

SB 5967 - S AMD 217
By Senator Zarelli

ADOPTED AS AMENDED 03/03/2012

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

3 "PART I
4 GENERAL GOVERNMENT

5 **Sec. 101.** 2011 2nd sp.s. c 9 s 101 (uncodified) is amended to read
6 as follows:

7 **FOR THE HOUSE OF REPRESENTATIVES**

8	General Fund--State Appropriation (FY 2012)	((\$29,934,000))
9		<u>\$30,205,000</u>
10	General Fund--State Appropriation (FY 2013)	((\$30,465,000))
11		<u>\$27,258,000</u>
12	Motor Vehicle Account--State Appropriation	\$1,316,000
13	TOTAL APPROPRIATION	((\$61,715,000))
14		<u>\$58,779,000</u>

15 **Sec. 102.** 2011 2nd sp.s. c 9 s 102 (uncodified) is amended to read
16 as follows:

17 **FOR THE SENATE**

18	General Fund--State Appropriation (FY 2012)	((\$21,770,000))
19		<u>\$21,794,000</u>
20	General Fund--State Appropriation (FY 2013)	((\$23,864,000))
21		<u>\$21,133,000</u>
22	Motor Vehicle Account--State Appropriation	\$1,400,000
23	TOTAL APPROPRIATION	((\$47,034,000))
24		<u>\$44,327,000</u>

25 **Sec. 103.** 2011 1st sp.s. c 50 s 103 (uncodified) is amended to
26 read as follows:

1 **FOR THE JOINT LEGISLATIVE AUDIT AND REVIEW COMMITTEE**

2	General Fund--State Appropriation (FY 2012)	\$2,680,000
3	General Fund--State Appropriation (FY 2013)	(\$2,741,000)
4		<u>\$2,604,000</u>
5	Medical Aid Account--State Appropriation	\$85,000
6	Accident Account--State Appropriation	\$85,000
7	TOTAL APPROPRIATION	(\$5,591,000)
8		<u>\$5,454,000</u>

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

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

15 (2) Within the amounts appropriated in this section, the committee
16 shall conduct a review of the state's workplace safety and health
17 program. The review shall examine workplace safety inspection,
18 enforcement, training, and outreach efforts compared to other states
19 and federal programs; analyze workplace injury and illness rates and
20 trends in Washington; identify factors that may influence workplace
21 safety and health; and identify practices that may improve workplace
22 safety and health and/or impact insurance rates.

23 (3) Within the amounts appropriated in this section, the committee
24 shall conduct a review of marketing and vendor expenditures and
25 incentive payment programs at the state lottery commission to identify
26 cost savings and efficiencies to maximize contributions to
27 beneficiaries under this act. This review shall include examination of
28 the following:

29 (a) An analysis of marketing expenses and the impact on ticket
30 sales; the impact to sales of tickets from the change in lottery
31 beneficiaries; the competitive contracting processes for marketing
32 services and vendors and comparison to other states; identification of
33 whether there are duplicative or unproductive marketing activities; and
34 identification of whether savings may occur from changing vendors.

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

1 (4) \$85,000 of the medical aid account--state appropriation and
2 \$85,000 of the accident account--state appropriation are provided
3 solely for the purposes of House Bill No. 2123 (workers' compensation).
4 If the bill is not enacted by June 30, 2011, the amounts provided in
5 this subsection shall lapse.

6 (5) The joint legislative audit and review committee will assess
7 the costs of the department of fish and wildlife to produce trout to
8 achieve the department's desired freshwater stocking objectives and
9 compare these costs to the costs of the alternatives for producing
10 trout such as contracting for services. As part of its assessment, the
11 committee will consider the following:

12 (a) The total costs to the department for producing trout at
13 department trout production facilities, by category of trout
14 production, to achieve the department's desired freshwater stocking
15 objectives;

16 (b) The availability of alternative approaches to trout production,
17 including opportunities to contract with registered aquatic farmers,
18 and the costs of these alternative approaches; and

19 (c) A review of the experience of other states in contracting or
20 other alternative approaches to trout production.

21 (d) The committee will complete its assessment and report to the
22 legislature by December 1, 2012.

23 **Sec. 104.** 2011 1st sp.s. c 50 s 104 (uncodified) is amended to
24 read as follows:

25 **FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE**

26	General Fund--State Appropriation (FY 2012)	\$2,027,000
27	General Fund--State Appropriation (FY 2013)	(\$2,193,000)
28		<u>\$1,708,000</u>
29	TOTAL APPROPRIATION	(\$4,220,000)
30		<u>\$3,735,000</u>

31 **Sec. 105.** 2011 1st sp.s. c 50 s 106 (uncodified) is amended to
32 read as follows:

33 **FOR THE JOINT LEGISLATIVE SYSTEMS COMMITTEE**

34	General Fund--State Appropriation (FY 2012)	\$8,016,000
35	General Fund--State Appropriation (FY 2013)	(\$7,911,000)
36		<u>\$7,516,000</u>

1 TOTAL APPROPRIATION ((~~\$15,927,000~~))
2 \$15,532,000

3 **Sec. 106.** 2011 2nd sp.s. c 9 s 103 (uncodified) is amended to read
4 as follows:

5 **FOR THE STATUTE LAW COMMITTEE**
6 General Fund--State Appropriation (FY 2012) \$4,248,000
7 General Fund--State Appropriation (FY 2013) ((~~\$4,689,000~~))
8 \$4,455,000
9 TOTAL APPROPRIATION ((~~\$8,937,000~~))
10 \$8,703,000

11 NEW SECTION. **Sec. 107.** A new section is added to 2011 1st sp.s.
12 c 50 (uncodified) to read as follows:

13 **FOR THE OFFICE OF LEGISLATIVE SUPPORT SERVICES**
14 General Fund--State Appropriation (FY 2013) \$3,016,000

15 NEW SECTION. **Sec. 108.** A new section is added to 2011 1st sp.s.
16 c 50 (uncodified) to read as follows:

17 **LEGISLATIVE AGENCIES**
18 In order to achieve operating efficiencies within the financial
19 resources available to the legislative branch, the executive rules
20 committee of the house of representatives and the facilities and
21 operations committee of the senate by joint action may transfer funds
22 among the house of representatives, senate, joint legislative audit and
23 review committee, legislative evaluation and accountability program
24 committee, legislative transportation committee, office of the state
25 actuary, joint legislative systems committee, statute law committee,
26 office of legislative support services, and redistricting commission.

27 **Sec. 109.** 2011 2nd sp.s. c 9 s 104 (uncodified) is amended to read
28 as follows:

29 **FOR THE SUPREME COURT**
30 General Fund--State Appropriation (FY 2012) ((~~\$6,724,000~~))
31 \$6,765,000
32 General Fund--State Appropriation (FY 2013) \$6,738,000
33 TOTAL APPROPRIATION ((~~\$13,462,000~~))
34 \$13,503,000

1 **Sec. 110.** 2011 2nd sp.s. c 9 s 105 (uncodified) is amended to read
2 as follows:

3 **FOR THE LAW LIBRARY**

4	General Fund--State Appropriation (FY 2012)	\$1,506,000
5	General Fund--State Appropriation (FY 2013)	(\$1,466,000)
6		<u>\$466,000</u>
7	<u>Judicial Information System Account--State</u>	
8	<u>Appropriation</u>	<u>\$1,000,000</u>
9	TOTAL APPROPRIATION	\$2,972,000

10 **Sec. 111.** 2011 2nd sp.s. c 9 s 107 (uncodified) is amended to read
11 as follows:

12 **FOR THE ADMINISTRATOR FOR THE COURTS**

13	General Fund--State Appropriation (FY 2012)	(\$50,692,000)
14		<u>\$50,756,000</u>
15	General Fund--State Appropriation (FY 2013)	(\$50,235,000)
16		<u>\$48,668,000</u>
17	General Fund--Federal Appropriation	\$2,532,000
18	General Fund--Private/Local Appropriation	\$390,000
19	Judicial Information Systems Account--State	
20	Appropriation	\$42,414,000
21	Judicial Stabilization Trust Account--State	
22	Appropriation	(\$5,414,000)
23		<u>\$7,354,000</u>
24	TOTAL APPROPRIATION	(\$151,677,000)
25		<u>\$152,114,000</u>

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

28 (1) \$1,800,000 of the general fund--state appropriation for fiscal
29 year 2012 and \$1,800,000 of the general fund--state appropriation for
30 fiscal year 2013 are provided solely for school districts for petitions
31 to juvenile court for truant students as provided in RCW 28A.225.030
32 and 28A.225.035. The office of the administrator for the courts shall
33 develop an interagency agreement with the superintendent of public
34 instruction to allocate the funding provided in this subsection.
35 Allocation of this money to school districts shall be based on the
36 number of petitions filed. This funding includes amounts school
37 districts may expend on the cost of serving petitions filed under RCW

1 28A.225.030 by certified mail or by personal service or for the
2 performance of service of process for any hearing associated with RCW
3 28A.225.030.

4 (2)(a) \$8,252,000 of the general fund--state appropriation for
5 fiscal year 2012 and \$8,253,000 of the general fund--state
6 appropriation for fiscal year 2013 are provided solely for distribution
7 to county juvenile court administrators to fund the costs of processing
8 truancy, children in need of services, and at-risk youth petitions.
9 The administrator for the courts, in conjunction with the juvenile
10 court administrators, shall develop an equitable funding distribution
11 formula. The formula shall neither reward counties with higher than
12 average per-petition processing costs nor shall it penalize counties
13 with lower than average per-petition processing costs.

14 (b) Each fiscal year during the 2011-2013 fiscal biennium, each
15 county shall report the number of petitions processed and the total
16 actual costs of processing truancy, children in need of services, and
17 at-risk youth petitions. Counties shall submit the reports to the
18 administrator for the courts no later than 45 days after the end of the
19 fiscal year. The administrator for the courts shall electronically
20 transmit this information to the chairs and ranking minority members of
21 the house of representatives and senate ways and means committees no
22 later than 60 days after a fiscal year ends. These reports are deemed
23 informational in nature and are not for the purpose of distributing
24 funds.

25 (3) The distributions made under this subsection and distributions
26 from the county criminal justice assistance account made pursuant to
27 section 801 of this act constitute appropriate reimbursement for costs
28 for any new programs or increased level of service for purposes of RCW
29 43.135.060.

30 (4) \$265,000 of the general fund--state appropriation for fiscal
31 year 2012 is provided solely for the office of public guardianship to
32 provide guardianship services for low-income incapacitated persons.

33 (5) \$1,178,000 of the judicial information systems account--state
34 appropriation is provided solely for replacing computer equipment at
35 state courts and state judicial agencies.

36 (6) No later than September 30, 2011, the judicial information
37 systems committee shall provide a report to the legislature on the
38 recommendations of the case management feasibility study, including

1 plans for a replacement of the superior court management information
2 system (SCOMIS) and plans for completing the data exchange core system
3 component consistent with a complete data exchange standard. No later
4 than December 31, 2011, the judicial information systems committee
5 shall provide a report to the legislature on the status of the data
6 exchange, the procurement process for a SCOMIS replacement, and a case
7 management system that is designed to meet the requirements approved by
8 the superior courts and county clerks of all thirty-nine counties. The
9 legislature shall solicit input on both reports from judicial,
10 legislative, and executive stakeholders.

11 (7) In order to gather better data on juveniles in the criminal
12 justice system, the administrative office of the courts shall modify
13 the judgment and sentence form for juvenile and adult sentences to
14 include one or more check boxes indicating whether (a) the adult
15 superior court had original jurisdiction for a defendant who was
16 younger than eighteen years of age at the time the case was filed; (b)
17 the case was originally filed in juvenile court but transferred to
18 adult superior court jurisdiction; or (c) the case was originally filed
19 in adult superior court or transferred to adult superior court but then
20 returned to the juvenile court.

21 (8) The Washington association of juvenile court administrators and
22 the juvenile rehabilitation administration, in consultation with the
23 community juvenile accountability act advisory committee and the
24 Washington state institute for public policy, shall analyze and review
25 data elements available from the administrative office of the courts
26 for possible integration into the evidence-based program quality
27 assurance plans and processes. The administrative office of the
28 courts, the Washington association of juvenile court administrators,
29 and the juvenile rehabilitation administration shall provide
30 information necessary to complete the review and analysis. The
31 Washington association of juvenile court administrators and the
32 juvenile rehabilitation administration shall report the findings of
33 their review and analysis, as well as any recommendations, to the
34 legislature by December 1, 2012.

35 (9) \$540,000 of the judicial stabilization trust account--state
36 appropriation for fiscal year 2013 is provided solely for the office of
37 public guardianship to continue guardianship services for those low-

1 income incapacitated persons who were receiving services on June 30,
2 2012.

3 **Sec. 112.** 2011 2nd sp.s. c 9 s 108 (uncodified) is amended to read
4 as follows:

5 **FOR THE OFFICE OF PUBLIC DEFENSE**

6	General Fund--State Appropriation (FY 2012)	((\$25,030,000))
7		<u>\$25,027,000</u>
8	General Fund--State Appropriation (FY 2013)	((\$24,972,000))
9		<u>\$31,031,000</u>
10	Judicial Stabilization Trust Account--State	
11	Appropriation	\$2,490,000
12	TOTAL APPROPRIATION	((\$52,492,000))
13		<u>\$58,548,000</u>

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

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

18 (2) By December 1, 2011, the office of public defense shall submit
19 to the appropriate policy and fiscal committees of the legislature a
20 proposal for office of public defense to assume the effective and
21 efficient administration of defense services for indigent persons
22 throughout the state who are involved in proceedings under chapter
23 71.09 RCW. In developing its proposal, the office of public defense
24 should consult with interested stakeholders, including the King county
25 public defender, the Washington defender association, the Washington
26 association of criminal defense lawyers, the administrative office of
27 the courts, the superior court judges association, the office of the
28 attorney general, the King county prosecuting attorney, the Washington
29 association of counties, and the department of social and health
30 services. At a minimum, the proposal should identify:

31 (a) Procedures to control costs and require accountability,
32 consistent with the state's obligation to ensure the right to counsel
33 under both the United States Constitution and the Washington
34 Constitution;

35 (b) Appropriate practice standards for trial-level defense of
36 indigent persons involved in proceedings under chapter 71.09 RCW, an

1 estimated number of attorneys statewide who are qualified to provide
2 such representation, and reasonable compensation for such defense
3 services;

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

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

8 (3) \$6,065,000 of the general fund--state appropriation for fiscal
9 year 2013 is provided solely to implement Substitute Senate Bill No.
10 6493 (sexual predator commitment). If the bill is not enacted by June
11 30, 2012, the amount provided in this subsection shall lapse.

12 **Sec. 113.** 2011 2nd sp.s. c 9 s 109 (uncodified) is amended to read
13 as follows:

14 **FOR THE OFFICE OF THE GOVERNOR**

15	General Fund--State Appropriation (FY 2012)	((\$5,311,000))
16		<u>\$4,965,000</u>
17	General Fund--State Appropriation (FY 2013)	((\$5,292,000))
18		<u>\$5,193,000</u>
19	Economic Development Strategic Reserve Account--State	
20	Appropriation	\$1,500,000
21	TOTAL APPROPRIATION	((\$12,103,000))
22		<u>\$11,658,000</u>

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

25 (1) \$1,500,000 of the economic development strategic reserve
26 account appropriation is provided solely for efforts to assist with
27 currently active industrial recruitment efforts that will bring new
28 jobs to the state or will retain headquarter locations of major
29 companies currently housed in the state.

30 (2) ((~~\$547,000~~)) \$404,000 of the general fund--state appropriation
31 for fiscal year 2012 and ((~~\$547,000~~)) \$418,000 of the general fund--
32 state appropriation for fiscal year 2013 are provided solely for the
33 office of the education ombudsman.

34 **Sec. 114.** 2011 1st sp.s. c 50 s 117 (uncodified) is amended to
35 read as follows:

1 **FOR THE LIEUTENANT GOVERNOR**

2	General Fund--State Appropriation (FY 2012)	((\$687,000))
3		<u>\$653,000</u>
4	General Fund--State Appropriation (FY 2013)	((\$698,000))
5		<u>\$663,000</u>
6	General Fund--Private/Local Appropriation	\$90,000
7	TOTAL APPROPRIATION	((\$1,475,000))
8		<u>\$1,406,000</u>

9 **Sec. 115.** 2011 2nd sp.s. c 9 s 110 (uncodified) is amended to read
10 as follows:

11 **FOR THE PUBLIC DISCLOSURE COMMISSION**

12	General Fund--State Appropriation (FY 2012)	((\$2,106,000))
13		<u>\$2,021,000</u>
14	General Fund--State Appropriation (FY 2013)	((\$2,129,000))
15		<u>\$2,002,000</u>
16	TOTAL APPROPRIATION	((\$4,235,000))
17		<u>\$4,023,000</u>

18 The appropriations in this section are subject to the following
19 conditions and limitations: \$43,000 of the general fund--state
20 appropriation for fiscal year 2012 and \$82,000 of the general fund--
21 state appropriation for fiscal year 2013 are provided solely for the
22 implementation of Engrossed Substitute Senate Bill No. 5021 (election
23 campaign disclosure).

24 **Sec. 116.** 2011 2nd sp.s. c 9 s 111 (uncodified) is amended to read
25 as follows:

26 **FOR THE SECRETARY OF STATE**

27	General Fund--State Appropriation (FY 2012)	((\$16,014,000))
28		<u>\$16,013,000</u>
29	General Fund--State Appropriation (FY 2013)	((\$12,862,000))
30		<u>\$8,862,000</u>
31	General Fund--Federal Appropriation	\$7,338,000
32	Public Records Efficiency, Preservation, and Access	
33	Account--State Appropriation	((\$7,950,000))
34		<u>\$7,156,000</u>
35	Charitable Organization Education Account--State	
36	Appropriation	((\$452,000))

1		<u>\$362,000</u>
2	Local Government Archives Account--State	
3	Appropriation	((\$10,557,000))
4		<u>\$8,557,000</u>
5	Election Account--Federal Appropriation	\$17,288,000
6	Washington State Heritage Center Account--State	
7	Appropriation	((\$1,028,000))
8		<u>\$5,028,000</u>
9	TOTAL APPROPRIATION	((\$73,489,000))
10		<u>\$70,604,000</u>

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

13 (1) \$3,898,000 of the general fund--state appropriation for fiscal
14 year 2012 is provided solely to reimburse counties for the state's
15 share of primary and general election costs and the costs of conducting
16 mandatory recounts on state measures. Counties shall be reimbursed
17 only for those odd-year election costs that the secretary of state
18 validates as eligible for reimbursement.

19 (2)(a) \$1,847,000 of the general fund--state appropriation for
20 fiscal year 2012 and \$1,926,000 of the general fund--state
21 appropriation for fiscal year 2013 are provided solely for contracting
22 with a nonprofit organization to produce gavel- to-gavel television
23 coverage of state government deliberations and other events of
24 statewide significance during the 2011-2013 biennium. The funding
25 level for each year of the contract shall be based on the amount
26 provided in this subsection. The nonprofit organization shall be
27 required to raise contributions or commitments to make contributions,
28 in cash or in kind, in an amount equal to forty percent of the state
29 contribution. The office of the secretary of state may make full or
30 partial payment once all criteria in this subsection have been
31 satisfactorily documented.

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

37 (c) The nonprofit organization shall prepare an annual independent

1 audit, an annual financial statement, and an annual report, including
2 benchmarks that measure the success of the nonprofit organization in
3 meeting the intent of the program.

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

6 (i) Attempting to influence the passage or defeat of any
7 legislation by the legislature of the state of Washington, by any
8 county, city, town, or other political subdivision of the state of
9 Washington, or by the congress, or the adoption or rejection of any
10 rule, standard, rate, or other legislative enactment of any state
11 agency;

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

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

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

18 **Sec. 117.** 2011 1st sp.s. c 50 s 120 (uncodified) is amended to
19 read as follows:

20 **FOR THE GOVERNOR'S OFFICE OF INDIAN AFFAIRS**

21	General Fund--State Appropriation (FY 2012)	(((\$259,000))
22		<u>\$246,000</u>
23	General Fund--State Appropriation (FY 2013)	(((\$267,000))
24		<u>\$254,000</u>
25	TOTAL APPROPRIATION	(((\$526,000))
26		<u>\$500,000</u>

27 The appropriations in this section are subject to the following
28 conditions and limitations: The office shall assist the department of
29 enterprise services on providing the government-to-government training
30 sessions for federal, state, local, and tribal government employees.
31 The training sessions shall cover tribal historical perspectives, legal
32 issues, tribal sovereignty, and tribal governments. Costs of the
33 training sessions shall be recouped through a fee charged to the
34 participants of each session. The department of enterprise services
35 shall be responsible for all of the administrative aspects of the
36 training, including the billing and collection of the fees for the
37 training.

1 funded public school programs; establish the specific amount of state
2 funding adjustments whenever audit exceptions occur and the amount is
3 not firmly established in the course of regular public school audits;
4 and to assist the state special education safety net committee when
5 requested.

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

14 **Sec. 121.** 2011 1st sp.s. c 50 s 124 (uncodified) is amended to
15 read as follows:

16 **FOR THE CITIZENS' COMMISSION ON SALARIES FOR ELECTED OFFICIALS**

17	General Fund--State Appropriation (FY 2012)	(((\$158,000))
18		<u>\$145,000</u>
19	General Fund--State Appropriation (FY 2013)	(((\$195,000))
20		<u>\$190,000</u>
21	TOTAL APPROPRIATION	(((\$353,000))
22		<u>\$335,000</u>

23 **Sec. 122.** 2011 2nd sp.s. c 9 s 115 (uncodified) is amended to read
24 as follows:

25 **FOR THE ATTORNEY GENERAL**

26	General Fund--State Appropriation (FY 2012)	\$4,758,000
27	General Fund--State Appropriation (FY 2013)	(((\$2,727,000))
28		<u>\$7,740,000</u>
29	General Fund--Federal Appropriation	(((\$8,819,000))
30		<u>\$10,015,000</u>
31	New Motor Vehicle Arbitration Account--State	
32	Appropriation	\$972,000
33	Legal Services Revolving Account--State	
34	Appropriation	(((\$206,617,000))
35		<u>\$196,105,000</u>
36	Tobacco Prevention and Control Account--State	

1	Appropriation	\$270,000
2	<u>Medicaid Fraud Penalty Account--State</u>	
3	<u>Appropriation</u>	<u>\$1,129,000</u>
4	TOTAL APPROPRIATION	((\$224,163,000))
5		<u>\$220,989,000</u>

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

8 (1) The attorney general shall report each fiscal year on actual
9 legal services expenditures and actual attorney staffing levels for
10 each agency receiving legal services. The report shall be submitted to
11 the office of financial management and the fiscal committees of the
12 senate and house of representatives no later than ninety days after the
13 end of each fiscal year. As part of its by agency report to the
14 legislative fiscal committees and the office of financial management,
15 the office of the attorney general shall include information detailing
16 the agency's expenditures for its agency-wide overhead and a breakdown
17 by division of division administration expenses.

18 (2) Prior to entering into any negotiated settlement of a claim
19 against the state that exceeds five million dollars, the attorney
20 general shall notify the director of financial management and the
21 chairs of the senate committee on ways and means and the house of
22 representatives committee on ways and means.

23 (3) The attorney general shall annually report to the fiscal
24 committees of the legislature all new *cy pres* awards and settlements
25 and all new accounts, disclosing their intended uses, balances, the
26 nature of the claim or account, proposals, and intended timeframes for
27 the expenditure of each amount. The report shall be distributed
28 electronically and posted on the attorney general's web site. The
29 report shall not be printed on paper or distributed physically.

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

35 (5) \$62,000 of the legal services revolving fund--state
36 appropriation is provided solely to implement House Bill No. 1770
37 (state purchasing). If the bill is not enacted by June 30, 2011, the
38 amount provided in this subsection shall lapse.

1 (6) \$5,924,000 of the legal services revolving account--state
2 appropriation is provided solely to implement House Bill No. 2123
3 (workers' compensation). If the bill is not enacted by June 30, 2011,
4 the amount provided in this subsection shall lapse.

5 (7) The office of the attorney general is authorized to expend
6 \$2,100,000 from the Zyprexa and other *cy pres* awards towards consumer
7 protection costs in accordance with uses authorized in the court
8 orders.

9 (8) \$96,000 of the legal services revolving fund--state
10 appropriation is provided solely to implement Senate Bill No. 5076
11 (financial institutions). If the bill is not enacted by June 30, 2011,
12 the amount provided in this subsection shall lapse.

13 (9) \$99,000 of the legal services revolving fund--state
14 appropriation is provided solely to implement Engrossed Second
15 Substitute Senate Bill No. 5769 (coal-fired generation). If the bill
16 is not enacted by June 30, 2011, the amount provided in this subsection
17 shall lapse.

18 (10) \$416,000 of the legal services revolving fund--state
19 appropriation is provided solely to implement Substitute Senate Bill
20 No. 5801 (industrial insurance system). If the bill is not enacted by
21 June 30, 2011, the amount provided in this subsection shall lapse.

22 (11) \$31,000 of the legal services revolving fund--state
23 appropriation is provided solely to implement Engrossed Substitute
24 Senate Bill No. 5021 (election campaign disclosure). If the bill is
25 not enacted by June 30, 2011, the amount provided in this subsection
26 shall lapse.

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

1		<u>\$35,648,000</u>
2	General Fund--State Appropriation (FY 2013)	((\$72,459,000))
3		<u>\$36,826,000</u>
4	General Fund--Federal Appropriation	((\$282,185,000))
5		<u>\$338,284,000</u>
6	General Fund--Private/Local Appropriation	((\$4,989,000))
7		<u>\$4,988,000</u>
8	Public Works Assistance Account--State	
9	Appropriation	\$2,764,000
10	Drinking Water Assistance Administrative	
11	Account--State Appropriation	\$437,000
12	Lead Paint Account--State Appropriation	\$65,000
13	Building Code Council Account--State Appropriation	\$13,000
14	Home Security Fund Account--State Appropriation	\$16,652,000
15	Affordable Housing for All Account--State	
16	Appropriation	\$11,902,000
17	County Research Services Account--State	
18	Appropriation	((\$1,081,000))
19		<u>\$512,000</u>
20	Financial Fraud and Identity Theft Crimes Investigation	
21	and Prosecution Account--State Appropriation	\$1,166,000
22	Low-Income Weatherization Assistance Account--State	
23	Appropriation	((\$5,778,000))
24		<u>\$2,430,000</u>
25	City and Town Research Services Account--State	
26	Appropriation	((\$5,166,000))
27		<u>\$2,447,000</u>
28	(Manufacturing Innovation and Modernization	
29	Account--State Appropriation	\$61,000)
30	Community and Economic Development Fee Account--State	
31	Appropriation	((\$6,488,000))
32		<u>\$6,786,000</u>
33	Washington Housing Trust Account--State	
34	Appropriation	((\$17,498,000))
35		<u>\$23,498,000</u>
36	Prostitution Prevention and Intervention Account--	
37	State Appropriation	\$86,000
38	Public Facility Construction Loan Revolving	

1	Account--State Appropriation	\$755,000
2	Washington Community Technology Opportunity Account--	
3	State Appropriation	\$713,000
4	<u>Liquor Revolving Account--State Appropriation</u>	<u>\$2,802,000</u>
5	TOTAL APPROPRIATION	((\$487,519,000))
6		<u>\$488,774,000</u>

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

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

16 (2) \$500,000 of the general fund--state appropriation for fiscal
17 year 2012 and \$500,000 of the general fund--state appropriation for
18 fiscal year 2013 are provided solely for a grant to resolution
19 Washington to building statewide capacity for alternative dispute
20 resolution centers and dispute resolution programs that guarantee that
21 citizens have access to low-cost resolution as an alternative to
22 litigation.

23 (3) \$306,000 of the general fund--state appropriation for fiscal
24 year 2012 and \$306,000 of the general fund--state appropriation for
25 fiscal year 2013 are provided solely for a grant to the retired senior
26 volunteer program.

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

30 (5) \$1,800,000 of the home security fund--state appropriation is
31 provided for transitional housing assistance or partial payments for
32 rental assistance under the independent youth housing program.

33 (6) \$5,000,000 of the home security fund--state appropriation is
34 for the operation, repair, and staffing of shelters in the homeless
35 family shelter program.

36 (7) ((~~\$198,000~~)) \$115,000 of the general fund--state appropriation
37 for fiscal year 2012 ((~~and \$198,000 of the general fund state~~

1 ~~appropriation for fiscal year 2013 are))~~ is provided solely for the
2 Washington new Americans program.

3 (8) \$2,949,000 of the general fund--state appropriation for fiscal
4 year 2012 and \$2,949,000 of the general fund--state appropriation for
5 fiscal year 2013 are provided solely for associate development
6 organizations.

7 (9) \$127,000 of the general fund--federal appropriation is provided
8 solely for implementation of Substitute House Bill No. 1886
9 (Ruckelshaus center process). If the bill is not enacted by June 30,
10 2011, the amount provided in this subsection shall lapse.

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

27 (11) Within the appropriations in this section, specific funding is
28 provided to implement Substitute Senate Bill No. 5741 (economic
29 development commission).

30 (12) \$2,000,000 of the community and economic development fee
31 account appropriation is provided solely for the department of commerce
32 for services to homeless families through the Washington families fund.

33 (13) (~~(\$260,000)~~) \$173,000 of the general fund--state appropriation
34 for fiscal year 2012 (~~(and \$259,000 of the general fund state~~
35 ~~appropriation for fiscal year 2013 are))~~ is provided solely for the
36 Washington asset building coalitions.

37 (14) \$1,859,000 of the general fund--state appropriation for fiscal
38 year 2012 and \$1,859,000 of the general fund--state appropriation for

1 fiscal year 2013 are provided solely for innovative research teams,
2 also known as entrepreneurial STARS, at higher education research
3 institutions, and for entrepreneurs-in-residence programs at higher
4 education research institutions and entrepreneurial assistance
5 organizations. Of these amounts no more than \$50,000 in fiscal year
6 2012 and no more than \$50,000 in fiscal year 2013 may be provided for
7 the operation of entrepreneurs-in-residence programs at entrepreneurial
8 assistance organizations external to higher education research
9 institutions.

10 (15) Up to \$700,000 of the general fund--private/local
11 appropriation is for pass-through grants to cities in central Puget
12 Sound to plan for transfer of development rights receiving areas under
13 the central Puget Sound regional transfer of development rights
14 program.

15 (16) \$16,000 of the general fund--state appropriation for fiscal
16 year 2012 is provided solely to implement section 503 of Substitute
17 House Bill No. 1277 (licensed settings for vulnerable adults). The
18 long-term care ombudsman shall convene an adult family home quality
19 assurance panel to review problems concerning the quality of care for
20 residents in adult family homes. If Substitute House Bill No. 1277
21 (licensed settings for vulnerable adults) is not enacted by June 30,
22 2011, the amount provided in this subsection shall lapse.

23 (17) (~~(\$24,605,000)~~) \$4,291,000 of the general fund--state
24 appropriation for fiscal year 2012 (~~(and \$39,527,000)~~), \$6,882,000 of
25 the general fund--state appropriation for fiscal year 2013, and
26 \$6,000,000 of the home security fund--state appropriation are provided
27 solely for establishment of the essential needs and housing support
28 program created in Engrossed Substitute House Bill No. 2082 (essential
29 needs and assistance program). The department of commerce shall
30 contract for these services with counties or community-based
31 organizations involved in providing essential needs and housing
32 supports to low-income persons who meet eligibility pursuant to
33 Engrossed Substitute House Bill No. 2082. The department shall limit
34 the funding used for administration of the program to no more than five
35 percent. Counties and community providers shall limit the funding
36 used for administration of the program to no more than seven percent.

37 (~~((a) Of the amounts provided in this subsection, \$4,000,000 is~~
38 ~~provided solely for essential needs to clients who meet the eligibility~~

1 established in Engrossed Substitute House Bill No. 2082. Counties and
2 community-based organizations shall distribute basic essential products
3 in a manner that prevents abuse. To the greatest extent possible, the
4 counties or community-based organizations shall leverage local or
5 private funds, and volunteer support to acquire and distribute the
6 basic essential products.

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

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

16 **Sec. 125.** 2011 1st sp.s. c 50 s 128 (uncodified) is amended to
17 read as follows:

18 **FOR THE ECONOMIC AND REVENUE FORECAST COUNCIL**

19	General Fund--State Appropriation (FY 2012)	(((\$674,000))
20		<u>\$639,000</u>
21	General Fund--State Appropriation (FY 2013)	(((\$728,000))
22		<u>\$693,000</u>
23	Lottery Administrative Account--State Appropriation	\$50,000
24	TOTAL APPROPRIATION	(((\$1,452,000))
25		<u>\$1,382,000</u>

26 **Sec. 126.** 2011 2nd sp.s. c 9 s 118 (uncodified) is amended to read
27 as follows:

28 **FOR THE OFFICE OF FINANCIAL MANAGEMENT**

29	General Fund--State Appropriation (FY 2012)	(((\$18,627,000))
30		<u>\$18,112,000</u>
31	General Fund--State Appropriation (FY 2013)	(((\$18,851,000))
32		<u>\$18,027,000</u>
33	General Fund--Federal Appropriation	\$31,534,000
34	General Fund--Private/Local Appropriation	(((\$1,270,000))
35		<u>\$1,370,000</u>
36	Performance Audits of Government Account--	

1	State Appropriation	((\$25,000))
2		<u>\$198,000</u>
3	Economic Development Strategic Reserve Account--	
4	State Appropriation	\$280,000
5	Department of Personnel Services--State	
6	Appropriation	((\$7,827,000))
7		<u>\$8,597,000</u>
8	Data Processing Revolving Account--State	
9	Appropriation	((\$5,208,000))
10		<u>\$5,918,000</u>
11	Higher Education Personnel Services Account--State	
12	Appropriation	\$1,537,000
13	Aquatic Lands Enhancement Account--State Appropriation	\$100,000
14	<u>Forest Fire Protection Assessment Account--State</u>	
15	<u>Appropriation</u>	<u>\$250,000</u>
16	TOTAL APPROPRIATION	((\$85,259,000))
17		<u>\$85,923,000</u>

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

20 (1) \$1,210,000 of the general fund--state appropriation for fiscal
21 year 2012 and \$1,210,000 of the general fund--state appropriation for
22 fiscal year 2013 are provided solely for implementation of House Bill
23 No. 1178 (regulatory assistance office). If the bill is not enacted by
24 June 30, 2011, the amounts provided in this subsection shall lapse.

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

35 The office of financial management shall solicit the input of
36 Pierce county, the department of corrections, and the department of
37 social and health services in developing the request for proposal,

1 evaluating applications, and directing the evaluation. The consultant
2 shall report to the governor and legislature by November 15, 2011.

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

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

9 (i) Ownership issues, including consultation with the federal
10 government about its current legal requirements associated with the
11 island;

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

14 (iii) Tribal treaty interests;

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

16 (v) Land use and public safety needs;

17 (vi) Recreational opportunities for the general public;

18 (vii) Historic and archaeological resources; and

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

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

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

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

30 (i) Federal agencies with relevant responsibilities;

31 (ii) Tribal governments;

32 (iii) State agencies;

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

35 (v) Interested private organizations and individuals.

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

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

10 (5)(a) \$250,000 of the forest fire protection assessment account--
11 state appropriation is provided solely for the office of financial
12 management to contract for analysis and recommendations to improve the
13 efficiency and effectiveness of the state's mechanisms for funding fire
14 prevention and suppression activities.

15 (b) The contract must provide for: (i) Consultation with the
16 appropriate committees of the legislature, the office of financial
17 management, the department of natural resources, and appropriate
18 stakeholders at the onset of the contract regarding the scope of and
19 timeline for the analysis and recommendations; (ii) by September 1,
20 2012, development of initial analysis of potential means to improve the
21 efficiency and effectiveness of the state's mechanisms for funding fire
22 prevention and suppression activities, including analysis of such
23 options as the use of private or state insurance, the increased use of
24 revolving accounts, and any examples where those mechanisms have been
25 previously utilized; (iii) following development of the initial
26 analysis under (b)(ii) of this subsection, distribution of the analysis
27 and solicitation of input from the entities identified in (b)(i) of
28 this subsection; and (iv) based on the input under (b)(iii) of this
29 subsection, development of recommendations for implementation of select
30 potential means to improve the efficiency and effectiveness of the
31 state's mechanisms for funding fire prevention and suppression
32 activities, including the necessary steps for implementation and
33 opportunities and risks associated with the identified mechanisms.

34 (c) By June 30, 2013, and consistent with RCW 43.01.036, the office
35 of financial management must provide a report to the appropriate
36 committees of the legislature, including the analysis and
37 recommendations developed under this subsection.

1 \$237,000
 2 TOTAL APPROPRIATION ((~~\$496,000~~))
 3 \$471,000

4 **Sec. 130.** 2011 1st sp.s. c 50 s 133 (uncodified) is amended to
 5 read as follows:

6 **FOR THE COMMISSION ON AFRICAN-AMERICAN AFFAIRS**
 7 General Fund--State Appropriation (FY 2012) ((~~\$239,000~~))
 8 \$221,000
 9 General Fund--State Appropriation (FY 2013) ((~~\$238,000~~))
 10 \$232,000
 11 TOTAL APPROPRIATION ((~~\$477,000~~))
 12 \$453,000

13 **Sec. 131.** 2011 2nd sp.s. c 9 s 121 (uncodified) is amended to read
 14 as follows:

15 **FOR THE DEPARTMENT OF RETIREMENT SYSTEMS--OPERATIONS**
 16 Department of Retirement Systems Expense
 17 Account--State Appropriation ((~~\$47,049,000~~))
 18 \$47,128,000

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

21 (1) \$146,000 of the department of retirement systems--state
 22 appropriation is provided solely for the administrative costs
 23 associated with implementation of House Bill No. 2070 (state and local
 24 government employees). If the bill is not enacted by June 30, 2011,
 25 the amount provided in this subsection shall lapse.

26 (2) \$65,000 of the department of retirement systems--state
 27 appropriation is provided solely for the administrative costs
 28 associated with implementation of House Bill No. 1625 (plan 3 default
 29 investment option). If the bill is not enacted by June 30, 2011, the
 30 amount provided in this subsection shall lapse.

31 (3) \$133,000 of the department of retirement systems--state
 32 appropriation is provided solely for the administrative costs
 33 associated with implementation of Engrossed House Bill No. 1981 as
 34 amended (post-retirement employment). If the bill is not enacted by
 35 June 30, 2011, the amount provided in this subsection shall lapse.

1 (4) \$15,000 of the department of retirement systems expense
2 account--state appropriation is provided solely for the administrative
3 costs associated with implementation of Substitute House Bill No. 2021
4 (plan 1 annual increase amounts). If the bill is not enacted by June
5 30, 2011, the amount provided in this section shall lapse.

6 (5) \$64,000 of the department of retirement systems expense
7 account--state appropriation is provided solely for the administrative
8 costs associated with implementation of House Bill No. 2441 (limiting
9 excess compensation). If the bill is not enacted by June 30, 2012, the
10 amount provided in this subsection shall lapse.

11 (6) \$32,000 of the department of retirement systems expense
12 account--state appropriation is provided solely for the administrative
13 costs associated with implementation of Senate Bill No. 5159 (transfer
14 of service into the Washington state patrol retirement system). If the
15 bill is not enacted by June 30, 2012, the amount provided in this
16 subsection shall lapse.

17 **Sec. 132.** 2011 2nd sp.s. c 9 s 122 (uncodified) is amended to read
18 as follows:

19 **FOR THE DEPARTMENT OF REVENUE**

20	General Fund--State Appropriation (FY 2012)	((\$100,927,000))
21		<u>\$101,044,000</u>
22	General Fund--State Appropriation (FY 2013)	((\$100,801,000))
23		<u>\$101,929,000</u>
24	Timber Tax Distribution Account--State Appropriation	\$5,940,000
25	Waste Reduction/Recycling/Litter Control--State	
26	Appropriation	\$129,000
27	Waste Tire Removal Account--State Appropriation	\$2,000
28	State Toxics Control Account--State Appropriation	\$87,000
29	Oil Spill Prevention Account--State Appropriation	\$19,000
30	Master License Fund--State Appropriation	((\$14,012,000))
31		<u>\$14,810,000</u>
32	Vehicle License Fraud Account--State Appropriation	\$5,000
33	Performance Audits of Government Account--State	
34	Appropriation	\$3,188,000
35	TOTAL APPROPRIATION	((\$225,110,000))
36		<u>\$227,153,000</u>

1 account--state appropriation is provided solely for the implementation
2 of Substitute Senate Bill No. 5445 (health benefit exchange).

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

6 **Sec. 136.** 2011 2nd sp.s. c 9 s 128 (uncodified) is amended to read
7 as follows:

8 **FOR THE LIQUOR CONTROL BOARD**

9 Liquor Control Board Construction and Maintenance

10	Account--State Appropriation	((\$10,081,000))
11		<u>\$3,063,000</u>
12	Liquor Revolving Account--State Appropriation	((\$176,238,000))
13		<u>\$170,409,000</u>
14	General Fund--Federal Appropriation	((\$120,000))
15		<u>\$945,000</u>
16	<u>General Fund--Private/Local Appropriation</u>	<u>\$25,000</u>
17	<u>Liquor Excise Tax Account--State Appropriation</u>	<u>\$5,675,000</u>
18	TOTAL APPROPRIATION	((\$186,439,000))
19		<u>\$180,117,000</u>

20 **Sec. 137.** 2011 2nd sp.s. c 9 s 129 (uncodified) is amended to read
21 as follows:

22 **FOR THE UTILITIES AND TRANSPORTATION COMMISSION**

23	General Fund--Federal Appropriation	\$502,000
24	General Fund--Private/Local Appropriation	\$11,175,000
25	Public Service Revolving Account--State	
26	Appropriation	((\$30,992,000))
27		<u>\$31,145,000</u>
28	Pipeline Safety Account--State Appropriation	\$3,201,000
29	Pipeline Safety Account--Federal Appropriation	\$2,848,000
30	TOTAL APPROPRIATION	((\$48,718,000))
31		<u>\$48,871,000</u>

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

34 (1) In accordance with RCW 80.36.610(1), the utilities and
35 transportation commission is authorized to establish federal

1 telecommunications act services fees in fiscal year 2012 as necessary
2 to meet the actual costs of conducting business and the appropriation
3 levels in this section.

4 (2) \$15,000 of the pipeline safety account--state appropriation is
5 provided solely for the implementation of Engrossed Second Substitute
6 House Bill No. 1634 (underground utilities).

7 (3) \$182,000 of the public service revolving account--state
8 appropriation is provided solely for the implementation of Engrossed
9 Second Substitute Senate Bill No. 5769 (coal-fired generation).

10 (4) \$169,000 of the public service revolving account--state
11 appropriation is provided solely for the implementation of Second
12 Substitute Senate Bill No. 5034 (private infrastructure).

13 **Sec. 138.** 2011 2nd sp.s. c 9 s 130 (uncodified) is amended to read
14 as follows:

15 **FOR THE MILITARY DEPARTMENT**

16	General Fund--State Appropriation (FY 2012)	((\$7,175,000))
17		<u>\$7,173,000</u>
18	General Fund--State Appropriation (FY 2013)	((\$7,175,000))
19		<u>\$7,171,000</u>
20	General Fund--Federal Appropriation	\$159,181,000
21	Enhanced 911 Account--State Appropriation	((\$46,556,000))
22		<u>\$48,626,000</u>
23	Disaster Response Account--State Appropriation	\$17,933,000
24	Disaster Response Account--Federal Appropriation	\$66,266,000
25	Military Department Rent and Lease Account--State	
26	Appropriation	\$615,000
27	Worker and Community Right-to-Know Account--State	
28	Appropriation	\$2,165,000
29	TOTAL APPROPRIATION	((\$307,066,000))
30		<u>\$309,130,000</u>

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

33 (1) \$18,018,000 of the disaster response account--state
34 appropriation and \$66,266,000 of the disaster response account--federal
35 appropriation may be spent only on disasters declared by the governor
36 and with the approval of the office of financial management. The
37 military department shall submit a report to the office of financial

1 management and the legislative fiscal committees on October 1st and
 2 February 1st of each year detailing information on the disaster
 3 response account, including: (a) The amount and type of deposits into
 4 the account; (b) the current available fund balance as of the reporting
 5 date; and (c) the projected fund balance at the end of the 2011-2013
 6 biennium based on current revenue and expenditure patterns.

7 (2) \$75,000,000 of the general fund--federal appropriation is
 8 provided solely for homeland security, subject to the following
 9 conditions:

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

13 (b) The department shall submit an annual report to the office of
 14 financial management and the legislative fiscal committees detailing
 15 the governor's domestic security advisory group recommendations;
 16 homeland security revenues and expenditures, including estimates of
 17 total federal funding for the state; and incremental changes from the
 18 previous estimate.

