

SHB 2793 - H AMD 1312

By Representative Dunshee

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

3 **"PART I**
4 **SHORT TITLE**

5 NEW SECTION. **Sec. 101.** This act shall be known as the 2012 jobs
6 now act.

7 **PART II**
8 **BOND AUTHORIZATION**

9 NEW SECTION. **Sec. 201.** For the purpose of providing funds to
10 finance the projects described and authorized by the legislature in the
11 capital and operating appropriations acts for the 2011-2013 fiscal
12 biennium, and all costs incidental thereto, the state finance committee
13 is authorized to issue general obligation bonds of the state of
14 Washington in the sum of four hundred seventy million seven hundred six
15 thousand dollars, or as much thereof as may be required, to finance
16 these projects and all costs incidental thereto. Bonds authorized in
17 this section may be sold at such price as the state finance committee
18 shall determine. No bonds authorized in this section may be offered
19 for sale without prior legislative appropriation of the net proceeds of
20 the sale of the bonds.

21 NEW SECTION. **Sec. 202.** (1) The proceeds from the sale of the
22 bonds authorized in section 201 of this act shall be deposited in the
23 state building construction account created by RCW 43.83.020. The
24 proceeds shall be transferred as follows:

25 (a) Three hundred eighty-nine million forty-six thousand dollars to

1 remain in the state building construction account created by RCW
2 43.83.020;

3 (b) Seventy-seven million dollars to the state taxable building
4 construction account. All receipts from taxable bond issues are to be
5 deposited into the account. If the state finance committee deems it
6 necessary or advantageous to issue more than the amount specified in
7 this subsection (1)(b) as taxable bonds in order to comply with federal
8 internal revenue service rules and regulations pertaining to the use of
9 nontaxable bond proceeds or in order to reduce the total financing
10 costs for bonds issued, the proceeds of such additional taxable bonds
11 shall be transferred to the state taxable building construction account
12 in lieu of any transfer otherwise provided by this section. If the
13 state finance committee determines that a portion of the amount
14 specified in this subsection (1)(b) as taxable bonds may be issued as
15 nontaxable bonds in compliance with federal internal revenue service
16 rules and regulations pertaining to the use of nontaxable bond
17 proceeds, then such bond proceeds shall be transferred to the state
18 building construction account in lieu of the transfer to the state
19 taxable building construction account otherwise provided by this
20 subsection (1)(b). The state treasurer shall submit written notice to
21 the director of financial management if it is determined that any such
22 additional transfer to the state taxable building construction account
23 is necessary or that a transfer from the state taxable building
24 construction account to the state building construction account may be
25 made. Moneys in the account may be spent only after appropriation.

26 (2) These proceeds shall be used exclusively for the purposes
27 specified in this section and for the payment of expenses incurred in
28 the issuance and sale of the bonds issued for the purposes of this
29 section, and shall be administered by the office of financial
30 management subject to legislative appropriation.

31 NEW SECTION. **Sec. 203.** (1) The debt-limit general fund bond
32 retirement account shall be used for the payment of the principal of
33 and interest on the bonds authorized in section 202(1) (a) through (b)
34 of this act.

35 (2) The state finance committee shall, on or before June 30th of
36 each year, certify to the state treasurer the amount needed in the

1 ensuing twelve months to meet the bond retirement and interest
2 requirements on the bonds authorized in section 202(1) (a) through (b)
3 of this act.

4 (3) On each date on which any interest or principal and interest
5 payment is due on bonds issued for the purposes of section 202(1) (a)
6 through (b) of this act, the state treasurer shall withdraw from any
7 general state revenues received in the state treasury and deposit in
8 the debt-limit general fund bond retirement account an amount equal to
9 the amount certified by the state finance committee to be due on the
10 payment date.

11 NEW SECTION. **Sec. 204.** (1) Bonds issued under sections 201
12 through 203 of this act shall state that they are a general obligation
13 of the state of Washington, shall pledge the full faith and credit of
14 the state to the payment of the principal thereof and the interest
15 thereon, and shall contain an unconditional promise to pay the
16 principal and interest as the same shall become due.

17 (2) The owner and holder of each of the bonds or the trustee for
18 the owner and holder of any of the bonds may by mandamus or other
19 appropriate proceeding require the transfer and payment of funds as
20 directed in this section.

21 NEW SECTION. **Sec. 205.** The legislature may provide additional
22 means for raising moneys for the payment of the principal of and
23 interest on the bonds authorized in section 201 of this act, and
24 sections 202 and 203 of this act shall not be deemed to provide an
25 exclusive method for the payment.

26 **PART III**

27 **ENVIRONMENTAL CLEANUP AND RESTORATION**

28 NEW SECTION. **Sec. 301.** ENVIRONMENTAL CLEANUP AND RESTORATION--
29 INTENT. It is the intent of the legislature to accelerate construction
30 of environmental cleanup and restoration projects.

31 NEW SECTION. **Sec. 302.** BONDS AUTHORIZED FOR ENVIRONMENTAL CLEANUP
32 AND RESTORATION. (1) For the purpose of financing environmental
33 cleanup and restoration, the state finance committee is authorized to

1 issue a total of two hundred forty million three hundred seventy-two
2 thousand dollars of limited tax obligation bonds of the state of
3 Washington.

4 (2) The state finance committee shall supervise and provide for the
5 sale, issuance, and retirement of the bonds authorized by this section
6 and sections 303 through 307 of this act in accordance with chapter
7 39.42 RCW. Bonds authorized by this section and sections 303 through
8 307 of this act shall be sold in the manner, at the time or times, in
9 one or more series, in amounts, and at the prices as the state finance
10 committee shall determine. No bonds may be offered for sale without
11 prior legislative appropriation of the net proceeds of the sale of the
12 bonds.

13 (3) The state finance committee may determine and include in any
14 resolution authorizing the issuance of any bonds authorized by this
15 section and sections 303 through 307 of this act such terms,
16 provisions, covenants, and conditions as it may deem appropriate in
17 order to assist with the marketing and sale of the bonds, confer rights
18 upon the owners of bonds, and safeguard rights of the owners of bonds,
19 including, among other things:

20 (a) Provisions that the bonds shall be payable solely from and
21 secured solely by the tax revenues received in the environmental
22 cleanup and restoration account and by amounts in the 2012 jobs act
23 credit enhancement reserve account created in section 401 of this act;

24 (b) The conditions that must be satisfied prior to the issuance of
25 any additional bonds that are to be payable from and secured by the tax
26 revenues received in the environmental cleanup and restoration account
27 on an equal basis with previously issued and outstanding bonds payable
28 from the tax revenues received in the environmental cleanup and
29 restoration account;

30 (c) Provisions regarding reserves and credit enhancement,
31 including, without limitation, the 2012 jobs act credit enhancement
32 reserve account created in section 401 of this act; and

33 (d) Whether bonds may be issued as tax-exempt bonds or must be
34 issued as taxable bonds under the applicable provisions of the federal
35 internal revenue code.

36 (4) Bond proceeds must be used exclusively for the purposes
37 specified in subsection (1) of this section.

1 NEW SECTION. **Sec. 303.** ENVIRONMENTAL CLEANUP AND RESTORATION
2 ACCOUNT REVENUES PLEDGED TO BONDS. Each bond issued under the
3 authority of section 302 of this act shall distinctly state that
4 payment or redemption of the bond and payment of the interest and any
5 premium thereon is payable solely from and secured solely by a pledge
6 of the tax revenues received from the tax imposed pursuant to RCW
7 82.21.030(1) and deposited in the environmental cleanup and restoration
8 account pursuant to RCW 82.21.030(2) and by amounts in the 2012 jobs
9 act credit enhancement reserve account created in section 401 of this
10 act and is not a general obligation of the state to which the full
11 faith and credit of the state is pledged. The legislature pledges to
12 appropriate the tax revenues pledged to the payment of the bonds issued
13 under sections 302 through 307 of this act. The legislature further
14 agrees for the benefit of the owners of outstanding bonds issued by the
15 state under sections 302 through 307 of this act to continue in effect
16 and not to impair or withdraw the authorization of the imposition,
17 collection, and transfer of the tax as provided in RCW 82.21.030 (1)
18 and (2) for payment of the bonds. The state finance committee shall
19 include this pledge and agreement of the state to owners of any bonds
20 issued under sections 302 through 307 of this act. The owner of any
21 bond or the trustee for the owner of any of the bonds may by mandamus
22 or other appropriate proceeding require the transfer and payment of
23 pledged funds as directed in this section.

24 NEW SECTION. **Sec. 304.** ENVIRONMENTAL CLEANUP AND RESTORATION
25 CONSTRUCTION BOND PROCEEDS ACCOUNT. The proceeds from the sale of the
26 bonds authorized in sections 302 through 307 of this act shall be
27 deposited in the environmental cleanup and restoration construction
28 bond proceeds account hereby created in the state treasury. Moneys in
29 the account may be spent only after appropriation. Moneys in the
30 account may be appropriated only for the construction and improvement
31 of environmental cleanup and restoration projects. The state treasurer
32 may establish subaccounts in the account for the purpose of segregating
33 bond proceeds, including separate subaccounts for segregating proceeds
34 of tax-exempt bonds and taxable bonds.

35 NEW SECTION. **Sec. 305.** ENVIRONMENTAL CLEANUP AND RESTORATION BOND
36 RETIREMENT ACCOUNT CREATED. (1) The environmental cleanup and

1 restoration bond retirement account is hereby created in the state
2 treasury. Moneys in the account must be used only for the payment of
3 the principal and interest on the bonds authorized in sections 302
4 through 307 of this act.

5 (2) The state finance committee must, on or before June 30th of
6 each year, certify to the state treasurer the amount needed in the
7 ensuing twelve months to meet the bond retirement and interest
8 requirements on the bonds authorized in section 302 of this act.

9 (3) On or before each date on which principal and interest payment
10 is due on bonds issued for the purposes of section 302 of this act, in
11 accordance with the bond proceedings, the state treasurer shall
12 withdraw from any tax revenues placed in the environmental cleanup and
13 restoration account and deposit in the environmental cleanup and
14 restoration bond retirement account an amount equal to the amount
15 certified by the state finance committee to be due on the bond payment
16 date. If the amount of tax revenues on deposit in the environmental
17 cleanup and restoration account is insufficient to make the bond
18 payment amount then due, the state treasurer shall withdraw from the
19 2012 jobs act credit enhancement reserve account and deposit in the
20 environmental cleanup and restoration bond retirement account the
21 additional amount required to provide sufficient funds for the bond
22 payment amount then due.

23 NEW SECTION. **Sec. 306.** ENVIRONMENTAL CLEANUP AND RESTORATION
24 ACCOUNT CREATED. A special account designated as the environmental
25 cleanup and restoration account is hereby created in the state
26 treasury. Deposits to the account must include the tax revenues
27 directed to the account under RCW 82.21.030(2) and any other revenues
28 directed to the account by the legislature. Expenditures from the
29 account may be made only for the specific purpose of funding
30 environmental cleanup and restoration projects including, but not
31 limited to, payment of principal and interest on bonds issued pursuant
32 to section 302 of this act. Moneys in the account must be transferred
33 to the environmental cleanup and restoration bond retirement account as
34 required by section 303 of this act, and any moneys in the account not
35 required for transfer to the environmental cleanup and restoration bond
36 retirement account must be transferred to the state and local toxics
37 control accounts in RCW 70.105D.070 for purposes consistent with this

1 section. Amounts so transferred to the state and local toxics control
2 accounts must be allocated at a rate of forty-seven percent to the
3 state toxics control account in RCW 70.105D.070(1) and fifty-three
4 percent to the local toxics control account in RCW 70.105D.070(3).

5 NEW SECTION. **Sec. 307.** BONDS LEGAL INVESTMENT. The bonds
6 authorized by sections 301 through 306 of this act constitute a legal
7 investment for all state funds or for funds under state control and all
8 funds of municipal corporations.

9 **Sec. 308.** RCW 82.21.030 and 1989 c 2 s 10 are each amended to read
10 as follows:

11 HAZARDOUS SUBSTANCE TAX DEDICATED TO ENVIRONMENTAL CLEANUP AND
12 RESTORATION. (1) For the specific purpose of financing environmental
13 cleanup and restoration, including, but not limited to, payment of debt
14 service on bonds issued under section 302 of this act, a tax is imposed
15 on the privilege of possession of hazardous substances in this state.
16 The rate of the tax shall be seven-tenths of one percent multiplied by
17 the wholesale value of the substance.

18 (2) Moneys collected under this chapter shall be deposited (~~in the~~
19 ~~toxics control accounts under RCW 70.105D.070~~) into the environmental
20 cleanup and restoration account in section 306 of this act.

21 (3) Chapter 82.32 RCW applies to the tax imposed in this chapter.
22 The tax due dates, reporting periods, and return requirements
23 applicable to chapter 82.04 RCW apply equally to the tax imposed in
24 this chapter.

