

**HB 1440** - S COMM AMD

By Committee on Ways & Means

NOT CONSIDERED 05/25/2011

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

3 "Sec. 1. RCW 43.63A.125 and 2008 c 327 s 15 are each amended to  
4 read as follows:

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

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

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

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

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

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

26 (iii) Will offer three or more distinct activities that meet a  
27 single community service objective or offer a diverse set of activities  
28 that meet multiple community service objectives, including but not  
29 limited to: Providing social services; expanding employment  
30 opportunities for or increasing the employability of community

1 residents; or offering educational or recreational opportunities  
2 separate from the public school system or private schools, as long as  
3 recreation is not the sole purpose of the facility;

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

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

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

9 (vii) Is sponsored by one or more entities that have the  
10 organizational and financial capacity to fulfill the terms of the grant  
11 agreement and to maintain the project into the future;

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

13 (ix) Will achieve its stated objectives; and

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

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

32 (d) The department may not set a monetary limit to funding  
33 requests.

34 (3) The department shall submit (~~annually~~) biennially to the  
35 governor and the legislature in the department's capital budget request  
36 (~~an unranked~~) a ranked list of the qualified eligible projects for  
37 which applications were received. The list must include a description  
38 of each project, its total cost, and the amount of state funding

1 requested. The appropriate fiscal committees of the legislature shall  
2 use this list to determine building communities fund projects that may  
3 receive funding in the capital budget. The total amount of state  
4 capital funding available for all projects on the (~~annual~~) biennial  
5 list shall be determined by the capital budget beginning with the 2009-  
6 2011 biennium and thereafter. In addition, if cash funds have been  
7 appropriated, up to three million dollars may be used for technical  
8 assistance grants. The department shall not sign contracts or  
9 otherwise financially obligate funds under this section until the  
10 legislature has approved a specific list of projects.

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

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

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

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1           On page 1, line 2 of the title, after "process;" strike the  
2 remainder of the title and insert "and amending RCW 43.63A.125."

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