19 **Sec. 139.** 2011 2nd sp.s. c 9 s 131 (uncodified) is amended to read
 20 as follows:

21 **FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION**

22	General Fund--State Appropriation (FY 2012)	(\$2,346,000)
23		<u>\$2,110,000</u>
24	General Fund--State Appropriation (FY 2013)	(\$2,400,000)
25		<u>\$2,161,000</u>
26	Higher Education Personnel Services Account--State	
27	Appropriation	\$251,000
28	Department of Personnel Service Account--State	
29	Appropriation	\$3,309,000
30	TOTAL APPROPRIATION	(\$8,306,000)
31		<u>\$7,831,000</u>

32 **Sec. 140.** 2011 2nd sp.s. c 9 s 132 (uncodified) is amended to read
 33 as follows:

34 **FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

35	General Fund--State Appropriation (FY 2012)	(\$3,501,000)
36		<u>\$3,328,000</u>

1 this subsection shall continue to enjoy all of the same rights of
2 occupancy and space use on the capitol campus as historically
3 established.

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

7 (4) The building code council account appropriation is provided
8 solely for the operation of the state building code council as required
9 by statute and modified by the standards established by executive order
10 10-06. The council shall not consider any proposed code amendment or
11 take any other action not authorized by statute or in compliance with
12 the standards established in executive order 10-06. No member of the
13 council may receive compensation, per diem, or reimbursement for
14 activities other than physical attendance at those meetings of the
15 state building code council or the council's designated committees, at
16 which the opportunity for public comment is provided generally and on
17 all agenda items upon which the council proposes to take action.

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

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

22 **Sec. 141.** 2011 1st sp.s. c 50 s 151 (uncodified) is amended to
23 read as follows:

24 **FOR INNOVATE WASHINGTON**

25	General Fund--State Appropriation (FY 2012)	(((\$2,999,000)))
26		<u>\$2,911,000</u>
27	General Fund--State Appropriation (FY 2013)	(((\$3,011,000)))
28		<u>\$2,798,000</u>
29	TOTAL APPROPRIATION	(((\$6,010,000)))
30		<u>\$5,709,000</u>

(End of part)

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

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

32 (5) The department shall to the maximum extent practicable use the
33 same system for delivery of spoken-language interpreter services for
34 social services appointments as the one established for medical
35 appointments in section 213 of this act. When contracting directly
36 with an individual to deliver spoken language interpreter services, the
37 department shall only contract with language access providers who are
38 working at a location in the state and who are state- certified or

1 state-authorized, except that when such a provider is not available,
2 the department may use a language access provider who meets other
3 certifications or standards deemed to meet state standards, including
4 interpreters in other states.

5 (6)(a) The appropriations to the department of social and health
6 services in this act shall be expended for the programs and in the
7 amounts specified in this act. However, after May 1, 2012, unless
8 specifically prohibited by this act, the department may transfer
9 general fund--state appropriations for fiscal year 2012 among programs
10 after approval by the director of financial management. However, the
11 department shall not transfer state moneys that are provided solely for
12 a specified purpose except as expressly provided in (b) of this
13 subsection.

14 (b) To the extent that transfers under (a) of this subsection are
15 insufficient to fund actual expenditures in excess of fiscal year 2012
16 caseload forecasts and utilization assumptions in the long-term care,
17 foster care, adoptions support, medicaid personal care, and child
18 support programs, the department may transfer state moneys that are
19 provided solely for a specified purpose. The department shall not
20 transfer funds, and the director of financial management shall not
21 approve the transfer, unless the transfer is consistent with the
22 objective of conserving, to the maximum extent possible, the
23 expenditure of state funds. The director of financial management shall
24 notify the appropriate fiscal committees of the senate and house of
25 representatives in writing seven days prior to approving any allotment
26 modifications or transfers under this subsection. The written
27 notification shall include a narrative explanation and justification of
28 the changes, along with expenditures and allotments by budget unit and
29 appropriation, both before and after any allotment modifications or
30 transfers.

31 **Sec. 202.** 2011 2nd sp.s. c 9 s 202 (uncodified) is amended to read
32 as follows:

33 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--CHILDREN AND FAMILY**
34 **SERVICES PROGRAM**

35	General Fund--State Appropriation (FY 2012)	((\$295,011,000))
36		\$285,329,000
37	General Fund--State Appropriation (FY 2013)	((\$294,232,000))

1		<u>\$278,374,000</u>
2	General Fund--Federal Appropriation	((\$487,912,000))
3		<u>\$475,927,000</u>
4	General Fund--Private/Local Appropriation	\$1,358,000
5	Home Security Fund--State Appropriation	\$10,741,000
6	Domestic Violence Prevention Account--State	
7	Appropriation	((\$1,154,000))
8		<u>\$1,240,000</u>
9	Education Legacy Trust Account--State Appropriation	\$725,000
10	TOTAL APPROPRIATION	((\$1,091,133,000))
11		<u>\$1,053,694,000</u>

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

14 (1) Within amounts provided for the foster care and adoption
15 support programs, the department shall control reimbursement decisions
16 for foster care and adoption support cases such that the aggregate
17 average cost per case for foster care and for adoption support does not
18 exceed the amounts assumed in the projected caseload expenditures.

19 (2) ((~~\$668,000~~)) \$651,000 of the general fund--state appropriation
20 for fiscal year 2012 and ((~~\$668,000~~)) \$601,000 of the general fund--
21 state appropriation for fiscal year 2013 are provided solely to
22 contract for the operation of one pediatric interim care center. The
23 center shall provide residential care for up to thirteen children
24 through two years of age. Seventy-five percent of the children served
25 by the center must be in need of special care as a result of substance
26 abuse by their mothers. The center shall also provide on-site training
27 to biological, adoptive, or foster parents. The center shall provide
28 at least three months of consultation and support to the parents
29 accepting placement of children from the center. The center may
30 recruit new and current foster and adoptive parents for infants served
31 by the center. The department shall not require case management as a
32 condition of the contract. The department shall collaborate with the
33 pediatric interim care center to determine if and how the center could
34 be appropriately incorporated into the performance-based contract model
35 and report its findings to the legislature by December 1, 2012.

36 (3)(a) ((~~\$85,202,000~~)) \$80,402,000 of the general fund--state
37 appropriation for fiscal year 2012, ((~~\$85,408,000~~)) \$80,477,000 of the
38 general fund--state appropriation for fiscal year 2013, and

1 (~~(\$79,279,000)~~) \$74,358,000 of the general fund--federal appropriation
2 are provided solely for services for children and families (~~(subject to~~
3 ~~RCW 74.13.360 and House Bill No. 2122 (child welfare).~~ Prior to
4 ~~approval of contract services pursuant to RCW 74.13.360 and House Bill~~
5 ~~No. 2122,)).~~ The amounts provided in this section shall be allotted on
6 a monthly basis and expenditures shall not exceed allotments based on
7 a three month rolling average without approval of the office of
8 financial management following notification to the legislative fiscal
9 committees.

10 (b) The department shall use performance-based contracts to provide
11 services to safely reduce the number of children in out-of-home care,
12 safely reduce the time spent in out-of-home care prior to achieving
13 permanency, and safely reduce the number of children returning to
14 out-of-home care following permanency. The department shall provide an
15 initial report to the legislature and the governor by January 15, 2012,
16 regarding the start-up costs associated with performance-based
17 contracts under RCW 74.13.360 (~~(and House Bill No. 2122 (child~~
18 ~~welfare))~~)).

19 (4) \$176,000 of the general fund--state appropriation for fiscal
20 year 2012, \$177,000 of the general fund--state appropriation for fiscal
21 year 2013, \$656,000 of the general fund--private/local appropriation,
22 \$253,000 of the general fund--federal appropriation, and \$725,000 of
23 the education legacy trust account--state appropriation are provided
24 solely for children's administration to contract with an educational
25 advocacy provider with expertise in foster care educational outreach.
26 The amounts in this subsection are provided solely for contracted
27 education coordinators to assist foster children in succeeding in K-12
28 and higher education systems and to assure a focus on education during
29 the transition to performance based contracts. Funding shall be
30 prioritized to regions with high numbers of foster care youth and/or
31 regions where backlogs of youth that have formerly requested
32 educational outreach services exist. The department shall utilize
33 private matching funds to maintain educational advocacy services.

34 (5) \$670,000 of the general fund--state appropriation for fiscal
35 year 2012 and \$670,000 of the general fund--state appropriation for
36 fiscal year 2013 are provided solely for services provided through
37 children's advocacy centers.

1 (6) To ensure expenditures remain within available funds
2 appropriated in this section as required by RCW 74.13A.005 and
3 74.13A.020, the secretary shall not set the amount of any adoption
4 assistance payment or payments, made pursuant to RCW 26.33.320 and
5 74.13A.005 through 74.13A.080, to more than ninety percent of the
6 foster care maintenance payment for that child had he or she remained
7 in a foster family home during the same period. This subsection does
8 not apply to adoption assistance agreements in existence on the
9 effective date of this section.

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

29 (8) \$47,000 of the general fund--state appropriation for fiscal
30 year 2012, \$14,000 of the general fund--state appropriation for fiscal
31 year 2013, and \$40,000 of the general fund--federal appropriation are
32 provided solely to implement Substitute House Bill No. 1697 (dependency
33 system). If the bill is not enacted by June 30, 2011, the amounts
34 provided in this subsection shall lapse.

35 (9) \$564,000 of the general fund--federal appropriation is provided
36 solely to implement Second Substitute House Bill No. 1128 (extended
37 foster care). If the bill is not enacted by June 30, 2011, the amount
38 provided in this subsection shall lapse.

1 this subsection are intended to provide funding for county impacts
2 associated with the implementation of chapter 338, Laws of 1997 and
3 shall be distributed to counties as prescribed in the current
4 consolidated juvenile services (CJS) formula.

5 (3) \$3,482,000 of the general fund--state appropriation for fiscal
6 year 2012 and \$3,482,000 of the general fund--state appropriation for
7 fiscal year 2013 are provided solely to implement community juvenile
8 accountability grants pursuant to chapter 338, Laws of 1997 (juvenile
9 code revisions). Funds provided in this subsection may be used solely
10 for community juvenile accountability grants, administration of the
11 grants, and evaluations of programs funded by the grants.

12 (4) \$1,130,000 of the general fund--state appropriation for fiscal
13 year 2012 and \$1,130,000 of the general fund--state appropriation for
14 fiscal year 2013 are provided solely to implement alcohol and substance
15 abuse treatment programs for locally committed offenders. The juvenile
16 rehabilitation administration shall award these moneys on a competitive
17 basis to counties that submitted a plan for the provision of services
18 approved by the division of alcohol and substance abuse. The juvenile
19 rehabilitation administration shall develop criteria for evaluation of
20 plans submitted and a timeline for awarding funding and shall assist
21 counties in creating and submitting plans for evaluation.

22 (5) \$3,123,000 of the general fund--state appropriation for fiscal
23 year 2012 and \$3,123,000 of the general fund--state appropriation for
24 fiscal year 2013 are provided solely for grants to county juvenile
25 courts for the following programs identified by the Washington state
26 institute for public policy (institute) in its October 2006 report:
27 "Evidence-Based Public Policy Options to Reduce Future Prison
28 Construction, Criminal Justice Costs and Crime Rates": Functional
29 family therapy, multi-systemic therapy, aggression replacement training
30 and interagency coordination programs, or other programs with a
31 positive benefit-cost finding in the institute's report. County
32 juvenile courts shall apply to the juvenile rehabilitation
33 administration for funding for program-specific participation and the
34 administration shall provide grants to the courts consistent with the
35 per-participant treatment costs identified by the institute.

36 (6) \$1,537,000 of the general fund--state appropriation for fiscal
37 year 2012 and \$1,537,000 of the general fund--state appropriation for
38 fiscal year 2013 are provided solely for expansion of the following

1 treatments and therapies in juvenile rehabilitation administration
2 programs identified by the Washington state institute for public policy
3 in its October 2006 report: "Evidence-Based Public Policy Options to
4 Reduce Future Prison Construction, Criminal Justice Costs and Crime
5 Rates": Multidimensional treatment foster care, family integrated
6 transitions, and aggression replacement training, or other programs
7 with a positive benefit-cost finding in the institute's report. The
8 administration may concentrate delivery of these treatments and
9 therapies at a limited number of programs to deliver the treatments in
10 a cost-effective manner.

11 (7)(a) The juvenile rehabilitation administration shall administer
12 a block grant, rather than categorical funding, of consolidated
13 juvenile service funds, community juvenile accountability act grants,
14 the chemical dependency disposition alternative funds, the mental
15 health disposition alternative, and the sentencing disposition
16 alternative for the purpose of serving youth adjudicated in the
17 juvenile justice system. In making the block grant, the juvenile
18 rehabilitation administration shall follow the following formula and
19 will prioritize evidence-based programs and disposition alternatives
20 and take into account juvenile courts program-eligible youth in
21 conjunction with the number of youth served in each approved evidence-
22 based program or disposition alternative: (i) Thirty-seven and one-
23 half percent for the at-risk population of youth ten to seventeen years
24 old; (ii) fifteen percent for moderate and high-risk youth; (iii)
25 twenty-five percent for evidence-based program participation; (iv)
26 seventeen and one-half percent for minority populations; (v) three
27 percent for the chemical dependency disposition alternative; and (vi)
28 two percent for the mental health and sentencing dispositional
29 alternatives. Funding for the special sex offender disposition
30 alternative (SSODA) shall not be included in the block grant, but
31 allocated on the average daily population in juvenile courts. Funding
32 for the evidence-based expansion grants shall be excluded from the
33 block grant formula. Funds may be used for promising practices when
34 approved by the juvenile rehabilitation administration and juvenile
35 courts, through the community juvenile accountability act committee,
36 based on the criteria established in consultation with Washington state
37 institute for public policy and the juvenile courts.

1 (b) The juvenile rehabilitation administration shall phase the
2 implementation of the formula provided in subsection (1) of this
3 section by including a stop-loss formula of five percent in fiscal year
4 2012 and five percent in fiscal year 2013.

5 (c) The juvenile rehabilitation administration and the juvenile
6 courts shall establish a block grant funding formula oversight
7 committee with equal representation from the juvenile rehabilitation
8 administration and the juvenile courts. The purpose of this committee
9 is to assess the ongoing implementation of the block grant funding
10 formula, utilizing data-driven decision making and the most current
11 available information. The committee will be cochaired by the juvenile
12 rehabilitation administration and the juvenile courts, who will also
13 have the ability to change members of the committee as needed to
14 achieve its purpose. Initial members will include one juvenile court
15 representative from the finance committee, the community juvenile
16 accountability act committee, the risk assessment quality assurance
17 committee, the executive board of the Washington association of
18 juvenile court administrators, the Washington state center for court
19 research, and a representative of the superior court judges
20 association; two representatives from the juvenile rehabilitation
21 administration headquarters program oversight staff, two
22 representatives of the juvenile rehabilitation administration regional
23 office staff, one representative of the juvenile rehabilitation
24 administration fiscal staff and a juvenile rehabilitation
25 administration division director. The committee may make changes to
26 the formula categories other than the evidence-based program and
27 disposition alternative categories if it is determined the changes will
28 increase statewide service delivery or effectiveness of evidence-based
29 program or disposition alternative resulting in increased cost benefit
30 savings to the state. Long-term cost benefit must be considered.
31 Percentage changes may occur in the evidence-based program or
32 disposition alternative categories of the formula should it be
33 determined the changes will increase evidence-based program or
34 disposition alternative delivery and increase the cost benefit to the
35 state. These outcomes will also be considered in determining when
36 evidence-based expansion or special sex offender disposition
37 alternative funds should be included in the block grant or left
38 separate.

1 (d) The juvenile courts and administrative office of the courts
2 shall be responsible for collecting and distributing information and
3 providing access to the data systems to the juvenile rehabilitation
4 administration and the Washington state institute for public policy
5 related to program and outcome data. The juvenile rehabilitation
6 administration and the juvenile courts will work collaboratively to
7 develop program outcomes that reinforce the greatest cost benefit to
8 the state in the implementation of evidence-based practices and
9 disposition alternatives.

10 (8) The juvenile courts and administrative office of the courts
11 shall collect and distribute information related to program outcome and
12 provide access to these data systems to the juvenile rehabilitation
13 administration and Washington state institute for public policy.
14 Consistent with chapter 13.50 RCW, all confidentiality agreements
15 necessary to implement this information-sharing shall be approved
16 within 30 days of the effective date of this section. The agreements
17 between administrative office of the courts, the juvenile courts, and
18 the juvenile rehabilitation administration shall be executed to ensure
19 that the juvenile rehabilitation administration receives the data that
20 the juvenile rehabilitation administration identifies as needed to
21 comply with this subsection. This includes, but is not limited to,
22 information by program at the statewide aggregate level, individual
23 court level, and individual client level for the purpose of the
24 juvenile rehabilitation administration providing quality assurance and
25 oversight for the locally committed youth block grant and associated
26 funds and at times as specified by the juvenile rehabilitation
27 administration as necessary to carry out these functions. The data
28 shall be provided in a manner that reflects the collaborative work the
29 juvenile rehabilitation administration and juvenile courts have
30 developed regarding program outcomes that reinforce the greatest cost
31 benefit to the state in the implementation of evidence-based practices
32 and disposition alternatives.

33 (9) The Washington association of juvenile court administrators and
34 the juvenile rehabilitation administration, in consultation with the
35 community juvenile accountability act advisory committee and the
36 Washington state institute for public policy, shall analyze and review
37 data elements available from the administrative office of the courts
38 for possible integration into the evidence-based program quality

1 assurance plans and processes. The administrative office of the courts
2 shall provide to the Washington association of juvenile court
3 administrators and the juvenile rehabilitation administration
4 information necessary to complete the review and analysis. The
5 Washington association of juvenile court administrators and the
6 juvenile rehabilitation administration shall report the findings of
7 their review and analysis, as well as any recommendations, to the
8 legislature by December 1, 2012.

9 **Sec. 204.** 2011 2nd sp.s. c 9 s 204 (uncodified) is amended to read
10 as follows:

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

13 (1) COMMUNITY SERVICES/REGIONAL SUPPORT NETWORKS

14 General Fund--State Appropriation (FY 2012)	((\$317,392,000))
	<u>\$317,548,000</u>
16 General Fund--State Appropriation (FY 2013)	((\$322,982,000))
	<u>\$324,319,000</u>
18 General Fund--Federal Appropriation	((\$448,732,000))
	<u>\$449,368,000</u>
20 General Fund--Private/Local Appropriation	\$17,864,000
21 Hospital Safety Net Assessment Fund--State	
22 Appropriation	((\$6,802,000))
	<u>\$5,251,000</u>
24 TOTAL APPROPRIATION	((\$1,113,772,000))
	<u>\$1,114,350,000</u>

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

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

1 be maintained in the following priority order: (i) Crisis and
2 commitment services; (ii) community inpatient services; and (iii)
3 residential care services, including personal care and emergency
4 housing assistance.

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

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

31 (d) The number of nonforensic beds allocated for use by regional
32 support networks at eastern state hospital shall be 192 per day. The
33 number of nonforensic beds allocated for use by regional support
34 networks at western state hospital shall be 557 per day through
35 September 2012, 529 per day through January 2013, and 505 per day from
36 February 2013 through the remainder of fiscal year 2013.

37 (e) From the general fund--state appropriations in this subsection,
38 the secretary of social and health services shall assure that regional

1 support networks reimburse the aging and disability services
2 administration for the general fund--state cost of medicaid personal
3 care services that enrolled regional support network consumers use
4 because of their psychiatric disability.

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

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

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

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

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

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

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

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

1 At least annually, the Spokane regional support network shall
2 assess the effectiveness of these services in reducing utilization at
3 eastern state hospital, identify services that are not optimally
4 effective, and modify those services to improve their effectiveness.

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

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

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

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

35 (2) INSTITUTIONAL SERVICES

36	General Fund--State Appropriation (FY 2012)	((\$115,317,000))
37		<u>\$115,088,000</u>
38	General Fund--State Appropriation (FY 2013)	((\$114,111,000))

1		<u>\$110,201,000</u>
2	General Fund--Federal Appropriation	(((\$153,324,000))
3		<u>\$153,780,000</u>
4	General Fund--Private/Local Appropriation	\$67,325,000
5	TOTAL APPROPRIATION	(((\$450,077,000))
6		<u>\$446,394,000</u>

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

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

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

21 (c) \$45,000 of the general fund--state appropriation for fiscal
22 year 2012 and \$45,000 of the general fund--state appropriation for
23 fiscal year 2013 are provided solely for payment to the city of
24 Lakewood for police services provided by the city at western state
25 hospital and adjacent areas.

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

31 (e) The appropriations in this section reflect efficiencies to be
32 achieved through enactment of Substitute Senate Bill No. 6492
33 (competency to stand trial). These efficiencies are expected to enable
34 the hospitals to substantially increase the timeliness with which
35 evaluations of defendant competency to stand trial are completed, and
36 treatment to restore competency is initiated, without corresponding
37 increases in state appropriations.

38 (3) SPECIAL PROJECTS

1	General Fund--State Appropriation (FY 2012)	\$1,168,000
2	General Fund--State Appropriation (FY 2013)	(\$1,164,000)
3		<u>\$1,162,000</u>
4	General Fund--Federal Appropriation	\$4,109,000
5	General Fund--Private/Local Appropriation	\$700,000
6	TOTAL APPROPRIATION	(\$7,141,000)
7		<u>\$7,139,000</u>

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

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

15 (b) \$700,000 of the general fund--private/local appropriation is
16 provided solely for the University of Washington's evidence based
17 practice institute which supports the identification, evaluation, and
18 implementation of evidence-based or promising practices for serving
19 children and youth with mental health disorders. The department shall
20 enter into an interagency agreement with the office of the attorney
21 general for expenditure of \$700,000 of the state's proceeds of the cy
22 pres settlement in *State of Washington v. AstraZeneca (Seroquel)* for
23 this purpose.

24 (4) PROGRAM SUPPORT

25	General Fund--State Appropriation (FY 2012)	(\$4,476,000)
26		<u>\$4,486,000</u>
27	General Fund--State Appropriation (FY 2013)	(\$4,261,000)
28		<u>\$4,280,000</u>
29	General Fund--Federal Appropriation	(\$7,227,000)
30		<u>\$7,242,000</u>
31	General Fund--Private/Local Appropriation	\$446,000
32	TOTAL APPROPRIATION	(\$16,410,000)
33		<u>\$16,454,000</u>

34 (a) The appropriations in this subsection are subject to the
35 following conditions and limitations: In accordance with RCW
36 43.20B.110, 43.135.055, and 71.24.035, the department is authorized to
37 increase license and certification fees in fiscal years 2012 and 2013

1 to support the costs of the regulatory program. The fee schedule
 2 increases must be developed so that the maximum amount of additional
 3 fees paid by providers statewide in the 2011-2013 fiscal biennium is
 4 \$446,000. The department's fee schedule shall have differential rates
 5 for providers with proof of accreditation from organizations that the
 6 department has determined to have substantially equivalent standards to
 7 those of the department, including but not limited to the joint
 8 commission on accreditation of health care organizations, the
 9 commission on accreditation of rehabilitation facilities, and the
 10 council on accreditation. To reflect the reduced costs associated with
 11 regulation of accredited programs, the department's fees for
 12 organizations with such proof of accreditation must reflect the lower
 13 costs of licensing for these programs than for other organizations
 14 which are not accredited.

15 (b) \$19,000 of the general fund--state appropriation for fiscal
 16 year 2012, \$17,000 of the general fund--state appropriation for fiscal
 17 year 2013, and \$34,000 of the general fund--federal appropriation are
 18 provided solely to support a partnership among the department of social
 19 and health services, the department of health, and agencies that
 20 deliver medical care and behavioral health services in Cowlitz county.
 21 The partnership shall identify and recommend strategies for resolving
 22 regulatory, licensing, data management, reporting, and funding barriers
 23 to more effective integration of primary medical and behavioral health
 24 care services in the county.

25 **Sec. 205.** 2011 2nd sp.s. c 9 s 205 (uncodified) is amended to read
 26 as follows:

27 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--DEVELOPMENTAL**
 28 **DISABILITIES PROGRAM**

29 (1) COMMUNITY SERVICES

30	General Fund--State Appropriation (FY 2012)	((\$418,815,000))
31		<u>\$405,477,000</u>
32	General Fund--State Appropriation (FY 2013)	((\$422,854,000))
33		<u>\$421,762,000</u>
34	General Fund--Federal Appropriation	((\$743,532,000))
35		<u>\$753,200,000</u>
36	General Fund--Private/Local Appropriation	\$184,000
37	TOTAL APPROPRIATION	((\$1,585,385,000))

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

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

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

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

(d) \$944,000 of the general fund--state appropriation for fiscal year 2012, \$944,000 of the general fund--state appropriation for fiscal year 2013, and \$1,888,000 of the general fund--federal appropriation are provided solely for state contributions for individual provider health care benefits. Pursuant to the collective bargaining agreement negotiated with the exclusive bargaining representative of individual providers established under RCW 74.39A.270, the state shall contribute to the multiemployer health benefits trust fund ((\$1.96)) \$2.21 per paid hour worked by individual providers.

~~(e) ((\$1,871,000 of the general fund--state appropriation for fiscal year 2012, \$1,995,000 of the general fund--state appropriation for fiscal year 2013, and \$3,865,000 of the general fund--federal appropriation are provided solely for home care agencies to purchase health coverage for home care providers. The department shall calculate and distribute payments for health care benefits to home care~~

1 agencies at \$558 per month for each worker who cares for publicly
2 funded clients at 86 hours or more per month. In order to negotiate
3 the most comprehensive health benefits package for its employees, each
4 agency may determine benefit levels according to the hours an employee
5 works providing state-funded personal care. Health benefits shall be
6 offered to all employees who care for publicly funded clients for 86
7 hours per month or more. At a minimum, employees who care for publicly
8 funded clients at 140 hours a month or greater must receive a
9 comprehensive medical benefit. Benefits shall not be provided to
10 employees who care for publicly funded clients at 85 hours or less per
11 month or as interim respite workers. The department shall not pay an
12 agency for benefits provided to an employee who otherwise receives
13 health care coverage through other family members, other
14 employment-based coverage, or military or veteran's coverage. The
15 department shall require annually, each home care agency to review each
16 of its employee's available health coverage and to provide a written
17 declaration to the department verifying that health benefits purchased
18 with public funds are solely for employees that do not have other
19 available coverage. Home care agencies may determine a reasonable
20 employee co-premium not to exceed 20 percent of the total benefit
21 cost.)) \$104,669,000 of the general fund--state appropriation for
22 fiscal year 2013 and \$104,669,000 of the general fund--federal
23 appropriation are provided to the department to provide personal care
24 services to waiver and nonwaiver in home clients. Pursuant to Senate
25 Bill No. 6609 (medicaid personal care services program), the department
26 shall provide a personal care services benefit for adult clients under
27 section 1915 (i) of the social security act exclusively utilizing the
28 option that allows for client self-direction of an individualized
29 budget. Clients will be able to spend their budget to secure services
30 from appropriate providers, purchase other support services and
31 therapies, and purchase equipment or make other expenditures as
32 necessary to address the clients' health and safety. The per-client
33 individualized budget shall be established using a methodology that is
34 objective and evidence-based, uses valid, reliable cost data; includes
35 a calculation of the expected cost of each service available under this
36 option; and can be applied consistently to individuals. The department
37 shall operate the program within the amounts specifically provided.

1 (f) \$1,127,000 of the general fund--state appropriation for fiscal
2 year 2012, \$1,199,000 of the general fund--state appropriation for
3 fiscal year 2013, and \$2,322,000 of the general fund--federal
4 appropriation are provided solely for the state's contribution to the
5 training partnership, as provided in RCW 74.39A.360, for instructional
6 costs associated with the training of individual providers. House Bill
7 No. 1548 and Senate Bill No. 5473 (long-term care worker requirements)
8 make statutory changes to the increased training requirements and
9 therefore the state shall contribute to the partnership \$0.17 per paid
10 hour worked by all home care workers. This amount is pursuant to the
11 collective bargaining agreement negotiated with the exclusive
12 bargaining representative of individual providers established under RCW
13 74.39A.270. Expenditures for the purposes specified in this subsection
14 shall not exceed the amounts provided in this subsection.

15 (g)(i) Within the amounts appropriated in this subsection, the
16 department shall revise the current working age adult policy to allow
17 clients to choose between employment and community access activities.
18 Clients age 21 and older who are receiving services through a home- and
19 community-based medicaid waiver shall be offered the choice to
20 transition to a community access program after nine months of
21 enrollment in an employment program, and the option to transition from
22 a community access program to an employment program at any time. The
23 department shall inform clients and their legal representatives of all
24 available options for employment and day services. Information
25 provided to the client and the client's legal representative shall
26 include the types of activities each service option provides, and the
27 amount, scope, and duration of service for which the client would be
28 eligible under each service option. An individual client may be
29 authorized for only one service option, either employment services or
30 community access services. Clients may not participate in more than
31 one of these services at any given time.

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

37 (iii) The appropriation in this subsection includes funding to
38 provide employment or community access services to 168 medicaid

1 eligible young adults with developmental disabilities living with their
2 families who need employment opportunities and assistance after high
3 school graduation.

4 (h) \$75,000 of the general fund--state appropriation for fiscal
5 year 2012 and \$75,000 of the general fund--state appropriation for
6 fiscal year 2013 are provided solely for the restoration of direct
7 support to local organizations that utilize parent-to-parent networks
8 and communication to promote access and quality of care for individuals
9 with developmental disabilities and their families.

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

14 (i) The current annual renewal license fee for adult family homes
15 shall be increased to \$100 per bed beginning in fiscal year 2012 and
16 \$175 per bed beginning in fiscal year 2013. Adult family homes shall
17 receive a corresponding vendor rate increase per medicaid patient day
18 of \$0.22 in fiscal year 2012 and \$0.43 in fiscal year 2013 to cover the
19 cost of the license fee increase for publicly funded beds.

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

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

32 The department shall work with legislators and stakeholders to
33 develop a new approach to employment and day services. The objective
34 of this plan is to ensure that adults with developmental disabilities
35 have optimum choices, and that employment and day offerings are
36 comprehensive enough to meet the needs of all clients currently served
37 on a home and community based waiver. The proposal shall be submitted
38 to the 2012 legislature for consideration and shall be constructed such

1 that a client ultimately receives employment, community access, or the
2 community day option but not more than one service at a time. The
3 proposal shall include options for program efficiencies within the
4 current employment and day structure and shall provide details on the
5 plan to implement a consistent, statewide outcome-based vendor contract
6 for employment and day services as specified in (c) of this subsection.

7 (2) INSTITUTIONAL SERVICES

8	General Fund--State Appropriation (FY 2012)	((\$80,815,000))
9		<u>\$75,503,000</u>
10	General Fund--State Appropriation (FY 2013)	((\$79,939,000))
11		<u>\$80,271,000</u>
12	General Fund--Federal Appropriation	((\$154,388,000))
13		<u>\$154,403,000</u>
14	General Fund--Private/Local Appropriation	\$22,043,000
15	TOTAL APPROPRIATION	((\$337,185,000))
16		<u>\$332,220,000</u>

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

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

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

30 (c) \$100,000 of the general fund--state appropriation for fiscal
31 year 2013 is provided solely for operations of the Rainier school
32 vision development committee, hereby established to create a long-range
33 vision and development plan for the Rainier school.

34 (a) The committee shall consist of:

35 (i) Three members of the legislature representing the thirty-first
36 legislative district;

37 (ii) Two persons representing the cities of Enumclaw and Buckley;

- 1 (iii) Two persons representing the chambers of commerce of the
- 2 cities of Enumclaw and Buckley;
- 3 (iv) Two persons representing the friends of Rainier school
- 4 organization; and
- 5 (v) One person representing the Pierce county developmental
- 6 disabilities board.
- 7 (b) The committee shall create and submit to the legislature a
- 8 long-range community vision and development plan for the efficient use
- 9 of the Rainier school facility to best serve the needs of persons with
- 10 developmental disabilities, including the establishment of a respite
- 11 care center for families and other caregivers of persons with
- 12 developmental disabilities.

13 (3) PROGRAM SUPPORT

14	General Fund--State Appropriation (FY 2012)	(\$1,380,000)
15		<u>\$1,382,000</u>
16	General Fund--State Appropriation (FY 2013)	(\$1,371,000)
17		<u>\$1,374,000</u>
18	General Fund--Federal Appropriation	\$1,323,000
19	TOTAL APPROPRIATION	(\$4,074,000)
20		<u>\$4,079,000</u>

21 (4) SPECIAL PROJECTS

22	General Fund--State Appropriation (FY 2012)	(\$4,648,000)
23		<u>\$4,658,000</u>
24	General Fund--State Appropriation (FY 2013)	(\$4,637,000)
25		<u>\$4,657,000</u>
26	General Fund--Federal Appropriation	(\$9,575,000)
27		<u>\$9,588,000</u>
28	General Fund--Private/Local Appropriation	\$998,000
29	TOTAL APPROPRIATION	(\$19,858,000)
30		<u>\$19,901,000</u>

31 The appropriations in this subsection are subject to the following

32 conditions and limitations:

33 Amounts appropriated in this subsection are for the purposes of

34 transitioning clients with developmental disabilities into community

35 settings. The department is authorized as needed to use these funds to

36 either pay for clients residing within a residential habilitation

37 center or for placements in the community. Pursuant to Second

1 Substitute Senate Bill No. 5459 (services for people with developmental
 2 disabilities), funding in this subsection must be prioritized for the
 3 purpose of facilitating the consolidation and closure of Frances Haddon
 4 Morgan Center. The department shall use a person-centered approach in
 5 developing the discharge plan to assess each resident's needs and
 6 identify services the resident requires to successfully transition to
 7 the community or another residential habilitation center. The
 8 department is authorized to use any savings from this effort for the
 9 purpose of developing community resources to address the needs of
 10 clients with developmental disabilities who are in crisis or in need of
 11 respite. The department shall track the costs and savings of closing
 12 Frances Haddon Morgan Center and any investments into community
 13 placements and resources. The department shall provide a fiscal
 14 progress report to the legislature by December 5, 2011.

15 **Sec. 206.** 2011 2nd sp.s. c 9 s 206 (uncodified) is amended to read
 16 as follows:

17 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--AGING AND ADULT**
 18 **SERVICES PROGRAM**

19	General Fund--State Appropriation (FY 2012)	((\$781,995,000))
20		<u>\$791,974,000</u>
21	General Fund--State Appropriation (FY 2013)	((\$804,465,000))
22		<u>\$812,180,000</u>
23	General Fund--Federal Appropriation	((\$1,680,450,000))
24		<u>\$1,693,938,000</u>
25	General Fund--Private/Local Appropriation	\$27,517,000
26	Traumatic Brain Injury Account--State Appropriation	\$3,388,000
27	Nursing Facility Quality Assurance Account--State	
28	Appropriation	((\$88,071,000))
29		<u>\$88,000,000</u>
30	TOTAL APPROPRIATION	((\$3,385,886,000))
31		<u>\$3,416,997,000</u>

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

34 (1) For purposes of implementing chapter 74.46 RCW, the weighted
 35 average nursing facility payment rate shall not exceed \$170.37 for
 36 fiscal year 2012 and shall not exceed \$171.43 for fiscal year 2013,
 37 including the rate add-ons described in (a) and (b) of this subsection.

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

18 (a) Within the funds provided, the department shall continue to
19 provide an add-on per medicaid resident day per facility not to exceed
20 \$1.57. The add-on shall be used to increase wages, benefits, and/or
21 staffing levels for certified nurse aides; or to increase wages and/or
22 benefits for dietary aides, housekeepers, laundry aides, or any other
23 category of worker whose statewide average dollars-per-hour wage was
24 less than \$15 in calendar year 2008, according to cost report data.
25 The add-on may also be used to address resulting wage compression for
26 related job classes immediately affected by wage increases to low-wage
27 workers. The department shall continue reporting requirements and a
28 settlement process to ensure that the funds are spent according to this
29 subsection.

30 (b) The department shall do a comparative analysis of the facility-
31 based payment rates calculated on July 1, ~~((2011))~~ 2012, using the
32 payment methodology defined in ~~((Engrossed Substitute Senate Bill No.
33 5581 (nursing home payments)))~~ chapter 74.46 RCW and including the add-
34 on in (a) of this subsection, to the facility-based payment rates in
35 effect June 30, 2010. If the facility-based payment rate calculated on
36 July 1, ~~((2011))~~ 2012, is smaller than the facility-based payment rate
37 on June 30, 2010, then the difference shall be provided to the

1 individual nursing facilities as an add-on payment per medicaid
2 resident day.

3 (c) During the comparative analysis performed in subsection (b) of
4 this section, if it is found that the direct care rate for any facility
5 calculated using the payment methodology defined in (~~Engrossed~~
6 ~~Substitute Senate Bill No. 5581 (nursing home payments)~~) chapter 74.46
7 RCW and including the add-on in (a) of this subsection is greater than
8 the direct care rate in effect on June 30, 2010, then the facility
9 shall receive a ten percent direct care rate add-on to compensate that
10 facility for taking on more acute clients than they have in the past.

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

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

21 (2) After examining actual nursing facility cost information, the
22 legislature finds that the medicaid nursing facility rates calculated
23 pursuant to (~~Engrossed Substitute Senate Bill No. 5581 (nursing home~~
24 ~~payments)~~) chapter 74.46 RCW and as funded in this section provide
25 sufficient reimbursement to efficiently and economically operating
26 nursing facilities and bear a reasonable relationship to costs.

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

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

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

7 (6) \$1,883,000 of the general fund--state appropriation for fiscal
8 year 2012, \$1,883,000 of the general fund--state appropriation for
9 fiscal year 2013, and \$3,766,000 of the general fund--federal
10 appropriation are provided solely for state contributions for
11 individual provider health care benefits. Pursuant to the collective
12 bargaining agreement negotiated with the exclusive bargaining
13 representative of individual providers established under RCW
14 74.39A.270, the state shall contribute to the multiemployer health
15 benefits trust fund ((~~\$1.96~~) \$2.21) per paid hour worked by individual
16 providers.

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

1 ~~declaration to the department verifying that health benefits purchased~~
2 ~~with public funds are solely for employees that do not have other~~
3 ~~available coverage. Home care agencies may determine a reasonable~~
4 ~~employee co-premium not to exceed 20 percent of the total benefit~~
5 ~~cost.)) \$338,550,000 of the general fund--state appropriation for~~
6 ~~fiscal year 2013 and \$338,500,000 of the general fund--federal~~
7 ~~appropriation are provided to the department to provide personal care~~
8 ~~services to waiver and nonwaiver in home clients. Pursuant to Senate~~
9 ~~Bill No. 6609 (medicaid personal care services program), the department~~
10 ~~shall provide a personal care services benefit for adult clients under~~
11 ~~section 1915 (i) of the social security act exclusively utilizing the~~
12 ~~option that allows for client self-direction of an individualized~~
13 ~~budget. Clients will be able to spend their budget to secure services~~
14 ~~from appropriate providers, purchase other support services and~~
15 ~~therapies, and purchase equipment or make other expenditures as~~
16 ~~necessary to address the clients' health and safety. The per-client~~
17 ~~individualized budget shall be established using a methodology that is~~
18 ~~objective and evidence-based, uses valid, reliable cost data; includes~~
19 ~~a calculation of the expected cost of each service available under this~~
20 ~~option; and can be applied consistently to individuals. The department~~
21 ~~shall operate the program within the amounts specifically provided.~~

22 (8) \$2,063,000 of the general fund--state appropriation for fiscal
23 year 2012, \$2,195,000 of the general fund--state appropriation for
24 fiscal year 2013, and \$4,260,000 of the general fund--federal
25 appropriation are provided solely for the state's contribution to the
26 training partnership, as provided in RCW 74.39A.360, for instructional
27 costs associated with the training of individual providers. House Bill
28 No. 1548 and Senate Bill No. 5473 (long-term care worker requirements)
29 make statutory changes to the increased training requirements and
30 therefore the state shall contribute to the partnership \$0.17 per paid
31 hour worked by all home care workers. This amount is pursuant to the
32 collective bargaining agreement negotiated with the exclusive
33 bargaining representative of individual providers established under RCW
34 74.39A.270. Expenditures for the purposes specified in this subsection
35 shall not exceed the amounts provided in this subsection.

36 (9) Individuals receiving services as supplemental security income
37 (SSI) state supplemental payments shall not become eligible for medical

1 assistance under RCW 74.09.510 due solely to the receipt of SSI state
2 supplemental payments.

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

6 (11) (~~(\$4,588,000)~~) \$4,713,000 of the general fund--state
7 appropriation for fiscal year 2012, (~~(\$4,559,000)~~) \$6,427,000 of the
8 general fund--state appropriation for fiscal year 2013, and
9 (~~(\$9,237,000)~~) \$11,230,000 of the general fund--federal appropriation
10 are provided solely for the continued operation of community
11 residential and support services for persons who are older adults or
12 who have co-occurring medical and behavioral disorders and who have
13 been discharged or diverted from a state psychiatric hospital. These
14 funds shall be used to serve individuals whose treatment needs
15 constitute substantial barriers to community placement, who no longer
16 require active psychiatric treatment at an inpatient hospital level of
17 care, and who no longer meet the criteria for inpatient involuntary
18 commitment. The department shall prioritize services in order to
19 reduce utilization and maintain a reduction of 60 beds at western state
20 hospital that were previously used for long-term placements for clients
21 with dementia, traumatic brain injuries, or other organic brain
22 disorders. The department shall ensure that a sufficient number of
23 individuals have been transitioned and diverted from western state
24 hospital to enable closure of a 30-bed ward by October 1, 2012, and of
25 another 30-bed ward by February 1, 2013. Coordination of these
26 services must be done in partnership between the mental health program
27 and the aging and disability services administration.

28 (12) \$1,840,000 of the general fund--state appropriation for fiscal
29 year 2012 and \$1,877,000 of the general fund--state appropriation for
30 fiscal year 2013 are provided solely for operation of the volunteer
31 services program. Funding shall be prioritized towards serving
32 populations traditionally served by long-term care services to include
33 senior citizens and persons with disabilities.

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

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

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

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

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

31 (14) \$3,316,000 of the traumatic brain injury account--state
32 appropriation is provided solely to continue services for persons with
33 traumatic brain injury (TBI) as defined in chapter 143, Laws of 2011
34 (traumatic brain injury strategic partnership).

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

1 for fiscal year 2013 are provided solely for the implementation and
2 administration of the electronic benefit transfer system under section
3 12 of Engrossed Substitute Senate Bill No. 5921 (social services
4 programs). The department shall transfer these amounts to the
5 department of early learning for the implementation and administration
6 of the project.

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

11 (e) The department shall create a temporary assistance for needy
12 families budget structure that allows for more transparent tracking of
13 budget units and subunits of expenditures where these units and
14 subunits are mutually exclusive from other department budget units.
15 The budget structure shall include budget units for the following:
16 Grants, child care, WorkFirst activities, and administration of the
17 program.

18 (2)(a) \$11,825,000 of the general fund--federal appropriation is
19 provided solely for a contingency reserve in the event (~~the temporary~~
20 ~~assistance for needy families cash benefit is~~) that expenditures in
21 subsection (1) of this section are projected to exceed (~~forecasted~~
22 ~~amounts by more than one percent~~) the appropriated amounts. The
23 department shall only expend an amount equal to the forecasted over-
24 expenditure. For purposes of this subsection, the temporary assistance
25 forecast shall be completed every quarter and follow a similar schedule
26 of the caseload forecast council forecasts.

27 (b) If sufficient savings in subsection (1) of this section are
28 achieved, the department of early learning shall increase the number of
29 child care slots available for the working connections child care
30 program.

31 (3) (~~(\$23,494,000)~~) \$23,679,000 of the general fund--state
32 appropriation for fiscal year 2012, in addition to supplemental
33 security income recoveries, is provided solely for financial assistance
34 and other services to recipients in the program established in section
35 4, chapter 8, Laws of 2010 1st sp. sess., until the program terminates
36 on October 31, 2011.

37 (4)(a) (~~(\$13,086,000)~~) \$12,457,000 of the general fund--state
38 appropriation for fiscal year 2012 and (~~(\$24,788,000)~~) \$21,959,000 of

1 the general fund--state appropriation for fiscal year 2013, in addition
2 to supplemental security income recoveries, are provided solely for the
3 programs created in Engrossed Substitute House Bill No. 2082 (essential
4 needs and assistance program) beginning November 1, 2011.

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

11 (c) The department shall continue the interagency agreement with
12 the department of veterans' affairs to establish a process for referral
13 of veterans who may be eligible for veterans' services. This agreement
14 must include out-stationing department of veterans' affairs staff in
15 selected community service office locations in King and Pierce counties
16 to facilitate applications for veterans' services.

17 (5) \$1,657,000 of the general fund--state appropriation for fiscal
18 year 2012 and \$1,657,000 of the general fund--state appropriation for
19 fiscal year 2013 are provided solely for naturalization services.

20 (6) \$2,366,000 of the general fund--state appropriation for fiscal
21 year 2012 is provided solely for refugee employment services, of which
22 \$1,774,000 is provided solely for the department to pass through to
23 statewide refugee assistance organizations for limited English
24 proficiency pathway services; and \$2,366,000 of the general fund--state
25 appropriation for fiscal year 2013 is provided solely for refugee
26 employment services, of which \$1,774,000 is provided solely for the
27 department to pass through to statewide refugee assistance
28 organizations for limited English proficiency pathway services.