25 **Sec. 309.** RCW 70.105D.070 and 2011 1st sp.s. c 50 s 964 are each
26 reenacted and 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~~
32 ~~portion of the rate equal to thirty three one hundredths of one~~
33 ~~percent~~) and are transferred from the environmental cleanup and
34 restoration account into the state toxics control account under section
35 306 of this act; (b) the costs of remedial actions recovered under this

1 chapter or chapter 70.105A RCW; (c) penalties collected or recovered
2 under this chapter; and (d) any other money appropriated or transferred
3 to the account by the legislature. Moneys in the account may be used
4 only to carry out the purposes of this chapter, including but not
5 limited to the following activities:

6 (i) The state's responsibility for hazardous waste planning,
7 management, regulation, enforcement, technical assistance, and public
8 education required under chapter 70.105 RCW;

9 (ii) The state's responsibility for solid waste planning,
10 management, regulation, enforcement, technical assistance, and public
11 education required under chapter 70.95 RCW;

12 (iii) The hazardous waste cleanup program required under this
13 chapter;

14 (iv) State matching funds required under the federal cleanup law;

15 (v) Financial assistance for local programs in accordance with
16 chapters 70.95, 70.95C, 70.95I, and 70.105 RCW;

17 (vi) State government programs for the safe reduction, recycling,
18 or disposal of hazardous wastes from households, small businesses, and
19 agriculture;

20 (vii) Hazardous materials emergency response training;

21 (viii) Water and environmental health protection and monitoring
22 programs;

23 (ix) Programs authorized under chapter 70.146 RCW;

24 (x) A public participation program, including regional citizen
25 advisory committees;

26 (xi) Public funding to assist potentially liable persons to pay for
27 the costs of remedial action in compliance with cleanup standards under
28 RCW 70.105D.030(2)(e) but only when the amount and terms of such
29 funding are established under a settlement agreement under RCW
30 70.105D.040(4) and when the director has found that the funding will
31 achieve both (A) a substantially more expeditious or enhanced cleanup
32 than would otherwise occur, and (B) the prevention or mitigation of
33 unfair economic hardship;

34 (xii) Development and demonstration of alternative management
35 technologies designed to carry out the hazardous waste management
36 priorities of RCW 70.105.150;

37 (xiii) During the 2009-2011 and 2011-2013 fiscal biennia, shoreline
38 update technical assistance;

1 (xiv) During the 2009-2011 fiscal biennium, multijurisdictional
2 permitting teams; and

3 (xv) During the 2011-2013 fiscal biennium, actions for reducing
4 public exposure to toxic air pollution.

5 (3) The following moneys shall be deposited into the local toxics
6 control account: Those revenues which are raised by the tax imposed
7 under RCW 82.21.030 (~~(and which are attributable to that portion of the~~
8 ~~rate equal to thirty seven one hundredths of one percent))~~ and are
9 transferred to the local toxics control account under section 306 of
10 this act.

11 (a) Moneys deposited in the local toxics control account shall be
12 used by the department for grants or loans to local governments for the
13 following purposes in descending order of priority:

14 (i) Remedial actions;

15 (ii) Hazardous waste plans and programs under chapter 70.105 RCW;

16 (iii) Solid waste plans and programs under chapters 70.95, 70.95C,
17 70.95I, and 70.105 RCW;

18 (iv) Funds for a program to assist in the assessment and cleanup of
19 sites of methamphetamine production, but not to be used for the initial
20 containment of such sites, consistent with the responsibilities and
21 intent of RCW 69.50.511; and

22 (v) Cleanup and disposal of hazardous substances from abandoned or
23 derelict vessels, defined for the purposes of this section as vessels
24 that have little or no value and either have no identified owner or
25 have an identified owner lacking financial resources to clean up and
26 dispose of the vessel, that pose a threat to human health or the
27 environment.

28 (b) Funds for plans and programs shall be allocated consistent with
29 the priorities and matching requirements established in chapters
30 70.105, 70.95C, 70.95I, and 70.95 RCW, except that any applicant that
31 is a Puget Sound partner, as defined in RCW 90.71.010, along with any
32 project that is referenced in the action agenda developed by the Puget
33 Sound partnership under RCW 90.71.310, shall, except as conditioned by
34 RCW 70.105D.120, receive priority for any available funding for any
35 grant or funding programs or sources that use a competitive bidding
36 process. During the 2007-2009 fiscal biennium, moneys in the account
37 may also be used for grants to local governments to retrofit public

1 sector diesel equipment and for storm water planning and implementation
2 activities.

3 (c) To expedite cleanups throughout the state, the department shall
4 partner with local communities and liable parties for cleanups. The
5 department is authorized to use the following additional strategies in
6 order to ensure a healthful environment for future generations:

7 (i) The director may alter grant-matching requirements to create
8 incentives for local governments to expedite cleanups when one of the
9 following conditions exists:

10 (A) Funding would prevent or mitigate unfair economic hardship
11 imposed by the clean-up liability;

12 (B) Funding would create new substantial economic development,
13 public recreational, or habitat restoration opportunities that would
14 not otherwise occur; or

15 (C) Funding would create an opportunity for acquisition and
16 redevelopment of vacant, orphaned, or abandoned property under RCW
17 70.105D.040(5) that would not otherwise occur;

18 (ii) The use of outside contracts to conduct necessary studies;

19 (iii) The purchase of remedial action cost-cap insurance, when
20 necessary to expedite multiparty clean-up efforts.

21 (d) To facilitate and expedite cleanups using funds from the local
22 toxics control account, during the 2009-2011 fiscal biennium the
23 director may establish grant-funded accounts to hold and disperse local
24 toxics control account funds and funds from local governments to be
25 used for remedial actions.

26 (4) Except for unanticipated receipts under RCW 43.79.260 through
27 43.79.282, moneys in the state and local toxics control accounts may be
28 spent only after appropriation by statute.

29 (5) Except during the 2009-2011 fiscal biennium, one percent of the
30 moneys deposited into the state and local toxics control accounts shall
31 be allocated only for public participation grants to persons who may be
32 adversely affected by a release or threatened release of a hazardous
33 substance and to not-for-profit public interest organizations. The
34 primary purpose of these grants is to facilitate the participation by
35 persons and organizations in the investigation and remedying of
36 releases or threatened releases of hazardous substances and to
37 implement the state's solid and hazardous waste management priorities.
38 No grant may exceed sixty thousand dollars. Grants may be renewed

1 annually. Moneys appropriated for public participation from either
2 account which are not expended at the close of any biennium shall
3 revert to the state toxics control account.

4 (6) No moneys deposited into either the state or local toxics
5 control account may be used for solid waste incinerator feasibility
6 studies, construction, maintenance, or operation, or, after January 1,
7 2010, for projects designed to address the restoration of Puget Sound,
8 funded in a competitive grant process, that are in conflict with the
9 action agenda developed by the Puget Sound partnership under RCW
10 90.71.310.

11 (7) The department shall adopt rules for grant or loan issuance and
12 performance.

13 ~~(8) ((During the 2007-2009 and 2009-2011 fiscal biennia, the~~
14 ~~legislature may transfer from the local toxics control account to~~
15 ~~either the state general fund or the oil spill prevention account, or~~
16 ~~both such amounts as reflect excess fund balance in the account.~~

17 ~~(9) During the 2009-2011 fiscal biennium, the local toxics control~~
18 ~~account may also be used for a standby rescue tug at Neah Bay, local~~
19 ~~government shoreline update grants, private and public sector diesel~~
20 ~~equipment retrofit, and oil spill prevention, preparedness, and~~
21 ~~response activities.~~

22 ~~(10) During the 2009-2011 fiscal biennium, the legislature may~~
23 ~~transfer from the state toxics control account to the state general~~
24 ~~fund such amounts as reflect the excess fund balance in the account.~~

25 ~~(11))~~ During the 2011-2013 fiscal biennium, the local toxics
26 control account may also be used for local government shoreline update
27 grants and actions for reducing public exposure to toxic air pollution.

28 (9) During the 2011-2013 fiscal biennium, the legislature may
29 transfer from the local toxics control account to the 2012 jobs act
30 credit enhancement reserve account such amounts as reflect the excess
31 fund balance of the account.

32 **PART IV**
33 **RESERVE FUND**

34 NEW SECTION. **Sec. 401.** RESERVE ACCOUNT ESTABLISHED. (1) The 2012
35 jobs act credit enhancement reserve account is hereby created in the
36 state treasury. Moneys in the account must be used exclusively to

1 secure the payment of debt service on all bonds issued by the state
2 pursuant to this act, including, without limitation, for transfers to
3 the bond retirement account as required under the provisions of section
4 305 of this act.

5 (2) The 2012 jobs act credit enhancement reserve account
6 constitutes a reserve account for limited tax obligation bonds issued
7 by the state pursuant to section 302 of this act. The amount on
8 deposit in the 2012 jobs act credit enhancement reserve account shall
9 be maintained in an amount equal to maximum annual debt service on all
10 outstanding bonds secured thereby or in such other amount as may be
11 required by the bond proceedings. Any withdrawal from the 2012 jobs
12 act credit enhancement reserve account to pay debt service on bonds
13 secured thereby shall be replenished within six months after the
14 withdrawal or in such other manner as may be required by the bond
15 proceedings by transfers from the public works assistance account
16 required by section 402 of this act.

17 (3) By July 1st of each year, the state treasurer must transfer
18 sufficient amounts from loan repayment revenues received in the public
19 works assistance account under RCW 43.155.060(1) to the 2012 jobs act
20 credit enhancement reserve account so that the account balance is equal
21 to the sum of the amounts certified in section 305 of this act.

22 **Sec. 402.** RCW 43.155.050 and 2011 1st sp.s. c 50 s 951 are each
23 amended to read as follows:

24 PUBLIC WORKS ASSISTANCE ACCOUNT LOAN REPAYMENTS DEDICATED TO
25 RESERVE. (1) The public works assistance account is hereby established
26 in the state treasury. Money may be placed in the public works
27 assistance account from the proceeds of bonds when authorized by the
28 legislature or from any other lawful source.

29 (2) Money in the public works assistance account shall be used to
30 make loans and to give financial guarantees to local governments for
31 public works projects.

32 (3) Repayments of loans made under this chapter must be deposited
33 in the public works assistance account. Moneys in the account received
34 from loan repayments under RCW 43.155.060(1) also must be transferred
35 to the 2012 jobs act credit enhancement reserve account as required to
36 maintain a balance therein as provided by section 401 of this act and
37 to secure payment of debt service on all bonds issued by the state

1 under this act in accordance with the bond proceedings. The
2 legislature pledges to continue and maintain and not to impair the
3 statutory and financial framework contained in this act and in this
4 chapter to provide loan repayments under RCW 43.155.060(1) and to fund
5 transfers to the 2012 jobs act credit enhancement reserve account as
6 required to secure payment of debt service on limited tax obligation
7 bonds issued by the state under this act in accordance with the bond
8 proceedings. The legislature further pledges to continue to use
9 amounts held in the public works assistance account to make loans to
10 local governments for public works projects in a manner that is
11 reasonably calculated to produce loan repayments in amounts at least
12 sufficient to meet the requirements of this subsection (3) in
13 accordance with the bond proceedings.

14 (4) Moneys in the account may also be appropriated or transferred
15 to provide for state match requirements under federal law for projects
16 ~~((and activities conducted and financed by the board under))~~ funded by
17 the drinking water assistance account and the water pollution control
18 revolving account.

19 (5) Not more than fifteen percent of the biennial capital budget
20 appropriation to the public works board from this account may be
21 expended or obligated for preconstruction loans, emergency loans, or
22 loans for capital facility planning under this chapter; of this amount,
23 not more than ten percent of the biennial capital budget appropriation
24 may be expended for emergency loans and not more than one percent of
25 the biennial capital budget appropriation may be expended for capital
26 facility planning loans. ~~((For the 2007-2009 biennium, moneys in the~~
27 ~~account may be used for grants for projects identified in section 138,~~
28 ~~chapter 488, Laws of 2005 and section 1033, chapter 520, Laws of 2007.~~
29 ~~During the 2009-2011 fiscal biennium, sums in the public works~~
30 ~~assistance account may be used for the water pollution control~~
31 ~~revolving fund program match in section 3013, chapter 36, Laws of 2010~~
32 ~~1st sp. sess. During the 2009-2011 fiscal biennium, the legislature~~
33 ~~may transfer from the job development fund to the general fund such~~
34 ~~amounts as reflect the excess fund balance of the fund.))~~ During the
35 2011-2013 fiscal biennium, the legislature may transfer from the public
36 works assistance account to the general fund ~~((, the water pollution~~
37 ~~control revolving account, and the drinking water assistance account))~~

1 and the 2012 jobs act credit enhancement reserve account such amounts
2 as reflect the excess fund balance of the account.

3 NEW SECTION. Sec. 403. FOR THE STATE TREASURER--TRANSFERS. No
4 later than June 30, 2012, the state treasurer shall transfer the sum of
5 seventeen million four hundred thousand dollars from the local toxics
6 control account to the 2012 jobs act credit enhancement reserve
7 account.

8 **PART V**
9 **APPROPRIATIONS--GENERAL GOVERNMENT**

10 NEW SECTION. Sec. 501. FOR THE DEPARTMENT OF COMMERCE
11 Energy Efficiency Grants for Local Governments (91000241)

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

14 (1) The appropriation is provided solely for grants to local
15 agencies for operational cost savings improvements to local agency
16 facilities and related projects that result in energy and operational
17 cost savings. Related projects are those projects that must be
18 completed in order for the energy efficiency improvements to be
19 effective. Grants may also be used for loan interest payments over the
20 term of a loan.

21 (2) The community services and housing division within the
22 department of commerce, in consultation with the department of
23 enterprise services, and the Washington State University energy program
24 shall establish a competitive process to solicit and evaluate
25 applications from local agencies. Final grant awards shall be
26 determined by the department of commerce.

27 (3) For the purposes of this section:

28 (a) "Cost-effectiveness" means that the present value to the local
29 agency of the energy reasonably expected to be saved or produced by a
30 facility, activity, measure, or piece of equipment over its useful
31 life, including any compensation received from a utility or the
32 Bonneville power administration, is greater than the net present value
33 of the costs of implementing, maintaining, and operating such facility,
34 activity, measure, or piece of equipment over its useful life, when
35 discounted at the cost of public borrowing.

