfer.

24 **Sec. 1104.** 2011 c 5 s 203 (uncodified) is amended to read as  
25 follows:

26 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--MENTAL HEALTH**  
27 **PROGRAM**

28	(1) COMMUNITY SERVICES/REGIONAL SUPPORT NETWORKS	
29	General Fund--State Appropriation (FY 2010) . . . . .	\$273,648,000
30	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$263,993,000)</del>
31		<u>\$271,260,000</u>
32	General Fund--Federal Appropriation . . . . .	<del>(\$520,024,000)</del>
33		<u>\$513,373,000</u>
34	General Fund--Private/Local Appropriation . . . . .	\$16,951,000
35	Hospital Safety Net Assessment Fund--State	
36	Appropriation . . . . .	\$3,476,000
37	TOTAL APPROPRIATION . . . . .	<del>(\$1,078,092,000)</del>

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

(a) \$113,689,000 of the general fund--state appropriation for fiscal year 2010 and \$101,089,000 of the general fund--state appropriation for fiscal year 2011 are provided solely for persons and services not covered by the medicaid program. This is a reduction in fiscal year 2010 of \$11,606,000 (~~(each fiscal year)~~) and in fiscal year 2011 of \$24,206,000 from the nonmedicaid funding that was allocated for expenditure by regional support networks during fiscal year 2009 prior to supplemental budget reductions. (~~(This—\$11,606,000)~~) These reductions shall be distributed among regional support networks proportional to each network's share of the total state population. To the extent possible, levels of regional support network spending shall be maintained in the following priority order: (i) Crisis and commitment services; (ii) community inpatient services; and (iii) residential care services, including personal care and emergency housing assistance.

(b) \$10,400,000 of the general fund--state appropriation for fiscal year 2010, \$8,814,000 of the general fund--state appropriation for fiscal year 2011, and \$1,300,000 of the general fund--federal appropriation are provided solely for the department and regional support networks to contract for implementation of high-intensity program for active community treatment (PACT) teams. The department shall work with regional support networks and the center for medicare and medicaid services to integrate eligible components of the PACT service delivery model into medicaid capitation rates no later than January 2011, while maintaining consistency with all essential elements of the PACT evidence-based practice model.

(c) \$6,500,000 of the general fund--state appropriation for fiscal year 2010 and \$6,091,000 of the general fund--state appropriation for fiscal year 2011 are provided solely for the western Washington regional support networks to provide either community- or hospital campus-based services for persons who require the level of care provided by the program for adaptive living skills (PALS) at western state hospital.

(d) The number of nonforensic beds allocated for use by regional support networks at eastern state hospital shall be 192 per day. The

1 number of nonforensic beds allocated for use by regional support  
2 networks at western state hospital shall be 617 per day during the  
3 first quarter of fiscal year 2010, 587 per day through the second  
4 quarter of fiscal year 2011, and 557 per day thereafter. Beds in the  
5 program for adaptive living skills (PALS) are not included in the  
6 preceding bed allocations. The department shall separately charge  
7 regional support networks for persons served in the PALS program.

8 (e) From the general fund--state appropriations in this subsection,  
9 the secretary of social and health services shall assure that regional  
10 support networks reimburse the aging and disability services  
11 administration for the general fund--state cost of medicaid personal  
12 care services that enrolled regional support network consumers use  
13 because of their psychiatric disability.

14 (f) \$4,582,000 of the general fund--state appropriation for fiscal  
15 year 2010 and \$4,582,000 of the general fund--state appropriation for  
16 fiscal year 2011 are provided solely for mental health services for  
17 mentally ill offenders while confined in a county or city jail and for  
18 facilitating access to programs that offer mental health services upon  
19 release from confinement.

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

23 (h) \$750,000 of the general fund--state appropriation for fiscal  
24 year 2010 and \$703,000 of the general fund--state appropriation for  
25 fiscal year 2011 are provided solely to continue performance-based  
26 incentive contracts to provide appropriate community support services  
27 for individuals with severe mental illness who were discharged from the  
28 state hospitals as part of the expanding community services initiative.  
29 These funds will be used to enhance community residential and support  
30 services provided by regional support networks through other state and  
31 federal funding.

32 (i) \$1,500,000 of the general fund--state appropriation for fiscal  
33 year 2010 and \$1,500,000 of the general fund--state appropriation for  
34 fiscal year 2011 are provided solely for the Spokane regional support  
35 network to implement services to reduce utilization and the census at  
36 eastern state hospital. Such services shall include:

37 (i) High intensity treatment team for persons who are high

1 utilizers of psychiatric inpatient services, including those with co-  
2 occurring disorders and other special needs;

3 (ii) Crisis outreach and diversion services to stabilize in the  
4 community individuals in crisis who are at risk of requiring inpatient  
5 care or jail services;

6 (iii) Mental health services provided in nursing facilities to  
7 individuals with dementia, and consultation to facility staff treating  
8 those individuals; and

9 (iv) Services at the sixteen-bed evaluation and treatment facility.

10 At least annually, the Spokane regional support network shall  
11 assess the effectiveness of these services in reducing utilization at  
12 eastern state hospital, identify services that are not optimally  
13 effective, and modify those services to improve their effectiveness.

14 (j) The department shall return to the Spokane regional support  
15 network fifty percent of the amounts assessed against the network  
16 during the last six months of calendar year 2009 for state hospital  
17 utilization in excess of its contractual limit. The regional support  
18 network shall use these funds for operation during its initial months  
19 of a new sixteen-bed evaluation and treatment facility that will enable  
20 the network to reduce its use of the state hospital, and for diversion  
21 and community support services for persons with dementia who would  
22 likely otherwise require care at the state hospital.

23 (k) The department is directed to identify and implement program  
24 efficiencies and benefit changes in its delivery of medicaid managed-  
25 care services that are sufficient to operate within the state and  
26 federal appropriations in this section. Such actions may include but  
27 are not limited to methods such as adjusting the care access standards;  
28 improved utilization management of ongoing, recurring, and high-  
29 intensity services; and increased uniformity in provider payment rates.  
30 The department shall ensure that the capitation rate adjustments  
31 necessary to accomplish these efficiencies and changes are distributed  
32 uniformly and equitably across all regional support networks statewide.  
33 The department is directed to report to the relevant legislative fiscal  
34 and policy committees at least thirty days prior to implementing rate  
35 adjustments reflecting these changes.

36 (l) In developing the new medicaid managed care rates under which  
37 the public mental health managed care system will operate during the  
38 five years beginning in fiscal year 2011, the department should seek to

1 estimate the reasonable and necessary cost of efficiently and  
2 effectively providing a comparable set of medically necessary mental  
3 health benefits to persons of different acuity levels regardless of  
4 where in the state they live. Actual prior period spending in a  
5 regional administrative area shall not be a key determinant of future  
6 payment rates. The department shall report to the office of financial  
7 management and to the relevant fiscal and policy committees of the  
8 legislature on its proposed new waiver and mental health managed care  
9 rate-setting approach by October 1, 2009, and again at least sixty days  
10 prior to implementation of new capitation rates.

11 (m) In implementing the new public mental health managed care  
12 payment rates for fiscal year 2011, the department shall to the maximum  
13 extent possible within each regional support network's allowable rate  
14 range establish rates so that there is no increase or decrease in the  
15 total state and federal funding that the regional support network would  
16 receive if it were to continue to be paid at its October 2009 through  
17 June 2010 rates. The department shall additionally revise the draft  
18 rates issued January 28, 2010, to more accurately reflect the lower  
19 practitioner productivity inherent in the delivery of services in  
20 extremely rural regions in which a majority of the population reside in  
21 frontier counties, as defined and designated by the national center for  
22 frontier communities.

23 (n) \$1,529,000 of the general fund--state appropriation for fiscal  
24 year 2010 and \$1,529,000 of the general fund--state appropriation for  
25 fiscal year 2011 are provided solely to reimburse Pierce and Spokane  
26 counties for the cost of conducting 180-day commitment hearings at the  
27 state psychiatric hospitals.

28 (o) The legislature intends and expects that regional support  
29 networks and contracted community mental health agencies shall make all  
30 possible efforts to, at a minimum, maintain current compensation levels  
31 of direct care staff. Such efforts shall include, but not be limited  
32 to, identifying local funding that can preserve client services and  
33 staff compensation, achieving administrative reductions at the regional  
34 support network level, and engaging stakeholders on cost-savings ideas  
35 that maintain client services and staff compensation. For purposes of  
36 this section, "direct care staff" means persons employed by community  
37 mental health agencies whose primary responsibility is providing direct  
38 treatment and support to people with mental illness, or whose primary

1 responsibility is providing direct support to such staff in areas such  
2 as client scheduling, client intake, client reception, client records-  
3 keeping, and facilities maintenance.

4 (p) Regional support networks may use local funds to earn  
5 additional federal medicaid match, provided the locally matched rate  
6 does not exceed the upper-bound of their federally allowable rate  
7 range, and provided that the enhanced funding is used only to provide  
8 medicaid state plan or waiver services to medicaid clients.  
9 Additionally, regional support networks may use a portion of the state  
10 funds allocated in accordance with (a) of this subsection to earn  
11 additional medicaid match, but only to the extent that the application  
12 of such funds to medicaid services does not diminish the level of  
13 crisis and commitment, community inpatient, residential care, and  
14 outpatient services presently available to persons not eligible for  
15 medicaid.

16 (2) INSTITUTIONAL SERVICES

17	General Fund--State Appropriation (FY 2010) . . . . .	\$119,423,000
18	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$112,514,000</del> ))
19		<u>\$111,365,000</u>
20	General Fund--Federal Appropriation . . . . .	(( <del>\$152,195,000</del> ))
21		<u>\$154,399,000</u>
22	General Fund--Private/Local Appropriation . . . . .	(( <del>\$63,873,000</del> ))
23		<u>\$64,789,000</u>
24	TOTAL APPROPRIATION . . . . .	(( <del>\$448,005,000</del> ))
25		<u>\$449,976,000</u>

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

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

31 (b) \$231,000 of the general fund--state appropriation for fiscal  
32 year 2008 and \$216,000 of the general fund--state appropriation for  
33 fiscal year 2009 are provided solely for a community partnership  
34 between western state hospital and the city of Lakewood to support  
35 community policing efforts in the Lakewood community surrounding  
36 western state hospital. The amounts provided in this subsection (2)(b)  
37 are for the salaries, benefits, supplies, and equipment for one full-



1 time investigator, one full-time police officer, and one full-time  
2 community service officer at the city of Lakewood.

3 (c) \$45,000 of the general fund--state appropriation for fiscal  
4 year 2010 and \$42,000 of the general fund--state appropriation for  
5 fiscal year 2011 are provided solely for payment to the city of  
6 Lakewood for police services provided by the city at western state  
7 hospital and adjacent areas.

8 (d) \$187,000 of the general fund--state appropriation for fiscal  
9 year 2011 is provided solely for support of the psychiatric security  
10 review panel established pursuant to Senate Bill No. 6610. If Senate  
11 Bill No. 6610 is not enacted by June 30, 2010, the amount provided in  
12 this subsection shall lapse.

13 (3) SPECIAL PROJECTS

14	General Fund--State Appropriation (FY 2010) . . . . .	\$1,819,000
15	General Fund--State Appropriation (FY 2011) . . . . .	\$1,961,000
16	General Fund--Federal Appropriation . . . . .	<del>(\$2,142,000)</del>
17		<u>\$2,538,000</u>
18	TOTAL APPROPRIATION . . . . .	<del>(\$5,922,000)</del>
19		<u>\$6,318,000</u>

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

22 (a) \$1,511,000 of the general fund--state appropriation for fiscal  
23 year 2010 and \$1,416,000 of the general fund--state appropriation for  
24 fiscal year 2011 are provided solely for children's evidence based  
25 mental health services. Funding is sufficient to continue serving  
26 children at the same levels as fiscal year 2009.

27 (b) \$94,000 of the general fund--state appropriation for fiscal  
28 year 2011 is provided solely for consultation, training, and technical  
29 assistance to regional support networks on strategies for effective  
30 service delivery in very sparsely populated counties.

31 (c) \$56,000 of the general fund--state appropriation for fiscal  
32 year 2011 is provided solely for the department to contract with the  
33 Washington state institute for public policy for completion of the  
34 research reviews to be conducted in accordance with chapter 263, Laws  
35 of 2010.

36 (d) \$56,000 of the general fund--state appropriation for fiscal  
37 year 2011 is provided solely for the department to contract with the

1 Washington state institute for public policy for completion of the  
2 research reviews to be conducted in accordance with section 1, chapter  
3 280, Laws of 2010.

4 (e) \$56,000 of the general fund--state appropriation for fiscal  
5 year 2011 is provided solely for implementation of sections 2 and 3,  
6 chapter 280, Laws of 2010. The department shall use these funds to  
7 contract with the Washington state institute for public policy for  
8 completion of an assessment of (i) the extent to which the number of  
9 persons involuntarily committed for 3, 14, and 90 days is likely to  
10 increase as a result of the revised commitment standards; (ii) the  
11 availability of community treatment capacity to accommodate that  
12 increase; (iii) strategies for cost-effectively leveraging state,  
13 local, and private resources to increase community involuntary  
14 treatment capacity; and (iv) the extent to which increases in  
15 involuntary commitments are likely to be offset by reduced utilization  
16 of correctional facilities, publicly-funded medical care, and state  
17 psychiatric hospitalizations.

18 (4) PROGRAM SUPPORT

19	General Fund--State Appropriation (FY 2010) . . . . .	\$4,078,000
20	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$3,722,000)</del>
21		<u>\$4,002,000</u>
22	General Fund--Federal Appropriation . . . . .	<del>(\$7,207,000)</del>
23		<u>\$6,920,000</u>
24	TOTAL APPROPRIATION . . . . .	<del>(\$15,007,000)</del>
25		<u>\$15,000,000</u>

26 The department is authorized and encouraged to continue its  
27 contract with the Washington state institute for public policy to  
28 provide a longitudinal analysis of long-term mental health outcomes as  
29 directed in chapter 334, Laws of 2001 (mental health performance  
30 audit); to build upon the evaluation of the impacts of chapter 214,  
31 Laws of 1999 (mentally ill offenders); and to assess program outcomes  
32 and cost effectiveness of the children's mental health pilot projects  
33 as required by chapter 372, Laws of 2006.

34 **Sec. 1105.** 2011 c 5 s 204 (uncodified) is amended to read as  
35 follows:

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

1 **DISABILITIES PROGRAM**

2 (1) COMMUNITY SERVICES

3	General Fund--State Appropriation (FY 2010) . . . . .	\$307,348,000
4	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$321,752,000)</del>
5		<u>\$329,639,000</u>
6	General Fund--Federal Appropriation . . . . .	<del>(\$890,274,000)</del>
7		<u>\$870,232,000</u>
8	TOTAL APPROPRIATION . . . . .	<del>(\$1,519,374,000)</del>
9		<u>\$1,507,219,000</u>

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

12 (a) Individuals receiving services as supplemental security income  
13 (SSI) state supplemental payments shall not become eligible for medical  
14 assistance under RCW 74.09.510 due solely to the receipt of SSI state  
15 supplemental payments.

16 (b)(i) Amounts appropriated in this section reflect a reduction to  
17 funds appropriated for in-home care. The department shall reduce the  
18 number of in-home hours authorized. The reduction shall be scaled  
19 based on the acuity level of care recipients. The largest hour  
20 reductions shall be to lower acuity patients and the smallest hour  
21 reductions shall be to higher acuity patients. In doing so, the  
22 department shall comply with all maintenance of effort requirements  
23 contained in the American reinvestment and recovery act.

24 (ii) \$508,000 of the general fund--state appropriation for fiscal  
25 year 2011 and \$822,000 of the general fund--federal appropriation are  
26 provided solely for the department to partially restore the reductions  
27 to in-home care that are taken in (b)(i) of this subsection. The  
28 department will use the same formula to restore personal care hours  
29 that it used to reduce personal care hours.

30 (c) Amounts appropriated in this section are sufficient to develop  
31 and implement the use of a consistent, statewide outcome-based vendor  
32 contract for employment and day services by April 1, 2011. The rates  
33 paid to vendors under this contract shall also be made consistent. In  
34 its description of activities the agency shall include activity  
35 listings and dollars appropriated for: Employment services, day  
36 services, child development services and county administration of  
37 services to the developmentally disabled. The department shall begin

1 reporting to the office of financial management on these activities  
2 beginning in fiscal year 2010.

3 (d) \$302,000 of the general fund--state appropriation for fiscal  
4 year 2010, \$831,000 of the general fund--state appropriation for fiscal  
5 year 2011, and \$1,592,000 of the general fund--federal appropriation  
6 are provided solely for health care benefits pursuant to a collective  
7 bargaining agreement negotiated with the exclusive bargaining  
8 representative of individual providers established under RCW  
9 74.39A.270.

10 (e)(i) \$682,000 of the general fund--state appropriation for fiscal  
11 year 2010, \$1,651,000 of the general fund--state appropriation for  
12 fiscal year 2011, and \$1,678,000 of the general fund--federal  
13 appropriation are provided solely for the state's contribution to the  
14 training partnership, as provided in RCW 74.39A.360, pursuant to a  
15 collective bargaining agreement negotiated with the exclusive  
16 bargaining representative of individual providers established under RCW  
17 74.39A.270.

18 (ii) The federal portion of the amounts in this subsection (~~((g))~~)  
19 is contingent upon federal approval of participation in contributions  
20 to the trust and shall remain unallotted and placed in reserve status  
21 until the office of financial management and the department of social  
22 and health services receive federal approval.

23 (iii) Expenditures for the purposes specified in this subsection  
24 (~~((g))~~) shall not exceed the amounts provided in this subsection.

25 (f) Within the amounts appropriated in this subsection (1), the  
26 department shall implement all necessary rules to facilitate the  
27 transfer to a department home and community-based services (HCBS)  
28 waiver of all eligible individuals who (i) currently receive services  
29 under the existing state-only employment and day program or the  
30 existing state-only residential program, and (ii) otherwise meet the  
31 waiver eligibility requirements. The amounts appropriated are  
32 sufficient to ensure that all individuals currently receiving services  
33 under the state-only employment and day and state-only residential  
34 programs who are not transferred to a department HCBS waiver will  
35 continue to receive services.

36 (g) In addition to other reductions, the appropriations in this  
37 subsection reflect reductions targeted specifically to state government  
38 administrative costs. These administrative reductions shall be

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

4 (h) The department shall not pay a home care agency licensed under  
5 chapter 70.127 RCW for personal care services provided by a family  
6 member, pursuant to Substitute House Bill No. 2361 (modifying state  
7 payments for in-home care).

8 (i) Within the appropriations of this section, the department shall  
9 reduce all seventeen payment levels of the seventeen-level payment  
10 system from the fiscal year 2009 levels for boarding homes, boarding  
11 homes contracted as assisted living, and adult family homes. Excluded  
12 from the reductions are exceptional care rate add-ons. The long-term  
13 care program may develop add-ons to pay exceptional care rates to adult  
14 family homes and boarding homes with specialty contracts to provide  
15 support for the following specifically eligible clients:

16 (i) Persons with AIDS or HIV-related diseases who might otherwise  
17 require nursing home or hospital care;

18 (ii) Persons with Alzheimer's disease and related dementia who  
19 might otherwise require nursing home care; and

20 (iii) Persons with co-occurring mental illness and long-term care  
21 needs who are eligible for expanded community services and who might  
22 otherwise require state and local psychiatric hospital care.

23 Within amounts appropriated, exceptional add-on rates for AIDS/HIV,  
24 dementia specialty care, and expanded community services may be  
25 standardized within each program.

26 (j) The amounts appropriated in this subsection reflect a reduction  
27 in funds available for employment and day services. In administering  
28 this reduction the department shall negotiate with counties and their  
29 vendors so that this reduction, to the greatest extent possible, is  
30 achieved by reducing vendor rates and allowable contract administrative  
31 charges (overhead) and not through reductions to direct client services  
32 or direct service delivery or programs.

33 (k) As part of the needs assessment instrument, the department may  
34 collect data on family income for minor children with developmental  
35 disabilities and all individuals who are receiving state-only funded  
36 services. The department may ensure that this information is collected  
37 as part of the client assessment process.

1 (1) \$116,000 of the general fund--state appropriation for fiscal  
 2 year 2010, \$2,133,000 of the general fund--state appropriation for  
 3 fiscal year 2011, and \$1,772,000 of the general fund--federal  
 4 appropriation are provided solely for employment services and required  
 5 waiver services. Priority consideration for this new funding shall be  
 6 young adults with developmental disabilities living with their family  
 7 who need employment opportunities and assistance after high school  
 8 graduation. Services shall be provided for both waiver and nonwaiver  
 9 clients.

10 (m) \$81,000 of the general fund--state appropriation for fiscal  
 11 year 2010, \$599,000 of the general fund--state appropriation for fiscal  
 12 year 2011, and \$1,111,000 of the general fund--federal appropriation  
 13 are provided solely for the department to provide employment and day  
 14 services for eligible students who are currently on a waiver and will  
 15 graduate from high school during fiscal years 2010 and 2011.

16 (n) The automatic award of additional hours of personal care for  
 17 people with special meal preparation or incontinence needs is  
 18 eliminated. Authorization of service hours will be based upon the  
 19 individual's assessed needs.

20 (o) \$75,000 of the general fund--state appropriation for fiscal  
 21 year 2011 is provided solely for the restoration of direct support to  
 22 local organizations that utilize parent-to-parent networks and  
 23 communication to promote access and quality of care for individuals  
 24 with developmental disabilities and their families.

25 (2) INSTITUTIONAL SERVICES

26	General Fund--State Appropriation (FY 2010) . . . . .	\$61,422,000
27	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$62,551,000)</del>
28		<u>\$66,554,000</u>
29	General Fund--Federal Appropriation . . . . .	<del>(\$205,440,000)</del>
30		<u>\$200,262,000</u>
31	General Fund--Private/Local Appropriation . . . . .	<del>(\$22,357,000)</del>
32		<u>\$22,657,000</u>
33	TOTAL APPROPRIATION . . . . .	<del>(\$351,770,000)</del>
34		<u>\$350,895,000</u>

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

37 (a) Individuals receiving services as supplemental security income

1 (SSI) state supplemental payments shall not become eligible for medical  
2 assistance under RCW 74.09.510 due solely to the receipt of SSI state  
3 supplemental payments.

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

8 (c) \$721,000 of the general fund--state appropriation for fiscal  
9 year 2010 and (~~(\$721,000)~~) \$800,000 of the general fund--state  
10 appropriation for fiscal year 2011 are provided solely for the  
11 department to fulfill its contracts with the school districts under  
12 chapter 28A.190 RCW to provide transportation, building space, and  
13 other support services as are reasonably necessary to support the  
14 educational programs of students living in residential habilitation  
15 centers. For fiscal year 2011 and within the amounts appropriated in  
16 this subsection, the department shall pay for para educators and  
17 behavior aides for students residing at Fircrest residential  
18 habilitation center as specified in the individualized education  
19 program required by the individuals with disabilities education act.

20 (d) In addition to other reductions, the appropriations in this  
21 subsection reflect reductions targeted specifically to state government  
22 administrative costs. These administrative reductions shall be  
23 achieved, to the greatest extent possible, by reducing those  
24 administrative costs that do not affect direct client services or  
25 direct service delivery or programs.

26 (3) PROGRAM SUPPORT

27	General Fund--State Appropriation (FY 2010) . . . . .	\$1,407,000
28	General Fund--State Appropriation (FY 2011) . . . . .	\$1,341,000
29	General Fund--Federal Appropriation . . . . .	( <del>(\$1,263,000)</del> )
30		<u>\$1,277,000</u>
31	TOTAL APPROPRIATION . . . . .	( <del>(\$4,011,000)</del> )
32		<u>\$4,025,000</u>

33 The appropriations in this subsection are subject to the following  
34 conditions and limitations: In addition to other reductions, the  
35 appropriations in this subsection reflect reductions targeted  
36 specifically to state government administrative costs. These  
37 administrative reductions shall be achieved, to the greatest extent

1 possible, by reducing those administrative costs that do not affect  
2 direct client services or direct service delivery or programs.

3 (4) SPECIAL PROJECTS  
4 General Fund--Federal Appropriation . . . . . ((~~\$10,171,000~~))  
5 \$10,157,000

6 The appropriation in this subsection is subject to the following  
7 conditions and limitations: The appropriations in this subsection are  
8 available solely for the infant toddler early intervention program and  
9 the money follows the person program as defined by this federal grant.

10 **Sec. 1106.** 2011 c 5 s 205 (uncodified) is amended to read as  
11 follows:

12 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--AGING AND ADULT**  
13 **SERVICES PROGRAM**

14 General Fund--State Appropriation (FY 2010) . . . . . \$616,837,000  
15 General Fund--State Appropriation (FY 2011) . . . . . ((~~\$606,962,000~~))  
16 \$654,555,000  
17 General Fund--Federal Appropriation . . . . . ((~~\$1,917,607,000~~))  
18 \$1,915,332,000  
19 General Fund--Private/Local Appropriation . . . . . \$18,013,000  
20 Traumatic Brain Injury Account--State Appropriation . . . . . \$4,136,000  
21 TOTAL APPROPRIATION . . . . . ((~~\$3,163,555,000~~))  
22 \$3,208,873,000

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

25 (1) For purposes of implementing chapter 74.46 RCW, the weighted  
26 average nursing facility payment rate shall not exceed \$169.85 for  
27 fiscal year 2010 and shall not exceed ((~~\$161.86~~)) \$166.24 for fiscal  
28 year 2011, including the rate add-on described in subsection (12) of  
29 this section. There will be no adjustments for economic trends and  
30 conditions in fiscal years 2010 and 2011. The economic trends and  
31 conditions factor or factors defined in the biennial appropriations act  
32 shall not be compounded with the economic trends and conditions factor  
33 or factors defined in any other biennial appropriations acts before  
34 applying it to the component rate allocations established in accordance  
35 with chapter 74.46 RCW. When no economic trends and conditions factor  
36 for either fiscal year is defined in a biennial appropriations act, no



1 economic trends and conditions factor or factors defined in any earlier  
2 biennial appropriations act shall be applied solely or compounded to  
3 the component rate allocations established in accordance with chapter  
4 74.46 RCW.

5 (2) After examining actual nursing facility cost information, the  
6 legislature finds that the medicaid nursing facility rates calculated  
7 pursuant to Substitute House Bill No. 3202 or Substitute Senate Bill  
8 No. 6872 (nursing facility medicaid payments) provide sufficient  
9 reimbursement to efficient and economically operating nursing  
10 facilities and bears a reasonable relationship to costs.

11 (3) In accordance with chapter 74.46 RCW, the department shall  
12 issue no additional certificates of capital authorization for fiscal  
13 year 2010 and no new certificates of capital authorization for fiscal  
14 year 2011 and shall grant no rate add-ons to payment rates for capital  
15 improvements not requiring a certificate of need and a certificate of  
16 capital authorization for fiscal year 2011.

17 (4) The long-term care program may develop and pay enhanced rates  
18 for exceptional care to nursing homes for persons with traumatic brain  
19 injuries who are transitioning from hospital care. The cost per  
20 patient day for caring for these clients in a nursing home setting may  
21 be equal to or less than the cost of caring for these clients in a  
22 hospital setting.

23 (5) Within the appropriations of this section, the department shall  
24 reduce all seventeen payment levels of the seventeen-level payment  
25 system from the fiscal year 2009 levels for boarding homes, boarding  
26 homes contracted as assisted living, and adult family homes. Excluded  
27 from the reductions are exceptional care rate add-ons. The long-term  
28 care program may develop add-ons to pay exceptional care rates to adult  
29 family homes and boarding homes with specialty contracts to provide  
30 support for the following specifically eligible clients:

31 (a) Persons with AIDS or HIV-related diseases who might otherwise  
32 require nursing home or hospital care;

33 (b) Persons with Alzheimer's disease and related dementia who might  
34 otherwise require nursing home care; and

35 (c) Persons with co-occurring mental illness and long-term care  
36 needs who are eligible for expanded community services and who might  
37 otherwise require state and local psychiatric hospital care.

1        Within amounts appropriated, exceptional add-on rates for AIDS/HIV,  
2 dementia specialty care, and expanded community services may be  
3 standardized within each program.

4        (6)(a) Amounts appropriated in this section reflect a reduction to  
5 funds appropriated for in-home care. The department shall reduce the  
6 number of in-home hours authorized. The reduction shall be scaled  
7 based on the acuity level of care recipients. The largest hour  
8 reductions shall be to lower acuity patients and the smallest hour  
9 reductions shall be to higher acuity patients. In doing so, the  
10 department shall comply with all maintenance of effort requirements  
11 contained in the American reinvestment and recovery act.

12        (b) \$3,070,000 of the general fund--state appropriation for fiscal  
13 year 2011 and \$4,980,000 of the general fund--federal appropriation are  
14 provided solely for the department to partially restore the reduction  
15 to in-home care that are taken in (a) of this subsection. The  
16 department will use the same formula to restore personal care hours  
17 that it used to reduce personal care hours.

18        (7) \$536,000 of the general fund--state appropriation for fiscal  
19 year 2010, \$1,477,000 of the general fund--state appropriation for  
20 fiscal year 2011, and \$2,830,000 of the general fund--federal  
21 appropriation are provided solely for health care benefits pursuant to  
22 a collective bargaining agreement negotiated with the exclusive  
23 bargaining representative of individual providers established under RCW  
24 74.39A.270.

25        (8)(a) \$1,212,000 of the general fund--state appropriation for  
26 fiscal year 2010, \$2,934,000 of the general fund--state appropriation  
27 for fiscal year 2011, and \$2,982,000 of the general fund--federal  
28 appropriation are provided solely for the state's contribution to the  
29 training partnership, as provided in RCW 74.39A.360, pursuant to a  
30 collective bargaining agreement negotiated with the exclusive  
31 bargaining representative of individual providers established under RCW  
32 74.39A.270.

33        (b) \$330,000 of the general fund--state appropriation for fiscal  
34 year 2010, \$660,000 of the general fund--state appropriation for fiscal  
35 year 2011, and \$810,000 of the general fund--federal appropriation are  
36 provided solely for transfer from the department to the training  
37 partnership, as provided in RCW 74.39A.360, for infrastructure and  
38 instructional costs associated with training of individual providers,

1 pursuant to a collective bargaining agreement negotiated with the  
2 exclusive bargaining representative of individual providers established  
3 under RCW 74.39A.270.

4 (c) The federal portion of the amounts in this subsection is  
5 contingent upon federal approval of participation in contributions to  
6 the trust and shall remain unallotted and placed in reserve status  
7 until the office of financial management and the department of social  
8 and health services receive federal approval.

9 (d) Expenditures for the purposes specified in this subsection  
10 shall not exceed the amounts provided in this subsection.

11 (9) Within the amounts appropriated in this section, the department  
12 may expand the new freedom waiver program to accommodate new waiver  
13 recipients throughout the state. As possible, and in compliance with  
14 current state and federal laws, the department shall allow current  
15 waiver recipients to transfer to the new freedom waiver.

16 (10) Individuals receiving services as supplemental security income  
17 (SSI) state supplemental payments shall not become eligible for medical  
18 assistance under RCW 74.09.510 due solely to the receipt of SSI state  
19 supplemental payments.

20 (11) \$3,955,000 of the general fund--state appropriation for fiscal  
21 year 2010, \$3,972,000 of the general fund--state appropriation for  
22 fiscal year 2011, and \$10,190,000 of the general fund--federal  
23 appropriation are provided solely for the continued operation of  
24 community residential and support services for persons who are older  
25 adults or who have co-occurring medical and behavioral disorders and  
26 who have been discharged or diverted from a state psychiatric hospital.  
27 These funds shall be used to serve individuals whose treatment needs  
28 constitute substantial barriers to community placement, who no longer  
29 require active psychiatric treatment at an inpatient hospital level of  
30 care, and who no longer meet the criteria for inpatient involuntary  
31 commitment. Coordination of these services will be done in partnership  
32 between the mental health program and the aging and disability services  
33 administration.

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

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

9 (13) \$1,840,000 of the general fund--state appropriation for fiscal  
10 year 2010 and \$1,759,000 of the general fund--state appropriation for  
11 fiscal year 2011 are provided solely for operation of the volunteer  
12 services program. Funding shall be prioritized towards serving  
13 populations traditionally served by long-term care services to include  
14 senior citizens and persons with disabilities.

15 (14) In accordance with chapter 74.39 RCW, the department may  
16 implement two medicaid waiver programs for persons who do not qualify  
17 for such services as categorically needy, subject to federal approval  
18 and the following conditions and limitations:

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

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

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

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

32 (15) The department shall establish waiting lists to the extent  
33 necessary to assure that annual expenditures on the community options  
34 program entry systems (COPES) program do not exceed appropriated  
35 levels. In establishing and managing any such waiting list, the  
36 department shall assure priority access to persons with the greatest  
37 unmet needs, as determined by department assessment processes.

1 (16) The department shall contract for housing with service models,  
2 such as cluster care, to create efficiencies in service delivery and  
3 responsiveness to unscheduled personal care needs by clustering hours  
4 for clients that live in close proximity to each other.

5 (17) The department shall not pay a home care agency licensed under  
6 chapter 70.127 RCW for personal care services provided by a family  
7 member, pursuant to Substitute House Bill No. 2361 (modifying state  
8 payments for in-home care).

9 (18) \$209,000 of the general fund--state appropriation for fiscal  
10 year 2010, \$732,000 of the general fund--state appropriation for fiscal  
11 year 2011, and \$1,293,000 of the general fund--federal appropriation  
12 are provided solely to implement Engrossed House Bill No. 2194  
13 (extraordinary medical placement for offenders). The department shall  
14 work in partnership with the department of corrections to identify  
15 services and find placements for offenders who are released through the  
16 extraordinary medical placement program. The department shall  
17 collaborate with the department of corrections to identify and track  
18 cost savings to the department of corrections, including medical cost  
19 savings and to identify and track expenditures incurred by the aging  
20 and disability services program for community services and by the  
21 medical assistance program for medical expenses. A joint report  
22 regarding the identified savings and expenditures shall be provided to  
23 the office of financial management and the appropriate fiscal  
24 committees of the legislature by November 30, 2010. If this bill is  
25 not enacted by June 30, 2009, the amounts provided in this subsection  
26 shall lapse.

27 (19) In accordance with RCW 18.51.050, 18.20.050, and 43.135.055,  
28 the department is authorized to increase nursing facility and boarding  
29 home fees in fiscal year 2011 as necessary to meet the actual costs of  
30 conducting the licensure, inspection, and regulatory programs.

31 (a) \$1,035,000 of the general fund--private/local appropriation  
32 assumes that the current annual renewal license fee for nursing  
33 facilities shall be increased to \$327 per bed beginning in fiscal year  
34 2011.

35 (b) \$1,806,000 of the general fund--local appropriation assumes  
36 that the current annual renewal license fee for boarding homes shall be  
37 increased to \$106 per bed beginning in fiscal year 2011.

1 (20) \$2,566,000 of the traumatic brain injury account--state  
2 appropriation is provided solely to continue services for persons with  
3 traumatic brain injury (TBI) as defined in RCW 74.31.020 through  
4 74.31.050. The TBI advisory council shall provide a report to the  
5 legislature by December 1, 2010, on the effectiveness of the functions  
6 overseen by the council and shall provide recommendations on the  
7 development of critical services for individuals with traumatic brain  
8 injury.

9 (21) The automatic award of additional hours of personal care for  
10 people with special meal preparation or incontinence needs is  
11 eliminated. Authorization of service hours will be based upon the  
12 individual's assessed needs.

13 (22) For calendar year 2009, the department shall calculate split  
14 settlements covering two periods January 1, 2009, through June 30,  
15 2009, and July 1, 2009, through December 31, 2009. For the second  
16 period beginning July 1, 2009, the department may partially or totally  
17 waive settlements only in specific cases where a nursing home can  
18 demonstrate significant decreases in costs from the first period.

19 (23) \$72,000 of the traumatic brain injury account appropriation  
20 and \$116,000 of the general fund--federal appropriation are provided  
21 solely for a direct care rate add-on to any nursing facility  
22 specializing in the care of residents with traumatic brain injuries  
23 where more than 50 percent of residents are classified with this  
24 condition based upon the federal minimum data set assessment.

25 (24) \$69,000 of the general fund--state appropriation for fiscal  
26 year 2010, \$1,289,000 of the general fund--state appropriation for  
27 fiscal year 2011, and \$2,050,000 of the general fund--federal  
28 appropriation are provided solely for the department to maintain  
29 enrollment in the adult day health services program. New enrollments  
30 are authorized for up to 1,575 clients or to the extent that  
31 appropriated funds are available to cover additional clients.

32 (25) \$937,000 of the general fund--state appropriation for fiscal  
33 year 2011 is provided solely for the department to contract for the  
34 provision of an individual provider referral registry.

35 (26) \$94,000 of the general fund--state appropriation for fiscal  
36 year 2011 and \$100,000 of the general fund--federal appropriation are  
37 provided solely for the department to contract with a consultant to  
38 evaluate and make recommendations on a pay-for- performance payment

1 subsidy system. The department shall organize one workgroup meeting  
2 with the consultant where nursing home stakeholders may provide input  
3 on pay-for-performance ideas. The consultant shall review pay-for-  
4 performance strategies used in other states to sustain and enhance  
5 quality-improvement efforts in nursing facilities. The evaluation  
6 shall include a review of the centers for medicare and medicaid  
7 services demonstration project to explore the feasibility of pay-for-  
8 performance systems in medicare certified nursing facilities. The  
9 consultant shall develop a report to include:

10 (a) Best practices used in other states for pay-for-performance  
11 strategies incorporated into medicaid nursing home payment systems;

12 (b) The relevance of existing research to Washington state;

13 (c) A summary and review of suggestions for pay-for-performance  
14 strategies provided by nursing home stakeholders in Washington state;  
15 and

16 (d) An evaluation of the effectiveness of a variety of performance  
17 measures.

18 (27) \$4,100,000 of the general fund--state appropriation for fiscal  
19 year 2010, \$4,174,000 of the general fund--state appropriation for  
20 fiscal year 2011, and \$8,124,000 of the general fund--federal  
21 appropriation are provided for the operation of the management services  
22 division of the aging and disability services administration. This  
23 includes but is not limited to the budget, contracts, accounting,  
24 decision support, information technology, and rate development  
25 activities for programs administered by the aging and disability  
26 services administration. Nothing in this subsection is intended to  
27 exempt the management services division of the aging and disability  
28 services administration from reductions directed by the secretary.  
29 However, funds provided in this subsection shall not be transferred  
30 elsewhere within the department nor used for any other purpose.

31 (28) The department is authorized to place long-term care clients  
32 residing in nursing homes and paid for with state only funds into less  
33 restrictive community care settings while continuing to meet the  
34 client's care needs.

35 (29) In accordance with RCW 43.135.055, the department is  
36 authorized to adopt and increase the fees set forth in and previously  
37 authorized in section 206(19), chapter 37, Laws of 2010 1st sp.s.





1       ~~((e))~~ (b) Submit a report electronically by October 1, 2009, to  
2 the fiscal committees of the legislature containing a spending plan for  
3 the WorkFirst program. The plan shall identify how spending levels in  
4 the 2009-2011 biennium will be adjusted to stay within available  
5 federal grant levels and the appropriated state-fund levels;

6       ~~((d))~~ (c) Provide quarterly fiscal reports to the office of  
7 financial management and the legislative fiscal committees detailing  
8 information on the amount expended from general fund--state and general  
9 fund--federal by activity.

10       (2) The department may establish a career services work transition  
11 program.

12       (3) The department and the office of financial management shall  
13 electronically report quarterly the expenditures, maintenance of effort  
14 allotments, expenditure amounts, and caseloads for the WorkFirst  
15 program to the legislative fiscal committees.

16       ~~((3))~~ (4) \$16,783,000 of the general fund--state appropriation  
17 for fiscal year 2011 and ~~(((\$62,000,000))~~ \$19,027,000 of the general  
18 fund--federal appropriation are provided solely for all components of  
19 the WorkFirst program in order to maintain services to January 2011.  
20 The legislature intends to work with the governor to design and  
21 implement fiscal and programmatic modifications to provide for the  
22 sustainability of the program. The funding in this subsection assumes  
23 that no other expenditure reductions will be made prior to January 2011  
24 other than those assumed in the appropriation levels in this act.