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

35 ~~((8) To ensure expenditures remain within available funds~~
36 ~~appropriated in this section, the legislature establishes the benefit~~
37 ~~under the state food assistance program, pursuant to RCW 74.08A.120, to~~

1 ~~be fifty percent of the federal supplemental nutrition assistance~~
2 ~~program benefit amount.)~~)

3 **Sec. 208.** 2011 2nd sp.s. c 9 s 208 (uncodified) is amended to read
4 as follows:

5 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--ALCOHOL AND**
6 **SUBSTANCE ABUSE PROGRAM**

7	General Fund--State Appropriation (FY 2012)	((\$74,287,000))
8		<u>\$71,649,000</u>
9	General Fund--State Appropriation (FY 2013)	((\$74,422,000))
10		<u>\$66,986,000</u>
11	General Fund--Federal Appropriation	((\$141,514,000))
12		<u>\$164,526,000</u>
13	General Fund--Private/Local Appropriation	((\$2,086,000))
14		<u>\$13,486,000</u>
15	Criminal Justice Treatment Account--State	
16	Appropriation	\$20,748,000
17	Problem Gambling Account--State Appropriation	\$1,448,000
18	TOTAL APPROPRIATION	((\$314,505,000))
19		<u>\$338,843,000</u>

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

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

27 (2) Within the amounts appropriated in this section, the department
28 shall continue to provide for chemical dependency treatment services
29 for adult medicaid eligible, pregnant and parenting women, disability
30 lifeline, and alcoholism and drug addiction treatment and support act,
31 and medical care services clients.

32 (3) In accordance with RCW 70.96A.090 and 43.135.055, the
33 department is authorized to increase fees for the review and approval
34 of treatment programs in fiscal years 2012 and 2013 as necessary to
35 support the costs of the regulatory program. The department's fee
36 schedule shall have differential rates for providers with proof of
37 accreditation from organizations that the department has determined to

1 have substantially equivalent standards to those of the department,
2 including but not limited to the joint commission on accreditation of
3 health care organizations, the commission on accreditation of
4 rehabilitation facilities, and the council on accreditation. To
5 reflect the reduced costs associated with regulation of accredited
6 programs, the department's fees for organizations with such proof of
7 accreditation must reflect the lower cost of licensing for these
8 programs than for other organizations which are not accredited.

9 (4) \$3,500,000 of the general fund--federal appropriation (from the
10 substance abuse prevention and treatment federal block grant) is
11 provided solely for the continued funding of existing county drug and
12 alcohol use prevention programs.

13 **Sec. 209.** 2011 2nd sp.s. c 9 s 209 (uncodified) is amended to read
14 as follows:

15 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--VOCATIONAL**
16 **REHABILITATION PROGRAM**

17	General Fund--State Appropriation (FY 2012)	((\$10,874,000))
18		<u>\$10,854,000</u>
19	General Fund--State Appropriation (FY 2013)	((\$10,861,000))
20		<u>\$10,822,000</u>
21	General Fund--Federal Appropriation	((\$105,091,000))
22		<u>\$105,095,000</u>
23	Telecommunications Devices for the Hearing and	
24	Speech Impaired--State Appropriation	\$2,766,000
25	TOTAL APPROPRIATION	((\$129,592,000))
26		<u>\$129,537,000</u>

27 The appropriations in this section are subject to the following
28 conditions and limitations: \$480,000 of the telecommunications devices
29 for the hearing and speech impaired account--state appropriation is
30 provided solely for the office of deaf and hard of hearing to contract
31 for services that provide employment support and help with life
32 activities for deaf-blind individuals in King county.

33 **Sec. 210.** 2011 2nd sp.s. c 9 s 210 (uncodified) is amended to read
34 as follows:

35 **FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--SPECIAL COMMITMENT**

1 ~~fiscal year 2013 are provided solely for the juvenile detention~~
2 ~~alternatives initiative.~~

3 ~~(4))~~ \$4,812,000 of the performance audits of state government--
4 state appropriation is provided solely for support and expansion of the
5 division of fraud investigation. The division shall conduct
6 investigatory and enforcement activities for all department programs,
7 including the child support and TANF programs.

8 ~~((5))~~ (2) \$1,400,000 of the general fund--state appropriation for
9 fiscal year 2012 is provided solely for the department to distribute as
10 support to community public health and safety networks that have a
11 history of providing training and services related to adverse childhood
12 experiences. Distribution of these funds is contingent upon securing
13 funding from a private entity or entities to provide one dollar in
14 matching funds for each dollar in state funds received by a network so
15 that the funding received by a community public health and safety
16 network will be equal portions of state and private funding.

17 **Sec. 212.** 2011 2nd sp.s. c 9 s 212 (uncodified) is amended to read
18 as follows:

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

21	General Fund--State Appropriation (FY 2012)	\$62,778,000
22	General Fund--State Appropriation (FY 2013)	(\$61,927,000)
23		<u>\$58,940,000</u>
24	General Fund--Federal Appropriation	\$58,400,000
25	TOTAL APPROPRIATION	(\$183,105,000)
26		<u>\$180,118,000</u>

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

34 **Sec. 213.** 2011 2nd sp.s. c 9 s 213 (uncodified) is amended to read
35 as follows:

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

8 (1) Within amounts appropriated in this section and sections 205
9 and 206 of this act, the health care authority shall continue to
10 provide an enhanced basic health plan subsidy for foster parents
11 licensed under chapter 74.15 RCW and workers in state-funded home care
12 programs. Under this enhanced subsidy option, foster parents eligible
13 to participate in the basic health plan as subsidized enrollees and
14 home care workers with family incomes below 200 percent of the federal
15 poverty level shall be allowed to enroll in the basic health plan at
16 the minimum premium amount charged to enrollees with incomes below
17 sixty-five percent of the federal poverty level.

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

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

27 It is the intent of the legislature to improve the administration,
28 transparency, and equity in delivering a K-12 employees' health
29 benefits system. In addition, the legislature intends that any cost
30 savings that result from changes to K-12 health benefits be dedicated
31 to public schools.

32 To further this legislative intent, the state health care authority
33 shall develop a plan to implement a consolidated health benefits'
34 system for K-12 employees for the 2013-14 school year. The health care
35 authority shall deliver a report to the legislature by December 15,
36 2011, that sets forth the implementation plan to the ways and means
37 committees of the house of representatives and the senate.

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

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

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

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

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

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

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

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

16 (iv) Recommendations of ways to limit administrative duplication
17 and costs, improve transparency to employees, the legislature, and the
18 public and assure equity among beneficiaries of publicly provided
19 employee health benefits;

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

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

26 (vii) Recommendations regarding the implementation of a new K-12
27 employee benefit plan, with separate options for voluntary
28 participation and mandatory statewide participation;

29 (viii) Recommendations regarding methods to reduce inequities
30 between individual and family coverage;

31 (ix) Consolidation of the purchasing and budget accountability for
32 school employee benefits to maximize administrative efficiency and
33 leverage existing skills and resources; and

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

36 (A) Approaches for implementing the transition to a statewide pool,
37 including administrative and statutory changes necessary to ensure a

1 successful transition, and whether the pool should be separate from, or
2 combined with, the public employees' benefits pool;

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

7 (C) Options for including potential changes to: Eligibility
8 standardization, the public employees benefits risk pools, the movement
9 of school employee retirees into the new K-12 pool or pools, and the
10 movement of educational service district employees into the new K-12
11 pool or pools.

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

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

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

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

22 (e) The office of the superintendent of public instruction and the
23 office of the insurance commissioner shall provide information and
24 technical assistance to the health care authority as requested by the
25 health care authority. The health care authority shall not implement
26 the new school employee benefits pool until authorized to do so by the
27 legislature.

28 (4) The administrator shall take at least the following actions to
29 assure that persons participating in the basic health plan are eligible
30 for the level of assistance they receive: (a) Require submission of
31 (i) income tax returns, and recent pay history, from all applicants, or
32 (ii) other verifiable evidence of earned and unearned income from those
33 persons not required to file income tax returns; (b) check employment
34 security payroll records at least once every twelve months on all
35 enrollees; (c) require enrollees whose income as indicated by payroll
36 records exceeds that upon which their subsidy is based to document
37 their current income as a condition of continued eligibility; (d)
38 require enrollees for whom employment security payroll records cannot

1 be obtained to document their current income at least once every six
2 months; (e) not reduce gross family income for self-employed persons by
3 noncash-flow expenses such as, but not limited to, depreciation,
4 amortization, and home office deductions, as defined by the United
5 States internal revenue service; and (f) pursue repayment and civil
6 penalties from persons who have received excessive subsidies, as
7 provided in RCW 70.47.060(9).

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

13 (6) \$23,700,000 of the general fund--federal appropriation is
14 provided solely for planning and implementation of a health benefit
15 exchange under the federal patient protection and affordable care act.
16 Within the amounts provided in this subsection, funds used by the
17 authority for information technology projects are conditioned on the
18 authority satisfying the requirements of Engrossed Second Substitute
19 Senate Bill No. 5931 (central service agencies).

20 (7) Based on quarterly expenditure reports and caseload forecasts,
21 if the health care authority estimates that expenditures for the
22 medical assistance program will exceed the appropriations, the health
23 care authority shall take steps including but not limited to reduction
24 of rates or elimination of optional services to reduce expenditures so
25 that total program costs do not exceed the annual appropriation
26 authority.

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

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

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

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

6 ~~(12) ((\$5,905,000 of the general fund--state appropriation for
7 fiscal year 2012, \$5,905,000 of the general fund--state appropriation
8 for fiscal year 2013, and \$11,810,000 of the general fund--federal
9 appropriation are provided solely for nonrural indigent assistance
10 disproportionate share hospital payments in accordance with RCW
11 74.09.730(1)).~~

12 ~~(13) \$665,000 of the general fund--state appropriation for fiscal
13 year 2012, \$665,000 of the general fund--state appropriation for fiscal
14 year 2013, and \$1,330,000 of the general fund--federal appropriation
15 are provided solely for small rural indigent assistance
16 disproportionate share hospital payments in accordance with RCW
17 74.09.730(1)).~~

18 (+14)) \$6,000,000 of the general fund--federal appropriation is
19 provided solely for supplemental payments to nursing homes operated by
20 public hospital districts. The public hospital district shall be
21 responsible for providing the required nonfederal match for the
22 supplemental payment, and the payments shall not exceed the maximum
23 allowable under federal rules. It is the legislature's intent that the
24 payments shall be supplemental to and shall not in any way offset or
25 reduce the payments calculated and provided in accordance with part E
26 of chapter 74.46 RCW. It is the legislature's further intent that
27 costs otherwise allowable for rate-setting and settlement against
28 payments under chapter 74.46 RCW shall not be disallowed solely because
29 such costs have been paid by revenues retained by the nursing home from
30 these supplemental payments. The supplemental payments are subject to
31 retrospective interim and final cost settlements based on the nursing
32 homes' as-filed and final medicare cost reports. The timing of the
33 interim and final cost settlements shall be at the health care
34 authority's discretion. During either the interim cost settlement or
35 the final cost settlement, the health care authority shall recoup from
36 the public hospital districts the supplemental payments that exceed the
37 medicaid cost limit and/or the medicare upper payment limit. The

1 health care authority shall apply federal rules for identifying the
2 eligible incurred medicaid costs and the medicare upper payment limit.
3 ~~((+15+))~~ (13) The health care authority shall continue the
4 inpatient hospital certified public expenditures program for the 2011-
5 2013 fiscal biennium. The program shall apply to all public hospitals,
6 including those owned or operated by the state, except those classified
7 as critical access hospitals or state psychiatric institutions. The
8 health care authority shall submit reports to the governor and
9 legislature by November 1, 2011, and by November 1, 2012, that evaluate
10 whether savings continue to exceed costs for this program. If the
11 certified public expenditures (CPE) program in its current form is no
12 longer cost-effective to maintain, the health care authority shall
13 submit a report to the governor and legislature detailing
14 cost-effective alternative uses of local, state, and federal resources
15 as a replacement for this program. During fiscal year 2012 and fiscal
16 year 2013, hospitals in the program shall be paid and shall retain one
17 hundred percent of the federal portion of the allowable hospital cost
18 for each medicaid inpatient fee-for-service claim payable by medical
19 assistance and one hundred percent of the federal portion of the
20 maximum disproportionate share hospital payment allowable under federal
21 regulations. Inpatient medicaid payments shall be established using an
22 allowable methodology that approximates the cost of claims submitted by
23 the hospitals. Payments made to each hospital in the program in each
24 fiscal year of the biennium shall be compared to a baseline amount.
25 The baseline amount will be determined by the total of (a) the
26 inpatient claim payment amounts that would have been paid during the
27 fiscal year had the hospital not been in the CPE program based on the
28 reimbursement rates developed, implemented, and consistent with
29 policies approved in the 2011-13 biennial operating appropriations act
30 and in effect on July 1, 2011, (b) ~~((one half of the indigent
31 assistance))~~ eighty percent of the low-income disproportionate share
32 hospital payment amounts paid to and retained by each hospital during
33 fiscal year 2005, and (c) all of the other disproportionate share
34 hospital payment amounts paid to and retained by each hospital during
35 fiscal year 2005 to the extent the same disproportionate share hospital
36 programs exist in the 2011-13 biennium. If payments during the fiscal
37 year exceed the hospital's baseline amount, no additional payments will
38 be made to the hospital except the federal portion of allowable

1 disproportionate share hospital payments for which the hospital can
2 certify allowable match. If payments during the fiscal year are less
3 than the baseline amount, the hospital will be paid a state grant equal
4 to the difference between payments during the fiscal year and the
5 applicable baseline amount. Payment of the state grant shall be made
6 in the applicable fiscal year and distributed in monthly payments. The
7 grants will be recalculated and redistributed as the baseline is
8 updated during the fiscal year. The grant payments are subject to an
9 interim settlement within eleven months after the end of the fiscal
10 year. A final settlement shall be performed. To the extent that
11 either settlement determines that a hospital has received funds in
12 excess of what it would have received as described in this subsection,
13 the hospital must repay the excess amounts to the state when requested.
14 (~~(\$24,677,000)~~) \$4,168,000 of the general fund--state appropriation for
15 fiscal year 2012(~~(, of which \$6,570,000 is appropriated)~~) in section
16 204(1) of this act, and (~~(\$21,531,000)~~) \$2,251,000 of the general
17 fund--state appropriation for fiscal year 2013(~~(, of which \$6,570,000~~
18 ~~is appropriated)~~) in section 204(1) of this act, are provided solely
19 for state grants for the participating hospitals. CPE hospitals will
20 receive the inpatient and outpatient reimbursement rate restorations in
21 RCW 74.60.080 and rate increases in RCW 74.60.090 funded through the
22 hospital safety net assessment fund rather than through the baseline
23 mechanism specified in this subsection.

24 (~~(+16)~~) (14) The health care authority shall seek public-private
25 partnerships and federal funds that are or may become available to
26 provide on-going support for outreach and education efforts under the
27 federal children's health insurance program reauthorization act of
28 2009.

29 (~~(+17)~~) (15) The health care authority shall target funding for
30 maternity support services towards pregnant women with factors that
31 lead to higher rates of poor birth outcomes, including hypertension, a
32 preterm or low birth weight birth in the most recent previous birth, a
33 cognitive deficit or developmental disability, substance abuse, severe
34 mental illness, unhealthy weight or failure to gain weight, tobacco
35 use, or African American or Native American race. The health care
36 authority shall prioritize evidence-based practices for delivery of
37 maternity support services. To the extent practicable, the health care

1 authority shall develop a mechanism to increase federal funding for
2 maternity support services by leveraging local public funding for those
3 services.

4 ~~((+18+))~~ (16) For children with family incomes above 200 percent of
5 the federal poverty level in the state-funded children's health program
6 for children who are not eligible for coverage under the federally
7 funded children's health insurance program, premiums shall be set every
8 two years in an amount equal to the average state-only share of the per
9 capita cost of coverage in the state-funded children's health program
10 for children in families with incomes at or less than two hundred
11 percent of the federal poverty level.

12 ~~((+19) \$704,000 of the general fund--state appropriation for fiscal
13 year 2012, \$726,000 of the general fund--state appropriation for fiscal
14 year 2013, and \$1,431,000 of the general fund--federal appropriation
15 are provided solely for))~~ (17) Within the amounts appropriated in this
16 section, the health care authority shall provide disproportionate share
17 hospital payments to hospitals that provide services to children in the
18 children's health program who are not eligible for services under Title
19 XIX or XXI of the federal social security act due to their citizenship
20 status.

21 ~~((+20) \$998,000))~~ (18) \$859,000 of the general fund--state
22 appropriation for fiscal year 2012, \$979,000 of the general fund--state
23 appropriation for fiscal year 2013, and ~~((+21) \$1,980,000))~~ \$1,841,000 of
24 the general fund--federal appropriation are provided solely to increase
25 prior authorization activities for advanced imaging procedures.

26 ~~((+21) \$249,000))~~ (19) \$196,000 of the general fund--state
27 appropriation for fiscal year 2012, \$246,000 of the general fund--state
28 appropriation for fiscal year 2013, and ~~((+22) \$495,000))~~ \$442,000 of the
29 general fund--federal appropriation are provided solely to increase
30 prior authorization activities for surgical procedures, which may
31 include orthopedic procedures, spinal procedures and interventions, and
32 nerve procedures.

33 ~~((+22+))~~ (20) \$300,000 of the general fund--private/local
34 appropriation and \$300,000 of the general fund--federal appropriation
35 are provided solely for a prescriptive practices improvement
36 collaborative focusing upon atypical antipsychotics and other
37 medications commonly used in the treatment of severe and persistent
38 mental illnesses among adults. The project shall promote collaboration

1 among community mental health centers, other major prescribers of
2 atypical antipsychotic medications to adults enrolled in state medical
3 assistance programs, and psychiatrists, pharmacists, and other
4 specialists at the University of Washington department of psychiatry
5 and/or other research universities. The collaboration shall include
6 patient-specific prescriber consultations by psychiatrists and
7 pharmacists specializing in treatment of severe and persistent mental
8 illnesses among adults; production of profiles to assist prescribers
9 and clinics in tracking their prescriptive practices and their
10 patients' medication use and adherence relative to evidence-based
11 practices guidelines, other prescribers, and patients at other clinics;
12 and in-service seminars at which participants can share and increase
13 their knowledge of evidence-based and other effective prescriptive
14 practices. The health care authority shall enter into an interagency
15 agreement with the office of the attorney general for expenditure of
16 \$300,000 of the state's proceeds of the *cy pres* settlement in *State of*
17 *Washington v. AstraZeneca (Seroquel)* for this purpose.

18 ~~((+23))~~ (21) \$570,000 of the general fund--private/local
19 appropriation is provided solely for continued operation of the
20 partnership access line for child mental health consultations. The
21 health care authority shall enter into an interagency agreement with
22 the office of the attorney general for expenditure of \$570,000 of the
23 state's proceeds of the *cy pres* settlement in *State of Washington v.*
24 *AstraZeneca (Seroquel)* for this purpose.

25 ~~((+24))~~ (22) \$80,000 of the general fund--state appropriation for
26 fiscal year 2012, \$80,000 of the general fund--state appropriation for
27 fiscal year 2013, and \$160,000 of the general fund--federal
28 appropriation are provided solely to fund the Tacoma-Pierce county
29 health department for access and outreach activities to reduce infant
30 mortality.

31 ~~((+25))~~ (23) \$75,000 of the general fund--state appropriation for
32 fiscal year 2012, \$75,000 of the general fund--state appropriation for
33 fiscal year 2013, and \$150,000 of the general fund--federal
34 appropriation are provided solely to assist with development and
35 implementation of evidence-based strategies regarding the appropriate,
36 safe, and effective role of C-section surgeries and early induced labor
37 in births and neonatal care. The strategies shall be identified and

1 implemented in consultation with clinical research specialists,
2 physicians, hospitals, advanced registered nurse practitioners, and
3 organizations concerned with maternal and child health.

4 ~~((26) \$2,400,000 of the general fund state appropriation for
5 fiscal year 2012, \$2,435,000 of the general fund state appropriation
6 for fiscal year 2013, \$7,253,000 of the general fund private/local
7 appropriation, and \$12,455,000 of the general fund federal
8 appropriation are provided solely for continued provision of)) (24)~~

9 Within the amounts appropriated in this section, the health care
10 authority shall continue to provide school-based medical services by
11 means of an intergovernmental transfer arrangement. ((Under the
12 arrangement,)) Until April 1, 2012, the state shall provide forty
13 percent and school districts sixty percent of the nonfederal matching
14 funds required for receipt of federal medicaid funding for the service.
15 After that date, participating school districts shall provide all of
16 the required nonfederal matching funds.

17 ~~((27)) (25) \$263,000 of the general fund--state appropriation for
18 fiscal year 2012, \$88,000 of the general fund--state appropriation for
19 fiscal year 2013, and \$351,000 of the general fund--federal
20 appropriation are provided solely for development and submission to the
21 federal government by October 1, 2011, of a demonstration project
22 proposal as provided in Substitute Senate Bill No. 5596 (medicaid
23 demonstration waiver).~~

24 ~~((28) \$5,600,000 of the general fund state appropriation for
25 fiscal year 2012, \$4,094,000 of the general fund state appropriation
26 for fiscal year 2013, and \$11,332,000 of the general fund federal
27 appropriation are provided solely for)) (26) Within the amounts~~

28 appropriated in this section, the health care authority shall provide
29 spoken-language interpreter services. The authority shall develop and
30 implement a new model for delivery of such services no later than
31 January 1, 2012. The model shall include:

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

36 (b) The requirement that the state contract with delivery
37 organizations, including foreign language agencies, who employ or
38 subcontract only with language access providers or interpreters working

1 in the state who are certified or authorized by the state. When a
2 state-certified or state-authorized in-state language access provider
3 or interpreter is not available, the delivery organization, including
4 foreign language agencies, may use a provider with other certifications
5 or qualifications deemed to meet state standards, including
6 interpreters in other states; and

7 (c) Provision of a secure, web-based tool that medical
8 practitioners will use to schedule appointments for interpreter
9 services and to identify the most appropriate, cost-effective method of
10 service delivery in accordance with the state guidelines.

11 Nothing in this subsection affects the ability of health care
12 providers to provide interpretive services through employed staff or
13 through telephone and video remote technologies when not reimbursed
14 directly by the department. The amounts in this subsection do not
15 include federal administrative funds provided to match nonstate
16 expenditures by local health jurisdictions and governmental hospitals.

17 ~~((+29+))~~ (27) In its procurement of contractors for delivery of
18 medical managed care services for nondisabled, nonelderly persons, the
19 medical assistance program shall (a) place substantial emphasis upon
20 price competition in the selection of successful bidders; and (b) not
21 require delivery of any services that would increase the actuarial cost
22 of service beyond the levels included in current healthy options
23 contracts.

24 ~~((+30+))~~ (28) \$1,430,000 of the general fund--state appropriation
25 for fiscal year 2012, \$1,430,000 of the general fund--state
26 appropriation for fiscal year 2013, and \$2,860,000 of the general
27 fund--federal appropriation are provided solely to pay
28 federally-designated rural health clinics their standard encounter rate
29 for prenatal and well-child visits, whether delivered under a managed
30 care contract or fee-for-service. In reconciling managed care
31 enhancement payments for calendar years 2009 and 2010, the department
32 shall treat well-child and prenatal care visits as encounters subject
33 to the clinic's encounter rate.

34 ~~((+31+))~~ (29) \$280,000 of the general fund--state appropriation for
35 fiscal year 2012 and \$282,000 of the general fund--federal
36 appropriation are provided solely to increase utilization management of
37 drugs and drug classes for which there is evidence of over-utilization,

1 off-label use, excessive dosing, duplicative therapy, or opportunities
2 to shift utilization to less expensive, equally effective formulations.

3 ~~((+32))~~ (30) \$70,000 of the general fund--state appropriation for
4 fiscal year 2012, \$70,000 of the general fund--state appropriation for
5 fiscal year 2013, and \$140,000 of the general fund--federal
6 appropriation are provided solely to continue operation by a nonprofit
7 organization of a toll-free hotline that assists families to learn
8 about and enroll in the apple health for kids program.

9 ~~((+33))~~ (31) \$400,000 of the general fund--state appropriation for
10 fiscal year 2012 and \$400,000 of the general fund--state appropriation
11 for fiscal year 2013 is provided solely for the local outreach, case
12 management, and coordination with dental providers needed to execute
13 the access to baby and child dentistry program, which provides dental
14 care to Medicaid eligible children up to age six.

15 ~~((+34) \$1,868,000 of the general fund--state appropriation for
16 fiscal year 2012, \$1,873,000 of the general fund--state appropriation
17 for fiscal year 2013, and \$3,154,000 of the general fund--federal
18 appropriation are provided solely to continue to))~~ (32) Within the
19 amounts appropriated in this section, the health care authority shall
20 provide dental services to pregnant women. Services shall include
21 preventive, routine, and emergent dental care.

22 ~~((+35))~~ (33) \$395,000 of the general fund--state appropriation for
23 fiscal year 2012, \$395,000 of the general fund--state appropriation for
24 fiscal year 2013, and \$790,000 of the general fund--federal
25 appropriation are provided solely for continued operation of the
26 dental education in care of persons with disabilities (DECOD) program
27 at the University of Washington.

28 ~~((+36) \$112,000))~~ (34) \$159,000 of the general fund--state
29 appropriation for fiscal year 2012, ~~((\$112,000 of the general fund--
30 state appropriation for fiscal year 2013))~~ \$302,000 of the general
31 fund--private/local appropriation, and \$1,928,000 of the general fund--
32 federal appropriation are provided solely for the provider incentive
33 program and other initiatives related to the health information
34 technology Medicaid plan. The general fund--private/local
35 appropriation in this subsection shall be funded with proceeds from
36 settlements in the case of State of Washington vs. GlaxoSmithKline.
37 The authority and the office of the attorney general shall enter an
38 interagency agreement regarding use of these funds.

1 ~~((37))~~ (35) \$2,926,000 of the general fund--local appropriation
2 and \$2,928,000 of the general fund--federal appropriation are provided
3 solely to support medical airlift services.

4 ~~((38))~~ (36) The authority shall collect data on enrollment and
5 utilization to study whether the expansion of family planning coverage
6 under Substitute Senate Bill No. 5912 is reducing state medical
7 expenditures by reducing unwanted pregnancies. The authority shall
8 report its findings to the legislature by December 1, 2012.

9 ~~((39))~~ (37) \$480,000 of the general fund--state appropriation for
10 fiscal year 2012, \$480,000 of the general fund--state appropriation for
11 fiscal year 2013, and \$824,000 of the general fund--federal
12 appropriation are provided solely for customer services staff. The
13 authority will attempt to improve the phone answer rate to 40 percent
14 and reduce the response times to written questions to ten days for
15 clients and 25 days for providers. The authority will report to the
16 legislature on its progress toward achieving these goals by January 1,
17 2012. If the authority has not achieved these goals by July 1, 2012,
18 then the authority shall reduce expenditures on management staff in
19 order to increase expenditures on customer service staff until the
20 goals are achieved.

21 ~~((40))~~ (38) The department shall purchase a brand name drug when
22 it determines that the cost of the brand name drug after rebates is
23 less than the cost of generic alternatives and that purchase of the
24 brand rather than generic version can save at least \$250,000. The
25 department may purchase generic alternatives when changes in market
26 prices make the price of the brand name drug after rebates more
27 expensive than the generic alternatives.

28 ~~((41))~~ (39) The department shall collaborate closely with the
29 Washington state hospital and medical associations in identification of
30 the diagnostic codes and retroactive review procedures that will be
31 used to determine whether an emergency room visit is a nonemergency
32 condition to assure that conditions that require emergency treatment
33 continue to be covered.

34 (40) If Substitute Senate Bill No. 6442 is enacted, the health care
35 authority shall provide a loan in the amount of \$12,393,000 from the
36 public employees' and retirees insurance account to the school
37 employees' insurance administrative account in order to fund startup

1 costs during the 2011-2013 fiscal biennium for the school employees'
2 benefits board, with the following terms:

3 (a) Repayment of the loan shall not commence earlier than January
4 1, 2014;

5 (b) Repayment of the loan shall not be completed later than June
6 30, 2017; and

7 (c) Interest shall be charged on the amount lent at a rate equal to
8 that which the balance would have been expected to earn in the event
9 that the loan were not made, plus five-tenths of a percent per annum.
10 The state treasurer shall maintain a record of the loan and must
11 calculate repayment obligations for the school employees' insurance
12 administrative account.

13 (41) For periods subsequent to May 31, 2012, no funds are
14 appropriated in this act for medical care services for persons eligible
15 for such services under RCW 74.09.035(1)(a) or 74.09.035(c). The
16 administrator shall therefore immediately commence such actions as may
17 be necessary to disenroll such persons effective June 1, 2012,
18 including but not limited to terminating the state's demonstration
19 waiver agreement with the federal department of health and human
20 services.

21 (42) Prior to entering into a contract for medicaid managed care
22 services for the period commencing July 1, 2012, the director of the
23 health care authority shall certify to the governor and to the health
24 care committees of the legislature that the contractor has established
25 a network of acute, primary, and specialty care providers that is
26 sufficient to meet the needs of the contractor's anticipated enrollee
27 population. If no plan is able to certify an adequate provider network
28 in a county, the health care authority shall request re-bids from all
29 plans which originally submitted bids for the county during the regular
30 procurement process until award is successful. No county, that is
31 currently served by Medicaid managed care services shall revert to
32 fee-for-service as a result of the procurement process.

33 (43) The authority shall apply the dispense-as-written prior
34 authorization provisions of RCW 69.41.190(1)(a) to any drug formulary
35 limitations adopted to operate within the appropriations provided in
36 this section.

1 fiscal year 2013 are provided solely for the school safety center
 2 within the commission. The safety center shall act as an information
 3 dissemination and resource center when an incident occurs in a school
 4 district in Washington or in another state, coordinate activities
 5 relating to school safety, and review and approve manuals and curricula
 6 used for school safety models and training. Through an interagency
 7 agreement, the commission shall provide funding for the office of the
 8 superintendent of public instruction to continue to develop and
 9 maintain a school safety information web site. The school safety
 10 center advisory committee shall develop and revise the training
 11 program, using the best practices in school safety, for all school
 12 safety personnel. The commission shall provide research-related
 13 programs in school safety and security issues beneficial to both law
 14 enforcement and schools.

15 (6) \$1,000,000 of the general fund--state appropriation for fiscal
 16 year 2012 and \$1,000,000 of the general fund--state appropriation for
 17 fiscal year 2013 are provided solely for grants to counties enforcing
 18 illegal drug laws and which have been underserved by federally funded
 19 state narcotics task forces. The Washington association of sheriffs
 20 and police chiefs, the Washington association of prosecuting attorneys,
 21 and the Washington association of county officials shall jointly
 22 develop funding allocations for the offices of the county sheriff,
 23 county prosecutor, and county clerk in qualifying counties. The
 24 commission shall not impose an administrative cost on this program.

25 **Sec. 217.** 2011 2nd sp.s. c 9 s 216 (uncodified) is amended to read
 26 as follows:

27 **FOR THE DEPARTMENT OF LABOR AND INDUSTRIES**

28	General Fund--State Appropriation (FY 2012)	\$17,433,000
29	General Fund--State Appropriation (FY 2013)	(\$18,374,000)
30		<u>\$18,272,000</u>
31	General Fund--Federal Appropriation	\$11,636,000
32	Asbestos Account--State Appropriation	(\$395,000)
33		<u>\$379,000</u>
34	Electrical License Account--State Appropriation	(\$37,019,000)
35		<u>\$36,520,000</u>
36	Farm Labor Revolving Account--Private/Local Appropriation . . .	\$28,000
37	Worker and Community Right-to-Know Account--	

1	State Appropriation	((\$949,000))
2		<u>\$922,000</u>
3	Public Works Administration Account--State	
4	Appropriation	((\$6,814,000))
5		<u>\$7,007,000</u>
6	Manufactured Home Installation Training Account--	
7	State Appropriation	\$334,000
8	Accident Account--State Appropriation	((\$252,809,000))
9		<u>\$253,453,000</u>
10	Accident Account--Federal Appropriation	\$13,622,000
11	Medical Aid Account--State Appropriation	((\$264,202,000))
12		<u>\$265,298,000</u>
13	Medical Aid Account--Federal Appropriation	\$3,186,000
14	Plumbing Certificate Account--State Appropriation	((\$1,688,000))
15		<u>\$1,684,000</u>
16	Pressure Systems Safety Account--State	
17	Appropriation	((\$4,068,000))
18		<u>\$4,070,000</u>
19	TOTAL APPROPRIATION	((\$632,557,000))
20		<u>\$633,844,000</u>

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

23 (1) Pursuant to RCW 43.135.055, the department is authorized to
24 increase fees related to factory assembled structures, contractor
25 registration, electricians, plumbers, asbestos removal, boilers,
26 elevators, and manufactured home installers. These increases are
27 necessary to support expenditures authorized in this section,
28 consistent with chapters 43.22, 18.27, 19.28, and 18.106 RCW, RCW
29 49.26.130, and chapters 70.79, 70.87, and 43.22A RCW.

30 (2) \$50,000 of the general fund--state appropriation for fiscal
31 year 2012 and \$50,000 of the general fund--state appropriation for
32 fiscal year 2013 are provided solely for the crime victims compensation
33 program to pay claims for mental health services for crime victim
34 compensation program clients who have an established relationship with
35 a mental health provider and subsequently obtain coverage under the
36 medicaid program or the medical care services program under chapter
37 74.09 RCW. Prior to making such payment, the program must have
38 determined that payment for the specific treatment or provider is not

1 available under the medicaid or medical care services program. In
2 addition, the program shall make efforts to contact any healthy options
3 or medical care services health plan in which the client may be
4 enrolled to help the client obtain authorization to pay the claim on an
5 out-of-network basis.

6 (3) \$1,281,000 of the accident account--state appropriation and
7 \$1,281,000 of the medical aid account--state appropriation are provided
8 solely for implementation of Engrossed Substitute House Bill No. 1725
9 (workers' compensation). If the bill is not enacted by June 30, 2011,
10 the amounts provided in this subsection shall lapse.

11 (4) \$51,000 of the accident account--state appropriation and
12 \$51,000 of the medical aid account--state appropriation are provided
13 solely for implementation of Engrossed Substitute House Bill No. 1367
14 (for hire vehicles, operators). If the bill is not enacted by June 30,
15 2011, the amounts provided in this subsection shall lapse.

16 (5) \$8,727,000 of the medical aid account--state appropriation is
17 provided solely for implementation of Substitute Senate Bill No. 5801
18 (industrial insurance system). If the bill is not enacted by June 30,
19 2011, the amount provided in this subsection shall lapse.

20 (6) \$625,000 of the general fund--state appropriation for fiscal
21 year 2012, \$625,000 of the general fund--state appropriation for fiscal
22 year 2013, \$1,250,000 of the public works administration account--state
23 appropriation, \$708,000 of the accident account--state appropriation,
24 and \$708,000 of the medical aid account--state appropriation are
25 provided solely for the purposes of expanding the detecting
26 unregistered employers targeting system and to support field staff in
27 investigation and enforcement. Within the funds appropriated in this
28 subsection, the department shall aggressively combat the underground
29 economy in construction. Of the amounts provided in this subsection,
30 \$800,000 shall be used for investigation and enforcement.

31 (7) \$8,583,000 of the accident account--state appropriation and
32 \$18,278,000 of the medical aid account--state appropriation are
33 provided solely for implementation of House Bill No. 2123 (workers'
34 compensation). If the bill is not enacted by June 30, 2011, the
35 amounts provided in this subsection shall lapse.

36 **Sec. 218.** 2011 2nd sp.s. c 9 s 217 (uncodified) is amended to read
37 as follows:

1 **FOR THE DEPARTMENT OF VETERANS AFFAIRS**

2 (1) HEADQUARTERS

3	General Fund--State Appropriation (FY 2012)	\$1,832,000
4	General Fund--State Appropriation (FY 2013)	\$1,826,000
5	Charitable, Educational, Penal, and Reformatory	
6	Institutions Account--State Appropriation	\$10,000
7	TOTAL APPROPRIATION	\$3,668,000

8 (2) FIELD SERVICES

9	General Fund--State Appropriation (FY 2012)	\$5,006,000
10	General Fund--State Appropriation (FY 2013)	\$5,001,000
11	General Fund--Federal Appropriation	\$3,356,000
12	General Fund--Private/Local Appropriation	\$4,737,000
13	Veterans Innovations Program Account--State	
14	Appropriation	\$812,000
15	Veteran Estate Management Account--Private/Local	
16	Appropriation	\$1,083,000
17	TOTAL APPROPRIATION	\$19,995,000

18 The appropriations in this subsection are subject to the following
19 conditions and limitations: \$821,000 of the veterans innovations
20 program account--state appropriation is provided solely for the
21 department to continue support for returning combat veterans through
22 the veterans innovation program, including emergency financial
23 assistance through the defenders' fund and long-term financial
24 assistance through the competitive grant program.

25 (3) INSTITUTIONAL SERVICES

26	General Fund--State Appropriation (FY 2012)	(\$899,000)
27		<u>\$1,755,000</u>
28	((General Fund--State Appropriation (FY 2013)	\$71,000)
29	General Fund--Federal Appropriation	(\$59,177,000)
30		<u>\$61,734,000</u>
31	General Fund--Private/Local Appropriation	(\$32,094,000)
32		<u>\$29,724,000</u>
33	TOTAL APPROPRIATION	(\$92,241,000)
34		<u>\$93,213,000</u>

35 **Sec. 219.** 2011 2nd sp.s. c 9 s 218 (uncodified) is amended to read
36 as follows:

1 **FOR THE DEPARTMENT OF HEALTH**

2 General Fund--State Appropriation (FY 2012) ((~~\$79,888,000~~))

3 \$78,999,000

4 General Fund--State Appropriation (FY 2013) ((~~\$79,718,000~~))

5 \$51,357,000

6 General Fund--Federal Appropriation ((~~\$555,563,000~~))

7 \$552,931,000

8 General Fund--Private/Local Appropriation ((~~\$148,362,000~~))

9 \$148,361,000

10 Hospital Data Collection Account--State Appropriation \$214,000

11 Health Professions Account--State Appropriation ((~~\$94,469,000~~))

12 \$99,514,000

13 Aquatic Lands Enhancement Account--State Appropriation \$604,000

14 Emergency Medical Services and Trauma Care Systems

15 Trust Account--State Appropriation \$12,302,000

16 Safe Drinking Water Account--State Appropriation \$4,480,000

17 Drinking Water Assistance Account--Federal

18 Appropriation \$22,875,000

19 Waterworks Operator Certification--State

20 Appropriation \$1,532,000

21 Drinking Water Assistance Administrative Account--

22 State Appropriation \$326,000

23 Site Closure Account--State Appropriation \$79,000

24 Biotoxin Account--State Appropriation \$1,167,000

25 State Toxics Control Account--State Appropriation ((~~\$3,649,000~~))

26 \$20,352,000

27 Medical Test Site Licensure Account--State

28 Appropriation \$2,321,000

29 Youth Tobacco Prevention Account--State Appropriation . . . \$1,512,000

30 Community and Economic Development Fee Account--State

31 Appropriation ((~~\$596,000~~))

32 \$298,000

33 Public Health Supplemental Account--Private/Local

34 Appropriation \$3,598,000

35 Accident Account--State Appropriation \$297,000

36 Medical Aid Account--State Appropriation \$50,000

37 Tobacco Prevention and Control Account--State

38 Appropriation ((~~\$37,000~~))

1 \$1,737,000
2 TOTAL APPROPRIATION ((~~\$1,013,560,000~~))
3 \$1,004,906,000

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

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

27 (2) In accordance with RCW 43.70.250 and 43.135.055, the department
28 is authorized to establish and raise fees in fiscal year 2012 as
29 necessary to meet the actual costs of conducting business and the
30 appropriation levels in this section. This authorization applies to
31 fees required for: The review of health care facility construction;
32 review of health facility requests for certificate of need; the
33 regulation and inspection of farm worker housing, hospital licensing,
34 in-home health service agencies, and producers of radioactive waste;
35 the regulation and inspection of shellfish sanitary control, surgical
36 facility licensing, and; fees associated with the following
37 professions: Dietitians and nutritionists, occupational therapists,
38 pharmacy, veterinarian, orthotics and prosthetics, surgical

1 technicians, nursing home administrators, health care assistants,
2 hearing and speech, psychology, hypnotherapy, chiropractic, social
3 workers, physicians, and physician assistants.

4 (3) In accordance with RCW 43.135.055, the department is authorized
5 to adopt fees set forth in and previously authorized in chapter 92,
6 Laws of 2010.

7 (4) \$1,969,000 of the health professions account--state
8 appropriation is provided solely to implement online licensing for
9 health care providers. The department must submit a detailed
10 investment plan for this project to the office of financial management.
11 The office of financial management must review and approve this plan
12 before funding may be expended. The department of health must
13 successfully implement online application and renewal for at least one
14 profession as a pilot project before pursuing additional professions.
15 The department must report to the office of financial management on the
16 outcome of the pilot project.

17 ((+4)) (5) \$16,000 of the health professions account--state
18 appropriation is provided solely for the implementation of House Bill
19 No. 1181 (board of naturopathy). If the bill is not enacted by June
20 30, 2011, the amount provided in this subsection shall lapse.

21 ((+5)) (6) \$21,000 of the health professions account--state
22 appropriation is provided solely for the implementation of Substitute
23 House Bill No. 1304 (health care assistants). If the bill is not
24 enacted by June 30, 2011, the amount provided in this subsection shall
25 lapse.

26 ((+6)) (7) \$54,000 of the health professions account--state
27 appropriation is provided solely for the implementation of House Bill
28 No. 1353 (pharmacy technicians). If the bill is not enacted by June
29 30, 2011, the amount provided in this subsection shall lapse.

30 ((+7)) (8) \$142,000 of the health professions account--state
31 appropriation is provided solely for the implementation of Engrossed
32 Substitute Senate Bill No. 5020 (social workers). If the bill is not
33 enacted by June 30, 2011, the amount provided in this subsection shall
34 lapse.

35 ((+8)) (9) \$336,000 of the health professions account--state
36 appropriation is provided solely for the implementation of Senate Bill
37 No. 5480 (physicians and physician assistants). If the bill is not

1 enacted by June 30, 2011, the amount provided in this subsection shall
2 lapse.

3 ~~((+9))~~ (10) \$46,000 of the health professions account--state
4 appropriation is provided solely for the implementation of Substitute
5 Senate Bill No. 5071 (online access for midwives and marriage and
6 family therapists). If the bill is not enacted by June 30, 2011, the
7 amount provided in this subsection shall lapse.

8 ~~((+10))~~ (11) \$137,000 of the health professions account--state
9 appropriation is provided solely for implementation of Substitute House
10 Bill No. 1133 (massage practitioner license). If the bill is not
11 enacted by June 30, 2011, the amount provided in this subsection shall
12 lapse.

13 ~~((+11))~~ (12) \$85,000 of the general fund--state appropriation for
14 fiscal year 2012 ~~((and \$85,000 of the general fund--state appropriation
15 for fiscal year 2013 are))~~ is provided solely for the developmental
16 disabilities council to contract for a family-to-family mentor program
17 to provide information and support to families and guardians of persons
18 who are transitioning out of residential habilitation centers. To the
19 maximum extent allowable under federal law, these funds shall be
20 matched under medicaid through the department of social and health
21 services and federal funds shall be transferred to the department for
22 the purposes stated in this subsection. If Second Substitute Senate
23 Bill No. 5459 (people with developmental disabilities) is not enacted
24 by June 30, 2011, the amounts provided in this subsection shall lapse.

25 ~~((+12))~~ (13) \$57,000 of the general fund--state appropriation for
26 fiscal year 2012 and \$58,000 of the general fund--state appropriation
27 for fiscal year 2013 are provided solely for the midwifery licensure
28 and regulatory program to offset a reduction in revenue from fees.
29 There shall be no change to the current annual fees for new or renewed
30 licenses for the midwifery program, except from online access to HEAL-
31 WA. The department shall convene the midwifery advisory committee on
32 a quarterly basis to address issues related to licensed midwifery.

33 ~~((+13))~~ (14) \$118,000 of the general fund--state appropriation for
34 fiscal year 2012 and \$118,000 of the general fund--state appropriation
35 for fiscal year 2013 are provided solely for prevention of youth
36 suicides.

37 ~~((+14))~~ (15) \$87,000 of the general fund--state appropriation for

1 fiscal year 2012 and \$87,000 of the general fund--state appropriation
2 for fiscal year 2013 are provided solely for the senior falls
3 prevention program.

4 (16) \$19,000 of the health professions account--state appropriation
5 is provided solely for implementation of Senate Bill No. 6290 (military
6 spouses and partners). If the bill is not enacted by June 30, 2012,
7 the amount provided in this subsection shall lapse.

8 (17) \$50,000 of the health professions account--state appropriation
9 is provided solely for implementation of Engrossed Substitute Senate
10 Bill No. 6237 (career pathway/medical assistants). If the bill is not
11 enacted by June 30, 2012, the amount provided in this subsection shall
12 lapse.