1 (b) "Energy equipment" means energy management systems and any
2 equipment, materials, or supplies that are expected, upon installation,
3 to reduce the energy use or energy cost of an existing building or
4 facility, and the services associated with the equipment, materials, or
5 supplies, including, but not limited to, design, engineering,
6 financing, installation, project management, guarantees, operations,
7 and maintenance. Reduction in energy use or energy cost may also
8 include reductions in the use or cost of water, wastewater, or solid
9 waste.

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

13 (d) "Energy savings performance contracting" means the process
14 authorized by chapter 39.35C RCW by which a company contracts with a
15 local agency to conduct energy audits and guarantee energy savings from
16 energy efficiency.

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

21 (f) "Public facilities" means buildings, building components, and
22 major equipment or systems owned by local agencies.

23 (g) "Local agency" means any city and any town, county, special
24 district, municipal corporation, agency, port district or authority, or
25 political subdivision of any type, or any other entity or authority of
26 local government in corporate form or otherwise.

27 (4) Grants must be awarded in competitive rounds, based on demand
28 and capacity, with at least ten percent of each competitive grant round
29 awarded to small cities or towns with a population of fewer than five
30 thousand residents.

31 (5) In order to be eligible for energy efficiency grants under this
32 section, applicants must complete an investment grade audit, or an
33 equivalent, prior to submitting an application for funding.

34 (6) Within each competitive round, projects must be weighted and
35 prioritized based on the following criteria and in the following order:

36 (a) Leverage ratio: In each round, the higher the leverage ratio
37 of nonstate funding sources to state grant, the higher the project
38 ranking.

1 (b) Energy savings: In each round, the higher the energy savings,
2 the higher the project ranking. Applicants must submit documentation
3 that demonstrates energy and operational cost savings resulting from
4 the installation of the energy equipment and improvements. The energy
5 savings analysis shall be performed by a licensed engineer, and the
6 documentation must include but is not limited to the following:

7 (i) A description of the energy equipment and improvements; and

8 (ii) A description of the energy and operational cost savings.

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

12 (7) Projects that do not use energy savings performance contracting
13 must: (a) Verify energy and operational cost savings for ten years or
14 until the energy and operational costs savings pay for the project,
15 whichever is shorter; (b) follow the department of enterprise services
16 energy savings performance contracting project guidelines; and (c)
17 employ a licensed engineer for the energy audit and construction. The
18 department of commerce may require third-party verification of savings
19 if a project is not implemented by an energy savings performance
20 contractor selected by the department of enterprise services through
21 the request of qualifications process. Third-party verification must
22 be conducted either by an energy savings performance contractor
23 selected by the department of enterprise services through a request for
24 qualifications, a licensed engineer that is a certified energy manager,
25 or a project resource conservation manager.

26 (8) To intensify competition, the department of commerce may only
27 award funds to the top eighty-five percent of projects applying in a
28 round until the department of commerce determines a final round is
29 appropriate. Projects that do not receive a grant award in one round
30 may reapply in subsequent rounds.

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

34 (10) The department of commerce may charge projects administrative
35 fees and may pay the department of enterprise services, and the
36 Washington State University energy program administration fees in an
37 amount determined through a memorandum of understanding.

1 (11) The department of commerce and the department of enterprise
2 services must submit a joint report to the appropriate committees of
3 the legislature and the office of financial management on the timing
4 and use of the grant funds, program administrative function, compliance
5 with apprenticeship utilization requirements in RCW 39.04.320,
6 compliance with prevailing wage requirements, and administration fees
7 by the end of each fiscal year, until the funds are fully expended and
8 all savings verification requirements are fulfilled.

9 Appropriation:

10	State Building Construction Account--State	\$30,000,000
11	Prior Biennia (Expenditures) . . . . .	.\$0
12	Future Biennia (Projected Costs)	\$0
13	TOTAL	\$30,000,000

14 NEW SECTION. **Sec. 502. FOR THE DEPARTMENT OF COMMERCE**

15 2012 Local and Community Projects (91000417)

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

18 (1) Except as directed otherwise prior to the effective date of
19 this section, the department shall not expend the appropriations in
20 this section unless and until the nonstate share of project costs have
21 been either expended, or firmly committed, or both, in an amount
22 sufficient to complete the project or a distinct phase of the project
23 that is useable to the public for the purpose intended by the
24 legislature.

25 (2) Prior to receiving funds, project recipients must demonstrate
26 that the project site is under control for a minimum of ten years,
27 either through ownership or a long-term lease. This requirement does
28 not apply to appropriations for preconstruction activities or
29 appropriations whose sole purpose is to purchase real property that
30 does not include a construction or renovation component.

31 (3) Projects funded in this section may be required to comply with
32 Washington's high performance building standards as required by chapter
33 39.35D RCW.

34 (4) Project funds are available on a reimbursement basis only, and
35 shall not be advanced under any circumstances.

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

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

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

9 Project	10 Authorized Amount
11 Covington Aquatics Center Roof Replacement and Related Construction	\$400,000
12 Everett Park Roofs	\$400,000
13 Federal Way Sewer Line	\$1,500,000
14 Main Street Edmonds	\$500,000
15 Port of Quincy Industrial Park No. 6 Infrastructure	\$1,100,000
16 Roslyn Northwest Improvement Building	\$1,035,000
17 Scriber Creek Pedestrian Bridge	\$800,000
18 Total	\$5,735,000

18 (8) \$1,035,000 of the appropriation is provided solely to the city
19 of Roslyn for the purchase of the northwest improvement (NWI) building.

20 Appropriation:

21 State Building Construction Account--State	\$5,735,000
22 Prior Biennia (Expenditures)	\$0
23 Future Biennia (Projected Costs)	\$0
24 TOTAL	\$5,735,000

25 NEW SECTION. **Sec. 503. FOR THE DEPARTMENT OF COMMERCE**

26 Public Works Assistance Account Program--Additional Round
27 (91000320)

28 The appropriation in this section is subject to the following
29 conditions and limitations: The public works board must conduct an
30 additional funding round for public works projects. The public works
31 board, local government applicants, and proposed projects must meet all
32 requirements of chapter 43.155 RCW; except that, the public works board

1 must approve the prioritized list of projects and loan amounts without
2 seeking legislative approval.

3 Appropriation:

4	State Taxable Building Construction Account--	
5	State	\$70,000,000
6	Prior Biennia (Expenditures) . . . . .	.\$0
7	Future Biennia (Projected Costs)	\$0
8	TOTAL	\$70,000,000

9 NEW SECTION. **Sec. 504. FOR THE DEPARTMENT OF COMMERCE**

10 Public Works Pre-Construction Loan Program (91000319)

11 Appropriation:

12	State Taxable Building Construction Account--	
13	State	\$7,000,000
14	Prior Biennia (Expenditures) . . . . .	.\$0
15	Future Biennia (Projected Costs)	\$0
16	TOTAL	\$7,000,000

17 NEW SECTION. **Sec. 505. FOR THE DEPARTMENT OF COMMERCE**

18 New Energy (91000254)

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

21 (1) The appropriation in this section is provided solely for grants
22 to fund installation of Washington-manufactured solar energy systems,
23 including solar modules and inverters, in public and nonprofit
24 buildings. The purpose of the grants is to create immediate, high
25 quality jobs in an emerging local manufacturing industry and reduce the
26 costs of electrical energy.

27 (2) The department must conduct a competitive application process,
28 evaluate project proposals according to objective criteria, allocate
29 grant funds, and enter into contracts with the selected organizations.

30 (a) Eligible applicants include 501(c)(3) nonprofit organizations,
31 local governments, school districts, state agencies, higher education
32 institutions, and federally recognized Indian tribes.

33 (b) The department must, to the extent possible, allocate one-third
34 of the dollars to projects in eastern Washington.

1 (c) To be considered for funding, project proposals must, at a
2 minimum, include:

3 (i) Purchasing and installing solar modules and inverters
4 manufactured in Washington; and

5 (ii) Installing solar energy systems of 40kW or less in order to
6 ensure maximum public exposure to different solar power applications.

7 Appropriation:

8	State Building Construction Account--State	\$5,000,000
9	Prior Biennia (Expenditures) . . . . .	.\$0
10	Future Biennia (Projected Costs)	\$0
11	TOTAL	\$5,000,000

12 NEW SECTION. **Sec. 506. FOR THE DEPARTMENT OF COMMERCE**

13 Connell Klindworth Water Line Distribution (91000318)

14 Appropriation:

15	State Building Construction Account--State	\$540,000
16	Prior Biennia (Expenditures) . . . . .	.\$0
17	Future Biennia (Projected Costs)	\$0
18	TOTAL	\$540,000

19 NEW SECTION. **Sec. 507. FOR THE DEPARTMENT OF COMMERCE**

20 Innovation Partnership Zones - Facilities and Infrastructure
21 (92000089)

22 The appropriation in this section is subject to the following
23 conditions and limitations: The appropriation in this section is
24 provided solely for the Tri-Cities Research District - Wine Science
25 Center project.

26 Appropriation:

27	State Building Construction Account--State	\$5,000,000
28	Prior Biennia (Expenditures) . . . . .	.\$0
29	Future Biennia (Projected Costs)	\$0
30	TOTAL	\$5,000,000

31 NEW SECTION. **Sec. 508. FOR THE DEPARTMENT OF COMMERCE**

32 CERB Administered Economic Development, Innovation & Export Grants
33 (92000096)

1 The appropriation in this section is subject to the following
 2 conditions and limitations: The appropriation in this section is
 3 provided solely for the following list of projects. The board may
 4 allocate up to twenty-five percent of the amounts for specified
 5 projects to other specified projects or to additional grants awarded on
 6 a competitive basis if, upon further review of the specified projects,
 7 the cost of the projects is less than originally assumed or other
 8 nonstate funds become available. If specified projects have not met
 9 the requirements for executing a contract with the department by April
 10 30, 2013, the board may allocate the amount specified to additional
 11 grants awarded on a competitive basis provided that the grant awardee
 12 is ready to proceed with the project.

13 Project	13 Authorized Amount
14 Chelatchee Prairie RR Project	\$500,000
15 Trans Alta Industrial Park Infrastructure	\$998,000
16 Lakehaven Utility Dist/Federal Way Sewer Project	\$1,000,000
17 Renton Aerospace Center	\$2,500,000
18 NE Redevelopment Area - Storm Water Facilities	\$3,500,000
19 Satsop Wastewater Improvements	\$4,000,000
20 WA Aerospace Training & Research Center Expansion	\$1,500,000
21 Infrastructure for NW Friberg Development in Camas	\$3,000,000
22 Total	\$16,998,000

23 Appropriation:

24 State Building Construction Account--State	\$16,998,000
25 Prior Biennia (Expenditures)	\$0
26 Future Biennia (Projected Costs)	\$0
27 TOTAL	\$16,998,000

28 NEW SECTION. **Sec. 509. FOR THE DEPARTMENT OF COMMERCE**

29 Main Street Improvement Grants (92000098)

30 The appropriation in this section is subject to the following
 31 conditions and limitations: The appropriation is provided solely for
 32 the following list of projects. The board may allocate up to twenty-
 33 five percent of the amounts for specified projects to other specified

1 projects or to additional grants awarded on a competitive basis if,
 2 upon further review of the specified projects, the cost of the projects
 3 is less than originally assumed or other nonstate funds become
 4 available. If specified projects have not met the requirements for
 5 executing a contract with the department by April 30, 2013, the board
 6 may allocate the amount specified to additional grants awarded on a
 7 competitive basis provided that the grant awardee is ready to proceed
 8 with the project.

9 Project	10 Authorized Amount
11 Bay Street Pedestrian Path	\$500,000
12 Downtown Longview Corridor Project	\$500,000
13 Edmonds Main Street Project	\$500,000
14 La Conner Boardwalk	\$750,000
15 Cushman Phase 4	\$1,200,000
16 Kendall Yards Public Infrastructure	\$2,000,000
17 Pacific Ave Streetscape Improvements	\$3,000,000
18 University District Pedestrian/Bike Bridge Design & Acquisition	\$3,200,000
19 Cross Kirkland Corridor	\$2,000,000
20 Meydenbauer Development	\$2,000,000
21 Total	\$15,650,000

22 Appropriation:

23 State Building Construction Account--State	\$15,650,000
24 Prior Biennia (Expenditures)	\$0
25 Future Biennia (Projected Costs)	\$0
26 TOTAL	\$15,650,000

27 NEW SECTION. **Sec. 510. FOR THE DEPARTMENT OF COMMERCE**

28 Brownfield Redevelopment Grants (92000100)

29 The appropriation in this section is subject to the following
 30 conditions and limitations: The appropriation in this section is
 31 provided solely for the redevelopment of the Bellingham waterfront.

32 Appropriation:

33 State Building Construction Account--State	\$1,500,000
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1	Prior Biennia (Expenditures)	\$0
2	Future Biennia (Projected Costs)	\$0
3	TOTAL	\$1,500,000

4 **NEW SECTION. Sec. 511. FOR THE DEPARTMENT OF COMMERCE**

5 Port and Export Related Infrastructure (92000102)

6 The appropriation in this section is subject to the following
7 conditions and limitations: The appropriation in this section is
8 provided solely for the following list of projects. The department may
9 allocate up to twenty-five percent of the amounts for specified
10 projects to other specified projects or to additional grants awarded on
11 a competitive basis if, upon further review of the specified projects,
12 the cost of the projects is less than originally assumed or other
13 nonstate funds become available. If specified projects have not met
14 the requirements for executing a contract with the department by April
15 30, 2013, the department may allocate the amount specified to
16 additional grants awarded on a competitive basis provided that the
17 grant awardee is ready to proceed with the project.