25       ~~((4))~~ (5) \$94,322,000 of the general fund--state appropriation  
26 for fiscal year 2010 and ~~(((\$76,979,000))~~ \$94,104,000 of the general  
27 fund--state appropriation for fiscal year 2011, net of recoveries, are  
28 provided solely for cash assistance and other services to recipients in  
29 the cash program pursuant to chapter 8, Laws of 2010 1st sp. sess.  
30 (security lifeline act), including persons in the unemployable,  
31 expedited, and aged, blind, and disabled components of the program. It  
32 is the intent of the legislature that the lifeline incapacity  
33 determination and progressive evaluation process regulations be  
34 carefully designed to accurately identify those persons who have been  
35 or will be incapacitated for at least ninety days. The incapacity  
36 determination and progressive evaluation process regulations in effect  
37 on January 1, 2010, cannot be amended until at least September 30,  
38 2010; except that provisions related to the use of administrative

1 review teams may be amended, and obsolete terminology and functional  
2 assessment language may be updated on or after July 1, 2010, in a  
3 manner that only minimally impacts the outcome of incapacity  
4 evaluations. After September 30, 2010, the incapacity determination  
5 and progressive evaluation process regulations may be amended only if  
6 the reports under (a) and (b) of this subsection have been submitted,  
7 and find that expenditures will exceed the appropriated level by three  
8 percent or more.

9 (a) The department and the caseload forecast council shall, by  
10 September 21, 2010, submit a report to the legislature based upon the  
11 most recent caseload forecast and actual expenditure data available, as  
12 to whether expenditures for the lifeline-unemployable grants in fiscal  
13 year 2011 will exceed \$69,648,000 for fiscal year 2011 in the 2010  
14 supplemental operating budget by three percent or more. If  
15 expenditures will exceed the appropriated amount for  
16 lifeline-unemployable grants by three percent or more, the department  
17 may adopt regulations modifying incapacity determination and  
18 progressive evaluation process regulations after September 30, 2010.

19 (b) On or before September 21, 2010, the department shall submit a  
20 report to the relevant policy and fiscal committees of the legislature  
21 that includes the following information regarding any regulations  
22 proposed for adoption that would modify the lifeline incapacity  
23 determination and progressive evaluation process:

24 (i) A copy of the proposed changes and a concise description of the  
25 changes;

26 (ii) A description of the persons who would likely be affected by  
27 adoption of the regulations, including their impairments, age,  
28 education, and work history;

29 (iii) An estimate of the number of persons who, on a monthly basis  
30 through June 2013, would be denied lifeline benefits if the regulations  
31 were adopted, expressed as a number, as a percentage of total  
32 applicants, and as a percentage of the number of persons granted  
33 lifeline benefits in each month;

34 (iv) An estimate of the number of persons who, on a monthly basis  
35 through June 2013, would have their lifeline benefits terminated  
36 following an eligibility review if the regulations were adopted,  
37 expressed as a number, as a percentage of the number of persons who

1 have had an eligibility review in each month, and as a percentage of  
2 the total number of persons currently receiving lifeline-unemployable  
3 benefits in each month; and

4 (v) Intended improvements in employment or treatment outcomes among  
5 persons receiving lifeline benefits that could be attributable to the  
6 changes in the regulations.

7 (c) Within these amounts:

8 (i) The department shall aggressively pursue opportunities to  
9 transfer lifeline clients to general assistance expedited coverage and  
10 to facilitate client applications for federal supplemental security  
11 income when the client's incapacities indicate that he or she would be  
12 likely to meet the federal disability criteria for supplemental  
13 security income. The department shall initiate and file the federal  
14 supplemental security income interim agreement as quickly as possible  
15 in order to maximize the recovery of federal funds;

16 (ii) The department shall review the lifeline caseload to identify  
17 recipients that would benefit from assistance in becoming naturalized  
18 citizens, and thus be eligible to receive federal supplemental security  
19 income benefits. Those cases shall be given high priority for  
20 naturalization funding through the department;

21 (iii) The department shall actively coordinate with local workforce  
22 development councils to expedite access to worker retraining programs  
23 for lifeline clients in those regions of the state with the greatest  
24 number of such clients;

25 (iv) By July 1, 2009, the department shall enter into an  
26 interagency agreement with the department of veterans' affairs to  
27 establish a process for referral of veterans who may be eligible for  
28 veteran's services. This agreement must include outstationing  
29 department of veterans' affairs staff in selected community service  
30 office locations in King and Pierce counties to facilitate applications  
31 for veterans' services; and

32 (v) In addition to any earlier evaluation that may have been  
33 conducted, the department shall intensively evaluate those clients who  
34 have been receiving lifeline benefits for twelve months or more as of  
35 July 1, 2009, or thereafter, if the available medical and incapacity  
36 related evidence indicates that the client is unlikely to meet the  
37 disability standard for federal supplemental security income benefits.  
38 The evaluation shall identify services necessary to eliminate or

1 minimize barriers to employment, including mental health treatment,  
2 substance abuse treatment and vocational rehabilitation services. The  
3 department shall expedite referrals to chemical dependency treatment,  
4 mental health and vocational rehabilitation services for these clients.

5 (vi) The appropriations in this subsection reflect a change in the  
6 earned income disregard policy for lifeline clients. It is the intent  
7 of the legislature that the department shall adopt the temporary  
8 assistance for needy families earned income policy for the lifeline  
9 program.

10 ((+5)) (6) \$750,000 of the general fund--state appropriation for  
11 fiscal year 2010 and \$500,000 of the general fund--state appropriation  
12 for fiscal year 2011 are provided solely for naturalization services.

13 ((+6)) (7) \$3,550,000 of the general fund--state appropriation for  
14 fiscal year 2010 is provided solely for refugee employment services, of  
15 which \$2,650,000 is provided solely for the department to pass through  
16 to statewide refugee assistance organizations for limited English  
17 proficiency pathway services; and \$2,050,000 of the general fund--state  
18 appropriation for fiscal year 2011 is provided solely for refugee  
19 employment services, of which \$1,540,000 is provided solely for the  
20 department to pass through to statewide refugee assistance  
21 organizations for limited English proficiency pathway services.

22 ((+7)) (8) The appropriations in this section reflect reductions  
23 in the appropriations for the economic services administration's  
24 administrative expenses. It is the intent of the legislature that  
25 these reductions shall be achieved, to the greatest extent possible, by  
26 reducing those administrative costs that do not affect direct client  
27 services or direct service delivery or program.

28 ((+8)) (9) \$855,000 of the general fund--state appropriation for  
29 fiscal year 2011, \$719,000 of the general fund--federal appropriation,  
30 and \$2,907,000 of the general fund--private/local appropriation are  
31 provided solely for the implementation of the opportunity portal, the  
32 food stamp employment and training program, and the disability lifeline  
33 program under Second Substitute House Bill No. 2782 (security lifeline  
34 act). If the bill is not enacted by June 30, 2010, the amounts  
35 provided in this subsection shall lapse.

36 ((+9)) (10) \$100,000 of the general fund--state appropriation for  
37 fiscal year 2011 is provided solely for the department to award grants  
38 to small mutual assistance or small community-based organizations that

1 contract with the department for immigrant and refugee assistance  
2 services. The funds shall be awarded to provide funding for community  
3 groups to provide transitional assistance, language skills, and other  
4 resources to improve refugees' economic self-sufficiency through the  
5 effective use of social services, financial services, and medical  
6 assistance.

7 ((+10)) (11) To ensure expenditures remain within available funds  
8 appropriated in this section, the legislature establishes the benefit  
9 under the state food assistance program, made pursuant to RCW  
10 74.08A.120, to be fifty percent of the federal supplemental nutrition  
11 assistance program benefit amount.

12 **Sec. 1108.** 2011 c 5 s 207 (uncodified) is amended to read as  
13 follows:

14 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--ALCOHOL AND**  
15 **SUBSTANCE ABUSE PROGRAM**

16	General Fund--State Appropriation (FY 2010) . . . . .	\$81,982,000
17	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$77,065,000)</del>
18		<u>\$77,818,000</u>
19	General Fund--Federal Appropriation . . . . .	<del>(\$151,574,000)</del>
20		<u>\$152,619,000</u>
21	General Fund--Private/Local Appropriation . . . . .	\$2,718,000
22	Criminal Justice Treatment Account--State	
23	Appropriation . . . . .	\$17,743,000
24	Problem Gambling Account--State Appropriation . . . . .	\$1,456,000
25	TOTAL APPROPRIATION . . . . .	<del>(\$332,538,000)</del>
26		<u>\$334,336,000</u>

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

29 (1) Within the amounts appropriated in this section, the department  
30 may contract with the University of Washington and community-based  
31 providers for the provision of the parent-child assistance program.  
32 For all contractors, indirect charges for administering the program  
33 shall not exceed ten percent of the total contract amount.

34 (2) Within the amounts appropriated in this section, the department  
35 shall continue to provide for chemical dependency treatment services  
36 for adult medicaid eligible and general assistance-unemployable  
37 patients.

1 (3) In addition to other reductions, the appropriations in this  
2 section reflect reductions targeted specifically to state government  
3 administrative costs. These administrative reductions shall be  
4 achieved, to the greatest extent possible, by reducing those  
5 administrative costs that do not affect direct client services or  
6 direct service delivery or programs.

7 (4) Funding is provided for the implementation of the lifeline  
8 program under Second Substitute House Bill No. 2782 (security lifeline  
9 act). If the bill is not enacted by June 30, 2010, the amount provided  
10 in this subsection shall lapse.

11 (5) \$3,500,000 of the general fund--federal appropriation (from the  
12 substance abuse prevention and treatment federal block grant) is  
13 provided solely for the continued funding of existing county drug and  
14 alcohol use prevention programs.

15 **Sec. 1109.** 2011 c 5 s 208 (uncodified) is amended to read as  
16 follows:

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

19	General Fund--State Appropriation (FY 2010) . . . . .	\$1,697,203,000
20	General Fund--State Appropriation (FY 2011) . . . . .	((\$1,737,303,000))
21		<u>\$1,814,985,000</u>
22	General Fund--Federal Appropriation . . . . .	((\$6,047,405,000))
23		<u>\$5,903,131,000</u>
24	General Fund--Private/Local Appropriation . . . . .	((\$38,509,000))
25		<u>\$37,247,000</u>
26	Emergency Medical Services and Trauma Care Systems	
27	Trust Account--State Appropriation . . . . .	\$15,075,000
28	Tobacco Prevention and Control Account--	
29	State Appropriation . . . . .	((\$4,464,000))
30		<u>\$3,798,000</u>
31	Hospital Safety Net Assessment Fund--State	
32	Appropriation . . . . .	((\$260,057,000))
33		<u>\$254,974,000</u>
34	TOTAL APPROPRIATION . . . . .	((\$9,800,016,000))
35		<u>\$9,726,413,000</u>

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

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

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

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

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

18 (5) (~~In accordance with RCW 74.46.625,~~) \$6,000,000 of the general  
19 fund--federal appropriation is provided solely for supplemental  
20 payments to nursing homes operated by public hospital districts. The  
21 public hospital district shall be responsible for providing the  
22 required nonfederal match for the supplemental payment, and the  
23 payments shall not exceed the maximum allowable under federal rules.  
24 It is the legislature's intent that the payments shall be supplemental  
25 to and shall not in any way offset or reduce the payments calculated  
26 and provided in accordance with part E of chapter 74.46 RCW. It is the  
27 legislature's further intent that costs otherwise allowable for  
28 rate-setting and settlement against payments under chapter 74.46 RCW  
29 shall not be disallowed solely because such costs have been paid by  
30 revenues retained by the nursing home from these supplemental payments.  
31 The supplemental payments are subject to retrospective interim and  
32 final cost settlements based on the nursing homes' as-filed and final  
33 medicare cost reports. The timing of the interim and final cost  
34 settlements shall be at the department's discretion. During either the  
35 interim cost settlement or the final cost settlement, the department  
36 shall recoup from the public hospital districts the supplemental  
37 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) \$649,000 of the general fund--federal appropriation and  
5 \$644,000 of the general fund--state appropriation for fiscal year 2011  
6 are provided solely for grants to rural hospitals. The department  
7 shall distribute the funds under a formula that provides a relatively  
8 larger share of the available funding to hospitals that (a) serve a  
9 disproportionate share of low-income and medically indigent patients,  
10 and (b) have relatively smaller net financial margins, to the extent  
11 allowed by the federal medicaid program.

12 (7) \$5,729,000 of the general fund--state appropriation for fiscal  
13 year 2011, and \$5,776,000 of the general fund--federal appropriation  
14 are provided solely for grants to nonrural hospitals. The department  
15 shall distribute the funds under a formula that provides a relatively  
16 larger share of the available funding to hospitals that (a) serve a  
17 disproportionate share of low-income and medically indigent patients,  
18 and (b) have relatively smaller net financial margins, to the extent  
19 allowed by the federal medicaid program.

20 (8) The department shall continue the inpatient hospital certified  
21 public expenditures program for the 2009-11 biennium. The program  
22 shall apply to all public hospitals, including those owned or operated  
23 by the state, except those classified as critical access hospitals or  
24 state psychiatric institutions. The department shall submit reports to  
25 the governor and legislature by November 1, 2009, and by November 1,  
26 2010, that evaluate whether savings continue to exceed costs for this  
27 program. If the certified public expenditures (CPE) program in its  
28 current form is no longer cost-effective to maintain, the department  
29 shall submit a report to the governor and legislature detailing  
30 cost-effective alternative uses of local, state, and federal resources  
31 as a replacement for this program. During fiscal year 2010 and fiscal  
32 year 2011, hospitals in the program shall be paid and shall retain one  
33 hundred percent of the federal portion of the allowable hospital cost  
34 for each medicaid inpatient fee-for-service claim payable by medical  
35 assistance and one hundred percent of the federal portion of the  
36 maximum disproportionate share hospital payment allowable under federal  
37 regulations. Inpatient medicaid payments shall be established using an  
38 allowable methodology that approximates the cost of claims submitted by



1 the hospitals. Payments made to each hospital in the program in each  
2 fiscal year of the biennium shall be compared to a baseline amount.  
3 The baseline amount will be determined by the total of (a) the  
4 inpatient claim payment amounts that would have been paid during the  
5 fiscal year had the hospital not been in the CPE program based on the  
6 reimbursement rates developed, implemented, and consistent with  
7 policies approved in the 2009-11 biennial operating appropriations act  
8 (chapter 564, Laws of 2009) and in effect on July 1, 2009, (b) one half  
9 of the indigent assistance disproportionate share hospital payment  
10 amounts paid to and retained by each hospital during fiscal year 2005,  
11 and (c) all of the other disproportionate share hospital payment  
12 amounts paid to and retained by each hospital during fiscal year 2005  
13 to the extent the same disproportionate share hospital programs exist  
14 in the 2009-11 biennium. 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. To the extent that either settlement determines that a  
27 hospital has received funds in excess of what it would have received as  
28 described in this subsection, the hospital must repay the excess  
29 amounts to the state when requested. \$20,403,000 of the general  
30 fund--state appropriation for fiscal year 2010, of which \$6,570,000 is  
31 appropriated in section ((204(1))) 1104(1) of this act, and  
32 ((\$29,480,000)) \$15,113,000 of the general fund--state appropriation  
33 for fiscal year 2011, of which \$6,570,000 is appropriated in section  
34 ((204(1))) 1104(1) of this act, are provided solely for state grants  
35 for the participating hospitals. CPE hospitals will receive the  
36 inpatient and outpatient reimbursement rate restorations in section 9  
37 and rate increases in section 10(1)(b) of Engrossed Second Substitute

1 House Bill No. 2956 (hospital safety net assessment) funded through the  
2 hospital safety net assessment fund rather than through the baseline  
3 mechanism specified in this subsection.

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

7 (10) \$93,000 of the general fund--state appropriation for fiscal  
8 year 2010 and \$93,000 of the general fund--federal appropriation are  
9 provided solely for the department to pursue a federal Medicaid waiver  
10 pursuant to Second Substitute Senate Bill No. 5945 (Washington health  
11 partnership plan). If the bill is not enacted by June 30, 2009, the  
12 amounts provided in this subsection shall lapse.

13 (11) The department shall require managed health care systems that  
14 have contracts with the department to serve medical assistance clients  
15 to limit any reimbursements or payments the systems make to providers  
16 not employed by or under contract with the systems to no more than the  
17 medical assistance rates paid by the department to providers for  
18 comparable services rendered to clients in the fee-for-service delivery  
19 system.

20 (12) A maximum of (~~(\$241,141,000)~~) \$247,809,000 in total funds from  
21 the general fund--state, general fund--federal, and tobacco and  
22 prevention control account--state appropriations may be expended in the  
23 fiscal biennium for the medical program pursuant to chapter 8, Laws of  
24 2010 1st sp. sess. (security lifeline act), and these amounts are  
25 provided solely for this program. Of these amounts, \$10,749,000 of the  
26 general fund--state appropriation for fiscal year 2010 and \$10,892,000  
27 of the general fund--federal appropriation are provided solely for  
28 payments to hospitals for providing outpatient services to low income  
29 patients who are recipients of lifeline benefits. Pursuant to RCW  
30 74.09.035, the department shall not expend for the lifeline medical  
31 care services program any amounts in excess of the amounts provided in  
32 this subsection.

33 (13) Mental health services shall be included in the services  
34 provided through the managed care system for lifeline clients under  
35 chapter 8, Laws of 2010 1st sp. sess. In transitioning lifeline  
36 clients to managed care, the department shall attempt to deliver care  
37 to lifeline clients through medical homes in community and migrant  
38 health centers. The department, in collaboration with the carrier,

1 shall seek to improve the transition rate of lifeline clients to the  
2 federal supplemental security income program. The department shall  
3 renegotiate the contract with the managed care plan that provides  
4 services for lifeline clients to maximize state retention of future  
5 hospital savings as a result of improved care coordination. The  
6 department, in collaboration with stakeholders, shall propose a new  
7 name for the lifeline program.

8 (14) The department shall evaluate the impact of the use of a  
9 managed care delivery and financing system on state costs and outcomes  
10 for lifeline medical clients. Outcomes measured shall include state  
11 costs, utilization, changes in mental health status and symptoms, and  
12 involvement in the criminal justice system.

13 (15) The department shall report to the governor and the fiscal  
14 committees of the legislature by June 1, 2010, on its progress toward  
15 achieving a twenty percentage point increase in the generic  
16 prescription drug utilization rate.

17 (16) State funds shall not be used by hospitals for advertising  
18 purposes.

19 (17) \$24,356,000 of the general fund--private/local appropriation  
20 and \$35,707,000 of the general fund--federal appropriation are provided  
21 solely for the implementation of professional services supplemental  
22 payment programs. The department shall seek a medicaid state plan  
23 amendment to create a professional services supplemental payment  
24 program for University of Washington medicine professional providers no  
25 later than July 1, 2009. The department shall apply federal rules for  
26 identifying the shortfall between current fee-for-service medicaid  
27 payments to participating providers and the applicable federal upper  
28 payment limit. Participating providers shall be solely responsible for  
29 providing the local funds required to obtain federal matching funds.  
30 Any incremental costs incurred by the department in the development,  
31 implementation, and maintenance of this program will be the  
32 responsibility of the participating providers. Participating providers  
33 will retain the full amount of supplemental payments provided under  
34 this program, net of any potential costs for any related audits or  
35 litigation brought against the state. The department shall report to  
36 the governor and the legislative fiscal committees on the prospects for  
37 expansion of the program to other qualifying providers as soon as  
38 feasibility is determined but no later than December 31, 2009. The

1 report will outline estimated impacts on the participating providers,  
2 the procedures necessary to comply with federal guidelines, and the  
3 administrative resource requirements necessary to implement the  
4 program. The department will create a process for expansion of the  
5 program to other qualifying providers as soon as it is determined  
6 feasible by both the department and providers but no later than June  
7 30, 2010.

8 (18) \$9,075,000 of the general fund--state appropriation for fiscal  
9 year 2010, \$8,588,000 of the general fund--state appropriation for  
10 fiscal year 2011, and \$39,747,000 of the general fund--federal  
11 appropriation are provided solely for development and implementation of  
12 a replacement system for the existing medicaid management information  
13 system. The amounts provided in this subsection are conditioned on the  
14 department satisfying the requirements of section 902 of this act.

15 (19) \$506,000 of the general fund--state appropriation for fiscal  
16 year 2011 and \$657,000 of the general fund--federal appropriation are  
17 provided solely for the implementation of Second Substitute House Bill  
18 No. 1373 (children's mental health). If the bill is not enacted by  
19 June 30, 2009, the amounts provided in this subsection shall lapse.

20 (20) Pursuant to 42 U.S.C. Sec. 1396(a)(25), the department shall  
21 pursue insurance claims on behalf of medicaid children served through  
22 its in-home medically intensive child program under WAC 388-551-3000.  
23 The department shall report to the Legislature by December 31, 2009, on  
24 the results of its efforts to recover such claims.

25 (21) The department may, on a case-by-case basis and in the best  
26 interests of the child, set payment rates for medically intensive home  
27 care services to promote access to home care as an alternative to  
28 hospitalization. Expenditures related to these increased payments  
29 shall not exceed the amount the department would otherwise pay for  
30 hospitalization for the child receiving medically intensive home care  
31 services.

32 (22) \$425,000 of the general fund--state appropriation for fiscal  
33 year 2010 and \$790,000 of the general fund--federal appropriation are  
34 provided solely to continue children's health coverage outreach and  
35 education efforts under RCW 74.09.470. These efforts shall rely on  
36 existing relationships and systems developed with local public health  
37 agencies, health care providers, public schools, the women, infants,  
38 and children program, the early childhood education and assistance

1 program, child care providers, newborn visiting nurses, and other  
2 community-based organizations. The department shall seek  
3 public-private partnerships and federal funds that are or may become  
4 available to provide on-going support for outreach and education  
5 efforts under the federal children's health insurance program  
6 reauthorization act of 2009.

7 (23) The department, in conjunction with the office of financial  
8 management, shall implement a prorated inpatient payment policy.

9 (24) The department will pursue a competitive procurement process  
10 for antihemophilic products, emphasizing evidence-based medicine and  
11 protection of patient access without significant disruption in  
12 treatment.

13 (25) The department will pursue several strategies towards reducing  
14 pharmacy expenditures including but not limited to increasing generic  
15 prescription drug utilization by 20 percentage points and promoting  
16 increased utilization of the existing mail-order pharmacy program.

17 (26) The department shall reduce reimbursement for over-the-counter  
18 medications while maintaining reimbursement for those over-the-counter  
19 medications that can replace more costly prescription medications.

20 (27) The department shall seek public-private partnerships and  
21 federal funds that are or may become available to implement health  
22 information technology projects under the federal American recovery and  
23 reinvestment act of 2009.

24 (28) The department shall target funding for maternity support  
25 services towards pregnant women with factors that lead to higher rates  
26 of poor birth outcomes, including hypertension, a preterm or low birth  
27 weight birth in the most recent previous birth, a cognitive deficit or  
28 developmental disability, substance abuse, severe mental illness,  
29 unhealthy weight or failure to gain weight, tobacco use, or African  
30 American or Native American race. The department shall prioritize  
31 evidence-based practices for delivery of maternity support services.  
32 To the extent practicable, the department shall develop a mechanism to  
33 increase federal funding for maternity support services by leveraging  
34 local public funding for those services.

35 (29) \$260,036,000 of the hospital safety net assessment fund--state  
36 appropriation and \$255,448,000 of the general fund--federal  
37 appropriation are provided solely for the implementation of Engrossed

1 Second Substitute House Bill No. 2956 (hospital safety net assessment).  
2 If the bill is not enacted by June 30, 2010, the amounts provided in  
3 this subsection shall lapse.

4 (30) \$79,000 of the general fund--state appropriation for fiscal  
5 year 2010 and \$53,000 of the general fund--federal appropriation are  
6 provided solely to implement Substitute House Bill No. 1845 (medical  
7 support obligations).

8 (31) \$63,000 of the general fund--state appropriation for fiscal  
9 year 2010, \$583,000 of the general fund--state appropriation for fiscal  
10 year 2011, and \$864,000 of the general fund--federal appropriation are  
11 provided solely to implement Engrossed House Bill No. 2194  
12 (extraordinary medical placement for offenders). The department shall  
13 work in partnership with the department of corrections to identify  
14 services and find placements for offenders who are released through the  
15 extraordinary medical placement program. The department shall  
16 collaborate with the department of corrections to identify and track  
17 cost savings to the department of corrections, including medical cost  
18 savings, and to identify and track expenditures incurred by the aging  
19 and disability services program for community services and by the  
20 medical assistance program for medical expenses. A joint report  
21 regarding the identified savings and expenditures shall be provided to  
22 the office of financial management and the appropriate fiscal  
23 committees of the legislature by November 30, 2010. If this bill is  
24 not enacted by June 30, 2009, the amounts provided in this subsection  
25 shall lapse.

26 (32) \$73,000 of the general fund--state appropriation for fiscal  
27 year 2011 and \$50,000 of the general fund--federal appropriation is  
28 provided solely for supplemental services that will be provided to  
29 offenders in lieu of a prison sentence pursuant to chapter 224, Laws of  
30 2010 (Substitute Senate Bill No. 6639).

31 (33) Sufficient amounts are provided in this section to provide  
32 full benefit dual eligible beneficiaries with medicare part D  
33 prescription drug copayment coverage in accordance with RCW 74.09.520  
34 until December 31, 2010.

35 (34) In addition to other reductions, the appropriations in this  
36 section reflect reductions targeted specifically to state government  
37 administrative costs. These administrative reductions shall be

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

4 (35) \$331,000 of the general fund--state appropriation for fiscal  
5 year 2010, \$331,000 of the general fund--state appropriation for fiscal  
6 year 2011, and \$1,228,000 of the general fund--federal appropriation  
7 are provided solely for the department to support the activities of the  
8 Washington poison center. The department shall seek federal authority  
9 to receive matching funds from the federal government through the  
10 children's health insurance program.

11 (36) \$528,000 of the general fund--state appropriation and  
12 \$2,955,000 of the general fund--federal appropriation are provided  
13 solely for the implementation of the lifeline program under chapter 8,  
14 Laws of 2010 1st sp. sess. (security lifeline act).

15 (37) Reductions in dental services are to be achieved by focusing  
16 on the fastest growing areas of dental care. Reductions in  
17 preventative care, particularly for children, will be avoided to the  
18 extent possible.

19 (38) \$1,307,000 of the general fund--state appropriation for fiscal  
20 year 2011 and \$1,770,000 of the general fund--federal appropriation are  
21 provided solely to continue to provide dental services in calendar year  
22 2011 for qualifying adults with developmental disabilities. Services  
23 shall include preventive, routine, and emergent dental care, and  
24 support for continued operation of the dental education in care of  
25 persons with disabilities (DECOD) program at the University of  
26 Washington.

27 (39) The department shall develop the capability to implement apple  
28 health for kids express lane eligibility enrollments for children  
29 receiving basic food assistance by June 30, 2011.

30 (40)(a) The department, in coordination with the health care  
31 authority, shall actively continue to negotiate a medicaid section 1115  
32 waiver with the federal centers for medicare and medicaid services that  
33 would provide federal matching funds for services provided to persons  
34 enrolled in the basic health plan under chapter 70.47 RCW and the  
35 medical care services program under RCW 74.09.035.

36 (b) If the waiver in (a) of this subsection is granted, the  
37 department and the health care authority may implement the waiver if it  
38 allows the program to remain within appropriated levels, after

1 providing notice of its terms and conditions to the relevant policy and  
2 fiscal committees of the legislature in writing thirty days prior to  
3 the planned implementation date of the waiver.

4 (41) \$704,000 of the general fund--state appropriation for fiscal  
5 year 2010, \$812,000 of the general fund--state appropriation for fiscal  
6 year 2011, and \$1,516,000 of the general fund--federal appropriation  
7 are provided solely for maintaining employer-sponsored insurance  
8 program staff, coordination of benefits unit staff, the payment  
9 integrity audit team, and family planning nursing.

10 (42) Every effort shall be made to maintain current employment  
11 levels and achieve administrative savings through vacancies and  
12 employee attrition. Efficiencies shall be implemented as soon as  
13 possible in order to minimize actual reduction in force. The  
14 department shall implement a management strategy that minimizes  
15 disruption of service and negative impacts on employees.

16 (43) \$1,199,000 of the general fund--private/local appropriation  
17 for fiscal year 2011 and \$1,671,000 of the general fund--federal  
18 appropriation are provided solely to support medical airlift services.

19 (44) \$5,000,000 of the general fund--state appropriation for fiscal  
20 year 2011 and \$7,191,000 of the general fund--federal appropriation are  
21 provided solely for payments to federally qualified health clinics and  
22 rural health centers under a new alternative payment methodology that  
23 ~~((the department shall develop in consultation with the legislature and  
24 the office of financial management))~~ reimburses the clinics and centers  
25 at rates that are five percent higher than the rates that would be  
26 provided under the federal prospective payment system.

27 (45) \$33,000 of the general fund--state appropriation for fiscal  
28 year 2011 and \$61,000 of the general fund--federal appropriation are  
29 provided solely to continue operation by a nonprofit organization of a  
30 toll-free line that assists families to learn about and enroll in apple  
31 health for kids, which provides publicly funded medical and dental care  
32 for families with incomes below 300 percent of the federal poverty  
33 level.

34 (46) \$150,000 of the general fund--state appropriation for fiscal  
35 year 2011 and \$150,000 of the general fund-- federal appropriation are  
36 provided solely for initiation of a prescriptive practices improvement  
37 collaborative focusing upon atypical antipsychotics and other  
38 medications commonly used in the treatment of severe and persistent



1 mental illnesses among adults. The project shall promote collaboration  
2 among community mental health centers, other major prescribers of  
3 atypical antipsychotic medications to adults enrolled in state medical  
4 assistance programs, and psychiatrists, pharmacists, and other  
5 specialists at the University of Washington department of psychiatry  
6 and/or other research universities. The collaboration shall include  
7 patient-specific prescriber consultations by psychiatrists and  
8 pharmacists specializing in treatment of severe and persistent mental  
9 illnesses among adults; production of profiles to assist prescribers  
10 and clinics track their prescriptive practices and their patients'  
11 medication use and adherence relative to evidence-based practice  
12 guidelines, other prescribers, and patients at other clinics; and  
13 in-service seminars at which participants can share and increase their  
14 knowledge of evidence-based and other effective prescriptive practices.

15 (47) \$75,000 of the general fund--state appropriation for fiscal  
16 year 2011 and \$75,000 of the general fund--federal appropriation are  
17 provided solely to assist with development and implementation of  
18 evidence-based strategies regarding the appropriate, safe, and  
19 effective role of C-section surgeries and early induced labor in births  
20 and neonatal care. The strategies shall be identified and implemented  
21 in consultation with clinical research specialists, physicians,  
22 hospitals, advanced registered nurse practitioners, and organizations  
23 concerned with maternal and child health.

24 (48) \$700,000 of the general fund--state appropriation for fiscal  
25 year 2011 and \$700,000 of the general fund--federal appropriation are  
26 provided solely to pay federally designated rural health clinics their  
27 full encounter rate for prenatal and well-child visits, whether  
28 delivered under a managed care contract or fee-for-service, effective  
29 January 1, 2011. In reconciling managed care enhancement payments for  
30 calendar year 2009, the department shall treat well-child and prenatal  
31 care visits as encounters subject to the clinic's encounter rate.

32 **Sec. 1110.** 2011 c 5 s 209 (uncodified) is amended to read as  
33 follows:

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

36	General Fund--State Appropriation (FY 2010) . . . . .	\$10,327,000
37	General Fund--State Appropriation (FY 2011) . . . . .	(\$9,443,000)

1		<u>\$9,438,000</u>
2	General Fund--Federal Appropriation . . . . .	\$107,848,000
3	Telecommunications Devices for the Hearing and	
4	Speech Impaired--State Appropriation . . . . .	\$6,056,000
5	TOTAL APPROPRIATION . . . . .	(( <del>\$133,674,000</del> ))
6		<u>\$133,669,000</u>

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

9       (1) The vocational rehabilitation program shall coordinate closely  
10 with the economic services program to serve lifeline clients under  
11 chapter 8, Laws of 2010 1st sp. sess. who are referred for eligibility  
12 determination and vocational rehabilitation services, and shall make  
13 every effort, within the requirements of the federal rehabilitation act  
14 of 1973, to serve these clients.

15       (2) \$80,000 of the telecommunications devices for the hearing and  
16 speech impaired account--state appropriation is provided solely for the  
17 office of deaf and hard of hearing to enter into an interagency  
18 agreement with the department of services for the blind to support  
19 contracts for services that provide employment support and help with  
20 life activities for deaf-blind individuals in King county.

21       **Sec. 1111.** 2011 c 5 s 210 (uncodified) is amended to read as  
22 follows:

23 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--SPECIAL COMMITMENT**  
24 **PROGRAM**

25	General Fund--State Appropriation (FY 2010) . . . . .	\$48,827,000
26	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$48,536,000</del> ))
27		<u>\$49,131,000</u>
28	TOTAL APPROPRIATION . . . . .	(( <del>\$97,363,000</del> ))
29		<u>\$97,958,000</u>

30       **Sec. 1112.** 2011 c 5 s 211 (uncodified) is amended to read as  
31 follows:

32 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--ADMINISTRATION AND**  
33 **SUPPORTING SERVICES PROGRAM**

34	General Fund--State Appropriation (FY 2010) . . . . .	\$33,579,000
35	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$27,745,000</del> ))
36		<u>\$25,308,000</u>

1	General Fund--Federal Appropriation . . . . .	(( <del>\$51,304,000</del> ))
2		<u>\$49,594,000</u>
3	General Fund--Private/Local Appropriation . . . . .	\$1,121,000
4	Institutional Impact Account--State Appropriation . . . . .	\$22,000
5	TOTAL APPROPRIATION . . . . .	(( <del>\$113,771,000</del> ))
6		<u>\$109,624,000</u>

7 The appropriations in this section are subject to the following  
8 conditions and limitations: In addition to other reductions, the  
9 appropriations in this section reflect reductions targeted specifically  
10 to state government administrative costs. These administrative  
11 reductions shall be achieved, to the greatest extent possible, by  
12 reducing those administrative costs that do not affect direct client  
13 services or direct service delivery or programs.

14 (1) \$333,000 of the general fund--state appropriation for fiscal  
15 year 2010 and ((~~\$300,000~~)) \$281,000 of the general fund--state  
16 appropriation for fiscal year 2011 are provided solely for the  
17 Washington state mentors program to continue its public-private  
18 partnerships to provide technical assistance and training to mentoring  
19 programs that serve at-risk youth.

20 (2) \$445,000 of the general fund--state appropriation for fiscal  
21 year 2010 and ((~~\$445,000~~)) \$417,000 of the general fund--state  
22 appropriation for fiscal year 2011 are provided solely for funding of  
23 the teamchild project through the governor's juvenile justice advisory  
24 committee.

25 (3) \$178,000 of the general fund--state appropriation for fiscal  
26 year 2010 and ((~~\$178,000~~)) \$167,000 of the general fund--state  
27 appropriation for fiscal year 2011 are provided solely for the juvenile  
28 detention alternatives initiative.

29 (4) Amounts appropriated in this section reflect a reduction to the  
30 family policy council. The family policy council shall reevaluate  
31 staffing levels and administrative costs to ensure to the extent  
32 possible a maximum ratio of grant moneys provided and administrative  
33 costs.

34 (5) Amounts appropriated in this section reflect a reduction to the  
35 council on children and families. The council on children and families  
36 shall reevaluate staffing levels and administrative costs to ensure to  
37 the extent possible a maximum ratio of grant moneys provided and  
38 administrative costs.

1       **Sec. 1113.** 2011 c 5 s 212 (uncodified) is amended to read as  
2 follows:

3       **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--PAYMENTS TO OTHER**  
4 **AGENCIES PROGRAM**

5	General Fund--State Appropriation (FY 2010) . . . . .	\$61,985,000
6	General Fund--State Appropriation (FY 2011) . . . . .	<del>(((\$63,793,000))</del>
7		<u>\$65,210,000</u>
8	General Fund--Federal Appropriation . . . . .	<del>(((\$56,855,000))</del>
9		<u>\$56,321,000</u>
10	TOTAL APPROPRIATION . . . . .	<del>(((\$182,633,000))</del>
11		<u>\$183,516,000</u>

12       **Sec. 1114.** 2011 c 5 s 213 (uncodified) is amended to read as  
13 follows:

14       **FOR THE STATE HEALTH CARE AUTHORITY**

15	General Fund--State Appropriation (FY 2010) . . . . .	\$208,258,000
16	General Fund--State Appropriation (FY 2011) . . . . .	<del>(((\$108,749,000))</del>
17		<u>\$108,896,000</u>
18	General Fund--Federal Appropriation . . . . .	<del>(((\$31,975,000))</del>
19		<u>\$34,922,000</u>
20	State Health Care Authority Administration Account--	
21	State Appropriation . . . . .	\$34,880,000
22	Medical Aid Account--State Appropriation . . . . .	\$527,000
23	Basic Health Plan Stabilization Account--State	
24	Appropriation . . . . .	\$6,000,000
25	TOTAL APPROPRIATION . . . . .	<del>(((\$390,389,000))</del>
26		<u>\$393,483,000</u>

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

29       (1) Within amounts appropriated in this section and sections 205  
30 and 206 of this act, the health care authority shall continue to  
31 provide an enhanced basic health plan subsidy for foster parents  
32 licensed under chapter 74.15 RCW and workers in state-funded home care  
33 programs. Under this enhanced subsidy option, foster parents eligible  
34 to participate in the basic health plan as subsidized enrollees and  
35 home care workers with family incomes below 200 percent of the federal  
36 poverty level shall be allowed to enroll in the basic health plan at

1 the minimum premium amount charged to enrollees with incomes below  
2 sixty-five percent of the federal poverty level.

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

8 (3) The administrator shall take at least the following actions to  
9 assure that persons participating in the basic health plan are eligible  
10 for the level of assistance they receive: (a) Require submission of  
11 (i) income tax returns, and recent pay history, from all applicants, or  
12 (ii) other verifiable evidence of earned and unearned income from those  
13 persons not required to file income tax returns; (b) check employment  
14 security payroll records at least once every twelve months on all  
15 enrollees; (c) require enrollees whose income as indicated by payroll  
16 records exceeds that upon which their subsidy is based to document  
17 their current income as a condition of continued eligibility; (d)  
18 require enrollees for whom employment security payroll records cannot  
19 be obtained to document their current income at least once every six  
20 months; (e) not reduce gross family income for self-employed persons by  
21 noncash-flow expenses such as, but not limited to, depreciation,  
22 amortization, and home office deductions, as defined by the United  
23 States internal revenue service; and (f) pursue repayment and civil  
24 penalties from persons who have received excessive subsidies, as  
25 provided in RCW 70.47.060(9).

26 (4)(a) In order to maximize the funding appropriated for the basic  
27 health plan, the health care authority is directed to make  
28 modifications that will reduce the total number of subsidized enrollees  
29 to approximately 65,000 by January 1, 2010. In addition to the reduced  
30 enrollment, other modifications may include changes in enrollee premium  
31 obligations, changes in benefits, enrollee cost-sharing, and  
32 termination of the enrollment of individuals concurrently enrolled in  
33 a medical assistance program as provided in Substitute House Bill No.  
34 2341.

35 (b) The health care authority shall coordinate with the department  
36 of social and health services to negotiate a medicaid section 1115  
37 waiver with the federal centers for medicare and medicaid services that

1 would provide matching funds for services provided to persons enrolled  
2 in the basic health plan under chapter 70.47 RCW.

3 (c) If the waiver in (b) of this subsection is granted, the health  
4 care authority may implement the waiver if it allows the program to  
5 remain within appropriated levels, after providing notice of its terms  
6 and conditions to the relevant policy and fiscal committees of the  
7 legislature in writing thirty days prior to the planned implementation  
8 date of the waiver.

9 (5) \$250,000 of the general fund--state appropriation for fiscal  
10 year 2010 and \$250,000 of the general fund--state appropriation for  
11 fiscal year 2011 are provided solely for the implementation of  
12 Substitute Senate Bill No. 5360 (community collaboratives). If the  
13 bill is not enacted by June 30, 2009, the amounts provided in this  
14 section shall lapse.

15 (6) The authority shall seek public-private partnerships and  
16 federal funds that are or may become available to implement health  
17 information technology projects under the federal American recovery and  
18 reinvestment act of 2009.

19 (7) \$20,000 of the general fund--state appropriation for fiscal  
20 year 2010 and \$63,000 of the general fund--state appropriation for  
21 fiscal year 2011 are provided solely for the implementation of chapter  
22 220, Laws of 2010 (accountable care organizations).

23 (8) As soon as practicable after February 28, 2011, enrollment in  
24 the subsidized basic health plan shall be limited to only include  
25 persons who qualify as subsidized enrollees as defined in RCW 70.47.020  
26 and who (a) qualify for services under 1115 medicaid demonstration  
27 project number 11-W-00254/10; or (b) are foster parents licensed under  
28 chapter 74.15 RCW.