13 (18) \$21,000 of the health professions account--state appropriation
14 is provided solely for implementation of Substitute Senate Bill No.
15 6328 (mental health professionals). If the bill is not enacted by June
16 30, 2012, the amount provided in this subsection shall lapse.

17 (19) \$148,000 of the health professions account--state
18 appropriation is provided solely for implementation of Engrossed
19 Substitute Senate Bill No. 6103 (reflexologists). If the bill is not
20 enacted by June 30, 2012, the amount provided in this subsection shall
21 lapse.

22 (20) \$28,000 of the health professions account--state appropriation
23 is provided solely for implementation of Engrossed Second Substitute
24 Senate Bill No. 5620 (dental anesthesia assistants). If the bill is
25 not enacted by June 30, 2012, the amount provided in this subsection
26 shall lapse.

27 (21) Appropriations for fiscal year 2013 include funding for
28 consolidation of the department of ecology's low-level radioactive
29 waste site use permit program in the department of health.

30 **Sec. 220.** 2011 2nd sp.s. c 9 s 219 (uncodified) is amended to read
31 as follows:

32 **FOR THE DEPARTMENT OF CORRECTIONS**

33	(1) ADMINISTRATION AND SUPPORT SERVICES	
34	General Fund--State Appropriation (FY 2012)	((\$54,529,000))
35		\$52,529,000
36	General Fund--State Appropriation (FY 2013)	((\$53,210,000))
37		\$53,419,000

1 TOTAL APPROPRIATION ((~~\$107,739,000~~))
2 \$105,948,000

3 The appropriations in this subsection are subject to the following
4 conditions and limitations: \$35,000 of the general fund--state
5 appropriation for fiscal year 2012 and \$35,000 of the general fund--
6 state appropriation for fiscal year 2013 are provided solely for the
7 support of a statewide council on mentally ill offenders that includes
8 as its members representatives of community-based mental health
9 treatment programs, current or former judicial officers, and directors
10 and commanders of city and county jails and state prison facilities.
11 The council will investigate and promote cost-effective approaches to
12 meeting the long-term needs of adults and juveniles with mental
13 disorders who have a history of offending or who are at-risk of
14 offending, including their mental health, physiological, housing,
15 employment, and job training needs.

16 (2) CORRECTIONAL OPERATIONS

17 General Fund--State Appropriation (FY 2012) ((~~\$609,105,000~~))
18 \$599,191,000
19 General Fund--State Appropriation (FY 2013) ((~~\$602,804,000~~))
20 \$582,174,000
21 General Fund--Federal Appropriation \$3,324,000
22 Washington Auto Theft Prevention Authority Account--
23 State Appropriation \$14,079,000
24 TOTAL APPROPRIATION ((~~\$1,229,312,000~~))
25 \$1,198,768,000

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

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

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

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

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

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

27 (f) \$41,000 of the general fund--state appropriation for fiscal
28 year 2012 and \$165,000 of the general fund--state appropriation for
29 fiscal year 2013 are provided solely for the department to maintain the
30 facility, property and assets at the institution formerly known as the
31 Maple Lane school in Rochester. The department may not house
32 incarcerated offenders at the Maple Lane site until specifically
33 directed by the legislature.

34 (3) COMMUNITY SUPERVISION

35	General Fund--State Appropriation (FY 2012)	((\$129,635,000))
36		<u>\$127,625,000</u>
37	General Fund--State Appropriation (FY 2013)	((\$128,049,000))
38		<u>\$130,441,000</u>

1	Federal Narcotics Forfeiture Account--Federal	
2	Appropriation	\$372,000
3	Controlled Substances Account--State	
4	Appropriation	\$32,000
5	TOTAL APPROPRIATION	((\$258,088,000))
6		<u>\$258,470,000</u>

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

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

14 (b) Within the funds provided in this section, the department of
15 corrections must establish a transitional reentry housing pilot program
16 by contracting with housing providers to continuously make available no
17 fewer than fifty beds in transitional reentry housing to meet the needs
18 of offenders transitioning to the community on earned early release and
19 who are in need of housing pursuant to RCW 9.94A.729(5)(d). The
20 department must give preference to housing providers that provide a
21 small, family-oriented living environment with between three and ten
22 beds and provide transition support that enables an offender to
23 participate in programming or services. The department shall track the
24 housing and recidivism status of offenders who participate in
25 transitional reentry housing and report to the governor and appropriate
26 committees of the legislature by December 1, 2013.

27 (4) CORRECTIONAL INDUSTRIES

28	General Fund--State Appropriation (FY 2012)	((\$3,535,000))
29		<u>\$2,513,000</u>
30	General Fund--State Appropriation (FY 2013)	((\$3,458,000))
31		<u>\$2,435,000</u>
32	TOTAL APPROPRIATION	((\$6,993,000))
33		<u>\$4,948,000</u>

34 The appropriations in this subsection are subject to the following
35 conditions and limitations: \$66,000 of the general fund--state
36 appropriation for fiscal year 2012 is provided solely for transfer to
37 the jail industries board. The board shall use the amounts provided

1 only for administrative expenses, equipment purchases, and technical
2 assistance associated with advising cities and counties in developing,
3 promoting, and implementing consistent, safe, and efficient offender
4 work programs.

5 (5) INTERAGENCY PAYMENTS

6	General Fund--State Appropriation (FY 2012)	. . . . .	\$37,053,000
7	General Fund--State Appropriation (FY 2013)	. . . . .	(\$35,549,000)
8			<u>\$35,550,000</u>
9	TOTAL APPROPRIATION	. . . . .	(\$72,602,000)
10			<u>\$72,603,000</u>

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

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

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

20 (c) The department shall reduce payments to the department of
21 information services or its successor by \$213,000 in fiscal year 2012
22 and by \$1,150,000 in fiscal year 2013. The reduction in payment shall
23 be related to the elimination of the offender base tracking system,
24 including moving remaining portions of the offender base tracking
25 system into the offender management network information system.

26 **Sec. 221.** 2011 2nd sp.s. c 9 s 220 (uncodified) is amended to read
27 as follows:

28 **FOR THE DEPARTMENT OF SERVICES FOR THE BLIND**

29	General Fund--State Appropriation (FY 2012)	. . . . .	\$2,278,000
30	General Fund--State Appropriation (FY 2013)	. . . . .	\$2,264,000
31	General Fund--Federal Appropriation	. . . . .	\$19,082,000
32	General Fund--Private/Local Appropriation	. . . . .	\$30,000
33	TOTAL APPROPRIATION	. . . . .	\$23,654,000

34 **Sec. 222.** 2011 2nd sp.s. c 9 s 221 (uncodified) is amended to read
35 as follows:

1	FOR THE EMPLOYMENT SECURITY DEPARTMENT	
2	General Fund--Federal Appropriation	((\$267,301,000))
3		<u>\$267,298,000</u>
4	General Fund--Private/Local Appropriation	\$33,931,000
5	Unemployment Compensation Administration Account--	
6	Federal Appropriation	((\$350,622,000))
7		<u>\$350,598,000</u>
8	Administrative Contingency Account--State	
9	Appropriation	\$20,948,000
10	Employment Service Administrative Account--State	
11	Appropriation	((\$33,721,000))
12		<u>\$33,720,000</u>
13	TOTAL APPROPRIATION	((\$706,523,000))
14		<u>\$706,495,000</u>

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

17 (1) \$39,666,000 of the unemployment compensation administration
18 account--federal appropriation is from amounts made available to the
19 state by section 903 (d), (f), and (g) of the social security act (Reed
20 act). This amount is provided solely for continuing current
21 unemployment insurance functions and department services to employers
22 and job seekers.

23 (2) \$35,584,000 of the unemployment compensation administration
24 account--federal appropriation is from amounts made available to the
25 state by section 903 (d), (f), and (g) of the social security act (Reed
26 act). This amount is provided solely for the replacement of the
27 unemployment insurance tax information system for the employment
28 security department. The employment security department shall support
29 the department of revenue and department of labor and industries to
30 develop a common vision to ensure technological compatibility between
31 the three agencies to facilitate a coordinated business tax system for
32 the future that improves services to business customers. The amounts
33 provided in this subsection are conditioned on the department
34 satisfying the requirements of the project management oversight
35 standards and policies established by the office of the chief
36 information officer created in Engrossed Substitute Senate Bill No.
37 5931 (information technology management).

1 (3) \$25,000 of the unemployment compensation administration
2 account--federal appropriation is from amounts made available to the
3 state by section 903 (d), (f), and (g) of the social security act (Reed
4 act). This amount is provided solely for implementation of system
5 changes to the unemployment insurance tax information system required
6 under chapter 4, Laws of 2011 (unemployment insurance program).

7 (4) \$1,459,000 of the unemployment compensation administration
8 account--federal appropriation is from amounts available to the state
9 by section 903 (d), (f), and (g) of the social security act (Reed act).
10 This amount is provided solely for implementation of chapter 4, Laws of
11 2011 (unemployment insurance program).

12 (5) \$60,000 of the unemployment compensation administration
13 account--federal appropriation is provided solely for costs associated
14 with the initial review and evaluation of the training benefits program
15 as directed in section 15(2), chapter 4, Laws of 2011 (unemployment
16 insurance program). The initial review shall be developed by the joint
17 legislative audit and review committee. This appropriation is provided
18 from funds made available to the state by section 903 (d), (f), and (g)
19 of the social security act (Reed act).

(End of part)

PART III
NATURAL RESOURCES

Sec. 301. 2011 2nd sp.s. c 9 s 302 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

General Fund--State Appropriation (FY 2012)	(\$47,630,000)
	<u>\$28,948,000</u>
General Fund--State Appropriation (FY 2013)	(\$46,226,000)
	<u>\$24,642,000</u>
General Fund--Federal Appropriation	(\$77,452,000)
	<u>\$100,154,000</u>
General Fund--Private/Local Appropriation	(\$16,691,000)
	<u>\$16,730,000</u>
Special Grass Seed Burning Research Account--State Appropriation	\$3,000
Reclamation Revolving Account--State Appropriation	(\$3,642,000)
	<u>\$4,643,000</u>
Flood Control Assistance Account--State Appropriation	(\$1,940,000)
	<u>\$1,933,000</u>
State Emergency Water Projects Revolving Account--State Appropriation	\$270,000
Waste Reduction/Recycling/Litter Control--State Appropriation	(\$11,478,000)
	<u>\$9,762,000</u>
State Drought Preparedness Account--State Appropriation	(\$118,000)
	<u>\$204,000</u>
State and Local Improvements Revolving Account (Water Supply Facilities)--State Appropriation	(\$423,000)
	<u>\$422,000</u>
Freshwater Aquatic Algae Control Account--State Appropriation	\$509,000
Water Rights Tracking System Account--State Appropriation	\$46,000
Site Closure Account--State Appropriation	(\$703,000)

1		<u>\$622,000</u>
2	Wood Stove Education and Enforcement Account--State	
3	Appropriation	((\$612,000))
4		<u>\$723,000</u>
5	Worker and Community Right-to-Know Account--State	
6	Appropriation	((\$1,668,000))
7		<u>\$1,661,000</u>
8	Water Rights Processing Account--State Appropriation . . .	((\$136,000))
9		<u>\$135,000</u>
10	State Toxics Control Account--State Appropriation . .	((\$112,575,000))
11		<u>\$148,563,000</u>
12	State Toxics Control Account--Private/Local	
13	Appropriation	((\$968,000))
14		<u>\$966,000</u>
15	Local Toxics Control Account--State Appropriation . . .	((\$27,390,000))
16		<u>\$26,207,000</u>
17	Water Quality Permit Account--State Appropriation . . .	((\$37,748,000))
18		<u>\$39,066,000</u>
19	Underground Storage Tank Account--State	
20	Appropriation	((\$3,254,000))
21		<u>\$3,239,000</u>
22	Biosolids Permit Account--State Appropriation	((\$1,805,000))
23		<u>\$1,797,000</u>
24	Hazardous Waste Assistance Account--State	
25	Appropriation	((\$5,857,000))
26		<u>\$5,835,000</u>
27	Air Pollution Control Account--State Appropriation . . .	((\$2,468,000))
28		<u>\$2,545,000</u>
29	Oil Spill Prevention Account--State Appropriation . . .	((\$5,566,000))
30		<u>\$5,542,000</u>
31	Air Operating Permit Account--State Appropriation . . .	((\$2,746,000))
32		<u>\$3,285,000</u>
33	Freshwater Aquatic Weeds Account--State	
34	Appropriation	((\$1,700,000))
35		<u>\$1,698,000</u>
36	Oil Spill Response Account--State Appropriation	\$7,076,000
37	Metals Mining Account--State Appropriation	\$14,000
38	Water Pollution Control Revolving Account--State	

1	Appropriation	((\$611,000))
2		<u>\$610,000</u>
3	Water Pollution Control Revolving Account--Federal	
4	Appropriation	((\$2,517,000))
5		<u>\$2,509,000</u>
6	TOTAL APPROPRIATION	((\$421,842,000))
7		<u>\$440,359,000</u>

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

10 (1) \$170,000 of the oil spill prevention account--state
11 appropriation is provided solely for a contract with the University of
12 Washington's sea grant program to continue an educational program
13 targeted to small spills from commercial fishing vessels, ferries,
14 cruise ships, ports, and marinas.

15 (2) Pursuant to RCW 43.135.055, the department is authorized to
16 increase the following fees as necessary to meet the actual costs of
17 conducting business and the appropriation levels in this section:
18 Wastewater discharge permit, not more than 4.34 percent in fiscal year
19 2012 and 4.62 percent in fiscal year 2013; biosolids permit fee, not
20 more than 10 percent during the biennium; and air contaminate source
21 registration fee, not more than 36 percent during the biennium;
22 agricultural burning acreage and pile burning fees, not more than 25
23 percent and 100 percent respectively, in fiscal year 2013; and dam
24 safety and inspection fees, not more than 35 percent in fiscal year
25 2012 and 4.62 percent in fiscal year 2013. Any fee increase
26 implemented to offset general fund--state reductions in the 2011-2013
27 fiscal biennium may be made effective on or before July 1, 2012.

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

33 (4) \$463,000 of the state toxics control account--state
34 appropriation is provided solely for implementation of Engrossed Second
35 Substitute House Bill No. 1186 (state's oil spill program). If the
36 bill is not enacted by June 30, 2011, the amount provided in this
37 subsection shall lapse.

1 (5) Pursuant to RCW 70.93.180(5), the appropriations in this
2 section from the waste reduction, recycling, and litter control account
3 shall only be expended on activities listed under RCW 70.93.180(1) (a)
4 and (b), and the department shall not expend appropriations on RCW
5 70.93.180(1)(c). The department may not spend waste reduction,
6 recycling, and litter control account funds to support the following
7 activities: The beyond waste plan, work on national solid waste
8 recycling issues, work on construction and demolition recycling and
9 green building alternatives, education programs including the green
10 schools initiative, and management of the 1-800-recycle hotline and
11 database on school awards. Waste reduction, recycling, and litter
12 account control funds must be prioritized to support litter pickup
13 using correctional crews, regulatory programs, and technical assistance
14 to local governments.

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

24 (7) The department shall review its water rights application review
25 procedures to simplify the procedures, eliminate unnecessary steps, and
26 decrease the time required to issue decisions. The department shall
27 implement changes to improve water rights processing for which it has
28 current administrative authority. The department shall report on
29 reforms implemented and efficiencies achieved as demonstrated through
30 enhanced permit processing to the appropriate committees of the
31 legislature on December 1, 2011, and October 1, 2012.

32 (a) The department shall consult with key stakeholders on statutory
33 barriers to efficient water rights processing and effective water
34 management, including identification of obsolete, confusing, or
35 conflicting statutory provisions. The department shall report
36 stakeholder recommendations to appropriate committees of the
37 legislature by December 1, 2011, and October 1, 2012.

1 (b) \$500,000 of the general fund--state appropriation for fiscal
2 year 2013 is provided solely for processing water right permit
3 applications only if the department of ecology issues at least five
4 hundred water right decisions in fiscal year 2012, and if the
5 department of ecology does not issue at least five hundred water right
6 decisions in fiscal year 2012 the amount provided in this subsection
7 shall lapse and remain unexpended. The department of ecology shall
8 submit a report to the office of financial management and the state
9 treasurer by June 30, 2012, that documents whether five hundred water
10 right decisions were issued in fiscal year 2012. For the purposes of
11 this subsection, applications that are voluntarily withdrawn by an
12 applicant do not count towards the five hundred water right decision
13 requirement. For the purposes of water budget-neutral requests under
14 chapter 173-539A WAC, multiple domestic connections authorized within
15 a single water budget-neutral decision are considered one decision for
16 the purposes of this subsection.

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

20 (8) \$1,075,000 of the general fund--state appropriation for fiscal
21 year 2012 and \$1,075,000 of the general fund--state appropriation for
22 fiscal year 2013 are provided solely for processing the backlog of
23 pending water rights permit applications in the water resources
24 program.

25 (9) As soon as possible after filing CR-102 proposed draft rule
26 language that establishes standards or criteria for human health based
27 on fish consumption rates under chapter 173-204 WAC, and prior to
28 expending any funds to implement such rules, the department shall
29 present to the appropriate environment and fiscal committees of the
30 legislature technical support document No. 11-09-050. The department
31 must include proposed revised standards or criteria together with the
32 statements, determination and documentation set forth in RCW 34.05.328
33 including without limitation a cost-benefit analysis, a least
34 burdensome alternative analysis, an implementation plan and substantial
35 evidence that any difference between the proposed criteria and the
36 national toxics rule is necessary to achieve the general and specific
37 objectives of chapter 90.48 RCW.

1 (10) To increase the focus on processing of water right
2 applications by reducing certain current workload, the department shall
3 provide the option for a ministerial development schedule extension for
4 any water right permit, previously approved permit extension, or water
5 right change or transfer authorization with a development schedule
6 deadline prior to June 30, 2013. The extensions require payment of the
7 fee under RCW 90.03.470 and will be for one year.

8 (11) Pursuant to House Bill No. 2304 (low-level waste), the
9 appropriations in this section for the low-level radioactive waste site
10 use permit program are for fiscal year 2012. Appropriations for fiscal
11 year 2013 are contained in section 219 of this act.

12 (12) \$128,000 of the wood stove education and enforcement account--
13 state appropriation is provided solely for the implementation of Senate
14 Bill No. 6077 (solid fuel burning devices). If the bill is not enacted
15 by June 30, 2012, the amount provided in this subsection shall lapse.

16 (13) Pursuant to RCW 90.16.090(2), the appropriations in this
17 section from the reclamation account--state appropriation shall be
18 expended for the activities listed in RCW 90.16.090(1), and the
19 expenditures need not be proportional to fee revenue sources.

20 (14) \$2,000,000 of the state toxics control account--state
21 appropriation is provided solely for the replacement of uncertified
22 solid fuel burning devices and solid fuel burning devices manufactured
23 prior to 1995 for low and middle-income families in air quality
24 nonattainment areas under the federal clean air act (42 U.S.C. Sec.
25 7401 et seq.). The replacement heating device may include certified
26 solid fuel burning devices, pellet stoves, or a cleaner natural gas or
27 electric home heating device.

28 (15) \$188,000 of the general fund--state appropriation for fiscal
29 year 2013 is provided solely for the implementation of Second
30 Substitute Senate Bill No. 6406 (state natural resources). If the bill
31 is not enacted by June 30, 2012, the amount provided in this subsection
32 shall lapse.

33 **Sec. 302.** 2011 2nd sp.s. c 9 s 303 (uncodified) is amended to read
34 as follows:

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

36 General Fund--State Appropriation (FY 2012) \$8,955,000
37 General Fund--State Appropriation (FY 2013) \$8,379,000

1	General Fund--Federal Appropriation	\$5,905,000
2	Winter Recreation Program Account--State Appropriation . . .	\$1,761,000
3	ORV and Nonhighway Vehicle Account--State Appropriation . . .	\$224,000
4	Snowmobile Account--State Appropriation	\$4,848,000
5	Aquatic Lands Enhancement Account--State	
6	Appropriation	((\$363,000))
7		<u>\$4,363,000</u>
8	Parks Renewal and Stewardship Account--State	
9	Appropriation	((\$116,087,000))
10		<u>\$116,649,000</u>
11	Parks Renewal and Stewardship Account--Private/Local	
12	Appropriation	\$300,000
13	TOTAL APPROPRIATION	((\$146,822,000))
14		<u>\$151,384,000</u>

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

17 (1) \$8,876,000 of the general fund--state appropriation for fiscal
18 year 2012 (~~and~~), \$8,300,000 of the general fund--state appropriation
19 for fiscal year 2013, and \$4,000,000 of the aquatic lands enhancement
20 account--state appropriation are provided solely to operate and
21 maintain state parks as the commission implements a new fee structure.
22 The goal of this structure is to make the parks system self-supporting.
23 By August 1, 2012, state parks must submit a report to the office of
24 financial management detailing its progress toward this goal and
25 outlining any additional statutory changes needed for successful
26 implementation.

27 (2) \$79,000 of the general fund--state appropriation for fiscal
28 year 2012 and \$79,000 of the general fund--state appropriation for
29 fiscal year 2013 are provided solely for a grant for the operation of
30 the Northwest avalanche center.

31 (3) \$53,928,000 of the parks renewal and stewardship account--state
32 appropriation is provided solely for implementation of Second
33 Substitute Senate Bill No. 5622 (state land recreation access). If the
34 bill is not enacted by June 30, 2011, the amount provided in this
35 subsection shall lapse.

36 (4) Prior to closing any state park, the commission must notify all
37 affected local governments and relevant nonprofit organizations of the
38 intended closure and provide an opportunity for the notified local

1 governments and nonprofit organizations to elect to acquire, or enter
2 into, a maintenance and operating contract with the commission that
3 would allow the park to remain open.

4 (5) \$592,000 of the parks renewal and stewardship account--state
5 appropriation is provided solely for the implementation of Substitute
6 Senate Bill No. 6387 (parks fiscal matters). If the bill is not
7 enacted by June 30, 2012, the amount provided in this subsection shall
8 lapse.

9 (6) Within the appropriations contained in this section, the
10 commission shall remove trees from Brooks memorial state park that have
11 been killed or damaged by fire in order to ensure the recovery of value
12 from the sale of any timber that is surplus to the needs of the park.
13 The commission shall remove such trees by September 30, 2012, and in a
14 manner consistent with RCW 79A.05.035.

15 **Sec. 303.** 2011 2nd sp.s. c 9 s 304 (uncodified) is amended to read
16 as follows:

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

18	General Fund--State Appropriation (FY 2012)	(((\$954,000))
19		<u>\$902,000</u>
20	General Fund--State Appropriation (FY 2013)	(((\$973,000))
21		<u>\$845,000</u>
22	General Fund--Federal Appropriation	\$3,299,000
23	General Fund--Private/Local Appropriation	(((\$274,000))
24		<u>\$24,000</u>
25	Aquatic Lands Enhancement Account--State Appropriation	\$278,000
26	Vessel Response Account--State Appropriation	\$100,000
27	Firearms Range Account--State Appropriation	\$37,000
28	Recreation Resources Account--State Appropriation	(((\$2,874,000))
29		<u>\$2,914,000</u>
30	NOVA Program Account--State Appropriation	\$900,000
31	TOTAL APPROPRIATION	(((\$9,689,000))
32		<u>\$9,299,000</u>

33 The appropriations in this section are subject to the following
34 conditions and limitations: \$40,000 of the general fund--federal
35 appropriation, \$24,000 of the general fund--private/local
36 appropriation, \$100,000 of the vessel response account--state
37 appropriation, and \$12,000 of the recreation resources account--state

1 appropriation are provided solely for House Bill No. 1413 (invasive
2 species council). If the bill is not enacted by June 30, 2011, the
3 amounts provided in this subsection shall lapse.

4 **Sec. 304.** 2011 2nd sp.s. c 9 s 305 (uncodified) is amended to read
5 as follows:

6 **FOR THE ENVIRONMENTAL AND LAND USE HEARINGS OFFICE**

7	General Fund--State Appropriation (FY 2012)	((\$2,308,000))
8		<u>\$2,209,000</u>
9	General Fund--State Appropriation (FY 2013)	((\$2,275,000))
10		<u>\$2,159,000</u>
11	TOTAL APPROPRIATION	((\$4,583,000))
12		<u>\$4,368,000</u>

13 **Sec. 305.** 2011 2nd sp.s. c 9 s 306 (uncodified) is amended to read
14 as follows:

15 **FOR THE CONSERVATION COMMISSION**

16	General Fund--State Appropriation (FY 2012)	((\$6,789,000))
17		<u>\$6,742,000</u>
18	General Fund--State Appropriation (FY 2013)	((\$6,792,000))
19		<u>\$6,504,000</u>
20	General Fund--Federal Appropriation	\$1,301,000
21	TOTAL APPROPRIATION	((\$14,882,000))
22		<u>\$14,547,000</u>

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

25 (1) The conservation commission, in cooperation with all
26 conservation districts, will seek to minimize conservation district
27 overhead costs. These efforts may include consolidating conservation
28 districts.

29 (2) \$122,000 of the general fund--federal appropriation is provided
30 solely for Engrossed Substitute House Bill No. 1886 (Ruckelshaus center
31 process). If the bill is not enacted by June 30, 2011, the amount
32 provided in this subsection shall lapse.

33 **Sec. 306.** 2011 2nd sp.s. c 9 s 307 (uncodified) is amended to read
34 as follows:

1	FOR THE DEPARTMENT OF FISH AND WILDLIFE	
2	General Fund--State Appropriation (FY 2012)	((<u>\$34,695,000</u>))
3		<u>\$32,380,000</u>
4	General Fund--State Appropriation (FY 2013)	((<u>\$32,388,000</u>))
5		<u>\$25,467,000</u>
6	General Fund--Federal Appropriation	((<u>\$105,717,000</u>))
7		<u>\$105,719,000</u>
8	General Fund--Private/Local Appropriation	((<u>\$57,025,000</u>))
9		<u>\$57,055,000</u>
10	ORV and Nonhighway Vehicle Account--State Appropriation . . .	\$391,000
11	Aquatic Lands Enhancement Account--State	
12	Appropriation	((<u>\$8,230,000</u>))
13		<u>\$10,718,000</u>
14	Recreational Fisheries Enhancement--State	
15	Appropriation	((<u>\$3,550,000</u>))
16		<u>\$2,800,000</u>
17	Warm Water Game Fish Account--State Appropriation . . .	((<u>\$3,051,000</u>))
18		<u>\$2,851,000</u>
19	Eastern Washington Pheasant Enhancement Account--State	
20	Appropriation	\$849,000
21	Aquatic Invasive Species Enforcement Account--State	
22	Appropriation	\$204,000
23	Aquatic Invasive Species Prevention Account--State	
24	Appropriation	((<u>\$719,000</u>))
25		<u>\$852,000</u>
26	State Wildlife Account--State Appropriation	((<u>\$100,424,000</u>))
27		<u>\$101,434,000</u>
28	Special Wildlife Account--State Appropriation	\$2,384,000
29	Special Wildlife Account--Federal Appropriation	\$500,000
30	Special Wildlife Account--Private/Local Appropriation . . .	\$3,415,000
31	Wildlife Rehabilitation Account--State Appropriation	\$259,000
32	Regional Fisheries Enhancement Salmonid Recovery	
33	Account--Federal Appropriation	\$5,001,000
34	Oil Spill Prevention Account--State Appropriation	\$887,000
35	Oyster Reserve Land Account--State Appropriation	\$921,000
36	<u>Hydraulic Project Approval Account--State</u>	
37	<u>Appropriation</u>	<u>\$415,000</u>
38	<u>Recreation Resources Account--State Appropriation</u>	<u>\$4,621,000</u>

1 TOTAL APPROPRIATION ((~~\$360,610,000~~))
2 \$359,123,000

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

5 (1) \$294,000 of the aquatic lands enhancement account--state
6 appropriation is provided solely for the implementation of hatchery
7 reform recommendations defined by the hatchery scientific review group.

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

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

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

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

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

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

34 (3) Prior to submitting its 2013-2015 biennial operating and
35 capital budget request related to state fish hatcheries to the office
36 of financial management, the department shall contract with the
37 hatchery scientific review group (HSRG) to review this request. This
38 review shall: (a) Determine if the proposed requests are consistent

1 with HSRG recommendations; (b) prioritize the components of the
2 requests based on their contributions to protecting wild salmonid
3 stocks and meeting the recommendations of the HSRG; and (c) evaluate
4 whether the proposed requests are being made in the most cost effective
5 manner. The department shall provide a copy of the HSRG review to the
6 office of financial management with their agency budget proposal.

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

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

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

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

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

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

1 (10) \$18,514,000 of the state wildlife account--state appropriation
2 is provided solely for the implementation of Second Substitute Senate
3 Bill No. 5385 (state wildlife account). If the bill is not enacted by
4 June 30, 2011, the amount provided in this subsection shall lapse.

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

10 (12) \$50,000 of the state wildlife account--state appropriation is
11 provided solely for mitigation, claims, and assessment costs for injury
12 or loss of livestock caused by wolves, black bears, and cougars.

13 (13) \$552,000 of the aquatic lands enhancement account--state
14 appropriation is provided solely for increased law enforcement capacity
15 to reduce the occurrence of geoduck poaching and illegal harvest
16 activities. The department shall fill current vacant law enforcement
17 positions prior to filling the new positions created under this
18 subsection.

19 (14) \$56,000 of the state wildlife account--state appropriation is
20 provided solely for the implementation of Substitute Senate Bill No.
21 6387 (natural resource fiscal matters). If the bill is not enacted by
22 June 30, 2012, the amount provided in this subsection shall lapse.

23 (15) \$415,000 of the hydraulic project approval--state
24 appropriation is provided solely for the implementation of Second
25 Substitute Senate Bill No. 6406 (state natural resources). If the bill
26 is not enacted by June 30, 2012, the amount provided in this subsection
27 shall lapse.

28 **Sec. 307.** 2011 2nd sp.s. c 9 s 308 (uncodified) is amended to read
29 as follows:

30 **FOR THE DEPARTMENT OF NATURAL RESOURCES**

31 General Fund--State Appropriation (FY 2012) ((~~\$31,324,000~~))
32 \$30,956,000
33 General Fund--State Appropriation (FY 2013) ((~~\$35,791,000~~))
34 \$32,594,000
35 General Fund--Federal Appropriation \$27,919,000
36 General Fund--Private/Local Appropriation \$2,374,000
37 Forest Development Account--State Appropriation ((~~\$41,717,000~~))

1		<u>\$45,115,000</u>
2	ORV and Nonhighway Vehicle Account--State Appropriation . . .	\$4,387,000
3	Surveys and Maps Account--State Appropriation	((\$2,346,000))
4		<u>\$2,124,000</u>
5	Aquatic Lands Enhancement Account--State	
6	Appropriation	((\$7,224,000))
7		<u>\$1,224,000</u>
8	Resources Management Cost Account--State	
9	Appropriation	((\$82,097,000))
10		<u>\$89,699,000</u>
11	Surface Mining Reclamation Account--State	
12	Appropriation	((\$3,484,000))
13		<u>\$3,486,000</u>
14	Disaster Response Account--State Appropriation	\$5,000,000
15	Forest and Fish Support Account--State Appropriation	((\$7,933,000))
16		<u>\$10,484,000</u>
17	Aquatic Land Dredged Material Disposal Site	
18	Account--State Appropriation	\$838,000
19	Natural Resources Conservation Areas Stewardship	
20	Account--State Appropriation	\$34,000
21	<u>Marine Resources Stewardship Account--State</u>	
22	<u>Appropriation</u>	<u>\$2,400,000</u>
23	State Toxics Control Account--State Appropriation	\$80,000
24	Air Pollution Control Account--State Appropriation	((\$669,000))
25		<u>\$540,000</u>
26	NOVA Program Account--State Appropriation	\$639,000
27	Derelict Vessel Removal Account--State Appropriation	\$1,761,000
28	Agricultural College Trust Management Account--State	
29	Appropriation	\$1,854,000
30	<u>Forest Practices Application Account--State</u>	
31	<u>Appropriation</u>	<u>\$780,000</u>
32	TOTAL APPROPRIATION	((\$257,471,000))
33		<u>\$264,288,000</u>

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

- 36 (1) \$710,000 of the general fund--state appropriation for fiscal
37 year 2012 and \$915,000 of the general fund--state appropriation for
38 fiscal year 2013 are provided solely for deposit into the agricultural

1 college trust management account and are provided solely to manage
2 approximately 70,700 acres of Washington State University's
3 agricultural college trust lands.

4 (2) \$8,030,000 of the general fund--state appropriation for fiscal
5 year 2012, (~~(\$10,037,000)~~) \$8,819,000 of the general fund--state
6 appropriation for fiscal year 2013, \$595,000 of the forest development
7 account--state appropriation, and \$5,000,000 of the disaster response
8 account--state appropriation are provided solely for emergency fire
9 suppression. None of the general fund and disaster response account
10 amounts provided in this subsection may be used to fund agency indirect
11 and administrative expenses. Agency indirect and administrative costs
12 shall be allocated among the agency's remaining accounts and
13 appropriations. The department of natural resources shall submit a
14 quarterly report to the office of financial management and the
15 legislative fiscal committees detailing information on current and
16 planned expenditures from the disaster response account. This work
17 shall be done in coordination with the military department.

18 (3) (~~(\$4,000,000 of the forest and fish support account--state~~
19 ~~appropriation is provided solely for adaptive management, monitoring,~~
20 ~~and participation grants to tribes. If federal funding for this~~
21 ~~purpose is reinstated, the amount provided in this subsection shall~~
22 ~~lapse.~~

23 (4) ~~\$333,000 of the forest and fish support account--state~~
24 ~~appropriation is provided solely for adaptive management, monitoring,~~
25 ~~and participation grants to nongovernmental organizations.)~~ \$4,250,000
26 of the forest and fish support account--state appropriation is provided
27 solely for outcome-based, performance contracts with tribes to
28 participate in the implementation of the forest practices program.
29 Contracts awarded in fiscal year 2013 may only contain indirect cost
30 set at or below the rate in the contracting tribe's indirect cost
31 agreement with the federal government. If federal funding for this
32 purpose is reinstated, the amount provided in this subsection shall
33 lapse.

34 (4) \$468,000 of the forest and fish support account--state
35 appropriation is provided solely for outcome-based performance
36 contracts with nongovernmental organizations to participate in the
37 implementation of the forest practices program. Contracts awarded in

1 fiscal year 2013 may only contain indirect cost set at or below a rate
2 of eighteen percent.

3 (5) (~~(\$487,000)~~) \$717,000 of the (~~(general fund)~~) forest and fish
4 support account--state appropriation is provided solely to fund
5 interagency agreements with the department of ecology and the
6 department of fish and wildlife as part of the adaptive management
7 process.

8 (6) \$1,000,000 of the general fund--federal appropriation and
9 \$1,000,000 of the forest and fish support account--state appropriation
10 are provided solely for continuing scientific studies already underway
11 as part of the adaptive management process. Funds may not be used to
12 initiate new studies unless the department secures new federal funding
13 for the adaptive management process.

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

18 (8) \$440,000 of the state general fund--state appropriation for
19 fiscal year 2012 and \$440,000 of the state general fund--state
20 appropriation for fiscal year 2013 are provided solely for forest work
21 crews that support correctional camps and are contingent upon
22 continuing operations of Naselle youth camp.

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

28 (10) In partnership with the department of ecology, the departments
29 shall deliver a report to the governor, the appropriate committees of
30 the legislature, and the forest practices board by September 1, 2012,
31 documenting forest practices adaptive management program reforms
32 implemented, or recommended, that streamline existing processes to
33 increase program efficiencies and effectiveness. The departments shall
34 collaborate with interested adaptive management program participants in
35 the development of the report.

36 (11) \$780,000 of the forest practices application account--state
37 appropriation, \$18,000 of the forest development account--state
38 appropriation, \$22,000 of the resources management cost account--state

1 appropriation, and \$2,000 of the surface mining reclamation account--
2 state appropriation are provided solely for the implementation of
3 Second Substitute Senate Bill No. 6406 (state natural resources). If
4 the bill is not enacted by June 30, 2012, the amounts provided in this
5 subsection shall lapse.

6 (12) \$2,400,000 of the marine resources stewardship account--state
7 appropriation is provided solely for the implementation of Second
8 Substitute Senate Bill No. 6263 (marine management planning). If the
9 bill is not enacted by June 30, 2012, the amount provided in this
10 subsection shall lapse.

11 **Sec. 308.** 2011 2nd sp.s. c 9 s 309 (uncodified) is amended to read
12 as follows:

13 **FOR THE DEPARTMENT OF AGRICULTURE**

14	General Fund--State Appropriation (FY 2012)	((\$15,484,000))
15		<u>\$12,942,000</u>
16	General Fund--State Appropriation (FY 2013)	((\$14,875,000))
17		<u>\$12,181,000</u>
18	General Fund--Federal Appropriation	((\$22,940,000))
19		<u>\$22,897,000</u>
20	General Fund--Private/Local Appropriation	\$190,000
21	Aquatic Lands Enhancement Account--State	
22	Appropriation	((\$2,553,000))
23		<u>\$2,548,000</u>
24	State Toxics Control Account--State Appropriation	((\$5,118,000))
25		<u>\$10,132,000</u>
26	Water Quality Permit Account--State Appropriation	\$60,000
27	Freshwater Aquatic Weeds Account--State Appropriation	\$280,000
28	TOTAL APPROPRIATION	((\$61,500,000))
29		<u>\$61,230,000</u>

30 (1) The appropriations in this section are subject to the following
31 conditions and limitations: \$5,308,445 of the general fund--state
32 appropriation for fiscal year 2012 and \$5,302,905 of the general fund--
33 state appropriation for fiscal year 2013 are provided solely for
34 implementing the food assistance program as defined in RCW 43.23.290.

35 (2) Pursuant to RCW 43.135.055, the department is authorized to
36 increase the following fees in the 2011-2013 fiscal biennium as
37 necessary to meet the actual costs of conducting business: Fruit and

1 vegetable platform inspections; grain program services; warehouse
2 audits; requested inspections; seed inspections, testing, sampling and
3 certifications; phytosanitary certifications for seed; commission
4 merchants; and sod quality seed tags and tagging. In addition,
5 pursuant to RCW 43.135.055, 17.21.134, and 15.58.240, the department is
6 authorized to establish pesticide license examination fees.

7 **Sec. 309.** 2011 2nd sp.s. c 9 s 311 (uncodified) is amended to read
8 as follows:

9 **FOR THE PUGET SOUND PARTNERSHIP**

10	General Fund--State Appropriation (FY 2012)	((\$2,399,000))
11		<u>\$2,278,000</u>
12	General Fund--State Appropriation (FY 2013)	((\$2,424,000))
13		<u>\$2,280,000</u>
14	General Fund--Federal Appropriation	((\$9,581,000))
15		<u>\$12,449,000</u>
16	General Fund--Private/Local Appropriation	\$25,000
17	Aquatic Lands Enhancement Account--State Appropriation	\$493,000
18	State Toxics Control Account--State Appropriation	\$665,000
19	TOTAL APPROPRIATION	((\$15,587,000))
20		<u>\$18,190,000</u>

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

23 (1) \$665,000 of the state toxics control account-- state
24 appropriation is provided solely for activities that contribute to
25 Puget Sound protection and recovery, including provision of independent
26 advice and assessment of the state's oil spill prevention,
27 preparedness, and response programs, including review of existing
28 activities and recommendations for any necessary improvements. The
29 partnership may carry out this function through an existing committee,
30 such as the ecosystem coordination board or the leadership council, or
31 may appoint a special advisory council. Because this is a unique
32 statewide program, the partnership may invite participation from
33 outside the Puget Sound region.

34 (2) Within the amounts appropriated in this section, the Puget
35 Sound partnership shall facilitate an ongoing monitoring consortium to
36 integrate monitoring efforts for storm water, water quality, watershed

1 health, and other indicators to enhance monitoring efforts in Puget
2 Sound.

(End of part)

PART IV
TRANSPORTATION

Sec. 401. 2011 2nd sp.s. c 9 s 401 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING

General Fund--State Appropriation (FY 2012)	\$1,167,000
General Fund--State Appropriation (FY 2013)	\$1,307,000
Architects' License Account--State Appropriation	\$1,084,000
Professional Engineers' Account--State Appropriation	\$3,518,000
Real Estate Commission Account--State Appropriation	\$9,833,000
Uniform Commercial Code Account--State Appropriation	\$3,120,000
Real Estate Education Account--State Appropriation	\$276,000
Real Estate Appraiser Commission Account--State Appropriation	\$1,687,000
Business and Professions Account--State Appropriation	\$15,592,000
Real Estate Research Account--State Appropriation	\$622,000
Geologists' Account--State Appropriation	\$51,000
Derelict Vessel Removal Account--State Appropriation	\$31,000
TOTAL APPROPRIATION	\$38,288,000

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

(1) Pursuant to RCW 43.135.055, the department is authorized to increase fees for collection agencies and the camping resorts program. This increase is necessary to support the expenditures authorized in this section, consistent with RCW 43.24.086.

(2) \$8,000 of the business and professions account--state appropriation is provided solely to implement Substitute Senate Bill No. 5574 (collection agencies).

Sec. 402. 2011 2nd sp.s. c 9 s 402 (uncodified) is amended to read as follows:

1	FOR THE STATE PATROL	
2	General Fund--State Appropriation (FY 2012)	((\$37,352,000))
3		<u>\$37,332,000</u>
4	General Fund--State Appropriation (FY 2013)	((\$35,108,000))
5		<u>\$34,082,000</u>
6	General Fund--Federal Appropriation	\$16,081,000
7	General Fund--Private/Local Appropriation	\$3,021,000
8	Death Investigations Account--State Appropriation	\$5,551,000
9	County Criminal Justice Assistance Account--State	
10	Appropriation	\$3,215,000
11	Municipal Criminal Justice Assistance Account--State	
12	Appropriation	\$1,290,000
13	Fire Service Trust Account--State Appropriation	\$131,000
14	Disaster Response Account--State Appropriation	\$8,002,000
15	Fire Service Training Account--State Appropriation	\$9,394,000
16	Aquatic Invasive Species Enforcement Account--State	
17	Appropriation	\$54,000
18	State Toxics Control Account--State Appropriation	\$505,000
19	Fingerprint Identification Account--State	
20	Appropriation	((\$10,090,000))
21		<u>\$10,091,000</u>
22	Vehicle License Fraud Account--State Appropriation	((\$339,000))
23		<u>\$439,000</u>
24	TOTAL APPROPRIATION	((\$130,133,000))
25		<u>\$130,188,000</u>

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

28 (1) \$200,000 of the fire service training account--state
29 appropriation is provided solely for two FTEs in the office of the
30 state director of fire protection to exclusively review K-12
31 construction documents for fire and life safety in accordance with the
32 state building code. It is the intent of this appropriation to provide
33 these services only to those districts that are located in counties
34 without qualified review capabilities.

35 (2) \$8,000,000 of the disaster response account--state
36 appropriation is provided solely for Washington state fire service
37 resource mobilization costs incurred in response to an emergency or
38 disaster authorized under RCW 43.43.960 and 43.43.964. \$500,000 of

1 this appropriation is available for mobilization to all risk disasters,
2 other than fires, in accordance with these statutes. The state patrol
3 shall submit a report quarterly to the office of financial management
4 and the legislative fiscal committees detailing information on current
5 and planned expenditures from this account. This work shall be done in
6 coordination with the military department.

7 (3) \$400,000 of the fire service training account--state
8 appropriation is provided solely for the firefighter apprenticeship
9 training program.

10 (4) In accordance with RCW 43.43.742 the state patrol is authorized
11 to increase the following fees in fiscal year 2012 as necessary to meet
12 the actual costs of conducting business and the appropriation levels in
13 this section: Notary service fee.

14 (5) \$59,000 of the fingerprint identification account--state
15 appropriation is provided solely for implementation of Engrossed Second
16 Substitute House Bill No. 1776 (child care center licensing). If the
17 bill is not enacted by June 30, 2011, the amount provided in this
18 subsection shall lapse.

19 (6) \$6,000 of the fingerprint identification account--state
20 appropriation is provided solely for implementation of Engrossed
21 Substitute House Bill No. 1494 (vulnerable adult referrals). If the
22 bill is not enacted by June 30, 2011, the amount provided in this
23 subsection shall lapse.

(End of part)

PART V
EDUCATION

Sec. 501. 2011 2nd sp.s. c 9 s 501 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

General Fund--State Appropriation (FY 2012)	((\$25,406,000))
	<u>\$25,137,000</u>
General Fund--State Appropriation (FY 2013)	((\$22,502,000))
	<u>\$15,739,000</u>
General Fund--Federal Appropriation	\$77,065,000
General Fund--Private/Local Appropriation	\$4,000,000
TOTAL APPROPRIATION	((\$128,973,000))
	<u>\$121,941,000</u>

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

(1) A maximum of ((~~\$16,139,000~~)) \$15,878,000 of the general fund--state appropriation for fiscal year 2012 and ((~~\$13,335,000~~)) \$12,681,000 of the general fund--state appropriation for fiscal year 2013 is for state agency operations.

(a) \$9,775,000 of the general fund--state appropriation for fiscal year 2012 and \$8,532,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the operation and expenses of the office of the superintendent of public instruction.