18	Projects	Authorized Amount
19	Vancouver - Centennial Industrial Park Infrastructure	\$5,750,000
20	Speed Improvements for Short Line Rail for Agricultural	\$7,000,000
21	Exports	
22	Total	\$12,750,000

23 Appropriation:

24	State Building Construction Account--State	\$12,750,000
25	Prior Biennia (Expenditures)	\$0
26	Future Biennia (Projected Costs)	\$0
27	TOTAL	\$12,750,000

28 **NEW SECTION. Sec. 512. FOR THE DEPARTMENT OF COMMERCE**

29 Energy Efficiency Grants For Higher Education (91000242)

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

1 (1) The appropriation is provided solely for grants to public
2 higher education institutions for operational cost savings improvements
3 to higher education facilities and related projects that result in
4 energy and operational cost savings. Related projects are those
5 projects that must be completed in order for the energy efficiency
6 improvements to be effective. Grants may also be used for loan
7 interest payments over the term of a loan.

8 (2) The community services and housing division within the
9 department of commerce, in consultation with the department of
10 enterprise services, and the Washington State University energy program
11 shall establish a competitive process to solicit and evaluate
12 applications from public higher education institutions. Final grant
13 awards shall be determined by the department of commerce.

14 (3) For the purposes of this section:

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

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

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

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

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

5 (f) "Public facilities" means buildings, building components, and
6 major equipment or systems owned by public higher education
7 institutions.

8 (4) Grants must be awarded in competitive rounds, based on demand
9 and capacity.

10 (5) In order to be eligible for energy efficiency grants under this
11 section, applicants must complete an investment grade audit, or an
12 equivalent, prior to submitting an application for funding.

13 (6) Within each competitive round, projects must be weighted and
14 prioritized based on the following criteria and in the following order:

15 (a) Leverage ratio: In each round, the higher the leverage ratio
16 of nonstate funding sources to state grant, the higher the project
17 ranking.

18 (b) Energy savings: In each round, the higher the energy savings,
19 the higher the project ranking. Applicants must submit documentation
20 that demonstrates energy and operational cost savings resulting from
21 the installation of the energy equipment and improvements. The energy
22 savings analysis shall be performed by a licensed engineer, and the
23 documentation must include, but is not limited to, the following:

24 (i) A description of the energy equipment and improvements; and

25 (ii) A description of the energy and operational cost savings.

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

29 (7) Projects that do not use energy savings performance contracting
30 must: (a) Verify energy and operational cost savings for ten years or
31 until the energy and operational costs savings pay for the project,
32 whichever is shorter; (b) follow the department of enterprise services
33 energy savings performance contracting project guidelines; and (c)
34 employ a licensed engineer for the energy audit and construction. The
35 department of commerce may require third-party verification of savings
36 if a project is not implemented by an energy savings performance
37 contractor selected by the department of enterprise services through
38 the request of qualifications process. Third-party verification must

1 be conducted either by an energy savings performance contractor
2 selected by the department of enterprise services through a request for
3 qualifications, a licensed engineer that is a certified energy manager,
4 or a project resource conservation manager.

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

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

13 (10) The department of commerce may charge projects administrative
14 fees and may pay the department of enterprise services, and the
15 Washington State University energy program administration fees in an
16 amount determined through a memorandum of understanding.

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

25 Appropriation:

26	State Building Construction Account--State	\$25,000,000
27	Prior Biennia (Expenditures) . . . . .	.\$0
28	Future Biennia (Projected Costs)	\$0
29	TOTAL	\$25,000,000

30 **Sec. 513.** 2011 1st sp.s. c 49 s 1027 (uncodified) is amended to
31 read as follows:

32 **FOR THE DEPARTMENT OF COMMERCE**

33 Building Communities Fund Grants (30000102)

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

1 (1) Except as directed otherwise prior to the effective date of
2 this section, the department shall not expend the appropriation in this
3 section unless and until the nonstate share of project costs have been
4 either expended, or firmly committed, or both, in an amount sufficient
5 to complete the projects or a distinct phase of the project that is
6 useable to the public for this purpose intended by the legislature.

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

13 (3) Projects funded in this section may be required to comply with
14 Washington's high performance building standards as required by chapter
15 39.35D RCW.

16 (4) Project funds are available on a reimbursement basis only, and
17 shall not be advanced under any circumstances.

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

21 (6) Projects funded in this section, including those that are owned
22 and operated by nonprofit organizations, are generally required to pay
23 state prevailing wages.

24 (7) The appropriation is provided solely for the following list of
25 projects:

26	Project	Authorized
27		Amount
28	Serenity House of Clallam County	\$52,000
29	Boys & Girls Clubs of King County	\$316,000
30	YMCA of Pierce and Kitsap	\$1,250,000
31	Counties	
32	Jewish Family Service	\$2,313,000
33	Low Income Housing Institute	\$313,000
34	The Salvation Army	\$56,000
35	Share	\$581,000

1	Navos	((\$2,500,000))
2		<u>\$2,350,000</u>
3	Kitsap Community Resources	\$600,000
4	Transitions	\$109,000
5	Boys & Girls Clubs of the Columbia	\$648,000
6	Basin	
7	Village Green Foundation	\$1,029,000
8	Community Action Council of LMT	\$95,000
9	United Way of Kitsap County	\$605,000
10	ARC of Spokane	\$862,000
11	Dynamic Family Services	\$575,000
12	University District Food Bank	\$573,000
13	<u>Kent Youth and Family Services</u>	<u>\$298,000</u>
14	Total	((\$12,327,000))
15		<u>\$12,625,000</u>

16 (8) \$8,924,000 of the appropriation from the state building
17 construction account--state is provided solely for an accelerated
18 competitive funding round for construction and rehabilitation projects
19 that are ready to proceed. For this accelerated funding round:

- 20 (a) Projects must meet all requirements of RCW 43.63A.125.
- 21 (b) Acquisition projects are not eligible.
- 22 (c) Community hall projects are eligible.
- 23 (d) Applicants may propose that up to seventy-five percent of total
24 project costs be funded by the state and at least twenty-five percent
25 of total project costs be funded by nonstate match.
- 26 (e) Applicants must document firm commitment of matching resources
27 at the time the application is submitted.
- 28 (f) The department must approve projects without seeking
29 legislative approval.

30 Appropriation:

31	State Building Construction Account--State	((\$12,327,000))
32		<u>\$21,549,000</u>
33	Prior Biennia (Expenditures)	\$0
34	Future Biennia (Projected Costs)	\$56,000,000
35	TOTAL	((\$68,327,000))
36		<u>\$77,549,000</u>

1 NEW SECTION. **Sec. 514. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

2 Aerospace and Manufacturing Training Equipment Pool (91000003)

3 Appropriation:

4	State Building Construction Account--State	\$2,265,000
5	Prior Biennia (Expenditures) . . . . .	.\$0
6	Future Biennia (Projected Costs)	\$0
7	TOTAL	\$2,265,000

8 **PART VI**

9 **APPROPRIATIONS--HUMAN SERVICES**

10 NEW SECTION. **Sec. 601. FOR THE DEPARTMENT OF SOCIAL AND HEALTH**

11 **SERVICES**

12 Rainier School: Cottages Remodel and Renovation (91000017)

13 Appropriation:

14	State Building Construction Account--State	\$3,000,000
15	Prior Biennia (Expenditures) . . . . .	.\$0
16	Future Biennia (Projected Costs)	\$0
17	TOTAL	\$3,000,000

18 NEW SECTION. **Sec. 602. FOR THE DEPARTMENT OF HEALTH**

19 Drinking Water Safety (91000004)

20 The appropriation in this section is subject to the following
21 conditions and limitations: The appropriation in this section is
22 provided solely for the following ranked list of projects. If
23 specified projects have not met the requirements for executing a
24 contract with the department by April 30, 2013, the department may
25 allocate the amount specified to additional grants awarded on a
26 competitive basis provided that the grant awardee is ready to proceed
27 with the project.

29 Project	Authorized Amount
30 Whatcom PUD Water System Consolidation	\$3,266,000

1	Cowlitz County Water Treatment	\$200,000
2	Kapowsin Water District Water Treatment	\$50,000
3	Rhodena Beach Water District Water Treatment	\$72,000
4	Greater Bar Water District Water System Consolidation	\$1,000,000
5	City of Ilwaco Water Treatment	\$940,000
6	Town of Malden Water Facility Repair	\$975,000
7	Kitsap PUD Water System Consolidation	\$5,000,000
8	City of Colville System Repair/Upgrade	\$750,000
9	City of Buckley System Repair/Upgrade	\$4,000,000
10	City of Tacoma - Fennel Heights	\$300,000
11	City of Moses Lake Water System Consolidation	\$4,700,000
12	Skagit PUD Water System Consolidation	\$200,000
13	Pend Oreille PUD System Repair/Upgrade	\$900,000
14	Administrative Costs	\$268,000
15	Total	\$22,621,000

16 Appropriation:

17	State Building Construction Account--State	\$22,621,000
18	Prior Biennia (Expenditures)	\$0
19	Future Biennia (Projected Costs)	\$0
20	TOTAL	\$22,621,000

21 NEW SECTION. **Sec. 603. FOR THE DEPARTMENT OF HEALTH**

22 Drinking Water Grants: Hanson Harbor (91000021)

23 The appropriation in this section is subject to the following
24 conditions and limitations: \$699,000 of the appropriation is provided
25 solely for the Hanson Harbor water supply project.

26 Appropriation:

27	State Building Construction Account--State	\$699,000
28	Prior Biennia (Expenditures)	\$0
29	Future Biennia (Projected Costs)	\$0
30	TOTAL	\$699,000

31 NEW SECTION. **Sec. 604. FOR THE DEPARTMENT OF VETERANS AFFAIRS**

32 Walla Walla Nursing Facility (20082008)

33 Appropriation:

1	State Building Construction Account--State	\$7,200,000
2	Prior Biennia (Expenditures) . . . . .	.\$0
3	Future Biennia (Projected Costs)	\$0
4	TOTAL	\$7,200,000

5 **PART VII**

6 **APPROPRIATIONS--NATURAL RESOURCES**

7 **Sec. 701.** 2011 1st sp.s. c 48 s 3024 (uncodified) is amended to
8 read as follows:

9 **FOR THE DEPARTMENT OF ECOLOGY**

10 Centennial Clean Water Program (30000208)

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

13 (1) \$3,500,000 of the appropriation is provided solely to the city
14 of Snohomish to implement the near-term wastewater treatment plant
15 improvement project required under agreed order No. 7973 between the
16 department of ecology and the city.

17 (2) \$3,500,000 of the appropriation is provided solely for a grant
18 for the Freeland sewer project.

19 ~~(3) ((\$540,000 of the appropriation is provided solely for the city
20 of Connell's Klindworth Campbell waterline distribution project.~~

21 ~~(4))~~ \$600,000 of the appropriation is provided solely for a grant
22 for the town of Mabton's wastewater treatment project.

23 ~~((+5))~~ (4) For projects involving repair, replacement, or
24 improvement of a wastewater treatment plant or other public works
25 facility for which an investment grade audit is obtainable, the
26 department of ecology must require as a contract condition that the
27 project sponsor undertake an investment grade audit. The project
28 sponsor may finance the costs of the audit as part of its centennial
29 clean water program grant.

30 (5) \$21,171,000 of the appropriation is provided solely as grants
31 for the following ranked list of projects. If a specified project has
32 not met the requirements for executing a contract with the department
33 by April 30, 2013, the department may allocate the amount specified to
34 additional grants awarded on a competitive basis provided that the
35 grant awardee is ready to proceed with the project.

<u>Project</u>	<u>Authorized Amount</u>
<u>Granger Wastewater System Improvements</u>	\$3,838,000
<u>Mabton Wastewater Treatment Facility Improvements</u>	\$4,400,000
<u>Rock Island Wastewater Treatment Plant and Side Sewers</u>	\$1,618,000
<u>Potlatch Wastewater Reclamation Facility</u>	\$1,203,000
<u>Belfair WWTP Phase 2</u>	\$4,982,000
<u>Deer Park Wastewater Storage Lagoon Upgrade</u>	\$4,668,000
<u>Administrative Costs</u>	\$462,000
<u>Total</u>	<u>\$21,171,000</u>

10 Appropriation:

11 State Toxics Control Account--State	\$34,100,000
12 <u>State Building Construction Account--State</u>	<u>\$15,851,000</u>
13 <u>Subtotal Appropriation</u>	<u>\$49,951,000</u>
14 Prior Biennia (Expenditures)	\$0
15 Future Biennia (Projected Costs)	\$0
16 TOTAL	((\$34,100,000))
17	<u>\$49,951,000</u>

18 **NEW SECTION. Sec. 702. FOR THE DEPARTMENT OF ECOLOGY**

19 Skagit Mitigation (91000181)

20 The appropriation in this section is subject to the following
21 conditions and limitations: The appropriation in this section is
22 provided solely for the following list of projects, which are related
23 to implementation of Engrossed Substitute Senate Bill No. 6132. If a
24 specified project has not met the requirements for executing a contract
25 with the department by April 30, 2013, the department may allocate the
26 amount specified to additional grants awarded on a competitive basis
27 provided that the grant awardee is ready to proceed with the project.