29 (9) \$1,500,000 of the general fund--federal appropriation is  
30 provided solely for planning and implementation of a health benefit  
31 exchange under the federal patient protection and affordable care act.  
32 Within the amounts provided in this subsection, funds used by the  
33 authority for information technology projects are conditioned on the  
34 authority satisfying the requirements of section 902, chapter 564, Laws  
35 of 2009.

36 **Sec. 1115.** 2011 c 5 s 214 (uncodified) is amended to read as  
37 follows:

1 **FOR THE HUMAN RIGHTS COMMISSION**

2	General Fund--State Appropriation (FY 2010) . . . . .	\$2,638,000
3	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$2,353,000)</del>
4		<u>\$2,350,000</u>
5	General Fund--Federal Appropriation . . . . .	\$1,584,000
6	TOTAL APPROPRIATION . . . . .	<del>(\$6,575,000)</del>
7		<u>\$6,572,000</u>

8 **Sec. 1116.** 2011 c 5 s 215 (uncodified) is amended to read as  
9 follows:

10 **FOR THE CRIMINAL JUSTICE TRAINING COMMISSION**

11	General Fund--State Appropriation (FY 2010) . . . . .	\$17,273,000
12	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$16,721,000)</del>
13		<u>\$16,803,000</u>
14	General Fund--Federal Appropriation . . . . .	\$143,000
15	General Fund--Private/Local Appropriation . . . . .	<del>(\$1,378,000)</del>
16		<u>\$1,382,000</u>
17	Death Investigations Account--State Appropriation . . . . .	\$148,000
18	Municipal Criminal Justice Assistance Account--	
19	State Appropriation . . . . .	\$460,000
20	Washington Auto Theft Prevention Authority Account--	
21	State Appropriation . . . . .	\$6,432,000
22	TOTAL APPROPRIATION . . . . .	<del>(\$42,555,000)</del>
23		<u>\$42,641,000</u>

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

26 (1) \$1,191,000 of the general fund--state appropriation for fiscal  
27 year 2010 is provided solely for the Washington association of sheriffs  
28 and police chiefs to continue to develop, maintain, and operate the  
29 jail booking and reporting system (JBRS) and the statewide automated  
30 victim information and notification system (SAVIN).

31 (2) \$5,000,000 of the general fund--state appropriation for fiscal  
32 year 2010 and \$5,000,000 of the general fund--state appropriation for  
33 fiscal year 2011, are provided to the Washington association of  
34 sheriffs and police chiefs solely to verify the address and residency  
35 of registered sex offenders and kidnapping offenders under RCW  
36 9A.44.130. The Washington association of sheriffs and police chiefs  
37 shall:

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

4 (i) For level I offenders, every twelve months;

5 (ii) For level II offenders, every six months; and

6 (iii) For level III offenders, every three months.

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

11 (b) Collect performance data from all participating jurisdictions  
12 sufficient to evaluate the efficiency and effectiveness of the address  
13 and residency verification program; and

14 (c) Submit a report on the effectiveness of the address and  
15 residency verification program to the governor and the appropriate  
16 committees of the house of representatives and senate by December 31,  
17 each year.

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

24 (3) \$30,000 of the general fund--state appropriation for fiscal  
25 year 2010 is provided solely for the implementation of Second  
26 Substitute House Bill No. 2078 (persons with developmental disabilities  
27 in correctional facilities or jails). If the bill is not enacted by  
28 June 30, 2009, the amount provided in this subsection shall lapse.

29 (4) (~~(\$171,000)~~) \$75,000 of the general fund--local appropriation  
30 is provided solely to purchase ammunition for the basic law enforcement  
31 academy. Jurisdictions with one hundred or more full-time commissioned  
32 officers shall reimburse to the criminal justice training commission  
33 the costs of ammunition, based on the average cost of ammunition per  
34 cadet, for cadets that they enroll in the basic law enforcement  
35 academy.

36 (5) The criminal justice training commission may not run a basic  
37 law enforcement academy class of fewer than 30 students.



1       **Sec. 1117.** 2011 c 5 s 216 (uncodified) is amended to read as  
2 follows:

3 **FOR THE DEPARTMENT OF LABOR AND INDUSTRIES**

4	General Fund--State Appropriation (FY 2010) . . . . .	\$24,975,000
5	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$18,120,000)</del>
6		<u>\$17,876,000</u>
7	General Fund--Federal Appropriation . . . . .	\$11,316,000
8	Asbestos Account--State Appropriation . . . . .	\$923,000
9	Electrical License Account--State Appropriation . . . . .	\$36,977,000
10	Farm Labor Revolving Account--Private/Local Appropriation . . .	\$28,000
11	Worker and Community Right-to-Know Account--	
12	State Appropriation . . . . .	\$1,987,000
13	Public Works Administration Account--State	
14	Appropriation . . . . .	\$6,021,000
15	Manufactured Home Installation Training Account--	
16	State Appropriation . . . . .	<del>(\$143,000)</del>
17		<u>\$135,000</u>
18	Accident Account--State Appropriation . . . . .	\$250,509,000
19	Accident Account--Federal Appropriation . . . . .	\$13,621,000
20	Medical Aid Account--State Appropriation . . . . .	\$249,232,000
21	Medical Aid Account--Federal Appropriation . . . . .	\$3,186,000
22	Plumbing Certificate Account--State Appropriation . . . . .	\$1,704,000
23	Pressure Systems Safety Account--State Appropriation . . . . .	\$4,144,000
24	TOTAL APPROPRIATION . . . . .	<del>(\$622,886,000)</del>
25		<u>\$622,634,000</u>

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

28       (1) Pursuant to RCW 43.135.055, the department is authorized to  
29 increase fees related to factory assembled structures, contractor  
30 registration, electricians, plumbers, asbestos removal, boilers,  
31 elevators, and manufactured home installers. These increases are  
32 necessary to support expenditures authorized in this section,  
33 consistent with chapters 43.22, 18.27, 19.28, and 18.106 RCW, RCW  
34 49.26.130, and chapters 70.79, 70.87, and 43.22A RCW.

35       (2) \$424,000 of the accident account--state appropriation and  
36 \$76,000 of the medical aid account--state appropriation are provided  
37 solely for implementation of a community agricultural worker safety

1 grant at the department of agriculture. The department shall enter  
2 into an interagency agreement with the department of agriculture to  
3 implement the grant.

4 (3) \$4,850,000 of the medical aid account--state appropriation is  
5 provided solely to continue the program of safety and health as  
6 authorized by RCW 49.17.210 to be administered under rules adopted  
7 pursuant to chapter 34.05 RCW, provided that projects funded involve  
8 workplaces insured by the medical aid fund, and that priority is given  
9 to projects fostering accident prevention through cooperation between  
10 employers and employees or their representatives.

11 (4) \$150,000 of the medical aid account--state appropriation is  
12 provided solely for the department to contract with one or more  
13 independent experts to evaluate and recommend improvements to the  
14 rating plan under chapter 51.18 RCW, including analyzing how risks are  
15 pooled, the effect of including worker premium contributions in  
16 adjustment calculations, incentives for accident and illness  
17 prevention, return-to-work practices, and other sound risk-management  
18 strategies that are consistent with recognized insurance principles.

19 (5) The department shall continue to conduct utilization reviews of  
20 physical and occupational therapy cases at the 24th visit. The  
21 department shall continue to report performance measures and targets  
22 for these reviews on the agency web site. The reports are due  
23 September 30th for the prior fiscal year and must include the amount  
24 spent and the estimated savings per fiscal year.

25 (6) The appropriations in this section reflect reductions in the  
26 appropriations for the department of labor and industries'  
27 administrative expenses. It is the intent of the legislature that  
28 these reductions shall be achieved, to the greatest extent possible, by  
29 reducing administrative costs only.

30 (7) \$500,000 of the accident account--state appropriation is  
31 provided solely for the department to contract with one or more  
32 independent experts to oversee and assist the department's  
33 implementation of improvements to the rating plan under chapter 51.18  
34 RCW, in collaboration with the department and with the department's  
35 work group of retrospective rating and workers' compensation  
36 stakeholders. The independent experts will validate the impact of  
37 recommended changes on retrospective rating participants and

1 nonparticipants, confirm implementation technology changes, and provide  
2 other implementation assistance as determined by the department.

3 (8) \$194,000 of the accident account--state appropriation and  
4 \$192,000 of the medical aid account--state appropriation are provided  
5 solely for implementation of Senate Bill No. 5346 (health care  
6 administrative procedures).

7 (9) \$131,000 of the accident account--state appropriation and  
8 \$128,000 of the medical aid account--state appropriation are provided  
9 solely for implementation of Senate Bill No. 5613 (stop work orders).

10 (10) \$68,000 of the accident account--state appropriation and  
11 \$68,000 of the medical aid account--state appropriation are provided  
12 solely for implementation of Senate Bill No. 5688 (registered domestic  
13 partners).

14 (11) \$320,000 of the accident account--state appropriation and  
15 \$147,000 of the medical aid account--state appropriation are provided  
16 solely for implementation of Senate Bill No. 5873 (apprenticeship  
17 utilization).

18 (12) \$73,000 of the general fund--state appropriation for fiscal  
19 year 2010, \$66,000 of the general fund--state appropriation for fiscal  
20 year 2011, \$606,000 of the accident account--state appropriation, and  
21 \$600,000 of the medical aid account--state appropriation are provided  
22 solely for the implementation of House Bill No. 1555 (underground  
23 economy).

24 (13) \$574,000 of the accident account--state appropriation and  
25 \$579,000 of the medical account--state appropriation are provided  
26 solely for the implementation of House Bill No. 1402 (industrial  
27 insurance appeals).

28 (14) Within statutory guidelines, the boiler program shall explore  
29 opportunities to increase program efficiency. Strategies may include  
30 the consolidation of routine multiple inspections to the same site and  
31 trip planning to ensure the least number of miles traveled.

32 (15) \$16,000 of the general fund--state appropriation for fiscal  
33 year 2010 and \$50,000 of the general fund--state appropriation for  
34 fiscal year 2011 are provided solely for the crime victims compensation  
35 program to pay claims for mental health services for crime victim  
36 compensation program clients who have an established relationship with  
37 a mental health provider and subsequently obtain coverage under the  
38 medicaid program or the medical care services program under chapter

1 74.09 RCW. Prior to making such payment, the program must have  
2 determined that payment for the specific treatment or provider is not  
3 available under the medicaid or medical care services program. In  
4 addition, the program shall make efforts to contact any healthy options  
5 or medical care services health plan in which the client may be  
6 enrolled to help the client obtain authorization to pay the claim on an  
7 out-of-network basis.

8 (16) \$48,000 of the accident account--state appropriation and  
9 \$48,000 of the medical aid account--state appropriation are provided  
10 solely for the implementation of Substitute House Bill No. 2789  
11 (issuance of subpoenas for purposes of agency investigations of  
12 underground economic activity). If the bill is not enacted by June 30,  
13 2010, the amount provided in this subsection shall lapse.

14 (17) \$71,000 of the general fund--state appropriation for fiscal  
15 year 2011 is provided solely for implementation of Senate Bill No. 6349  
16 (farm internship program). If the bill is not enacted by June 30,  
17 2010, the amount provided in this subsection shall lapse.

18 (18) \$127,000 of the general fund--state appropriation for fiscal  
19 year 2010 and \$133,000 of the general fund--state appropriation for  
20 fiscal year 2011 are provided solely for the department to provide  
21 benefits in excess of the cap established by sections 1 and 2, chapter  
22 122, Laws of 2010. These benefits shall be paid for claimants who were  
23 determined eligible for and who were receiving crime victims'  
24 compensation benefits because they were determined to be permanently  
25 and totally disabled, as defined by RCW 51.08.160, prior to April 1,  
26 2010. The director shall establish, by May 1, 2010, a process to aid  
27 crime victims' compensation recipients in identifying and applying for  
28 appropriate alternative benefit programs.

29 (19) \$155,000 of the public works administration account--state  
30 appropriation is provided solely for the implementation of Engrossed  
31 House Bill No. 2805 (offsite prefabricated items). If the bill is not  
32 enacted by June 30, 2010, the amount provided in this subsection shall  
33 lapse.

34 **Sec. 1118.** 2011 c 5 s 217 (uncodified) is amended to read as  
35 follows:

36 **FOR THE INDETERMINATE SENTENCE REVIEW BOARD**  
37 General Fund--State Appropriation (FY 2010) . . . . . \$1,882,000

1 General Fund--State Appropriation (FY 2011) . . . . . (~~(\$1,659,000)~~)  
2 \$1,657,000  
3 TOTAL APPROPRIATION . . . . . (~~(\$3,541,000)~~)  
4 \$3,539,000

5 **Sec. 1119.** 2011 c 5 s 218 (uncodified) is amended to read as  
6 follows:

7 **FOR THE DEPARTMENT OF VETERANS AFFAIRS**

8 (1) HEADQUARTERS

9 General Fund--State Appropriation (FY 2010) . . . . . \$1,913,000  
10 General Fund--State Appropriation (FY 2011) . . . . . (~~(\$1,865,000)~~)  
11 \$1,755,000  
12 Charitable, Educational, Penal, and Reformatory  
13 Institutions Account--State Appropriation . . . . . \$10,000  
14 TOTAL APPROPRIATION . . . . . (~~(\$3,788,000)~~)  
15 \$3,678,000

16 The appropriations in this subsection are subject to the following  
17 conditions and limitations: In addition to other reductions, the  
18 appropriations in this section reflect reductions targeted specifically  
19 to state government administrative costs. These administrative  
20 reductions shall be achieved, to the greatest extent possible, by  
21 reducing those administrative costs that do not affect direct client  
22 services or direct service delivery or programs.

23 (2) FIELD SERVICES

24 General Fund--State Appropriation (FY 2010) . . . . . \$4,885,000  
25 General Fund--State Appropriation (FY 2011) . . . . . \$4,964,000  
26 General Fund--Federal Appropriation . . . . . \$2,382,000  
27 General Fund--Private/Local Appropriation . . . . . \$4,512,000  
28 Veterans Innovations Program Account--State  
29 Appropriation . . . . . \$897,000  
30 Veteran Estate Management Account--Private/Local  
31 Appropriation . . . . . \$1,072,000  
32 TOTAL APPROPRIATION . . . . . \$18,712,000

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

35 (a) The department shall collaborate with the department of social

1 and health services to identify and assist eligible general assistance  
2 unemployable clients to access the federal department of veterans  
3 affairs benefits.

4 (b) \$648,000 of the veterans innovations program account--state  
5 appropriation is provided solely for the department to continue support  
6 for returning combat veterans through the veterans innovation program,  
7 including emergency financial assistance through the defenders' fund  
8 and long-term financial assistance through the competitive grant  
9 program.

10 (c) In addition to other reductions, the appropriations in this  
11 section reflect reductions targeted specifically to state government  
12 administrative costs. These administrative reductions shall be  
13 achieved, to the greatest extent possible, by reducing those  
14 administrative costs that do not affect direct client services or  
15 direct service delivery or programs.

16 (3) INSTITUTIONAL SERVICES

17	General Fund--State Appropriation (FY 2010) . . . . .	\$3,318,000
18	<del>((General Fund--State Appropriation (FY 2011) . . . . .</del>	<del>\$1,793,000))</del>
19	General Fund--Federal Appropriation . . . . .	<del>(( \$50,931,000))</del>
20		<u>\$52,965,000</u>
21	General Fund--Private/Local Appropriation . . . . .	<del>(( \$34,189,000))</del>
22		<u>\$34,791,000</u>
23	TOTAL APPROPRIATION . . . . .	<del>(( \$90,231,000))</del>
24		<u>\$91,074,000</u>

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

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

33 (b) The reductions in this subsection shall be achieved through  
34 savings from contract revisions and shall not impact the availability  
35 of goods and services for residents of the three state veterans homes.

36 **Sec. 1120.** 2011 c 5 s 219 (uncodified) is amended to read as  
37 follows:



1 authorized in this act or other law. The department of health and the  
2 state board of health shall not implement any new or amended rules  
3 pertaining to primary and secondary school facilities until the rules  
4 and a final cost estimate have been presented to the legislature, and  
5 the legislature has formally funded implementation of the rules through  
6 the omnibus appropriations act or by statute. The department may seek,  
7 receive, and spend, under RCW 43.79.260 through 43.79.282, federal  
8 moneys not anticipated in this act as long as the federal funding does  
9 not require expenditure of state moneys for the program in excess of  
10 amounts anticipated in this act. If the department receives  
11 unanticipated unrestricted federal moneys, those moneys shall be spent  
12 for services authorized in this act or in any other legislation that  
13 provides appropriation authority, and an equal amount of appropriated  
14 state moneys shall lapse. Upon the lapsing of any moneys under this  
15 subsection, the office of financial management shall notify the  
16 legislative fiscal committees. As used in this subsection,  
17 "unrestricted federal moneys" includes block grants and other funds  
18 that federal law does not require to be spent on specifically defined  
19 projects or matched on a formula basis by state funds.

20 (2) In accordance with RCW 43.70.250 and 43.135.055, the department  
21 is authorized to establish and raise fees in fiscal year 2011 as  
22 necessary to meet the actual costs of conducting business and the  
23 appropriation levels in this section. This authorization applies to  
24 fees for the review of sewage tank designs, fees related to regulation  
25 and inspection of farmworker housing, and fees associated with the  
26 following professions: Acupuncture, dental, denturist, mental health  
27 counselor, nursing, nursing assistant, optometry, radiologic  
28 technologist, recreational therapy, respiratory therapy, social worker,  
29 cardiovascular invasive specialist, and practitioners authorized under  
30 chapter 18.240 RCW.

31 (3) Pursuant to RCW 43.135.055 and RCW 43.70.250, the department is  
32 authorized to establish fees by the amount necessary to fully support  
33 the cost of activities related to the administration of long-term care  
34 worker certification. The department is further authorized to increase  
35 fees by the amount necessary to implement the regulatory requirements  
36 of the following bills: House Bill No. 1414 (health care assistants),  
37 House Bill No. 1740 (dental residency licenses), and House Bill No.  
38 1899 (retired active physician licenses).



1 (4) \$764,000 of the health professions account--state appropriation  
2 is provided solely for the medical quality assurance commission to  
3 maintain disciplinary staff and associated costs sufficient to reduce  
4 the backlog of disciplinary cases and to continue to manage the  
5 disciplinary caseload of the commission.

6 (5) \$57,000 of the general fund--state appropriation for fiscal  
7 year 2010 and \$54,000 of the general fund--state appropriation for  
8 fiscal year 2011 are provided solely for the midwifery licensure and  
9 regulatory program to offset a reduction in revenue from fees. The  
10 department shall convene the midwifery advisory committee on a  
11 quarterly basis to address issues related to licensed midwifery. The  
12 appropriations in this section assume that the current application and  
13 renewal fee for midwives shall be increased by fifty dollars and all  
14 other fees for midwives be adjusted accordingly.

15 (6) Funding for the human papillomavirus vaccine shall not be  
16 included in the department's universal vaccine purchase program in  
17 fiscal year 2010. Remaining funds for the universal vaccine purchase  
18 program shall be used to continue the purchase of all other vaccines  
19 included in the program until May 1, 2010, at which point state funding  
20 for the universal vaccine purchase program shall be discontinued.

21 (7) Beginning July 1, 2010, the department, in collaboration with  
22 the department of social and health services, shall maximize the use of  
23 existing federal funds, including section 317 of the federal public  
24 health services act direct assistance as well as federal funds that may  
25 become available under the American recovery and reinvestment act, in  
26 order to continue to provide immunizations for low-income, nonmedicaid  
27 eligible children up to three hundred percent of the federal poverty  
28 level in state-sponsored health programs.

29 (8) The department shall eliminate outreach activities for the  
30 health care directives registry and use the remaining amounts to  
31 maintain the contract for the registry and minimal staffing necessary  
32 to administer the basic entry functions for the registry.

33 (9) Funding in this section reflects a temporary reduction of  
34 resources for the 2009-11 fiscal biennium for the state board of health  
35 to conduct health impact reviews.

36 (10) Pursuant to RCW 43.135.055 and 43.70.125, the department is  
37 authorized to adopt rules to establish a fee schedule to apply to  
38 applicants for initial certification surveys of health care facilities

1 for purposes of receiving federal health care program reimbursement.  
2 The fees shall only apply when the department has determined that  
3 federal funding is not sufficient to compensate the department for the  
4 cost of conducting initial certification surveys. The fees for initial  
5 certification surveys may be established as follows: Up to \$1,815 for  
6 ambulatory surgery centers, up to \$2,015 for critical access hospitals,  
7 up to \$980 for end stage renal disease facilities, up to \$2,285 for  
8 home health agencies, up to \$2,285 for hospice agencies, up to \$2,285  
9 for hospitals, up to \$520 for rehabilitation facilities, up to \$690 for  
10 rural health clinics, and up to \$7,000 for transplant hospitals.

11 (11) Funding for family planning grants for fiscal year 2011 is  
12 reduced in the expectation that federal funding shall become available  
13 to expand coverage of services for individuals through programs at the  
14 department of social and health services. In the event that such  
15 funding is not provided, the legislature intends to continue funding  
16 through a supplemental appropriation at fiscal year 2010 levels.  
17 \$4,360,000 of the general fund--state appropriation is provided solely  
18 for the department of health-funded family planning clinic grants due  
19 to federal funding not becoming available.

20 (12) \$16,000,000 of the tobacco prevention and control  
21 account--state appropriation is provided solely for local health  
22 jurisdictions to conduct core public health functions as defined in RCW  
23 43.70.514.

24 (13) \$100,000 of the health professions account appropriation is  
25 provided solely for implementation of Substitute House Bill No. 1414  
26 (health care assistants). If the bill is not enacted by June 30, 2009,  
27 the amount provided in this subsection shall lapse.

28 (14) \$42,000 of the health professions account--state appropriation  
29 is provided solely to implement Substitute House Bill No. 1740  
30 (dentistry license issuance). If the bill is not enacted by June 30,  
31 2009, the amount provided in this section shall lapse.

32 (15) \$23,000 of the health professions account--state appropriation  
33 is provided solely to implement Second Substitute House Bill No. 1899  
34 (retired active physician licenses). If the bill is not enacted by  
35 June 30, 2009, the amount provided in this section shall lapse.

36 (16) \$12,000 of the general fund--state appropriation for fiscal  
37 year 2010 and \$67,000 of the general fund--private/local appropriation

1 are provided solely to implement House Bill No. 1510 (birth  
2 certificates). If the bill is not enacted by June 30, 2009, the amount  
3 provided in this section shall lapse.

4 (17) \$31,000 of the health professions account is provided for the  
5 implementation of Second Substitute Senate Bill No. 5850 (human  
6 trafficking). If the bill is not enacted by June 2009, the amount  
7 provided in this subsection shall lapse.

8 (18) \$282,000 of the health professions account is provided for the  
9 implementation of Substitute Senate Bill No. 5752 (dentists cost  
10 recovery). If the bill is not enacted by June 2009, the amount  
11 provided in this subsection shall lapse.

12 (19) \$106,000 of the health professions account is provided for the  
13 implementation of Substitute Senate Bill No. 5601 (speech language  
14 assistants). If the bill is not enacted by June 2009, the amount  
15 provided in this subsection shall lapse.

16 (20) Subject to existing resources, the department of health is  
17 encouraged to examine, in the ordinary course of business, current and  
18 prospective programs, treatments, education, and awareness of  
19 cardiovascular disease that are needed for a thriving and healthy  
20 Washington.

21 (21) \$390,000 of the health professions account--state  
22 appropriation is provided solely to implement chapter 169, Laws of 2010  
23 (nursing assistants). The amount provided in this subsection is from  
24 fee revenue authorized by Engrossed Substitute Senate Bill No. 6582.

25 (22) \$10,000 of the health professions account--state appropriation  
26 for fiscal year 2010 and \$40,000 of the health professions  
27 account--state appropriation for fiscal year 2011 are provided solely  
28 for the department to study cost effective options for collecting  
29 demographic data related to the health care professions workforce to be  
30 submitted to the legislature by December 1, 2010.

31 (23) \$66,000 of the health professions account--state appropriation  
32 is provided solely to implement chapter 209, Laws of 2010 (pain  
33 management).

34 (24) \$10,000 of the health professions account--state appropriation  
35 is provided solely to implement chapter 92, Laws of 2010  
36 (cardiovascular invasive specialists).

37 (25) \$23,000 of the general fund--state appropriation is provided

1 solely to implement chapter 182, Laws of 2010 (tracking ephedrine,  
2 etc.).

3 (26) The department is authorized to coordinate a tobacco cessation  
4 media campaign using all appropriate media with the purpose of  
5 maximizing the use of quit-line services and youth smoking prevention.

6 (27) It is the intent of the legislature that the reductions in  
7 appropriations to the AIDS/HIV programs shall be achieved, to the  
8 greatest extent possible, by reducing those state government  
9 administrative costs that do not affect direct client services or  
10 direct service delivery or programs. The agency shall, to the greatest  
11 extent possible, reduce spending in those areas that shall have the  
12 least impact on implementing these programs.

13 (28) \$400,000 of the state toxics control account--state  
14 appropriation is provided solely for granting to a willing local public  
15 entity to provide emergency water supplies or water treatment for  
16 households with individuals at high public health risk from nitrate-  
17 contaminated wells in the lower Yakima basin.

18 (29) \$100,000 of the state toxics control account--state  
19 appropriation is provided solely for an interagency contract to the  
20 department of ecology to grant to agencies involved in improving  
21 groundwater quality in the lower Yakima Valley. These agencies will  
22 develop a local plan for improving water quality and reducing nitrate  
23 contamination. The department of ecology will report to the  
24 appropriate committees of the legislature and to the office of  
25 financial management no later than December 1, 2010, summarizing  
26 progress towards developing and implementing this plan.

27 (30) In accordance with RCW 43.135.055, the department is  
28 authorized to adopt and increase all fees set forth in and previously  
29 authorized in section 221(2), chapter 37, Laws of 2010 1st sp.s.

30 NEW SECTION. **Sec. 1121.** A new section is added to 2009 c 564  
31 (uncodified) to read as follows:

32 **FOR THE DEPARTMENT OF CORRECTIONS**

33 The appropriations to the department of corrections in this act  
34 shall be expended for the programs and in the amounts specified herein.  
35 However, after May 1, 2011, after approval by the director of financial  
36 management and unless specifically prohibited by this act, the  
37 department may transfer general fund--state appropriations for fiscal

1 year 2011 between programs. The department shall not transfer funds,  
2 and the director of financial management shall not approve the  
3 transfer, unless the transfer is consistent with the objective of  
4 conserving, to the maximum extent possible, the expenditure of state  
5 funds and not federal funds. The director of financial management  
6 shall notify the appropriate fiscal committees of the senate and house  
7 of representatives in writing seven days prior to approving any  
8 deviations from appropriation levels. The written notification shall  
9 include a narrative explanation and justification of the changes, along  
10 with expenditures and allotments by budget unit and appropriation, both  
11 before and after any allotment modifications or transfers.

12 **Sec. 1122.** 2011 c 5 s 220 (uncodified) is amended to read as  
13 follows:

14 **FOR THE DEPARTMENT OF CORRECTIONS**

15 (1) ADMINISTRATION AND SUPPORT SERVICES

16 General Fund--State Appropriation (FY 2010) . . . . .	\$55,772,000
17 General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$51,929,000)</del>
	<u>\$48,131,000</u>
19 TOTAL APPROPRIATION . . . . .	<del>(\$107,701,000)</del>
	<u>\$103,903,000</u>

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

23 (a) Within funds appropriated in this section, the department shall  
24 seek contracts for chemical dependency vendors to provide chemical  
25 dependency treatment of offenders in corrections facilities, including  
26 corrections centers and community supervision facilities, which have  
27 demonstrated effectiveness in treatment of offenders and are able to  
28 provide data to show a successful treatment rate.

29 (b) \$35,000 of the general fund--state appropriation for fiscal  
30 year 2010 and \$35,000 of the general fund--state appropriation for  
31 fiscal year 2011 are provided solely for the support of a statewide  
32 council on mentally ill offenders that includes as its members  
33 representatives of community-based mental health treatment programs,  
34 current or former judicial officers, and directors and commanders of  
35 city and county jails and state prison facilities. The council will  
36 investigate and promote cost-effective approaches to meeting the  
37 long-term needs of adults and juveniles with mental disorders who have

1 a history of offending or who are at-risk of offending, including their  
2 mental health, physiological, housing, employment, and job training  
3 needs.

4 (2) CORRECTIONAL OPERATIONS

5	General Fund--State Appropriation (FY 2010) . . . . .	\$458,503,000
6	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$562,084,000)</del>
7		<u>\$568,633,000</u>
8	General Fund--Federal Appropriation . . . . .	<del>(\$186,651,000)</del>
9		<u>\$186,720,000</u>
10	Washington Auto Theft Prevention Authority Account--	
11	State Appropriation . . . . .	\$5,936,000
12	State Efficiency and Restructuring Account--State	
13	Appropriation . . . . .	\$34,522,000
14	TOTAL APPROPRIATION . . . . .	<del>(\$1,247,696,000)</del>
15		<u>\$1,254,314,000</u>

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

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

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

29 (c) During the 2009-11 biennium, when contracts are established or  
30 renewed for offender pay phone and other telephone services provided to  
31 inmates, the department shall select the contractor or contractors  
32 primarily based on the following factors: (i) The lowest rate charged  
33 to both the inmate and the person paying for the telephone call; and  
34 (ii) the lowest commission rates paid to the department, while  
35 providing reasonable compensation to cover the costs of the department  
36 to provide the telephone services to inmates and provide sufficient  
37 revenues for the activities funded from the institutional welfare  
38 betterment account.

1 (d) The Harborview medical center and the University of Washington  
2 medical center shall provide inpatient and outpatient hospital services  
3 to offenders confined in department of corrections facilities at a rate  
4 no greater than the average rate that the department has negotiated  
5 with other community hospitals in Washington state.

6 (e) A political subdivision which is applying for funding to  
7 mitigate one-time impacts associated with construction or expansion of  
8 a correctional institution, consistent with WAC 137-12A-030, may apply  
9 for the mitigation funds in the fiscal biennium in which the impacts  
10 occur or in the immediately succeeding fiscal biennium.

11 (f) Within amounts provided in this subsection, the department,  
12 jointly with the department of social and health services, shall  
13 identify the number of offenders released through the extraordinary  
14 medical placement program, the cost savings to the department of  
15 corrections, including estimated medical cost savings, and the costs  
16 for medical services in the community incurred by the department of  
17 social and health services. The department and the department of  
18 social and health services shall jointly report to the office of  
19 financial management and the appropriate fiscal committees of the  
20 legislature by November 30, 2010.

21 (g) \$11,863,000 of the general fund--state appropriation for fiscal  
22 year 2010, \$7,953,000 of the general fund--state appropriation for  
23 fiscal year 2011, and \$2,336,000 of the general fund--private/local  
24 appropriation are provided solely for in-prison evidence-based programs  
25 and for the reception diagnostic center program as part of the offender  
26 re-entry initiative.

27 (h) The appropriations in this subsection are based on savings  
28 assumed from the closure of the McNeil Island corrections center, the  
29 Ahtanum View corrections center, and the Pine Lodge corrections center  
30 for women.

31 (3) COMMUNITY SUPERVISION

32	General Fund--State Appropriation (FY 2010) . . . . .	\$150,729,000
33	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$134,840,000)</del>
34		<u>\$133,549,000</u>
35	TOTAL APPROPRIATION . . . . .	<del>(\$285,569,000)</del>
36		<u>\$284,278,000</u>

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

1 (a) The department shall accomplish personnel reductions with the  
2 least possible impact on correctional custody staff, community custody  
3 staff, and correctional industries. For the purposes of this  
4 subsection, correctional custody staff means employees responsible for  
5 the direct supervision of offenders.

6 (b) \$2,083,000 of the general fund--state appropriation for fiscal  
7 year 2010 and \$2,083,000 of the general fund--state appropriation for  
8 fiscal year 2011 are provided solely to implement Senate Bill No. 5525  
9 (state institutions/release). If the bill is not enacted by June 30,  
10 2009, the amounts provided in this subsection shall lapse.

11 (c) The appropriations in this subsection are based upon savings  
12 assumed from the implementation of Engrossed Substitute Senate Bill No.  
13 5288 (supervision of offenders).

14 (d) \$2,791,000 of the general fund--state appropriation for fiscal  
15 year 2010 and \$2,680,000 of the general fund--state appropriation for  
16 fiscal year 2011 are provided solely for evidence-based community  
17 programs and for community justice centers as part of the offender  
18 re-entry initiative.

19 (e) \$418,300 of the general fund--state appropriation for fiscal  
20 year 2010 is provided solely for the purposes of settling all claims in  
21 *Hilda Solis, Secretary of Labor, United States Department of Labor v.*  
22 *State of Washington, Department of Corrections*, United States District  
23 Court, Western District of Washington, Cause No. C08-cv-05362-RJB. The  
24 expenditure of this amount is contingent on the release of all claims  
25 in the case, and total settlement costs shall not exceed the amount  
26 provided in this subsection. If settlement is not fully executed by  
27 June 30, 2010, the amount provided in this subsection shall lapse.

28 (f) \$984,000 of the general fund--state appropriation for fiscal  
29 year 2011 is provided solely for supplemental services that will be  
30 provided to offenders in lieu of a prison sentence, pursuant to chapter  
31 224, Laws of 2010 (confinement alternatives).

32 (4) CORRECTIONAL INDUSTRIES

33	General Fund--State Appropriation (FY 2010) . . . . .	\$2,574,000
34	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$2,441,000)</del>
35		<u>\$2,642,000</u>
36	TOTAL APPROPRIATION . . . . .	<del>(\$5,015,000)</del>
37		<u>\$5,216,000</u>



1 The appropriations in this subsection are subject to the following  
2 conditions and limitations: \$132,000 of the general fund--state  
3 appropriation for fiscal year 2010 and \$132,000 of the general  
4 fund--state appropriation for fiscal year 2011 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 2010) . . . . .	\$40,728,000
12	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$38,629,000)</del>
13		<u>\$38,995,000</u>
14	TOTAL APPROPRIATION . . . . .	<del>(\$79,357,000)</del>
15		<u>\$79,723,000</u>

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

18 (a) The state prison institutions may use funds appropriated in  
19 this subsection to rent uniforms from correctional industries in  
20 accordance with existing legislative mandates.

21 (b) The state prison medical facilities may use funds appropriated  
22 in this subsection to purchase goods and supplies through hospital or  
23 other group purchasing organizations when it is cost effective to do  
24 so.

25 (6) Funding in this section may not be used to purchase radios or  
26 base station repeaters related to the movement to narrowband  
27 frequencies, or for reprogramming existing narrowband radios.

28 **Sec. 1123.** 2011 c 5 s 221 (uncodified) is amended to read as  
29 follows:

30 **FOR THE DEPARTMENT OF SERVICES FOR THE BLIND**

31	General Fund--State Appropriation (FY 2010) . . . . .	\$2,504,000
32	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$2,160,000)</del>
33		<u>\$2,158,000</u>
34	General Fund--Federal Appropriation . . . . .	<del>(\$18,116,000)</del>
35		<u>\$18,416,000</u>
36	General Fund--Private/Local Appropriation . . . . .	\$30,000
37	TOTAL APPROPRIATION . . . . .	<del>(\$22,810,000)</del>

1 \$23,108,000

2 **Sec. 1124.** 2011 c 5 s 222 (uncodified) is amended to read as  
3 follows:

4 **FOR THE SENTENCING GUIDELINES COMMISSION**

General Fund--State Appropriation (FY 2010) . . . . .	\$962,000
General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$844,000</del> ))
	<u>\$843,000</u>
TOTAL APPROPRIATION . . . . .	(( <del>\$1,806,000</del> ))
	<u>\$1,805,000</u>

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

12 (1) Within the amounts appropriated in this section, the sentencing  
13 guidelines commission, in partnership with the courts, shall develop a  
14 plan to implement an evidence-based system of community custody for  
15 adult felons that will include the consistent use of evidence-based  
16 risk and needs assessment tools, programs, supervision modalities, and  
17 monitoring of program integrity. The plan for the evidence-based  
18 system of community custody shall include provisions for identifying  
19 cost-effective rehabilitative programs; identifying offenders for whom  
20 such programs would be cost-effective; monitoring the system for cost-  
21 effectiveness; and reporting annually to the legislature. In  
22 developing the plan, the sentencing guidelines shall consult with: The  
23 Washington state institute for public policy; the legislature; the  
24 department of corrections; local governments; prosecutors; defense  
25 attorneys; victim advocate groups; law enforcement; the Washington  
26 federation of state employees; and other interested entities. The  
27 sentencing guidelines commission shall report its recommendations to  
28 the governor and the legislature by December 1, 2009.

29 (2)(a) Except as provided in subsection (b), during the 2009-11  
30 biennium, the reports required by RCW 9.94A.480(2) and 9.94A.850(2) (d)  
31 and (h) shall be prepared within the available funds and may be delayed  
32 or suspended at the discretion of the commission.

33 (b) The commission shall submit the analysis described in section  
34 15 of Engrossed Substitute Senate Bill No. 5288 no later than December  
35 1, 2011.

36 (3) Within the amounts appropriated in this section, the sentencing  
37 guidelines commission shall survey the practices of other states

1 relating to offenders who violate any conditions of their community  
2 custody. In conducting the survey, the sentencing guidelines  
3 commission shall perform a review of the research studies to determine  
4 if a mandatory minimum confinement policy is an evidence-based  
5 practice, investigate the implementation of such a policy in other  
6 states, and estimate the fiscal impacts of implementing such a policy  
7 in Washington state. The sentencing guidelines commission shall report  
8 its findings to the governor and the legislature by December 1, 2010.

9 **Sec. 1125.** 2011 c 5 s 223 (uncodified) is amended to read as  
10 follows:

11 **FOR THE EMPLOYMENT SECURITY DEPARTMENT**

12	General Fund--State Appropriation (FY 2010) . . . . .	\$2,054,000
13	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$4,735,000)</del>
14		<u>\$4,219,000</u>
15	General Fund--Federal Appropriation . . . . .	<del>(\$324,135,000)</del>
16		<u>\$327,109,000</u>
17	General Fund--Private/Local Appropriation . . . . .	\$33,640,000
18	Unemployment Compensation Administration Account--	
19	Federal Appropriation . . . . .	<del>(\$348,000,000)</del>
20		<u>\$370,397,000</u>
21	Administrative Contingency Account--State Appropriation . . .	\$345,000
22	Employment Service Administrative Account--State	
23	Appropriation . . . . .	\$37,775,000
24	TOTAL APPROPRIATION . . . . .	<del>(\$750,684,000)</del>
25		<u>\$775,539,000</u>

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

28 (1) \$59,829,000 of the unemployment compensation administration  
29 account--federal appropriation is provided from amounts made available  
30 to the state by section 903 (d) and (f) of the social security act  
31 (Reed act). This amount is authorized to continue current unemployment  
32 insurance functions and department services to employers and job  
33 seekers.

34 (2) \$17,327,000 of the unemployment compensation administration  
35 account--federal appropriation is provided from amounts made available  
36 to the state by section 903(d) and (f) of the social security act (Reed  
37 act). This amount is authorized to fund the replacement of the

1 unemployment insurance tax information system (TAXIS) for the  
2 employment security department. This section is subject to section 902  
3 of this act. After the effective date of this section, the employment  
4 security department may not incur further obligations for the  
5 replacement of the unemployment insurance tax information system  
6 (TAXIS). Nothing in this act prohibits the department from meeting  
7 obligations incurred prior to the effective date of this section.

8 (3) \$110,000 of the unemployment compensation administration  
9 account--federal appropriation is provided solely for implementation of  
10 Senate Bill No. 5804 (leaving part time work voluntarily).

11 (4) \$1,263,000 of the unemployment compensation administration  
12 account--federal appropriation is provided solely for implementation of  
13 Senate Bill No. 5963 (unemployment insurance).

14 (5) \$159,000 of the unemployment compensation account--federal  
15 appropriation is provided solely for the implementation of House Bill  
16 No. 1555 (underground economy) from funds made available to the state  
17 by section 903(d) of the social security act (Reed act).

18 (6) \$295,000 of the administrative contingency--state appropriation  
19 for fiscal year 2010 is provided solely for the implementation of House  
20 Bill No. 2227 (evergreen jobs act).

21 (7) \$2,000,000 of the general fund--state appropriation for fiscal  
22 year 2010 and (~~(\$4,682,000)~~) \$4,182,000 of the general fund--state  
23 appropriation for fiscal year 2011 are provided solely for the  
24 implementation of Senate Bill No. 5809 (WorkForce employment and  
25 training).

26 (8) \$444,000 of the unemployment compensation administration  
27 account--federal appropriation is provided solely for the  
28 implementation of Substitute Senate Bill No. 6524 (unemployment  
29 insurance penalties and contribution rates) from funds made available  
30 to the state by section 903 (d) or (f) of the social security act (Reed  
31 12 act). If the bill is not enacted by June 30, 2010, the amount  
32 provided in this subsection shall lapse.