(i) Within the amounts provided in this subsection (1)(a), the superintendent shall recognize the extraordinary accomplishments of four students who have demonstrated a strong understanding of the civics essential learning requirements to receive the Daniel J. Evans civic education award.

(ii) By January 1, 2012, the office of the superintendent of public instruction shall issue a report to the legislature with a timeline and an estimate of costs for implementation of the common core standards. The report must incorporate feedback from an open public forum for recommendations to enhance the standards, particularly in math.

(iii) Within the amounts provided, and in consultation with the public school employees of Washington and the Washington school

1 counselors' association, the office of the superintendent of public
2 instruction shall develop a model policy that further defines the
3 recommended roles and responsibilities of graduation coaches and
4 identifies best practices for how graduation coaches work in
5 coordination with school counselors and in the context of a
6 comprehensive school guidance and counseling program.

7 (iv) The office of the superintendent of public instruction shall,
8 no later than August 1, 2011, establish a standard statewide definition
9 of unexcused absence. The definition shall be reported to the ways and
10 means committees of the senate and house of representatives for
11 legislative review in the 2012 legislative session. Beginning no later
12 than January 1, 2012, districts shall report to the office of the
13 superintendent of public instruction, daily student unexcused absence
14 data by school.

15 (b) \$1,964,000 of the general fund--state appropriation for fiscal
16 year 2012 and \$1,017,000 of the general fund--state appropriation for
17 fiscal year 2013 are provided solely for activities associated with the
18 implementation of new school finance systems required by chapter 236,
19 Laws of 2010 (K-12 education funding) and chapter 548, Laws of 2009
20 (state's education system), including technical staff, systems
21 reprogramming, and workgroup deliberations, including the quality
22 education council and the data governance working group.

23 (c) (~~(\$851,000)~~) \$808,000 of the general fund--state appropriation
24 for fiscal year 2012 and (~~(\$851,000)~~) \$766,000 of the general fund--
25 state appropriation for fiscal year 2013 are provided solely for the
26 operation and expenses of the state board of education, including basic
27 education assistance activities.

28 (d) (~~(\$1,744,000)~~) \$1,526,000 of the general fund--state
29 appropriation for fiscal year 2012 and (~~(\$1,362,000)~~) \$913,000 of the
30 general fund--state appropriation for fiscal year 2013 are provided
31 solely to the professional educator standards board for the following:

32 (i) (~~(\$1,050,000)~~) \$832,000 in fiscal year 2012 and (~~(\$1,050,000)~~)
33 \$913,000 in fiscal year 2013 are for the operation and expenses of the
34 Washington professional educator standards board; and

35 (ii) \$694,000 of the general fund--state appropriation for fiscal
36 year 2012 (~~and \$312,000 of the general fund--state appropriation for~~
37 ~~fiscal year 2013 are)) is for conditional scholarship loans and mentor
38 stipends provided through the alternative routes to certification~~

1 program administered by the professional educator standards board,
2 including the pipeline for paraeducators program and the retooling to
3 teach conditional loan programs. Funding within this subsection
4 (1)(d)(ii) is also provided for the recruiting Washington teachers
5 program. Funding reductions in this subsection (1)(d)(ii) in the 2011-
6 2013 fiscal biennium are intended to be one-time.

7 (e) \$133,000 of the general fund--state appropriation for fiscal
8 year 2012 and \$133,000 of the general fund--state appropriation for
9 fiscal year 2013 are provided solely for the implementation of chapter
10 240, Laws of 2010, including staffing the office of equity and civil
11 rights.

12 (f) \$50,000 of the general fund--state appropriation for fiscal
13 year 2012 (~~and \$50,000 of the general fund--state appropriation for~~
14 ~~fiscal year 2013 are~~) is provided solely for the ongoing work of the
15 education opportunity gap oversight and accountability committee.

16 (g) \$45,000 of the general fund--state appropriation for fiscal
17 year 2012 (~~and \$45,000 of the general fund--state appropriation for~~
18 ~~fiscal year 2013 are~~) is provided solely for the implementation of
19 chapter 380, Laws of 2009 (enacting the interstate compact on
20 educational opportunity for military children).

21 (h) \$159,000 of the general fund--state appropriation for fiscal
22 year 2012 and \$93,000 of the general fund--state appropriation for
23 fiscal year 2013 are provided solely for the implementation of chapter
24 185, Laws of 2011 (bullying prevention), which requires the office of
25 the superintendent of public instruction to convene an ongoing
26 workgroup on school bullying and harassment prevention. Within the
27 amounts provided, \$140,000 is for youth suicide prevention activities.

28 (i) \$1,227,000 of the general fund--state appropriation for fiscal
29 year 2012 and \$1,227,000 of the general fund--state appropriation for
30 fiscal year 2013 are provided solely for implementing a comprehensive
31 data system to include financial, student, and educator data, including
32 development and maintenance of the comprehensive education data and
33 research system (CEDARS).

34 (j) \$25,000 of the general fund--state appropriation for fiscal
35 year 2012 (~~and \$25,000 of the general fund--state appropriation for~~
36 ~~fiscal year 2013 are~~) is provided solely for project citizen, a
37 program sponsored by the national conference of state legislatures and

1 the center for civic education to promote participation in government
2 by middle school students.

3 (k) \$166,000 of the general fund--state appropriation for fiscal
4 year 2012 is provided solely for the implementation of chapter 192,
5 Laws of 2011 (school district insolvency). Funding is provided to
6 develop a clear legal framework and process for dissolution of a school
7 district.

8 (l) \$128,000 of the general fund--state appropriation for fiscal
9 year 2013 is provided solely pursuant to Substitute House Bill No. 2254
10 (foster care outcomes). The office of the superintendent of public
11 instruction shall report on the implementation of the state's plan of
12 cross-system collaboration to promote educational stability and improve
13 education outcomes of foster youth. The first report is due December
14 1, 2012, and annually thereafter through 2015. If the bill is not
15 enacted by June 30, 2012, the amount provided in this subsection shall
16 lapse.

17 (2) \$9,267,000 of the general fund--state appropriation for fiscal
18 year 2012 and (~~(\$9,167,000)~~) \$2,941,000 of the general fund--state
19 appropriation for fiscal year 2013 are for statewide programs.

20 (a) HEALTH AND SAFETY

21 (i) \$2,541,000 of the general fund--state appropriation for fiscal
22 year 2012 and \$2,541,000 of the general fund--state appropriation for
23 fiscal year 2013 are provided solely for a corps of nurses located at
24 educational service districts, as determined by the superintendent of
25 public instruction, to be dispatched to the most needy schools to
26 provide direct care to students, health education, and training for
27 school staff.

28 (ii) \$50,000 of the general fund--state appropriation for fiscal
29 year 2012 (~~(and \$50,000 of the general fund--state appropriation for~~
30 ~~fiscal year 2013 are))~~ is provided solely for a nonviolence and
31 leadership training program provided by the institute for community
32 leadership.

33 (b) TECHNOLOGY

34 \$1,221,000 of the general fund--state appropriation for fiscal year
35 2012 (~~(and \$1,221,000 of the general fund--state appropriation for~~
36 ~~fiscal year 2013 are))~~ is provided solely for K-20 telecommunications
37 network technical support in the K-12 sector to prevent system
38 failures and avoid interruptions in school utilization of the data

1 processing and video-conferencing capabilities of the network. These
2 funds may be used to purchase engineering and advanced technical
3 support for the network.

4 (c) GRANTS AND ALLOCATIONS

5 (i) \$675,000 of the general fund--state appropriation for fiscal
6 year 2012 (~~((and \$675,000 of the general fund--state appropriation for~~
7 ~~fiscal year 2013 are))~~) is provided solely for the Washington state
8 achievers scholarship program. The funds shall be used to support
9 community involvement officers that recruit, train, and match community
10 volunteer mentors with students selected as achievers scholars.

11 (ii) \$1,000,000 of the general fund--state appropriation for fiscal
12 year 2012 (~~((and \$1,000,000 of the general fund--state appropriation for~~
13 ~~fiscal year 2013 are))~~) is provided solely for contracting with a
14 college scholarship organization with expertise in conducting outreach
15 to students concerning eligibility for the Washington college bound
16 scholarship consistent with chapter 405, Laws of 2007.

17 (iii) \$2,808,000 of the general fund--state appropriation for
18 fiscal year 2012 (~~((and \$2,808,000 of the general fund--state~~
19 ~~appropriation for fiscal year 2013 are))~~) is provided solely for the
20 dissemination of the navigation 101 curriculum to all districts. The
21 funding shall support electronic student planning tools and software
22 for analyzing the impact of navigation 101 on student performance, as
23 well as grants to a maximum of one hundred school districts each year,
24 based on progress and need for the implementation of the navigation 101
25 program. The implementation grants shall be awarded to a cross-section
26 of school districts reflecting a balance of geographic and demographic
27 characteristics. Within the amounts provided, the office of the
28 superintendent of public instruction will create a navigation 101
29 accountability model to analyze the impact of the program.

30 (iv) \$337,000 of the general fund--state appropriation for fiscal
31 year 2012 (~~((and \$337,000 of the general fund--state appropriation for~~
32 ~~fiscal year 2013 are))~~) is provided solely for implementation of the
33 building bridges statewide program for comprehensive dropout
34 prevention, intervention, and reengagement strategies.

35 (v) \$135,000 of the general fund--state appropriation for fiscal
36 year 2012 (~~((and \$135,000 of the general fund--state appropriation for~~
37 ~~fiscal year 2013 are))~~) is provided solely for dropout prevention

1 programs at the office of the superintendent of public instruction,
2 including the jobs for America's graduates (JAG) program.

3 (vi) \$500,000 of the general fund--state appropriation for fiscal
4 year 2012 and \$400,000 of the general fund--state appropriation for
5 fiscal year 2013 are provided solely for the implementation of chapter
6 340, Laws of 2011 (assessment of students in state-funded full-day
7 kindergarten classrooms), including the development and implementation
8 of the Washington kindergarten inventory of developing skills (WaKIDS).

9 **Sec. 502.** 2011 2nd sp.s. c 9 s 502 (uncodified) is amended to read
10 as follows:

11 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR GENERAL**
12 **APPORTIONMENT**

13	General Fund--State Appropriation (FY 2012)	((\$5,253,769,000))
14		<u>\$5,241,233,000</u>
15	General Fund--State Appropriation (FY 2013)	((\$5,205,868,000))
16		<u>\$5,162,497,000</u>
17	General Fund--Federal Appropriation	\$22,078,000
18	TOTAL APPROPRIATION	((\$10,481,715,000))
19		<u>\$10,425,808,000</u>

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

22 (1)(a) Each general fund fiscal year appropriation includes such
23 funds as are necessary to complete the school year ending in the fiscal
24 year and for prior fiscal year adjustments.

25 (b) For the 2011-12 and 2012-13 school years, the superintendent
26 shall allocate general apportionment funding to school districts as
27 provided in the funding formulas and salary schedules in sections 502
28 and 503 of this act, excluding (c) of this subsection.

29 (c) From July 1, 2011 to August 31, 2011, the superintendent shall
30 allocate general apportionment funding to school districts programs as
31 provided in sections 502 and 504, chapter 564, Laws of 2009, as amended
32 through sections 1402 and 1403 of this act.

33 (d) The appropriations in this section include federal funds
34 provided through section 101 of P.L. No. 111-226 (education jobs fund),
35 which shall be used to support general apportionment program funding.
36 In distributing general apportionment allocations under this section
37 for the 2011-12 school year, the superintendent shall include the

1 additional amount of \$3,078,000 allocated by the United States
2 department of education on September 16, 2011, provided through 101 of
3 P.L. No. 111-226 (education jobs fund) as part of each district's
4 general apportionment allocation.

5 (e) The enrollment of any district shall be the annual average
6 number of full-time equivalent students and part-time students as
7 provided in RCW 28A.150.350, enrolled on the fourth day of school in
8 September and on the first school day of each month October through
9 June, including students who are in attendance pursuant to RCW
10 28A.335.160 and 28A.225.250 who do not reside within the servicing
11 school district. Any school district concluding its basic education
12 program in May must report the enrollment of the last school day held
13 in May in lieu of a June enrollment.

14 (2) CERTIFICATED INSTRUCTIONAL STAFF ALLOCATIONS

15 Allocations for certificated instructional staff salaries for the
16 2011-12 and 2012-13 school years are determined using formula-generated
17 staff units calculated pursuant to this subsection.

18 (a) Certificated instructional staff units, as defined in RCW
19 28A.150.410, shall be allocated to reflect the minimum class size
20 allocations, requirements, and school prototypes assumptions as
21 provided in RCW 28A.150.260. The superintendent shall make allocations
22 to school districts based on the district's annual average full-time
23 equivalent student enrollment in each grade.

24 (b) Additional certificated instructional staff units provided in
25 this subsection (2) that exceed the minimum requirements in RCW
26 28A.150.260 are enhancements outside the program of basic education,
27 except as otherwise provided in this section.

28 (c)(i) The superintendent shall base allocations for each level of
29 prototypical school on the following regular education average class
30 size of full-time equivalent students per teacher, except as provided
31 in (c)(ii) of this subsection:

32 General education class size:

33 Grade	RCW 28A.150.260
34 Grades K-3	25.23
35 Grade 4	27.00

1	Grades 5-6	.....	27.00
2	Grades 7-8	.....	28.53
3	Grades 9-12	.....	28.74

4 The superintendent shall base allocations for career and technical
5 education (CTE) and skill center programs average class size as
6 provided in RCW 28A.150.260.

7 (ii) For each level of prototypical school at which more than fifty
8 percent of the students were eligible for free and reduced-price meals
9 in the prior school year, the superintendent shall allocate funding
10 based on the following average class size of full-time equivalent
11 students per teacher:

12

13 General education class size in high poverty school:

14	Grades K-3	.....	24.10
15	Grade 4	.....	27.00
16	Grades 5-6	.....	27.00
17	Grades 7-8	.....	28.53
18	Grades 9-12	.....	28.74

19 (iii) Pursuant to RCW 28A.150.260(4)(a), the assumed teacher
20 planning period, expressed as a percentage of a teacher work day, is
21 13.42 percent in grades K-6, and 16.67 percent in grades 7-12; and

22 (iv) Laboratory science, advanced placement, and international
23 baccalaureate courses are funded at the same class size assumptions as
24 general education schools in the same grade; and

25 (d)(i) Funding for teacher librarians, school nurses, social
26 workers, school psychologists, and guidance counselors is allocated
27 based on the school prototypes as provided in RCW 28A.150.260 and is
28 considered certificated instructional staff, except as provided in
29 (d)(ii) of this subsection.

30 (ii) Students in approved career and technical education and skill
31 center programs generate certificated instructional staff units to
32 provide for the services of teacher librarians, school nurses, social
33 workers, school psychologists, and guidance counselors at the following
34 combined rate per 1000 students:

1 Career and Technical Education
2 students 2.02 per 1000 student FTE's
3 Skill Center students 2.36 per 1000 student FTE's

4 (3) ADMINISTRATIVE STAFF ALLOCATIONS

5 (a) Allocations for school building-level certificated
6 administrative staff salaries for the 2011-12 and 2012-13 school years
7 for general education students are determined using the formula-
8 generated staff units provided in RCW 28A.150.260, and adjusted based
9 on a district's annual average full-time equivalent student enrollment
10 in each grade.

11 (b) Students in approved career and technical education and skill
12 center programs generate certificated school building-level
13 administrator staff units at per student rates that exceed the general
14 education rate in (a) of this subsection by the following percentages:

15 Career and Technical Education students 2.5 percent
16 Skill Center students 19.75 percent

17 (4) CLASSIFIED STAFF ALLOCATIONS

18 Allocations for classified staff units providing school building-
19 level and district-wide support services for the 2011-12 and 2012-13
20 school years are determined using the formula-generated staff units
21 provided in RCW 28A.150.260, and adjusted based on each district's
22 annual average full-time equivalent student enrollment in each grade.

23
24 (5) CENTRAL OFFICE ALLOCATIONS

25 In addition to classified and administrative staff units allocated
26 in subsections (3) and (4) of this section, classified and
27 administrative staff units are provided for the 2011-12 and 2012-13
28 school year for the central office administrative costs of operating a
29 school district, at the following rates:

30 (a) The total central office staff units provided in this
31 subsection (5) are calculated by first multiplying the total number of
32 eligible certificated instructional, certificated administrative, and
33 classified staff units providing school-based or district-wide support
34 services, as identified in RCW 28A.150.260(6)(b), by 5.3 percent.

35 (b) Of the central office staff units calculated in (a) of this
36 subsection, 74.53 percent are allocated as classified staff units, as
37 generated in subsection (4) of this section, and 25.47 percent shall be

1 allocated as administrative staff units, as generated in subsection (3)
2 of this section.

3 (c) Staff units generated as enhancements outside the program of
4 basic education to the minimum requirements of RCW 28A.150.260, and
5 staff units generated by skill center and career-technical students,
6 are excluded from the total central office staff units calculation in
7 (a) of this subsection.

8 (d) For students in approved career-technical and skill center
9 programs, central office classified units are allocated at the same
10 staff unit per student rate as those generated for general education
11 students of the same grade in this subsection (5), and central office
12 administrative staff units are allocated at staff unit per student
13 rates that exceed the general education rate established for students
14 in the same grade in this subsection (5) by 3.69 percent for career and
15 technical education students, and 21.92 percent for skill center
16 students.

17 (6) FRINGE BENEFIT ALLOCATIONS

18 Fringe benefit allocations shall be calculated at a rate of 16.33
19 percent in the 2011-12 school year and (~~16.33~~) 16.34 percent in the
20 2012-13 school year for certificated salary allocations provided under
21 subsections (2), (3), and (5) of this section, and a rate of 18.73
22 percent in the 2011-12 school year and 18.73 percent in the 2012-13
23 school year for classified salary allocations provided under
24 subsections (4) and (5) of this section.

25 (7) INSURANCE BENEFIT ALLOCATIONS
26

27 Insurance benefit allocations shall be calculated at the
28 maintenance rate specified in section 504 of this act, based on the
29 number of benefit units determined as follows:

30 (a) The number of certificated staff units determined in
31 subsections (2), (3), and (5) of this section; and

32 (b) The number of classified staff units determined in subsections
33 (4) and (5) of this section multiplied by 1.152. This factor is
34 intended to adjust allocations so that, for the purposes of
35 distributing insurance benefits, full-time equivalent classified
36 employees may be calculated on the basis of 1440 hours of work per
37 year, with no individual employee counted as more than one full-time
38 equivalent.

1 (8) MATERIALS, SUPPLIES, AND OPERATING COSTS (MSOC) ALLOCATIONS
 2 Funding is allocated per annual average full-time equivalent
 3 student for the materials, supplies, and operating costs (MSOC)
 4 incurred by school districts, consistent with the requirements of RCW
 5 28A.150.260.

6 (a) MSOC funding for general education students are allocated at
 7 the following per student rates:

8 MSOC RATES/STUDENT FTE

MSOC Component	2011-12	2012-13
	SCHOOL YEAR	SCHOOL YEAR
Technology	\$57.42	((\$58.17)) <u>\$58.29</u>
Utilities and Insurance	\$156.03	((\$158.05))
		<u>\$158.36</u>
Curriculum and Textbooks	\$61.65	((\$62.45)) <u>\$62.58</u>
Other Supplies and Library Materials		((\$132.59))
	\$130.89	<u>\$132.85</u>
Instructional Professional Development for Certificated and Classified Staff	\$9.53	((\$9.66)) <u>\$9.68</u>
Facilities Maintenance	\$77.30	((\$78.30)) <u>\$78.46</u>
Security and Central Office	\$53.55	((\$54.25)) <u>\$54.35</u>
TOTAL BASIC EDUCATION MSOC/STUDENT FTE	\$546.37	((\$553.47))
		<u>\$554.57</u>

24 (b) Students in approved skill center programs generate per student
 25 FTE MSOC allocations which equal the rate for general education
 26 students calculated in (a) of this subsection, multiplied by a factor
 27 of 2.171.

28 (c) Students in approved exploratory and preparatory career and
 29 technical education programs generate a per student MSOC allocation
 30 that is equal to the rate for general education students calculated in
 31 (a) of this subsection, multiplied by a factor of 2.442.

32 (d) Students in laboratory science courses generate per student FTE
 33 MSOC allocations which equal the per student FTE rate for general
 34 education students established in (a) of this subsection.

1 (9) SUBSTITUTE TEACHER ALLOCATIONS

2 For the 2011-12 and 2012-13 school years, funding for substitute
3 costs for classroom teachers is based on four (4) funded substitute
4 days per classroom teacher unit generated under subsection (2) of this
5 section, at a daily substitute rate of \$151.86.

6 (10) ALTERNATIVE LEARNING EXPERIENCE PROGRAM FUNDING

7 (a) Amounts provided in this section are adjusted to reflect
8 provisions of House Bill No. 2065 (allocation of funding for funding
9 for students enrolled in alternative learning experiences).

10 (b) The superintendent of public instruction shall require all
11 districts receiving general apportionment funding for alternative
12 learning experience (ALE) programs as defined in WAC 392-121-182 to
13 provide separate financial accounting of expenditures for the ALE
14 programs offered in district or with a provider, including but not
15 limited to private companies and multidistrict cooperatives, as well as
16 accurate, monthly headcount and FTE enrollment claimed for basic
17 education, including separate counts of resident and nonresident
18 students.

19 (11) VOLUNTARY FULL DAY KINDERGARTEN PROGRAMS

20 Funding in this section is sufficient to fund voluntary full day
21 kindergarten programs in qualifying high poverty schools, pursuant to
22 RCW 28A.150.220 and 28A.150.315. Each kindergarten student who enrolls
23 for the voluntary full-day program in a qualifying school shall count
24 as one-half of one full-time equivalent student for purpose of making
25 allocations under this section. Funding in this section provides full-
26 day kindergarten programs for 21 percent of kindergarten enrollment in
27 the 2011-12 school year, and 22 percent in the 2012-13 school year.
28 Funding priority shall be given to schools with the highest poverty
29 levels, as measured by prior year free and reduced price lunch
30 eligibility rates in each school. Funding in this section is
31 sufficient to fund voluntary full day kindergarten programs for July
32 and August of the 2010-11 school year.

33 (12) ADDITIONAL FUNDING FOR SMALL SCHOOL DISTRICTS AND REMOTE AND
34 NECESSARY PLANTS

35 For small school districts and remote and necessary school plants
36 within any district which have been judged to be remote and necessary
37 by the superintendent of public instruction, additional staff units are

1 provided to ensure a minimum level of staffing support. Additional
2 administrative and certificated instructional staff units provided to
3 districts in this subsection shall be reduced by the general education
4 staff units, excluding career and technical education and skills center
5 enhancement units, otherwise provided in subsections (2) through (5) of
6 this section on a per district basis.

7 (a) For districts enrolling not more than twenty-five average
8 annual full-time equivalent students in grades K-8, and for small
9 school plants within any school district which have been judged to be
10 remote and necessary by the superintendent of public instruction and
11 enroll not more than twenty-five average annual full-time equivalent
12 students in grades K-8:

13 (i) For those enrolling no students in grades 7 and 8, 1.76
14 certificated instructional staff units and 0.24 certificated
15 administrative staff units for enrollment of not more than five
16 students, plus one-twentieth of a certificated instructional staff unit
17 for each additional student enrolled; and

18 (ii) For those enrolling students in grades 7 or 8, 1.68
19 certificated instructional staff units and 0.32 certificated
20 administrative staff units for enrollment of not more than five
21 students, plus one-tenth of a certificated instructional staff unit for
22 each additional student enrolled;

23 (b) For specified enrollments in districts enrolling more than
24 twenty-five but not more than one hundred average annual full-time
25 equivalent students in grades K-8, and for small school plants within
26 any school district which enroll more than twenty-five average annual
27 full-time equivalent students in grades K-8 and have been judged to be
28 remote and necessary by the superintendent of public instruction:

29 (i) For enrollment of up to sixty annual average full-time
30 equivalent students in grades K-6, 2.76 certificated instructional
31 staff units and 0.24 certificated administrative staff units; and

32 (ii) For enrollment of up to twenty annual average full-time
33 equivalent students in grades 7 and 8, 0.92 certificated instructional
34 staff units and 0.08 certificated administrative staff units;

35 (c) For districts operating no more than two high schools with
36 enrollments of less than three hundred average annual full-time
37 equivalent students, for enrollment in grades 9-12 in each such school,
38 other than alternative schools, except as noted in this subsection:

1 (i) For remote and necessary schools enrolling students in any
2 grades 9-12 but no more than twenty-five average annual full-time
3 equivalent students in grades K-12, four and one-half certificated
4 instructional staff units and one-quarter of a certificated
5 administrative staff unit;

6 (ii) For all other small high schools under this subsection, nine
7 certificated instructional staff units and one-half of a certificated
8 administrative staff unit for the first sixty average annual full-time
9 equivalent students, and additional staff units based on a ratio of
10 0.8732 certificated instructional staff units and 0.1268 certificated
11 administrative staff units per each additional forty-three and one-half
12 average annual full-time equivalent students;

13 (iii) Districts receiving staff units under this subsection shall
14 add students enrolled in a district alternative high school and any
15 grades nine through twelve alternative learning experience programs
16 with the small high school enrollment for calculations under this
17 subsection;

18 (d) For each nonhigh school district having an enrollment of more
19 than seventy annual average full-time equivalent students and less than
20 one hundred eighty students, operating a grades K-8 program or a grades
21 1-8 program, an additional one-half of a certificated instructional
22 staff unit;

23 (e) For each nonhigh school district having an enrollment of more
24 than fifty annual average full-time equivalent students and less than
25 one hundred eighty students, operating a grades K-6 program or a grades
26 1-6 program, an additional one-half of a certificated instructional
27 staff unit;

28 (f)(i) For enrollments generating certificated staff unit
29 allocations under (a) through (e) of this subsection, one classified
30 staff unit for each 2.94 certificated staff units allocated under such
31 subsections;

32 (ii) For each nonhigh school district with an enrollment of more
33 than fifty annual average full-time equivalent students and less than
34 one hundred eighty students, an additional one-half of a classified
35 staff unit; and

36 (g) School districts receiving additional staff units to support
37 small student enrollments and remote and necessary plants under
38 subsection (12) of this section shall generate additional MSOC

1 allocations consistent with the nonemployee related costs (NERC)
2 allocation formula in place for the 2010-11 school year as provided
3 section 502, chapter 37, Laws of 2010 1st sp. sess. (2010 supplemental
4 budget), adjusted annually for inflation.

5 (13) Any school district board of directors may petition the
6 superintendent of public instruction by submission of a resolution
7 adopted in a public meeting to reduce or delay any portion of its basic
8 education allocation for any school year. The superintendent of public
9 instruction shall approve such reduction or delay if it does not impair
10 the district's financial condition. Any delay shall not be for more
11 than two school years. Any reduction or delay shall have no impact on
12 levy authority pursuant to RCW 84.52.0531 and local effort assistance
13 pursuant to chapter 28A.500 RCW.

14 (14) The superintendent may distribute funding for the following
15 programs outside the basic education formula during fiscal years 2012
16 and 2013 as follows:

17 (a) \$589,000 of the general fund--state appropriation for fiscal
18 year 2012 and (~~(\$597,000)~~) \$598,000 of the general fund--state
19 appropriation for fiscal year 2013 are provided solely for fire
20 protection for school districts located in a fire protection district
21 as now or hereafter established pursuant to chapter 52.04 RCW.

22 (b) \$436,000 of the general fund--state appropriation for fiscal
23 year 2012 and \$436,000 of the general fund--state appropriation for
24 fiscal year 2013 are provided solely for programs providing skills
25 training for secondary students who are enrolled in extended day
26 school-to-work programs, as approved by the superintendent of public
27 instruction. The funds shall be allocated at a rate not to exceed \$500
28 per full-time equivalent student enrolled in those programs.

29 (c) Funding in this section is sufficient to fund adjustments to
30 school districts' allocations resulting from the implementation of the
31 prototypical school funding formula, pursuant to chapter 236, Laws of
32 2010 (K-12 education funding). The funding in this section is intended
33 to hold school districts harmless in total for funding changes
34 resulting from conversion to the prototypical school formula in the
35 general apportionment program, the learning assistance program, the
36 transitional bilingual program, and the highly capable program, after
37 adjustment for changes in enrollment and other caseload adjustments.

1 (15) \$208,000 of the general fund--state appropriation for fiscal
2 year 2012 and \$211,000 of the general fund--state appropriation for
3 fiscal year 2013 are provided solely for school district emergencies as
4 certified by the superintendent of public instruction. At the close of
5 the fiscal year the superintendent of public instruction shall report
6 to the office of financial management and the appropriate fiscal
7 committees of the legislature on the allocations provided to districts
8 and the nature of the emergency.

9 (16) Funding in this section is sufficient to fund a maximum of
10 1.6 FTE enrollment for skills center students pursuant to chapter 463,
11 Laws of 2007.

12 (~~Beginning in the 2011-12 school year,~~) Students
13 participating in running start programs may be funded up to a combined
14 maximum enrollment of 1.2 FTE for the 2011-12 school year and 1.0 FTE
15 for the 2012-13 school year including school district and institution
16 of higher education enrollment. In calculating the combined 1.2 or 1.0
17 FTE, the office of the superintendent of public instruction may
18 ((average the participating student's September through June enrollment
19 to account for differences in the start and end dates for courses
20 provided by the high school and higher education institution)) utilize
21 the average of the student's running start FTE enrollment on nine count
22 dates from the institution of higher education and the average of the
23 student's high school FTE enrollment from September through June,
24 adjusting for any differences in start and end dates provided by the
25 institution of higher education and the high school, provided the final
26 per-student FTE does not exceed the 1.2 maximum specified in this
27 section. Additionally, the office of the superintendent of public
28 instruction, in consultation with the state board for community and
29 technical colleges, the higher education coordinating board, and the
30 education data center, shall annually track and report to the fiscal
31 committees of the legislature on the combined FTE experience of
32 students participating in the running start program, including course
33 load analyses at both the high school and community and technical
34 college system.

35 (18) If two or more school districts consolidate and each district
36 was receiving additional basic education formula staff units pursuant
37 to subsection (12) of this section, the following apply:

1 (a) For three school years following consolidation, the number of
2 basic education formula staff units shall not be less than the number
3 of basic education formula staff units received by the districts in the
4 school year prior to the consolidation; and

5 (b) For the fourth through eighth school years following
6 consolidation, the difference between the basic education formula staff
7 units received by the districts for the school year prior to
8 consolidation and the basic education formula staff units after
9 consolidation pursuant to subsection (12) of this section shall be
10 reduced in increments of twenty percent per year.

11 (19)(a) Indirect cost charges by a school district to approved
12 career and technical education middle and secondary programs shall not
13 exceed 15 percent of the combined basic education and career and
14 technical education program enhancement allocations of state funds.
15 Middle and secondary career and technical education programs are
16 considered separate programs for funding and financial reporting
17 purposes under this section.

18 (b) Career and technical education program full-time equivalent
19 enrollment shall be reported on the same monthly basis as the
20 enrollment for students eligible for basic support, and payments shall
21 be adjusted for reported career and technical education program
22 enrollments on the same monthly basis as those adjustments for
23 enrollment for students eligible for basic support.

24 **Sec. 503.** 2011 2nd sp.s. c 9 s 503 (uncodified) is amended to read
25 as follows:

26 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--BASIC EDUCATION EMPLOYEE**
27 **COMPENSATION**

28 (1) The following calculations determine the salaries used in the
29 state allocations for certificated instructional, certificated
30 administrative, and classified staff units as provided in RCW
31 28A.150.280 and under section 503 of this act:

32 (a) Salary allocations for certificated instructional staff units
33 are determined for each district by multiplying the district's
34 certificated instructional total base salary shown on LEAP Document 2
35 by the district's average staff mix factor for certificated
36 instructional staff in that school year, computed using LEAP document
37 1; and

(b) Salary allocations for certificated administrative staff units and classified staff units for each district are determined based on the district's certificated administrative and classified salary allocation amounts shown on LEAP Document 2.

(2) For the purposes of this section:

(a) "LEAP Document 1" means the staff mix factors for certificated instructional staff according to education and years of experience, as developed by the legislative evaluation and accountability program committee on May 23, 2011, at 16:10 hours; and

(b) "LEAP Document 2" means the school year salary allocations for certificated administrative staff and classified staff and derived and total base salaries for certificated instructional staff as developed by the legislative evaluation and accountability program committee on May 23, 2011, at 16:10 hours.

(3) Incremental fringe benefit factors are applied to salary adjustments at a rate of 15.69 percent for school year 2011-12 and (~~15.69~~) 15.70 percent for school year 2012-13 for certificated instructional and certificated administrative staff and 15.23 percent for school year 2011-12 and 15.23 percent for the 2012-13 school year for classified staff.

(4)(a) Pursuant to RCW 28A.150.410, the following state-wide salary allocation schedules for certificated instructional staff are established for basic education salary allocations:

Table Of Total Base Salaries For Certificated Instructional Staff For School Year 2011-12

Education Experience

Years of Service	BA	BA+15	BA+30	BA+45	BA+90	BA+135	MA	MA+45	MA+90
	OR Ph.D.								
0	33,401	34,303	35,238	36,175	39,180	41,116	40,045	43,051	44,989
1	33,851	34,765	35,712	36,690	39,727	41,652	40,490	43,527	45,452
2	34,279	35,202	36,159	37,212	40,241	42,186	40,938	43,966	45,912
3	34,720	35,653	36,620	37,706	40,729	42,722	41,363	44,384	46,377
4	35,153	36,127	37,099	38,224	41,264	43,271	41,808	44,849	46,857
5	35,600	36,578	37,561	38,748	41,777	43,824	42,261	45,291	47,339
6	36,060	37,017	38,032	39,279	42,293	44,352	42,725	45,740	47,797

1	7	36,868	37,839	38,868	40,182	43,241	45,356	43,594	46,652	48,768
2	8	38,050	39,074	40,127	41,550	44,651	46,844	44,961	48,063	50,254
3	9		40,353	41,459	42,933	46,106	48,373	46,343	49,518	51,785
4	10			42,806	44,387	47,602	49,945	47,798	51,014	53,356
5	11				45,883	49,169	51,558	49,295	52,581	54,969
6	12				47,332	50,777	53,238	50,850	54,188	56,650
7	13					52,425	54,959	52,460	55,836	58,370
8	14					54,081	56,745	54,117	57,600	60,157
9	15					55,488	58,221	55,523	59,098	61,721
10	16 or more					56,597	59,385	56,634	60,279	62,955

Table Of Total Base Salaries For Certificated Instructional Staff For School Year 2012-13

Education Experience

15	Years										MA+90
16	of										OR
17	Service	BA	BA+15	BA+30	BA+45	BA+90	BA+135	MA	MA+45	Ph.D.	
18	0	33,401	34,303	35,238	36,175	39,180	41,116	40,045	43,051	44,989	
19	1	33,851	34,765	35,712	36,690	39,727	41,652	40,490	43,527	45,452	
20	2	34,279	35,202	36,159	37,212	40,241	42,186	40,938	43,966	45,912	
21	3	34,720	35,653	36,620	37,706	40,729	42,722	41,363	44,384	46,377	
22	4	35,153	36,127	37,099	38,224	41,264	43,271	41,808	44,849	46,857	
23	5	35,600	36,578	37,561	38,748	41,777	43,824	42,261	45,291	47,339	
24	6	36,060	37,017	38,032	39,279	42,293	44,352	42,725	45,740	47,797	
25	7	36,868	37,839	38,868	40,182	43,241	45,356	43,594	46,652	48,768	
26	8	38,050	39,074	40,127	41,550	44,651	46,844	44,961	48,063	50,254	
27	9		40,353	41,459	42,933	46,106	48,373	46,343	49,518	51,785	
28	10			42,806	44,387	47,602	49,945	47,798	51,014	53,356	
29	11				45,883	49,169	51,558	49,295	52,581	54,969	
30	12				47,332	50,777	53,238	50,850	54,188	56,650	
31	13					52,425	54,959	52,460	55,836	58,370	
32	14					54,081	56,745	54,117	57,600	60,157	
33	15					55,488	58,221	55,523	59,098	61,721	
34	16 or more					56,597	59,385	56,634	60,279	62,955	

1 (b) As used in this subsection, the column headings "BA+(N)" refer
2 to the number of credits earned since receiving the baccalaureate
3 degree.

4 (c) For credits earned after the baccalaureate degree but before
5 the masters degree, any credits in excess of forty-five credits may be
6 counted after the masters degree. Thus, as used in this subsection,
7 the column headings "MA+(N)" refer to the total of:

8 (i) Credits earned since receiving the masters degree; and
9 (ii) Any credits in excess of forty-five credits that were earned
10 after the baccalaureate degree but before the masters degree.

11 (5) For the purposes of this section:
12 (a) "BA" means a baccalaureate degree.
13 (b) "MA" means a masters degree.
14 (c) "PHD" means a doctorate degree.
15 (d) "Years of service" shall be calculated under the same rules
16 adopted by the superintendent of public instruction.

17 (e) "Credits" means college quarter hour credits and equivalent
18 in-service credits computed in accordance with RCW 28A.415.020 and
19 28A.415.023.

20 (6) No more than ninety college quarter-hour credits received by
21 any employee after the baccalaureate degree may be used to determine
22 compensation allocations under the state salary allocation schedule and
23 LEAP documents referenced in this part V, or any replacement schedules
24 and documents, unless:

25 (a) The employee has a masters degree; or
26 (b) The credits were used in generating state salary allocations
27 before January 1, 1992.

28 (7) The salary allocation schedules established in this section are
29 for allocation purposes only except as provided in RCW 28A.400.200(2).

30 **Sec. 504.** 2011 2nd sp.s. c 9 s 504 (uncodified) is amended to read
31 as follows:

32 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR SCHOOL EMPLOYEE**
33 **COMPENSATION ADJUSTMENTS**

34 General Fund--Federal Appropriation \$2,000

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

1 (1)(a) Additional salary adjustments as necessary to fund the base
2 salaries for certificated instructional staff as listed for each
3 district in LEAP Document 2, defined in section 504(2)(b) of this act.
4 Allocations for these salary adjustments shall be provided to all
5 districts that are not grandfathered to receive salary allocations
6 above the statewide salary allocation schedule, and to certain
7 grandfathered districts to the extent necessary to ensure that salary
8 allocations for districts that are currently grandfathered do not fall
9 below the statewide salary allocation schedule.

10 (b) Additional salary adjustments to certain districts as necessary
11 to fund the per full-time-equivalent salary allocations for
12 certificated administrative staff as listed for each district in LEAP
13 Document 2, defined in section 504(2)(b) of this act.

14 (c) Additional salary adjustments to certain districts as necessary
15 to fund the per full-time-equivalent salary allocations for classified
16 staff as listed for each district in LEAP Document 2, defined in
17 section 504(2)(b) of this act.

18 (d) The appropriations in this subsection (1) include associated
19 incremental fringe benefit allocations at 15.69 percent for the 2011-12
20 school year and (~~(15.69)~~) 15.70 percent for the 2012-13 school year for
21 certificated instructional and certificated administrative staff and
22 15.23 percent for the 2011-12 school year and 15.23 percent for the
23 2012-13 school year for classified staff.

24 (e) The appropriations in this section include the increased or
25 decreased portion of salaries and incremental fringe benefits for all
26 relevant state-funded school programs in part V of this act. Changes
27 for general apportionment (basic education) are based on the salary
28 allocation schedules and methodology in sections 503 and 504 of this
29 act. Changes for special education result from changes in each
30 district's basic education allocation per student. Changes for
31 educational service districts and institutional education programs are
32 determined by the superintendent of public instruction using the
33 methodology for general apportionment salaries and benefits in sections
34 503 and 504 of this act.

35 (f) The appropriations in this section include no salary
36 adjustments for substitute teachers.

37 (2) The maintenance rate for insurance benefit allocations is
38 \$768.00 per month for the 2011-12 and 2012-13 school years. The

1 appropriations in this section reflect the incremental change in cost
2 of allocating rates of \$768.00 per month for the 2011-12 school year
3 and \$768.00 per month for the 2012-13 school year.

4 (3) The rates specified in this section are subject to revision
5 each year by the legislature.

6 **Sec. 505.** 2011 2nd sp.s. c 9 s 505 (uncodified) is amended to read
7 as follows:

8 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR PUPIL TRANSPORTATION**

9 General Fund--State Appropriation (FY 2012) ((~~\$322,033,000~~))
10 \$322,243,000

11 General Fund--State Appropriation (FY 2013) ((~~\$273,380,000~~))
12 \$273,642,000

13 TOTAL APPROPRIATION ((~~\$595,413,000~~))
14 \$595,885,000

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

17 (1) Each general fund fiscal year appropriation includes such funds
18 as are necessary to complete the school year ending in the fiscal year
19 and for prior fiscal year adjustments.

20 (2)(a) For the 2011-12 and 2012-13 school years, the superintendent
21 shall allocate funding to school district programs for the
22 transportation of students as provided in RCW 28A.160.192.

23 (b) From July 1, 2011 to August 31, 2011, the superintendent shall
24 allocate funding to school districts programs for the transportation of
25 students as provided in section 505, chapter 564, Laws of 2009, as
26 amended through section 1404 of this act.

27 (3) Any amounts appropriated for maintenance level funding for
28 pupil transportation that exceed actual maintenance level expenditures
29 as calculated under the funding formula that takes effect September 1,
30 2011, shall be distributed to districts according to RCW
31 28A.160.192(2)(b).

32 (4) A maximum of \$892,000 of this fiscal year 2012 appropriation
33 and a maximum of \$892,000 of the fiscal year 2013 appropriation may be
34 expended for regional transportation coordinators and related
35 activities. The transportation coordinators shall ensure that data
36 submitted by school districts for state transportation funding shall,

1 to the greatest extent practical, reflect the actual transportation
2 activity of each district.

3 (5) The office of the superintendent of public instruction shall
4 provide reimbursement funding to a school district for school bus
5 purchases only after the superintendent of public instruction
6 determines that the school bus was purchased from the list established
7 pursuant to RCW 28A.160.195(2) or a comparable competitive bid process
8 based on the lowest price quote based on similar bus categories to
9 those used to establish the list pursuant to RCW 28A.160.195.

10 (6) The superintendent of public instruction shall base
11 depreciation payments for school district buses on the pre-sales tax
12 five-year average of lowest bids in the appropriate category of bus.
13 In the final year on the depreciation schedule, the depreciation
14 payment shall be based on the lowest bid in the appropriate bus
15 category for that school year.

16 (7) Funding levels in this section reflect waivers granted by the
17 state board of education for four-day school weeks as allowed under RCW
18 28A.305.141.

19 (8) Starting with the 2012-13 school year, the office of the
20 superintendent of public instruction shall disburse payments for bus
21 depreciation in August.

22 (9) The office of the superintendent of public instruction shall
23 develop, in consultation with the Washington association of school
24 business officials and Washington association for pupil transportation,
25 a unit-cost transportation formula or hybrid formula for legislative
26 consideration and potential adoption. The transportation-allocation
27 formula shall take into account statistically significant cost drivers,
28 recognize fixed costs, and simplify the current regression-analysis
29 transportation-allocation method. The formula or hybrid formula
30 developed should be based on currently-collected data identified under
31 RCW 28A.160.192(1)(a). These data are to include basic and special
32 student loads, school district land area, average distance to school,
33 roadway miles, and number of locations served. The office of the
34 superintendent of public instruction shall report to the legislative
35 fiscal committees, the education committees of the senate and the house
36 of representatives, and to the office of financial management, by
37 September 30, 2012, for legislative consideration and possible

1 amendment or adoption of the unit-cost or hybrid formula for the 2013-
2 14 school year.

3 **Sec. 506.** 2011 2nd sp.s. c 9 s 507 (uncodified) is amended to read
4 as follows:

5 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR SPECIAL EDUCATION**
6 **PROGRAMS**

7	General Fund--State Appropriation (FY 2012)	((\$653,904,000))
8		<u>\$648,369,000</u>
9	General Fund--State Appropriation (FY 2013)	((\$694,237,000))
10		<u>\$680,439,000</u>
11	General Fund--Federal Appropriation	\$486,936,000
12	Education Legacy Trust Account--State Appropriation	\$756,000
13	TOTAL APPROPRIATION	((\$1,835,833,000))
14		<u>\$1,816,500,000</u>

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

17 (1) Funding for special education programs is provided on an excess
18 cost basis, pursuant to RCW 28A.150.390. School districts shall ensure
19 that special education students as a class receive their full share of
20 the general apportionment allocation accruing through sections 502 and
21 504 of this act. To the extent a school district cannot provide an
22 appropriate education for special education students under chapter
23 28A.155 RCW through the general apportionment allocation, it shall
24 provide services through the special education excess cost allocation
25 funded in this section.

26 (2)(a) The superintendent of public instruction shall ensure that:

- 27 (i) Special education students are basic education students first;
- 28 (ii) As a class, special education students are entitled to the
29 full basic education allocation; and
- 30 (iii) Special education students are basic education students for
31 the entire school day.

32 (b) The superintendent of public instruction shall continue to
33 implement the full cost method of excess cost accounting, as designed
34 by the committee and recommended by the superintendent, pursuant to
35 section 501(1)(k), chapter 372, Laws of 2006.