Project	Authorized Amount
29 Instream Water Right Acquisition Feasibility Studies of Carpenter and	
30 Nookachamps Basins	\$50,000
31 Hanika Water Right Acquisition	\$50,000

1	Group A Water System Acquisition and Consolidation	\$125,000
2	Satellite System Development - Group A Water System Consolidation	\$1,000,000
3	Snohomish County Group A System Extension	\$1,000,000
4	Total	\$2,225,000

5 Appropriation:

6	State Building Construction Account--State	\$2,225,000
7	Prior Biennia (Expenditures) . . . . .	.\$0
8	Future Biennia (Projected Costs)	\$0
9	TOTAL	\$2,225,000

10 NEW SECTION. **Sec. 703. FOR THE DEPARTMENT OF ECOLOGY**

11 Clean Up Toxic Sites - Puget Sound (91000032)

12 The appropriation in this section is subject to the following
13 conditions and limitations: The appropriation in this section is
14 provided solely for the following ranked list of projects. If a
15 specified project has not met the requirements for executing a contract
16 with the department by April 30, 2013, the department may allocate the
17 amount specified to additional projects awarded on a competitive basis
18 provided that the awardee is ready to proceed with the project.

19	Project	Authorized Amount
20	Port Gamble Bay - Open up 90 acres of geoduck tracks	\$2,000,000
21	Port Gamble Bay - Source control, habitat preservation,	\$7,000,000
22	and cleanup sustainability	
23	Olympia West Bay Marina	\$500,000
24	Olympia Reliable Steel	\$750,000
25	Oak Harbor Cornet Bay	\$2,500,000
26	Seattle Lower Duwamish Waterway Slivers	\$5,000,000
27	Anacortes Guemes Channel	\$6,000,000
28	Puget Sound Bioaccumulative Levels	\$950,000
29	Bellingham Bay Site - Habitat Restoration	\$1,500,000
30	Anacortes Whitmarsh Landfill Accelerated Cleanup	\$1,500,000
31	Port Gardner Bay	\$75,000
32	Port Angeles Harbor	\$850,000

1	Anacortes Custom Plywood Dioxin Removal Interim	\$3,500,000
2	Action	
3	Seattle Jacobson Property	\$1,182,000
4	Administration	\$999,000
5	Total	\$34,306,000
6	Appropriation:	
7	Environmental Cleanup and Restoration Construction	
8	Bond Proceeds Account--State	\$34,306,000
9	Prior Biennia (Expenditures)	\$0
10	Future Biennia (Projected Costs)	\$0
11	TOTAL	\$34,306,000

12 NEW SECTION. **Sec. 704. FOR THE DEPARTMENT OF ECOLOGY**

13 Eastern Washington Clean Sites Initiative (91000033)

14 The appropriation in this section is subject to the following
15 conditions and limitations: The appropriation in this section is
16 provided solely for the following ranked list of projects. If a
17 specified project has not met the requirements for executing a contract
18 with the department by April 30, 2013, the department may allocate the
19 amount specified to additional projects awarded on a competitive basis
20 provided that the awardee is ready to proceed with the project.

21	Project	Authorized Amount
22	Cashmere Mill Site	\$1,500,000
23	Marshall Landfill	\$8,500,000
24	Ione Airport Kwik Stop	\$300,000
25	Okanogan Mine Lands (Four Metals, Horn Silver, Brook)	\$250,000
26	Chewelah Grange UST #100319	\$75,000
27	Coulee City Frontier Corner #100748	\$25,000
28	Marcus Country Store #100546	\$19,000
29	North of Davenport Fort Spokane Store #619627	\$30,000
30	Spokane Fitzgerald Motors (Unregistered)	\$15,000
31	Chelan Investigation	\$200,000
32	Richland Perchloroethylene (PCE) Investigation	\$200,000

1	Administration	\$333,000
2	Total	\$11,447,000
3	Appropriation:	
4	Environmental Cleanup and Restoration Construction	
5	Bond Proceeds Account--State	\$11,447,000
6	Prior Biennia (Expenditures)	\$0
7	Future Biennia (Projected Costs)	\$0
8	TOTAL	\$11,447,000

9 NEW SECTION. **Sec. 705. FOR THE DEPARTMENT OF ECOLOGY**

10 Remedial Action Grant Program (91000038)

11 The appropriation in this section is subject to the following
12 conditions and limitations: The appropriation in this section is
13 provided solely for the following ranked list of projects. If a
14 specified project has not met the requirements for executing a contract
15 with the department by April 30, 2013, the department may allocate the
16 amount specified to additional grants awarded on a competitive basis
17 provided that the grant awardee is ready to proceed with the project.

18	Project	Authorized Amount
19	Port of Seattle Lower Duwamish Waterway Terminal 117	\$11,000,000
20	Seattle Public Utilities Lower Duwamish Waterway Terminal 117 & Slip 4	\$2,000,000
21	Seattle City Light Lower Duwamish Waterway Terminal 117 & Slip 4	\$2,000,000
22	Seattle Gas Works Park Sediment Cleanup	\$6,923,000
23	Port of Olympia Budd Inlet Sediments	\$2,000,000
24	Port of Seattle Lora Lake	\$1,000,000
25	Port of Seattle Terminal 91	\$3,000,000
26	Port of Seattle Terminal 30	\$394,000
27	King County East Waterway	\$500,000
28	Kitsap County Olalla Landfill	\$138,000
29	King County Lander - Combined Sewer Overflow	\$1,000,000
30	King County King Street - Combined Sewer Overflow	\$670,000
31	King County Brandon - Combined Sewer Overflow	\$300,000
32	Kitsap County Hansville Landfill	\$252,000

1	Yakima Trolley Barn (3rd & Walnut)	\$500,000
2	Voluntary Cleanup and Integrated Planning Grants	\$1,500,000
3	Administration	\$995,000
4	Total	\$34,172,000
5	Appropriation:	
6	Environmental Cleanup and Restoration Construction	
7	Bond Proceeds Account--State	\$34,172,000
8	Prior Biennia (Expenditures)	\$0
9	Future Biennia (Projected Costs)	\$0
10	TOTAL	\$34,172,000

11 NEW SECTION. **Sec. 706. FOR THE DEPARTMENT OF ECOLOGY**
12 FY 2012 Statewide Storm Water Grant Program (91000053)

13 The appropriation in this section is subject to the following
14 conditions and limitations: The appropriation is provided solely for
15 the following ranked list of projects. If a specified project has not
16 met the requirements for executing a contract with the department by
17 April 30, 2013, the department may allocate the amount specified to
18 additional grants awarded on a competitive basis provided that the
19 grant awardee is ready to proceed with the project.

20	Project	Authorized Amount
21	Lakewood 2012 Drywell Replacement Project	\$330,000
22	Ferndale Southwest Storm Water Management Facility	\$871,000
23	Tacoma Cheney Stadium Storm Water LID Retrofit	\$1,000,000
24	Bellingham Central Business District Raingarden Retrofits	\$450,000
25	Walla Walla 13th Avenue Storm Water LID Project	\$290,000
26	Spokane County Regional Decant Facility	\$684,000
27	Milton 5th Avenue Storm Water Treatment Facility	\$112,000
28	Pierce County Clarks/Rody Creek Storm Water Retrofits	\$829,000
29	Mount Vernon Downtown Plaza	\$351,000
30	Vancouver Water Quality Retrofits for Existing Drywells	\$562,000
31	Camas Vactor Waste Facility Retrofit	\$150,000
32	Tumwater Valley Regional Storm Water Facility	\$469,000

1	West Richland Bombing Range Outfall Elimination Project	\$479,000
2	Kitsap County Parks: Replace and Installation of Pervious Parking	\$735,000
3	Lots	
4	Woodinville Lake Leota Storm Water Quality Retrofit Project	\$866,000
5	Richland Leslie Groves Park Regional Infiltration Facility	\$199,000
6	Spokane County Country Homes Boulevard Restoration Project	\$1,000,000
7	Redmond NE 84th Street Storm Water Retrofit	\$1,000,000
8	Pierce County Groundwater Pollutant Reduction Project	\$578,000
9	Kitsap County Illahee Storm Water - LID Retrofit Project	\$625,000
10	Bellingham Storm Water Retrofit - Bloedel Donovan Park	\$384,000
11	Puyallup Porous Alley Initiative Program	\$665,000
12	Lacey Vactor Waste Decant Facility	\$342,000
13	Fife 70th Avenue East Phase 2	\$786,000
14	Kent James Street Storm Water Outfall Retrofit	\$75,000
15	Renton Sunset Terrace Regional Storm Water Facility	\$983,000
16	Sumner Site A.2 Outfall Treatment Retrofit	\$1,000,000
17	Asotin Second Street Storm Water Project	\$172,000
18	University Place Bridgeport Way Low Impact Development Project	\$758,000
19	Sumner Site J Outfall Treatment Retrofit	\$538,000
20	Richland Canyon Terrace Storm Water Treatment Project	\$211,000
21	Olympia SPSCC Storm Water Retrofit for Water Quality	\$312,000
22	Renton Harrington Avenue NE Green Connection	\$913,000
23	Longview Municipal Pervious Concrete	\$86,000
24	Kirkland Northeast King County Co-op Recycling Decant Center	\$2,250,000
25	Burlington Gages Slough Storm Water LID Improvements	\$204,000
26	Clark County Columbia River High School Storm Water Retrofit	\$267,000
27	Bainbridge Island Lynwood Center Outfall Improvement Project	\$188,000
28	Puyallup Clarks Creek Targeted Outfall Retrofit Project	\$551,000
29	Pierce County Tacoma Narrows Airport Pavement Removal	\$326,000
30	Pierce County Spanaway Lake Park Storm Water Retrofit	\$690,000
31	Kennewick Vactor Waste Project	\$600,000
32	West Richland Yakima River Outfall Elimination Project	\$124,000
33	Administrative Costs	\$816,000
34	Total	\$24,821,000
35	Appropriation:	
36	Environmental Cleanup and Restoration Construction	
37	Bond Proceeds Account--State	\$24,821,000

1	Prior Biennia (Expenditures)	\$0
2	Future Biennia (Projected Costs)	\$0
3	TOTAL	\$24,821,000

NEW SECTION. Sec. 707. FOR THE DEPARTMENT OF ECOLOGY

Storm Water Retrofit and LID Competitive Grants (91000054)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for the following ranked list of projects. If a specified project has not met the requirements for executing a contract with the department by April 30, 2013, the department may allocate the amount specified to additional grants awarded on a competitive basis provided that the grant awardee is ready to proceed with the project.

13	Project	Authorized Amount
14	Burien Miller Creek Storm Water Management Facility	\$1,000,000
15	Tacoma Asotin Court LID Retrofit	\$710,000
16	Seattle Public Utilities Midvale Storm Water Facility	\$1,000,000
17	Lakewood Steilacoom Blvd Outfall Project	\$225,000
18	Mukileto Smuggler's Gulch Drainage Basin LID and Storm Water Retrofit	\$1,000,000
19	Kirkland Park Lane Pedestrian Corridor	\$739,000
20	Port Angeles 4th Street Storm Water Project	\$1,000,000
21	Snohomish County Dept. of Parks & Rec. Kayak Park Storm Water Treatment	\$1,000,000
22	Renton Rainier Avenue Storm Water Retrofit	\$645,000
23	Vancouver Peterson Channel Industrial LID Improvements	\$287,000
24	Wenatchee Snowmelt Facility	\$975,000
25	Port Orchard Cedar Heights Junior High Sidewalks	\$135,000
26	Centralia Downtown Rain Garden Revitalization Project	\$487,000
27	Snohomish County Paine Field Drainage Subbasin SC-5	\$967,000
28	Seattle Public Utilities West Seattle Decant Facility	\$289,000
29	Skagit County LID Demonstration Project	\$291,000
30	Snohomish LID Improvements Project	\$104,000
31	Douglas County 23rd Street (Baker to SR28)	\$166,000
32	Renton NE 10th St and Anacortes Ave NE Detention Pond Retrofit	\$206,000
33	Redmond Public Works Kelsey Creek Erosion Reduction Facility	\$1,000,000
34	Whatcom County Upper Silver Beach Creek Restoration	\$988,000

1	Port of Vancouver Terminal 4 Storm Water Pond Retrofit	\$1,000,000
2	Administrative Costs	\$483,000
3	Total	\$14,695,000
4	Appropriation:	
5	Environmental Cleanup and Restoration Construction	
6	Bond Proceeds Account--State	\$14,695,000
7	Prior Biennia (Expenditures)	\$0
8	Future Biennia (Projected Costs)	\$0
9	TOTAL	\$14,695,000

10 **NEW SECTION. Sec. 708. FOR THE DEPARTMENT OF ECOLOGY**

11 Columbia River Water Management Projects (91000179)

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

14 (1) \$11,000,000 of the appropriation in this section is provided
15 solely for the Gardena Irrigation District Main Canal Project.

16 (2) \$2,000,000 of the appropriation in this section is provided
17 solely for the Lake Roosevelt Incremental Storage Release - East Low
18 Canal Project.

19 Appropriation:

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

24 **NEW SECTION. Sec. 709. FOR THE DEPARTMENT OF ECOLOGY**

25 Flood Levy Improvements (92000057)

26 The appropriation in this section is subject to the following
27 conditions and limitations: The appropriation in this section is
28 provided solely for the following projects. If a specified project has
29 not met the requirements for executing a contract with the department
30 by April 30, 2013, the department may allocate the amount specified to
31 additional grants awarded on a competitive basis provided that the
32 grant awardee is ready to proceed with the project.

1	Prior Biennia (Expenditures)	\$0
2	Future Biennia (Projected Costs)	\$0
3	TOTAL	\$5,000,000

NEW SECTION. Sec. 713. FOR THE STATE CONSERVATION COMMISSION

Conservation Reserve Enhancement Program (CREP) (91000006)

Appropriation:

7	State Building Construction Account--State	\$1,277,000
8	Prior Biennia (Expenditures)	\$0
9	Future Biennia (Projected Costs)	\$0
10	TOTAL	\$1,277,000

NEW SECTION. Sec. 714. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Dry Forest Restoration (91000039)

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

(1) \$375,000 of the appropriation is provided solely for the Sherman Creek prescribed burning project.