33 (9) \$232,000 of the unemployment compensation administration  
34 account--federal appropriation from funds made available to the state  
35 by section 903(c) or (f) of the social security act (Reed act) is  
36 provided solely for the implementation of Substitute House Bill No.  
37 2789 (underground economic activity). If the bill is not enacted by  
38 June 30, 2010, the amount provided in this subsection shall lapse.

1       (10) \$577,000 of the unemployment compensation administration  
2 account--federal appropriation is from amounts available to the state  
3 by section 903 (d), (f), and (g) of the social security act (Reed act).  
4       This amount is provided solely for implementation of chapter 4, Laws  
5 of 2011 (unemployment insurance program).  
6       (11) \$11,000 of the unemployment compensation administration  
7 account--federal appropriation is from amounts available to the state  
8 by section 903 (d), (f), and (g) of the social security act (Reed act).  
9 This amount is provided solely for implementation of chapter 4, Laws of  
10 2011 (unemployment insurance program).

(End of part)

PART XII  
NATURAL RESOURCES

Sec. 1201. 2011 c 5 s 301 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

General Fund--State Appropriation (FY 2010)	\$58,552,000
General Fund--State Appropriation (FY 2011)	<del>(\$46,925,000)</del>
	<u>\$46,392,000</u>
General Fund--Federal Appropriation	\$82,079,000
General Fund--Private/Local Appropriation	\$16,688,000
Special Grass Seed Burning Research Account--State	
Appropriation	\$14,000
Reclamation Account--State Appropriation	<del>(\$3,649,000)</del>
	<u>\$3,640,000</u>
Flood Control Assistance Account--State Appropriation	\$1,943,000
State Emergency Water Projects Revolving Account--	
State Appropriation	\$240,000
Waste Reduction/Recycling/Litter Control--State	
Appropriation	<del>(\$12,467,000)</del>
	<u>\$12,440,000</u>
State Drought Preparedness Account--State	
Appropriation	\$4,000,000
State and Local Improvements Revolving Account	
(Water Supply Facilities)--State Appropriation	\$424,000
Freshwater Aquatic Algae Control Account--State	
Appropriation	\$508,000
Water Rights Tracking System Account--State	
Appropriation	\$116,000
Site Closure Account--State Appropriation	\$922,000
Wood Stove Education and Enforcement Account--State	
Appropriation	\$582,000
Worker and Community Right-to-Know Account--State	
Appropriation	\$1,663,000
State Toxics Control Account--State Appropriation	<del>(\$106,642,000)</del>
	<u>\$106,391,000</u>

1	State Toxics Control Account--Private/Local	
2	Appropriation . . . . .	\$379,000
3	Local Toxics Control Account--State	
4	Appropriation . . . . .	(( <del>\$24,690,000</del> ))
5		<u>\$24,670,000</u>
6	Water Quality Permit Account--State	
7	Appropriation . . . . .	(( <del>\$37,018,000</del> ))
8		<u>\$36,899,000</u>
9	Underground Storage Tank Account--State	
10	Appropriation . . . . .	(( <del>\$3,270,000</del> ))
11		<u>\$3,259,000</u>
12	Biosolids Permit Account--State Appropriation . . . . .	\$1,866,000
13	Hazardous Waste Assistance Account--State	
14	Appropriation . . . . .	(( <del>\$5,880,000</del> ))
15		<u>\$5,858,000</u>
16	Air Pollution Control Account--State Appropriation . . . . .	\$1,565,000
17	Oil Spill Prevention Account--State	
18	Appropriation . . . . .	(( <del>\$10,599,000</del> ))
19		<u>\$10,568,000</u>
20	Air Operating Permit Account--State	
21	Appropriation . . . . .	(( <del>\$2,758,000</del> ))
22		<u>\$2,748,000</u>
23	Freshwater Aquatic Weeds Account--State Appropriation . . . . .	\$1,693,000
24	Oil Spill Response Account--State Appropriation . . . . .	\$7,077,000
25	Metals Mining Account--State Appropriation . . . . .	\$14,000
26	Water Pollution Control Revolving Account--State	
27	Appropriation . . . . .	\$535,000
28	Water Pollution Control Revolving Account--Federal	
29	Appropriation . . . . .	\$2,210,000
30	Water Rights Processing Account--State Appropriation . . . . .	\$68,000
31	TOTAL APPROPRIATION . . . . .	(( <del>\$437,036,000</del> ))
32		<u>\$436,003,000</u>

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

- 35       (1) \$170,000 of the oil spill prevention account--state  
36 appropriation is provided solely for a contract with the University of  
37 Washington's sea grant program to continue an educational program

1 targeted to small spills from commercial fishing vessels, ferries,  
2 cruise ships, ports, and marinas.

3 (2) \$240,000 of the woodstove education and enforcement  
4 account--state appropriation is provided solely for citizen outreach  
5 efforts to improve understanding of burn curtailments, the proper use  
6 of wood heating devices, and public awareness of the adverse health  
7 effects of woodsmoke pollution.

8 (3) \$3,000,000 of the general fund--private/local appropriation is  
9 provided solely for contracted toxic-site cleanup actions at sites  
10 where multiple potentially liable parties agree to provide funding.

11 (4) \$3,600,000 of the local toxics account--state appropriation is  
12 provided solely for the standby emergency rescue tug stationed at Neah  
13 Bay.

14 (5) \$811,000 of the state toxics account--state appropriation is  
15 provided solely for oversight of toxic cleanup at facilities that  
16 treat, store, and dispose of hazardous wastes.

17 (6) \$1,456,000 of the state toxics account--state appropriation is  
18 provided solely for toxic cleanup at sites where willing parties  
19 negotiate prepayment agreements with the department and provide  
20 necessary funding.

21 (7) \$558,000 of the state toxics account--state appropriation and  
22 \$3,000,000 of the local toxics account--state appropriation are  
23 provided solely for grants and technical assistance to Puget Sound-area  
24 local governments engaged in updating shoreline master programs.

25 (8) \$950,000 of the state toxics control account--state  
26 appropriation is provided solely for measuring water and habitat  
27 quality to determine watershed health and assist salmon recovery,  
28 beginning in fiscal year 2011.

29 (9) RCW 70.105.280 authorizes the department to assess reasonable  
30 service charges against those facilities that store, treat, incinerate,  
31 or dispose of dangerous or extremely hazardous waste that involves both  
32 a nonradioactive hazardous component and a radioactive component.  
33 Service charges may not exceed the costs to the department in carrying  
34 out the duties in RCW 70.105.280. The current service charges do not  
35 meet the costs of the department to carry out its duties. Pursuant to  
36 RCW 43.135.055 and 70.105.280, the department is authorized to increase  
37 the service charges no greater than 18 percent for fiscal year 2010 and  
38 no greater than 15 percent for fiscal year 2011. Such service charges



1 shall include all costs of public participation grants awarded to  
2 qualified entities by the department pursuant to RCW 70.105D.070(5) for  
3 facilities at which such grants are recognized as a component of a  
4 community relations or public participation plan authorized or required  
5 as an element of a consent order, federal facility agreement or agreed  
6 order entered into or issued by the department pursuant to any federal  
7 or state law governing investigation and remediation of releases of  
8 hazardous substances. Public participation grants funded by such  
9 service charges shall be in addition to, and not in place of, any other  
10 grants made pursuant to RCW 70.105D.070(5). Costs for the public  
11 participation grants shall be billed individually to the mixed waste  
12 facility associated with the grant.

13 (10) The department is authorized to increase the following fees in  
14 the 2009-2011 biennium as necessary to meet the actual costs of  
15 conducting business and the appropriation levels in this section:  
16 Environmental lab accreditation, dam safety and inspection, biosolids  
17 permitting, air emissions new source review, and manufacturer  
18 registration and renewal.

19 (11) \$63,000 of the state toxics control account--state  
20 appropriation is provided solely for implementation of Substitute  
21 Senate Bill No. 5797 (solid waste handling permits). If the bill is  
22 not enacted by June 30, 2009, the amount provided in this subsection  
23 shall lapse.

24 (12) \$225,000 of the general fund--state appropriation for fiscal  
25 year 2010 and \$181,000 of the general fund--state appropriation for  
26 fiscal year 2011 are provided solely for implementation of Engrossed  
27 Second Substitute Bill No. 5560 (agency climate leadership). If the  
28 bill is not enacted by June 30, 2009, the amounts provided in this  
29 subsection shall lapse.

30 (13) \$150,000 of the general fund--state appropriation for fiscal  
31 year 2010 and \$141,000 of the general fund--state appropriation for  
32 fiscal year 2011 are provided solely for watershed planning  
33 implementation grants to continue ongoing efforts to develop and  
34 implement water agreements in the Nooksack Basin and the Bertrand  
35 watershed. These amounts are intended to support project  
36 administration; monitoring; negotiations in the Nooksack watershed  
37 between tribes, the department, and affected water users; continued

1 implementation of a flow augmentation project; plan implementation in  
2 the Fishtrap watershed; and the development of a water bank.

3 (14) \$215,000 of the general fund--state appropriation for fiscal  
4 year 2010 and \$220,000 of the general fund--state appropriation for  
5 fiscal year 2011 are provided solely to provide watershed planning  
6 implementation grants for WRIA 32 to implement Substitute House Bill  
7 No. 1580 (pilot local water management program). If the bill is not  
8 enacted by June 30, 2009, the amounts provided in this subsection shall  
9 lapse.

10 (15) \$200,000 of the general fund--state appropriation for fiscal  
11 year 2010 and \$187,000 of the general fund--state appropriation for  
12 fiscal year 2011 are provided solely for the purpose of supporting the  
13 trust water rights program and processing trust water right transfer  
14 applications that improve instream flow.

15 (16)(a) The department shall convene a stock water working group  
16 that includes: Legislators, four members representing agricultural  
17 interests, three members representing environmental interests, the  
18 attorney general or designee, the director of the department of ecology  
19 or designee, the director of the department of agriculture or designee,  
20 and affected federally recognized tribes shall be invited to send  
21 participants.

22 (b) The group shall review issues surrounding the use of  
23 permit-exempt wells for stock-watering purposes and may develop  
24 recommendations for legislative action.

25 (c) The working group shall meet periodically and report its  
26 activities and recommendations to the governor and the appropriate  
27 legislative committees by December 1, 2009.

28 (17) \$73,000 of the water quality permit account--state  
29 appropriation is provided solely to implement Substitute House Bill No.  
30 1413 (water discharge fees). If the bill is not enacted by June 30,  
31 2009, the amount provided in this subsection shall lapse.

32 (18) The department shall continue to work with the Columbia Snake  
33 River irrigators' association to determine how seasonal water operation  
34 and maintenance conservation can be utilized. In implementing this  
35 proviso, the department shall also consult with the Columbia River  
36 policy advisory group as appropriate.

37 (19) The department shall track any changes in costs, wages, and  
38 benefits that would have resulted if House Bill No. 1716 (public

1 contract living wages), as introduced in the 2009 regular session of  
2 the legislature, were enacted and made applicable to contracts and  
3 related subcontracts entered into, renewed, or extended during the  
4 2009-11 biennium. The department shall submit a report to the house of  
5 representatives commerce and labor committee and the senate labor,  
6 commerce, and consumer protection committee by December 1, 2011. The  
7 report shall include data on any aggregate changes in wages and  
8 benefits that would have resulted during the 2009-11 biennium.

9 (20) Within amounts appropriated in this section the department  
10 shall develop recommendations by December 1, 2009, for a convenient and  
11 effective mercury-containing light recycling program for residents,  
12 small businesses, and small school districts throughout the state. The  
13 department shall consider options including but not limited to, a  
14 producer-funded program, a recycler-supported or recycle fee program,  
15 a consumer fee at the time of purchase, general fund appropriations, or  
16 a currently existing dedicated account. The department shall involve  
17 and consult with stakeholders including persons who represent  
18 retailers, waste haulers, recyclers, mercury-containing light  
19 manufacturers or wholesalers, cities, counties, environmental  
20 organizations and other interested parties. The department shall  
21 report its findings and recommendations for a recycling program for  
22 mercury-containing lights to the appropriate committees of the  
23 legislature by December 1, 2009.

24 (21) \$140,000 of the freshwater aquatic algae control  
25 account--state appropriation is provided solely for grants to cities,  
26 counties, tribes, special purpose districts, and state agencies for  
27 capital and operational expenses used to manage and study excessive  
28 saltwater algae with an emphasis on the periodic accumulation of sea  
29 lettuce on Puget Sound beaches.

30 (22) By December 1, 2009, the department in consultation with local  
31 governments shall conduct a remedial action grant financing  
32 alternatives report. The report shall address options for financing the  
33 remedial action grants identified in the department's report, entitled  
34 "House Bill 1761, Model Toxics Control Accounts Ten-Year Financing  
35 Plan" and shall include but not be limited to the following: (a)  
36 Capitalizing cleanup costs using debt insurance; (b) capitalizing  
37 cleanup costs using prefunded cost-cap insurance; (c) other contractual

1 instruments with local governments; and (d) an assessment of overall  
2 economic benefits of the remedial action grants funded using the  
3 instruments identified in this section.

4 (23) \$220,000 of the site closure account--state appropriation is  
5 provided solely for litigation expenses associated with the lawsuit  
6 filed by energy solutions, inc., against the Northwest interstate  
7 compact on low-level radioactive waste management and its executive  
8 director.

9 (24) \$68,000 of the water rights processing account--state  
10 appropriation is provided solely for implementation of Engrossed Second  
11 Substitute Senate Bill No. 6267 (water rights processing). If the bill  
12 is not enacted by June 30, 2010, the amount provided in this subsection  
13 shall lapse.

14 (25) \$10,000 of the state toxics control account--state  
15 appropriation is provided solely for implementation of Engrossed  
16 Substitute Senate Bill No. 5543 (mercury-containing lights). If the  
17 bill is not enacted by June 30, 2010, the amount provided in this  
18 subsection shall lapse.

19 (26) \$300,000 of the state toxics control account--state  
20 appropriation is provided solely for piloting and evaluating two  
21 coordinated, multijurisdictional permitting teams for nontransportation  
22 projects.

23 (27)(a) \$4,000,000 of the state drought preparedness account--state  
24 appropriation is provided solely for response to a drought declaration  
25 pursuant to chapter 43.83B RCW. If such a drought declaration occurs,  
26 the department of ecology may provide funding to public bodies as  
27 defined in RCW 43.83B.050 in connection with projects and measures  
28 designed to alleviate drought conditions that may affect public health  
29 and safety, drinking water supplies, agricultural activities, or fish  
30 and wildlife survival.

31 (b) Projects or measures for which funding will be provided must be  
32 connected with a water system, water source, or water body that is  
33 receiving, or has been projected to receive, less than seventy-five  
34 percent of normal water supply, as the result of natural drought  
35 conditions. This reduction in water supply must be such that it is  
36 causing, or will cause, undue hardship for the entities or fish or  
37 wildlife depending on the water supply. The department shall issue

1 guidelines outlining grant program and matching fund requirements  
2 within ten days of a drought declaration.

3 (28) In accordance with RCW 43.135.055, the department is  
4 authorized to increase the fees set forth in and previously authorized  
5 in section 302(10), chapter 564, Laws of 2009.

6 (29) In accordance with RCW 43.135.055, the department is  
7 authorized to adopt and increase the fees set forth in and previously  
8 authorized in sections 3, 5, 7, and 12, chapter 285, Laws of 2010.

9 **Sec. 1202.** 2011 c 5 s 302 (uncodified) is amended to read as  
10 follows:

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

12	General Fund--State Appropriation (FY 2010) . . . . .	\$23,176,000
13	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$18,309,000)</del>
14		<u>\$18,275,000</u>
15	General Fund--Federal Appropriation . . . . .	\$6,892,000
16	General Fund--Private/Local Appropriation . . . . .	\$73,000
17	Winter Recreation Program Account--State Appropriation . . .	\$1,556,000
18	Off Road Vehicle Account--State Appropriation . . . . .	\$239,000
19	Snowmobile Account--State Appropriation . . . . .	\$4,842,000
20	Aquatic Lands Enhancement Account--State Appropriation . . . .	\$368,000
21	Recreation Resources Account--State Appropriation . . . . .	\$9,469,000
22	NOVA Program Account--State Appropriation . . . . .	\$9,164,000
23	Parks Renewal and Stewardship Account--State	
24	Appropriation . . . . .	\$72,975,000
25	Parks Renewal and Stewardship Account--Private/Local	
26	Appropriation . . . . .	\$300,000
27	TOTAL APPROPRIATION . . . . .	<del>(\$147,363,000)</del>
28		<u>\$147,329,000</u>

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

31 (1) \$79,000 of the general fund--state appropriation for fiscal  
32 year 2010 and \$74,000 of the general fund--state appropriation for  
33 fiscal year 2011 are provided solely for a grant for the operation of  
34 the Northwest avalanche center.

35 (2) Proceeds received from voluntary donations given by motor  
36 vehicle registration applicants shall be used solely for the operation  
37 and maintenance of state parks.

1 (3) With the passage of Substitute House Bill No. 2339 (state parks  
2 system donation), the legislature finds that it has provided sufficient  
3 funds to ensure that all state parks remain open during the 2009-11  
4 biennium. The commission shall not close state parks unless the bill  
5 is not enacted by June 30, 2009, or revenue collections are  
6 insufficient to fund the ongoing operation of state parks. By January  
7 10, 2010, the commission shall provide a report to the legislature on  
8 their budget and resources related to operating parks for the remainder  
9 of the biennium.

10 (4) The commission shall work with the department of general  
11 administration to evaluate the commission's existing leases with the  
12 intention of increasing net revenue to state parks. The commission  
13 shall provide to the office of financial management and the legislative  
14 fiscal committees no later than September 30, 2009, a list of leases  
15 the commission proposes be managed by the department of general  
16 administration.

17 **Sec. 1203.** 2011 c 5 s 303 (uncodified) is amended to read as  
18 follows:

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

20	General Fund--State Appropriation (FY 2010) . . . . .	\$1,486,000
21	General Fund--State Appropriation (FY 2011) . . . . .	<del>(((\$1,312,000))</del>
22		<u>\$1,311,000</u>
23	General Fund--Federal Appropriation . . . . .	\$10,427,000
24	General Fund--Private/Local Appropriation . . . . .	\$250,000
25	Aquatic Lands Enhancement Account--State Appropriation . . . . .	\$278,000
26	Firearms Range Account--State Appropriation . . . . .	\$39,000
27	Recreation Resources Account--State Appropriation . . . . .	\$2,738,000
28	NOVA Program Account--State Appropriation . . . . .	\$1,059,000
29	TOTAL APPROPRIATION . . . . .	<del>(((\$17,589,000))</del>
30		<u>\$17,588,000</u>

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

33 (1) \$204,000 of the general fund--state appropriation for fiscal  
34 year 2010 and \$194,000 of the general fund--state appropriation for  
35 fiscal year 2011 are provided solely for the implementation of  
36 Substitute House Bill No. 2157 (salmon recovery). If the bill is not

1 enacted by June 30, 2009, the amounts provided in this subsection shall  
2 lapse.

3 (2) The recreation and conservation office, under the direction of  
4 the salmon recovery funding board, shall assess watershed and regional-  
5 scale capacity issues relating to the support and implementation of  
6 salmon recovery. The assessment shall examine priority setting and  
7 incentives to further promote coordination to ensure that effective and  
8 efficient mechanisms for delivery of salmon recovery funding board  
9 funds are being utilized. The salmon recovery funding board shall  
10 distribute its operational funding to the appropriate entities based on  
11 this assessment.

12 (3) The recreation and conservation office shall negotiate an  
13 agreement with the Puget Sound partnership to consolidate or share  
14 certain administrative functions currently performed by each agency  
15 independently. The agencies shall proportionately share the costs of  
16 such shared functions. Examples of shared functions may include, but  
17 are not limited to, support for personnel, information technology,  
18 grant and contract management, invasive species work, legislative  
19 coordination, and policy and administrative support of various boards  
20 and councils.

21 **Sec. 1204.** 2010 2nd sp.s. c 1 s 305 (uncodified) is amended to  
22 read as follows:

23 **FOR THE ENVIRONMENTAL HEARINGS OFFICE**

24	General Fund--State Appropriation (FY 2010) . . . . .	\$1,108,000
25	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$1,035,000)</del>
26		<u>\$1,034,000</u>
27	TOTAL APPROPRIATION . . . . .	<del>(\$2,143,000)</del>
28		<u>\$2,142,000</u>

29 The appropriations in this section are subject to the following  
30 conditions and limitations: \$46,000 of the general fund--state  
31 appropriation for fiscal year 2010 is provided solely for tenant  
32 improvement costs associated with moving the office to a new location.

33 **Sec. 1205.** 2010 2nd sp.s. c 1 s 306 (uncodified) is amended to  
34 read as follows:

35 **FOR THE CONSERVATION COMMISSION**

36	General Fund--State Appropriation (FY 2010) . . . . .	\$7,556,000
----	---	-------------

1	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$6,751,000</del> ))
2		<u>\$6,750,000</u>
3	General Fund--Federal Appropriation . . . . .	\$1,178,000
4	TOTAL APPROPRIATION . . . . .	(( <del>\$15,485,000</del> ))
5		<u>\$15,484,000</u>

6 The appropriations in this section are subject to the following  
7 conditions and limitations: In order to maintain a high degree of  
8 customer service and accountability for conservation districts,  
9 \$125,000 is to support the conservation commission's administrative  
10 activities related to the processing of conservation district invoices  
11 and budgeting.

12 **Sec. 1206.** 2011 c 5 s 304 (uncodified) is amended to read as  
13 follows:

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

15	General Fund--State Appropriation (FY 2010) . . . . .	\$41,263,000
16	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$30,560,000</del> ))
17		<u>\$31,053,000</u>
18	General Fund--Federal Appropriation . . . . .	\$88,799,000
19	General Fund--Private/Local Appropriation . . . . .	\$47,211,000
20	Off Road Vehicle Account--State Appropriation . . . . .	\$413,000
21	Aquatic Lands Enhancement Account--State Appropriation . . .	\$6,739,000
22	Recreational Fisheries Enhancement--State	
23	Appropriation . . . . .	\$3,472,000
24	Warm Water Game Fish Account--State Appropriation . . . . .	\$2,861,000
25	Eastern Washington Pheasant Enhancement Account--	
26	State Appropriation . . . . .	\$851,000
27	Aquatic Invasive Species Enforcement Account--State	
28	Appropriation . . . . .	\$207,000
29	Aquatic Invasive Species Prevention Account--State	
30	Appropriation . . . . .	\$833,000
31	Wildlife Account--State Appropriation . . . . .	\$86,998,000
32	Wildlife Account--Federal Appropriation . . . . .	\$101,000
33	Wildlife Account--Private/Local Appropriation . . . . .	\$39,000
34	Game Special Wildlife Account--State Appropriation . . . . .	\$2,367,000
35	Game Special Wildlife Account--Federal Appropriation . . . . .	\$3,426,000
36	Game Special Wildlife Account--Private/Local	
37	Appropriation . . . . .	\$487,000



1 Wildlife Rehabilitation Account--State Appropriation . . . . . \$269,000  
2 Regional Fisheries Salmonid Recovery Account--  
3 Federal Appropriation . . . . . \$5,001,000  
4 Oil Spill Prevention Account--State Appropriation . . . . . \$876,000  
5 Oyster Reserve Land Account--State Appropriation . . . . . \$916,000  
6 TOTAL APPROPRIATION . . . . . ((~~\$323,689,000~~))  
7 \$324,182,000

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

10 (1) \$294,000 of the aquatic lands enhancement account--state  
11 appropriation is provided solely for the implementation of hatchery  
12 reform recommendations defined by the hatchery scientific review group.

13 (2) \$355,000 of the general fund--state appropriation for fiscal  
14 year 2010 and \$422,000 of the general fund--state appropriation for  
15 fiscal year 2011 are provided solely for the department to implement a  
16 pilot project with the Confederated Tribes of the Colville Reservation  
17 to develop expanded recreational fishing opportunities on Lake Rufus  
18 Woods and its northern shoreline and to conduct joint enforcement of  
19 lake fisheries on Lake Rufus Woods and adjoining waters, pursuant to  
20 state and tribal intergovernmental agreements developed under the  
21 Columbia River water supply program. For the purposes of the pilot  
22 project:

23 (a) A fishing permit issued to a nontribal member by the Colville  
24 Tribes shall satisfy the license requirement of RCW 77.32.010 on the  
25 waters of Lake Rufus Woods and on the north shore of Lake Rufus Woods;

26 (b) The Colville Tribes have agreed to provide to holders of its  
27 nontribal member fishing permits a means to demonstrate that fish in  
28 their possession were lawfully taken in Lake Rufus Woods;

29 (c) A Colville tribal member identification card shall satisfy the  
30 license requirement of RCW 77.32.010 on all waters of Lake Rufus Woods;

31 (d) The department and the Colville Tribes shall jointly designate  
32 fishing areas on the north shore of Lake Rufus Woods for the purposes  
33 of enhancing access to the recreational fisheries on the lake; and

34 (e) The Colville Tribes have agreed to recognize a fishing license  
35 issued under RCW 77.32.470 or RCW 77.32.490 as satisfying the nontribal  
36 member fishing permit requirements of Colville tribal law on the  
37 reservation portion of the waters of Lake Rufus Woods and at designated  
38 fishing areas on the north shore of Lake Rufus Woods;

1 (3) Prior to submitting its 2011-2013 biennial operating and  
2 capital budget request related to state fish hatcheries to the office  
3 of financial management, the department shall contract with the  
4 hatchery scientific review group (HSRG) to review this request. This  
5 review shall: (a) Determine if the proposed requests are consistent  
6 with HSRG recommendations; (b) prioritize the components of the  
7 requests based on their contributions to protecting wild salmonid  
8 stocks and meeting the recommendations of the HSRG; and (c) evaluate  
9 whether the proposed requests are being made in the most cost effective  
10 manner. The department shall provide a copy of the HSRG review to the  
11 office of financial management with their agency budget proposal.

12 (4) Within existing funds, the department shall continue  
13 implementing its capital program action plan dated September 1, 2007,  
14 including the purchase of the necessary maintenance and support costs  
15 for the capital programs and engineering tools. The department shall  
16 report to the office of financial management and the appropriate  
17 committees of the legislature, its progress in implementing the plan,  
18 including improvements instituted in its capital program, by September  
19 30, 2010.

20 (5) \$1,232,000 of the state wildlife account--state appropriation  
21 is provided solely to implement Substitute House Bill No. 1778 (fish  
22 and wildlife). If the bill is not enacted by June 30, 2009, the amount  
23 provided in this subsection shall lapse.

24 (6) \$400,000 of the general fund--state appropriation for fiscal  
25 year 2010 and \$400,000 of the general fund--state appropriation for  
26 fiscal year 2011 are provided solely for a state match to support the  
27 Puget Sound nearshore partnership between the department and the U.S.  
28 army corps of engineers.

29 (7) \$50,000 of the general fund--state appropriation for fiscal  
30 year 2010 and \$50,000 of the general fund--state appropriation for  
31 fiscal year 2011 are provided solely for removal of derelict gear in  
32 Washington waters.

33 (8) The department of fish and wildlife shall dispose of all Cessna  
34 aircraft it currently owns. The proceeds from the aircraft shall be  
35 deposited into the state wildlife account. Disposal of the aircraft  
36 must occur no later than June 30, 2010. The department shall  
37 coordinate with the department of natural resources on the installation  
38 of fire surveillance equipment into its Partenavia aircraft. The

1 department shall make its Partenavia aircraft available to the  
2 department of natural resources on a cost-reimbursement basis for its  
3 use in coordinating fire suppression efforts. The two agencies shall  
4 develop an interagency agreement that defines how they will share  
5 access to the plane.

6 (9) \$50,000 of the general fund--state appropriation for fiscal  
7 year 2010 is provided solely for an electron project fish passage study  
8 consistent with the recommendations and protocols contained in the 2008  
9 electron project downstream fish passage final report.

10 (10) \$60,000 of the general fund--state appropriation for fiscal  
11 year 2010 and \$60,000 of the general fund--state appropriation for  
12 fiscal year 2011 are provided solely for implementation of Engrossed  
13 Second Substitute Bill No. 5560 (agency climate leadership). If the  
14 bill is not enacted by June 30, 2009, the amounts provided in this  
15 subsection shall lapse.

16 (11) If sufficient new revenues are not identified to continue  
17 hatchery operations, within the constraints of legally binding tribal  
18 agreements, the department shall dispose of, by removal, sale, lease,  
19 reversion, or transfer of ownership, the following hatcheries:  
20 McKernan, Colville, Omak, Bellingham, Arlington, and Mossyrock.  
21 Disposal of the hatcheries must occur by June 30, 2011, and any  
22 proceeds received from disposal shall be deposited in the state  
23 wildlife account. Within available funds, the department shall provide  
24 quarterly reports on the progress of disposal to the office of  
25 financial management and the appropriate fiscal committees of the  
26 legislature. The first report shall be submitted no later than  
27 September 30, 2009.

28 (12) \$100,000 of the eastern Washington pheasant enhancement  
29 account--state appropriation is provided solely for the department to  
30 support efforts to enhance permanent and temporary pheasant habitat on  
31 public and private lands in Grant, Franklin, and Adams counties. The  
32 department may support efforts by entities including conservation  
33 districts, nonprofit organizations, and landowners, and must require  
34 such entities to provide significant nonstate matching resources, which  
35 may be in the form of funds, material, or labor.

36 (13) Within the amounts appropriated in this section, the  
37 department of fish and wildlife shall develop a method for allocating  
38 its administrative and overhead costs proportionate to program fund

1 use. As part of its 2011-2013 biennial operating budget, the  
2 department shall submit a decision package that rebalances expenditure  
3 authority for all agency funds based upon proportionate contributions.

4 (14) Within the amounts appropriated in this section, the  
5 department shall identify additional opportunities for partnerships in  
6 order to keep fish hatcheries operational. Such partnerships shall aim  
7 to maintain fish production and salmon recovery with less reliance on  
8 state operating funds.

9 (15) Within the amounts appropriated in this section, the  
10 department shall work with stakeholders to develop a long-term funding  
11 model that sustains the department's work of conserving species and  
12 habitat, providing sustainable recreational and commercial  
13 opportunities and using sound business practices. The funding model  
14 analysis shall assess the appropriate uses of each fund source and  
15 whether the department's current and projected revenue levels are  
16 adequate to sustain its current programs. The department shall report  
17 its recommended funding model including supporting analysis and  
18 stakeholder participation summary to the office of financial management  
19 and the appropriate committees of the legislature by October 1, 2010.

20 (16) By October 1, 2010, the department shall enter into an  
21 interagency agreement with the department of natural resources for land  
22 management services for the department's wildlife conservation and  
23 recreation lands. Land management services may include but are not  
24 limited to records management, real estate services such as surveying,  
25 and land acquisition and disposal services. The interagency agreement  
26 shall describe business processes, service delivery expectations, cost,  
27 and timing. In the agreement, the department shall define its roles  
28 and responsibilities. A draft agreement shall be submitted to the  
29 office of financial management and the appropriate fiscal committees of  
30 the legislature by July 1, 2010.

31 (17) Prior to opening game management unit 490 to public hunting,  
32 the department shall complete an environmental impact statement that  
33 includes an assessment of how public hunting activities will impact the  
34 ongoing protection of the public water supply.

35 (18) The department must work with appropriate stakeholders to  
36 facilitate the disposition of salmon to best utilize the resource,  
37 increase revenues to regional fisheries enhancement groups, and enhance  
38 the provision of nutrients to food banks. By November 1, 2010, the

1 department must provide a report to the appropriate committees of the  
2 legislature summarizing these discussions, outcomes, and  
3 recommendations. After November 1, 2010, the department shall not  
4 solicit or award a surplus salmon disposal contract without first  
5 giving due consideration to implementing the recommendations developed  
6 during the stakeholder process.

7 (19) \$50,000 of the general fund--state appropriation for fiscal  
8 year 2011 is provided solely for increased fish production at Voight  
9 Creek hatchery.

10 **Sec. 1207.** 2011 c 5 s 305 (uncodified) is amended to read as  
11 follows:

12 **FOR THE DEPARTMENT OF NATURAL RESOURCES**

13	General Fund--State Appropriation (FY 2010) . . . . .	\$48,822,000
14	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$37,321,000)</del>
15		<u>\$37,302,000</u>
16	General Fund--Federal Appropriation . . . . .	\$28,784,000
17	General Fund--Private/Local Appropriation . . . . .	\$2,369,000
18	Forest Development Account--State Appropriation . . . . .	\$41,640,000
19	Off Road Vehicle Account--State Appropriation . . . . .	\$4,406,000
20	Surveys and Maps Account--State Appropriation . . . . .	\$2,332,000
21	Aquatic Lands Enhancement Account--State	
22	Appropriation . . . . .	\$8,315,000
23	Resources Management Cost Account--State	
24	Appropriation . . . . .	\$78,704,000
25	Surface Mining Reclamation Account--State	
26	Appropriation . . . . .	\$3,494,000
27	Disaster Response Account--State Appropriation . . . . .	\$5,000,000
28	Forest and Fish Support Account--State Appropriation . . . . .	\$8,000,000
29	Aquatic Land Dredged Material Disposal Site	
30	Account--State Appropriation . . . . .	\$1,333,000
31	Natural Resources Conservation Areas Stewardship	
32	Account--State Appropriation . . . . .	\$184,000
33	State Toxics Control Account--State Appropriation . . . . .	\$720,000
34	Air Pollution Control Account--State Appropriation . . . . .	\$478,000
35	NOVA Program Account--State Appropriation . . . . .	\$974,000
36	Derelict Vessel Removal Account--State Appropriation . . . . .	\$1,749,000
37	Agricultural College Trust Management Account--	

1	State Appropriation . . . . .	\$1,941,000
2	TOTAL APPROPRIATION . . . . .	(( <del>\$276,566,000</del> ))
3		<u>\$276,547,000</u>

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

6 (1) \$1,355,000 of the general fund--state appropriation for fiscal  
7 year 2010 and \$327,000 of the general fund--state appropriation for  
8 fiscal year 2011 are provided solely for deposit into the agricultural  
9 college trust management account and are provided solely to manage  
10 approximately 70,700 acres of Washington State University's  
11 agricultural college trust lands.

12 (2) \$22,670,000 of the general fund--state appropriation for fiscal  
13 year 2010, \$15,089,000 of the general fund--state appropriation for  
14 fiscal year 2011, and \$5,000,000 of the disaster response account--  
15 state appropriation are provided solely for emergency fire suppression.  
16 None of the general fund and disaster response account amounts provided  
17 in this subsection may be used to fund agency indirect and  
18 administrative expenses. Agency indirect and administrative costs  
19 shall be allocated among the agency's remaining accounts and  
20 appropriations. The department of natural resources shall submit a  
21 quarterly report to the office of financial management and the  
22 legislative fiscal committees detailing information on current and  
23 planned expenditures from the disaster response account. This work  
24 shall be done in coordination with the military department.

25 (3) \$5,000,000 of the forest and fish support account--state  
26 appropriation is provided solely for adaptive management, monitoring,  
27 and participation grants to tribes. If federal funding for this  
28 purpose is reinstated, the amount provided in this subsection shall  
29 lapse.

30 (4) \$600,000 of the derelict vessel removal account--state  
31 appropriation is provided solely for removal of derelict and abandoned  
32 vessels that have the potential to contaminate Puget Sound.

33 (5) \$666,000 of the general fund--federal appropriation is provided  
34 solely to implement House Bill No. 2165 (forest biomass energy  
35 project). If the bill is not enacted by June 30, 2009, the amount  
36 provided in this subsection shall lapse.

37 (6) \$5,000 of the general fund--state appropriation for fiscal year  
38 2010 and \$5,000 of the general fund--state appropriation for fiscal

1 year 2011 are provided solely to implement Substitute House Bill No.  
2 1038 (specialized forest products). If the bill is not enacted by June  
3 30, 2009, the amounts provided in this subsection shall lapse.

4 (7) \$440,000 of the state general fund--state appropriation for  
5 fiscal year 2010 and \$440,000 of the state general fund--state  
6 appropriation for fiscal year 2011 are provided solely for forest work  
7 crews that support correctional camps and are contingent upon  
8 continuing operations of Naselle youth camp at the level provided in  
9 fiscal year 2008. The department shall consider using up to \$2,000,000  
10 of the general fund--federal appropriation to support and utilize  
11 correctional camp crews to implement natural resource projects approved  
12 by the federal government for federal stimulus funding.

13 (8) The department of natural resources shall dispose of the King  
14 Air aircraft it currently owns. Before disposal and within existing  
15 funds, the department shall transfer specialized equipment for fire  
16 surveillance to the department of fish and wildlife's Partenavia  
17 aircraft. Disposal of the aircraft must occur no later than June 30,  
18 2010, and the proceeds from the sale of the aircraft shall be deposited  
19 into the forest and fish support account.

20 (9) \$30,000 of the general fund--state appropriation for fiscal  
21 year 2010 and \$28,000 of the general fund--state appropriation for  
22 fiscal year 2011 are provided solely for implementation of Engrossed  
23 Second Substitute Bill No. 5560 (agency climate leadership). If the  
24 bill is not enacted by June 30, 2009, the amounts provided in this  
25 subsection shall lapse.

26 (10) \$1,030,000 of the aquatic lands enhancement account--state  
27 appropriation for fiscal year 2011 is provided solely for continuing  
28 scientific studies already underway as part of the adaptive management  
29 process. Funds may not be used to initiate new studies unless the  
30 department secures new federal funding for the adaptive management  
31 process.

32 (11) Within available funds, the department of natural resources  
33 shall review the statutory method for determining aquatic lands lease  
34 rates for private marinas, public marinas not owned and operated by  
35 port districts, yacht clubs, and other entities leasing state land for  
36 boat moorage. The review shall consider alternative methods for  
37 determining rents for these entities for a fair distribution of rent,

1 consistent with the department management mandates for state aquatic  
2 lands.

3 (12) \$37,000 of the general fund--state appropriation for fiscal  
4 year 2011 and \$100,000 of the aquatic lands enhancement account--state  
5 appropriation are provided solely to install up to twenty mooring buoys  
6 in Eagle Harbor and to remove abandoned boats, floats, and other  
7 trespassing structures.

8 (13) By October 1, 2010, the department shall enter into an  
9 interagency agreement with the department of fish and wildlife for  
10 providing land management services on the department of fish and  
11 wildlife's wildlife conservation and recreation lands. Land management  
12 services may include but are not limited to records management, real  
13 estate services such as surveying, and land acquisition and disposal  
14 services. The interagency agreement shall describe business processes,  
15 service delivery expectations, cost, and timing. A draft agreement  
16 shall be submitted to the office of financial management and the  
17 appropriate fiscal committees of the legislature by July 1, 2010.

18 (14) \$41,000 of the forest development account--state  
19 appropriation, \$44,000 of the resources management cost account--state  
20 appropriation, and \$2,000 of the agricultural college trust management  
21 account--state appropriation are provided solely for the implementation  
22 of Second Substitute House Bill No. 2481 (DNR forest biomass  
23 agreements). If the bill is not enacted by June 30, 2010, the amount  
24 provided in this subsection shall lapse.

25 **Sec. 1208.** 2011 c 5 s 306 (uncodified) is amended to read as  
26 follows:

27 **FOR THE DEPARTMENT OF AGRICULTURE**

28	General Fund--State Appropriation (FY 2010) . . . . .	\$12,320,000
29	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$15,391,000)</del>
30		<u>\$15,366,000</u>
31	General Fund--Federal Appropriation . . . . .	\$21,047,000
32	General Fund--Private/Local Appropriation . . . . .	\$193,000
33	Aquatic Lands Enhancement Account--State Appropriation . . .	\$2,564,000
34	State Toxics Control Account--State Appropriation . . . . .	\$4,724,000
35	Water Quality Permit Account--State Appropriation . . . . .	\$61,000
36	TOTAL APPROPRIATION . . . . .	<del>(\$56,300,000)</del>
37		<u>\$56,275,000</u>



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

3       (1) \$350,000 of the aquatic lands enhancement account appropriation  
4 is provided solely for funding to the Pacific county noxious weed  
5 control board to eradicate remaining spartina in Willapa Bay.

6       (2) \$19,000 of the general fund--state appropriation for fiscal  
7 year 2010 and \$6,000 of the general fund--state appropriation for  
8 fiscal year 2011 are provided solely to implement Substitute Senate  
9 Bill No. 5797 (solid waste handling permits). If the bill is not  
10 enacted by June 30, 2009, the amounts provided in this subsection shall  
11 lapse.

12       (3) The department is authorized to establish or increase the  
13 following fees in the 2009-11 biennium as necessary to meet the actual  
14 costs of conducting business: Christmas tree grower licensing, nursery  
15 dealer licensing, plant pest inspection and testing, and commission  
16 merchant licensing.