36 (c) Beginning with the 2010-11 school year award cycle, the office
37 of the superintendent of public instruction shall make award

1 determinations for state safety net funding in August of each school
2 year. Determinations on school district eligibility for state safety
3 net awards shall be based on analysis of actual expenditure data from
4 the current school year.

5 (3) Each fiscal year appropriation includes such funds as are
6 necessary to complete the school year ending in the fiscal year and for
7 prior fiscal year adjustments.

8 (4)(a) For the 2011-12 and 2012-13 school years, the superintendent
9 shall allocate funding to school district programs for special
10 education students as provided in RCW 28A.150.390.

11 (b) From July 1, 2011 to August 31, 2011, the superintendent shall
12 allocate funding to school district programs for special education
13 students as provided in section 507, chapter 564, Laws of 2009, as
14 amended through section 1406 of this act.

15 (5) The following applies throughout this section: The definitions
16 for enrollment and enrollment percent are as specified in RCW
17 28A.150.390(3). Each district's general fund--state funded special
18 education enrollment shall be the lesser of the district's actual
19 enrollment percent or 12.7 percent.

20 (6) At the request of any interdistrict cooperative of at least 15
21 districts in which all excess cost services for special education
22 students of the districts are provided by the cooperative, the maximum
23 enrollment percent shall be calculated in accordance with RCW
24 28A.150.390(3) (c) and (d), and shall be calculated in the aggregate
25 rather than individual district units. For purposes of this
26 subsection, the average basic education allocation per full-time
27 equivalent student shall be calculated in the aggregate rather than
28 individual district units.

29 (7) \$8,914,000 of the general fund--state appropriation for fiscal
30 year 2012, (~~(\$34,200,000)~~) \$34,805,000 of the general fund--state
31 appropriation for fiscal year 2013, and \$29,574,000 of the general
32 fund--federal appropriation are provided solely for safety net awards
33 for districts with demonstrated needs for special education funding
34 beyond the amounts provided in subsection (4) of this section. If the
35 federal safety net awards based on the federal eligibility threshold
36 exceed the federal appropriation in this subsection (7) in any fiscal
37 year, the superintendent shall expend all available federal
38 discretionary funds necessary to meet this need. At the conclusion of

1 each school year, the superintendent shall recover safety net funds
2 that were distributed prospectively but for which districts were not
3 subsequently eligible.

4 (a) For the 2011-12 and 2012-13 school years, safety net funds
5 shall be awarded by the state safety net oversight committee as
6 provided in section 109(1) chapter 548, Laws of 2009 (ESHB 2261).

7 (b) From July 1, 2011 to August 31, 2011, the superintendent shall
8 operate the safety net oversight committee and shall award safety net
9 funds as provided in section 507, chapter 564, Laws of 2009, as amended
10 through section 1406 of this act.

11 (8) A maximum of \$678,000 may be expended from the general fund--
12 state appropriations to fund 5.43 full-time equivalent teachers and 2.1
13 full-time equivalent aides at children's orthopedic hospital and
14 medical center. This amount is in lieu of money provided through the
15 home and hospital allocation and the special education program.

16 (9) The superintendent shall maintain the percentage of federal
17 flow-through to school districts at 85 percent. In addition to other
18 purposes, school districts may use increased federal funds for high-
19 cost students, for purchasing regional special education services from
20 educational service districts, and for staff development activities
21 particularly relating to inclusion issues.

22 (10) A school district may carry over from one year to the next
23 year up to 10 percent of the general fund--state funds allocated under
24 this program; however, carryover funds shall be expended in the special
25 education program.

26 (11) \$251,000 of the general fund--state appropriation for fiscal
27 year 2012 and \$251,000 of the general fund--state appropriation for
28 fiscal year 2013 are provided solely for two additional full-time
29 equivalent staff to support the work of the safety net committee and to
30 provide training and support to districts applying for safety net
31 awards.

32 (12) \$50,000 of the general fund--state appropriation for fiscal
33 year 2012, \$50,000 of the general fund--state appropriation for fiscal
34 year 2013, and \$100,000 of the general fund--federal appropriation
35 shall be expended to support a special education ombudsman program
36 within the office of superintendent of public instruction.

1 **ASSISTANCE**

2	General Fund--State Appropriation (FY 2012)	((\$300,761,000))
3		<u>\$300,768,000</u>
4	General Fund--State Appropriation (FY 2013)	((\$299,276,000))
5		<u>\$298,166,000</u>
6	<u>General Fund--Federal Appropriation</u>	<u>\$4,400,000</u>
7	TOTAL APPROPRIATION	((\$600,037,000))
8		<u>\$603,334,000</u>

9
10 The appropriations in this section are subject to the following
11 conditions and limitations: For purposes of RCW 84.52.0531, the
12 increase per full-time equivalent student is 3 percent from the 2010-11
13 school year to the 2011-12 school year and 5 percent from the 2011-12
14 school year to the 2012-13 school year.

15 **Sec. 509.** 2011 2nd sp.s. c 9 s 510 (uncodified) is amended to read
16 as follows:

17 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR INSTITUTIONAL**
18 **EDUCATION PROGRAMS**

19	General Fund--State Appropriation (FY 2012)	((\$17,507,000))
20		<u>\$16,694,000</u>
21	General Fund--State Appropriation (FY 2013)	((\$16,969,000))
22		<u>\$15,867,000</u>
23	TOTAL APPROPRIATION	((\$34,476,000))
24		<u>\$32,561,000</u>

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

27 (1) Each general fund--state fiscal year appropriation includes
28 such funds as are necessary to complete the school year ending in the
29 fiscal year and for prior fiscal year adjustments.

30 (2) State funding provided under this section is based on salaries
31 and other expenditures for a 220-day school year. The superintendent
32 of public instruction shall monitor school district expenditure plans
33 for institutional education programs to ensure that districts plan for
34 a full-time summer program.

35 (3) State funding for each institutional education program shall be
36 based on the institution's annual average full-time equivalent student
37 enrollment. Staffing ratios for each category of institution shall
38 remain the same as those funded in the 1995-97 biennium.

1 (4) The funded staffing ratios for education programs for juveniles
2 age 18 or less in department of corrections facilities shall be the
3 same as those provided in the 1997-99 biennium.

4 (5) (~~(\$669,000)~~) \$585,000 of the general fund--state appropriation
5 for fiscal year 2012 and (~~(\$669,000)~~) \$549,000 of the general fund--
6 state appropriation for fiscal year 2013 are provided solely to
7 maintain at least one certificated instructional staff and related
8 support services at an institution whenever the K-12 enrollment is not
9 sufficient to support one full-time equivalent certificated
10 instructional staff to furnish the educational program. The following
11 types of institutions are included: Residential programs under the
12 department of social and health services for developmentally disabled
13 juveniles, programs for juveniles under the department of corrections,
14 programs for juveniles under the juvenile rehabilitation
15 administration, and programs for juveniles operated by city and county
16 jails.

17 (6) Ten percent of the funds allocated for each institution may be
18 carried over from one year to the next.

19 **Sec. 510.** 2011 2nd sp.s. c 9 s 511 (uncodified) is amended to read
20 as follows:

21	FOR PROGRAMS FOR HIGHLY CAPABLE STUDENTS	
22	General Fund--State Appropriation (FY 2012)	(\$8,759,000)
23		<u>\$8,745,000</u>
24	General Fund--State Appropriation (FY 2013)	(\$8,842,000)
25		<u>\$8,773,000</u>
26	TOTAL APPROPRIATION	(\$17,601,000)
27		<u>\$17,518,000</u>

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

30 (1) Each general fund fiscal year appropriation includes such funds
31 as are necessary to complete the school year ending in the fiscal year
32 and for prior fiscal year adjustments.

33 (2)(a) For the 2011-12 and 2012-13 school years, the superintendent
34 shall allocate funding to school district programs for highly capable
35 students as provided in RCW 28A.150.260(10)(c). In calculating the
36 allocations, the superintendent shall assume the following: (i)
37 Additional instruction of 2.1590 hours per week per funded highly

1 capable program student; (ii) fifteen highly capable program students
2 per teacher; (iii) 36 instructional weeks per year; (iv) 900
3 instructional hours per teacher; and (v) the district's average staff
4 mix and compensation rates as provided in sections 503 and 504 of this
5 act.

6 (b) From July 1, 2011, to August 31, 2011, the superintendent shall
7 allocate funding to school districts programs for highly capable
8 students as provided in section 511, chapter 564, Laws of 2009, as
9 amended through section 1409 of this act.

10 (3) \$85,000 of the general fund--state appropriation for fiscal
11 year 2012 and \$85,000 of the general fund--state appropriation for
12 fiscal year 2013 are provided solely for the centrum program at Fort
13 Worden state park.

14 **Sec. 511.** 2011 2nd sp.s. c 9 s 513 (uncodified) is amended to read
15 as follows:

16 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--EDUCATION REFORM**
17 **PROGRAMS**

18	General Fund--State Appropriation (FY 2012)	\$58,078,000
19	General Fund--State Appropriation (FY 2013)	(\$98,309,000)
20		<u>\$72,279,000</u>
21	General Fund--Federal Appropriation	\$219,161,000
22	General Fund--Private/Local Appropriation	\$4,000,000
23	Education Legacy Trust Account--State Appropriation	\$1,598,000
24	TOTAL APPROPRIATION	(\$381,146,000)
25		<u>\$355,116,000</u>

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

28 (1) \$40,822,000 of the general fund--state appropriation for fiscal
29 year 2012, \$41,613,000 of the general fund--state appropriation for
30 fiscal year 2013, \$1,350,000 of the education legacy trust
31 account--state appropriation, and \$15,868,000 of the general fund--
32 federal appropriation are provided solely for development and
33 implementation of the Washington state assessment system, including:
34 (a) Development and implementation of retake assessments for high
35 school students who are not successful in one or more content areas and
36 (b) development and implementation of alternative assessments or
37 appeals procedures to implement the certificate of academic

1 achievement. The superintendent of public instruction shall report
2 quarterly on the progress on development and implementation of
3 alternative assessments or appeals procedures. Within these amounts,
4 the superintendent of public instruction shall contract for the early
5 return of 10th grade student assessment results, on or around June 10th
6 of each year. State funding shall be limited to one collection of
7 evidence payment per student, per content-area assessment.

8 (2) \$356,000 of the general fund--state appropriation for fiscal
9 year 2012 (~~and \$356,000 of the general fund--state appropriation for~~
10 ~~fiscal year 2013 are~~) is provided solely for the Washington state
11 leadership and assistance for science education reform (LASER) regional
12 partnership activities coordinated at the Pacific science center,
13 including instructional material purchases, teacher and principal
14 professional development, and school and community engagement events.

15 (3) \$980,000 of the general fund--state appropriation for fiscal
16 year 2012 (~~and \$980,000 of the general fund--state appropriation for~~
17 ~~fiscal year 2013 are~~) is provided solely for improving technology
18 infrastructure, monitoring and reporting on school district technology
19 development, promoting standards for school district technology,
20 promoting statewide coordination and planning for technology
21 development, and providing regional educational technology support
22 centers, including state support activities, under chapter 28A.650 RCW.

23 (4) \$3,852,000 of the general fund--state appropriation for fiscal
24 year 2012 and \$2,624,000 of the general fund--state appropriation for
25 fiscal year 2013 are provided solely for continued implementation of
26 chapter 235, Laws of 2010 (education reform) including development of
27 new performance-based evaluation systems for certificated educators.

28 (5)(a) (~~(\$40,681,000)~~) \$21,555,000 of the general fund--state
29 appropriation for fiscal year 2013 is provided solely for the following
30 bonuses for teachers who hold valid, unexpired certification from the
31 national board for professional teaching standards and who are teaching
32 in a Washington public school, subject to the following conditions and
33 limitations:

34 (i) For national board certified teachers, a bonus of (~~(\$5,090)~~)
35 \$2,500 per teacher in the 2011-12 and 2012-13 school years, adjusted
36 for inflation in each school year in which Initiative 732 cost of
37 living adjustments are provided;

1 (ii) An additional \$5,000 annual bonus shall be paid to national
2 board certified teachers who teach in either: (A) High schools where
3 at least 50 percent of student headcount enrollment is eligible for
4 federal free or reduced price lunch, (B) middle schools where at least
5 60 percent of student headcount enrollment is eligible for federal free
6 or reduced price lunch, or (C) elementary schools where at least 70
7 percent of student headcount enrollment is eligible for federal free or
8 reduced price lunch;

9 (iii) The superintendent of public instruction shall adopt rules to
10 ensure that national board certified teachers meet the qualifications
11 for bonuses under (a)(ii) of this subsection for less than one full
12 school year receive bonuses in a pro-rated manner. Beginning in the
13 2011-12 school year, all bonuses in (a)(i) and (ii) of this subsection
14 will be paid in July of each school year. Bonuses in (a)(~~(i) and~~)
15 (ii) of this subsection shall be reduced by a factor of 40 percent for
16 first year NBPTS certified teachers, to reflect the portion of the
17 instructional school year they are certified; and

18 (iv) During the 2011-12 and 2012-13 school years, and within
19 available funds, certificated instructional staff who have met the
20 eligibility requirements and have applied for certification from the
21 national board for professional teaching standards may receive a
22 conditional loan of two thousand dollars or the amount set by the
23 office of the superintendent of public instruction to contribute toward
24 the current assessment fee, not including the initial up-front
25 candidacy payment. The fee shall be an advance on the first annual
26 bonus under RCW 28A.405.415. The conditional loan is provided in
27 addition to compensation received under a district's salary schedule
28 and shall not be included in calculations of a district's average
29 salary and associated salary limitation under RCW 28A.400.200.
30 Recipients who fail to receive certification after three years are
31 required to repay the conditional loan. The office of the
32 superintendent of public instruction shall adopt rules to define the
33 terms for initial grant of the assessment fee and repayment, including
34 applicable fees. To the extent necessary, the superintendent may use
35 revenues from the repayment of conditional loan scholarships to ensure
36 payment of all national board bonus payments required by this section
37 in each school year.

1 (6) \$477,000 of the general fund--state appropriation for fiscal
2 year 2012 (~~(and \$477,000 of the general fund--state appropriation for~~
3 ~~fiscal year 2013 are))~~ is provided solely for the leadership internship
4 program for superintendents, principals, and program administrators.

5 (7) \$950,000 of the general fund--state appropriation for fiscal
6 year 2012 (~~(and \$950,000 of the general fund--state appropriation for~~
7 ~~fiscal year 2013 are))~~ is provided solely for the Washington reading
8 corps. The superintendent shall allocate reading corps members to low-
9 performing schools and school districts that are implementing
10 comprehensive, proven, research-based reading programs. Two or more
11 schools may combine their Washington reading corps programs.

12 (8) \$810,000 of the general fund--state appropriation for fiscal
13 year 2012 (~~(and \$810,000 of the general fund--state appropriation for~~
14 ~~fiscal year 2013 are))~~ is provided solely for the development of a
15 leadership academy for school principals and administrators. The
16 superintendent of public instruction shall contract with an independent
17 organization to design, field test, and implement a state-of-the-art
18 education leadership academy that will be accessible throughout the
19 state. Initial development of the content of the academy activities
20 shall be supported by private funds. Semiannually the independent
21 organization shall report on amounts committed by foundations and
22 others to support the development and implementation of this program.
23 Leadership academy partners shall include the state level organizations
24 for school administrators and principals, the superintendent of public
25 instruction, the professional educator standards board, and others as
26 the independent organization shall identify.

27 (9) \$3,234,000 of the general fund--state appropriation for fiscal
28 year 2012 (~~(and \$3,234,000 of the general fund--state appropriation for~~
29 ~~fiscal year 2013 are))~~ is provided solely for grants to school
30 districts to provide a continuum of care for children and families to
31 help children become ready to learn. Grant proposals from school
32 districts shall contain local plans designed collaboratively with
33 community service providers. If a continuum of care program exists in
34 the area in which the school district is located, the local plan shall
35 provide for coordination with existing programs to the greatest extent
36 possible.

37 (10) \$1,500,000 of the general fund--state appropriation for fiscal
38 year 2012 (~~(and \$1,500,000 of the general fund--state appropriation for~~

1 ~~fiscal year 2013 are~~) is provided solely for the implementation of
2 chapter 288, Laws of 2011 (actual student success program), including
3 allocations to the opportunity internship program, the jobs for
4 America's graduates program, the building bridges program, services
5 provided by a college scholarship organization. Funding shall not be
6 used in the 2011-2013 fiscal biennium to provide awards for schools and
7 school districts.

8 (11) \$859,000 of the general fund--state appropriation for fiscal
9 year 2012, (~~(\$846,000)~~) \$720,000 of the general fund--state
10 appropriation for fiscal year 2013, and \$248,000 of the education
11 legacy trust account--state appropriation are for administrative
12 support of education reform programs.

13 (12) \$2,000,000 of the general fund--state appropriation for fiscal
14 year 2012 (~~and \$2,000,000 of the general fund--state appropriation for~~
15 ~~fiscal year 2013 are~~) is provided solely for a statewide information
16 technology (IT) academy program. This public-private partnership will
17 provide educational software, as well as IT certification and software
18 training opportunities for students and staff in public schools.

19 (13) \$977,000 of the general fund--state appropriation for fiscal
20 year 2012 (~~and \$977,000 of the general fund--state appropriation for~~
21 ~~fiscal year 2013 are~~) is provided solely for secondary career and
22 technical education grants pursuant to chapter 170, Laws of 2008. If
23 equally matched by private donations, \$300,000 of the 2012
24 appropriation and \$300,000 of the 2013 appropriation shall be used to
25 support FIRST robotics programs.

26 (14) \$125,000 of the general fund--state appropriation for fiscal
27 year 2012 (~~and \$125,000 of the general fund--state appropriation for~~
28 ~~fiscal year 2013 are~~) is provided solely for (a) staff at the office
29 of the superintendent of public instruction to coordinate and promote
30 efforts to develop integrated math, science, technology, and
31 engineering programs in schools and districts across the state; and (b)
32 grants of \$2,500 to provide twenty middle and high school teachers each
33 year with professional development training for implementing integrated
34 math, science, technology, and engineering programs in their schools.

35 (15) \$135,000 of the general fund--state appropriation for fiscal
36 year 2012 (~~and \$135,000 of the general fund--state appropriation for~~
37 ~~fiscal year 2013 are~~) is provided solely for science, technology,

1 engineering and mathematics lighthouse projects(~~(, consistent with~~
2 ~~chapter 238, Laws of 2010)~~).

3 (16) \$1,000,000 of the general fund--state appropriation for fiscal
4 year 2012 (~~and \$1,000,000 of the general fund--state appropriation for~~
5 ~~fiscal year 2013 are~~) is provided solely for a beginning educator
6 support program. School districts and/or regional consortia may apply
7 for grant funding. The superintendent shall implement this program in
8 5 to 15 school districts and/or regional consortia. The program
9 provided by a district and/or regional consortia shall include: A paid
10 orientation; assignment of a qualified mentor; development of a
11 professional growth plan for each beginning teacher aligned with
12 professional certification; release time for mentors and new teachers
13 to work together; and teacher observation time with accomplished peers.
14 \$250,000 may be used to provide statewide professional development
15 opportunities for mentors and beginning educators.

16 (17) \$5,767,000 of the general fund--state appropriation for fiscal
17 year 2013 is provided solely pursuant to Engrossed Substitute Senate
18 Bill No. 5895 (certificated employee evaluations). If the bill is not
19 enacted by June 30, 2012, the amount provided in this subsection shall
20 lapse.

21 **Sec. 512.** 2011 2nd sp.s. c 9 s 514 (uncodified) is amended to read
22 as follows:

23 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR TRANSITIONAL**
24 **BILINGUAL PROGRAMS**

25	General Fund--State Appropriation (FY 2012)	((\$79,496,000))
26		<u>\$79,575,000</u>
27	General Fund--State Appropriation (FY 2013)	((\$82,856,000))
28		<u>\$80,666,000</u>
29	General Fund--Federal Appropriation	\$71,001,000
30	TOTAL APPROPRIATION	((\$233,353,000))
31		<u>\$231,242,000</u>

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

34 (1) Each general fund fiscal year appropriation includes such funds
35 as are necessary to complete the school year ending in the fiscal year
36 and for prior fiscal year adjustments.
37

1 (2)(a) For the 2011-12 and 2012-13 school years, the superintendent
2 shall allocate funding to school districts for transitional bilingual
3 programs as provided in RCW 28A.150.260(10)(b). In calculating the
4 allocations, the superintendent shall assume the following averages:
5 (i) Additional instruction of 4.7780 hours per week per transitional
6 bilingual program student; (ii) fifteen transitional bilingual program
7 students per teacher; (iii) 36 instructional weeks per year; (iv) 900
8 instructional hours per teacher; and (v) the district's average staff
9 mix and compensation rates as provided in sections 503 and 504 of this
10 act.

11 (b) From July 1, 2011, to August 31, 2011, the superintendent shall
12 allocate funding to school districts for transitional bilingual
13 instruction programs as provided in section 514, chapter 564, Laws of
14 2009, as amended through section 1411 of this act.

15 (c) The allocations in this section reflect the implementation of
16 a new funding formula for the transitional bilingual instructional
17 program, effective September 1, 2011, as specified in RCW
18 28A.150.260(10)(b).

19 (3) The superintendent may withhold allocations to school districts
20 in subsection (2) of this section solely for the central provision of
21 assessments as provided in RCW 28A.180.090 (1) and (2) up to the
22 following amounts: 2.79 percent for school year 2011-12 and (~~(2.09))~~
23 2.11 percent for school year 2012-13.

24 (4) The general fund--federal appropriation in this section is for
25 migrant education under Title I Part C and English language
26 acquisition, and language enhancement grants under Title III of the
27 elementary and secondary education act.

28 (5)(a) The office of the superintendent of public instruction shall
29 implement a funding model for the transitional bilingual program,
30 beginning in school year 2012-13, that is scaled to provide more
31 support to students requiring most intensive intervention, (students
32 with beginning levels of English language proficiency) and less support
33 to students requiring less intervention. The funding model shall also
34 provide up to two years of (~~(bonus))~~ additional funding upon successful
35 exit from the bilingual program to facilitate successful transition to
36 a standard program of education, except for students that successfully
37 exit the bilingual program prior to grade two. This additional funding
38 shall begin in school year 2013-14 with students achieving proficiency

1 in school year 2012-13 and transitioning to a standard program of
2 education for school year 2013-14. The amount of the additional
3 funding shall be established in the biennial omnibus budget.

4 (b) It is expected that per-pupil funding for all students served
5 in kindergarten and grade one will be the same as would have been
6 necessary to maintain the statewide average prior to establishing
7 differential per-pupil amounts. For all other students served in the
8 program, it is expected that level 2 proficiency will be set at ((the
9 same)) a level ((as would have been provided)) that represents the
10 median funding level necessary to maintain the statewide average prior
11 to establishing differential per-pupil amounts; ((level 1 will be 125
12 percent of level 2; level 3 through the level prior to exit will be 75
13 percent of level 2; and two bonus years upon successful demonstration
14 of proficiency will be 100 percent of level 2)) levels 1 and 3 shall be
15 set such that level 1 is substantially greater than level 2, and level
16 3 is substantially less; each of the two years of additional per-pupil
17 funding is expected to be equivalent to level 2. Total funding in
18 aggregate for all levels for the 2012-13 school year is equivalent to
19 what total funding in aggregate would have been prior to the
20 application of differential per-pupil amounts. For school year 2012-13
21 when funds are not yet distributed for proficient students exiting the
22 program, auxiliary funds shall be provided in a similarly differential
23 distribution, such that total program allocations are not less than
24 what total program allocations would have been prior to establishing
25 differential per-pupil amounts. Prior to implementing in school year
26 2012-13, the office of the superintendent of public instruction shall
27 provide to the senate and house of representatives ways and means
28 committees recommended rates based on the results of proficiency test
29 procurement, expressed as both per-pupil rates and hours of
30 instruction as provided in RCW 28A.150.260(10)(b).

31 (c) Each bilingual student shall be tested for proficiency level
32 and, therefore, eligibility for the transitional bilingual program each
33 year. The ((bonus)) additional payments for up to two school years
34 following successful exit from the transitional bilingual program, for
35 students in grades two through twelve, shall be allocated to the
36 ((exiting)) school district in which the student is enrolled. If the
37 student graduates or ((transfers to another district prior to the
38 district receiving both years' bonuses)) or otherwise leaves the

1 system, the district shall receive the ((bonus)) additional payments
2 for only the length of time the student remains enrolled in the
3 ((exiting)) district.

4 (d) ~~((The quality education council shall examine the revised~~
5 ~~funding model developed under this subsection and provide a report to~~
6 ~~the education and fiscal committees of the legislature by December 1,~~
7 ~~2011, that includes recommendations for:~~

8 (i) ~~Changing the prototypical school funding formula for the~~
9 ~~transitional bilingual program to align with the revised model in an~~
10 ~~accurate and transparent manner;~~

11 (ii) ~~Reconciling the revised model with statutory requirements for~~
12 ~~categorical funding of the transitional bilingual instructional program~~
13 ~~that is restricted to students eligible for and enrolled in that~~
14 ~~program;~~

15 (iii) ~~Clarifying the elements of the transitional bilingual~~
16 ~~instructional program that fall under the definition of basic education~~
17 ~~and the impact of the revised model on them; and~~

18 (iv) ~~The extent that the disparate financial impact of the revised~~
19 ~~model on different school districts should be addressed and options for~~
20 ~~addressing it.~~

21 (e)) The office of the superintendent of public instruction shall
22 report to the senate and house of representatives ways and means
23 committees and education committees annually by December 31st of each
24 year, through 2018, regarding any measurable changes in proficiency,
25 time-in-program, and transition experience.

26 (6) \$35,000 of the general fund--state appropriation for fiscal
27 year 2012 and \$35,000 of the general fund--state appropriation for
28 fiscal year 2013 are provided solely to track current and former
29 transitional bilingual program students.

30 **Sec. 513.** 2011 2nd sp.s. c 9 s 515 (uncodified) is amended to read
31 as follows:

32 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR THE LEARNING**
33 **ASSISTANCE PROGRAM**

34	General Fund--State Appropriation (FY 2012)	(((\$102,470,000))
35		<u>\$102,619,000</u>
36	General Fund--State Appropriation (FY 2013)	(((\$103,666,000))
37		<u>\$104,789,000</u>

1	General Fund--Federal Appropriation	\$492,207,000
2	Education Legacy Trust Account--State Appropriation	\$47,980,000
3	TOTAL APPROPRIATION	(\$746,323,000)
4		<u>\$747,595,000</u>

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

7 (1) The general fund--state appropriations in this section are
8 subject to the following conditions and limitations:

9 (a) The appropriations include such funds as are necessary to
10 complete the school year ending in the fiscal year and for prior fiscal
11 year adjustments.

12 (b)(i) For the 2011-12 and 2012-13 school years, the superintendent
13 shall allocate funding to school districts for learning assistance
14 programs as provided in RCW 28A.150.260(10)(a). In calculating the
15 allocations, the superintendent shall assume the following averages:

16 (A) Additional instruction of 1.51560 hours per week per funded
17 learning assistance program student; (B) fifteen learning assistance
18 program students per teacher; (C) 36 instructional weeks per year; (D)
19 900 instructional hours per teacher; and (E) the district's average
20 staff mix and compensation rates as provided in sections 503 and 504 of
21 this act.

22 (ii) From July 1, 2011, to August 31, 2011, the superintendent
23 shall allocate funding to school districts for learning assistance
24 programs as provided in section 515, chapter 564, Laws of 2009, as
25 amended through section 1412 of this act.

26 (c) A school district's funded students for the learning assistance
27 program shall be the sum of the district's full-time equivalent
28 enrollment in grades K-12 for the prior school year multiplied by the
29 district's percentage of October headcount enrollment in grades K-12
30 eligible for free or reduced price lunch in the prior school year.

31 (2) Allocations made pursuant to subsection (1) of this section
32 shall be adjusted to reflect ineligible applications identified through
33 the annual income verification process required by the national school
34 lunch program, as recommended in the report of the state auditor on the
35 learning assistance program dated February, 2010.

36 (3) The general fund--federal appropriation in this section is
37 provided for Title I Part A allocations of the no child left behind act
38 of 2001.

1 (4) A school district may carry over from one year to the next up
2 to 10 percent of the general fund-state or education legacy trust funds
3 allocated under this program; however, carryover funds shall be
4 expended for the learning assistance program.

5 (5) The office of the superintendent of public instruction shall
6 research and recommend options for an adjustment factor for middle
7 school and high school free and reduced price lunch eligibility
8 reporting rates pursuant to RCW 28A.150.260(12)(a), and submit a report
9 to the fiscal committees of the legislature by June 1, 2012. For the
10 2011-12 and 2012-13 school years, the adjustment factor is 1.0.

11 **Sec. 514.** 2011 1st sp.s. c 50 s 516 (uncodified) is amended to
12 read as follows:

13 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

14 (1) Amounts distributed to districts by the superintendent through
15 part V of this act are for allocations purposes only and do not entitle
16 a particular district, district employee, or student to a specific
17 service, beyond what has been expressly provided in statute. Part V of
18 this act restates the requirements of various sections of Title 28A
19 RCW. If any conflict exists, the provisions of Title 28A RCW control
20 unless this act explicitly states that it is providing an enhancement.

21 Any amounts provided in part V of this act in excess of the amounts
22 required by Title 28A RCW provided in statute, are not within the
23 program of basic education.

24 (2) To the maximum extent practicable, when adopting new or revised
25 rules or policies relating to the administration of allocations in part
26 V of this act that result in fiscal impact, the office of the
27 superintendent of public instruction shall attempt to seek legislative
28 approval through the budget request process.

29 (3) Appropriations made in this act to the office of the
30 superintendent of public instruction shall initially be allotted as
31 required by this act. Subsequent allotment modifications shall not
32 include transfers of moneys between sections of this act except as
33 expressly provided in subsection (4) of this section.

34 (4) The appropriations to the office of the superintendent of
35 public instruction in this act shall be expended for the programs and
36 amounts specified in this act. However, after May 1, 2012, unless
37 specifically prohibited by this act and after approval by the director

1 of financial management, the superintendent of public instruction may
2 transfer state general fund appropriations for fiscal year 2012 among
3 the following programs to meet the apportionment schedule for a
4 specified formula in another of these programs: General apportionment;
5 employee compensation adjustments; pupil transportation; special
6 education programs; institutional education programs; transitional
7 bilingual programs; and learning assistance programs.
8 (5) The director of financial management shall notify the
9 appropriate legislative fiscal committees in writing prior to approving
10 any allotment modifications or transfers under this section.

(End of part)

PART VI
HIGHER EDUCATION

Sec. 601. 2011 2nd sp.s. c 9 s 601 (uncodified) is amended to read as follows:

FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES

General Fund--State Appropriation (FY 2012)	((\$533,009,000))
	<u>\$532,975,000</u>
General Fund--State Appropriation (FY 2013)	((\$525,644,000))
	<u>\$512,491,000</u>
Community/Technical College Capital Projects	
Account--State Appropriation	\$8,037,000
Education Legacy Trust Account--State Appropriation	\$95,370,000
TOTAL APPROPRIATION	((\$1,162,060,000))
	<u>\$1,148,873,000</u>

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

(1) \$28,761,000 of the general fund--state appropriation for fiscal year 2012 and \$28,761,000 of the general fund--state appropriation for fiscal year 2013 are provided solely as special funds for training and related support services, including financial aid, as specified in RCW 28C.04.390. Funding is provided to support at least 6,200 full-time equivalent students in fiscal year 2012 and at least 6,200 full-time equivalent students in fiscal year 2013.

(2) \$2,725,000 of the general fund--state appropriation for fiscal year 2012 and \$2,725,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for administration and customized training contracts through the job skills program. The state board shall make an annual report by January 1st of each year to the governor and to the appropriate policy and fiscal committees of the legislature regarding implementation of this section, listing the scope of grant awards, the distribution of funds by educational sector and region of the state, and the results of the partnerships supported by these funds.

(3) \$4,500,000 of the general fund--state appropriation for fiscal

1 year 2012 and \$4,500,000 of the general fund--state appropriation for
2 fiscal year 2013 is provided solely for worker retraining.

3 (4) Of the amounts appropriated in this section, \$5,000,000 is
4 provided solely for the student achievement initiative.

5 (5) When implementing the appropriations in this section, the state
6 board and the trustees of the individual community and technical
7 colleges shall minimize impact on academic programs, maximize
8 reductions in administration, and shall at least maintain, and endeavor
9 to increase, enrollment opportunities and degree and certificate
10 production in high employer-demand fields of study at their academic
11 year 2008-09 levels.

12 (6) Community and technical colleges are not required to send mass
13 mailings of course catalogs to residents of their districts. Community
14 and technical colleges shall consider lower cost alternatives, such as
15 mailing postcards or brochures that direct individuals to online
16 information and other ways of acquiring print catalogs.

17 (7) Bellevue college is authorized to offer applied baccalaureate
18 degrees in information technology, health care services and management,
19 biotechnology, and preprofessional preparation for medical fields.
20 These degrees shall be directed at high school graduates and transfer-
21 oriented degree and professional and technical degree holders. In
22 fiscal year 2012, Bellevue college will develop a two-year plan for
23 offering these new degrees. The plan will assume funding for these new
24 degrees shall come through redistribution of its current per full-time
25 enrollment funding. The plan shall be delivered to the legislature by
26 June 30, 2012.

27 (8) The Seattle community college district is authorized to offer
28 applied baccalaureate degree programs in business/international
29 business and technology management, interactive and artistic digital
30 media, sustainability, building science technology, and allied and
31 global health. These degrees shall be directed at high school
32 graduates and professional and technical degree holders. In fiscal
33 year 2012, Seattle community colleges shall develop a two-year plan for
34 offering these new degrees. The plan will assume that funding for
35 these new degrees comes through redistribution of its current per full-
36 time enrollment funding. The plan shall be delivered to the
37 legislature by June 30, 2012.

1 bill is not enacted by June 30, 2011, the amount provided in this
2 subsection shall lapse.

3 (5) \$143,000 of the general fund--state appropriation for fiscal
4 year 2012 and \$144,000 of the general fund--state appropriation for
5 fiscal year 2013 are provided solely for the ongoing management of the
6 Washington park arboretum.

7 (6) \$3,800,000 of the general fund--state appropriation for fiscal
8 year 2013 is provided solely for an expansion in engineering
9 enrollments.

10 (7) \$1,500,000 of the economic development strategic reserve
11 account--state appropriation is provided solely to implement Substitute
12 Senate Bill No. 5982 (aerospace technology center). If the bill is not
13 enacted by June 30, 2012, the amount provided in this subsection shall
14 lapse.

15 (8) \$242,000 of the general fund--state appropriation for fiscal
16 year 2013 is provided solely to implement Second Substitute Senate Bill
17 No. 6406 (state's natural resources). If the bill is not enacted by
18 June 30, 2012, the amount provided in this subsection shall lapse.

19 **Sec. 603.** 2011 2nd sp.s. c 9 s 603 (uncodified) is amended to read
20 as follows:

21 **FOR WASHINGTON STATE UNIVERSITY**

22	General Fund--State Appropriation (FY 2012)	((\$134,512,000))
23		<u>\$133,994,000</u>
24	General Fund--State Appropriation (FY 2013)	((\$136,087,000))
25		<u>\$126,313,000</u>
26	Education Legacy Trust Account--State Appropriation	\$33,065,000
27	<u>State Toxics Control Account--State Appropriation</u>	<u>\$5,000,000</u>
28	TOTAL APPROPRIATION	((\$303,664,000))
29		<u>\$298,372,000</u>

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

32 (1) In implementing the appropriations in this section, the
33 president and regents shall seek to minimize impacts on student
34 services and instructional programs by maximizing reductions in
35 administration and other noninstructional activities.

36 (2) Within available funds, Washington State University shall serve

1 an additional cohort of fifteen full-time equivalent students in the
2 mechanical engineering program located at Olympic College.

3 (3) \$300,000 of the general fund--state appropriation for fiscal
4 year 2012 and \$300,000 of the general fund--state appropriation for
5 fiscal year 2013 are provided solely for the expansion of health
6 sciences capacity through the Washington/Wyoming/Alaska/Montana/Idaho
7 (WWAMI) medical education program in Spokane and eastern Washington.
8 Funding is contingent on appropriations being provided to the
9 University of Washington for integrated medical curriculum development
10 for WWAMI.

11 (4) \$3,800,000 of the general fund--state appropriation for fiscal
12 year 2013 is provided solely for an expansion in engineering
13 enrollments.

14 (5) \$25,000 of the general fund--state appropriation for fiscal
15 year 2012 and \$50,000 of the general fund--state appropriation for
16 fiscal year 2013 are provided solely for the Washington State
17 University extension energy program to conduct a study of densified
18 biomass as a renewable fuel used for heating homes, businesses, and
19 other facilities. A report of the findings shall be submitted to the
20 governor and the appropriate committees of the legislature by December
21 1, 2012.

22 **Sec. 604.** 2011 2nd sp.s. c 9 s 604 (uncodified) is amended to read
23 as follows:

24 **FOR EASTERN WASHINGTON UNIVERSITY**

25	General Fund--State Appropriation (FY 2012)	((\$26,257,000))
26		<u>\$26,255,000</u>
27	General Fund--State Appropriation (FY 2013)	((\$26,541,000))
28		<u>\$25,774,000</u>
29	Education Legacy Trust Account--State Appropriation	\$16,087,000
30	TOTAL APPROPRIATION	((\$68,885,000))
31		<u>\$68,116,000</u>

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

34 (1) In implementing the appropriations in this section, the
35 president and governing board shall seek to minimize impacts on student
36 services and instructional programs by maximizing reductions in
37 administration and other noninstructional activities.

1 (2) At least \$200,000 of the general fund--state appropriation for
2 fiscal year 2012 and at least \$200,000 of the general fund--state
3 appropriation for fiscal year 2013 shall be expended on the Northwest
4 autism center.

5 **Sec. 605.** 2011 2nd sp.s. c 9 s 605 (uncodified) is amended to read
6 as follows:

7 **FOR CENTRAL WASHINGTON UNIVERSITY**

8	General Fund--State Appropriation (FY 2012)	((\$22,468,000))
9		<u>\$23,277,000</u>
10	General Fund--State Appropriation (FY 2013)	((\$22,525,000))
11		<u>\$22,611,000</u>
12	Education Legacy Trust Account--State Appropriation	\$19,076,000
13	TOTAL APPROPRIATION	((\$64,069,000))
14		<u>\$64,964,000</u>

15 The appropriations in this section are subject to the following
16 conditions and limitations: In implementing the appropriations in this
17 section, the president and governing board shall seek to minimize
18 impacts on student services and instructional programs by maximizing
19 reductions in administration and other noninstructional activities.

20 **Sec. 606.** 2011 2nd sp.s. c 9 s 606 (uncodified) is amended to read
21 as follows:

22 **FOR THE EVERGREEN STATE COLLEGE**

23	General Fund--State Appropriation (FY 2012)	((\$15,595,000))
24		<u>\$15,594,000</u>
25	General Fund--State Appropriation (FY 2013)	((\$15,339,000))
26		<u>\$15,022,000</u>
27	Education Legacy Trust Account--State Appropriation	\$5,450,000
28	TOTAL APPROPRIATION	((\$36,384,000))
29		<u>\$36,066,000</u>

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

32 (1) In implementing the appropriations in this section, the
33 president and governing board shall seek to minimize impacts on student
34 services and instructional programs by maximizing reductions in
35 administration and other noninstructional activities.

1 (2) \$50,000 of the general fund--state appropriation for fiscal
2 year 2012 and \$25,000 of the general fund--state appropriation for
3 fiscal year 2013 are provided solely for the Washington state institute
4 for public policy to conduct a detailed study of the commitment of
5 sexually violent predators to the special commitment center pursuant to
6 chapter 71.09 RCW and the subsequent release of those persons to
7 less-restrictive alternatives.

8 (a) Specifically, the institute's study shall examine:

9 (i) The projected future demand for the special commitment center,
10 including profiles and characteristics of persons referred and
11 committed to the special commitment center since its inception, whether
12 the profiles of those persons have changed over time, and, given
13 current trends, the likelihood of the continuing rate of referral;

14 (ii) Residents' participation in treatment over time and the impact
15 of treatment on eventual release to a less-restrictive alternative;

16 (iii) The annual review process and the process for a committed
17 person to petition for conditional or unconditional release,
18 specifically:

19 (A) The time frames for conducting mandatory reviews;

20 (B) The role of the special commitment center clinical team;

21 (C) Options and standards utilized by other jurisdictions or
22 similar processes to conduct periodic reviews, including specialized
23 courts, parole boards, independent review boards, and other commitment
24 proceedings;

25 (iv) The capacity and future demand for appropriate less
26 restrictive alternatives for moving residents out of the special
27 commitment center, including:

28 (A) The capacity and demand for secure community transition
29 facilities;

30 (B) Options for specialized populations such as the elderly or
31 those with developmental disabilities and whether more cost-efficient
32 options might be used to house those populations while keeping the
33 public safe;

34 (C) Prospects for moving residents to noninstitutionalized settings
35 beyond a secure community transition facility.

36 (b) The department of social and health services shall cooperate
37 with the institute in conducting its examination and must provide the
38 institute with requested data and records in a timely manner.

1 (c) The institute shall provide a status report to the governor and
2 the legislature no later than November 1, 2011, with a final report due
3 no later than November 1, 2012.

4 (3) \$50,000 of the general fund--state appropriation for fiscal
5 year 2012 and \$50,000 of the general fund--state appropriation for
6 fiscal year 2013 are provided solely for the institute for public
7 policy to provide research support to the council on quality education.

8 (4) To the extent federal or private funding is available for this
9 purpose, the Washington state institute for public policy and the
10 center for reinventing public education at the University of Washington
11 shall examine the relationship between participation in pension systems
12 and teacher quality and mobility patterns in the state. The department
13 of retirement systems shall facilitate researchers' access to necessary
14 individual-level data necessary to effectively conduct the study. The
15 researchers shall ensure that no individually identifiable information
16 will be disclosed at any time. An interim report on project findings
17 shall be completed by November 15, 2010, and a final report shall be
18 submitted to the governor and to the relevant committees of the
19 legislature by October 15, 2011.

20 (5) Funding provided in this section is sufficient for The
21 Evergreen State College to continue operations of the Longhouse Center
22 and the Northwest Indian applied research institute.

23 (6) If, and to the extent that private funding is available for
24 this purpose, the Washington state institute for public policy shall
25 study and report on the child welfare and educational characteristics
26 and outcomes for foster youth who are served by educational advocates.
27 The department of social and health services and the office of the
28 superintendent of public instruction shall facilitate researchers'
29 access to data necessary to effectively complete the study. The
30 institute shall submit an interim report with baseline characteristics
31 of youth served by educational advocates by December 2011 and a final
32 report by October 31, 2012, to the governor and to the appropriate
33 committees of the legislature.

34 (7) \$75,000 of the general fund--state appropriation for fiscal
35 year 2012 is provided to the Washington state institute for public
36 policy (WSIPP) to conduct a review of state investments in the family
37 caregiver and support program. Funding for this program is provided by
38 assumed savings from diverting seniors from entering into long-term

1 care medicaid placements by supporting informal caregivers. WSIPP
2 shall work with the department of social and health services to
3 establish and review outcome data for this investment. A preliminary
4 report on the outcomes of the investment into this program is due to
5 the appropriate legislative committees by December 15, 2011, and a
6 final report is due to the appropriate legislative committees by August
7 30, 2012.

8 (8) \$17,000 of the general fund--state appropriation for fiscal
9 year 2013 are provided solely to implement Substitute Senate Bill No.
10 6492 (competency to stand trial). If the bill is not enacted by June
11 30, 2012, the amount provided in this subsection shall lapse.

12 **Sec. 607.** 2011 2nd sp.s. c 9 s 607 (uncodified) is amended to read
13 as follows:

14 **FOR WESTERN WASHINGTON UNIVERSITY**

15 General Fund--State Appropriation (FY 2012)	((\$33,754,000))
	<u>\$33,664,000</u>
17 General Fund--State Appropriation (FY 2013)	((\$33,743,000))
	<u>\$32,104,000</u>
19 Education Legacy Trust Account--State Appropriation	\$13,266,000
20 TOTAL APPROPRIATION	((\$80,763,000))
	<u>\$79,034,000</u>

21

22 The appropriations in this section are subject to the following
23 conditions and limitations: In implementing the appropriations in this
24 section, the president and governing board shall seek to minimize
25 impacts on student services and instructional programs by maximizing
26 reductions in administration and other noninstructional activities.

27 NEW SECTION. **Sec. 608. COUNCIL FOR HIGHER EDUCATION**
28 2011 2nd sp.s. c 9 s 610 (uncodified) and 2011 1st sp.s. c 50 s 614
29 (uncodified) are repealed.

30 NEW SECTION. **Sec. 609. OFFICE OF STUDENT FINANCIAL ASSISTANCE**
31 2011 2nd sp.s. c 9 s 611 (uncodified) and 2011 1st sp.s. c 50 s 615
32 (uncodified) are repealed.