(2) \$421,000 of the appropriation is provided solely for the Sinlahekin dry forest restoration project.

Appropriation:

20	State Building Construction Account--State	\$796,000
21	Prior Biennia (Expenditures)	\$0
22	Future Biennia (Projected Costs)	\$0
23	TOTAL	\$796,000

NEW SECTION. Sec. 715. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Fishway Improvements/Diversions (91000033)

Appropriation:

Environmental Cleanup and Restoration Construction

28	Bond Proceeds Account--State	\$8,000,000
29	Prior Biennia (Expenditures)	\$0
30	Future Biennia (Projected Costs)	\$0
31	TOTAL	\$8,000,000

1 NEW SECTION. **Sec. 716. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

2 Hatchery Improvements (91000036)

3 Appropriation:

4 Environmental Cleanup and Restoration Construction

5 Bond Proceeds Account--State \$43,775,000

6 Prior Biennia (Expenditures) \$0

7 Future Biennia (Projected Costs) \$0

8 TOTAL \$43,775,000

9 NEW SECTION. **Sec. 717. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

10 Minor Works - Dam and Dike (91000042)

11 Appropriation:

12 Environmental Cleanup and Restoration Construction

13 Bond Proceeds Account--State \$3,650,000

14 Prior Biennia (Expenditures) \$0

15 Future Biennia (Projected Costs) \$0

16 TOTAL \$3,650,000

17 NEW SECTION. **Sec. 718. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

18 Minor Works - Access Sites (91000044)

19 Appropriation:

20 Environmental Cleanup and Restoration Construction

21 Bond Proceeds Account--State \$7,406,000

22 Prior Biennia (Expenditures) \$0

23 Future Biennia (Projected Costs) \$0

24 TOTAL \$7,406,000

25 NEW SECTION. **Sec. 719. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

26 Minor Works - Fish Passage Barriers (Culverts) (91000045)

27 Appropriation:

28 Environmental Cleanup and Restoration Construction

29 Bond Proceeds Account--State \$1,495,000

30 Prior Biennia (Expenditures) \$0

31 Future Biennia (Projected Costs) \$0

32 TOTAL \$1,495,000

1 NEW SECTION. **Sec. 720. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

2 Minor Works - Road Maintenance and Abandonment Plan (91000046)

3 Appropriation:

4 Environmental Cleanup and Restoration Construction

5 Bond Proceeds Account--State \$1,576,000

6 Prior Biennia (Expenditures) \$0

7 Future Biennia (Projected Costs) \$0

8 TOTAL \$1,576,000

9 NEW SECTION. **Sec. 721. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

10 Wildlife Area Improvements (91000047)

11 Appropriation:

12 State Building Construction Account--State \$3,000,000

13 Prior Biennia (Expenditures) \$0

14 Future Biennia (Projected Costs) \$0

15 TOTAL \$3,000,000

16 NEW SECTION. **Sec. 722. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

17 Acquire Dryden Gravel Pit from Washington Department of
18 Transportation (92000028)

19 Appropriation:

20 State Building Construction Account--State \$251,000

21 Prior Biennia (Expenditures) \$0

22 Future Biennia (Projected Costs) \$0

23 TOTAL \$251,000

24 NEW SECTION. **Sec. 723. FOR THE DEPARTMENT OF NATURAL RESOURCES**

25 Road Maintenance and Abandonment Plan (91000040)

26 The appropriation is subject to the following conditions and
27 limitations:

28 (1) \$1,084,000 of the appropriation in this section is provided
29 solely to replace fish passage barriers and bring roads up to salmon
30 recovery and clean water standards within natural area preserves and
31 natural resource conservation areas.

32 (2) \$10,750,000 of the appropriation in this section is provided

1 solely to replace fish passage barriers and bring roads up to salmon
2 recovery and clean water standards on state grant lands and state
3 forest lands.

4 Appropriation:

5	Environmental Cleanup and Restoration Construction	
6	Bond Proceeds Account--State	\$11,834,000
7	Prior Biennia (Expenditures) . . . . .	.\$0
8	Future Biennia (Projected Costs)	\$0
9	TOTAL	\$11,834,000

10 **NEW SECTION. Sec. 724. FOR THE DEPARTMENT OF NATURAL RESOURCES**

11 Restoration Projects to Improve Natural Resources (91000054)

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

14 (1) \$435,000 of the appropriation is provided solely for a grant to
15 a nonprofit organization for road repairs and restoration of
16 forestlands along the Clearwater River.

17 (2) \$1,020,000 of the appropriation is provided solely for a grant
18 for road repairs and forest treatments in the Ellsworth Creek
19 watershed.

20 (3) \$1,030,000 of the appropriation is provided solely for a grant
21 for dike removal and construction of a setback dike and flood
22 attenuation structure at Port Susan Bay.

23 (4) \$75,000 of the appropriation is provided solely to the
24 department of fish and wildlife for forest restoration treatments in
25 the Oak Creek - Tieton landscape.

26 Appropriation:

27	Environmental Cleanup and Restoration Construction	
28	Bond Proceeds Account--State	\$2,560,000
29	Prior Biennia (Expenditures) . . . . .	.\$0
30	Future Biennia (Projected Costs)	\$0
31	TOTAL	\$2,560,000

32 **NEW SECTION. Sec. 725. FOR THE DEPARTMENT OF NATURAL RESOURCES**

33 Forest Hazard Reduction and Safety (91000066)

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

3 (1) Up to \$4,320,000 of the appropriation in this section is for
4 forest treatments that benefit state trust lands in eastern Washington
5 by reducing insect, disease and wildfire hazards, of which not more
6 than \$500,000 may be used for implementing treatments on federal lands
7 solely within areas identified by a forest health technical advisory
8 committee to warrant a forest health hazard warning or order authorized
9 under RCW 76.06.180;

10 (2) Up to \$4,150,000 of the appropriation in this section is for
11 noxious weed abatement and precommercial thinning on state trust lands;
12 and

13 (3) Forest treatments to reduce insect, disease and wildfire
14 hazards on private or federal lands shall require a contract with the
15 department of natural resources to provide at least a one-to-one
16 nonstate or in-kind fund match, and to provide a ten-year landowner
17 maintenance agreement.

18 Appropriation:

19	Environmental Cleanup & Restoration Construction	
20	Bond Proceeds Account--State	\$8,470,000
21	Prior Biennia (Expenditures)	\$0
22	Future Biennia (Projected Costs)	\$0
23	TOTAL	\$8,470,000

24 **NEW SECTION. Sec. 726. FOR THE DEPARTMENT OF NATURAL RESOURCES**

25 Puget SoundCorps (91000046)

26 The appropriation is subject to the following conditions and
27 limitations: The appropriation in this section is provided solely for
28 water quality and habitat protection and restoration projects that
29 benefit Puget Sound recovery and that are primarily on public lands.
30 The department of natural resources must contract with the department
31 of ecology for Puget SoundCorps crews of youth and military veterans to
32 implement these projects pursuant to chapter 20, Laws of 2011.

33 Appropriation:

34	Environmental Cleanup & Restoration Construction	
35	Bond Proceeds Account--State	\$10,000,000
36	Prior Biennia (Expenditures)	\$0

1 Future Biennia (Projected Costs) \$0
2 TOTAL \$10,000,000

3 **NEW SECTION. Sec. 727. FOR THE DEPARTMENT OF NATURAL RESOURCES**
4 Creosote Piling Removal (91000047)

5 The appropriation is subject to the following conditions and
6 limitations: The appropriation in this section is provided solely to
7 remove creosote pilings from Puget Sound.

8 Appropriation:
9 Environmental Cleanup & Restoration Construction
10 Bond Proceeds Account--State \$1,250,000
11 Prior Biennia (Expenditures) \$0
12 Future Biennia (Projected Costs) \$0
13 TOTAL \$1,250,000

14 **NEW SECTION. Sec. 728. FOR THE DEPARTMENT OF NATURAL RESOURCES**
15 Derelict Vessel Removal and Disposal (91000049)

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

18 (1) \$700,000 of the appropriation in this section is provided
19 solely to remove derelict or abandoned vessels up to 100 feet in length
20 from Washington waters; and

21 (2) \$3,000,000 of the appropriation in this section is provided
22 solely to remove derelict or abandoned vessels exceeding one hundred
23 feet in length from Washington waters.

24 Appropriation:
25 Environmental Cleanup & Restoration Construction
26 Bond Proceeds Account--State \$3,700,000
27 Prior Biennia (Expenditures) \$0
28 Future Biennia (Projected Costs) \$0
29 TOTAL \$3,700,000

30 **NEW SECTION. Sec. 729. FOR THE DEPARTMENT OF NATURAL RESOURCES**
31 Shoreline Restoration (91000050)

32 The appropriation is subject to the following conditions and

1 limitations: The appropriation in this section is provided solely to
2 fund aquatic restoration projects in Puget Sound through partnerships
3 with other agencies and organizations.

4 Appropriation:

5	Environmental Cleanup & Restoration Construction	
6	Bond Proceeds Account--State	\$2,000,000
7	Prior Biennia (Expenditures) . . . . .	.\$0
8	Future Biennia (Projected Costs)	\$0
9	TOTAL	\$2,000,000

10 NEW SECTION. **Sec. 730. FOR THE DEPARTMENT OF NATURAL RESOURCES**

11 Urban Forest Restoration (Puget Sound Basin)(91000051)

12 The appropriation is subject to the following conditions and
13 limitations: The appropriation in this section is provided solely to
14 assist municipalities and jurisdictions across the state to better
15 manage existing urban forests and plan for improvements to the urban
16 forest infrastructure.

17 Appropriation:

18	Environmental Cleanup & Restoration Construction	
19	Bond Proceeds Account--State	\$800,000
20	Prior Biennia (Expenditures) . . . . .	.\$0
21	Future Biennia (Projected Costs)	\$0
22	TOTAL	\$800,000

23 NEW SECTION. **Sec. 731. FOR THE DEPARTMENT OF NATURAL RESOURCES**

24 Large Debris Removal (91000052)

25 The appropriation is subject to the following conditions and
26 limitations: The appropriation in this section is provided solely to
27 assist public and private shoreline property owners with the removal of
28 large, artificial marine debris from Puget Sound shorelines.

29 Appropriation:

30	Environmental Cleanup & Restoration Construction	
31	Bond Proceeds Account--State	\$200,000
32	Prior Biennia (Expenditures) . . . . .	.\$0
33	Future Biennia (Projected Costs)	\$0
34	TOTAL	\$200,000

1 NEW SECTION. **Sec. 732. FOR THE DEPARTMENT OF NATURAL RESOURCES**

2 Secret Harbor Estuary Restoration - Cypress Island (91000053)

3 The appropriation is subject to the following conditions and
4 limitations: The appropriation in this section is provided solely to
5 restore the Secret Harbor estuary, enhance public access, and expand
6 the capacity of the Cypress Island natural resources conservation area
7 for tourism and low-impact public use.

8 Appropriation:

9 Environmental Cleanup & Restoration Construction

10 Bond Proceeds Account--State \$535,000

11 Prior Biennia (Expenditures) \$0

12 Future Biennia (Projected Costs) \$0

13 TOTAL \$535,000

14 **PART VIII**

15 **APPROPRIATIONS--EDUCATION**

16 NEW SECTION. **Sec. 801. FOR THE SUPERINTENDENT OF PUBLIC**

17 **INSTRUCTION**

18 Energy Efficiency Grants for K-12 Schools (91000017)

19 The appropriation is subject to the following conditions and
20 limitations: The superintendent of public instruction may charge
21 program administrative fees.

22 Appropriation:

23 State Building Construction Account--State \$40,000,000

24 Prior Biennia (Expenditures) \$0

25 Future Biennia (Projected Costs) \$0

26 TOTAL \$40,000,000

27 NEW SECTION. **Sec. 802. FOR THE SUPERINTENDENT OF PUBLIC**

28 **INSTRUCTION**

29 Urgent Repair Grant Program (91000016)

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

1 (1) The appropriation is provided solely for nonrecurring costs
2 associated with school facility repairs and renovations necessary for
3 unforeseen health and safety needs.

4 (2) The office of the superintendent of public instruction, after
5 consulting with maintenance and operations administrators of school
6 districts, shall develop criteria for providing funding for specific
7 projects to stay within the appropriation level provided in this
8 section. The criteria must include, but are not limited to, the
9 following: (a) Limiting district applications to one hundred thousand
10 dollars; (b) limiting districts eligible to receive the grant to only
11 once every other biennium; and (c) requiring any district receiving
12 funding provided in this section to demonstrate a consistent commitment
13 to addressing school facilities needs.

14 (3) The superintendent of public instruction may charge program
15 administrative fees.

16 Appropriation:

17	State Building Construction Account--State	\$10,000,000
18	Prior Biennia (Expenditures) . . . . .	.\$0
19	Future Biennia (Projected Costs)	\$0
20	TOTAL	\$10,000,000

21 NEW SECTION. **Sec. 803.** **FOR THE SUPERINTENDENT OF PUBLIC**
22 **INSTRUCTION**

23 Distressed Schools (91000018)

24 The appropriation in this section is subject to the following
25 conditions and limitations: \$6,000,000 of the appropriation in this
26 section is provided solely for updating existing classrooms at John
27 Marshall, Boren, and Van Asselt schools in the Seattle school district.