17       (4) \$5,179,000 of the general fund--state appropriation for fiscal  
18 year 2011 and \$2,782,000 of the general fund--federal appropriation are  
19 provided solely for implementation of Substitute Senate Bill No. 6341  
20 (food assistance/department of agriculture). Within amounts  
21 appropriated in this subsection, \$65,000 of the general fund--state  
22 appropriation for fiscal year 2011 is provided solely for a contract  
23 with a food distribution program for communities in the southwestern  
24 portion of the state and for workers impacted by timber and salmon  
25 fishing closures and reductions. The department may not charge  
26 administrative overhead or expenses to this contract. If the bill is  
27 not enacted by June 30, 2010, the amounts provided in this subsection  
28 shall lapse.

29       (5) The department shall, if public or private funds are available,  
30 partner with eligible public and private entities with experience in  
31 food collection and distribution to review funding sources for eight  
32 full-time volunteers in the AmeriCorps VISTA program to conduct  
33 outreach to local growers, agricultural donors, and community  
34 volunteers. Public and private partners shall also be utilized to  
35 coordinate gleaning unharvested tree fruits and fresh produce for  
36 distribution to individuals throughout Washington state.

37       (6) When reducing laboratory activities and functions, the

1 department shall not impact any research or analysis pertaining to  
2 bees.

3 **Sec. 1209.** 2011 c 5 s 307 (uncodified) is amended to read as  
4 follows:

5 **FOR THE PUGET SOUND PARTNERSHIP**

6	General Fund--State Appropriation (FY 2010) . . . . .	\$3,143,000
7	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$2,528,000)</del>
8		<u>\$2,525,000</u>
9	General Fund--Federal Appropriation . . . . .	\$8,096,000
10	Aquatic Lands Enhancement Account--State Appropriation . . . . .	\$493,000
11	State Toxics Control Account--State Appropriation . . . . .	\$794,000
12	TOTAL APPROPRIATION . . . . .	<del>(\$15,054,000)</del>
13		<u>\$15,051,000</u>

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

16 (1) \$305,000 of the general fund--state appropriation for fiscal  
17 year 2010 is provided solely for measuring water and habitat quality to  
18 determine watershed health and assist salmon recovery.

19 (2) \$794,000 of the state toxics control account--state  
20 appropriation is provided solely for activities that contribute to  
21 Puget Sound protection and recovery, including provision of independent  
22 advice and assessment of the state's oil spill prevention,  
23 preparedness, and response programs, including review of existing  
24 activities and recommendations for any necessary improvements. The  
25 partnership may carry out this function through an existing committee,  
26 such as the ecosystem coordination board or the leadership council, or  
27 may appoint a special advisory council. Because this is a unique  
28 statewide program, the partnership may invite participation from  
29 outside the Puget Sound region.

30 (3) Within the amounts appropriated in this section, the Puget  
31 Sound partnership shall facilitate an ongoing monitoring consortium to  
32 integrate monitoring efforts for storm water, water quality, watershed  
33 health, and other indicators to enhance monitoring efforts in Puget  
34 Sound.

35 (4) The Puget Sound partnership shall work with Washington State  
36 University and the environmental protection agency to secure funding  
37 for the beach watchers program.

1           (5) \$839,000 of the general fund--state appropriation for fiscal  
2 year 2010 and \$608,000 of the general fund--state appropriation for  
3 fiscal year 2011 are provided solely to support public education and  
4 volunteer programs. The partnership is directed to distribute the  
5 majority of funding as grants to local organizations, local  
6 governments, and education, communication, and outreach network  
7 partners. The partnership shall track progress for this activity  
8 through the accountability system of the Puget Sound partnership.

9           (6) The Puget Sound partnership shall negotiate an agreement with  
10 the recreation and conservation office to consolidate or share certain  
11 administrative functions currently performed by each agency  
12 independently. The agencies shall proportionately share the costs of  
13 such shared functions. Examples of shared functions may include, but  
14 are not limited to, support for personnel, information technology,  
15 grant and contract management, invasive species work, legislative  
16 coordination, and policy and administrative support of various boards  
17 and councils.

(End of part)

**PART XIII**  
**TRANSPORTATION**

**Sec. 1301.** 2011 c 5 s 401 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF LICENSING**

General Fund--State Appropriation (FY 2010) . . . . .	\$1,436,000
General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$1,322,000)</del>
	<u>\$1,320,000</u>
Architects' License Account--State Appropriation . . . . .	\$923,000
Professional Engineers' Account--State	
Appropriation . . . . .	\$3,568,000
Real Estate Commission Account--State Appropriation . . . . .	\$9,987,000
Master License Account--State Appropriation . . . . .	\$15,718,000
Uniform Commercial Code Account--State Appropriation . . . . .	\$3,090,000
Real Estate Education Account--State Appropriation . . . . .	\$276,000
Real Estate Appraiser Commission Account--State	
Appropriation . . . . .	\$1,683,000
Business and Professions Account--State Appropriation . . . . .	\$15,188,000
Real Estate Research Account--State Appropriation . . . . .	\$471,000
Geologists' Account--State Appropriation . . . . .	\$53,000
Derelict Vessel Removal Account--State Appropriation . . . . .	\$31,000
TOTAL APPROPRIATION . . . . .	<del>(\$53,746,000)</del>
	<u>\$53,744,000</u>

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

(1) Pursuant to RCW 43.135.055, the department is authorized to increase fees for cosmetologists, funeral directors, cemeteries, court reporters and appraisers. These increases are necessary to support the expenditures authorized in this section, consistent with RCW 43.24.086.

(2) \$1,352,000 of the business and professions account--state appropriation is provided solely to implement Substitute Senate Bill No. 5391 (tattoo and body piercing). If the bill is not enacted by June 30, 2009, the amount provided in this subsection shall lapse.

(3) \$358,000 of the business and professions account--state

1 appropriation is provided solely to implement Senate Bill No. 6126  
2 (professional athletics). If the bill is not enacted by June 30, 2009,  
3 the amount provided in this subsection shall lapse.

4 (4) \$151,000 of the real estate research account appropriation is  
5 provided solely to implement chapter 156, Laws of 2010 (real estate  
6 broker licensure fees).

7 (5) \$158,000 of the architects' license account--state  
8 appropriation is provided solely to implement chapter 129, Laws of 2010  
9 (architect licensing).

10 (6) \$60,000 of the master license account--state appropriation is  
11 provided solely to implement chapter 174, Laws of 2010 (vaccine  
12 association). The amount provided in this subsection shall be from fee  
13 revenue authorized in chapter 174, Laws of 2010.

14 **Sec. 1302.** 2011 c 5 s 402 (uncodified) is amended to read as  
15 follows:

16 **FOR THE STATE PATROL**

17	General Fund--State Appropriation (FY 2010) . . . . .	\$38,977,000
18	General Fund--State Appropriation (FY 2011) . . . . .	(( <del>\$33,292,000</del> ))
19		<u>\$32,867,000</u>
20	General Fund--Federal Appropriation . . . . .	\$15,793,000
21	General Fund--Private/Local Appropriation . . . . .	\$4,986,000
22	Death Investigations Account--State Appropriation . . . . .	\$5,580,000
23	Enhanced 911 Account--State Appropriation . . . . .	\$603,000
24	County Criminal Justice Assistance Account--State	
25	Appropriation . . . . .	\$3,146,000
26	Municipal Criminal Justice Assistance Account--State	
27	Appropriation . . . . .	\$1,255,000
28	Fire Service Trust Account--State Appropriation . . . . .	\$131,000
29	Disaster Response Account--State Appropriation . . . . .	\$8,002,000
30	Fire Service Training Account--State Appropriation . . . . .	\$8,821,000
31	Aquatic Invasive Species Enforcement Account--State	
32	Appropriation . . . . .	\$54,000
33	State Toxics Control Account--State Appropriation . . . . .	\$509,000
34	Fingerprint Identification Account--State	
35	Appropriation . . . . .	\$10,454,000
36	TOTAL APPROPRIATION . . . . .	(( <del>\$131,603,000</del> ))
37		<u>\$131,178,000</u>

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

3 (1) \$200,000 of the fire service training account--state  
4 appropriation is provided solely for two FTEs in the office of the  
5 state director of fire protection to exclusively review K-12  
6 construction documents for fire and life safety in accordance with the  
7 state building code. It is the intent of this appropriation to provide  
8 these services only to those districts that are located in counties  
9 without qualified review capabilities.

10 (2) \$8,000,000 of the disaster response account--state  
11 appropriation is provided solely for Washington state fire service  
12 resource mobilization costs incurred in response to an emergency or  
13 disaster authorized under RCW 43.43.960 and 43.43.964. The state  
14 patrol shall submit a report quarterly to the office of financial  
15 management and the legislative fiscal committees detailing information  
16 on current and planned expenditures from this account. This work shall  
17 be done in coordination with the military department.

18 (3) The 2010 legislature will review the use of king air planes by  
19 the executive branch and the adequacy of funding in this budget  
20 regarding maintaining and operating the planes to successfully  
21 accomplish their mission.

22 (4) The appropriations in this section reflect reductions in the  
23 appropriations for the agency's administrative expenses. It is the  
24 intent of the legislature that these reductions shall be achieved, to  
25 the greatest extent possible, by reducing those administrative costs  
26 that do not affect direct client services or direct service delivery or  
27 programs.

28 (5) \$400,000 of the fire service training account--state  
29 appropriation is provided solely for the firefighter apprenticeship  
30 training program.

31 (6) \$48,000 of the fingerprint identification account--state  
32 appropriation is provided solely to implement Substitute House Bill No.  
33 1621 (consumer loan companies). If the bill is not enacted by June 30,  
34 2009, the amounts provided in this subsection shall lapse.

35 (7) In accordance with RCW 43.43.942, 46.52.085, and 43.135.055,  
36 the state patrol is authorized to increase the following fees in fiscal  
37 year 2011 as necessary to meet the actual costs of conducting business

1 and the appropriation levels in this section: Collision records  
2 requests; fire training academy courses; and fire training academy dorm  
3 accommodations.

4 (8) \$24,000 of the fingerprint identification account--state  
5 appropriation is provided solely for implementation of chapter 47, Laws  
6 of 2010 (criminal background checks).

(End of part)

**PART XIV**  
**EDUCATION**

**Sec. 1401.** 2011 c 5 s 501 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

General Fund--State Appropriation (FY 2010) . . . . .	\$35,415,000
General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$30,196,000)</del>
	<u>\$30,136,000</u>
General Fund--Federal Appropriation . . . . .	\$87,081,000
TOTAL APPROPRIATION . . . . .	<del>(\$152,692,000)</del>
	<u>\$152,632,000</u>

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

(1) A maximum of \$23,096,000 of the general fund--state appropriation for fiscal year 2010 and \$20,070,000 of the general fund--state appropriation for fiscal year 2011 is for state agency operations.

(a) \$11,226,000 of the general fund--state appropriation for fiscal year 2010 and \$9,709,000 of the general fund--state appropriation for fiscal year 2011 are for the operation and expenses of the office of the superintendent of public instruction.

(i) 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.

(ii) Within amounts appropriated in this subsection (1)(a), the office of the superintendent of public instruction, consistent with WAC 392-121-182 (alternative learning experience requirements) which requires documentation of alternative learning experience student headcount and full-time equivalent (FTE) enrollment claimed for basic education funding, shall provide, monthly, accurate monthly headcount and FTE enrollments for students in alternative learning experience (ALE) programs as well as information about resident and serving districts.



1 (iii) Within amounts provided in this subsection (1)(a), the state  
2 superintendent of public instruction shall share best practices with  
3 school districts regarding strategies for increasing efficiencies and  
4 economies of scale in school district noninstructional operations  
5 through shared service arrangements and school district cooperatives,  
6 as well as other practices.

7 (b) \$25,000 of the general fund--state appropriation for fiscal  
8 year 2011 is provided to the office of the superintendent of public  
9 instruction solely to convene a science, technology, engineering, and  
10 mathematics (STEM) working group to develop a comprehensive plan with  
11 a shared vision, goals, and measurable objectives to improve policies  
12 and practices to ensure that a pathway is established for elementary  
13 schools, middle schools, high schools, postsecondary degree programs,  
14 and careers in the areas of STEM, including improving practices for  
15 recruiting, preparing, hiring, retraining, and supporting teachers and  
16 instructors while creating pathways to boost student success, close the  
17 achievement gap, and prepare every student to be college and career  
18 ready. The working group shall be composed of the director of STEM at  
19 the office of the superintendent of public instruction who shall be the  
20 chair of the working group, and at least one representative from the  
21 state board of education, professional educator standards board, state  
22 board of community and technical colleges, higher education  
23 coordinating board, workforce training and education coordinating  
24 board, the achievement gap oversight and accountability committee, and  
25 others with appropriate expertise. The working group shall develop a  
26 comprehensive plan and a report with recommendations, including a  
27 timeline for specific actions to be taken, which is due to the governor  
28 and the appropriate committees of the legislature by December 1, 2010.

29 (c) \$920,000 of the general fund--state appropriation for fiscal  
30 year 2010 and \$491,000 of the general fund--state appropriation for  
31 fiscal year 2011 are provided solely for research and development  
32 activities associated with the development of options for new school  
33 finance systems, including technical staff, reprogramming, and analysis  
34 of alternative student funding formulae. Within this amount is  
35 \$150,000 for the state board of education for further development of  
36 accountability systems, and \$150,000 for the professional educator  
37 standards board for continued development of teacher certification and  
38 evaluation systems.

1 (d) \$965,000 of the general fund--state appropriation for fiscal  
2 year 2010 and \$887,000 of the general fund--state appropriation for  
3 fiscal year 2011 are provided solely for the operation and expenses of  
4 the state board of education, including basic education assistance  
5 activities.

6 (e) \$5,366,000 of the general fund--state appropriation for fiscal  
7 year 2010 and \$3,103,000 of the general fund--state appropriation for  
8 fiscal year 2011 are provided solely to the professional educator  
9 standards board for the following:

10 (i) \$1,070,000 in fiscal year 2010 and \$985,000 in fiscal year 2011  
11 are for the operation and expenses of the Washington professional  
12 educator standards board;

13 (ii) \$4,106,000 of the general fund--state appropriation for fiscal  
14 year 2010 and \$1,936,000 of the general fund--state appropriation for  
15 fiscal year 2011 are for conditional scholarship loans and mentor  
16 stipends provided through the alternative routes to certification  
17 program administered by the professional educator standards board,  
18 including the pipeline for paraeducators program and the retooling to  
19 teach conditional loan programs. Funding within this subsection  
20 (1)(f)(ii) is also provided for the recruiting Washington teachers  
21 program.

22 (iii) \$102,000 of the general fund--state appropriation for fiscal  
23 year 2010 is provided for the implementation of Second Substitute  
24 Senate Bill No. 5973 (student achievement gap). \$94,000 of the general  
25 fund--state appropriation for fiscal year 2011 is provided solely for  
26 the ongoing work of the achievement gap oversight and accountability  
27 committee and implementation of the committee's recommendations.

28 (f) \$1,349,000 of the general fund--state appropriation for fiscal  
29 year 2010 and \$144,000 of the general fund--state appropriation for  
30 fiscal year 2011 are provided solely for replacement of the  
31 apportionment system, which includes the processes that collect school  
32 district budget and expenditure information, staffing characteristics,  
33 and the student enrollments that drive the funding process.

34 (g) \$1,140,000 of the general fund--state appropriation for fiscal  
35 year 2010 and \$1,227,000 of the general fund--state appropriation for  
36 fiscal year 2011 are provided solely for the creation of a statewide  
37 data base of longitudinal student information. This amount is

1 conditioned on the department satisfying the requirements in section  
2 902 of this act.

3 (h) \$75,000 of the general fund--state appropriation for fiscal  
4 year 2010 is provided solely to promote the financial literacy of  
5 students. The effort will be coordinated through the financial  
6 education public-private partnership. It is expected that  
7 nonappropriated funds available to the public-private partnership will  
8 be sufficient to continue financial literacy activities.

9 (i) To the maximum extent possible, in adopting new agency rules or  
10 making any changes to existing rules or policies related to the fiscal  
11 provisions in the administration of part V of this act, the office of  
12 the superintendent of public instruction shall attempt to request  
13 approval through the normal legislative budget process.

14 (j) \$44,000 of the general fund--state appropriation for fiscal  
15 year 2010 and \$45,000 of the general fund--state appropriation for  
16 fiscal year 2011 are provided solely for the implementation of  
17 Substitute Senate Bill No. 5248 (enacting the interstate compact on  
18 educational opportunity for military children).

19 (k) \$700,000 of the general fund--state appropriation for fiscal  
20 year 2010 and \$700,000 of the general fund--state appropriation for  
21 fiscal year 2011 are provided solely for the implementation of  
22 Substitute Senate Bill No. 5410 (online learning).

23 (l) \$25,000 of the general fund--state appropriation for fiscal  
24 year 2010 and \$12,000 of the general fund--state appropriation for  
25 fiscal year 2011 are provided solely for project citizen, a program  
26 sponsored by the national conference of state legislatures and the  
27 center for civic education to promote participation in government by  
28 middle school students.

29 (m) \$2,518,000 of the general fund--state appropriation for fiscal  
30 year 2011 is provided solely for the implementation of Substitute House  
31 Bill No. 2776 (K-12 education funding). If the bill is not enacted by  
32 June 30, 2010, the amount provided in this subsection shall lapse.

33 (n) \$89,000 of the general fund--state appropriation for fiscal  
34 year 2011 is provided solely for the implementation of Engrossed Second  
35 Substitute House Bill No. 3026 (state and federal civil rights laws).  
36 If the bill is not enacted by June 30, 2010, the amount provided in  
37 this subsection shall lapse.

1 (o) Beginning in the 2010-11 school year, the superintendent of  
2 public instruction shall require all districts receiving general  
3 apportionment funding for alternative learning experience (ALE)  
4 programs as defined in WAC 392-121-182 to provide separate financial  
5 accounting of expenditures for the ALE programs offered in district or  
6 with a provider, including but not limited to private companies and  
7 multidistrict cooperatives.

8 (p) \$55,000 of the general fund--state appropriation for fiscal  
9 year 2011 is provided to the office of the superintendent of public  
10 instruction solely to convene a technical working group to establish  
11 standards, guidelines, and definitions for what constitutes a basic  
12 education program for highly capable students and the appropriate  
13 funding structure for such a program, and to submit recommendations to  
14 the legislature for consideration. The working group may convene  
15 advisory subgroups on specific topics as necessary to assure  
16 participation and input from a broad array of diverse stakeholders.  
17 The working group must consult with and seek input from nationally  
18 recognized experts; researchers and academics on the unique  
19 educational, emotional, and social needs of highly capable students and  
20 how to identify such students; representatives of national  
21 organizations and associations for educators of or advocates for highly  
22 capable students; school district representatives who are educators,  
23 counselors, and classified school employees involved with highly  
24 capable programs; parents of students who have been identified as  
25 highly capable; representatives from the federally recognized tribes;  
26 and representatives of cultural, linguistic, and racial minority groups  
27 and the community of persons with disabilities. The working group  
28 shall make recommendations to the quality education council and to  
29 appropriate committees of the legislature by December 1, 2010. The  
30 recommendations shall take into consideration that access to the  
31 program for highly capable students is not an individual entitlement  
32 for any particular student. The recommendations shall seek to minimize  
33 underrepresentation of any particular demographic or socioeconomic  
34 group by better identification, not lower standards or quotas, and  
35 shall include the following:

36 (i) Standardized state-level identification procedures, standards,  
37 criteria, and benchmarks, including a definition or definitions of a

1 highly capable student. Students who are both highly capable and are  
2 students of color, are poor, or have a disability must be addressed;

3 (ii) Appropriate programs and services that have been shown by  
4 research and practice to be effective with highly capable students but  
5 maintain options and flexibility for school districts, where possible;

6 (iii) Program administration, management, and reporting  
7 requirements for school districts;

8 (iv) Appropriate educator qualifications, certification  
9 requirements, and professional development and support for educators  
10 and other staff who are involved in programs for highly capable  
11 students;

12 (v) Self-evaluation models to be used by school districts to  
13 determine the effectiveness of the program and services provided by the  
14 school district for highly capable programs;

15 (vi) An appropriate state-level funding structure; and

16 (vii) Other topics deemed to be relevant by the working group.

17 (q) \$1,000,000 of the general fund--state appropriation for fiscal  
18 year 2011 is provided solely for contracting with a college scholarship  
19 organization with expertise in conducting outreach to students  
20 concerning eligibility for the Washington college bound scholarship  
21 consistent with chapter 405, Laws of 2007.

22 (r) \$24,000 of the general fund--state appropriation for fiscal  
23 year 2010 is provided solely for implementation of Substitute Senate  
24 Bill No. 6759 (requiring a plan for a voluntary program of early  
25 learning as a part of basic education). If the bill is not enacted by  
26 June 30, 2010, the amounts provided in this subsection (1)(r) shall  
27 lapse.

28 (s) \$950,000 of the general fund--state appropriation for fiscal  
29 year 2010 (~~(is)~~) and \$150,000 of the general fund--state appropriation  
30 for fiscal year 2011 are provided solely for office of the attorney  
31 general costs related to *McCleary v. State of Washington*.

32 (2) \$12,320,000 of the general fund--state appropriation for fiscal  
33 year 2010, \$10,127,000 of the general fund--state appropriation for  
34 fiscal year 2011, and \$55,890,000 of the general fund--federal  
35 appropriation are for statewide programs.

36 (a) HEALTH AND SAFETY

37 (i) \$2,541,000 of the general fund--state appropriation for fiscal  
38 year 2010 and \$2,381,000 of the general fund--state appropriation for

1 fiscal year 2011 are provided solely for a corps of nurses located at  
2 educational service districts, as determined by the superintendent of  
3 public instruction, to be dispatched to the most needy schools to  
4 provide direct care to students, health education, and training for  
5 school staff.

6 (ii) \$100,000 of the general fund--state appropriation for fiscal  
7 year 2010 and \$94,000 of the general fund--state appropriation for  
8 fiscal year 2011 are provided solely for a school safety training  
9 program provided by the criminal justice training commission. The  
10 commission, in collaboration with the school safety center advisory  
11 committee, shall provide the school safety training for all school  
12 administrators and school safety personnel, including school safety  
13 personnel hired after the effective date of this section.

14 (iii) \$9,670,000 of the general fund--federal appropriation is  
15 provided for safe and drug free schools and communities grants for drug  
16 and violence prevention activities and strategies.

17 (iv) \$96,000 of the general fund--state appropriation for fiscal  
18 year 2010 and \$90,000 of the general fund--state appropriation for  
19 fiscal year 2011 are provided solely for the school safety center in  
20 the office of the superintendent of public instruction subject to the  
21 following conditions and limitations:

22 (A) The safety center shall: Disseminate successful models of  
23 school safety plans and cooperative efforts; provide assistance to  
24 schools to establish a comprehensive safe school plan; select models of  
25 cooperative efforts that have been proven successful; act as an  
26 information dissemination and resource center when an incident occurs  
27 in a school district either in Washington or in another state;  
28 coordinate activities relating to school safety; review and approve  
29 manuals and curricula used for school safety models and training; and  
30 develop and maintain a school safety information web site.

31 (B) The school safety center advisory committee shall develop a  
32 training program, using the best practices in school safety, for all  
33 school safety personnel.

34 (v) \$70,000 of the general fund--state appropriation for fiscal  
35 year 2010 is provided solely for the youth suicide prevention program.

36 (vi) \$50,000 of the general fund--state appropriation for fiscal  
37 year 2010 and \$47,000 of the general fund--state appropriation for

1 fiscal year 2011 are provided solely for a nonviolence and leadership  
2 training program provided by the institute for community leadership.

3 (b) TECHNOLOGY

4 (i) \$1,842,000 of the general fund--state appropriation for fiscal  
5 year 2010 and \$1,635,000 of the general fund--state appropriation for  
6 fiscal year 2011 are provided solely for K-20 telecommunications  
7 network technical support in the K-12 sector to prevent system failures  
8 and avoid interruptions in school utilization of the data processing  
9 and video-conferencing capabilities of the network. These funds may be  
10 used to purchase engineering and advanced technical support for the  
11 network.

12 (ii) \$1,475,000 of the general fund--state appropriation for fiscal  
13 year 2010, \$1,045,000 of the general fund--state appropriation for  
14 fiscal year 2011, and \$435,000 of the general fund--federal  
15 appropriation are provided solely for implementing a comprehensive data  
16 system to include financial, student, and educator data. The office of  
17 the superintendent of public instruction will convene a data governance  
18 group to create a comprehensive needs-requirement document, conduct a  
19 gap analysis, and define operating rules and a governance structure for  
20 K-12 data collections.

21 (c) GRANTS AND ALLOCATIONS

22 (i) \$1,329,000 of the general fund--state appropriation for fiscal  
23 year 2010 and \$664,000 of the general fund--state appropriation for  
24 fiscal year 2011 are provided solely for the special services pilot  
25 project to include up to seven participating districts. The office of  
26 the superintendent of public instruction shall allocate these funds to  
27 the district or districts participating in the pilot program according  
28 to the provisions of RCW 28A.630.016.

29 (ii) \$750,000 of the general fund--state appropriation for fiscal  
30 year 2010 and \$750,000 of the general fund--state appropriation for  
31 fiscal year 2011 are provided solely for the Washington state achievers  
32 scholarship program. The funds shall be used to support community  
33 involvement officers that recruit, train, and match community volunteer  
34 mentors with students selected as achievers scholars.

35 (iii) \$25,000 of the general fund--state appropriation for fiscal  
36 year 2010 is provided solely for developing and disseminating  
37 curriculum and other materials documenting women's role in World War  
38 II.

1 (iv) \$175,000 of the general fund--state appropriation for fiscal  
2 year 2010 and \$87,000 of the general fund--state appropriation for  
3 fiscal year 2011 are provided solely for incentive grants for districts  
4 and pilot projects to develop preapprenticeship programs. Incentive  
5 grant awards up to \$10,000 each shall be used to support the program's  
6 design, school/business/labor agreement negotiations, and recruiting  
7 high school students for preapprenticeship programs in the building  
8 trades and crafts.

9 (v) \$2,898,000 of the general fund--state appropriation for fiscal  
10 year 2010 and \$2,924,000 of the general fund--state appropriation for  
11 fiscal year 2011 are provided solely for the dissemination of the  
12 navigation 101 curriculum to all districts. The funding shall support  
13 electronic student planning tools and software for analyzing the impact  
14 of navigation 101 on student performance, as well as grants to a  
15 maximum of one hundred school districts each year, based on progress  
16 and need for the implementation of the navigation 101 program. The  
17 implementation grants shall be awarded to a cross-section of school  
18 districts reflecting a balance of geographic and demographic  
19 characteristics. Within the amounts provided, the office of the  
20 superintendent of public instruction will create a navigation 101  
21 accountability model to analyze the impact of the program.

22 (vi) \$627,000 of the general fund--state appropriation for fiscal  
23 year 2010 and \$225,000 of the general fund--state appropriation for  
24 fiscal year 2011 are provided solely for implementation of a statewide  
25 program for comprehensive dropout prevention, intervention, and  
26 retrieval.

27 (vii) \$40,000 of the general fund--state appropriation for fiscal  
28 year 2010 is provided solely for program initiatives to address the  
29 educational needs of Latino students and families. Using the full  
30 amounts of the appropriations under this subsection (2)(c)(vii), the  
31 office of the superintendent of public instruction shall contract with  
32 the Seattle community coalition of compaña quetzal to provide for three  
33 initiatives: (A) Early childhood education; (B) parent leadership  
34 training; and (C) high school success and college preparation programs.

35 (viii) \$60,000 of the general fund--state appropriation for fiscal  
36 year 2010 is provided solely for a pilot project to encourage bilingual  
37 high school students to pursue public school teaching as a profession.  
38 Using the full amounts of the appropriation under this subsection, the



1 office of the superintendent of public instruction shall contract with  
 2 the Latino/a educational achievement project (LEAP) to work with school  
 3 districts to identify and mentor not fewer than fifty bilingual  
 4 students in their junior year of high school, encouraging them to  
 5 become bilingual instructors in schools with high English language  
 6 learner populations. Students shall be mentored by bilingual teachers  
 7 and complete a curriculum developed and approved by the participating  
 8 districts.

9 (ix) \$145,000 of the general fund--state appropriation for fiscal  
 10 year 2010 and \$37,000 of the general fund--state appropriation for  
 11 fiscal year 2011 are provided solely to the office of the  
 12 superintendent of public instruction to enhance the reading skills of  
 13 students with dyslexia by implementing the findings of the dyslexia  
 14 pilot program. Funds shall be used to provide information and training  
 15 to classroom teachers and reading specialists, for development of a  
 16 dyslexia handbook, and to take other statewide actions to improve the  
 17 reading skills of students with dyslexia. The training program shall  
 18 be delivered regionally through the educational service districts.

19 (x) \$97,000 of the general fund--state appropriation for fiscal  
 20 year 2010 and \$48,000 of the general fund--state appropriation for  
 21 fiscal year 2011 are provided solely to support vocational student  
 22 leadership organizations.

23 (xi) \$100,000 of the general fund--state appropriation for fiscal  
 24 year 2011 is provided solely for drop-out prevention programs at the  
 25 office of the superintendent of public instruction including the jobs  
 26 for America's graduates (JAG) program.

27 **Sec. 1402.** 2011 c 5 s 502 (uncodified) is amended to read as  
 28 follows:

29 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR GENERAL**  
 30 **APPORTIONMENT**

31	General Fund--State Appropriation (FY 2010) . . . . .	\$5,126,153,000
32	General Fund--State Appropriation (FY 2011) . . . . .	<del>(( \$4,887,369,000 ))</del>
33		<u>\$4,748,555,000</u>
34	General Fund--Federal Appropriation . . . . .	\$208,098,000
35	TOTAL APPROPRIATION . . . . .	<del>(( \$10,221,620,000 ))</del>
36		<u>\$10,082,806,000</u>

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

3 (1)(a) Each general fund fiscal year appropriation includes such  
4 funds as are necessary to complete the school year ending in the fiscal  
5 year and for prior fiscal year adjustments.

6 (b) The appropriations in this section include federal funds  
7 provided through section 101 of Public Law No. 111-226 (education jobs  
8 fund), which shall be used to support general apportionment program  
9 funding. In distributing general apportionment allocations under this  
10 section for the 2010-11 school year, the superintendent shall include  
11 the entire allocation from the federal funds provided through section  
12 101 of Public Law No. 111-226 (education jobs fund) as part of each  
13 district's general apportionment allocation.

14 (2) Allocations for certificated staff salaries for the 2009-10 and  
15 2010-11 school years shall be determined using formula-generated staff  
16 units calculated pursuant to this subsection. Staff allocations for  
17 small school enrollments in (e) through (g) of this subsection shall be  
18 reduced for vocational full-time equivalent enrollments. Staff  
19 allocations for small school enrollments in grades K-6 shall be the  
20 greater of that generated under (a) of this subsection, or under (d)  
21 and (e) of this subsection. Certificated staffing allocations shall be  
22 as follows:

23 (a) On the basis of each 1,000 average annual full-time equivalent  
24 enrollments, excluding full-time equivalent enrollment otherwise  
25 recognized for certificated staff unit allocations under (d) through  
26 (g) of this subsection:

27 (i) Four certificated administrative staff units per thousand  
28 full-time equivalent students in grades K-12;

29 (ii)(A)(I) For districts that enroll fewer than 25 percent of their  
30 total full-time equivalent student enrollment in grades K through three  
31 in digital or online learning programs as defined in WAC 392-121-182,  
32 as in effect on November 1, 2009: For the 2009-10 school year, fifty-  
33 three and two-tenths certificated instructional staff units per  
34 thousand full-time equivalent students in grades K through three and,  
35 for the portion of the 2010-11 school year from September 1, 2010,  
36 through January 31, 2011, fifty and seventy-five one-hundredths  
37 certificated instructional staff units per thousand full-time  
38 equivalent students in grades K through three.

1 (II) For all other districts for the 2009-10 school year, a minimum  
2 of forty-nine certificated instructional staff units per 1,000  
3 full-time equivalent (FTE) students in grades K through three, with  
4 additional certificated instructional staff units to equal the  
5 documented staffing level in grades K through three, up to a maximum of  
6 fifty-three and two-tenths certificated instructional staff units per  
7 1,000 FTE students.

8 For the portion of the 2010 school year from September 1, 2010,  
9 through January 31, 2011, a minimum of forty-nine certificated  
10 instructional staff units per thousand full-time equivalent students in  
11 grades K through three, with additional certificated instructional  
12 staff units to equal the documented staffing level in grades K through  
13 three, up to a maximum of fifty and seventy-five one-hundredths  
14 certificated instructional staff units per thousand full-time  
15 equivalent students in grades K through three.

16 (B)(I) For districts that enroll fewer than 25 percent of their  
17 total full-time equivalent student enrollment in grade four in digital  
18 or online learning programs defined in WAC 392-121-182 as in effect on  
19 November 1, 2009: For the 2009-10 school year, fifty-three and  
20 two-tenths certificated instructional staff units per thousand full-  
21 time equivalent students in grade four, and for the portion of the  
22 2010-11 school year from September 1, 2010, through January 31, 2011,  
23 forty-six and twenty-seven one-hundredths certificated instructional  
24 staff units per thousand full-time equivalent students in grade four.

25 (II) For all other districts:

26 For the 2009-10 school year, a minimum of forty-six certificated  
27 instructional staff units per 1,000 full-time equivalent (FTE) students  
28 in grade four, and additional certificated instructional staff units to  
29 equal the documented staffing level in grade four, up to a maximum of  
30 fifty-three and two-tenths certificated instructional staff units per  
31 1,000 FTE students.

32 For the portion of the 2010-11 school year from September 1, 2010,  
33 through January 31, 2011, a minimum of forty-six certificated  
34 instructional staff units per 1,000 full-time equivalent (FTE) students  
35 in grade four, and additional certificated instructional staff units to  
36 equal the documented staffing level in grade four, up to a maximum of  
37 forty-six and twenty-seven one-hundredths certificated instructional  
38 staff units per 1,000 FTE students;

1 (iii) For the portion of the 2010-11 school year beginning February  
2 1, 2010:

3 (A) Forty-nine certificated instructional staff units per thousand  
4 full-time equivalent students in grades kindergarten through three;

5 (B) Forty-six certificated instructional staff units per thousand  
6 full-time equivalent students in grade 4;

7 (iv) All allocations for instructional staff units per thousand  
8 full-time equivalent students above forty-nine in grades kindergarten  
9 through three and forty-six in grade four shall occur in apportionments  
10 in the monthly periods prior to February 1, 2011;

11 (v) Forty-six certificated instructional staff units per thousand  
12 full-time equivalent students in grades 5-12;

13 (vi) Certificated staff allocations in this subsection (2)(a)  
14 exceeding the statutory minimums established in RCW 28A.150.260 shall  
15 not be considered part of basic education;

16 (b) For school districts with a minimum enrollment of 250 full-time  
17 equivalent students whose full-time equivalent student enrollment count  
18 in a given month exceeds the first of the month full-time equivalent  
19 enrollment count by 5 percent, an additional state allocation of 110  
20 percent of the share that such increased enrollment would have  
21 generated had such additional full-time equivalent students been  
22 included in the normal enrollment count for that particular month;

23 (c)(i) On the basis of full-time equivalent enrollment in:

24 (A) Vocational education programs approved by the superintendent of  
25 public instruction, a maximum of 0.92 certificated instructional staff  
26 units and 0.08 certificated administrative staff units for each 19.5  
27 full-time equivalent vocational students;

28 (B) Middle school vocational STEM programs approved by the  
29 superintendent of public instruction, a maximum of 0.92 certificated  
30 instructional staff units and 0.8 certificated administrative staff  
31 units for each 19.5 full-time equivalent vocational students; and

32 (C) Skills center programs meeting the standards for skills center  
33 funding established in January 1999 by the superintendent of public  
34 instruction with a waiver allowed for skills centers in current  
35 operation that are not meeting this standard until the 2010-11 school  
36 year, 0.92 certificated instructional staff units and 0.08 certificated  
37 administrative units for each 16.67 full-time equivalent vocational  
38 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  
7 vocational-secondary programs and vocational middle-school shall not  
8 exceed 15 percent of the combined basic education and vocational  
9 enhancement allocations of state funds;

10 (d) For districts enrolling not more than twenty-five average  
11 annual full-time equivalent students in grades K-8, and for small  
12 school plants within any school district which have been judged to be  
13 remote and necessary by the state board of education and enroll not  
14 more than twenty-five average annual full-time equivalent students in  
15 grades K-8:

16 (i) For those enrolling no students in grades 7 and 8, 1.76  
17 certificated instructional staff units and 0.24 certificated  
18 administrative staff units for enrollment of not more than five  
19 students, plus one-twentieth of a certificated instructional staff unit  
20 for each additional student enrolled; and

21 (ii) For those enrolling students in grades 7 or 8, 1.68  
22 certificated instructional staff units and 0.32 certificated  
23 administrative staff units for enrollment of not more than five  
24 students, plus one-tenth of a certificated instructional staff unit for  
25 each additional student enrolled;

26 (e) For specified enrollments in districts enrolling more than  
27 twenty-five but not more than one hundred average annual full-time  
28 equivalent students in grades K-8, and for small school plants within  
29 any school district which enroll more than twenty-five average annual  
30 full-time equivalent students in grades K-8 and have been judged to be  
31 remote and necessary by the state board of education:

32 (i) For enrollment of up to sixty annual average full-time  
33 equivalent students in grades K-6, 2.76 certificated instructional  
34 staff units and 0.24 certificated administrative staff units; and

35 (ii) For enrollment of up to twenty annual average full-time  
36 equivalent students in grades 7 and 8, 0.92 certificated instructional  
37 staff units and 0.08 certificated administrative staff units;

1 (f) For districts operating no more than two high schools with  
2 enrollments of less than three hundred average annual full-time  
3 equivalent students, for enrollment in grades 9-12 in each such school,  
4 other than alternative schools:

5 (i) For remote and necessary schools enrolling students in any  
6 grades 9-12 but no more than twenty-five average annual full-time  
7 equivalent students in grades K-12, four and one-half certificated  
8 instructional staff units and one-quarter of a certificated  
9 administrative staff unit;

10 (ii) For all other small high schools under this subsection, nine  
11 certificated instructional staff units and one-half of a certificated  
12 administrative staff unit for the first sixty average annual full time  
13 equivalent students, and additional staff units based on a ratio of  
14 0.8732 certificated instructional staff units and 0.1268 certificated  
15 administrative staff units per each additional forty-three and one-half  
16 average annual full time equivalent students.

17 Units calculated under (f)(ii) of this subsection shall be reduced  
18 by certificated staff units at the rate of forty-six certificated  
19 instructional staff units and four certificated administrative staff  
20 units per thousand vocational full-time equivalent students;

21 (g) For each nonhigh school district having an enrollment of more  
22 than seventy annual average full-time equivalent students and less than  
23 one hundred eighty students, operating a grades K-8 program or a grades  
24 1-8 program, an additional one-half of a certificated instructional  
25 staff unit; and

26 (h) For each nonhigh school district having an enrollment of more  
27 than fifty annual average full-time equivalent students and less than  
28 one hundred eighty students, operating a grades K-6 program or a grades  
29 1-6 program, an additional one-half of a certificated instructional  
30 staff unit.

31 (3) Allocations for classified salaries for the 2009-10 and 2010-11  
32 school years shall be calculated using formula-generated classified  
33 staff units determined as follows:

34 (a) For enrollments generating certificated staff unit allocations  
35 under subsection (2)(e) through (h) of this section, one classified  
36 staff unit for each 2.94 certificated staff units allocated under such  
37 subsections;

1 (b) For all other enrollment in grades K-12, including vocational  
2 full-time equivalent enrollments, one classified staff unit for each  
3 58.75 average annual full-time equivalent students; and

4 (c) For each nonhigh school district with an enrollment of more  
5 than fifty annual average full-time equivalent students and less than  
6 one hundred eighty students, an additional one-half of a classified  
7 staff unit.

8 (4) Fringe benefit allocations shall be calculated at a rate of  
9 14.43 percent in the 2009-10 school year and 14.43 percent in the  
10 2010-11 school year for certificated salary allocations provided under  
11 subsection (2) of this section, and a rate of 16.59 percent in the  
12 2009-10 school year and 16.59 percent in the 2010-11 school year for  
13 classified salary allocations provided under subsection (3) of this  
14 section.

15 (5) Insurance benefit allocations shall be calculated at the  
16 maintenance rate specified in section 504(2) of this act, based on the  
17 number of benefit units determined as follows:

18 (a) The number of certificated staff units determined in subsection  
19 (2) of this section; and

20 (b) The number of classified staff units determined in subsection  
21 (3) of this section multiplied by 1.152. This factor is intended to  
22 adjust allocations so that, for the purposes of distributing insurance  
23 benefits, full-time equivalent classified employees may be calculated  
24 on the basis of 1440 hours of work per year, with no individual  
25 employee counted as more than one full-time equivalent.