33 NEW SECTION. **Sec. 610.** A new section is added to 2011 1st sp.s.
34 c 50 (uncodified) to read as follows:

1 **FOR THE OFFICE OF THE STUDENT ACHIEVEMENT COUNCIL--POLICY COORDINATION**
2 **AND ADMINISTRATION**

3	General Fund--State Appropriation (FY 2013)	\$4,973,000
4	General Fund--Federal Appropriation	\$2,377,000
5	TOTAL APPROPRIATION	\$7,350,000

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

8 (1) The office of the student achievement council is authorized to
9 increase or establish fees for initial degree authorization, degree
10 authorization renewal, degree authorization reapplication, new program
11 applications, and new site applications pursuant to RCW 28B.85.060.

12 (2) \$1,043,000 of the general fund--state appropriation for fiscal
13 year 2013 is provided solely for the implementation of Engrossed Second
14 Substitute Senate Bill No. 6232 (higher education coordination). If
15 the bill is not enacted by June 30, 2012, the amount provided in this
16 subsection shall lapse.

17 NEW SECTION. **Sec. 611.** A new section is added to 2011 1st sp.s.
18 c 50 (uncodified) to read as follows:

19 **FOR THE OFFICE OF THE STUDENT ACHIEVEMENT COUNCIL--OFFICE OF STUDENT**
20 **FINANCIAL ASSISTANCE**

21	General Fund--State Appropriation (FY 2013)	\$245,489,000
22	General Fund--Federal Appropriation	\$5,816,000
23	Washington Opportunity Pathways Account--State	
24	Appropriation	\$73,500,000
25	TOTAL APPROPRIATION	\$324,805,000

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

28 (1) \$237,018,000 of the general fund--state appropriation for
29 fiscal year 2013, and \$73,500,000 of the opportunity pathways account--
30 state appropriation are provided solely for student financial aid
31 payments under the state need grant and the state work study programs
32 including up to a four percent administrative allowance for the state
33 work study program.

34 (2) Within the funds appropriated in this section, eligibility for
35 the state need grant shall include students with family incomes at or
36 below 70 percent of the state median family income (MFI), adjusted for
37 family size, and shall include students enrolled in three to five

1 credit-bearing quarter credits, or the equivalent semester credits.
2 The office of student financial assistance shall report to the
3 legislature by December 1, 2013, regarding the number of students
4 enrolled in three to five credit-bearing quarter credits, or the
5 equivalent semester credits, and their academic progress including
6 degree completion. Awards for all students shall be adjusted by the
7 estimated amount by which Pell grant increases exceed projected
8 increases in the noninstructional costs of attendance. Awards for
9 students with incomes between 51 and 70 percent of the state median
10 shall be prorated at the following percentages of the award amount
11 granted to those with incomes below 51 percent of the MFI: 70 percent
12 for students with family incomes between 51 and 55 percent MFI; 65
13 percent for students with family incomes between 56 and 60 percent MFI;
14 60 percent for students with family incomes between 61 and 65 percent
15 MFI; and 50 percent for students with family incomes between 66 and 70
16 percent MFI. For the 2012-13 academic year, awards for eligible
17 students attending for-profit institutions of higher education shall
18 not be subject to a fifty percent reduction.

19 (3) \$1,250,000 of the general fund--state appropriation for fiscal
20 year 2013 is provided solely for implementation of the aerospace
21 training scholarship and student loan program as specified in Engrossed
22 Substitute House Bill No. 1846 (aerospace student loans). If the bill
23 is not enacted by June 30, 2012, the amount provided in this subsection
24 shall lapse.

25 (4) For fiscal year 2013, the board shall defer loan or conditional
26 scholarship repayments to the future teachers conditional scholarship
27 and loan repayment program for up to one year for each participant if
28 the participant has shown evidence of efforts to find a teaching job
29 but has been unable to secure a teaching job per the requirements of
30 the program.

31 (5) \$1,000,000 of the education legacy trust account--state
32 appropriation is provided solely for the gaining early awareness and
33 readiness for undergraduate programs project.

34 (6) \$500,000 of the general fund--state appropriation for fiscal
35 year 2013 is provided solely for the leadership 1000 program.

36 (7) \$2,436,000 of the general fund--state appropriation for fiscal
37 year 2013 is provided solely for the passport to college program. The
38 maximum scholarship award shall be \$5,000. The board shall contract

1 with a nonprofit organization to provide support services to increase
2 student completion in their postsecondary program and shall, under this
3 contract, provide a minimum of \$500,000 in fiscal year 2013 for this
4 purpose.

5 **Sec. 612.** 2011 1st sp.s. c 50 s 616 (uncodified) is amended to
6 read as follows:

7 **FOR THE WORK FORCE TRAINING AND EDUCATION COORDINATING BOARD**

8	General Fund--State Appropriation (FY 2012)	((\$1,382,000))
9		<u>\$1,274,000</u>
10	General Fund--State Appropriation (FY 2013)	((\$1,388,000))
11		<u>\$1,280,000</u>
12	General Fund--Federal Appropriation	\$62,758,000
13	TOTAL APPROPRIATION	((\$65,528,000))
14		<u>\$65,312,000</u>

15 The appropriations in this section are subject to the following
16 conditions and limitations: For the 2011-2013 fiscal biennium the
17 board shall not designate recipients of the Washington award for
18 vocational excellence or recognize them at award ceremonies as provided
19 in RCW 28C.04.535.

20 **Sec. 613.** 2011 2nd sp.s. c 9 s 612 (uncodified) is amended to read
21 as follows:

22 **FOR THE DEPARTMENT OF EARLY LEARNING**

23	General Fund--State Appropriation (FY 2012)	((\$27,571,000))
24		<u>\$25,244,000</u>
25	General Fund--State Appropriation (FY 2013)	((\$27,558,000))
26		<u>\$25,265,000</u>
27	General Fund--Federal Appropriation	((\$261,753,000))
28		<u>\$279,884,000</u>
29	<u>Home Visiting Services Account--Federal</u>	
30	<u>Appropriation</u>	<u>\$200,000</u>
31	Opportunity Pathways Account--State Appropriation	\$80,000,000
32	TOTAL APPROPRIATION	((\$396,882,000))
33		<u>\$410,593,000</u>

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

1 (1) \$16,028,000 of the general fund--state appropriation for fiscal
2 year 2012, \$16,028,000 of the general fund--state appropriation of
3 fiscal year 2013, \$80,000,000 of the opportunity pathways account
4 appropriation, and \$2,256,000 of the general fund--federal
5 appropriation are provided solely for the early childhood education
6 assistance program services. Of these amounts, \$10,284,000 is a
7 portion of the biennial amount of state maintenance of effort dollars
8 required to receive federal child care and development fund grant
9 dollars.

10 (2) In accordance to RCW 43.215.255(2) and 43.135.055, the
11 department is authorized to increase child care center and child care
12 family home licensure fees in fiscal years 2012 and 2013 for costs to
13 the department for the licensure activity, including costs of necessary
14 inspection. These increases are necessary to support expenditures
15 authorized in this section.

16 (3) (~~(\$638,000)~~) \$64,000 of the general fund--state appropriation
17 for fiscal year 2012 (~~and~~), \$638,000 of the general fund--state
18 appropriation for fiscal year 2013, and \$574,000 of the general fund--
19 federal appropriation are provided solely for child care resource and
20 referral network services.

21 (~~(4) (\$200,000 of the general fund--state appropriation for fiscal~~
22 ~~year 2012 and \$200,000 of the general fund--state appropriation for~~
23 ~~fiscal year 2013 are provided solely to develop and provide culturally~~
24 ~~relevant supports for parents, family, and other caregivers.~~

25 (+5)) The department is the lead agency for and recipient of the
26 federal child care and development fund grant. Amounts within this
27 grant shall be used to fund child care licensing, quality initiatives,
28 agency administration, and other costs associated with child care
29 subsidies. The department shall transfer a portion of this grant to
30 the department of social and health services to fund the child care
31 subsidies paid by the department of social and health services on
32 behalf of the department of early learning.

33 ((+6)) (5) The appropriations in this section reflect reductions
34 in the appropriations for the department's administrative expenses. It
35 is the intent of the legislature that these reductions shall be
36 achieved, to the greatest extent possible, by reducing those
37 administrative costs that do not affect direct client services or
38 direct service delivery or program.

1 ~~((7))~~ (6) \$934,000 of the general fund--state appropriation for
2 fiscal year 2012, \$934,000 of the general fund--state appropriation for
3 fiscal year 2013, and \$2,400,000 of the general fund--federal
4 appropriation are provided solely for expenditure into the home
5 visiting services account. This funding is intended to meet federal
6 maintenance of effort requirements and to secure private matching
7 funds.

8 (a) All federal funds received by the department for home visiting
9 activities must be deposited into the home visiting services account.

10 (b) The department must consult with stakeholders during the
11 development of the Washington home visiting plan and any future
12 proposals for federal funding.

13 (c) \$200,000 of the home visiting services account--federal
14 appropriation is provided solely for program administration pursuant to
15 RCW 43.215.130. No other funds may be expended for that purpose.

16 ~~((8))~~ (7) In addition to groups that were given prioritized
17 access to the working connections child care program effective March 1,
18 2011, the department shall also give prioritized access into the
19 program to families in which a parent of a child in care is a minor who
20 is not living with a parent or guardian and who is a full-time student
21 in a high school that has a school-sponsored on-site child care center.

22 ~~((9))~~ (8) Within available amounts, the department in
23 consultation with the office of financial management and the department
24 of social and health services shall report quarterly enrollments and
25 active caseload for the working connections child care program to the
26 legislative fiscal committees. The report shall also identify the
27 number of cases participating in both temporary assistance for needy
28 families and working connections child care.

29 ~~((10))~~ (9) \$2,522,000 of the general fund--state appropriation
30 for fiscal year 2012, \$2,522,000 of the general fund--state
31 appropriation for fiscal year 2013, and \$4,304,000 of the general
32 fund--federal appropriation are provided solely for the medicaid
33 treatment child care (MTCC) program. The department shall contract for
34 MTCC services to provide therapeutic child care and other specialized
35 treatment services to abused, neglected, at-risk, and/or drug-affected
36 children. Priority for services shall be given to children referred
37 from the department of social and health services children's
38 administration. In addition to referrals made by children's

1 administration, the department shall authorize services for children
2 referred to the MTCC program, as long as the children meet the
3 eligibility requirements as outlined in the Washington state plan for
4 the MTCC program. Of the amounts appropriated in this subsection,
5 \$60,000 per fiscal year may be used by the department for administering
6 the MTCC program, if needed.

7 **Sec. 614.** 2011 2nd sp.s. c 9 s 613 (uncodified) is amended to read
8 as follows:

9 **FOR THE STATE SCHOOL FOR THE BLIND**

10	General Fund--State Appropriation (FY 2012)	\$5,782,000
11	General Fund--State Appropriation (FY 2013)	(\$5,749,000)
12		<u>\$5,461,000</u>
13	((General Fund--Private/Local Appropriation	\$1,961,000))
14	TOTAL APPROPRIATION	(\$13,492,000)
15		<u>\$11,243,000</u>

16 ~~((The appropriations in this section are subject to the following
17 conditions and limitations: \$271,000 of the general fund--
18 private/local appropriation is provided solely for the school for the
19 blind to offer short course programs, allowing students the opportunity
20 to leave their home schools for short periods and receive intensive
21 training. The school for the blind shall provide this service to the
22 extent that it is funded by contracts with school districts and
23 educational services districts.))~~

24 **Sec. 615.** 2011 2nd sp.s. c 9 s 614 (uncodified) is amended to read
25 as follows:

26 **FOR THE WASHINGTON STATE CENTER FOR CHILDHOOD DEAFNESS AND HEARING**
27 **LOSS**

28	General Fund--State Appropriation (FY 2012)	\$8,449,000
29	General Fund--State Appropriation (FY 2013)	(\$8,446,000)
30		<u>\$8,041,000</u>
31	((General Fund--Private/Local Appropriation	\$526,000))
32	TOTAL APPROPRIATION	(\$17,421,000)
33		<u>\$16,490,000</u>

(End of part)

PART VII

SPECIAL APPROPRIATIONS

Sec. 701. 2011 2nd sp.s. c 9 s 701 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT SUBJECT TO THE DEBT LIMIT

Table with 2 columns: Description and Amount. Rows include General Fund--State Appropriation (FY 2012), General Fund--State Appropriation (FY 2013), State Building Construction Account--State Appropriation, Columbia River Basin Water Supply Development Account--State Appropriation, Hood Canal Aquatic Rehabilitation Bond Account--State Appropriation, State Taxable Building Construction Account--State Appropriation, Gardner-Evans Higher Education Construction Account--State Appropriation, Debt-Limit Reimbursable Bond Retire Account--State Appropriation, and TOTAL APPROPRIATION.

The appropriations in this section are subject to the following conditions and limitations: The general fund appropriations are for expenditure into the debt-limit general fund bond retirement account. The entire general fund--state appropriation for fiscal year 2012 shall be expended into the debt-limit general fund bond retirement account by June 30, 2012.

Sec. 702. 2011 2nd sp.s. c 9 s 702 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING

BOND REGISTRATION AND TRANSFER CHARGES: FOR GENERAL OBLIGATION DEBT TO BE REIMBURSED AS PRESCRIBED BY STATUTE

General Fund--State Appropriation (FY 2012)	(\$27,516,000)
	<u>\$27,400,000</u>
General Fund--State Appropriation (FY 2013)	(\$30,758,000)
	<u>\$30,572,000</u>
Nondebt-Limit Reimbursable Bond Retirement	
Account--State Appropriation	\$140,128,000
TOTAL APPROPRIATION	(\$198,402,000)
	<u>\$198,100,000</u>

The appropriations in this section are subject to the following conditions and limitations: The general fund appropriation is for expenditure into the nondebt-limit general fund bond retirement account. The entire general fund--state appropriation for fiscal year 2012 shall be expended into the nondebt-limit general fund bond retirement account by June 30, 2012.

NEW SECTION. **Sec. 703.** A new section is added to 2011 1st sp.s. c 50 (uncodified) to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT--REVISED EMPLOYER HEALTH BENEFIT RATES

General Fund--State Appropriation (FY 2013)	(\$32,946,000)
General Fund--Federal Appropriation	(\$4,720,000)
General Fund--Local Appropriation	(\$518,000)
Education Legacy Trust Account--State Appropriation	(\$178,000)
Dedicated Funds and Accounts Appropriation	(\$7,684,000)
TOTAL APPROPRIATION	(\$46,046,000)

The appropriations in this section are subject to the following conditions and limitations: Appropriations are adjusted to reflect changes to appropriations to reflect the change in the employer funding rate providing employee health and insurance coverage for fiscal year 2013 from \$850 to \$800 per estimated eligible employee per month. The office of financial management shall update agency appropriations schedules to reflect the changes in funding levels in this section as identified by agency and fund in LEAP document H-HB1 dated February 17, 2012. From the applicable accounts, the office of financial management shall adjust allotments to the respective agencies by an amount that

1 conforms with funding adjustments enacted in the 2012 supplemental
2 omnibus operating appropriations act. Any allotment reductions under
3 this section must be placed in reserve status and remain unexpended.

4 **Sec. 704.** 2011 2nd sp.s. c 9 s 704 (uncodified) is amended to read
5 as follows:

6 **FOR THE DEPARTMENT OF RETIREMENT SYSTEMS--CONTRIBUTIONS TO RETIREMENT**
7 **SYSTEMS**

8 (1) The appropriations in this section are subject to the following
9 conditions and limitations: The appropriations for the law enforcement
10 officers' and firefighters' retirement system shall be made on a
11 monthly basis beginning July 1, 2011, consistent with chapter 41.45
12 RCW, and the appropriations for the judges and judicial retirement
13 systems shall be made on a quarterly basis consistent with chapters
14 2.10 and 2.12 RCW.

15 ((+1)) (2) The contribution rates adopted under RCW 41.45.0604 and
16 41.26.720 for the law enforcement officers' and firefighters'
17 retirement system plan 2 are hereby modified. The following
18 contribution rates will be in effect for the law enforcement officers'
19 and firefighters' retirement system plan 2:

20 (a) Beginning March 1, 2012, a member contribution rate of 6.53
21 percent will be charged;

22 (b) Beginning March 1, 2012, an employer contribution rate of 3.92
23 percent will be charged; and

24 (c) Beginning March 1, 2012, a state contribution rate of 2.61
25 percent will be charged.

26 These contribution rates will be in effect through June 30, 2013.

27 (3) There is appropriated for state contributions to the law
28 enforcement officers' and firefighters' retirement system:

29	General Fund--State Appropriation (FY 2012)	((\$54,547,000))
30		<u>\$50,405,000</u>
31	General Fund--State Appropriation (FY 2013)	((\$56,729,000))
32		<u>\$43,809,000</u>
33	TOTAL APPROPRIATION	((\$111,276,000))
34		<u>\$94,214,000</u>

35 ((+2)) (4) There is appropriated for contributions to the judicial
36 retirement system:

37 General Fund--State Appropriation (FY 2012) \$8,100,000

1 General Fund--State Appropriation (FY 2013) \$10,100,000
2 TOTAL APPROPRIATION \$18,200,000

3 NEW SECTION. **Sec. 705.** A new section is added to 2011 1st sp.s.
4 c 50 (uncodified) to read as follows:

5 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--DISASTER RESPONSE ACCOUNT**

6 General Fund--State Appropriation (FY 2013) \$1,150,000

7 The appropriation in this section is subject to the following
8 conditions and limitations: The appropriation is provided solely for
9 expenditure into the disaster response account.

10 **Sec. 706.** 2011 1st sp.s. c 50 s 715 (uncodified) is amended to
11 read as follows:

12 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--EXTRAORDINARY CRIMINAL JUSTICE**
13 **COSTS**

14 General Fund--State Appropriation (FY 2012) ((~~\$591,000~~))
15 \$1,102,000

16 The appropriation in this section is subject to the following
17 conditions and limitations: The director of financial management shall
18 distribute ((~~\$338,000~~)) \$501,000 to Franklin county, \$128,000 to
19 Jefferson county, ((and)) \$125,000 to Okanogan county, \$161,000 to
20 Yakima county, and \$187,000 to King county for extraordinary criminal
21 justice costs.

22 NEW SECTION. **Sec. 707.** A new section is added to 2011 1st sp.s.
23 c 50 (uncodified) to read as follows:

24 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--EDUCATION LEGACY TRUST ACCOUNT**

25 General Fund--State Appropriation (FY 2013) \$25,000,000

26 The appropriation in this section is subject to the following
27 conditions and limitations: The appropriation is provided solely for
28 expenditure into the education legacy trust account.

29 NEW SECTION. **Sec. 708.** A new section is added to 2011 1st sp.s.
30 c 50 (uncodified) to read as follows:

31 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--ARROW COMMISSION**

32 General Fund--State Appropriation (FY 2013) \$200,000

1 The appropriation in this section is subject to the following
2 conditions and limitations: The appropriation is provided solely for
3 the implementation of Engrossed Substitute Senate Bill No. 6345 (agency
4 reallocation and realignment of Washington commission). If the bill is
5 not enacted by June 30, 2012, the appropriation in this section shall
6 lapse.

7 NEW SECTION. Sec. 709. CENTRAL SERVICE EFFICIENCIES
8 2011 2nd sp.s. c 9 s 705 (uncodified) is repealed.

9 **Sec. 710.** 2011 2nd sp.s. c 9 s 707 (uncodified) is amended to read
10 as follows:

11 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--PERSONNEL SERVICES**

12 ~~((From appropriations to state agencies for the 2011-2013 fiscal
13 biennium, the office of financial management shall reduce general
14 fund state allotments by \$9,537,000 for fiscal year 2013 to reflect
15 reduced billings and related charges to client agencies for central
16 personnel services, pursuant to allotment schedules prepared by the
17 office of financial management. The allotment reductions under this
18 section shall be placed in unallotted status and remain unexpended.))~~

19 General Fund--State Appropriation (FY 2012) (\$745,000)
20 General Fund--State Appropriation (FY 2013) (\$763,000)
21 Other Appropriated Funds (\$1,176,000)
22 TOTAL APPROPRIATION (\$2,684,000)

23 The appropriations in this section are solely for the purposes
24 designated in this section and are subject to the following conditions
25 and limitations:

26 (1) Appropriations are adjusted to reflect adjustments in funding
27 for charges associated with a personnel services rate reduction.

28 (2) The office of financial management shall update agency
29 appropriation schedules to reflect the changes to funding levels in
30 this section as identified by agency and in the amounts specified in
31 LEAP Document GLP-2012 dated February 18, 2012.

32 NEW SECTION. Sec. 711. A new section is added to 2011 1st sp.s.
33 c 50 (uncodified) to read as follows:

34 **FOR THE DEPARTMENT OF NATURAL RESOURCES--DISTRIBUTION OF EXCESS FUNDS**

1 **FROM THE FOREST DEVELOPMENT ACCOUNT**

2 Forest Development Account--State Appropriation \$10,000,000

3 The appropriation in this section is provided solely for
4 distribution of state forest land revenues to taxing authorities that
5 received such revenue from fiscal year 2002 through fiscal year 2011
6 and is subject to the following conditions and limitations:

7 (1) Within fifteen days of the effective date of this section, the
8 department shall transmit funds in the amounts specified in subsection
9 (3) of this section to the county treasurers of the counties receiving
10 the funds.

11 (2) The county treasurers of the counties listed in this section
12 shall distribute funds received from this appropriation to taxing
13 authorities in proportion to the state forest transfer land funds
14 distributed to the taxing authorities based on information available
15 for the fiscal years 2002 through 2011. Funds to be credited to the
16 state of Washington and funds credited to school district general
17 levies shall be remitted to the state of Washington within thirty days
18 after the effective date of this section for deposit into the state
19 general fund.

20 (3) Funds shall be distributed in the following amounts:

21	Clallam	\$848,854
22	Clark	\$630,368
23	Cowlitz	\$418,159
24	Grays Harbor	\$266,365
25	Jefferson	\$239,722
26	King	\$328,725
27	Kitsap	\$73,839
28	Klickitat	\$197,968
29	Lewis	\$887,679
30	Mason	\$425,935
31	Okanogan	\$4
32	Pacific	\$352,540
33	Pierce	\$334,179
34	Skagit	\$1,534,497
35	Skamania	\$66,648

1	Snohomish	\$1,565,549
2	Stevens	\$6,709
3	Thurston	\$783,735
4	Wahkiakum	\$285,339
5	Whatcom	\$753,186
6	Total	\$10,000,000

7 NEW SECTION. Sec. 712. A new section is added to 2011 1st sp.s.
8 c 50 (uncodified) to read as follows:

9 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--CENTRAL SERVICE CHARGES**
10 **ADJUSTMENTS**

11	General Fund--State Appropriation (FY 2012)	(\$702,000)
12	General Fund--State Appropriation (FY 2013)	(\$1,410,000)
13	Other Appropriated Funds	(\$3,222,000)
14	TOTAL APPROPRIATION	(\$5,334,000)

15 The appropriations in this section are solely for the purposes
16 designated in this section and are subject to the following conditions
17 and limitations:

18 (1) Appropriations are adjusted to reflect adjustments in funding
19 for charges associated with central services.

20 (2) The office of financial management shall update agency
21 appropriation schedules to reflect the changes to funding levels in
22 this section.

23 NEW SECTION. Sec. 713. A new section is added to 2011 1st sp.s.
24 c 50 (uncodified) to read as follows:

25 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--AUDIT SERVICES ADJUSTMENTS**

26	General Fund--State Appropriation (FY 2012)	(\$169,000)
27	General Fund--State Appropriation (FY 2013)	(\$341,000)
28	Other Appropriated Funds . . . . .	.\$208,000
29	TOTAL APPROPRIATION	(\$302,000)

30 The appropriations in this section are solely for the purposes
31 designated in this section and are subject to the following conditions
32 and limitations:

33 (1) Appropriations are adjusted to reflect adjustments in funding
34 for charges associated with audit services.

1 (2) The office of financial management shall update agency
2 appropriation schedules to reflect the changes to funding levels in
3 this section.

4 NEW SECTION. **Sec. 714.** A new section is added to 2011 1st sp.s.
5 c 50 (uncodified) to read as follows:

6 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--LEGAL SERVICES REDUCTION**

7	General Fund--State Appropriation (FY 2012)	(\$896,000)
8	General Fund--State Appropriation (FY 2013)	(\$1,805,000)
9	Other Appropriated Funds	(\$4,918,000)
10	TOTAL APPROPRIATION	(\$7,619,000)

11 The appropriations in this section are solely for the purposes
12 designated in this section and are subject to the following conditions
13 and limitations:

14 (1) Appropriations are adjusted to reflect savings associated with
15 a reduction in expenditures related to legal services.

16 (2) The office of financial management shall update agency
17 appropriation schedules to reflect the changes to funding levels in
18 this section.

19 NEW SECTION. **Sec. 715.** A new section is added to 2011 1st sp.s.
20 c 50 (uncodified) to read as follows:

21 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--ARCHIVE SERVICES REDUCTION**

22	General Fund--State Appropriation (FY 2012)	(\$110,000)
23	General Fund--State Appropriation (FY 2013)	(\$229,000)
24	Other Appropriated Funds	(\$244,000)
25	TOTAL APPROPRIATION	(\$583,000)

26 The appropriations in this section are solely for the purposes
27 designated in this section and are subject to the following conditions
28 and limitations:

29 (1) Appropriations are adjusted to reflect savings associated with
30 a reduction in expenditures related to archive services.

31 (2) The office of financial management shall update agency
32 appropriation schedules to reflect the changes to funding levels in
33 this section.

34 NEW SECTION. **Sec. 716.** A new section is added to 2011 1st sp.s.
35 c 50 (uncodified) to read as follows:

1 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--CENTRAL SERVICE SAVINGS**

2	General Fund--State Appropriation (FY 2012)	(\$62,000)
3	General Fund--State Appropriation (FY 2013)	(\$127,000)
4	Other Appropriated Funds	(\$207,000)
5	TOTAL APPROPRIATION	(\$396,000)

6 The appropriations in this section are solely for the purposes
7 designated in this section and are subject to the following conditions
8 and limitations:

9 (1) Appropriations are adjusted to reflect savings associated with
10 a reduction in billing to various state agencies for central services.

11 (2) The office of financial management shall update agency
12 appropriation schedules to reflect the changes to funding levels in
13 this section.

14 NEW SECTION. **Sec. 717.** A new section is added to 2011 1st sp.s.
15 c 50 (uncodified) to read as follows:

16 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--CENTRAL SERVICE REDUCTIONS**

17	General Fund--State Appropriation (FY 2012)	(\$894,000)
18	General Fund--State Appropriation (FY 2013)	(\$3,586,000)
19	Other Appropriated Funds	(\$3,295,000)
20	TOTAL APPROPRIATION	(\$7,775,000)

21 The appropriations in this section are solely for the purposes
22 designated in this section and are subject to the following conditions
23 and limitations:

24 (1) Appropriations are adjusted to reflect savings associated with
25 a reduction to various state agencies for central services pursuant to
26 Substitute Senate Bill No. 6607.

27 (2) The office of financial management shall update agency
28 appropriation schedules to reflect the changes to funding levels in
29 this section.

30 NEW SECTION. **Sec. 718.** A new section is added to 2011 1st sp.s.
31 c 50 (uncodified) to read as follows:

32 **FOR SUNDRY CLAIMS**

33 The following sums, or so much thereof as may be necessary, are
34 appropriated from the general fund, unless otherwise indicated, for
35 relief of various individuals, firms, and corporations for sundry
36 claims. These appropriations are to be disbursed on vouchers approved

1 by the director of financial management, except as otherwise provided,
2 for reimbursement of criminal defendants acquitted on the basis of
3 self-defense, pursuant to RCW 9A.16.110, as follows:

- 4 (1) Clint L. Powell, Jr., claim number 99970048 \$58,155.10
- 5 (2) Chance L. Hawkins, claim number 99970049 \$28,838.95
- 6 (3) Edgar L. Hawkins, claim number 99970050 \$25,507.00
- 7 (4) James Abbott, claim number 99970051 \$9,880.00
- 8 (5) Richard Frisk, claim number 99970052 \$32,788.50
- 9 (6) Brian Barnd-Spjut, claim number 99970053 \$122,821.79

10 NEW SECTION. **Sec. 719.** A new section is added to 2011 1st sp.s.
11 c 50 (uncodified) to read as follows:

12 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--STATE AGENCY RETIREMENT SYSTEM**
13 **CONTRIBUTIONS**

14	General Fund--State Appropriation (FY 2013)	(\$44,301,000)
15	General Fund--Federal Appropriation	(\$10,049,000)
16	General Fund--Private/Local Appropriation	(\$1,038,000)
17	Dedicated Funds and Accounts Appropriation	(\$49,989,000)
18	TOTAL APPROPRIATION	(\$105,377,000)

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

21 (1) The appropriations in this section are provided solely to
22 reduce agency and institution appropriations to reflect reduced pension
23 contributions. The office of financial management shall allocate the
24 moneys appropriated in this section in the amounts specified and adjust
25 appropriation schedules accordingly. The office of financial
26 management shall make any further allotment adjustments necessary to
27 reflect agency mergers or consolidations assumed in this act. The
28 allotment reductions under this section shall be placed in unallotted
29 status and remain unexpended.

30 (2) The appropriations in this section reflect reduced retirement
31 system contributions resulting from the provisions of Senate Bill No.
32 6378 (reforming the state retirement plans). If the bill is not
33 enacted by June 30, 2012, the amounts provided in this section shall
34 lapse.

35 NEW SECTION. **Sec. 720.** A new section is added to 2011 1st sp.s.
36 c 50 (uncodified) to read as follows:

1 **FOR THE OFFICE OF FINANCIAL MANAGEMENT--SCHOOL DISTRICT RETIREMENT**
2 **SYSTEM CONTRIBUTIONS**

3 General Fund--State Appropriation (FY 2013) (\$88,699,000)

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

6 (1) The appropriation in this section is provided solely for
7 adjustments to allocations to school districts to reflect reduced
8 retirement system contributions resulting from the provisions of Senate
9 Bill No. 6378 (reforming the state retirement plans). The office of
10 financial management shall reduce allotments for the office of the
11 superintendent of public instruction by these amounts. The allotment
12 reductions under this section shall be placed in unallotted status and
13 remain unexpended.

14 (2) The appropriation in this section reflects reduced retirement
15 system contributions resulting from the provisions of Senate Bill No.
16 6378 (reforming the state retirement plans). If the bill is not
17 enacted by June 30, 2012, the amount provided in this section shall
18 lapse.

(End of part)

PART VIII

OTHER TRANSFERS AND APPROPRIATIONS

Sec. 801. 2011 1st sp.s. c 50 s 801 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER--STATE REVENUES FOR DISTRIBUTION

General Fund Appropriation for fire insurance premium distributions ((~~\$8,368,000~~)) \$8,289,000

General Fund Appropriation for public utility district excise tax distributions ((~~\$49,418,000~~)) \$44,078,000

General Fund Appropriation for prosecuting attorney distributions \$6,281,000

General Fund Appropriation for boating safety and education distributions \$4,000,000

General Fund Appropriation for other tax distributions \$58,000

General Fund Appropriation for habitat conservation program distributions \$3,000,000

Death Investigations Account Appropriation for distribution to counties for publicly funded autopsies \$2,960,000

Aquatic Lands Enhancement Account Appropriation for harbor improvement revenue distribution \$160,000

Timber Tax Distribution Account Appropriation for distribution to "timber" counties ((~~\$40,421,000~~)) \$58,229,000

County Criminal Justice Assistance Appropriation ((~~\$69,801,000~~)) \$69,566,000

Municipal Criminal Justice Assistance Appropriation ((~~\$26,950,000~~)) \$26,843,000

City-County Assistance Account Appropriation for local government financial assistance distribution ((~~\$16,589,000~~)) \$12,159,000

Liquor Excise Tax Account Appropriation for liquor

1	excise tax distribution	((\$52,152,000))
2		<u>\$25,617,000</u>
3	Streamlined Sales and Use Tax Mitigation Account	
4	Appropriation for distribution to local taxing	
5	jurisdictions to mitigate the unintended revenue	
6	redistribution effect of the sourcing law	
7	changes	((\$49,635,000))
8		<u>\$49,309,000</u>
9	Columbia River Water Delivery Account Appropriation for	
10	the Confederated Tribes of the Colville	
11	Reservation	((\$7,441,000))
12		<u>\$7,478,000</u>
13	Columbia River Water Delivery Account Appropriation for	
14	the Spokane Tribe of Indians	((\$4,748,000))
15		<u>\$4,794,000</u>
16	Liquor Revolving Account Appropriation for liquor	
17	profits distribution	((\$69,318,000))
18		<u>\$86,878,000</u>
19	TOTAL APPROPRIATION	((\$411,301,000))
20		<u>\$409,699,000</u>

21 The total expenditures from the state treasury under the
22 appropriations in this section shall not exceed the funds available
23 under statutory distributions for the stated purposes.

24 **Sec. 802.** 2011 1st sp.s. c 50 s 802 (uncodified) is amended to
25 read as follows:

26 **FOR THE STATE TREASURER--FOR THE COUNTY CRIMINAL JUSTICE ASSISTANCE**
27 **ACCOUNT**

28	Impaired Driver Safety Account Appropriation	((\$2,501,000))
29		<u>\$2,439,000</u>

30 The appropriation in this section is subject to the following
31 conditions and limitations: The amount appropriated in this section
32 shall be distributed quarterly during the 2011-2013 fiscal biennium in
33 accordance with RCW 82.14.310. This funding is provided to counties
34 for the costs of implementing criminal justice legislation including,
35 but not limited to: Chapter 206, Laws of 1998 (drunk driving
36 penalties); chapter 207, Laws of 1998 (DUI penalties); chapter 208,
37 Laws of 1998 (deferred prosecution); chapter 209, Laws of 1998

1 (DUI/license suspension); chapter 210, Laws of 1998 (ignition interlock
2 violations); chapter 211, Laws of 1998 (DUI penalties); chapter 212,
3 Laws of 1998 (DUI penalties); chapter 213, Laws of 1998 (intoxication
4 levels lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter
5 215, Laws of 1998 (DUI provisions).

6 **Sec. 803.** 2011 1st sp.s. c 50 s 803 (uncodified) is amended to
7 read as follows:

8 **FOR THE STATE TREASURER--MUNICIPAL CRIMINAL JUSTICE ASSISTANCE ACCOUNT**
9 Impaired Driver Safety Account Appropriation (~~(\$1,666,000)~~)
10 \$1,626,000

11 The appropriation in this section is subject to the following
12 conditions and limitations: The amount appropriated in this section
13 shall be distributed quarterly during the 2011-2013 biennium to all
14 cities ratably based on population as last determined by the office of
15 financial management. The distributions to any city that substantially
16 decriminalizes or repeals its criminal code after July 1, 1990, and
17 that does not reimburse the county for costs associated with criminal
18 cases under RCW 3.50.800 or 3.50.805(2), shall be made to the county in
19 which the city is located. This funding is provided to cities for the
20 costs of implementing criminal justice legislation including, but not
21 limited to: Chapter 206, Laws of 1998 (drunk driving penalties);
22 chapter 207, Laws of 1998 (DUI penalties); chapter 208, Laws of 1998
23 (deferred prosecution); chapter 209, Laws of 1998 (DUI/license
24 suspension); chapter 210, Laws of 1998 (ignition interlock violations);
25 chapter 211, Laws of 1998 (DUI penalties); chapter 212, Laws of 1998
26 (DUI penalties); chapter 213, Laws of 1998 (intoxication levels
27 lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter 215,
28 Laws of 1998 (DUI provisions).

29 **Sec. 804.** 2011 2nd sp.s. c 9 s 801 (uncodified) is amended to read
30 as follows:

31 **FOR THE STATE TREASURER--TRANSFERS**
32 State Treasurer's Service Account: For transfer to
33 the state general fund, \$16,300,000
34 for fiscal year 2012 and (~~(\$21,300,000)~~)
35 \$24,800,000 for fiscal year 2013 (~~(\$37,600,000)~~)
36 \$41,100,000

1 Waste Reduction, Recycling, and Litter Control
2 Account: For transfer to the state general
3 fund, (~~(\$3,500,000)~~) \$4,847,000 for fiscal year
4 2012 and (~~(\$3,500,000)~~) \$4,847,000 for fiscal
5 year 2013 (~~(\$7,000,000)~~)
6 \$9,694,000
7 Aquatics Lands Enhancement Account: For transfer to
8 the state general fund, \$3,500,000 for fiscal
9 year 2012 and \$3,500,000 for fiscal year 2013 \$7,000,000
10 Savings Incentive Account: For transfer to the state
11 general fund, \$44,618,000 for fiscal year 2012 \$44,618,000
12 Distinguished Professorship Trust Fund: For transfer to
13 the state general fund for fiscal year 2012, an amount
14 not to exceed the actual cash balance of the fund \$3,024,000
15 Washington Graduate Fellowship Trust Fund: For transfer
16 to the state general fund for fiscal year 2012, an
17 amount not to exceed the actual cash balance of
18 the fund \$1,028,000
19 College Faculty Awards Trust Fund: For transfer
20 to the state general fund for fiscal year 2012, an amount
21 not to exceed the actual cash balance of the fund \$1,996,000
22 Data Processing Revolving Account: For transfer
23 to the state general fund, \$5,960,000 for fiscal
24 year 2012 \$5,960,000
25 Drinking Water Assistance Account: For transfer to
26 the drinking water assistance repayment account \$38,000,000
27 Economic Development Strategic Reserve Account: For
28 transfer to the state general fund, \$2,100,000
29 for fiscal year 2012 and \$2,100,000 for fiscal
30 year 2013 \$4,200,000
31 General Fund: For transfer to the streamlined sales
32 and use tax account, (~~(\$24,846,000)~~) \$24,520,000
33 for fiscal year 2012 and \$24,789,000 for fiscal
34 year 2013 (~~(\$49,635,000)~~)
35 \$49,309,000
36 Public Works Assistance Account: For transfer to the
37 water pollution control revolving account,
38 \$7,750,000 for fiscal year 2012 and \$7,750,000 for

1 the home security fund, \$1,000,000 for fiscal year
 2 2012 and \$1,000,000 for fiscal year 2013 \$2,000,000
 3 Tobacco Settlement Account: For transfer to the state
 4 general fund, in an amount not to exceed the actual
 5 amount of the annual base payment to the tobacco
 6 settlement account \$158,205,000
 7 Tobacco Settlement Account: For transfer to the basic
 8 health plan stabilization account from the amounts
 9 deposited in the account that are attributable to the
 10 annual strategic contribution payment received in
 11 fiscal year 2012 \$22,000,000
 12 Tobacco Settlement Account: For transfer to the basic
 13 health plan stabilization account from the amounts
 14 deposited in the account that are attributable to the
 15 annual strategic contribution payment received in
 16 fiscal year 2013 ((~~\$22,000,000~~))
 17 \$27,000,000
 18 Tobacco Settlement Account: For transfer to the life
 19 sciences discovery fund, in an amount not to exceed
 20 the actual remaining amount of the annual strategic
 21 contribution payment to the tobacco settlement account
 22 for fiscal year 2012 \$6,000,000
 23 Tobacco Settlement Account: For transfer to the life
 24 sciences discovery fund, in an amount not to exceed
 25 the actual remaining amount of the annual strategic
 26 contribution payment to the tobacco settlement account
 27 for fiscal year 2013 ((~~\$6,000,000~~))
 28 \$1,000,000
 29 The transfer to the life sciences discovery fund is subject to the
 30 following conditions: All new grants awarded during the 2011-2013
 31 fiscal biennium shall support and accelerate the commercialization of
 32 an identifiable product.
 33 Coastal Protection Account: For transfer to the state
 34 general fund, \$500,000 for fiscal year 2012 and
 35 \$500,000 for fiscal year 2013 \$1,000,000
 36 Water Quality Capital Account: For transfer to the
 37 state general fund, \$157,000 for fiscal year 2013 \$157,000
 38 Oyster Reserve Land Account: For transfer to the state

1 **COLLECTIVE BARGAINING AGREEMENT--FISCAL YEAR 2013--WPEA, WPEA CC**
2 **COALITION, WFSE CC COALITION, WFSE CWU, WFSE TESC**

3 Agreements have been reached between the governor and the following
4 unions: Washington public employees association, Washington public
5 employees association higher education community college coalition,
6 Washington federation of state employees higher education community
7 college coalition, Washington federation of state employees Central
8 Washington University, and Washington federation of state employees The
9 Evergreen State College, under the provisions of chapter 41.80 RCW for
10 fiscal year 2013. Except as provided in subsection (2) of this
11 section, funding is reduced to reflect a 3.0 percent temporary salary
12 reduction for all employees whose monthly full-time equivalent salary
13 is \$2,500 or more per month through June 29, 2013. Effective June 30,
14 2013, the salary schedules effective July 1, 2009, through June 30,
15 2011, will be reinstated. For employees entitled to leave, temporary
16 salary reduction leave is granted for fiscal year 2013.

17 NEW SECTION. **Sec. 903.** A new section is added to 2011 1st sp.s.
18 c 50 (uncodified) to read as follows:

19 **COLLECTIVE BARGAINING AGREEMENT--FISCAL YEAR 2013--YAKIMA VALLEY**
20 **COMMUNITY COLLEGE--WASHINGTON PUBLIC EMPLOYEES ASSOCIATION**

21 An agreement has been reached between Yakima Valley Community
22 College and Washington public employees association under the
23 provisions of chapter 41.80 RCW for fiscal year 2013. The agreement is
24 consistent with the funding reduction provided in the 2011-2013 omnibus
25 appropriations act, which reflected a 3.0 percent temporary salary
26 reduction to all employees whose monthly full-time equivalent salary is
27 \$2,500 or more per month through June 29, 2013.

28 NEW SECTION. **Sec. 904.** A new section is added to 2011 1st sp.s.
29 c 50 (uncodified) to read as follows:

30 **COLLECTIVE BARGAINING AGREEMENT--FISCAL YEAR 2013--WESTERN WASHINGTON**
31 **UNIVERSITY--PUBLIC SCHOOL EMPLOYEES OF WASHINGTON**

32 An agreement has been reached between Western Washington University
33 and the Washington public school employees of Washington bargaining
34 units D and PTE under the provisions of chapter 41.80 RCW for fiscal
35 year 2013. The agreement is consistent with the funding reduction
36 provided in the 2011-2013 omnibus appropriations act, which reflected

1 a 3.0 percent temporary salary reduction to all employees whose monthly
2 full-time equivalent salary is \$2,500 or more per month through June
3 29, 2013. The reduction will be implemented according to the terms and
4 conditions of this agreement.

5 NEW SECTION. **Sec. 905.** A new section is added to 2011 1st sp.s.
6 c 50 (uncodified) to read as follows:

7 **COLLECTIVE BARGAINING AGREEMENT--FISCAL YEAR 2013--WESTERN WASHINGTON**
8 **UNIVERSITY--WFSE**

9 An agreement has been reached between Western Washington University
10 and the Washington federation of state employees bargaining units A, B,
11 and E under the provisions of chapter 41.80 RCW for fiscal year 2013.
12 The agreement is consistent with the funding reduction provided in the
13 2011-2013 omnibus appropriations act, which reflected a 3.0 percent
14 temporary salary reduction to all employees whose monthly full-time
15 equivalent salary is \$2,500 or more per month through June 29, 2013.
16 The reduction will be implemented according to the terms and conditions
17 of this agreement.

18 NEW SECTION. **Sec. 906.** A new section is added to 2011 1st sp.s.
19 c 50 (uncodified) to read as follows:

20 **COLLECTIVE BARGAINING AGREEMENT--FISCAL YEAR 2013--EASTERN WASHINGTON**
21 **UNIVERSITY--WFSE**

22 An agreement has been reached between Eastern Washington University
23 and the Washington federation of state employees under the provisions
24 of chapter 41.80 RCW for fiscal year 2013. The agreement is consistent
25 with the funding reduction provided in the 2011-2013 omnibus
26 appropriations act, which reflected a 3.0 percent temporary salary
27 reduction to all employees whose monthly full-time equivalent salary is
28 \$2,500 or more per month through June 29, 2013. The reduction will be
29 implemented according to the terms and conditions of this agreement.

30 **Sec. 907.** 2011 1st sp.s. c 50 s 920 (uncodified) is amended to
31 read as follows:

32 **COMPENSATION--NONREPRESENTED EMPLOYEES--INSURANCE BENEFITS**

33 Appropriations for state agencies in this act are sufficient for
34 nonrepresented state employee health benefits for state agencies,

1 including institutions of higher education, and are subject to the
2 following conditions and limitations:

3 (1)(a) The monthly employer funding rate for insurance benefit
4 premiums, public employees' benefits board administration, and the
5 uniform medical plan, shall not exceed \$850 per eligible employee for
6 fiscal year 2012. For fiscal year 2013 the monthly employer funding
7 rate shall not exceed (~~(\$850)~~) \$800 per eligible employee.

8 (b) In order to achieve the level of funding provided for health
9 benefits, the public employees' benefits board shall require any or all
10 of the following: Employee premium copayments, increases in point-of-
11 service cost sharing, the implementation of managed competition, or
12 make other changes to benefits consistent with RCW 41.05.065.