28 Appropriation:

29	State Building Construction Account--State	\$16,000,000
30	Prior Biennia (Expenditures) . . . . .	.\$0
31	Future Biennia (Projected Costs)	\$0
32	TOTAL	\$16,000,000

33 NEW SECTION. **Sec. 804.** **FOR THE SUPERINTENDENT OF PUBLIC**
34 **INSTRUCTION**

1 Grant County Branch Campus of Wenatchee Valley Skills Center
2 (30000091)

3 Appropriation:

4 State Building Construction Account--State \$19,408,000
5 Prior Biennia (Expenditures) \$0
6 Future Biennia (Projected Costs) \$9,488,000
7 TOTAL \$28,896,000

8 **Sec. 805.** 2011 1st sp.s. c 49 s 5013 (uncodified) is amended to
9 read as follows:

10 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

11 SEA-Tech Branch Campus of Tri-Tech Skills Center (30000078)

12 Appropriation:

13 State Building Construction Account--State ((~~\$1,169,000~~))
14 \$11,519,000
15 Prior Biennia (Expenditures) \$0
16 Future Biennia (Projected Costs) ((~~\$11,739,000~~))
17 \$0
18 TOTAL ((~~\$12,908,000~~))
19 \$11,519,000

20 **Sec. 806.** 2011 1st sp.s. c 49 s 5003 (uncodified) is amended to
21 read as follows:

22 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

23 Pierce County Skills Center (20084856)

24 Reappropriation:

25 School Construction and Skill Centers Building
26 Account--State \$2,087,000

27 Appropriation:

28 State Building Construction Account--State ((~~\$7,100,000~~))
29 \$11,900,000
30 Prior Biennia (Expenditures) \$9,949,000
31 Future Biennia (Projected Costs) ((~~\$10,772,000~~))
32 \$11,427,000
33 TOTAL ((~~\$29,908,000~~))
34 \$35,363,000

1 State Building Construction Account--State \$1,715,000
 2 Prior Biennia (Expenditures) \$0
 3 Future Biennia (Projected Costs) \$0
 4 TOTAL \$1,715,000

5 NEW SECTION. **Sec. 811. FOR THE SUPERINTENDENT OF PUBLIC**
 6 **INSTRUCTION**

7 Puget Sound Skills Center (30000017)

8 Appropriation:

9 State Building Construction Account--State \$1,500,000
 10 Prior Biennia (Expenditures) \$0
 11 Future Biennia (Projected Costs) \$21,400,000
 12 TOTAL \$22,900,000

13 **Sec. 812.** 2011 1st sp.s. c 48 s 5006 (uncodified) is amended to
 14 read as follows:

15 **FOR THE STATE SCHOOL FOR THE BLIND**

16 General Campus Preservation (30000018)

17 Appropriation:

18 Charitable, Educational, Penal and Reformatory
 19 Institutions Account--State ((~~\$550,000~~))
 20 \$0
 21 State Building Construction Account--State \$550,000
 22 Subtotal Appropriation \$550,000
 23 Prior Biennia (Expenditures) \$0
 24 Future Biennia (Projected Costs) \$2,557,000
 25 TOTAL \$3,107,000

26 **Sec. 813.** 2011 1st sp.s. c 48 s 5007 (uncodified) is amended to
 27 read as follows:

28 **FOR THE WASHINGTON STATE CENTER FOR CHILDHOOD DEAFNESS AND HEARING**
 29 **LOSS**

30 Minor Public Works (30000013)

31 Appropriation:

32 Charitable, Educational, Penal and Reformatory
 33 Institutions Account--State ((~~\$536,000~~))

1		\$0
2	<u>State Building Construction Account--State</u>	\$536,000
3	<u>Subtotal Appropriation</u>	\$536,000
4	Prior Biennia (Expenditures)	\$0
5	Future Biennia (Projected Costs)	\$3,811,000
6	TOTAL	\$4,347,000

7 **NEW SECTION. Sec. 814. FOR THE WASHINGTON STATE UNIVERSITY**

8 Washington State University Spokane - Riverpoint Biomedical and
9 Health Sciences (20162953)

10 Appropriation:

11	State Building Construction Account--State	\$6,000,000
12	Environmental Cleanup & Restoration Construction	
13	Bond Proceeds Account--State	\$1,300,000
14	Subtotal Appropriation	\$7,300,000
15	Prior Biennia (Expenditures)	\$0
16	Future Biennia (Projected Costs)	\$0
17	TOTAL	\$7,300,000

18 **NEW SECTION. Sec. 815. FOR THE COMMUNITY AND TECHNICAL COLLEGE**

19 **SYSTEM**

20 Equipment Pool (91000035)

21 Appropriation:

22	State Building Construction Account--State	\$18,164,000
23	Prior Biennia (Expenditures)	\$0
24	Future Biennia (Projected Costs)	\$0
25	TOTAL	\$18,164,000

26 **NEW SECTION. Sec. 816. FOR THE COMMUNITY AND TECHNICAL COLLEGE**

27 **SYSTEM**

28 Olympic College: College Instruction Center (30000122)

29 Appropriation:

30	State Building Construction Account--State	\$3,624,000
31	Prior Biennia (Expenditures)	\$0
32	Future Biennia (Projected Costs)	\$51,079,000
33	TOTAL	\$54,703,000

1	Metro Parks Tacoma	\$60,000
2	Si View Metro Park District	\$25,000
3	<u>City of Port Townsend</u>	<u>\$375,000</u>
4	<u>San Juan County Parks</u>	<u>\$18,000</u>
5	<u>Department</u>	
6	<u>Seattle Theatre Group</u>	<u>\$531,000</u>
7	<u>Jefferson County</u>	<u>\$300,000</u>
8	<u>Sound Experience</u>	<u>\$288,000</u>
9	<u>Museum of History and</u>	<u>\$1,000,000</u>
10	<u>Industry</u>	
11	<u>Seattle Department of</u>	<u>\$700,000</u>
12	<u>Transportation</u>	
13	<u>Historic Seattle Preservation</u>	<u>\$470,000</u>
14	<u>and Development Authority</u>	
15	<u>Town of Wilkeson</u>	<u>\$75,000</u>
16	<u>Maryhill Museum of Fine Art</u>	<u>\$57,000</u>
17	<u>Clymer Museum of Art</u>	<u>\$9,000</u>
18	<u>Phinney Neighborhood</u>	<u>\$995,000</u>
19	<u>Association</u>	
20	<u>Foss Waterway Seaport</u>	<u>\$750,000</u>
21	<u>Polson Museum</u>	<u>\$143,000</u>
22	<u>Broadway Center for the</u>	<u>\$203,000</u>
23	<u>Performing Arts</u>	
24	Total	((\$1,168,000))
25		<u>\$7,082,000</u>

26 Appropriation:

27	State Building Construction Account--State	((\$1,168,000))
28		<u>\$7,082,000</u>
29	Prior Biennia (Expenditures)	\$0
30	Future Biennia (Projected Costs)	\$0
31	TOTAL	((\$1,168,000))
32		<u>\$7,082,000</u>

33 **PART IX**
34 **MISCELLANEOUS**

1 NEW SECTION. **Sec. 901.** REIMBURSEMENT OF BOND PROCEEDS ACCOUNTS.

2 To the extent that any appropriation authorizes expenditures of state
3 funds from the local government capital construction assistance bond
4 proceeds account, water quality improvement construction bond proceeds
5 account, environmental cleanup and restoration construction bond
6 proceeds account, and forest to shore construction bond proceeds
7 account in the state treasury for the respective programs and projects
8 described in this act that are specified to be funded with proceeds
9 from the sale of bonds authorized in this act, the legislature declares
10 that any such expenditures made prior to the issue date of the
11 applicable bonds to be issued for the respective programs and projects
12 are intended to be reimbursed from proceeds of the sale of the
13 applicable bonds in a maximum amount equal to the amount of the
14 applicable authorized bonds.

15 NEW SECTION. **Sec. 902.** (1) Allotments for appropriations in this
16 act shall be provided in accordance with expedited capital project
17 review requirements adopted by the office of financial management.

18 (2) Each project is defined as proposed in the legislative budget
19 notes or in the governor's budget document.

20 NEW SECTION. **Sec. 903.** (1) To ensure minor works appropriations
21 are carried out in accordance with legislative intent, funds
22 appropriated in this act shall not be allotted until project lists are
23 on file at the office of financial management, the house of
24 representatives capital budget committee, and the senate ways and means
25 committee. All projects must meet the criteria included in subsection
26 (2)(a) of this section. Revisions to the lists must be filed with the
27 office of financial management, the house of representatives capital
28 budget committee, and the senate ways and means committee and include
29 an explanation of variances from the prior lists before funds may be
30 expended on the revisions.

31 (2)(a) Minor works projects are single line appropriations that
32 include multiple projects of a similar nature and that are valued
33 between \$25,000 and \$1,000,000 each, with the exceptions of: (i)
34 Higher education minor works projects that may be valued up to
35 \$2,000,000; and (ii) department of fish and wildlife minor works
36 projects funded in this act that may be valued up to \$3,200,000. These

1 projects can generally be completed within two years of the
2 appropriation with the funding provided. Except for department of fish
3 and wildlife minor works projects funded in this act, agencies are
4 prohibited from including projects on their minor works lists that are
5 a phase of a larger project, and that if combined over a continuous
6 period of time, would exceed \$1,000,000, or \$2,000,000 for higher
7 education minor works projects. Improvements for accessibility in
8 compliance with the Americans with disabilities act may be included in
9 any of the above minor works categories.

10 (b) Minor works appropriations shall not be used for, among other
11 things: Studies, except for technical or engineering reviews or
12 designs that lead directly to and support a project on the same minor
13 works list; planning; design outside the scope of work on a minor works
14 list; moveable, temporary, and traditionally funded operating equipment
15 not in compliance with the equipment criteria established by the office
16 of financial management; software not dedicated to control of a
17 specialized system; moving expenses; land or facility acquisition; or
18 to supplement funding for projects with funding shortfalls unless
19 expressly authorized elsewhere in this act. The office of financial
20 management may make an exception to the limitations described in this
21 subsection (2)(b) for exigent circumstances after notifying the
22 legislative fiscal committees and waiting ten days for comments by the
23 legislature regarding the proposed exception.

24 (c) Minor works preservation projects may include program
25 improvements of no more than twenty-five percent of the individual
26 minor works preservation project cost.

27 (3) It is generally not the intent of the legislature to make
28 future appropriations for capital expenditures or for maintenance and
29 operating expenses for an acquisition project or a significant
30 expansion project that is initiated through the minor works process and
31 therefore does not receive a policy and fiscal analysis by the
32 legislature. Minor works projects are intended to be one-time
33 expenditures that do not require future state resources to complete.

34 NEW SECTION. **Sec. 904.** (1) The office of financial management may
35 authorize a transfer of appropriation authority provided for a capital
36 project that is in excess of the amount required for the completion of
37 such project to another capital project for which the appropriation is

1 insufficient. No such transfer may be used to expand the capacity of
2 any facility beyond that intended in making the appropriation. Such
3 transfers may be effected only between capital appropriations to a
4 specific department, commission, agency, or institution of higher
5 education and only between capital projects that are funded from the
6 same fund or account. No transfers may occur between projects to local
7 government agencies except where the grants are provided within a
8 single omnibus appropriation and where such transfers are specifically
9 authorized by the implementing statutes that govern the grants.

10 (2) The office of financial management may find that an amount is
11 in excess of the amount required for the completion of a project only
12 if: (a) The project as defined in the notes to the budget document is
13 substantially complete and there are funds remaining; or (b) bids have
14 been let on a project and it appears to a substantial certainty that
15 the project as defined in the notes to the budget document can be
16 completed within the biennium for less than the amount appropriated in
17 this act.

18 (3) For the purposes of this section, the intent is that each
19 project be defined as proposed to the legislature in the governor's
20 budget document, unless it clearly appears from the legislative history
21 that the legislature intended to define the scope of a project in a
22 different way.

23 (4) The office of financial management shall report any transfer
24 effected under this section to the house of representatives capital
25 budget committee, the senate ways and means committee, and the
26 legislative evaluation and accountability program committee, at least
27 thirty days before the date the transfer is effected. The office of
28 financial management shall report all emergency or smaller transfers
29 within thirty days from the date of transfer. The governor's capital
30 budget request following any transfer shall reflect that transfer in
31 the affected agency.

32 NEW SECTION. **Sec. 905.** (1) It is expected that projects be ready
33 to proceed in a timely manner depending on the type or phase of the
34 project or program that is the subject of the appropriation in this
35 act. Except for major projects that customarily may take more than two
36 biennia to complete from predesign to the end of construction, or large
37 infrastructure grant or loan programs supporting projects that often

1 take more than two biennia to complete, the legislature generally does
2 not intend to reappropriate funds more than once, particularly for
3 smaller grant programs, local/community projects, and minor works.

4 (2) Agencies shall expedite the expenditure of reappropriations and
5 appropriations in this act in order to: (a) Rehabilitate
6 infrastructure resources; (b) accelerate environmental rehabilitation
7 and restoration projects for the improvement of the state's natural
8 environment; (c) reduce additional costs associated with acquisition
9 and construction inflationary pressures; and (d) provide additional
10 employment opportunities associated with capital expenditures.

11 (3) To the extent feasible, agencies are directed to accelerate
12 expenditure rates at their current level of permanent employees and
13 shall use contracted design and construction services wherever
14 necessary to meet the goals of this section.

15 NEW SECTION. **Sec. 906. FOR THE ARTS COMMISSION--ART WORK**
16 **ALLOWANCE POOLING**

17 (1) One-half of one percent of moneys appropriated in this act for
18 original construction of school plant facilities may be expended for
19 the purposes of RCW 28A.335.210. The Washington state arts commission
20 may combine the proceeds from individual projects in order to fund
21 larger works of art or mobile art displays in consultation with the
22 superintendent of public instruction and representatives of school
23 district boards.