26 (6)(a) For nonemployee-related costs associated with each  
27 certificated staff unit allocated under subsection (2)(a), (b), and (d)  
28 through (g) of this section, there shall be provided a maximum of  
29 \$10,179 per certificated staff unit in the 2009-10 school year and a  
30 maximum of \$10,424 per certificated staff unit in the 2010-11 school  
31 year.

32 (b) For nonemployee-related costs associated with each vocational  
33 certificated staff unit allocated under subsection (2)(c)(i)(A) of this  
34 section, there shall be provided a maximum of \$24,999 per certificated  
35 staff unit in the 2009-10 school year and a maximum of \$25,399 per  
36 certificated staff unit in the 2010-11 school year.

37 (c) For nonemployee-related costs associated with each vocational  
38 certificated staff unit allocated under subsection (2)(c)(i)(B) of this

1 section, there shall be provided a maximum of \$19,395 per certificated  
2 staff unit in the 2009-10 school year and a maximum of \$19,705 per  
3 certificated staff unit in the 2010-11 school year.

4 (7) Allocations for substitute costs for classroom teachers shall  
5 be distributed at a maintenance rate of \$607.44 for the 2009-10 and  
6 2010-11 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) Funding in this section is sufficient to provide additional  
24 service year credits to educational staff associates pursuant to  
25 chapter 403, Laws of 2007.

26 (10)(a) The superintendent may distribute a maximum of \$5,452,000  
27 outside the basic education formula during fiscal years 2010 and 2011  
28 as follows:

29 (i) For fire protection for school districts located in a fire  
30 protection district as now or hereafter established pursuant to chapter  
31 52.04 RCW, a maximum of \$567,000 may be expended in fiscal year 2010  
32 and a maximum of \$576,000 may be expended in fiscal year 2011;

33 (ii) For summer vocational programs at skills centers, a maximum of  
34 \$2,385,000 may be expended for the 2010 fiscal year and a maximum of  
35 \$600,000 for the 2011 fiscal year;

36 (iii) A maximum of \$403,000 may be expended for school district  
37 emergencies; and



1 (iv) A maximum of \$485,000 for fiscal year 2010 and \$436,000 for  
2 fiscal year 2011 may be expended for programs providing skills training  
3 for secondary students who are enrolled in extended day school-to-work  
4 programs, as approved by the superintendent of public instruction. The  
5 funds shall be allocated at a rate not to exceed \$500 per full-time  
6 equivalent student enrolled in those programs.

7 (b) Funding in this section is sufficient to fund a maximum of 1.6  
8 FTE enrollment for skills center students pursuant to chapter 463, Laws  
9 of 2007.

10 (11) For purposes of RCW 84.52.0531, the increase per full-time  
11 equivalent student is 4.0 percent from the 2008-09 school year to the  
12 2009-10 school year and 4.0 percent from the 2009-10 school year to the  
13 2010-11 school year.

14 (12) If two or more school districts consolidate and each district  
15 was receiving additional basic education formula staff units pursuant  
16 to subsection (2)(b) through (g) of this section, the following shall  
17 apply:

18 (a) For three school years following consolidation, the number of  
19 basic education formula staff units shall not be less than the number  
20 of basic education formula staff units received by the districts in the  
21 school year prior to the consolidation; and

22 (b) For the fourth through eighth school years following  
23 consolidation, the difference between the basic education formula staff  
24 units received by the districts for the school year prior to  
25 consolidation and the basic education formula staff units after  
26 consolidation pursuant to subsection (2)(a) through (h) of this section  
27 shall be reduced in increments of twenty percent per year.

28 (13) General apportionment payments to the Steilacoom historical  
29 school district shall reflect changes to operation of the Harriet  
30 Taylor elementary school consistent with the timing of reductions in  
31 correctional facility capacity and staffing.

32 (14) (~~(\$2,500,000)~~) \$15,500,000 of the general fund--state  
33 appropriation for fiscal year 2011 is provided solely for the  
34 superintendent for financial contingency funds for eligible school  
35 districts. Of the amount provided in this subsection, \$2,500,000 is  
36 for school districts needing financial assistance as a result of budget  
37 reductions included in this act. Of the amount provided in this  
38 subsection, \$13,000,000 is for school districts needing financial

1 assistance as a result of delaying a portion of the June apportionment  
2 payment. The financial contingency funds shall be allocated to  
3 eligible districts in the form of an advance of their respective  
4 general apportionment allocations.

5 (a) Eligibility:

6 The superintendent shall determine a district's eligibility for  
7 receipt of financial contingency funds, and districts shall be eligible  
8 only if the following conditions are met:

9 (i) A petition is submitted by the school district as provided in  
10 RCW 28A.510.250 and WAC 392-121-436; and

11 (ii) The district's projected general fund balance for the month of  
12 March is less than one-half of one percent of its budgeted general fund  
13 expenditures as submitted to the superintendent for the 2010-11 school  
14 year on the F-196 report.

15 (b) Calculations:

16 The superintendent shall calculate the financial contingency  
17 allocation to each district as the lesser of:

18 (i) The amount set forth in the school district's resolution;

19 (ii) An amount not to exceed 10 percent of the total amount to  
20 become due and apportionable to the district from September 1st through  
21 August 31st of the current school year;

22 (iii) The highest negative monthly cash and investment balance of  
23 the general fund between the date of the resolution and May 31st of the  
24 school year based on projections approved by the county treasurer and  
25 the educational service district.

26 (c) Repayment:

27 For any amount allocated to a district in state fiscal year 2011,  
28 the superintendent shall deduct in state fiscal year 2012 from the  
29 district's general apportionment the amount of the emergency  
30 contingency allocation and any earnings by the school district on the  
31 investment of a temporary cash surplus due to the emergency contingency  
32 allocation. Repayments or advances will be accomplished by a reduction  
33 in the school district's apportionment payments on or before June 30th  
34 of the school year following the distribution of the emergency  
35 contingency allocation. All disbursements, repayments, and outstanding  
36 allocations to be repaid of the emergency contingency pool shall be  
37 reported to the office of financial management and the appropriate

1 fiscal committees of the legislature on July 1st and January 1st of  
2 each year.

3 **Sec. 1403.** 2010 1st sp.s. c 37 s 504 (uncodified) is amended to  
4 read as follows:

5 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR SCHOOL EMPLOYEE**  
6 **COMPENSATION ADJUSTMENTS**

7	General Fund--State Appropriation (FY 2010) . . . . .	(\$4,414,000)
8	General Fund--State Appropriation (FY 2011) . . . . .	<del>((-\$1,806,000))</del>
9		<u>(\$1,539,000)</u>
10	General Fund--Federal Appropriation . . . . .	(\$1,000)
11	TOTAL APPROPRIATION . . . . .	<del>((-\$6,221,000))</del>
12		<u>(\$5,954,000)</u>

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

15 (1)(a) Additional salary adjustments as necessary to fund the base  
16 salaries for certificated instructional staff as listed for each  
17 district in LEAP Document 2, defined in section 503(2)(b) of this act.  
18 Allocations for these salary adjustments shall be provided to all  
19 districts that are not grandfathered to receive salary allocations  
20 above the statewide salary allocation schedule, and to certain  
21 grandfathered districts to the extent necessary to ensure that salary  
22 allocations for districts that are currently grandfathered do not fall  
23 below the statewide salary allocation schedule.

24 (b) Additional salary adjustments to certain districts as necessary  
25 to fund the per full-time-equivalent salary allocations for  
26 certificated administrative staff as listed for each district in LEAP  
27 Document 2, defined in section 503(2)(b) of this act. These  
28 adjustments shall ensure a minimum salary allocation for certificated  
29 administrative staff of \$57,986 in the 2009-10 school year and \$57,986  
30 in the 2010-11 school year.

31 (c) Additional salary adjustments to certain districts as necessary  
32 to fund the per full-time-equivalent salary allocations for classified  
33 staff as listed for each district in LEAP Document 2, defined in  
34 section 503(2)(b) of this act. These salary adjustments ensure a  
35 minimum salary allocation for classified staff of \$31,865 in the 2009-  
36 10 school year and \$31,865 in the 2010-11 school year.

1 (d) The appropriations in this subsection (1) include associated  
2 incremental fringe benefit allocations at rates 13.79 percent for the  
3 2009-10 school year and 13.79 percent for the 2010-11 school year for  
4 certificated staff and 13.09 percent for the 2009-10 school year and  
5 13.09 percent for the 2010-11 school year for classified staff.

6 (e) The appropriations in this section include the increased or  
7 decreased portion of salaries and incremental fringe benefits for all  
8 relevant state-funded school programs in part V of this act. Changes  
9 for general apportionment (basic education) are based on the salary  
10 allocation schedules and methodology in sections 502 and 503 of this  
11 act. Changes for special education result from changes in each  
12 district's basic education allocation per student. Changes for  
13 educational service districts and institutional education programs are  
14 determined by the superintendent of public instruction using the  
15 methodology for general apportionment salaries and benefits in sections  
16 502 and 503 of this act. The appropriations in this section provide  
17 incremental fringe benefit alterations based on formula adjustments as  
18 follows:

	School Year	
	2009-10	2010-11
Pupil Transportation (per weighted pupil mile)	\$0	\$0
Highly Capable (per formula student)	(\$1.49)	(\$2.98)
Transitional Bilingual Education (per eligible bilingual student)	(\$3.93)	(\$7.86)
Learning Assistance (per formula student)	(\$1.18)	(\$2.36)

19  
20  
21  
22  
23  
24  
25 (f) The appropriations in this section include no salary  
26 adjustments for substitute teachers.

27 (2) \$44,213,000 is provided for adjustments to insurance benefit  
28 allocations. The maintenance rate for insurance benefit allocations is  
29 \$732.00 per month for the 2009-10 and 2010-11 school years. The  
30 appropriations in this section provide for a rate increase to \$745.00  
31 per month for the 2009-10 school year and \$768.00 per month for the  
32 2010-11 school year. The adjustments to health insurance benefits are  
33 at the following rates:

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34

	School Year	
	2009-10	2010-11
Pupil Transportation (per weighted pupil mile)	\$0.12	\$0.33
Highly Capable (per formula student)	\$0.79	\$2.22
Transitional Bilingual Education (per eligible bilingual student)	\$2.11	\$5.83
Learning Assistance (per formula student)	\$0.54	\$1.49

(3) The rates specified in this section are subject to revision each year by the legislature.

**Sec. 1404.** 2011 c 5 s 503 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR PUPIL TRANSPORTATION**

General Fund--State Appropriation (FY 2010) . . . . .	\$317,116,000
General Fund--State Appropriation (FY 2011) . . . . .	(\$296,408,000)
	<u>\$297,393,000</u>
TOTAL APPROPRIATION . . . . .	(\$613,524,000)
	<u>\$614,509,000</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.

(2) A maximum of \$878,000 of this fiscal year 2010 appropriation and a maximum of \$803,000 of the fiscal year 2011 appropriation may be expended for regional transportation coordinators and related activities. The transportation coordinators shall ensure that data submitted by school districts for state transportation funding shall, to the greatest extent practical, reflect the actual transportation activity of each district.

(3) Allocations for transportation of students shall be based on reimbursement rates of \$48.15 per weighted mile in the 2009-10 school year and \$48.37 per weighted mile in the 2010-11 school year exclusive of salary and benefit adjustments provided in section 504 of this act. Allocations for transportation of students transported more than one

1 radius mile shall be based on weighted miles as determined by  
2 superintendent of public instruction multiplied by the per mile  
3 reimbursement rates for the school year pursuant to the formulas  
4 adopted by the superintendent of public instruction. Allocations for  
5 transportation of students living within one radius mile shall be based  
6 on the number of enrolled students in grades kindergarten through five  
7 living within one radius mile of their assigned school multiplied by  
8 the per mile reimbursement rate for the school year multiplied by 1.29.

9 (4) The office of the superintendent of public instruction shall  
10 provide reimbursement funding to a school district only after the  
11 superintendent of public instruction determines that the school bus was  
12 purchased from the list established pursuant to RCW 28A.160.195(2) or  
13 a comparable competitive bid process based on the lowest price quote  
14 based on similar bus categories to those used to establish the list  
15 pursuant to RCW 28A.160.195.

16 (5) The superintendent of public instruction shall base  
17 depreciation payments for school district buses on the pre-sales tax  
18 five-year average of lowest bids in the appropriate category of bus.  
19 In the final year on the depreciation schedule, the depreciation  
20 payment shall be based on the lowest bid in the appropriate bus  
21 category for that school year.

22 (6) Funding levels in this section reflect reductions from the  
23 implementation of Substitute House Bill No. 1292 (authorizing waivers  
24 from the one hundred eighty-day school year requirement in order to  
25 allow four-day school weeks).

26 **Sec. 1405.** 2011 c 5 s 504 (uncodified) is amended to read as  
27 follows:

28 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR SCHOOL FOOD SERVICE**  
29 **PROGRAMS**

30	General Fund--State Appropriation (FY 2010) . . . . .	\$3,159,000
31	General Fund--State Appropriation (FY 2011) . . . . .	\$7,111,000
32	General Fund--Federal Appropriation . . . . .	<del>(\$448,588,000)</del>
33		<u>\$505,188,000</u>
34	TOTAL APPROPRIATION . . . . .	<del>(\$458,858,000)</del>
35		<u>\$515,458,000</u>

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

1 (1) \$3,000,000 of the general fund--state appropriation for fiscal  
2 year 2010 is provided for state matching money for federal child  
3 nutrition programs.

4 (2) \$100,000 of the general fund--state appropriation for fiscal  
5 year 2010 is provided for summer food programs for children in low-  
6 income areas.

7 (3) \$59,000 of the general fund--state appropriation for fiscal  
8 year 2010 is provided solely to reimburse school districts for school  
9 breakfasts served to students enrolled in the free or reduced price  
10 meal program pursuant to chapter 287, Laws of 2005 (requiring school  
11 breakfast programs in certain schools).

12 (4) \$7,111,000 of the general fund--state appropriation for fiscal  
13 year 2011 is provided solely for state matching money for federal child  
14 nutrition programs, and may support the meals for kids program through  
15 the following allowable uses:

16 (a) Elimination of breakfast copays for eligible public school  
17 students and lunch copays for eligible public school students in grades  
18 kindergarten through third grade who are eligible for reduced price  
19 lunch;

20 (b) Assistance to school districts and authorized public and  
21 private nonprofit organizations for supporting summer food service  
22 programs, and initiating new summer food service programs in low-income  
23 areas; and

24 (c) Reimbursements to school districts for school breakfasts served  
25 to students eligible for free and reduced price lunch, pursuant to  
26 chapter 287, Laws of 2005.

27 **Sec. 1406.** 2011 c 5 s 505 (uncodified) is amended to read as  
28 follows:

29 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR SPECIAL EDUCATION**  
30 **PROGRAMS**

31	General Fund--State Appropriation (FY 2010) . . . . .	\$632,136,000
32	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$626,099,000)</del>
33		<u>\$627,316,000</u>
34	General Fund--Federal Appropriation . . . . .	<del>(\$664,601,000)</del>
35		<u>\$675,618,000</u>
36	Education Legacy Trust Account--State	
37	Appropriation . . . . .	\$756,000

1 TOTAL APPROPRIATION . . . . . ((~~\$1,923,592,000~~))  
2 \$1,935,826,000

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

5 (1) Funding for special education programs is provided on an excess  
6 cost basis, pursuant to RCW 28A.150.390. School districts shall ensure  
7 that special education students as a class receive their full share of  
8 the general apportionment allocation accruing through sections 502 and  
9 504 of this act. To the extent a school district cannot provide an  
10 appropriate education for special education students under chapter  
11 28A.155 RCW through the general apportionment allocation, it shall  
12 provide services through the special education excess cost allocation  
13 funded in this section.

14 (2)(a) The superintendent of public instruction shall ensure that:

15 (i) Special education students are basic education students first;

16 (ii) As a class, special education students are entitled to the  
17 full basic education allocation; and

18 (iii) Special education students are basic education students for  
19 the entire school day.

20 (b) The superintendent of public instruction shall continue to  
21 implement the full cost method of excess cost accounting, as designed  
22 by the committee and recommended by the superintendent, pursuant to  
23 section 501(1)(k), chapter 372, Laws of 2006.

24 (3) Each fiscal year appropriation includes such funds as are  
25 necessary to complete the school year ending in the fiscal year and for  
26 prior fiscal year adjustments.

27 (4) The superintendent of public instruction shall distribute state  
28 funds to school districts based on two categories: (a) The first  
29 category includes (i) children birth through age two who are eligible  
30 for the optional program for special education eligible developmentally  
31 delayed infants and toddlers, and (ii) students eligible for the  
32 mandatory special education program and who are age three or four, or  
33 five and not yet enrolled in kindergarten; and (b) the second category  
34 includes students who are eligible for the mandatory special education  
35 program and who are age five and enrolled in kindergarten and students  
36 age six through 21.

37 (5)(a) For the 2009-10 and 2010-11 school years, the superintendent  
38 shall make allocations to each district based on the sum of:



1 (i) A district's annual average headcount enrollment of students  
2 ages birth through four and those five year olds not yet enrolled in  
3 kindergarten, as defined in subsection (4) of this section, multiplied  
4 by the district's average basic education allocation per full-time  
5 equivalent student, multiplied by 1.15; and

6 (ii) A district's annual average full-time equivalent basic  
7 education enrollment multiplied by the funded enrollment percent  
8 determined pursuant to subsection (6)(b) of this section, multiplied by  
9 the district's average basic education allocation per full-time  
10 equivalent student multiplied by 0.9309.

11 (b) For purposes of this subsection, "average basic education  
12 allocation per full-time equivalent student" for a district shall be  
13 based on the staffing ratios required by RCW 28A.150.260 and shall not  
14 include enhancements, secondary vocational education, or small schools  
15 in the 2009-10 school year. In the 2010-11 school year, the per  
16 student allocation under this subsection (5)(b) shall include the same  
17 factors as in the 2009-10 school year, but shall also include the  
18 classified staff enhancements included in section 502(3)(b).

19 (6) The definitions in this subsection apply throughout this  
20 section.

21 (a) "Annual average full-time equivalent basic education  
22 enrollment" means the resident enrollment including students enrolled  
23 through choice (RCW 28A.225.225) and students from nonhigh districts  
24 (RCW 28A.225.210) and excluding students residing in another district  
25 enrolled as part of an interdistrict cooperative program (RCW  
26 28A.225.250).

27 (b) "Enrollment percent" means the district's resident special  
28 education annual average enrollment, excluding the birth through age  
29 four enrollment and those five year olds not yet enrolled in  
30 kindergarten, as a percent of the district's annual average full-time  
31 equivalent basic education enrollment.

32 Each district's general fund--state funded special education  
33 enrollment shall be the lesser of the district's actual enrollment  
34 percent or 12.7 percent.

35 (7) At the request of any interdistrict cooperative of at least 15  
36 districts in which all excess cost services for special education  
37 students of the districts are provided by the cooperative, the maximum  
38 enrollment percent shall be calculated in accordance with subsection

1 (6)(b) of this section, and shall be calculated in the aggregate rather  
2 than individual district units. For purposes of this subsection, the  
3 average basic education allocation per full-time equivalent student  
4 shall be calculated in the aggregate rather than individual district  
5 units.

6 (8) To the extent necessary, \$19,512,000 of the general fund--state  
7 appropriation and \$29,574,000 of the general fund--federal  
8 appropriation are provided for safety net awards for districts with  
9 demonstrated needs for special education funding beyond the amounts  
10 provided in subsection (5) of this section. If the federal safety net  
11 awards based on the federal eligibility threshold exceed the federal  
12 appropriation in this subsection (8) in any fiscal year, the  
13 superintendent shall expend all available federal discretionary funds  
14 necessary to meet this need. Safety net funds shall be awarded by the  
15 state safety net oversight committee subject to the following  
16 conditions and limitations:

17 (a) The committee shall consider unmet needs for districts that can  
18 convincingly demonstrate that all legitimate expenditures for special  
19 education exceed all available revenues from state funding formulas.  
20 In the determination of need, the committee shall also consider  
21 additional available revenues from federal sources. Differences in  
22 program costs attributable to district philosophy, service delivery  
23 choice, or accounting practices are not a legitimate basis for safety  
24 net awards. In the determination of need, the committee shall require  
25 that districts demonstrate that they are maximizing their eligibility  
26 for all state and federal revenues related to services for special  
27 education-eligible students. Awards associated with (b) and (c) of  
28 this subsection shall not exceed the total of a district's specific  
29 determination of need.

30 (b) The committee shall then consider the extraordinary high cost  
31 needs of one or more individual special education students.  
32 Differences in costs attributable to district philosophy, service  
33 delivery choice, or accounting practices are not a legitimate basis for  
34 safety net awards.

35 (c) Using criteria developed by the committee, the committee shall  
36 then consider extraordinary costs associated with communities that draw  
37 a larger number of families with children in need of special education

1 services. The safety net awards to school districts shall be adjusted  
2 to reflect amounts awarded under (b) of this subsection.

3 (d) The maximum allowable indirect cost for calculating safety net  
4 eligibility may not exceed the federal restricted indirect cost rate  
5 for the district plus one percent.

6 (e) Safety net awards must be adjusted for any audit findings or  
7 exceptions related to special education funding.

8 (f) Safety net awards shall be adjusted based on the percent of  
9 potential medicaid eligible students billed as calculated by the  
10 superintendent in accordance with chapter 318, Laws of 1999. The state  
11 safety net oversight committee shall ensure that safety net  
12 documentation and awards are based on current medicaid revenue amounts.

13 (g) Beginning with the 2010-11 school year award cycle, the office  
14 of the superintendent of public instruction shall make award  
15 determinations for state safety net funding in August of each school  
16 year. Determinations on school district eligibility for state safety  
17 net awards shall be based on analysis of actual expenditure data from  
18 the current school year.

19 (9) The superintendent of public instruction may adopt such rules  
20 and procedures as are necessary to administer the special education  
21 funding and safety net award process. Prior to revising any standards,  
22 procedures, or rules, the superintendent shall consult with the office  
23 of financial management and the fiscal committees of the legislature.

24 (10) The safety net oversight committee appointed by the  
25 superintendent of public instruction shall consist of:

26 (a) One staff from the office of superintendent of public  
27 instruction;

28 (b) Staff of the office of the state auditor who shall be nonvoting  
29 members of the committee; and

30 (c) One or more representatives from school districts or  
31 educational service districts knowledgeable of special education  
32 programs and funding.

33 (11) The office of the superintendent of public instruction shall  
34 review and streamline the application process to access safety net  
35 funds, provide technical assistance to school districts, and annually  
36 survey school districts regarding improvement to the process.

37 (12) A maximum of \$678,000 may be expended from the general  
38 fund--state appropriations to fund 5.43 full-time equivalent teachers

1 and 2.1 full-time equivalent aides at children's orthopedic hospital  
2 and medical center. This amount is in lieu of money provided through  
3 the home and hospital allocation and the special education program.

4 (13) The superintendent shall maintain the percentage of federal  
5 flow-through to school districts at 85 percent. In addition to other  
6 purposes, school districts may use increased federal funds for  
7 high-cost students, for purchasing regional special education services  
8 from educational service districts, and for staff development  
9 activities particularly relating to inclusion issues.

10 (14) A school district may carry over from one year to the next  
11 year up to 10 percent of the general fund--state funds allocated under  
12 this program; however, carryover funds shall be expended in the special  
13 education program.

14 (15) \$262,000 of the general fund--state appropriation for fiscal  
15 year 2010 and \$251,000 of the general fund--state appropriation for  
16 fiscal year 2011 are provided solely for two additional full-time  
17 equivalent staff to support the work of the safety net committee and to  
18 provide training and support to districts applying for safety net  
19 awards.

20 (16) \$50,000 of the general fund--state appropriation for fiscal  
21 year 2010, \$50,000 of the general fund--state appropriation for fiscal  
22 2011, and \$100,000 of the general fund--federal appropriation shall be  
23 expended to support a special education ombudsman program within the  
24 office of superintendent of public instruction.

25 **Sec. 1407.** 2010 1st sp.s. c 37 s 509 (uncodified) is amended to  
26 read as follows:

27 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR LOCAL EFFORT**  
28 **ASSISTANCE**

29	General Fund--State Appropriation (FY 2010) . . . . .	\$93,141,000
30	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$286,911,000)</del>
31		<u>\$285,980,000</u>
32	General Fund--Federal Appropriation . . . . .	\$157,043,000
33	TOTAL APPROPRIATION . . . . .	<del>(\$537,095,000)</del>
34		<u>\$536,164,000</u>

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

1 (1) \$157,043,000 of the general fund--federal appropriation for  
2 fiscal year 2010 is provided solely for American recovery and  
3 reinvestment act of 2009 (ARRA) fiscal stabilization funds to restore  
4 state reductions for local effort assistance payments.

5 (2) \$21,808,000 of the general fund--state appropriation for fiscal  
6 year 2011 is provided solely for implementation of Substitute House  
7 Bill No. 2893 (school levies). If the bill is not enacted by June 30,  
8 2010, the amount provided in this subsection shall lapse.

9 **Sec. 1408.** 2010 1st sp.s. c 37 s 510 (uncodified) is amended to  
10 read as follows:

11 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR INSTITUTIONAL**  
12 **EDUCATION PROGRAMS**

13	General Fund--State Appropriation (FY 2010) . . . . .	\$18,059,000
14	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$19,006,000)</del>
15		<u>\$20,063,000</u>
16	TOTAL APPROPRIATION . . . . .	<del>(\$37,065,000)</del>
17		<u>\$38,122,000</u>

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

20 (1) Each general fund--state fiscal year appropriation includes  
21 such funds as are necessary to complete the school year ending in the  
22 fiscal year and for prior fiscal year adjustments.

23 (2) State funding provided under this section is based on salaries  
24 and other expenditures for a 220-day school year. The superintendent  
25 of public instruction shall monitor school district expenditure plans  
26 for institutional education programs to ensure that districts plan for  
27 a full-time summer program.

28 (3) State funding for each institutional education program shall be  
29 based on the institution's annual average full-time equivalent student  
30 enrollment. Staffing ratios for each category of institution shall  
31 remain the same as those funded in the 1995-97 biennium.

32 (4) The funded staffing ratios for education programs for juveniles  
33 age 18 or less in department of corrections facilities shall be the  
34 same as those provided in the 1997-99 biennium.

35 (5) \$228,000 of the general fund--state appropriation for fiscal  
36 year 2010 and ~~(\$228,000)~~ \$509,000 of the general fund--state  
37 appropriation for fiscal year 2011 are provided solely to maintain at

1 least one certificated instructional staff and related support services  
2 at an institution whenever the K-12 enrollment is not sufficient to  
3 support one full-time equivalent certificated instructional staff to  
4 furnish the educational program. The following types of institutions  
5 are included: Residential programs under the department of social and  
6 health services for developmentally disabled juveniles, programs for  
7 juveniles under the department of corrections, and programs for  
8 juveniles under the juvenile rehabilitation administration.

9 (6) Ten percent of the funds allocated for each institution may be  
10 carried over from one year to the next.

11 **Sec. 1409.** 2011 c 5 s 507 (uncodified) is amended to read as  
12 follows:

13 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR PROGRAMS FOR HIGHLY**  
14 **CAPABLE STUDENTS**

15	General Fund--State Appropriation (FY 2010) . . . . .	\$9,189,000
16	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$9,162,000)</del>
17		<u>\$9,137,000</u>
18	TOTAL APPROPRIATION . . . . .	<del>(\$18,351,000)</del>
19		<u>\$18,326,000</u>

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

22 (1) Each general fund fiscal year appropriation includes such funds  
23 as are necessary to complete the school year ending in the fiscal year  
24 and for prior fiscal year adjustments.

25 (2) Allocations for school district programs for highly capable  
26 students shall be distributed at a maximum rate of \$401.08 per funded  
27 student for the 2009-10 school year and \$401.08 per funded student for  
28 the 2010-11 school year, exclusive of salary and benefit adjustments  
29 pursuant to section 504 of this act. For the 2009-10 and 2010-11  
30 school years, the number of funded students shall be a maximum of 2.314  
31 percent of each district's full-time equivalent basic education  
32 enrollment.

33 (3) \$90,000 of the fiscal year 2010 appropriation and \$81,000 of  
34 the fiscal year 2011 appropriation are provided for the Washington  
35 destination imagination network and future problem-solving programs.

36 (4) \$170,000 of the fiscal year 2010 appropriation and \$153,000 of

1 the fiscal year 2011 appropriation are provided for the centrum program  
2 at Fort Worden state park.

3 **Sec. 1410.** 2011 c 5 s 508 (uncodified) is amended to read as  
4 follows:

5 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--EDUCATION REFORM**  
6 **PROGRAMS**

7	General Fund--State Appropriation (FY 2010) . . . . .	\$93,642,000
8	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$85,691,000)</del>
9		<u>\$83,257,000</u>
10	General Fund--Federal Appropriation . . . . .	<del>(\$154,627,000)</del>
11		<u>\$245,841,000</u>
12	Education Legacy Trust Account--State	
13	Appropriation . . . . .	<del>(\$98,981,000)</del>
14		<u>\$98,610,000</u>
15	TOTAL APPROPRIATION . . . . .	<del>(\$432,941,000)</del>
16		<u>\$521,350,000</u>

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

19 (1) \$35,804,000 of the general fund--state appropriation for fiscal  
20 year 2010, \$31,850,000 of the general fund--state appropriation for  
21 fiscal year 2011, \$1,350,000 of the education legacy trust  
22 account--state appropriation, and \$17,869,000 of the general  
23 fund--federal appropriation are provided solely for development and  
24 implementation of the Washington state assessment system, including:  
25 (i) Development and implementation of retake assessments for high  
26 school students who are not successful in one or more content areas;  
27 and (ii) development and implementation of alternative assessments or  
28 appeals procedures to implement the certificate of academic  
29 achievement. The superintendent of public instruction shall report  
30 quarterly on the progress on development and implementation of  
31 alternative assessments or appeals procedures. Within these amounts,  
32 the superintendent of public instruction shall contract for the early  
33 return of 10th grade student assessment results, on or around June 10th  
34 of each year.

35 (2) \$3,249,000 of the general fund--state appropriation for fiscal  
36 year 2010 and \$3,249,000 of the general fund--state appropriation for

1 fiscal year 2011 are provided solely for the design of the state  
2 assessment system and the implementation of end of course assessments  
3 for high school math.

4 (3) Within amounts provided in subsections (1) and (2) of this  
5 section, the superintendent of public instruction, in consultation with  
6 the state board of education, shall develop a statewide high school  
7 end-of-course assessment measuring student achievement of the state  
8 science standards in biology to be implemented statewide in the 2011-12  
9 school year. By December 1, 2010, the superintendent of public  
10 instruction shall recommend whether additional end-of-course  
11 assessments in science should be developed and in which content areas.  
12 Any recommendation for additional assessments must include an  
13 implementation timeline and the projected cost to develop and  
14 administer the assessments.

15 (4) \$1,014,000 of the education legacy trust account appropriation  
16 is provided solely for allocations to districts for salaries and  
17 benefits for the equivalent of two additional professional development  
18 days for fourth and fifth grade teachers during the 2008-2009 school  
19 year. The allocations shall be made based on the calculations of  
20 certificated instructional staff units for fourth and fifth grade  
21 provided in section 502 of this act and on the calculations of  
22 compensation provided in sections 503 and 504 of this act. Districts  
23 may use the funding to support additional days for professional  
24 development as well as job-embedded forms of professional development.

25 (5) \$3,241,000 of the education legacy trust fund appropriation is  
26 provided solely for allocations to districts for salaries and benefits  
27 for the equivalent of three additional professional development days  
28 for middle and high school math and science teachers during the 2008-  
29 2009 school year, as well as specialized training for one math and  
30 science teacher in each middle school and high school during the 2008-  
31 2009 school year. Districts may use the funding to support additional  
32 days for professional development as well as job-embedded forms of  
33 professional development.

34 (6) \$3,773,000 of the education legacy trust account--state  
35 appropriation is provided solely for a math and science instructional  
36 coaches program pursuant to chapter 396, Laws of 2007. Funding shall  
37 be used to provide grants to schools and districts to provide salaries,  
38 benefits, and professional development activities for up to twenty-five



1 instructional coaches in middle and high school math and twenty-five  
2 instructional coaches in middle and high school science in each year of  
3 the biennium; and up to \$300,000 may be used by the office of the  
4 superintendent of public instruction to administer and coordinate the  
5 program.

6 (7) \$1,740,000 of the general fund--state appropriation for fiscal  
7 year 2010 (~~and \$1,775,000 of the general fund--state appropriation for~~  
8 ~~fiscal year 2011 are~~) is provided solely to allow approved middle and  
9 junior high school career and technical education programs to receive  
10 enhanced vocational funding. The office of the superintendent of  
11 public instruction shall provide allocations to districts for middle  
12 and junior high school students in accordance with the funding formulas  
13 provided in section 502 of this act. If Second Substitute Senate Bill  
14 No. 5676 is enacted the allocations are formula-driven, otherwise the  
15 office of the superintendent shall consider the funding provided in  
16 this subsection as a fixed amount, and shall adjust funding to stay  
17 within the amounts provided in this subsection. Beginning in school  
18 year 2010-11, middle and junior high vocational programs will be funded  
19 out of general apportionment.

20 (8) \$139,000 of the general fund--state appropriation for fiscal  
21 year 2010 and \$93,000 of the general fund--state appropriation for  
22 fiscal year 2011 are provided solely for (a) staff at the office of the  
23 superintendent of public instruction to coordinate and promote efforts  
24 to develop integrated math, science, technology, and engineering  
25 programs in schools and districts across the state; and (b) grants of  
26 \$2,500 to provide twenty middle and high school teachers each year  
27 professional development training for implementing integrated math,  
28 science, technology, and engineering program in their schools.

29 (9) \$1,473,000 of the general fund--state appropriation for fiscal  
30 year 2010 and \$197,000 of the general fund--state appropriation for  
31 fiscal year 2011 are provided solely for the Washington state  
32 leadership and assistance for science education reform (LASER) regional  
33 partnership activities coordinated at the Pacific science center,  
34 including instructional material purchases, teacher and principal  
35 professional development, and school and community engagement events.  
36 Funding shall be distributed to the various LASER activities in a  
37 manner proportional to LASER program spending during the 2007-2009  
38 biennium.

1           (10) (~~(\$88,981,000)~~) \$88,610,000 of the education legacy trust  
2 account--state appropriation is provided solely for grants for  
3 voluntary full-day kindergarten at the highest poverty schools, as  
4 provided in chapter 400, Laws of 2007. The office of the  
5 superintendent of public instruction shall provide allocations to  
6 districts for recipient schools in accordance with the funding formulas  
7 provided in section 502 of this act. Each kindergarten student who  
8 enrolls for the voluntary full-day program in a recipient school shall  
9 count as one-half of one full-time equivalent student for the purpose  
10 of making allocations under this subsection. Although the allocations  
11 are formula-driven, the office of the superintendent shall consider the  
12 funding provided in this subsection as a fixed amount, and shall limit  
13 the number of recipient schools so as to stay within the amounts  
14 appropriated each fiscal year in this subsection. The funding provided  
15 in this subsection is estimated to provide full-day kindergarten  
16 programs for 20 percent of kindergarten enrollment. Funding priority  
17 shall be given to schools with the highest poverty levels, as measured  
18 by prior year free and reduced priced lunch eligibility rates in each  
19 school. Additionally, as a condition of funding, school districts must  
20 agree to provide the full-day program to the children of parents who  
21 request it in each eligible school. For the purposes of calculating a  
22 school district levy base, funding provided in this subsection shall be  
23 considered a state block grant program under RCW 84.52.0531.

24           (a) Of the amounts provided in this subsection, a maximum of  
25 \$272,000 may be used for administrative support of the full-day  
26 kindergarten program within the office of the superintendent of public  
27 instruction.

28           (b) Student enrollment pursuant to this program shall not be  
29 included in the determination of a school district's overall K-12 FTE  
30 for the allocation of student achievement programs and other funding  
31 formulas unless specifically stated.

32           (11) \$700,000 of the general fund--state appropriation for fiscal  
33 year 2010 and \$450,000 of the general fund--state appropriation for  
34 fiscal year 2011 are provided solely for the development of a  
35 leadership academy for school principals and administrators. The  
36 superintendent of public instruction shall contract with an independent  
37 organization to design, field test, and implement a state-of-the-art  
38 education leadership academy that will be accessible throughout the

1 state. Initial development of the content of the academy activities  
2 shall be supported by private funds. Semiannually the independent  
3 organization shall report on amounts committed by foundations and  
4 others to support the development and implementation of this program.  
5 Leadership academy partners, with varying roles, shall include the  
6 state level organizations for school administrators and principals, the  
7 superintendent of public instruction, the professional educator  
8 standards board, and others as the independent organization shall  
9 identify.

10 (12) \$105,754,000 of the general fund--federal appropriation is  
11 provided for preparing, training, and recruiting high quality teachers  
12 and principals under Title II of the no child left behind act.

13 (13) \$1,960,000 of the general fund--state appropriation for fiscal  
14 year 2010 and \$761,000 of the general fund--state appropriation for  
15 fiscal year 2011 are provided solely to the office of the  
16 superintendent of public instruction for focused assistance. The  
17 office of the superintendent of public instruction shall conduct  
18 educational audits of low-performing schools and enter into performance  
19 agreements between school districts and the office to implement the  
20 recommendations of the audit and the community. Funding in this  
21 subsection shall be used for focused assistance programs for individual  
22 schools or school districts. The office of the superintendent of  
23 public instruction shall report to the fiscal committees of the  
24 legislature by September 1, 2011, providing an accounting of the uses  
25 of focused assistance funds during the 2009-11 fiscal biennium,  
26 including a list of schools served and the types of services provided.

27 (14) \$1,667,000 of the general fund--state appropriation for fiscal  
28 year 2010 is provided solely to eliminate the lunch co-pay for students  
29 in grades kindergarten through third grade that are eligible for  
30 reduced price lunch.

31 (15) \$5,285,000 of the general fund--state appropriation for fiscal  
32 year 2010 is provided solely for: (a) The meals for kids program under  
33 RCW 28A.235.145 through 28A.235.155; (b) to eliminate the breakfast co-  
34 pay for students eligible for reduced price lunch; and (c) for  
35 additional assistance for school districts initiating a summer food  
36 service program.

37 (16) \$1,003,000 of the general fund--state appropriation for fiscal  
38 year 2010 and \$528,000 of the general fund--state appropriation for

1 fiscal year 2011 are provided solely for the Washington reading corps.  
2 The superintendent shall allocate reading corps members to low-  
3 performing schools and school districts that are implementing  
4 comprehensive, proven, research-based reading programs. Two or more  
5 schools may combine their Washington reading corps programs. Grants  
6 provided under this section may be used by school districts for  
7 expenditures from September 2009 through August 31, 2011.

8 (17) \$3,269,000 of the general fund--state appropriation for fiscal  
9 year 2010 and \$3,594,000 of the general fund--state appropriation for  
10 fiscal year 2011 are provided solely for grants to school districts to  
11 provide a continuum of care for children and families to help children  
12 become ready to learn. Grant proposals from school districts shall  
13 contain local plans designed collaboratively with community service  
14 providers. If a continuum of care program exists in the area in which  
15 the school district is located, the local plan shall provide for  
16 coordination with existing programs to the greatest extent possible.  
17 Grant funds shall be allocated pursuant to RCW 70.190.040.

18 (18) \$1,861,000 of the general fund--state appropriation for fiscal  
19 year 2010 and \$1,836,000 of the general fund--state appropriation for  
20 fiscal year 2011 are provided solely for improving technology  
21 infrastructure, monitoring and reporting on school district technology  
22 development, promoting standards for school district technology,  
23 promoting statewide coordination and planning for technology  
24 development, and providing regional educational technology support  
25 centers, including state support activities, under chapter 28A.650 RCW.

26 (19) \$225,000 of the general fund--state appropriation for fiscal  
27 year 2010 and \$150,000 of the general fund--state appropriation for  
28 fiscal year 2011 are provided solely for the operation of the center  
29 for the improvement of student learning pursuant to RCW 28A.300.130.

30 (20) \$246,000 of the education legacy trust account--state  
31 appropriation is provided solely for costs associated with the office  
32 of the superintendent of public instruction's statewide director of  
33 technology position.

34 (21)(a) \$28,715,000 of the general fund--state appropriation for  
35 fiscal year 2010 and (~~(\$36,168,000)~~) \$35,509,000 of the general fund--  
36 state appropriation for fiscal year 2011 are provided solely for the  
37 following bonuses for teachers who hold valid, unexpired certification

1 from the national board for professional teaching standards and who are  
2 teaching in a Washington public school, subject to the following  
3 conditions and limitations:

4 (i) For national board certified teachers, a bonus of \$5,000 per  
5 teacher beginning in the 2007-08 school year and adjusted for inflation  
6 in each school year thereafter in which Initiative 732 cost of living  
7 adjustments are provided;

8 (ii) An additional \$5,000 annual bonus shall be paid to national  
9 board certified teachers who teach in either: (A) High schools where  
10 at least 50 percent of student headcount enrollment is eligible for  
11 federal free or reduced price lunch, (B) middle schools where at least  
12 60 percent of student headcount enrollment is eligible for federal free  
13 or reduced price lunch, or (C) elementary schools where at least 70  
14 percent of student headcount enrollment is eligible for federal free or  
15 reduced price lunch;

16 (iii) The superintendent of public instruction shall adopt rules to  
17 ensure that national board certified teachers meet the qualifications  
18 for bonuses under (a)(ii) of this subsection for less than one full  
19 school year receive bonuses in a pro-rated manner; (~~and~~)

20 (iv) During the 2009-10 and 2010-11 school years, and within the  
21 available state and federal appropriations, certificated instructional  
22 staff who have met the eligibility requirements and have applied for  
23 certification from the national board for professional teaching  
24 standards may receive a conditional two thousand dollars or the amount  
25 set by the office of the superintendent of public instruction to  
26 contribute toward the current assessment fee, not including the initial  
27 up-front candidacy payment. The fee shall be an advance on the first  
28 annual bonus under RCW 28A.405.415. The assessment fee for national  
29 certification is provided in addition to compensation received under a  
30 district's salary schedule adopted in accordance with RCW 28A.405.200  
31 and shall not be included in calculations of a district's average  
32 salary and associated salary limitation under RCW 28A.400.200.  
33 Recipients who fail to receive certification after three years are  
34 required to repay the assessment fee, not including the initial up-  
35 front candidacy payment, as set by the national board for professional  
36 teaching standards and administered by the office of the superintendent  
37 of public instruction. The office of the superintendent of public

1 instruction shall adopt rules to define the terms for initial grant of  
2 the assessment fee and repayment, including applicable fees; and

3 (v) To the extent necessary, the superintendent may use revenues  
4 from the repayment of conditional loan scholarships to ensure payment  
5 of all national board bonus payments required by this section in each  
6 school year.

7 (b) Included in the amounts provided in this subsection are amounts  
8 for mandatory fringe benefits.

9 (22) \$2,475,000 of the general fund--state appropriation for fiscal  
10 year 2010 and \$456,000 of the general fund--state appropriation for  
11 fiscal year 2011 are provided solely for secondary career and technical  
12 education grants pursuant to chapter 170, Laws of 2008. This funding  
13 may additionally be used to support FIRST Robotics programs. In fiscal  
14 year 2011, if equally matched by private donations, \$300,000 of the  
15 appropriation shall be used to support FIRST Robotics programs,  
16 including FIRST Robotics professional development.

17 (23) \$75,000 of the general fund--state appropriation for fiscal  
18 year 2011 is provided solely for the implementation of House Bill No.  
19 2621 (K-12 school resource programs). If the bill is not enacted by  
20 June 30, 2010, the amount provided in this subsection shall lapse.

21 (24) \$300,000 of the general fund--state appropriation for fiscal  
22 year 2010 is provided solely for the local farms-healthy kids program  
23 as described in chapter 215, Laws of 2008. The program is suspended in  
24 the 2011 fiscal year, and not eliminated.

25 (25) \$2,348,000 of the general fund--state appropriation for fiscal  
26 year 2010 and \$1,000,000 of the general fund--state appropriation for  
27 fiscal year 2011 are provided solely for a beginning educator support  
28 program. School districts and/or regional consortia may apply for  
29 grant funding beginning in the 2009-10 school year. The superintendent  
30 shall implement this program in 5 to 15 school districts and/or  
31 regional consortia. The program provided by a district and/or regional  
32 consortia shall include: A paid orientation; assignment of a qualified  
33 mentor; development of a professional growth plan for each beginning  
34 teacher aligned with professional certification; release time for  
35 mentors and new teachers to work together, and teacher observation time  
36 with accomplished peers. \$250,000 may be used to provide state-wide  
37 professional development opportunities for mentors and beginning  
38 educators. The superintendent of public instruction shall adopt rules

1 to establish and operate a research-based beginning educator support  
2 program no later than August 31, 2009. OSPI must evaluate the  
3 program's progress and may contract for this work. A report to the  
4 legislature about the beginning educator support program is due  
5 November 1, 2010.

6 (26) \$390,000 of the education legacy trust account--state  
7 appropriation is provided solely for the development and implementation  
8 of diagnostic assessments, consistent with the recommendations of the  
9 Washington assessment of student learning work group.

10 (27) Funding within this section is provided for implementation of  
11 Engrossed Substitute Senate Bill No. 5414 (statewide assessments and  
12 curricula).

13 (28) \$530,000 of the general fund--state appropriation for fiscal  
14 year 2010 and \$265,000 of the general fund--state appropriation for  
15 fiscal year 2011 are provided solely for the leadership internship  
16 program for superintendents, principals, and program administrators.

17 (29) Funding for the community learning center program, established  
18 in RCW 28A.215.060, and providing grant funding for the 21st century  
19 after-school program, is suspended and not eliminated.

20 (30) \$2,357,000 of the general fund--state appropriation for fiscal  
21 year 2011 is provided solely for implementation of Engrossed Second  
22 Substitute Senate Bill No. 6696 (education reform). Of the amount  
23 provided, \$142,000 is provided to the professional educators' standards  
24 board and \$120,000 is provided to the system of the educational service  
25 districts, to fulfill their respective duties under the bill.

26 **Sec. 1411.** 2010 1st sp.s. c 37 s 514 (uncodified) is amended to  
27 read as follows:

28 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR TRANSITIONAL**  
29 **BILINGUAL PROGRAMS**

30	General Fund--State Appropriation (FY 2010) . . . . .	\$76,419,000
31	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$77,672,000)</del>
32		<u>\$79,912,000</u>
33	General Fund--Federal Appropriation . . . . .	\$65,263,000
34	TOTAL APPROPRIATION . . . . .	<del>(\$219,354,000)</del>
35		<u>\$221,594,000</u>

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

1 (1) Each general fund fiscal year appropriation includes such funds  
2 as are necessary to complete the school year ending in the fiscal year  
3 and for prior fiscal year adjustments.

4 (2) The superintendent shall distribute a maximum of \$901.46 per  
5 eligible bilingual student in the 2009-10 school year and \$901.46 in  
6 the 2010-11 school year, exclusive of salary and benefit adjustments  
7 provided in section 504 of this act.

8 (3) The superintendent may withhold up to 1.5 percent of the school  
9 year allocations to school districts in subsection (2) of this section,  
10 and adjust the per eligible pupil rates in subsection (2) of this  
11 section accordingly, solely for the central provision of assessments as  
12 provided in RCW 28A.180.090 (1) and (2).

13 (4) \$70,000 of the amounts appropriated in this section are  
14 provided solely to track current and former transitional bilingual  
15 program students.

16 (5) The general fund--federal appropriation in this section is  
17 provided for migrant education under Title I Part C and English  
18 language acquisition, and language enhancement grants under Title III  
19 of the elementary and secondary education act.

20 **Sec. 1412.** 2010 1st sp.s. c 37 s 515 (uncodified) is amended to  
21 read as follows:

22 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR THE LEARNING**  
23 **ASSISTANCE PROGRAM**

24	General Fund--State Appropriation (FY 2010) . . . . .	\$103,865,000
25	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$110,312,000)</del>
26		<u>\$114,240,000</u>
27	General Fund--Federal Appropriation . . . . .	<del>(\$553,925,000)</del>
28		<u>\$580,425,000</u>
29	Education Legacy Trust Account--State Appropriation . . . . .	\$47,980,000
30	TOTAL APPROPRIATION . . . . .	<del>(\$816,082,000)</del>
31		<u>\$846,510,000</u>

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

34 (1) The general fund--state appropriations in this section are  
35 subject to the following conditions and limitations:

36 (a) The appropriations include such funds as are necessary to



1 complete the school year ending in the fiscal year and for prior fiscal  
2 year adjustments.

3 (b) Funding for school district learning assistance programs shall  
4 be allocated at maximum rates of \$281.71 per funded student for the  
5 2009-10 school year and \$283.00 per funded student for the 2010-11  
6 school year exclusive of salary and benefit adjustments provided under  
7 section 504 of this act.

8 (c) A school district's funded students for the learning assistance  
9 program shall be the sum of the following as appropriate:

10 (i) The district's full-time equivalent enrollment in grades K-12  
11 for the prior school year multiplied by the district's percentage of  
12 October headcount enrollment in grades K-12 eligible for free or  
13 reduced price lunch in the prior school year; and

14 (ii) If, in the prior school year, the district's percentage of  
15 October headcount enrollment in grades K-12 eligible for free or  
16 reduced price lunch exceeded forty percent, subtract forty percent from  
17 the district's percentage and multiply the result by the district's K-  
18 12 annual average full-time equivalent enrollment for the prior school  
19 year.

20 (d) In addition to the amounts allocated in (b) and (c) of this  
21 subsection, an additional amount shall be allocated to school districts  
22 with high concentrations of poverty and English language learner  
23 students, subject to the following rules and conditions:

24 (i) To qualify for additional funding under this subsection, a  
25 district's October headcount enrollment in grades kindergarten through  
26 grade twelve must have at least twenty percent enrolled in the  
27 transitional bilingual instruction program based on an average of the  
28 program headcount taken in October and May of the prior school year;  
29 and must also have at least forty percent eligible for free or reduced  
30 price lunch based on October headcount enrollment in grades  
31 kindergarten through twelve in the prior school year.

32 (ii) Districts meeting the specifications in (d)(i) of this  
33 subsection shall receive additional funded students for the learning  
34 assistance program at the rates specified in subsection (1)(b) of this  
35 section. The number of additional funded student units shall be  
36 calculated by subtracting twenty percent from the district's percent  
37 transitional bilingual instruction program enrollment as defined in

1 (d)(i) of this subsection, and the resulting percent shall be  
2 multiplied by the district's kindergarten through twelve annual average  
3 full-time equivalent enrollment for the prior school year.

4 (2) Allocations made pursuant to subsection (1) of this section  
5 shall be adjusted to reflect ineligible applications identified through  
6 the annual income verification process required by the national school  
7 lunch program, as recommended in the report of the state auditor on the  
8 learning assistance program dated February, 2010.

9 (3) The general fund--federal appropriation in this section is  
10 provided for Title I Part A allocations of the no child left behind act  
11 of 2001.

12 (4) A school district may carry over from one year to the next up  
13 to 10 percent of the general fund--state or education legacy trust  
14 funds allocated under this program; however, carryover funds shall be  
15 expended for the learning assistance program.

16 (5) School districts are encouraged to coordinate the use of these  
17 funds with other federal, state, and local sources to serve students  
18 who are below grade level and to make efficient use of resources in  
19 meeting the needs of students with the greatest academic deficits.

20 (6) Within amounts appropriated in this section, funding is  
21 provided for the implementation of extended learning programs required  
22 in chapter 328, Laws of 2008.

23 **Sec. 1413.** 2010 1st sp.s. c 37 s 516 (uncodified) is amended to  
24 read as follows:

25 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR STUDENT ACHIEVEMENT**  
26 **PROGRAMS**

27	General Fund--State Appropriation (FY 2010) . . . . .	\$19,000
28	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$25,730,000)</del>
29		<u>\$25,417,000</u>
30	General Fund--Federal Appropriation . . . . .	\$200,295,000
31	TOTAL APPROPRIATION . . . . .	<del>(\$226,044,000)</del>
32		<u>\$225,731,000</u>

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

35 (1) Funding for school district student achievement programs shall  
36 be allocated at a maximum rate of \$131.16 per FTE student for the 2009-  
37 10 school year and \$0 per FTE student for the 2010-11 school year. For

1 the purposes of this section, FTE student refers to the annual average  
2 full-time equivalent enrollment of the school district in grades  
3 kindergarten through twelve for the prior school year, as reported to  
4 the office of the superintendent of public instruction by August 31st  
5 of the previous school year.

6 (2) The appropriation is allocated for the following uses as  
7 specified in RCW 28A.505.210:

8 (a) To reduce class size by hiring certificated elementary  
9 classroom teachers in grades K-4 and paying nonemployee-related costs  
10 associated with those new teachers;

11 (b) To make selected reductions in class size in grades 5-12, such  
12 as small high school writing classes;

13 (c) To provide extended learning opportunities to improve student  
14 academic achievement in grades K-12, including, but not limited to,  
15 extended school year, extended school day, before-and-after-school  
16 programs, special tutoring programs, weekend school programs, summer  
17 school, and all-day kindergarten;

18 (d) To provide additional professional development for educators  
19 including additional paid time for curriculum and lesson redesign and  
20 alignment, training to ensure that instruction is aligned with state  
21 standards and student needs, reimbursement for higher education costs  
22 related to enhancing teaching skills and knowledge, and mentoring  
23 programs to match teachers with skilled, master teachers. The funding  
24 shall not be used for salary increases or additional compensation for  
25 existing teaching duties, but may be used for extended year and  
26 extended day teaching contracts;

27 (e) To provide early assistance for children who need  
28 prekindergarten support in order to be successful in school; or

29 (f) To provide improvements or additions to school building  
30 facilities which are directly related to the class size reductions and  
31 extended learning opportunities under (a) through (c) of this  
32 subsection (2).

33 (3) The superintendent of public instruction shall distribute the  
34 school year allocation according to the monthly apportionment schedule  
35 defined in RCW 28A.510.250.

36 (4) \$200,295,000 of the general fund--federal appropriation for  
37 fiscal year 2010 is provided solely for American recovery and

1 reinvestment act of 2009 (ARRA) fiscal stabilization funds to restore  
2 state reductions for the student achievement program.

3 **Sec. 1414.** 2010 1st sp.s. c 37 s 517 (uncodified) is amended to  
4 read as follows:

5 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

6 (1) Appropriations made in this act to the office of the  
7 superintendent of public instruction shall initially be allotted as  
8 required by this act. Subsequent allotment modifications shall not  
9 include transfers of moneys between sections of this act, except as  
10 expressly provided in subsection (2) of this section.

11 (2) The appropriations to the office of the superintendent of  
12 public instruction in this act shall be expended for the programs and  
13 amounts specified in this act. However, after May 1, (~~2010~~) 2011,  
14 unless specifically prohibited by this act and after approval by the  
15 director of financial management, the superintendent of public  
16 instruction may transfer state general fund appropriations for fiscal  
17 year (~~2010~~) 2011 among the following programs to meet the  
18 apportionment schedule for a specified formula in another of these  
19 programs: General apportionment; employee compensation adjustments;  
20 pupil transportation; special education programs; institutional  
21 education programs; transitional bilingual programs; and student  
22 achievement and learning assistance programs.

23 (3) The director of financial management shall notify the  
24 appropriate legislative fiscal committees in writing prior to approving  
25 any allotment modifications or transfers under this section.

(End of part)

PART XV  
HIGHER EDUCATION

Sec. 1501. 2011 c 5 s 607 (uncodified) is amended to read as follows:

**FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES**

General Fund--State Appropriation (FY 2010) . . . . .	\$631,804,000
General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$603,296,000)</del>
	<u>\$603,878,000</u>
General Fund--Federal Appropriation . . . . .	\$17,171,000
Education Legacy Trust Account--State Appropriation . . . . .	\$95,035,000
Opportunity Express Account--State Appropriation . . . . .	\$18,556,000
TOTAL APPROPRIATION . . . . .	<del>(\$1,365,862,000)</del>
	<u>\$1,366,444,000</u>

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

(1) \$28,761,000 of the general fund--state appropriation for fiscal year 2010, \$28,761,000 of the general fund--state appropriation for fiscal year 2011, and \$17,556,000 of the opportunity express account--state appropriation are provided solely as special funds for training and related support services, including financial aid, as specified in RCW 28C.04.390. Funding is provided to support at least 6,200 full-time equivalent students in fiscal year 2010 and at least 9,984 full-time equivalent students in fiscal year 2011.

(2) \$2,725,000 of the general fund--state appropriation for fiscal year 2010 and \$2,725,000 of the general fund--state appropriation for fiscal year 2011 are provided solely for administration and customized training contracts through the job skills program. The state board shall make an annual report by January 1st of each year to the governor and to the appropriate policy and fiscal committees of the legislature regarding implementation of this section, listing the scope of grant awards, the distribution of funds by educational sector and region of the state, and the results of the partnerships supported by these funds.

(3) Of the amounts appropriated in this section, \$3,500,000 is provided solely for the student achievement initiative.

1 (4) When implementing the appropriations in this section, the state  
2 board and the trustees of the individual community and technical  
3 colleges shall minimize impact on academic programs, maximize  
4 reductions in administration, and shall at least maintain, and endeavor  
5 to increase, enrollment opportunities and degree and certificate  
6 production in high employer-demand fields of study at their academic  
7 year 2008-09 levels.

8 (5) Within the board's 2009-11 biennial budget allocation to  
9 Bellevue College, and pursuant to RCW 28B.50.810, the college may  
10 implement, on a tuition and fee basis, an additional applied  
11 baccalaureate degree in interior design. This program is intended to  
12 provide students with additional opportunities to earn baccalaureate  
13 degrees and to respond to emerging job and economic growth  
14 opportunities. The program reviews and approval decisions required by  
15 RCW 28B.50.810 (3) and (4) shall be completed by July 31, 2009, so that  
16 the degree may be offered during the 2009-10 academic year.

17 (6) In accordance with the recommendations of the higher education  
18 coordinating board's 2008 *Kitsap region higher education center study*,  
19 the state board shall facilitate development of university centers by  
20 allocating thirty 2-year and 4-year partnership full-time enrollment  
21 equivalencies to Olympic College and ten 2-year and 4-year partnership  
22 full-time enrollment equivalencies to Peninsula College. The colleges  
23 shall use the allocations to establish a partnership with a  
24 baccalaureate university or universities for delivery of upper division  
25 degree programs in the Kitsap region. The Olympic and Peninsula  
26 Community College districts shall additionally work together to ensure  
27 coordinated development of these and other future baccalaureate  
28 opportunities through coordinated needs assessment, planning, and  
29 scheduling.

30 (7) By September 1, 2009, the state board for community and  
31 technical colleges, the higher education coordinating board, and the  
32 office of financial management shall review and to the extent necessary  
33 revise current 2009-11 performance measures and targets based on the  
34 level of state, tuition, and other resources appropriated or authorized  
35 in this act and in the omnibus 2009-11 omnibus capital budget act. The  
36 boards and the office of financial management shall additionally  
37 develop new performance targets for the 2011-13 and the 2013-15 biennia

1 that will guide and measure the community and technical college  
2 system's contributions to achievement of the state's higher education  
3 master plan goals.

4 (8) \$2,250,000 of the general fund--state appropriation for fiscal  
5 year 2010 and \$2,250,000 of the general fund--state appropriation for  
6 fiscal year 2011 are provided solely for the hospital employee  
7 education and training program under which labor, management, and  
8 college partnerships develop or expand and evaluate training programs  
9 for incumbent hospital workers that lead to careers in nursing and  
10 other high-demand health care occupations. The board shall report  
11 student progress, outcomes, and costs to the relevant fiscal and policy  
12 committees of the legislature by November 2009 and November 2010.

13 (9) Community and technical colleges are not required to send mass  
14 mailings of course catalogs to residents of their districts. Community  
15 and technical colleges shall consider lower cost alternatives, such as  
16 mailing postcards or brochures that direct individuals to online  
17 information and other ways of acquiring print catalogs.

18 (10) \$1,112,000 of the general fund--state appropriation for fiscal  
19 year 2010 and \$1,113,000 of the general fund--state appropriation for  
20 fiscal year 2011 are provided solely for the state board to enhance  
21 online distance learning and open courseware technology. Funds shall  
22 be used to support open courseware, open textbooks, open licenses to  
23 increase access, affordability and quality of courses in higher  
24 education. The state board for community and technical colleges shall  
25 select the most appropriate courses to support open courseware based  
26 solely upon criteria of maximizing the value of instruction and  
27 reducing costs of textbooks and other instructional materials for the  
28 greatest number of students in higher education, regardless of the type  
29 of institution those students attend.

30 (11) \$158,000 of the general fund--state appropriation for fiscal  
31 year 2011 is provided solely to implement House Bill No. 2694 (B.S. in  
32 nursing/university center). If the bill is not enacted by June 30,  
33 2010, the amount provided in this subsection shall lapse.

34 (12)(a) The labor education and research center is transferred from  
35 The Evergreen State College to south Seattle community college and  
36 shall begin operations on July 1, 2010.

37 (b) At least \$164,000 of the general fund--state appropriation for

1 fiscal year 2011 shall be expended on the labor education and research  
2 center to provide outreach programs and direct educational and research  
3 services to labor unions and worker-centered organizations.

4 (13) \$1,000,000 of the opportunity express account--state  
5 appropriation is provided solely for the opportunity grant program as  
6 specified in RCW 28B.50.271.

7 (14) \$1,750,000 of the general fund--state appropriation for fiscal  
8 year 2011 is provided solely for the state board for community and  
9 technical colleges to contract with the aerospace training and research  
10 center on Paine field in Everett, Washington to support industry-  
11 identified training in the aerospace sector.

12 (15) Sufficient amounts are provided in this section to implement  
13 the food stamp employment and training program under Second Substitute  
14 House Bill No. 2782 (security lifeline act).

15 (16) Appropriations in section 609 of this act reflect reductions  
16 to the state need grant. The state board for community and technical  
17 colleges shall use locally held funds to provide a commensurate amount  
18 of aid to eligible students who would have received state need grant  
19 payments through the appropriations in section 609 of this act.

20 By September 1, 2011, the state board for community and technical  
21 colleges shall report to the appropriate legislative fiscal and policy  
22 committees regarding the implementation of this section. The report  
23 shall provide detail on the number of students provided aid under this  
24 subsection and the amount of aid provided to each student.

25 **Sec. 1502.** 2011 c 5 s 608 (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 2010) . . . . .	\$6,402,000
30	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$5,183,000)</del>
31		<u>\$5,339,000</u>
32	General Fund--Federal Appropriation . . . . .	\$4,332,000
33	TOTAL APPROPRIATION . . . . .	<del>(\$15,917,000)</del>
34		<u>\$16,073,000</u>

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



1 (1) Within the funds appropriated in this section, the higher  
2 education coordinating board shall complete a system design planning  
3 project that defines how the current higher education delivery system  
4 can be shaped and expanded over the next ten years to best meet the  
5 needs of Washington citizens and businesses for high quality and  
6 accessible post-secondary education. The board shall propose policies  
7 and specific, fiscally feasible implementation recommendations to  
8 accomplish the goals established in the *2008 strategic master plan for*  
9 *higher education*. The project shall specifically address the roles,  
10 missions, and instructional delivery systems both of the existing and  
11 of proposed new components of the higher education system; the extent  
12 to which specific academic programs should be expanded, consolidated,  
13 or discontinued and how that would be accomplished; the utilization of  
14 innovative instructional delivery systems and pedagogies to reach both  
15 traditional and nontraditional students; and opportunities to  
16 consolidate institutional administrative functions. The study  
17 recommendations shall also address the proposed location, role,  
18 mission, academic program, and governance of any recommended new  
19 campus, institution, or university center. During the planning  
20 process, the board shall inform and actively involve the chairs from  
21 the senate and house of representatives committees on higher education,  
22 or their designees. The board shall report the findings and  
23 recommendations of this system design planning project to the governor  
24 and the appropriate committees of the legislature by December 1, 2009.

25 (2) \$146,000 of the general fund--state appropriation for fiscal  
26 year 2010 and \$65,000 of the general fund--state appropriation for  
27 fiscal year 2011 are provided solely for the higher education  
28 coordinating board to administer Engrossed Second Substitute House Bill  
29 No. 2021 (revitalizing student financial aid). If the bill is not  
30 enacted by June 30, 2009, the amounts provided in this subsection shall  
31 lapse.

32 (3) \$167,000 of the general fund--state appropriation for fiscal  
33 year 2010 and \$67,000 of the general fund--state appropriation for  
34 fiscal year 2011 are provided solely to implement Engrossed Second  
35 Substitute House Bill No. 1946 (regarding higher education online  
36 technology). If the bill is not enacted by June 30, 2009, the amounts  
37 provided in this subsection shall lapse.

1 (4) \$350,000 of the general fund--state appropriation for fiscal  
2 year 2010 and \$200,000 of the general fund--state appropriation for  
3 fiscal year 2011 are provided solely for the higher education  
4 coordinating board to contract with the Pacific Northwest university of  
5 health sciences to conduct training and education of health care  
6 professionals to promote osteopathic physician services in rural and  
7 underserved areas of the state.

8 **Sec. 1503.** 2011 c 5 s 609 (uncodified) is amended to read as  
9 follows:

10 **FOR THE HIGHER EDUCATION COORDINATING BOARD--FINANCIAL AID AND GRANT**  
11 **PROGRAMS**

12	General Fund--State Appropriation (FY 2010) . . . . .	\$188,332,000
13	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$96,833,000)</del>
14		<u>\$182,683,000</u>
15	General Fund--Federal Appropriation . . . . .	\$13,129,000
16	Education Legacy Trust Account--State	
17	Appropriation . . . . .	<del>(\$116,060,000)</del>
18		<u>\$30,210,000</u>
19	Opportunity Pathways Account--State Appropriation . . . . .	\$73,500,000
20	TOTAL APPROPRIATION . . . . .	\$487,854,000

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

23 (1) \$178,726,000 of the general fund--state appropriation for  
24 fiscal year 2010, \$95,187,000 of the general fund--state appropriation  
25 for fiscal year 2011, \$109,188,000 of the education legacy trust  
26 account appropriation, \$73,500,000 of the opportunity pathways  
27 appropriation, and \$2,545,000 of the general fund--federal  
28 appropriation are provided solely for student financial aid payments  
29 under the state need grant; the state work study program including up  
30 to a four percent administrative allowance; the Washington scholars  
31 program; and the Washington award for vocational excellence. State  
32 need grant and the Washington award for vocational excellence shall be  
33 adjusted to offset the cost of the resident undergraduate tuition  
34 increases, limited to those tuition increases authorized under this  
35 act. The Washington scholars program shall provide awards sufficient  
36 to offset ninety percent of the total tuition and fee award.

1           (2)(a) Within the funds appropriated in this section, eligibility  
2 for the state need grant shall include students with family incomes at  
3 or below 70 percent of the state median family income (MFI), adjusted  
4 for family size. Awards for all students shall be adjusted by the  
5 estimated amount by which Pell grant increases exceed projected  
6 increases in the noninstructional costs of attendance. Awards for  
7 students with incomes between 51 and 70 percent of the state median  
8 shall be prorated at the following percentages of the award amount  
9 granted to those with incomes below 51 percent of the MFI: 70 percent  
10 for students with family incomes between 51 and 55 percent MFI; 65  
11 percent for students with family incomes between 56 and 60 percent MFI;  
12 60 percent for students with family incomes between 61 and 65 percent  
13 MFI; and 50 percent for students with family incomes between 66 and 70  
14 percent MFI.

15           (b) Grant awards for students at private four-year colleges shall  
16 be set at the same level as the student would receive if attending one  
17 of the public research universities.

18           (3) To the maximum extent practicable, the board shall provide  
19 state work study subsidies only to resident students during the 2010-11  
20 academic year. Additionally, in order to provide work opportunities to  
21 as many resident students as possible, the board is encouraged to  
22 increase the proportion of student wages that is to be paid by both  
23 proprietary and nonprofit, public, and private employers.

24           (4) \$3,872,000 of the education legacy trust account--state  
25 appropriation is provided solely for the passport to college  
26 scholarship program pursuant to chapter 28B.117 RCW. The higher  
27 education coordinating board shall contract with a college scholarship  
28 organization with expertise in managing scholarships for low-income,  
29 high-potential students and foster care children and young adults to  
30 administer the program. Of the amount in this subsection, \$39,000 is  
31 provided solely for the higher education coordinating board for  
32 administration of the contract and the remaining shall be contracted  
33 out to the organization for the following purposes:

34           (a) \$384,000 is provided solely for program administration, and

35           (b) \$3,449,000 is provided solely for student financial aid for up  
36 to 151 students and to fund student support services. Funds are  
37 provided for student scholarships, provider training, and for incentive  
38 payments to the colleges they attend for individualized student support

1 services which may include, but are not limited to, college and career  
2 advising, counseling, tutoring, costs incurred for students while  
3 school is not in session, personal expenses, health insurance, and  
4 emergency services.

5 (5) \$1,250,000 of the general fund--state appropriation for fiscal  
6 year 2010 is provided solely for the health professional scholarship  
7 and loan program. The funds provided in this subsection shall be: (a)  
8 Prioritized for health care deliver sites demonstrating a commitment to  
9 serving the uninsured; and (b) allocated between loan repayments and  
10 scholarships proportional to current program allocations.

11 (6) For fiscal year 2010 and fiscal year 2011, the board shall  
12 defer loan or conditional scholarship repayments to the future teachers  
13 conditional scholarship and loan repayment program for up to one year  
14 for each participant if the participant has shown evidence of efforts  
15 to find a teaching job but has been unable to secure a teaching job per  
16 the requirements of the program.

17 (7) \$246,000 of the general fund--state appropriation for fiscal  
18 year 2010 and \$246,000 of the general fund--state appropriation for  
19 fiscal year 2011 are for community scholarship matching grants and its  
20 administration. To be eligible for the matching grant, nonprofit  
21 groups organized under section 501(c)(3) of the federal internal  
22 revenue code must demonstrate they have raised at least \$2,000 in new  
23 moneys for college scholarships after the effective date of this  
24 section. Groups may receive no more than one \$2,000 matching grant per  
25 year and preference shall be given to groups affiliated with  
26 scholarship America. Up to a total of \$46,000 per year of the amount  
27 appropriated in this section may be awarded to a nonprofit community  
28 organization to administer scholarship matching grants, with preference  
29 given to an organization affiliated with scholarship America.

30 (8) \$500,000 of the general fund--state appropriation for fiscal  
31 year 2010 and \$500,000 of the general fund--state appropriation for  
32 fiscal year 2011 are provided solely for state need grants provided to  
33 students enrolled in three to five credit-bearing quarter credits, or  
34 the equivalent semester credits. Total state expenditures on this  
35 program shall not exceed the amounts provided in this subsection.

36 (9) \$2,500,000 of the education legacy trust account--state  
37 appropriation is provided solely for the gaining early awareness and  
38 readiness for undergraduate programs project.

1 (10) \$75,000 of the general fund--state appropriation for fiscal  
2 year 2010 is provided solely for higher education student child care  
3 matching grants under chapter 28B.135 RCW.

4 (11) \$200,000 of the general fund--state appropriation for fiscal  
5 year 2011 is provided solely for continuation of the leadership 1000  
6 scholarship sponsorship and matching program.

7 (12) In 2010 and 2011, the board shall continue to designate  
8 Washington scholars and scholar-alternates and to recognize them at  
9 award ceremonies as provided in RCW 28A.600.150, but state funding is  
10 provided for award of only one scholarship per legislative district  
11 during the 2010-11 academic year. After the 2010-11 academic year, and  
12 as provided in RCW 28B.76.660, the board may distribute grants to these  
13 eligible students to the extent that funds are appropriated for this  
14 purpose.

15 (13) Fiscal year 2011 appropriations in this section reflect  
16 general fund-state reductions to the state need grant. In implementing  
17 these reductions, the board shall reduce state need grant payments to  
18 each of the following institutions in the following amounts:

19	University of Washington . . . . .	\$5,658,000
20	Washington State University . . . . .	\$3,718,000
21	Eastern Washington University . . . . .	\$765,000
22	Central Washington University . . . . .	\$705,000
23	The Evergreen State College . . . . .	\$386,000
24	Western Washington University . . . . .	\$1,010,000
25	State Board for Community and Technical Colleges . . . . .	\$13,143,000

26 If any of these institutions has received state need grant payments  
27 in excess of the amount to which it is entitled after application of  
28 the reductions in this section, that institution shall remit to the  
29 board the amount of the overpayment.

30 **Sec. 1504.** 2010 1st sp.s. c 37 s 612 (uncodified) is amended to  
31 read as follows:

32	<b>FOR THE WORK FORCE TRAINING AND EDUCATION COORDINATING BOARD</b>	
33	General Fund--State Appropriation (FY 2010) . . . . .	\$1,465,000
34	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$1,444,000)</del>
35		<u>\$1,358,000</u>
36	General Fund--Federal Appropriation . . . . .	<del>(\$54,020,000)</del>
37		<u>\$54,022,000</u>

1 TOTAL APPROPRIATION . . . . . ((~~\$56,929,000~~))  
2 \$56,845,000

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

5 (1) \$60,000 of the general fund--state appropriation for fiscal  
6 year 2010 and \$60,000 of the general fund--state appropriation for  
7 fiscal year 2011 are provided solely for implementation of Engrossed  
8 Second Substitute House Bill No. 2227 (evergreen jobs act). If the  
9 bill is not enacted by June 30, 2009, the amounts provided in this  
10 subsection shall lapse.

11 (2) In 2010 and 2011, the board shall continue to designate  
12 recipients of the Washington award for vocational excellence and to  
13 recognize them at award ceremonies as provided in RCW 28C.04.535, but  
14 state funding is provided for award of only one scholarship per  
15 legislative district during the 2010-11 academic year. After the 2010-  
16 11 academic year, and as provided in RCW 28B.76.670, the board may  
17 distribute grants to these eligible students to the extent that funds  
18 are appropriated for this purpose.

19 **Sec. 1505.** 2011 c 5 s 612 (uncodified) is amended to read as  
20 follows:

21 **FOR THE DEPARTMENT OF EARLY LEARNING**

22 General Fund--State Appropriation (FY 2010) . . . . . \$60,400,000  
23 General Fund--State Appropriation (FY 2011) . . . . . ((~~\$19,335,000~~))  
24 \$19,302,000  
25 General Fund--Federal Appropriation . . . . . \$266,004,000  
26 Opportunity Pathways Account--State Appropriation . . . . . \$40,000,000  
27 TOTAL APPROPRIATION . . . . . ((~~\$385,739,000~~))  
28 \$385,706,000

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

31 (1) \$54,878,000 of the general fund--state appropriation for fiscal  
32 year 2010 and \$14,405,000 of the general fund--state appropriation for  
33 fiscal year 2011, and \$40,000,000 of the opportunity pathways account  
34 appropriation are provided solely for early childhood education and  
35 assistance program services. This appropriation temporarily reduces  
36 the number of slots for the 2009-11 fiscal biennium for the early  
37 childhood education and assistance program. The department shall

1 reduce slots where providers serve both federal headstart and early  
2 childhood education and assistance program children, to the greatest  
3 extent possible, in order to achieve no reduction of slots across the  
4 state. The amounts in this subsection also reflect reductions to the  
5 administrative expenditures for the early childhood education and  
6 assistance program. The department shall reduce administrative  
7 expenditures, to the greatest extent possible, prior to reducing early  
8 childhood education and assistance program slots. Of these amounts,  
9 \$10,284,000 is a portion of the biennial amount of state matching  
10 dollars required to receive federal child care and development fund  
11 grant dollars.

12 (2) \$1,000,000 of the general fund--federal appropriation is  
13 provided to the department to contract with Thrive by Five, Washington  
14 for a pilot project for a quality rating and improvement system to  
15 provide parents with information they need to choose quality child care  
16 and education programs and to improve the quality of early care and  
17 education programs. The department in collaboration with Thrive by  
18 Five shall operate the pilot projects in King, Yakima, Clark, Spokane,  
19 and Kitsap counties. The department shall use child care development  
20 fund quality money for this purpose.

21 (3) \$425,000 of the general fund--state appropriation for fiscal  
22 year 2010, \$213,000 of the general fund--state appropriation for fiscal  
23 year 2011, and \$850,000 of the general fund--federal appropriation are  
24 provided solely for child care resource and referral network services.  
25 The general fund--federal funding represents moneys from the American  
26 recovery and reinvestment act of 2009 (child care development block  
27 grant).

28 (4) \$750,000 of the general fund--state appropriation for fiscal  
29 year 2010 and \$1,500,000 of the general fund--federal appropriation are  
30 provided solely for the career and wage ladder program created by  
31 chapter 507, Laws of 2005. The general fund--federal funding  
32 represents moneys from the American recovery and reinvestment act of  
33 2009 (child care development block grant).

34 (5) \$50,000 of the general fund--state appropriation for fiscal  
35 year 2010 and \$50,000 of the general fund--state appropriation for  
36 fiscal year 2011 are provided solely for the department to work with  
37 stakeholders and the office of the superintendent of public instruction  
38 to identify and test a kindergarten assessment process and tools in

1 geographically diverse school districts. School districts may  
2 participate in testing the kindergarten assessment process on a  
3 voluntary basis. The department shall report to the legislature on the  
4 kindergarten assessment process not later than January 15, 2011.  
5 Expenditure of amounts provided in this subsection is contingent on  
6 receipt of an equal match from private sources. As matching funds are  
7 made available, the department may expend the amounts provided in this  
8 subsection.

9 (6) \$1,600,000 of the general fund--federal appropriation is  
10 provided solely for the department to fund programs to improve the  
11 quality of infant and toddler child care through training, technical  
12 assistance, and child care consultation.

13 (7) \$200,000 of the general fund--state appropriation for fiscal  
14 year 2010 and \$200,000 of the general fund--state appropriation for  
15 fiscal year 2011 are provided solely to develop and provide culturally  
16 relevant supports for parents, family, and other caregivers.

17 (8) The legislature notes that the department of early learning is  
18 developing a plan for improving child care licensing and is consulting,  
19 as practicable, with parents, licensed child care providers, and  
20 stakeholders from the child care community. The plan shall outline the  
21 processes and specify the resources necessary for improvements such as  
22 continuing licenses, child care licensing technology, and weighted  
23 child care regulations, including development of risk-based decision  
24 making models and inclusive, evidence-based rule making. The  
25 department shall submit to the appropriate committees of the  
26 legislature a plan by January 15, 2011.

27 (9) The department is the lead agency for and recipient of the  
28 federal child care and development fund grant. Amounts within this  
29 grant shall be used to fund child care licensing, quality initiatives,  
30 agency administration, and other costs associated with child care  
31 subsidies. The department shall transfer a portion of this grant to  
32 the department of social and health services to partially fund the  
33 child care subsidies paid by the department of social and health  
34 services on behalf of the department of early learning.

35 (10) The department shall use child care development fund money to  
36 satisfy the federal audit requirement of the improper payments act  
37 (IPIA) of 2002. In accordance with the IPIA's rules, the money spent



1 on the audits will not count against the five percent state limit on  
2 administrative expenditures.

3 (11) Within available amounts, the department in consultation with  
4 the office of financial management and the department of social and  
5 health services shall report quarterly enrollments and active caseload  
6 for the working connections child care program to the legislative  
7 fiscal committees. The report shall also identify the number of cases  
8 participating in both temporary assistance for needy families and  
9 working connections child care.

10 (12) The appropriations in this section reflect reductions in the  
11 appropriations for the department's administrative expenses. It is the  
12 intent of the legislature that these reductions shall be achieved, to  
13 the greatest extent possible, by reducing those administrative costs  
14 that do not affect direct client services or direct service delivery or  
15 program.

16 (13) \$500,000 of the general fund--state appropriation for fiscal  
17 year 2011 is provided solely for the department to contract with the  
18 private-public partnership established in chapter 43.215 RCW for home  
19 visitation programs. Of this amount, \$200,000 of the general fund--  
20 state appropriation for fiscal year 2011 is provided solely for  
21 expenditure into the home visiting services account created in Part IX  
22 of this act to be used for contracts for home visitation with the  
23 private-public partnership.

24 (14) In accordance to RCW 43.215.255(2) and 43.135.055, the  
25 department is authorized to increase child care center licensure fees  
26 by fifty-two dollars for the first twelve children and an additional  
27 four dollars per additional child in fiscal year 2011 for costs to the  
28 department for the licensure activity, including costs of necessary  
29 inspection.

30 (15) In accordance with RCW 43.135.055, the department of early  
31 learning is authorized to adopt and increase the fees set forth in and  
32 previously authorized in section 3, chapter 231, Laws of 2010.

33 (16) As of January 31, 2011, the department may not adopt, enforce,  
34 or implement any rules or policies restricting the eligibility of  
35 consumers for child care subsidy benefits to a countable income level  
36 below one hundred seventy-five percent of the federal poverty  
37 guidelines.