24 (2) One-half of one percent of moneys appropriated in this act for
25 original construction or any major renovation or remodel work exceeding
26 two hundred thousand dollars by colleges or universities may be
27 expended for the purposes of RCW 28B.10.027. The Washington state arts
28 commission may combine the proceeds from individual projects in order
29 to fund larger works of art or mobile art displays in consultation with
30 the board of regents or trustees.

31 (3) At least eighty-five percent of the moneys spent by the
32 Washington state arts commission during the 2011-2013 biennium for the
33 purposes of RCW 28A.335.210, 28B.10.027, and 43.17.200 must be expended
34 solely for direct acquisition of works of art. The commission may use
35 up to \$100,000 of this amount to conserve or maintain existing pieces
36 in the state art collection pursuant to chapter 36, Laws of 2005.

1 **Sec. 907.** RCW 43.63A.125 and 2011 1st sp.s. c 48 s 7027 are each
2 amended to read as follows:

3 (1) The department shall establish the building communities fund
4 program. Under the program, capital and technical assistance grants
5 may be made to nonprofit organizations for acquiring, constructing, or
6 rehabilitating facilities used for the delivery of nonresidential
7 community services, including social service centers and multipurpose
8 community centers, including those serving a distinct or ethnic
9 population. Such facilities must be located in a distressed community
10 or serve a substantial number of low-income or disadvantaged persons.

11 (2) The department shall establish a competitive process to
12 solicit, evaluate, and rank applications for the building communities
13 fund program as follows:

14 (a) The department shall conduct a statewide solicitation of
15 project applications from nonprofit organizations.

16 (b) The department shall evaluate and rank applications in
17 consultation with a citizen advisory committee using objective
18 criteria. To be considered qualified, applicants must demonstrate that
19 the proposed project:

20 (i) Will increase the range, efficiency, or quality of the services
21 provided to citizens;

22 (ii) Will be located in a distressed community or will serve a
23 substantial number of low-income or disadvantaged persons;

24 (iii) Will offer three or more distinct activities that meet a
25 single community service objective or offer a diverse set of activities
26 that meet multiple community service objectives, including but not
27 limited to: Providing social services; expanding employment
28 opportunities for or increasing the employability of community
29 residents; or offering educational or recreational opportunities
30 separate from the public school system or private schools, as long as
31 recreation is not the sole purpose of the facility;

32 (iv) Reflects a long-term vision for the development of the
33 community, shared by residents, businesses, leaders, and partners;

34 (v) Requires state funding to accomplish a discrete, usable phase
35 of the project;

36 (vi) Is ready to proceed and will make timely use of the funds;

37 (vii) Is sponsored by one or more entities that have the

1 organizational and financial capacity to fulfill the terms of the grant
2 agreement and to maintain the project into the future;

3 (viii) Fills an unmet need for community services;

4 (ix) Will achieve its stated objectives; and

5 (x) Is a community priority as shown through tangible commitments
6 of existing or future assets made to the project by community
7 residents, leaders, businesses, and government partners.

8 (c) The evaluation and ranking process shall also include an
9 examination of existing assets that applicants may apply to projects.
10 Grant assistance under this section shall not exceed twenty-five
11 percent of the total cost of the project, except, under exceptional
12 circumstances, the department may reduce the amount of nonstate match
13 required. No more than ten percent of the total granted amount may be
14 awarded to qualified eligible projects that meet the definition of
15 exceptional circumstances defined in this subsection. For purposes of
16 this subsection, exceptional circumstances include but are not limited
17 to: Natural disasters affecting projects; emergencies beyond an
18 applicant's control, such as a fire or an unanticipated loss of a lease
19 where services are currently provided; or a delay that could result in
20 a threat to public health or safety. The nonstate portion of the total
21 project cost may include cash, the value of real property when acquired
22 solely for the purpose of the project, and in-kind contributions.

23 (d) The department may not set a monetary limit to funding
24 requests.

25 (3) The department shall submit biennially to the governor and the
26 legislature in the department's capital budget request a ranked list of
27 the qualified eligible projects for which applications were received.
28 The list must include a description of each project, its total cost,
29 and the amount of state funding requested. The appropriate fiscal
30 committees of the legislature shall use this list to determine building
31 communities fund projects that may receive funding in the capital
32 budget. The total amount of state capital funding available for all
33 projects on the biennial list shall be determined by the capital budget
34 beginning with the 2009-2011 biennium and thereafter. In addition, if
35 cash funds have been appropriated, up to three million dollars may be
36 used for technical assistance grants. The department shall not sign
37 contracts or otherwise financially obligate funds under this section
38 until the legislature has approved a specific list of projects.

1 (4) In addition to the list of ranked qualified eligible projects,
2 the department shall submit to the appropriate fiscal committees of the
3 legislature a summary report that describes the solicitation and
4 evaluation processes, including but not limited to the number of
5 applications received, the total amount of funding requested, issues
6 encountered, if any, and any recommendations for process improvements.

7 (5) After the legislature has approved a specific list of projects
8 in law, the department shall develop and manage appropriate contracts
9 with the selected applicants; monitor project expenditures and grantee
10 performance; report project and contract information; and exercise due
11 diligence and other contract management responsibilities as required.

12 (6) In contracts for grants authorized under this section the
13 department shall include provisions which require that capital
14 improvements shall be held by the grantee for a specified period of
15 time appropriate to the amount of the grant and that facilities shall
16 be used for the express purpose of the grant. If the grantee is found
17 to be out of compliance with provisions of the contract, the grantee
18 shall repay to the state general fund the principal amount of the grant
19 plus interest calculated at the rate of interest on state of Washington
20 general obligation bonds issued most closely to the date of
21 authorization of the grant.

22 (7) During the 2011-2013 biennium, solely for the accelerated
23 competitive funding round described in section 513(8) of this act, the
24 following provisions will be in effect:

25 (a) Construction and rehabilitation projects are eligible.
26 Acquisition projects are not eligible.

27 (b) Community hall projects are eligible.

28 (c) Applicants may propose that up to seventy-five percent of total
29 project costs be funded by the state and at least twenty-five percent
30 of total project costs be funded by nonstate match.

31 (d) Applicants must document firm commitment of matching resources
32 at the time the application is submitted.

33 (e) The department must approve projects without seeking
34 legislative approval.

35 **Sec. 908.** RCW 43.155.070 and 2009 c 518 s 16 are each amended to
36 read as follows:

1 (1) To qualify for loans or pledges under this chapter the board
2 must determine that a local government meets all of the following
3 conditions:

4 (a) The city or county must be imposing a tax under chapter 82.46
5 RCW at a rate of at least one-quarter of one percent;

6 (b) The local government must have developed a capital facility
7 plan; and

8 (c) The local government must be using all local revenue sources
9 which are reasonably available for funding public works, taking into
10 consideration local employment and economic factors.

11 (2) Except where necessary to address a public health need or
12 substantial environmental degradation, a county, city, or town planning
13 under RCW 36.70A.040 must have adopted a comprehensive plan, including
14 a capital facilities plan element, and development regulations as
15 required by RCW 36.70A.040. This subsection does not require any
16 county, city, or town planning under RCW 36.70A.040 to adopt a
17 comprehensive plan or development regulations before requesting or
18 receiving a loan or loan guarantee under this chapter if such request
19 is made before the expiration of the time periods specified in RCW
20 36.70A.040. A county, city, or town planning under RCW 36.70A.040
21 which has not adopted a comprehensive plan and development regulations
22 within the time periods specified in RCW 36.70A.040 is not prohibited
23 from receiving a loan or loan guarantee under this chapter if the
24 comprehensive plan and development regulations are adopted as required
25 by RCW 36.70A.040 before submitting a request for a loan or loan
26 guarantee.

27 (3) In considering awarding loans for public facilities to special
28 districts requesting funding for a proposed facility located in a
29 county, city, or town planning under RCW 36.70A.040, the board shall
30 consider whether the county, city, or town planning under RCW
31 36.70A.040 in whose planning jurisdiction the proposed facility is
32 located has adopted a comprehensive plan and development regulations as
33 required by RCW 36.70A.040.

34 (4) The board shall develop a priority process for public works
35 projects as provided in this section. The intent of the priority
36 process is to maximize the value of public works projects accomplished
37 with assistance under this chapter. The board shall attempt to assure

1 a geographical balance in assigning priorities to projects. The board
2 shall consider at least the following factors in assigning a priority
3 to a project:

4 (a) Whether the local government receiving assistance has
5 experienced severe fiscal distress resulting from natural disaster or
6 emergency public works needs;

7 (b) Except as otherwise conditioned by RCW 43.155.110, whether the
8 entity receiving assistance is a Puget Sound partner, as defined in RCW
9 90.71.010;

10 (c) Whether the project is referenced in the action agenda
11 developed by the Puget Sound partnership under RCW 90.71.310;

12 (d) Whether the project is critical in nature and would affect the
13 health and safety of a great number of citizens;

14 (e) Whether the applicant has developed and adhered to guidelines
15 regarding its permitting process for those applying for development
16 permits consistent with section 1(2), chapter 231, Laws of 2007;

17 (f) The cost of the project compared to the size of the local
18 government and amount of loan money available;

19 (g) The number of communities served by or funding the project;

20 (h) Whether the project is located in an area of high unemployment,
21 compared to the average state unemployment;

22 (i) Whether the project is the acquisition, expansion, improvement,
23 or renovation by a local government of a public water system that is in
24 violation of health and safety standards, including the cost of
25 extending existing service to such a system;

26 (j) Except as otherwise conditioned by RCW 43.155.120, and
27 effective one calendar year following the development of model
28 evergreen community management plans and ordinances under RCW
29 35.105.050, whether the entity receiving assistance has been
30 recognized, and what gradation of recognition was received, in the
31 evergreen community recognition program created in RCW 35.105.030;

32 (k) The relative benefit of the project to the community,
33 considering the present level of economic activity in the community and
34 the existing local capacity to increase local economic activity in
35 communities that have low economic growth; and

36 (l) Other criteria that the board considers advisable.

37 (5) Existing debt or financial obligations of local governments
38 shall not be refinanced under this chapter. Each local government

1 applicant shall provide documentation of attempts to secure additional
2 local or other sources of funding for each public works project for
3 which financial assistance is sought under this chapter.

4 (6) Before November 1st of each even-numbered year, the board shall
5 develop and submit to the appropriate fiscal committees of the senate
6 and house of representatives a description of the loans made under RCW
7 43.155.065, 43.155.068, and subsection (9) of this section during the
8 preceding fiscal year and a prioritized list of projects which are
9 recommended for funding by the legislature, including one copy to the
10 staff of each of the committees. The list shall include, but not be
11 limited to, a description of each project and recommended financing,
12 the terms and conditions of the loan or financial guarantee, the local
13 government jurisdiction and unemployment rate, demonstration of the
14 jurisdiction's critical need for the project and documentation of local
15 funds being used to finance the public works project. The list shall
16 also include measures of fiscal capacity for each jurisdiction
17 recommended for financial assistance, compared to authorized limits and
18 state averages, including local government sales taxes; real estate
19 excise taxes; property taxes; and charges for or taxes on sewerage,
20 water, garbage, and other utilities.

21 (7) The board shall not sign contracts or otherwise financially
22 obligate funds from the public works assistance account before the
23 legislature has appropriated funds for a specific list of public works
24 projects. The legislature may remove projects from the list
25 recommended by the board. The legislature shall not change the order
26 of the priorities recommended for funding by the board.

27 (8) Subsection (7) of this section does not apply to loans made
28 under RCW 43.155.065, 43.155.068, and subsection (9) of this section.

29 (9) Loans made for the purpose of capital facilities plans shall be
30 exempted from subsection (7) of this section.

31 (10) To qualify for loans or pledges for solid waste or recycling
32 facilities under this chapter, a city or county must demonstrate that
33 the solid waste or recycling facility is consistent with and necessary
34 to implement the comprehensive solid waste management plan adopted by
35 the city or county under chapter 70.95 RCW.

36 (11) After January 1, 2010, any project designed to address the
37 effects of storm water or wastewater on Puget Sound may be funded under

1 this section only if the project is not in conflict with the action
2 agenda developed by the Puget Sound partnership under RCW 90.71.310.

3 (12) During the 2011-2013 biennium, solely for the additional
4 funding round described in section 503 of this act, the public works
5 board, local government applicants and proposed projects must meet all
6 requirements of this section; except that, the public works board must
7 approve the prioritized list of projects and funding amounts without
8 seeking legislative approval.

9 NEW SECTION. Sec. 909. CODIFICATION. (1) Sections 201 through
10 205 of this act constitute a new chapter in Title 43 RCW.

11 (2) Sections 301 through 307 of this act constitute a new chapter
12 in Title 43 RCW.

13 NEW SECTION. Sec. 910. SEVERABILITY. If any provision of this
14 act or its application to any person or circumstance is held invalid,
15 the remainder of the act or the application of the provision to other
16 persons or circumstances is not affected.

17 NEW SECTION. Sec. 911. EFFECTIVE DATE. This act is necessary for
18 the immediate preservation of the public peace, health, or safety, or
19 support of the state government and its existing public institutions,
20 and takes effect immediately."

21 Correct the title.

EFFECT: Appropriates \$466 million in new state general obligation
bonds and \$238 million in limited tax obligation bonds backed by the
hazardous substance tax. Authorizes the state finance committee to
issue general obligation bonds and limited tax obligation bonds to
support the new bond appropriations. Removes all bond authorizations
and appropriations related to the solid waste tax, public utility tax,
and aquatic lands enhancement account.

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