1       **Sec. 1506.** 2011 c 5 s 613 (uncodified) is amended to read as  
2 follows:

3 **FOR THE STATE SCHOOL FOR THE BLIND**

4	General Fund--State Appropriation (FY 2010) . . . . .	\$5,902,000
5	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$5,509,000)</del>
6		<u>\$5,506,000</u>
7	General Fund--Private/Local Appropriation . . . . .	\$1,942,000
8	TOTAL APPROPRIATION . . . . .	<del>(\$13,353,000)</del>
9		<u>\$13,350,000</u>

10       The appropriations in this section are subject to the following  
11 conditions and limitations: \$271,000 of the general fund--  
12 private/local appropriation is provided solely for the school for the  
13 blind to offer short course programs, allowing students the opportunity  
14 to leave their home schools for short periods and receive intensive  
15 training. The school for the blind shall provide this service to the  
16 extent that it is funded by contracts with school districts and  
17 educational services districts.

18       **Sec. 1507.** 2011 c 5 s 614 (uncodified) is amended to read as  
19 follows:

20 **FOR THE WASHINGTON STATE CENTER FOR CHILDHOOD DEAFNESS AND HEARING**  
21 **LOSS**

22	General Fund--State Appropriation (FY 2010) . . . . .	\$8,593,000
23	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$8,230,000)</del>
24		<u>\$8,226,000</u>
25	General Fund--Private/Local Appropriation . . . . .	\$526,000
26	TOTAL APPROPRIATION . . . . .	<del>(\$17,349,000)</del>
27		<u>\$17,345,000</u>

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

30       (1) \$210,000 of the general fund--private/local appropriation is  
31 provided solely for the operation of the shared reading video outreach  
32 program. The school for the deaf shall provide this service to the  
33 extent it is funded by contracts with school districts and educational  
34 service districts.

35       (2) \$25,000 of the general fund--state appropriation for fiscal  
36 year 2010 and \$25,000 of the general fund--state appropriation for  
37 fiscal year 2011 are provided solely for implementation of Engrossed

1 Second Substitute House Bill No. 1879 (deaf and hard of hearing). If  
2 the bill is not enacted by June 30, 2009, the amounts provided in this  
3 subsection shall lapse.

4 **Sec. 1508.** 2011 c 5 s 615 (uncodified) is amended to read as  
5 follows:

6 **FOR THE WASHINGTON STATE ARTS COMMISSION**

7	General Fund--State Appropriation (FY 2010) . . . . .	\$1,844,000
8	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$1,230,000)</del>
9		<u>\$1,228,000</u>
10	General Fund--Federal Appropriation . . . . .	<del>(\$1,944,000)</del>
11		<u>\$2,107,000</u>
12	General Fund--Private/Local Appropriation . . . . .	\$1,052,000
13	TOTAL APPROPRIATION . . . . .	<del>(\$6,070,000)</del>
14		<u>\$6,231,000</u>

15 The appropriations in this section are subject to the following  
16 conditions and limitations: It is the intent of the legislature that  
17 the reductions in appropriations in this section shall be achieved, to  
18 the greatest extent possible, by reducing those administrative costs  
19 that do not affect direct client services or direct service delivery or  
20 programs. The agency shall, to the greatest extent possible, reduce  
21 spending in those areas that shall have the least impact on  
22 implementing its mission.

23 **Sec. 1509.** 2011 c 5 s 616 (uncodified) is amended to read as  
24 follows:

25 **FOR THE WASHINGTON STATE HISTORICAL SOCIETY**

26	General Fund--State Appropriation (FY 2010) . . . . .	\$2,592,000
27	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$2,381,000)</del>
28		<u>\$2,379,000</u>
29	TOTAL APPROPRIATION . . . . .	<del>(\$4,973,000)</del>
30		<u>\$4,971,000</u>

31 The appropriations in this section are subject to the following  
32 conditions and limitations: It is the intent of the legislature that  
33 the reductions in appropriations in this section shall be achieved, to  
34 the greatest extent possible, by reducing those administrative costs  
35 that do not affect direct client services or direct service delivery or

1 programs. The agency shall, to the greatest extent possible, reduce  
2 spending in those areas that shall have the least impact on  
3 implementing its mission.

4 **Sec. 1510.** 2011 c 5 s 617 (uncodified) is amended to read as  
5 follows:

6 **FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY**

7 General Fund--State Appropriation (FY 2010) . . . . . \$1,612,000

8 General Fund--State Appropriation (FY 2011) . . . . . (~~(\$1,490,000)~~)

9 \$1,489,000

10 TOTAL APPROPRIATION . . . . . (~~(\$3,102,000)~~)

11 \$3,101,000

12 The appropriations in this section are subject to the following  
13 conditions and limitations: It is the intent of the legislature that  
14 the reductions in appropriations in this section shall be achieved, to  
15 the greatest extent possible, by reducing those administrative costs  
16 that do not affect direct client services or direct service delivery or  
17 programs. The agency shall, to the greatest extent possible, reduce  
18 spending in those areas that shall have the least impact on  
19 implementing its mission.

(End of part)

PART XVI

SPECIAL APPROPRIATIONS

Sec. 1601. 2010 1st sp.s. c 37 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 2010) \$842,590,000, General Fund--State Appropriation (FY 2011) ((\$894,284,000)), State Building Construction Account--State Appropriation \$11,707,000, Columbia River Basin Water Supply Development Account--State Appropriation \$117,000, Hood Canal Aquatic Rehabilitation Bond Account--State Appropriation \$11,000, State Taxable Building Construction Account--State Appropriation \$1,136,000, Gardner-Evans Higher Education Construction Account--State Appropriation \$260,000, Debt-Limit Reimbursable Bond Retirement Account--State Appropriation \$2,612,000, and TOTAL APPROPRIATION ((\$1,752,717,000)) resulting in \$1,736,833,000.

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 2010 shall be expended into the debt-limit general fund bond retirement account by June 30, 2010.

Sec. 1602. 2010 1st sp.s. c 37 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 AS PRESCRIBED BY STATUTE**

3	General Fund--State Appropriation (FY 2010) . . . . .	\$26,436,000
4	General Fund--State Appropriation (FY 2011) . . . . .	<del>(\$27,773,000)</del>
5		<u>\$27,709,000</u>
6	School Construction and Skill Centers Building	
7	Account--State Appropriation . . . . .	\$477,000
8	Nondebt-Limit Reimbursable Bond Retirement Account--	
9	State Appropriation . . . . .	<del>(\$140,872,000)</del>
10		<u>\$135,872,000</u>
11	TOTAL APPROPRIATION . . . . .	<del>(\$195,558,000)</del>
12		<u>\$190,494,000</u>

13 The appropriations in this section are subject to the following  
 14 conditions and limitations: The general fund appropriation is for  
 15 expenditure into the nondebt-limit general fund bond retirement  
 16 account. The entire general fund--state appropriation for fiscal year  
 17 2010 shall be expended into the nondebt-limit general fund bond  
 18 retirement account by June 30, 2010.

19 **Sec. 1603.** 2010 1st sp.s. c 37 s 703 (uncodified) is amended to  
 20 read as follows:

21 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**  
 22 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES**

23	General Fund--State Appropriation (FY 2010) . . . . .	\$1,357,000
24	General Fund--State Appropriation (FY 2011) . . . . .	\$1,357,000
25	State Building Construction Account--State	
26	Appropriation . . . . .	\$1,273,000
27	Columbia River Basin Water Supply Development	
28	Account--State Appropriation . . . . .	<del>(\$9,000)</del>
29		<u>\$13,000</u>
30	Hood Canal Aquatic Rehabilitation Bond Account--	
31	State Appropriation . . . . .	\$1,000
32	State Taxable Building Construction Account--State	
33	Appropriation . . . . .	<del>(\$72,000)</del>
34		<u>\$131,000</u>
35	Gardner-Evans Higher Education Construction	
36	Account--State Appropriation . . . . .	\$18,000
37	School Construction and Skill Centers Building	

1 Account--State Appropriation . . . . . ((~~\$30,000~~))  
 2 \$51,000  
 3 TOTAL APPROPRIATION . . . . . ((~~\$4,117,000~~))  
 4 \$4,201,000

5 **Sec. 1604.** 2010 1st sp.s. c 37 s 709 (uncodified) is amended to  
 6 read as 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) Gerald S. Morrow, claim number 99970006 . . . . . \$20,567
- 16 (b) Darrell R. Baumgart, claim number 99970007 . . . . . \$4,528
- 17 (c) William Davis, claim number 99970008 . . . . . \$8,093
- 18 (d) Gene T. Strader, claim number 99970009 . . . . . \$33,875
- 19 (e) Cecilio Cortez, claim number 99970012 . . . . . \$17,055
- 20 (f) Alexander D. Coble, claim number 99970013 . . . . . \$302,110
- 21 (g) James W. Jolly, claim number 99970017 . . . . . \$28,884
- 22 (h) James Jay Olsen, claim number 99970018 . . . . . \$97,220
- 23 (i) Todd E. Miller, claim number 99970019 . . . . . \$6,957
- 24 (j) Sean S. DeHart, claim number 99970021 . . . . . \$52,062
- 25 (k) Thomas L. Raglin, Jr., claim number 99970022 . . . . . \$4,360
- 26 (l) Matthew Smitham, claim number 99970016 . . . . . \$8,100
- 27 (m) John R. Frederick, claim number 99970020 . . . . . \$7,719
- 28 (n) Justin C. Federmeier, claim number 99970023 . . . . . \$29,728
- 29 (o) David R. Palmer, claim number 99970024 . . . . . \$4,250
- 30 (p) Ian K. Berghoffer, claim number 99970026 . . . . . \$33,455
- 31 (q) Darryl L. Koenen, claim number 99970027 . . . . . \$23,077
- 32 (r) Lee J. Stites, claim number 99970028 . . . . . \$7,502
- 33 (s) Bobby G. Ewing, claim number 99970029 . . . . . \$51,093
- 34 (t) Dylan Friesz, claim number 99970030 . . . . . \$10,200
- 35 (u) Kevin L. Lund, claim number 99970031 . . . . . \$11,402
- 36 (v) Rodney C. Price, claim number 99970033 . . . . . \$11,250
- 37 (w) Matthew S. Lovacs, claim number 99970034 . . . . . \$25,700







1 **TECHNOLOGY OPPORTUNITY ACCOUNT**

2 General Fund--State Appropriation (FY 2011) . . . . . \$213,000

3 The appropriation in this section is subject to the following  
4 conditions and limitations: The appropriation in this section is  
5 provided solely for expenditure into the Washington community  
6 technology opportunity account.

(End of part)

PART XVII

OTHER TRANSFERS AND APPROPRIATIONS

Sec. 1701. 2010 1st sp.s. c 37 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 . . . . .	(( <del>\$7,572,000</del> ))
	<u>\$7,888,000</u>
General Fund Appropriation for public utility	
district excise tax distributions . . . . .	(( <del>\$47,342,000</del> ))
	<u>\$45,125,000</u>
General Fund Appropriation for prosecuting	
attorney distributions . . . . .	(( <del>\$6,281,000</del> ))
	<u>\$5,804,000</u>
General Fund Appropriation for boating safety	
and education distributions . . . . .	(( <del>\$4,854,000</del> ))
	<u>\$3,954,000</u>
General Fund Appropriation for other tax	
distributions . . . . .	(( <del>\$50,000</del> ))
	<u>\$55,000</u>
General Fund Appropriation for habitat conservation	
program distributions . . . . .	(( <del>\$3,000,000</del> ))
	<u>\$2,642,000</u>
Death Investigations Account Appropriation for	
distribution to counties for publicly funded	
autopsies . . . . .	\$2,544,000
Aquatic Lands Enhancement Account Appropriation for	
harbor improvement revenue distribution . . . . .	\$170,000
Timber Tax Distribution Account Appropriation for	
distribution to "timber" counties . . . . .	(( <del>\$36,651,000</del> ))
	<u>\$31,519,000</u>
County Criminal Justice Assistance Appropriation . . . . .	(( <del>\$68,528,000</del> ))
	<u>\$66,216,000</u>
Municipal Criminal Justice Assistance	
Appropriation . . . . .	(( <del>\$27,175,000</del> ))

1		<u>\$25,510,000</u>
2	City-County Assistance Account Appropriation for local	
3	government financial assistance distribution . . .	(( <del>\$27,366,000</del> ))
4		<u>\$23,845,000</u>
5	Liquor Excise Tax Account Appropriation for liquor	
6	excise tax distribution . . . . .	(( <del>\$58,268,000</del> ))
7		<u>\$58,822,000</u>
8	Streamline Sales and Use Tax Account Appropriation for	
9	distribution to local taxing jurisdictions to	
10	mitigate the unintended revenue redistribution	
11	effect of the sourcing law changes . . . . .	(( <del>\$50,056,000</del> ))
12		<u>\$51,535,000</u>
13	Columbia River Water Delivery Account Appropriation	
14	for the Confederated Tribes of the Colville	
15	Reservation . . . . .	(( <del>\$7,315,000</del> ))
16		<u>\$7,257,000</u>
17	Columbia River Water Delivery Account Appropriation	
18	for the Spokane Tribe of Indians . . . . .	(( <del>\$4,644,000</del> ))
19		<u>\$4,704,000</u>
20	Liquor Revolving Account Appropriation for liquor	
21	profits distribution . . . . .	(( <del>\$68,741,000</del> ))
22		<u>\$64,670,000</u>
23	Liquor Revolving Account Appropriation for additional	
24	liquor profits distribution to local governments . . .	\$18,677,000
25	TOTAL APPROPRIATION . . . . .	(( <del>\$439,234,000</del> ))
26		<u>\$420,937,000</u>

27 The total expenditures from the state treasury under the  
28 appropriations in this section shall not exceed the funds available  
29 under statutory distributions for the stated purposes.

30 **Sec. 1702.** 2009 c 564 s 802 (uncodified) is amended to read as  
31 follows:

32 **FOR THE STATE TREASURER--FOR THE COUNTY CRIMINAL JUSTICE ASSISTANCE**  
33 **ACCOUNT**

34	Impaired Driver Safety Account Appropriation . . . . .	(( <del>\$2,351,000</del> ))
35		<u>\$2,467,000</u>

36 The appropriation in this section is subject to the following  
37 conditions and limitations: The amount appropriated in this section

1 shall be distributed quarterly during the 2009-11 biennium in  
2 accordance with RCW 82.14.310. This funding is provided to counties  
3 for the costs of implementing criminal justice legislation including,  
4 but not limited to: Chapter 206, Laws of 1998 (drunk driving  
5 penalties); chapter 207, Laws of 1998 (DUI penalties); chapter 208,  
6 Laws of 1998 (deferred prosecution); chapter 209, Laws of 1998  
7 (DUI/license suspension); chapter 210, Laws of 1998 (ignition interlock  
8 violations); chapter 211, Laws of 1998 (DUI penalties); chapter 212,  
9 Laws of 1998 (DUI penalties); chapter 213, Laws of 1998 (intoxication  
10 levels lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter  
11 215, Laws of 1998 (DUI provisions).

12 **Sec. 1703.** 2009 c 564 s 803 (uncodified) is amended to read as  
13 follows:

14 **FOR THE STATE TREASURER--FOR THE MUNICIPAL CRIMINAL JUSTICE ASSISTANCE**  
15 **ACCOUNT**

16 Impaired Driver Safety Account Appropriation . . . . . (~~(\$1,543,000)~~)  
17 \$1,645,000

18 The appropriation in this section is subject to the following  
19 conditions and limitations: The amount appropriated in this section  
20 shall be distributed quarterly during the 2009-11 biennium to all  
21 cities ratably based on population as last determined by the office of  
22 financial management. The distributions to any city that substantially  
23 decriminalizes or repeals its criminal code after July 1, 1990, and  
24 that does not reimburse the county for costs associated with criminal  
25 cases under RCW 3.50.800 or 3.50.805(2), shall be made to the county in  
26 which the city is located. This funding is provided to cities for the  
27 costs of implementing criminal justice legislation including, but not  
28 limited to: Chapter 206, Laws of 1998 (drunk driving penalties);  
29 chapter 207, Laws of 1998 (DUI penalties); chapter 208, Laws of 1998  
30 (deferred prosecution); chapter 209, Laws of 1998 (DUI/license  
31 suspension); chapter 210, Laws of 1998 (ignition interlock violations);  
32 chapter 211, Laws of 1998 (DUI penalties); chapter 212, Laws of 1998  
33 (DUI penalties); chapter 213, Laws of 1998 (intoxication levels  
34 lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter 215,  
35 Laws of 1998 (DUI provisions).

1        NEW SECTION.    **Sec. 1704.**    2010 1st sp.s. c 37 s 802 (uncodified) is  
2 repealed.

3        **Sec. 1705.**    2011 c 5 s 801 (uncodified) is amended to read as  
4 follows:

5 **FOR THE STATE TREASURER--TRANSFERS**

6 State Treasurer's Service Account: For transfer to the  
7 state general fund, \$16,400,000 for fiscal year  
8 2010 and \$29,400,000 for fiscal year 2011 . . . . . \$45,800,000

9 Waste Reduction, Recycling and Litter Control Account:  
10 For transfer to the state general fund, \$3,000,000  
11 for fiscal year 2010 and \$3,000,000 for fiscal year  
12 2011 . . . . . \$6,000,000

13 State Toxics Control Account: For transfer to the  
14 state general fund, \$15,340,000 for fiscal year  
15 2010 and \$37,780,000 for fiscal year 2011 . . . . . \$53,120,000

16 Local Toxics Control Account: For transfer to the  
17 state general fund, \$37,060,000 for fiscal year  
18 2010 and \$65,759,000 for fiscal year 2011 . . . . . \$102,819,000

19 Education Construction Account: For transfer to the  
20 state general fund, \$105,228,000 for fiscal year  
21 2010 and \$106,451,000 for fiscal year 2011 . . . . . \$211,679,000

22 Aquatics Lands Enhancement Account: For transfer to  
23 the state general fund, \$8,520,000 for fiscal  
24 year 2010 and \$12,550,000 for fiscal year 2011 . . . . . \$21,070,000

25 Drinking Water Assistance Account: For transfer to  
26 the drinking water assistance repayment account . . . . . \$28,600,000

27 Economic Development Strategic Reserve Account: For  
28 transfer to the state general fund, \$2,500,000 for  
29 fiscal year 2010 and \$3,900,000 for fiscal year  
30 2011 . . . . . \$6,400,000

31 Tobacco Settlement Account: For transfer to the state  
32 general fund, in an amount not to exceed by more  
33 than \$26,000,000 the actual amount of the annual  
34 payment to the tobacco settlement account . . . . . \$204,098,000

35 Tobacco Settlement Account: For transfer to the life  
36 sciences discovery fund, in an amount not to exceed  
37 \$26,000,000 less than the actual amount of the



1 Public Works Assistance Account: For transfer to the  
2 state general fund, \$279,640,000 for fiscal year  
3 2010 and \$229,560,000 for fiscal  
4 year 2011 . . . . . \$509,200,000  
5 Budget Stabilization Account: For transfer to the  
6 state general fund for fiscal year 2010 . . . . . \$45,130,000  
7 Liquor Revolving Account: For transfer to the state  
8 general fund, \$31,000,000 for fiscal year 2010 and  
9 \$31,000,000 for fiscal year 2011 . . . . . \$62,000,000  
10 Public Works Assistance Account: For transfer to the  
11 city-county assistance account, \$5,000,000 on  
12 July 1, 2009, and \$5,000,000 on July 1, 2010 . . . . . \$10,000,000  
13 Public Works Assistance Account: For transfer to the  
14 drinking water assistance account, \$6,930,000  
15 for fiscal year 2010 (~~and \$4,000,000 for fiscal~~  
16 ~~year 2011)) . . . . . ((~~\$10,930,000~~))  
17 \$6,930,000  
18 Shared Game Lottery Account: For transfer to the  
19 education legacy trust account, \$3,600,000 for  
20 fiscal year 2010 and \$2,400,000 for fiscal year  
21 2011 . . . . . \$6,000,000  
22 State Lottery Account: For transfer to the education  
23 legacy trust account, \$9,500,000 for fiscal year  
24 2010 and \$9,500,000 for fiscal year 2011 . . . . . \$19,000,000  
25 College Faculty Awards Trust Fund: For transfer  
26 to the state general fund for fiscal year 2010,  
27 an amount not to exceed the actual cash balance  
28 of the fund and \$1,957,000 for fiscal year 2011 . . . . . \$5,957,000  
29 Washington Distinguished Professorship Trust Fund:  
30 For transfer to the state general fund for fiscal  
31 year 2010, an amount not to exceed the actual cash  
32 balance of the fund and \$2,966,000 for fiscal year  
33 2011 . . . . . \$8,966,000  
34 Washington Graduate Fellowship Trust Account:  
35 For transfer to the state general fund for fiscal  
36 year 2010, an amount not to exceed the actual cash  
37 balance of the fund and \$1,008,000 for fiscal year  
38 2011 . . . . . \$3,008,000~~



1 GET Ready for Math and Science Scholarship Account:  
2 For transfer to the state general fund for  
3 fiscal year 2010, an amount not to exceed  
4 the actual cash balance not comprised of or  
5 needed to match private contributions . . . . . \$1,800,000  
6 Financial Services Regulation Account: For transfer  
7 to the state general fund, \$2,000,000 for fiscal  
8 year 2010 and \$7,000,000 for fiscal year 2011 . . . . . \$9,000,000  
9 Data Processing Revolving Fund: For transfer to  
10 the state general fund, \$5,632,000 for fiscal  
11 year 2010 and \$4,159,000 for fiscal year 2011 . . . . . \$9,791,000  
12 Public Service Revolving Account: For transfer to  
13 the state general fund, \$8,000,000 for fiscal  
14 year 2010 and \$7,000,000 for fiscal year 2011 . . . . . \$15,000,000  
15 Water Quality Capital Account: For transfer to the  
16 state general fund, \$278,000 for fiscal year 2011 . . . . . \$278,000  
17 Performance Audits of Government Account: For  
18 transfer to the state general fund, \$10,000,000  
19 for fiscal year 2010 and \$7,000,000  
20 for fiscal year 2011 . . . . . \$17,000,000  
21 Job Development Account: For transfer to the  
22 state general fund, \$20,930,000 for fiscal  
23 year 2010 . . . . . \$20,930,000  
24 Savings Incentive Account: For transfer to the  
25 state general fund, \$10,117,000 for fiscal  
26 year 2010 and \$32,075,000 for fiscal year  
27 2011 . . . . . \$42,192,000  
28 Education Savings Account: For transfer to the  
29 state general fund, \$90,690,000  
30 for fiscal year 2010 and \$53,384,000 for fiscal  
31 year 2011 . . . . . \$144,074,000  
32 Cleanup Settlement Account: For transfer to the  
33 state efficiency and restructuring account for  
34 fiscal year 2011 . . . . . \$39,480,000  
35 Disaster Response Account: For transfer to the  
36 state drought preparedness account, \$4,000,000  
37 for fiscal year 2010 . . . . . \$4,000,000  
38 Washington State Convention and Trade Center Account:

1 For transfer to the state general fund, \$10,000,000  
2 for fiscal year 2011. The transfer in this section  
3 shall occur on June 30, 2011, only if by that date  
4 the Washington state convention and trade center is  
5 not transferred to a public facilities district  
6 pursuant to Substitute Senate Bill No. 6889  
7 (convention and trade center) . . . . . \$10,000,000  
8 Institutional Welfare/Betterment Account: For transfer  
9 to the state general fund, \$2,000,000 for fiscal  
10 year 2010 and \$2,000,000 for fiscal year 2011 . . . . . \$4,000,000  
11 Future Teacher Conditional Scholarship Account: For  
12 transfer to the state general fund, \$2,150,000  
13 for fiscal year 2010 and \$2,150,000 for fiscal  
14 year 2011 . . . . . \$4,300,000  
15 Fingerprint Identification Account: For transfer  
16 to the state general fund, \$800,000 for fiscal  
17 year 2011 . . . . . \$800,000  
18 Prevent or Reduce Owner-Occupied Foreclosure  
19 Program Account: For transfer to the financial  
20 education public-private partnership account for  
21 fiscal year 2010, an amount not to exceed the actual  
22 cash balance of the fund as of June 30, 2010 . . . . . \$300,000  
23 Nisqually Earthquake Account: For transfer to the  
24 state general fund for fiscal year 2011 . . . . . \$696,000  
25 Disaster Response Account: For transfer to the state  
26 general fund for fiscal year 2011 . . . . . \$14,500,000  
27 Washington Auto Theft Prevention Account: For  
28 transfer to the state general fund, \$1,500,000  
29 for fiscal year 2011 . . . . . \$1,500,000  
30 Tourism Enterprise Account: For transfer to the  
31 state general fund, \$590,000 for fiscal year  
32 2011 . . . . . \$590,000  
33 Tourism Development and Promotion Account: For  
34 transfer to the state general fund, \$205,000  
35 for fiscal year 2011 . . . . . \$205,000  
36 Life Sciences Discovery Fund: For transfer to  
37 the basic health plan stabilization account . . . . . \$6,000,000  
38 Life Sciences Discovery Fund: For transfer to

1       the state general fund for fiscal year 2011 . . . . . \$2,200,000  
2   Industrial Insurance Premium Refund Account: For  
3       transfer to the state general fund, \$4,500,000  
4       for fiscal year 2011 . . . . . \$4,500,000  
5   Distressed County Assistance Account: For transfer  
6       to the state general fund, \$205,000 for  
7       fiscal year 2011 . . . . . \$ 205,000  
8   State Drought Preparedness Account: For transfer to  
9       the state general fund, \$4,000,000 for fiscal  
10      year 2011 . . . . . \$4,000,000  
11   Freshwater Aquatic Algae Control Account: For  
12      transfer to the state general fund, \$400,000 for  
13      fiscal year 2011 . . . . . \$400,000  
14   Freshwater Aquatic Weeds Account: For transfer to  
15      the state general fund, \$300,000 for fiscal  
16      year 2011 . . . . . \$300,000  
17   Liquor Control Board Construction and Maintenance  
18      Account: For transfer to the state general fund  
19      for fiscal year 2011 . . . . . \$3,000,000

(End of part)



INDEX	PAGE #
ADMINISTRATOR FOR THE COURTS . . . . .	5, 275
ATTORNEY GENERAL . . . . .	13, 280
BELATED CLAIMS . . . . .	182
BOARD FOR VOLUNTEER FIREFIGHTERS . . . . .	30
BOARD OF ACCOUNTANCY . . . . .	28
BOARD OF INDUSTRIAL INSURANCE APPEALS . . . . .	82
BOARD OF TAX APPEALS . . . . .	26, 295
BOND EXPENSES . . . . .	195
CASELOAD FORECAST COUNCIL . . . . .	15, 282
CENTRAL WASHINGTON UNIVERSITY . . . . .	164
CITIZENS' COMMISSION ON SALARIES FOR ELECTED OFFICIALS . . . . .	13
COLLECTIVE BARGAINING AGREEMENT FOR NONSTATE EMPLOYEES	
SEIU HEALTHCARE 775NW HOMECARE WORKERS . . . . .	199
SEIU LOCAL 925 CHILDCARE WORKERS . . . . .	199
WSRCC ADULT FAMILY HOMES . . . . .	199
COLLECTIVE BARGAINING AGREEMENT FOR WFSE POLICE MANAGEMENT ASSOCIATION . . . . .	200
COLLECTIVE BARGAINING AGREEMENT	
CENTRAL WASHINGTON UNIVERSITY PUBLIC SCHOOL EMPLOYEES OF WASHINGTON . . . . .	200
SEIU HEALTHCARE 1199NW . . . . .	197
TERMS AND CONDITIONS . . . . .	198
WASHINGTON STATE UNIVERSITY POLICE GUILD . . . . .	200
WSP LIEUTENANTS ASSOCIATION . . . . .	198
WSP TROOPERS ASSOCIATION . . . . .	198
COLLECTIVE BARGAINING AGREEMENTS . . . . .	196, 204
COLLECTIVE BARGAINING AGREEMENTS NOT IMPAIRED . . . . .	196
COLLECTIVE BARGAINING AGREEMENTS	
LANGUAGE ACCESS PROVIDERS . . . . .	204
UNIVERSITY OF WASHINGTON AND WASHINGTON STATE UNIVERSITY . . . . .	200
WFSE, TEAMSTERS, UFCW, WAFWP, IFPTE 17, COALITION OF UNIONS . . . . .	197
COLUMBIA RIVER GORGE COMMISSION . . . . .	98
COMMISSION ON AFRICAN-AMERICAN AFFAIRS . . . . .	24, 293
COMMISSION ON ASIAN PACIFIC AMERICAN AFFAIRS . . . . .	12
COMMISSION ON HISPANIC AFFAIRS . . . . .	24, 293
COMMISSION ON JUDICIAL CONDUCT . . . . .	5
COMPENSATION	
NONREPRESENTED EMPLOYEES--INSURANCE BENEFITS . . . . .	201

REPRESENTED EMPLOYEES OUTSIDE SUPER COALITION--INSURANCE BENEFITS . . . . .	202, 203
RETIRED SCHOOL EMPLOYEES--INSURANCE BENEFITS . . . . .	187
CONSERVATION COMMISSION . . . . .	103, 391
CONSOLIDATED TECHNOLOGY SERVICES AGENCY . . . . .	26
COUNCIL FOR HIGHER EDUCATION . . . . .	169
COURT OF APPEALS . . . . .	5, 274
CRIMINAL JUSTICE TRAINING COMMISSION . . . . .	83, 359
DEPARTMENT OF AGRICULTURE . . . . .	400
DEPARTMENT OF AGRICULTURE . . . . .	110
DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION . . . . .	31, 299
DEPARTMENT OF COMMERCE . . . . .	16, 282
DEPARTMENT OF CORRECTIONS . . . . .	92, 372, 373
DEPARTMENT OF EARLY LEARNING . . . . .	171, 462
DEPARTMENT OF ECOLOGY . . . . .	98, 382
DEPARTMENT OF ENTERPRISE SERVICES . . . . .	31
DEPARTMENT OF FISH AND WILDLIFE . . . . .	392
DEPARTMENT OF FISH AND WILDLIFE . . . . .	104
DEPARTMENT OF GENERAL ADMINISTRATION . . . . .	295
DEPARTMENT OF HEALTH . . . . .	88, 367
COUNTY PUBLIC HEALTH ASSISTANCE . . . . .	180
DEPARTMENT OF LABOR AND INDUSTRIES . . . . .	85, 361
DEPARTMENT OF LICENSING . . . . .	113, 404
DEPARTMENT OF NATURAL RESOURCES . . . . .	107, 397
DEPARTMENT OF RETIREMENT SYSTEMS	
CONTRIBUTIONS TO RETIREMENT SYSTEMS . . . . .	181
DEPARTMENT OF RETIREMENT SYSTEMS--OPERATIONS . . . . .	24
DEPARTMENT OF REVENUE . . . . .	25, 293
DEPARTMENT OF SERVICES FOR THE BLIND . . . . .	96, 377
DEPARTMENT OF SOCIAL AND HEALTH SERVICES . . . . .	34, 300
ADMINISTRATION AND SUPPORTING SERVICES PROGRAM . . . . .	66, 354
AGING AND ADULT SERVICES PROGRAM . . . . .	55, 328
ALCOHOL AND SUBSTANCE ABUSE PROGRAM . . . . .	64, 341
CHILDREN AND FAMILY SERVICES PROGRAM . . . . .	36, 302
DEVELOPMENTAL DISABILITIES PROGRAM . . . . .	49, 322
ECONOMIC SERVICES PROGRAM . . . . .	61, 336
JUVENILE REHABILITATION PROGRAM . . . . .	39, 310
MEDICAL ASSISTANCE PROGRAM . . . . .	342
MENTAL HEALTH PROGRAM . . . . .	44, 315
PAYMENTS TO OTHER AGENCIES PROGRAM . . . . .	67, 356

SPECIAL COMMITMENT PROGRAM . . . . .	66, 354
VOCATIONAL REHABILITATION PROGRAM . . . . .	65, 353
DEPARTMENT OF VETERANS AFFAIRS . . . . .	87, 365
DEPARTMENTS OF AGRICULTURE, ECOLOGY, AND STATE CONSERVATION COMMISSION . . . . .	111
EASTERN WASHINGTON STATE HISTORICAL SOCIETY . . . . .	175, 468
EASTERN WASHINGTON UNIVERSITY . . . . .	163
ECONOMIC AND REVENUE FORECAST COUNCIL . . . . .	20
EMERGENCY FUND ALLOCATIONS . . . . .	195
EMPLOYMENT SECURITY DEPARTMENT . . . . .	96, 379
ENVIRONMENTAL AND LAND USE HEARINGS OFFICE . . . . .	103
ENVIRONMENTAL HEARINGS OFFICE . . . . .	391
EVERGREEN STATE COLLEGE . . . . .	164
EXPENDITURE AUTHORIZATIONS . . . . .	195
FORENSIC INVESTIGATION COUNCIL . . . . .	28
GOVERNOR 'S OFFICE OF INDIAN AFFAIRS . . . . .	11
GROWTH MANAGEMENT HEARINGS BOARD . . . . .	299
HIGHER EDUCATION COORDINATING BOARD	
FINANCIAL AID AND GRANTS . . . . .	168, 458
POLICY COORDINATION AND ADMIN . . . . .	167, 456
HORSE RACING COMMISSION . . . . .	28
HOUSE OF REPRESENTATIVES . . . . .	2, 273
HUMAN RIGHTS COMMISSION . . . . .	82, 359
INCENTIVE SAVINGS	
FY 2012 . . . . .	179
FY 2013 . . . . .	179
INDETERMINATE SENTENCE REVIEW BOARD . . . . .	364
INFORMATION TECHNOLOGY . . . . .	473
INNOVATE WASHINGTON . . . . .	32
INSURANCE COMMISSIONER . . . . .	27
JOINT LEGISLATIVE AUDIT AND REVIEW COMMITTEE . . . . .	2
JOINT LEGISLATIVE SYSTEMS COMMITTEE . . . . .	4
LAW LIBRARY . . . . .	5, 274
LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE . . . . .	3
LIEUTENANT GOVERNOR . . . . .	9
LIQUOR CONTROL BOARD . . . . .	28
MILITARY DEPARTMENT . . . . .	29, 296
OFFICE OF ADMINISTRATIVE HEARINGS . . . . .	24, 293
OFFICE OF CIVIL LEGAL AID . . . . .	8
OFFICE OF FINANCIAL MANAGEMENT . . . . .	20, 291

AGENCY REALLOCATION AND REALIGNMENT COMMISSION . . . . .	182
CENTRAL SERVICES EFFICIENCIES . . . . .	186
DISASTER RESPONSE ACCOUNT . . . . .	178
EDUCATION TECHNOLOGY REVOLVING ACCOUNT . . . . .	178
EMERGENCY FUND . . . . .	178
EXTRAORDINARY CRIMINAL JUSTICE COSTS . . . . .	182
FIRE CONTINGENCY . . . . .	177
INDUSTRIAL INSURANCE SAVINGS . . . . .	187
O ' BRIEN BUILDING IMPROVEMENT . . . . .	179, 473
STATE EFFICIENCY AND RESTRUCTURING REPAYMENT . . . . .	184
TRANSITIONAL HOUSING OPERATING AND RENT ACCOUNT . . . . .	187
TRANSPORTATION EMPLOYEE SALARY REDUCTIONS . . . . .	185
TRANSPORTATION EMPLOYEES RETIREMENT SYSTEM CONTRIBUTIONS . . . . .	186
TRANSPORTATION EMPLOYEES     RETIREMENT SYSTEM CONTRIBUTIONS . . . . .	184, 185
VEHICLE LICENSE FRAUD ACCOUNT . . . . .	187
WASHINGTON COMMUNITY TECHNOLOGY OPPORTUNITY ACCOUNT . . . . .	473
OFFICE OF MINORITY AND WOMEN ' S BUSINESS ENTERPRISES . . . . .	26
OFFICE OF PUBLIC DEFENSE . . . . .	7
OFFICE OF STUDENT FINANCIAL ASSISTANCE . . . . .	169
OFFICE OF THE GOVERNOR . . . . .	9
OFFICE OF THE STATE ACTUARY . . . . .	3
PROGRAMS FOR HIGHLY CAPABLE STUDENTS . . . . .	143
PUBLIC BACCALAUREATE INSTITUTIONS . . . . .	156
PUBLIC DISCLOSURE COMMISSION . . . . .	9, 280
PUBLIC EMPLOYMENT RELATIONS COMMISSION . . . . .	30, 298
PUGET SOUND PARTNERSHIP . . . . .	402
PUGET SOUND PARTNERSHIP . . . . .	111
RECREATION AND CONSERVATION FUNDING BOARD . . . . .	103, 390
REDISTRICTING COMMISSION . . . . .	4
SECRETARY OF STATE . . . . .	10, 278
SENATE . . . . .	2, 273
SENTENCING GUIDELINES COMMISSION . . . . .	378
STATE AUDITOR . . . . .	12
STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES . . . . .	158, 159, 453
STATE HEALTH CARE AUTHORITY . . . . .	68, 356
STATE INVESTMENT BOARD . . . . .	26
STATE PARKS AND RECREATION COMMISSION . . . . .	102, 389
STATE PATROL . . . . .	114, 405
STATE SCHOOL FOR THE BLIND . . . . .	174, 466



STATE TREASURER . . . . .	12
BOND RETIREMENT AND INTEREST . . . . .	469, 470
BOND RETIREMENT AND INTEREST: DEBT REIMBURSED AS PRESCRIBED BY STATUTE . .	177
BOND RETIREMENT AND INTEREST: DEBT REIMBURSED BY ENTERPRISE ACTIVITIES . .	176
BOND RETIREMENT AND INTEREST: DEBT SUBJECT TO THE DEBT LIMIT . . . . .	176
BOND RETIREMENT AND INTEREST: FOR BOND SALE EXPENSES . . . . .	177
COUNTY CRIMINAL JUSTICE ASSISTANCE ACCOUNT . . . . .	190, 476
FEDERAL REVENUES FOR DISTRIBUTION . . . . .	191
MUNICIPAL CRIMINAL JUSTICE ASSISTANCE ACCOUNT . . . . .	477
MUNICIPAL CRIMINAL JUSTICE ASSISTANCE ACCOUNT . . . . .	190
STATE REVENUES FOR DISTRIBUTION . . . . .	189, 475
TRANSFERS . . . . .	191, 478
STATUTE LAW COMMITTEE . . . . .	4
STATUTORY APPROPRIATIONS . . . . .	195
SUNDRY CLAIMS . . . . .	471
SUPERINTENDENT OF PUBLIC INSTRUCTION . . . . .	116, 152, 408, 452
BASIC EDUCATION EMPLOYEE COMPENSATION . . . . .	131
EDUCATION REFORM PROGRAMS . . . . .	144, 439
EDUCATIONAL SERVICE DISTRICTS . . . . .	141
GENERAL APPORTIONMENT . . . . .	121, 417
INSTITUTIONAL EDUCATION PROGRAMS . . . . .	142, 437
LEARNING ASSISTANCE PROGRAM . . . . .	151
LOCAL EFFORT ASSISTANCE . . . . .	141, 436
MISCELLANEOUS PURPOSES--NO CHILD LEFT BEHIND ACT . . . . .	143
PROGRAMS FOR HIGHLY CAPABLE STUDENTS . . . . .	438
PUPIL TRANSPORTATION . . . . .	136, 429
SCHOOL EMPLOYEE COMPENSATION ADJUSTMENTS . . . . .	135, 427
SCHOOL FOOD SERVICE PROGRAMS . . . . .	137, 430
SPECIAL EDUCATION PROGRAMS . . . . .	138, 431
STUDENT ACHIEVEMENT PROGRAMS . . . . .	450
THE LEARNING ASSISTANCE PROGRAM . . . . .	448
TRANSITIONAL BILINGUAL PROGRAMS . . . . .	148, 447
SUPREME COURT . . . . .	5, 273
UNIVERSITY OF WASHINGTON . . . . .	162
UTILITIES AND TRANSPORTATION COMMISSION . . . . .	29
VOLUNTARY RETIREMENT, SEPARATION, AND DOWNSHIFTING INCENTIVES . . . . .	196
WASHINGTON POLLUTION LIABILITY INSURANCE PROGRAM . . . . .	110
WASHINGTON STATE ARTS COMMISSION . . . . .	174, 467
WASHINGTON STATE CENTER FOR CHILDHOOD DEAFNESS AND HEARING LOSS . . . . .	174, 466

WASHINGTON STATE HISTORICAL SOCIETY . . . . . 175, 467  
WASHINGTON STATE LOTTERY . . . . .24  
WASHINGTON STATE UNIVERSITY . . . . .163  
WESTERN WASHINGTON UNIVERSITY . . . . . 167  
WORK FORCE TRAINING AND EDUCATION COORDINATING BOARD . . . . . 171, 461"

1       Correct the title.

--- END ---