13 (c) The health care authority shall deposit any moneys received on
14 behalf of the uniform medical plan as a result of rebates on
15 prescription drugs, audits of hospitals, subrogation payments, or any
16 other moneys recovered as a result of prior uniform medical plan claims
17 payments, into the public employees' and retirees' insurance account to
18 be used for insurance benefits. Such receipts shall not be used for
19 administrative expenditures.

20 (2) The health care authority, subject to the approval of the
21 public employees' benefits board, shall provide subsidies for health
22 benefit premiums to eligible retired or disabled public employees and
23 school district employees who are eligible for medicare, pursuant to
24 RCW 41.05.085. For calendar years 2012 and 2013, the subsidy shall be
25 \$150.00 per month.

26 (3) Technical colleges, school districts, and educational service
27 districts shall remit to the health care authority for deposit into the
28 public employees' and retirees' insurance account established in RCW
29 41.05.120 the following amounts:

30 (a) For each full-time employee, \$66.01 per month beginning
31 September 1, 2011, and (~~(\$67.91)~~) \$65.17 beginning September 1, 2012;

32 (b) For each part-time employee, who at the time of the remittance
33 is employed in an eligible position as defined in RCW 41.32.010 or
34 41.40.010 and is eligible for employer fringe benefit contributions for
35 basic benefits, \$66.01 each month beginning September 1, 2011, and
36 (~~(\$67.91)~~) \$65.17 beginning September 1, 2012, prorated by the
37 proportion of employer fringe benefit contributions for a full-time
38 employee that the part-time employee receives. The remittance

1 requirements specified in this subsection shall not apply to employees
2 of a technical college, school district, or educational service
3 district who purchase insurance benefits through contracts with the
4 health care authority.

5 **Sec. 908.** 2011 1st sp.s. c 50 s 921 (uncodified) is amended to
6 read as follows:

7 **COMPENSATION--REPRESENTED EMPLOYEES OUTSIDE SUPER COALITION--INSURANCE**
8 **BENEFITS**

9 Appropriations for state agencies in this act are sufficient for
10 represented employees outside the super coalition for health benefits,
11 and are subject to the following conditions and limitations:

12 (1)(a) The monthly employer funding rate for insurance benefit
13 premiums, public employees' benefits board administration, and the
14 uniform medical plan, shall not exceed \$850 per eligible employee for
15 fiscal year 2012. For fiscal year 2013 the monthly employer funding
16 rate shall not exceed (~~(\$850)~~) \$800 per eligible employee.

17 (b) In order to achieve the level of funding provided for health
18 benefits, the public employees' benefits board shall require any or all
19 of the following: Employee premium copayments, increases in point-of-
20 service cost sharing, the implementation of managed competition, or
21 make other changes to benefits consistent with RCW 41.05.065.

22 (c) The health care authority shall deposit any moneys received on
23 behalf of the uniform medical plan as a result of rebates on
24 prescription drugs, audits of hospitals, subrogation payments, or any
25 other moneys recovered as a result of prior uniform medical plan claims
26 payments, into the public employees' and retirees' insurance account to
27 be used for insurance benefits. Such receipts shall not be used for
28 administrative expenditures.

29 (2) The health care authority, subject to the approval of the
30 public employees' benefits board, shall provide subsidies for health
31 benefit premiums to eligible retired or disabled public employees and
32 school district employees who are eligible for medicare, pursuant to
33 RCW 41.05.085. For calendar years 2012 and 2013, the subsidy shall be
34 \$150.00 per month.

35 (3) Technical colleges, school districts, and educational service
36 districts shall remit to the health care authority for deposit into the

1 public employees' and retirees' insurance account established in RCW
2 41.05.120 the following amounts:

3 (a) For each full-time employee, \$66.01 per month beginning
4 September 1, 2011, and (~~(\$67.91)~~) \$65.17 beginning September 1, 2012;

5 (b) For each part-time employee, who at the time of the remittance
6 is employed in an eligible position as defined in RCW 41.32.010 or
7 41.40.010 and is eligible for employer fringe benefit contributions for
8 basic benefits, \$66.01 each month beginning September 1, 2011, and
9 (~~(\$67.91)~~) \$65.17 beginning September 1, 2012, prorated by the
10 proportion of employer fringe benefit contributions for a full-time
11 employee that the part-time employee receives. The remittance
12 requirements specified in this subsection shall not apply to employees
13 of a technical college, school district, or educational service
14 district who purchase insurance benefits through contracts with the
15 health care authority.

16 **Sec. 909.** 2011 1st sp.s. c 50 s 922 (uncodified) is amended to
17 read as follows:

18 **COMPENSATION--REPRESENTED EMPLOYEES--SUPER COALITION--INSURANCE**
19 **BENEFITS**

20 The collective bargaining agreement negotiated with the super
21 coalition under chapter 41.80 RCW includes employer premiums at 85
22 percent of the total weighted average of the projected health care
23 premiums across all plans and tiers. Appropriations in this act for
24 state agencies, including institutions of higher education are
25 sufficient to fund state employees health benefits for employees
26 represented by the super coalition on health benefits, and are subject
27 to the following conditions and limitations:

28 (1)(a) The monthly employer funding rate for insurance benefit
29 premiums, public employees' benefits board administration, and the
30 uniform medical plan, shall not exceed \$850 per eligible employee for
31 fiscal year 2012. For fiscal year 2013 the monthly employer funding
32 rate shall not exceed (~~(\$850)~~) \$800 per eligible employee.

33 (b) In order to achieve the level of funding provided for health
34 benefits, the public employees' benefits board shall require any or all
35 of the following: Employee premium copayments, increases in point-of-
36 service cost sharing, the implementation of managed competition, or
37 make other changes to benefits consistent with RCW 41.05.065.

1 (c) The health care authority shall deposit any moneys received on
2 behalf of the uniform medical plan as a result of rebates on
3 prescription drugs, audits of hospitals, subrogation payments, or any
4 other moneys recovered as a result of prior uniform medical plan claims
5 payments, into the public employees' and retirees' insurance account to
6 be used for insurance benefits. Such receipts shall not be used for
7 administrative expenditures.

8 (2) The health care authority, subject to the approval of the
9 public employees' benefits board, shall provide subsidies for health
10 benefit premiums to eligible retired or disabled public employees and
11 school district employees who are eligible for medicare, pursuant to
12 RCW 41.05.085. For calendar years 2012 and 2013, the subsidy shall be
13 \$150.00 per month.

14 **Sec. 910.** RCW 28B.15.067 and 2011 1st sp.s. c 10 s 3 are each
15 amended to read as follows:

16 (1) Tuition fees shall be established under the provisions of this
17 chapter.

18 (2) Beginning in the 2011-12 academic year, reductions or increases
19 in full-time tuition fees shall be as provided in the omnibus
20 appropriations act for resident undergraduate students at community and
21 technical colleges. The governing boards of the state universities,
22 regional universities, and The Evergreen State College; and the state
23 board for community and technical colleges may reduce or increase full-
24 time tuition fees for all students other than resident undergraduates,
25 including nonresident students, summer school students, and students in
26 other self-supporting degree programs. Percentage increases in full-
27 time tuition may exceed the fiscal growth factor. Except during the
28 2011-2013 fiscal biennium, the state board for community and technical
29 colleges may pilot or institute differential tuition models. The board
30 may define scale, scope, and rationale for the models.

31 (3)(a) Beginning with the 2011-12 academic year and through the end
32 of the 2014-15 academic year, the governing boards of the state
33 universities, the regional universities, and The Evergreen State
34 College may reduce or increase full-time tuition fees for all students,
35 including summer school students and students in other self-supporting
36 degree programs. Percentage increases in full-time tuition fees may
37 exceed the fiscal growth factor. Except for resident undergraduate

1 students during the 2011-2013 fiscal biennium, reductions or increases
2 may be made for all or portions of an institution's programs, campuses,
3 courses, or students.

4 (b) Prior to reducing or increasing tuition for each academic year,
5 the governing boards of the state universities, the regional
6 universities, and The Evergreen State College shall consult with
7 existing student associations or organizations with student
8 undergraduate and graduate representatives regarding the impacts of
9 potential tuition increases. Governing boards shall be required to
10 provide data regarding the percentage of students receiving financial
11 aid, the sources of aid, and the percentage of total costs of
12 attendance paid for by aid.

13 (c) Prior to reducing or increasing tuition for each academic year,
14 the state board for community and technical college system shall
15 consult with existing student associations or organizations with
16 undergraduate student representation regarding the impacts of potential
17 tuition increases. The state board for community and technical
18 colleges shall provide data regarding the percentage of students
19 receiving financial aid, the sources of aid, and the percentage of
20 total costs of attendance paid for by aid.

21 (4) Beginning with the 2015-16 academic year through the 2018-19
22 academic year, the governing boards of the state universities, regional
23 universities, and The Evergreen State College may set tuition for
24 resident undergraduates as follows:

25 (a) If state funding for a college or university falls below the
26 state funding provided in the operating budget for fiscal year 2011,
27 the governing board may increase tuition up to the limits set in (d) of
28 this subsection, reduce enrollments, or both;

29 (b) If state funding for a college or university is at least at the
30 level of state funding provided in the operating budget for fiscal year
31 2011, the governing board may increase tuition up to the limits set in
32 (d) of this subsection and shall continue to at least maintain the
33 actual enrollment levels for fiscal year 2011 or increase enrollments
34 as required in the omnibus appropriations act; ~~((and))~~

35 (c) If state funding is increased so that combined with resident
36 undergraduate tuition the sixtieth percentile of the total per-student
37 funding at similar public institutions of higher education in the
38 global challenge states under RCW 28B.15.068 is exceeded, the governing

1 board shall decrease tuition by the amount needed for the total per-
2 student funding to be at the sixtieth percentile under RCW 28B.15.068;
3 and

4 (d) The amount of tuition set by the governing board for an
5 institution under this subsection (4) may not exceed the sixtieth
6 percentile of the resident undergraduate tuition of similar public
7 institutions of higher education in the global challenge states.

8 (5) The tuition fees established under this chapter shall not apply
9 to high school students enrolling in participating institutions of
10 higher education under RCW 28A.600.300 through 28A.600.400.

11 (6) The tuition fees established under this chapter shall not apply
12 to eligible students enrolling in a dropout reengagement program
13 through an interlocal agreement between a school district and a
14 community or technical college under RCW 28A.175.100 through
15 28A.175.110.

16 (7) The tuition fees established under this chapter shall not apply
17 to eligible students enrolling in a community or technical college
18 participating in the pilot program under RCW 28B.50.534 for the purpose
19 of obtaining a high school diploma.

20 (8) Beginning in the 2019-20 academic year, reductions or increases
21 in full-time tuition fees for resident undergraduates at four-year
22 institutions of higher education shall be as provided in the omnibus
23 appropriations act.

24 (9) The legislative advisory committee to the committee on advanced
25 tuition payment established in RCW 28B.95.170 shall:

26 (a) Review the impact of differential tuition rates on the funded
27 status and future unit price of the Washington advanced college tuition
28 payment program; and

29 (b) No later than January 14, 2013, make a recommendation to the
30 appropriate policy and fiscal committees of the legislature regarding
31 how differential tuition should be addressed in order to maintain the
32 ongoing solvency of the Washington advanced college tuition payment
33 program.

34 **Sec. 911.** RCW 2.68.020 and 2009 c 564 s 1802 and 2009 c 564 s 918
35 are each reenacted and amended to read as follows:

36 There is created an account in the custody of the state treasurer
37 to be known as the judicial information system account. The

1 administrative office of the courts shall maintain and administer the
2 account, in which shall be deposited all moneys received from in-state
3 noncourt users and any out-of-state users of the judicial information
4 system and moneys as specified in RCW 2.68.040 for the purposes of
5 providing judicial information system access to noncourt users and
6 providing an adequate level of automated services to the judiciary.
7 The legislature shall appropriate the funds in the account for the
8 purposes of the judicial information system. The account shall be used
9 for the acquisition of equipment, software, supplies, services, and
10 other costs incidental to the acquisition, development, operation, and
11 administration of information services, telecommunications, systems,
12 software, supplies, and equipment, including the payment of principal
13 and interest on items paid in installments. (~~During the 2007-2009~~
14 ~~fiscal biennium, the legislature may transfer from the judicial~~
15 ~~information system account to the state general fund such amounts as~~
16 ~~reflect the excess fund balance of the account.)) During the ((2009-~~
17 ~~2011)) 2011-2013 fiscal biennium, the legislature may ((transfer))
18 appropriate from the judicial information system account to the state
19 ((~~general fund such amounts as reflect the excess fund balance of the~~
20 ~~account~~)) law library.~~

21 **Sec. 912.** RCW 41.05.120 and 2005 c 518 s 921 and 2005 c 143 s 3
22 are each reenacted and amended to read as follows:

23 (1) The public employees' and retirees' insurance account is hereby
24 established in the custody of the state treasurer, to be used by the
25 administrator for the deposit of contributions, the remittance paid by
26 school districts and educational service districts under RCW
27 28A.400.410, reserves, dividends, and refunds, for payment of premiums
28 for employee and retiree insurance benefit contracts and subsidy
29 amounts provided under RCW 41.05.085, and transfers from the
30 ((~~medical~~)) flexible spending administrative account as authorized in
31 RCW 41.05.123. Moneys from the account shall be disbursed by the state
32 treasurer by warrants on vouchers duly authorized by the administrator.
33 Moneys from the account may be transferred to the medical flexible
34 spending account to provide reserves and start-up costs for the
35 operation of the medical flexible spending account program.

36 (2) The state treasurer and the state investment board may invest
37 moneys in the public employees' and retirees' insurance account. All

1 such investments shall be in accordance with RCW 43.84.080 or
2 43.84.150, whichever is applicable. The administrator shall determine
3 whether the state treasurer or the state investment board or both shall
4 invest moneys in the public employees' insurance account.

5 (3) During the 2005-07 fiscal biennium, the legislature may
6 transfer from the public employees' and retirees' insurance account
7 such amounts as reflect the excess fund balance of the fund.

8 (4) During the 2011-2013 fiscal biennium, moneys in the public
9 employees' and retirees' insurance account may be lent to the school
10 employees' insurance administrative account as directed by the
11 legislature.

12 **Sec. 913.** RCW 43.30.720 and 2003 1st sp.s. c 25 s 938 are each
13 amended to read as follows:

14 All receipts from the sale of stock or seed shall be deposited in
15 a state forest nursery revolving fund to be maintained by the
16 department, which is hereby authorized to use all money in said fund
17 for the maintenance of the state tree nursery or the planting of
18 denuded state owned lands.

19 During the ((2003-2005)) 2011-2013 fiscal biennium, the legislature
20 may transfer from the state forest nursery revolving fund to the state
21 general fund such amounts as reflect the excess fund balance of the
22 fund.

23 **Sec. 914.** RCW 43.320.110 and 2010 1st sp.s. c 37 s 934 are each
24 amended to read as follows:

25 There is created a local fund known as the "financial services
26 regulation fund" which shall consist of all moneys received by the
27 divisions of the department of financial institutions, except for the
28 division of securities which shall deposit thirteen percent of all
29 moneys received, except as provided in RCW 43.320.115, and which shall
30 be used for the purchase of supplies and necessary equipment; the
31 payment of salaries, wages, and utilities; the establishment of
32 reserves; and other incidental costs required for the proper regulation
33 of individuals and entities subject to regulation by the department.
34 The state treasurer shall be the custodian of the fund. Disbursements
35 from the fund shall be on authorization of the director of financial
36 institutions or the director's designee. In order to maintain an

1 effective expenditure and revenue control, the fund shall be subject in
2 all respects to chapter 43.88 RCW, but no appropriation is required to
3 permit expenditures and payment of obligations from the fund.

4 During the ((2009-2011)) 2011-2013 fiscal biennium, the legislature
5 may transfer from the financial services regulation fund to the state
6 general fund such amounts as reflect the excess fund balance of the
7 fund.

8 **Sec. 915.** RCW 70.105D.070 and 2011 1st sp.s. c 50 s 964 are each
9 reenacted and amended to read as follows:

10 (1) The state toxics control account and the local toxics control
11 account are hereby created in the state treasury.

12 (2) The following moneys shall be deposited into the state toxics
13 control account: (a) Those revenues which are raised by the tax
14 imposed under RCW 82.21.030 and which are attributable to that portion
15 of the rate equal to thirty-three one-hundredths of one percent; (b)
16 the costs of remedial actions recovered under this chapter or chapter
17 70.105A RCW; (c) penalties collected or recovered under this chapter;
18 and (d) any other money appropriated or transferred to the account by
19 the legislature. Moneys in the account may be used only to carry out
20 the purposes of this chapter, including but not limited to the
21 following activities:

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

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

28 (iii) The hazardous waste cleanup program required under this
29 chapter;

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

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

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

36 (vii) Hazardous materials emergency response training;

- 1 (viii) Water and environmental health protection and monitoring
2 programs;
- 3 (ix) Programs authorized under chapter 70.146 RCW;
- 4 (x) A public participation program, including regional citizen
5 advisory committees;
- 6 (xi) Public funding to assist potentially liable persons to pay for
7 the costs of remedial action in compliance with cleanup standards under
8 RCW 70.105D.030(2)(e) but only when the amount and terms of such
9 funding are established under a settlement agreement under RCW
10 70.105D.040(4) and when the director has found that the funding will
11 achieve both (A) a substantially more expeditious or enhanced cleanup
12 than would otherwise occur, and (B) the prevention or mitigation of
13 unfair economic hardship;
- 14 (xii) Development and demonstration of alternative management
15 technologies designed to carry out the hazardous waste management
16 priorities of RCW 70.105.150;
- 17 (xiii) During the 2009-2011 and 2011-2013 fiscal biennia, shoreline
18 update technical assistance;
- 19 (xiv) During the 2009-2011 fiscal biennium, multijurisdictional
20 permitting teams; (~~and~~)
- 21 (xv) During the 2011-2013 fiscal biennium, actions for reducing
22 public exposure to toxic air pollution; and
- 23 (xvi) During the 2011-2013 fiscal biennium, the University of
24 Washington college of environment and Washington State University
25 college of agriculture, human, and natural resources.
- 26 (3) The following moneys shall be deposited into the local toxics
27 control account: Those revenues which are raised by the tax imposed
28 under RCW 82.21.030 and which are attributable to that portion of the
29 rate equal to thirty-seven one-hundredths of one percent.
- 30 (a) Moneys deposited in the local toxics control account shall be
31 used by the department for grants or loans to local governments for the
32 following purposes in descending order of priority:
- 33 (i) Remedial actions;
- 34 (ii) Hazardous waste plans and programs under chapter 70.105 RCW;
- 35 (iii) Solid waste plans and programs under chapters 70.95, 70.95C,
36 70.95I, and 70.105 RCW;
- 37 (iv) Funds for a program to assist in the assessment and cleanup of

1 sites of methamphetamine production, but not to be used for the initial
2 containment of such sites, consistent with the responsibilities and
3 intent of RCW 69.50.511; and

4 (v) Cleanup and disposal of hazardous substances from abandoned or
5 derelict vessels, defined for the purposes of this section as vessels
6 that have little or no value and either have no identified owner or
7 have an identified owner lacking financial resources to clean up and
8 dispose of the vessel, that pose a threat to human health or the
9 environment.

10 (b) Funds for plans and programs shall be allocated consistent with
11 the priorities and matching requirements established in chapters
12 70.105, 70.95C, 70.95I, and 70.95 RCW, except that any applicant that
13 is a Puget Sound partner, as defined in RCW 90.71.010, along with any
14 project that is referenced in the action agenda developed by the Puget
15 Sound partnership under RCW 90.71.310, shall, except as conditioned by
16 RCW 70.105D.120, receive priority for any available funding for any
17 grant or funding programs or sources that use a competitive bidding
18 process. During the 2007-2009 fiscal biennium, moneys in the account
19 may also be used for grants to local governments to retrofit public
20 sector diesel equipment and for storm water planning and implementation
21 activities.

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

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

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

31 (B) Funding would create new substantial economic development,
32 public recreational, or habitat restoration opportunities that would
33 not otherwise occur; or

34 (C) Funding would create an opportunity for acquisition and
35 redevelopment of vacant, orphaned, or abandoned property under RCW
36 70.105D.040(5) that would not otherwise occur;

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

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

3 (d) To facilitate and expedite cleanups using funds from the local
4 toxics control account, during the 2009-2011 fiscal biennium the
5 director may establish grant-funded accounts to hold and disperse local
6 toxics control account funds and funds from local governments to be
7 used for remedial actions.

8 (4) Except for unanticipated receipts under RCW 43.79.260 through
9 43.79.282, moneys in the state and local toxics control accounts may be
10 spent only after appropriation by statute.

11 (5) Except during the (~~2009-2011~~) 2011-2013 fiscal biennium, one
12 percent of the moneys deposited into the state and local toxics control
13 accounts shall be allocated only for public participation grants to
14 persons who may be adversely affected by a release or threatened
15 release of a hazardous substance and to not-for-profit public interest
16 organizations. The primary purpose of these grants is to facilitate
17 the participation by persons and organizations in the investigation and
18 remedying of releases or threatened releases of hazardous substances
19 and to implement the state's solid and hazardous waste management
20 priorities. No grant may exceed sixty thousand dollars. Grants may be
21 renewed annually. Moneys appropriated for public participation from
22 either account which are not expended at the close of any biennium
23 shall revert to the state toxics control account.

24 (6) No moneys deposited into either the state or local toxics
25 control account may be used for solid waste incinerator feasibility
26 studies, construction, maintenance, or operation, or, after January 1,
27 2010, for projects designed to address the restoration of Puget Sound,
28 funded in a competitive grant process, that are in conflict with the
29 action agenda developed by the Puget Sound partnership under RCW
30 90.71.310.

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

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

37 (9) During the 2009-2011 fiscal biennium, the local toxics control
38 account may also be used for a standby rescue tug at Neah Bay, local

1 government shoreline update grants, private and public sector diesel
2 equipment retrofit, and oil spill prevention, preparedness, and
3 response activities.

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

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

10 **Sec. 916.** RCW 70.146.100 and 2010 1st sp.s. c 37 s 948 are each
11 amended to read as follows:

12 (1) The water quality capital account is created in the state
13 treasury. Moneys in the water quality capital account may be spent
14 only after appropriation.

15 (2) Expenditures from the water quality capital account may only be
16 used: (a) To make grants or loans to public bodies, including grants
17 to public bodies as cost-sharing moneys in any case where federal,
18 local, or other moneys are made available on a cost-sharing basis, for
19 the capital component of water pollution control facilities and
20 activities; (b) for purposes of assisting a public body to obtain an
21 ownership interest in water pollution control facilities; or (c) to
22 defray any part of the capital component of the payments made by a
23 public body to a service provider under a service agreement entered
24 into under RCW 70.150.060. During the 2009-2011 fiscal biennium, the
25 legislature may transfer from the water quality capital account to the
26 state general fund such amounts as reflect the excess fund balance of
27 the account. During the 2011-2013 fiscal biennium, the legislature may
28 transfer from the water quality capital account to the state general
29 fund such amounts as reflect the excess fund balance of the account.

30 **Sec. 917.** RCW 76.04.610 and 2007 c 110 s 1 are each amended to
31 read as follows:

32 (1)(a) If any owner of forest land within a forest protection zone
33 neglects or fails to provide adequate fire protection as required by
34 RCW 76.04.600, the department shall provide such protection and shall
35 annually impose the following assessments on each parcel of such land:

1 (i) A flat fee assessment of seventeen dollars and fifty cents; and
2 (ii) twenty-seven cents on each acre exceeding fifty acres.

3 (b) Assessors may, at their option, collect the assessment on tax
4 exempt lands. If the assessor elects not to collect the assessment,
5 the department may bill the landowner directly.

6 (2) An owner who has paid assessments on two or more parcels, each
7 containing fewer than fifty acres and each within the same county, may
8 obtain the following refund:

9 (a) If all the parcels together contain less than fifty acres, then
10 the refund is equal to the flat fee assessments paid, reduced by the
11 total of (i) seventeen dollars and (ii) the total of the amounts
12 retained by the county from such assessments under subsection (5) of
13 this section.

14 (b) If all the parcels together contain fifty or more acres, then
15 the refund is equal to the flat fee assessments paid, reduced by the
16 total of (i) seventeen dollars, (ii) twenty-seven cents for each acre
17 exceeding fifty acres, and (iii) the total of the amounts retained by
18 the county from such assessments under subsection (5) of this section.

19 Applications for refunds shall be submitted to the department on a
20 form prescribed by the department and in the same year in which the
21 assessments were paid. The department may not provide refunds to
22 applicants who do not provide verification that all assessments and
23 property taxes on the property have been paid. Applications may be
24 made by mail.

25 In addition to the procedures under this subsection, property
26 owners with multiple parcels in a single county who qualify for a
27 refund under this section may apply to the department on an application
28 listing all the parcels owned in order to have the assessment computed
29 on all parcels but billed to a single parcel. Property owners with the
30 following number of parcels may apply to the department in the year
31 indicated:

32	Year	Number of Parcels
33	2002	10 or more parcels
34	2003	8 or more parcels
35	2004 and thereafter	6 or more parcels

1 The department must compute the correct assessment and allocate one
2 parcel in the county to use to collect the assessment. The county must
3 then bill the forest fire protection assessment on that one allocated
4 identified parcel. The landowner is responsible for notifying the
5 department of any changes in parcel ownership.

6 (3) Beginning January 1, 1991, under the administration and at the
7 discretion of the department up to two hundred thousand dollars per
8 year of this assessment shall be used in support of those rural fire
9 districts assisting the department in fire protection services on
10 forest lands.

11 (4) For the purpose of this chapter, the department may divide the
12 forest lands of the state, or any part thereof, into districts, for
13 fire protection and assessment purposes, may classify lands according
14 to the character of timber prevailing, and the fire hazard existing,
15 and place unprotected lands under the administration of the proper
16 district. Amounts paid or contracted to be paid by the department for
17 protection of forest lands from funds at its disposal shall be a lien
18 upon the property protected, unless reimbursed by the owner within ten
19 days after October 1st of the year in which they were incurred. The
20 department shall be prepared to make statement thereof, upon request,
21 to a forest owner whose own protection has not been previously approved
22 as to its adequacy, the department shall report the same to the
23 assessor of the county in which the property is situated. The assessor
24 shall extend the amounts upon the tax rolls covering the property, and
25 upon authorization from the department shall levy the forest protection
26 assessment against the amounts of unimproved land as shown in each
27 ownership on the county assessor's records. The assessor may then
28 segregate on the records to provide that the improved land and
29 improvements thereon carry the millage levy designed to support the
30 rural fire protection districts as provided for in RCW 52.16.170.

31 (5) The amounts assessed shall be collected at the time, in the
32 same manner, by the same procedure, and with the same penalties
33 attached that general state and county taxes on the same property are
34 collected, except that errors in assessments may be corrected at any
35 time by the department certifying them to the treasurer of the county
36 in which the land involved is situated. Assessments shall be known and
37 designated as assessments of the year in which the amounts became
38 reimbursable. Upon the collection of assessments the county treasurer

1 shall place fifty cents of the total assessments paid on a parcel for
2 fire protection into the county current expense fund to defray the
3 costs of listing, billing, and collecting these assessments. The
4 treasurer shall then transmit the balance to the department.
5 Collections shall be applied against expenses incurred in carrying out
6 the provisions of this section, including necessary and reasonable
7 administrative costs incurred by the department in the enforcement of
8 these provisions. The department may also expend sums collected from
9 owners of forest lands or received from any other source for necessary
10 administrative costs in connection with the enforcement of RCW
11 76.04.660.

12 (6) When land against which forest protection assessments are
13 outstanding is acquired for delinquent taxes and sold at public
14 auction, the state shall have a prior lien on the proceeds of sale over
15 and above the amount necessary to satisfy the county's delinquent tax
16 judgment. The county treasurer, in case the proceeds of sale exceed
17 the amount of the delinquent tax judgment, shall immediately remit to
18 the department the amount of the outstanding forest protection
19 assessments.

20 (7) All nonfederal public bodies owning or administering forest
21 land included in a forest protection zone shall pay the forest
22 protection assessments provided in this section and the special forest
23 fire suppression account assessments under RCW 76.04.630. The forest
24 protection assessments and special forest fire suppression account
25 assessments shall be payable by nonfederal public bodies from available
26 funds within thirty days following receipt of the written notice from
27 the department which is given after October 1st of the year in which
28 the protection was provided. Unpaid assessments are not a lien against
29 the nonfederal publicly owned land but shall constitute a debt by the
30 nonfederal public body to the department and are subject to interest
31 charges at the legal rate. During the 2011-2013 fiscal biennium, the
32 forest fire protection assessment account may be used by the office of
33 financial management to contract for analysis and recommendations to
34 improve the efficiency and effectiveness of the state's mechanisms for
35 funding fire prevention and suppression activities.

36 (8) A public body, having failed to previously pay the forest
37 protection assessments required of it by this section, which fails to
38 suppress a fire on or originating from forest lands owned or

1 administered by it, is liable for the costs of suppression incurred by
2 the department or its agent and is not entitled to reimbursement of
3 costs incurred by the public body in the suppression activities.

4 (9) The department may adopt rules to implement this section,
5 including, but not limited to, rules on levying and collecting forest
6 protection assessments.

7 **Sec. 918.** RCW 77.12.201 and 2009 c 479 s 63 are each amended to
8 read as follows:

9 The legislative authority of a county may elect, by giving written
10 notice to the director and the treasurer prior to January 1st of any
11 year, to obtain for the following year an amount in lieu of real
12 property taxes on game lands as provided in RCW 77.12.203. Upon the
13 election, the county shall keep a record of all fines, forfeitures,
14 reimbursements, and costs assessed and collected, in whole or in part,
15 under this title for violations of law or rules adopted pursuant to
16 this title, with the exception of the 2011-2013 fiscal biennium, and
17 shall monthly remit an amount equal to the amount collected to the
18 state treasurer for deposit in the state general fund. The election
19 shall continue until the department is notified differently prior to
20 January 1st of any year.

21 **Sec. 919.** RCW 77.12.203 and 2005 c 303 s 14 are each amended to
22 read as follows:

23 (1) Except as provided in subsection (5) of this section and
24 notwithstanding RCW 84.36.010 or other statutes to the contrary, the
25 director shall pay by April 30th of each year on game lands in each
26 county, if requested by an election under RCW 77.12.201, an amount in
27 lieu of real property taxes equal to that amount paid on similar
28 parcels of open space land taxable under chapter 84.34 RCW or the
29 greater of seventy cents per acre per year or the amount paid in 1984
30 plus an additional amount for control of noxious weeds equal to that
31 which would be paid if such lands were privately owned. This amount
32 shall not be assessed or paid on department buildings, structures,
33 facilities, game farms, fish hatcheries, tidelands, or public fishing
34 areas of less than one hundred acres.

35 (2) "Game lands," as used in this section and RCW 77.12.201, means
36 those tracts one hundred acres or larger owned in fee by the department

1 and used for wildlife habitat and public recreational purposes. All
2 lands purchased for wildlife habitat, public access or recreation
3 purposes with federal funds in the Snake River drainage basin shall be
4 considered game lands regardless of acreage.

5 (3) This section shall not apply to lands transferred after April
6 23, 1990, to the department from other state agencies.

7 (4) The county shall distribute the amount received under this
8 section in lieu of real property taxes to all property taxing districts
9 except the state in appropriate tax code areas the same way it would
10 distribute local property taxes from private property. The county
11 shall distribute the amount received under this section for weed
12 control to the appropriate weed district.

13 (5) For the 2011-2013 fiscal biennium, the director shall pay by
14 April 30th of each year on game lands in each county, if requested by
15 an election under RCW 77.12.201, an amount in lieu of real property
16 taxes and shall be distributed as follows:

17 **County**

18

19	<u>Adams.....</u>	<u>1,909</u>
20	<u>Asotin.....</u>	<u>36,123</u>
21	<u>Chelan.....</u>	<u>24,757</u>
22	<u>Columbia.....</u>	<u>7,795</u>
23	<u>Ferry.....</u>	<u>6,781</u>
24	<u>Garfield.....</u>	<u>4,840</u>
25	<u>Grant.....</u>	<u>37,443</u>
26	<u>Grays Harbor.....</u>	<u>7,264</u>
27	<u>Kittitas.....</u>	<u>143,974</u>
28	<u>Klickitat.....</u>	<u>21,906</u>
29	<u>Lincoln.....</u>	<u>13,535</u>
30	<u>Okanogan.....</u>	<u>151,402</u>
31	<u>Pend Oreille.....</u>	<u>3,309</u>
32	<u>Yakima.....</u>	<u>126,225</u>

33 These amounts shall not be assessed or paid on department buildings,
34 structures, facilities, game farms, fish hatcheries, tidelands, or
35 public fishing areas of less than one hundred acres.

1 (2) The department has the power to seed, plant, and develop
2 forests on any lands, purchased, acquired, or designated by it as state
3 forest lands, and shall furnish such care and fire protection for such
4 lands as it shall deem advisable.

5 (3) Upon approval of the board of county commissioners of the
6 county in which the land is located such gift or donation of land may
7 be accepted subject to delinquent general taxes thereon, and upon such
8 acceptance of such gift or donation subject to such taxes, the
9 department shall record the deed of conveyance thereof and file with
10 the assessor and treasurer of the county wherein such land is situated,
11 written notice of acquisition of such land, and that all delinquent
12 general taxes thereon, except state taxes, shall be canceled, and the
13 county treasurer shall thereupon proceed to make such cancellation in
14 the records of the county treasurer. (~~Thereafter, such lands~~)

15 (4)(a) Lands acquired under this section shall be held in trust,
16 protected, managed, and administered upon, and the proceeds therefrom
17 disposed of, under RCW 79.22.040.

18 (b) During the 2011-2013 fiscal biennium, the legislature may
19 appropriate moneys derived subject to this section from the forest
20 development account consistent with RCW 79.64.100(4).

21 **Sec. 922.** RCW 79.22.040 and 2003 c 334 s 206 are each amended to
22 read as follows:

23 (1) If any land acquired by a county through foreclosure of tax
24 liens, or otherwise, comes within the classification of land described
25 in RCW 79.22.010 and can be used as state forest land and if the
26 department deems such land necessary for the purposes of this chapter,
27 the county shall, upon demand by the department, deed such land to the
28 department and the land shall become a part of the state forest lands.

29 (2) Such land shall be held in trust and administered and protected
30 by the department in the same manner as other state forest lands.

31 (3)(a) In the event that the department sells logs using the
32 contract harvesting process described in RCW 79.15.500 through
33 79.15.530, the moneys derived subject to this section are the net
34 proceeds from the contract harvesting sale.

35 (b) During the 2011-2013 fiscal biennium, the legislature may
36 appropriate moneys derived subject to this section from the forest
37 development account consistent with RCW 79.64.100(4).

1 **Sec. 923.** RCW 79.64.040 and 2011 1st sp.s. c 50 s 966 and 2011 c
2 216 s 16 are each reenacted and amended to read as follows:

3 (1) The board shall determine the amount deemed necessary in order
4 to achieve the purposes of this chapter and shall provide by rule for
5 the deduction of this amount from the moneys received from all leases,
6 sales, contracts, licenses, permits, easements, and rights-of-way
7 issued by the department and affecting state lands, community forest
8 trust lands, and aquatic lands, provided that no deduction shall be
9 made from the proceeds from agricultural college lands.

10 (2) Moneys received as deposits from successful bidders, advance
11 payments, and security under RCW 79.15.100, 79.15.080, and 79.11.150
12 prior to December 1, 1981, which have not been subjected to deduction
13 under this section are not subject to deduction under this section.

14 (3) Except as otherwise provided in subsections (4) and (6) of this
15 section, the deductions authorized under this section shall not exceed
16 twenty-five percent of the moneys received by the department in
17 connection with any one transaction pertaining to state lands and
18 aquatic lands other than second-class tide and shore lands and the beds
19 of navigable waters, and fifty percent of the moneys received by the
20 department pertaining to second-class tide and shore lands and the beds
21 of navigable waters.

22 (4) Deductions authorized under this section for transactions
23 pertaining to community forest trust lands must be established at a
24 level sufficient to defray over time the management costs for
25 activities prescribed in a parcel's management plan adopted pursuant to
26 RCW 79.155.080, and, if deemed appropriate by the board consistent with
27 RCW 79.155.090, to reimburse the state and any local entities' eligible
28 financial contributions for acquisition of the parcel.

29 (5) In the event that the department sells logs using the contract
30 harvesting process described in RCW 79.15.500 through 79.15.530, the
31 moneys received subject to this section are the net proceeds from the
32 contract harvesting sale.

33 (6) During the ((2009-2011)) 2011-2013 fiscal biennium ((and fiscal
34 year 2012)), the twenty-five percent limitation on deductions set in
35 subsection (3) of this section may be increased up to thirty percent by
36 the board.

1 **Sec. 924.** RCW 79.64.100 and 2003 c 334 s 219 are each amended to
2 read as follows:

3 (1) There is created a forest development account in the state
4 treasury. The state treasurer shall keep an account of all sums
5 deposited therein and expended or withdrawn therefrom.

6 (2) Any sums placed in the forest development account shall be
7 pledged for the purpose of paying interest and principal on the bonds
8 issued by the department under RCW 79.22.080 and 79.22.090 and the
9 provisions of this chapter, and for the purchase of land for growing
10 timber. Any bonds issued shall constitute a first and prior claim and
11 lien against the account for the payment of principal and interest. No
12 sums for the above purposes shall be withdrawn or paid out of the
13 account except upon approval of the department.

14 (3) Appropriations may be made by the legislature from the forest
15 development account to the department for the purpose of carrying on
16 the activities of the department on state forest lands, lands managed
17 on a sustained yield basis as provided for in RCW 79.10.320, and for
18 reimbursement of expenditures that have been made or may be made from
19 the resource management cost account in the management of state forest
20 lands.

21 (4) For the 2011-2013 fiscal biennium, moneys from the forest
22 development account shall be distributed as directed in section 714 of
23 this act to the beneficiaries of the revenues derived from state forest
24 lands. During the 2011-2013 fiscal biennium, appropriations may be
25 made by the legislature from the forest development account to the
26 department for the purpose of emergency fire suppression.

27 **Sec. 925.** RCW 79.105.150 and 2011 2nd sp.s. c 9 s 911 are each
28 amended to read as follows:

29 (1) After deduction for management costs as provided in RCW
30 79.64.040 and payments to towns under RCW 79.115.150(2), all moneys
31 received by the state from the sale or lease of state-owned aquatic
32 lands and from the sale of valuable material from state-owned aquatic
33 lands shall be deposited in the aquatic lands enhancement account which
34 is hereby created in the state treasury. After appropriation, these
35 funds shall be used solely for aquatic lands enhancement projects; for
36 the purchase, improvement, or protection of aquatic lands for public
37 purposes; for providing and improving access to the lands; and for

1 volunteer cooperative fish and game projects. During the 2009-2011 and
2 2011-2013 fiscal biennia, the aquatic lands enhancement account may
3 also be used for scientific research as part of the adaptive management
4 process and for developing a planning report for McNeil Island. During
5 the 2009-2011 and 2011-2013 fiscal biennia, the legislature may
6 transfer from the aquatic lands enhancement account to the state
7 general fund such amounts as reflect excess fund balance of the
8 account. During the 2011-2013 fiscal biennium, the aquatic lands
9 enhancement account may be used to support the shellfish program, state
10 parks, hatcheries, the ballast water program, and the Puget Sound toxic
11 sampling program at the department of fish and wildlife, and the
12 knotweed program at the department of agriculture. During the 2011-
13 2013 fiscal biennium, the legislature may transfer from the aquatic
14 lands enhancement account to the marine resources stewardship trust
15 account funds for the purposes of RCW 43.372.070.

16 (2) In providing grants for aquatic lands enhancement projects, the
17 recreation and conservation funding board shall:

18 (a) Require grant recipients to incorporate the environmental
19 benefits of the project into their grant applications;

20 (b) Utilize the statement of environmental benefits, consideration,
21 except as provided in RCW 79.105.610, of whether the applicant is a
22 Puget Sound partner, as defined in RCW 90.71.010, whether a project is
23 referenced in the action agenda developed by the Puget Sound
24 partnership under RCW 90.71.310, and except as otherwise provided in
25 RCW 79.105.630, and effective one calendar year following the
26 development and statewide availability of model evergreen community
27 management plans and ordinances under RCW 35.105.050, whether the
28 applicant is an entity that has been recognized, and what gradation of
29 recognition was received, in the evergreen community recognition
30 program created in RCW 35.105.030 in its prioritization and selection
31 process; and

32 (c) Develop appropriate outcome-focused performance measures to be
33 used both for management and performance assessment of the grants.

34 (3) To the extent possible, the department should coordinate its
35 performance measure system with other natural resource-related agencies
36 as defined in RCW 43.41.270.

37 (4) The department shall consult with affected interest groups in
38 implementing this section.

1 (5) After January 1, 2010, any project designed to address the
2 restoration of Puget Sound may be funded under this chapter only if the
3 project is not in conflict with the action agenda developed by the
4 Puget Sound partnership under RCW 90.71.310.

5 **Sec. 926.** RCW 79A.25.200 and 2007 c 241 s 53 are each amended to
6 read as follows:

7 The recreation resource account is created in the state treasury.
8 Moneys in this account are subject to legislative appropriation. The
9 board shall administer the account in accordance with this chapter and
10 chapter 79A.35 RCW and shall hold it separate and apart from all other
11 money, funds, and accounts of the board. Moneys received from the
12 marine fuel tax refund account under RCW 79A.25.070 shall be deposited
13 into the account. Grants, gifts, or other financial assistance,
14 proceeds received from public bodies as administrative cost
15 contributions, and moneys made available to the state of Washington by
16 the federal government for outdoor recreation may be deposited into the
17 account. During the 2011-2013 fiscal biennia, the recreation resource
18 account may be used by the department of fish and wildlife for the
19 purposes of activities related to aquatic and marine enforcement.

20 **Sec. 927.** RCW 86.26.007 and 2011 1st sp.s. c 50 s 976 are each
21 amended to read as follows:

22 The flood control assistance account is hereby established in the
23 state treasury. At the beginning of the 2005-2007 fiscal biennium, the
24 state treasurer shall transfer three million dollars from the general
25 fund to the flood control assistance account. Each biennium thereafter
26 the state treasurer shall transfer four million dollars from the
27 general fund to the flood control assistance account, except that
28 during the ((2009-2011 and)) 2011-2013 fiscal ((biennia)) biennium, the
29 state treasurer shall transfer ((two)) one million dollars from the
30 general fund to the flood control assistance account. Moneys in the
31 flood control assistance account may be spent only after appropriation
32 for purposes specified under this chapter.

33 **Sec. 928.** RCW 90.48.390 and 2008 c 329 s 925 are each amended to
34 read as follows:

35 The coastal protection fund is established to be used by the

1 department as a revolving fund for carrying out the purposes of
2 restoration of natural resources under this chapter and chapter 90.56
3 RCW. To this fund there shall be credited penalties, fees, damages,
4 charges received pursuant to the provisions of this chapter and chapter
5 90.56 RCW, compensation for damages received under this chapter and
6 chapter 90.56 RCW, and an amount equivalent to one cent per gallon from
7 each marine use refund claim under RCW 82.36.330.

8 Moneys in the fund not needed currently to meet the obligations of
9 the department in the exercise of its powers, duties, and functions
10 under RCW 90.48.142, 90.48.366, 90.48.367, and 90.48.368 shall be
11 deposited with the state treasurer to the credit of the fund. During
12 the 2007-2009 fiscal biennium, the coastal protection fund may also be
13 used for a standby rescue tug at Neah Bay. During the 2011-2013 fiscal
14 biennium, the legislature may transfer from the coastal protection fund
15 to the state general fund such amounts as reflect excess fund balance
16 derived from penalties, forfeits, and seizures.

17 NEW SECTION. **Sec. 929.** If any provision of this act or its
18 application to any person or circumstance is held invalid, the
19 remainder of the act or the application of the provision to other
20 persons or circumstances is not affected.

21 NEW SECTION. **Sec. 930.** This act is necessary for the immediate
22 preservation of the public peace, health, or safety, or support of the
23 state government and its existing public institutions, and takes effect
24 immediately.

(End of bill)"

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SB 5967 - S AMD
By Senator Zarelli

ADOPTED AS AMENDED 03/03/2012

1 On page 1, line 1 of the title, after "matters;" strike the
2 remainder of the title and insert "amending RCW 28B.15.067, 43.30.720,
3 43.320.110, 70.146.100, 76.04.610, 77.12.201, 77.12.203, 77.95.090,
4 79.22.010, 79.22.040, 79.64.100, 79.105.150, 79A.25.200, 86.26.007, and
5 90.48.390; amending 2011 2nd sp.s. c 9 ss 101, 102, 103, 104, 105, 107,
6 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121,

1 122, 123, 125, 128, 129, 130, 131, 132, 201, 202, 203, 204, 205, 206,
2 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220,
3 221, 302, 303, 304, 305, 306, 307, 308, 309, 311, 401, 402, 501, 502,
4 503, 504, 505, 507, 508, 509, 510, 511, 513, 514, 515, 601, 602, 603,
5 604, 605, 606, 607, 612, 613, 614, 701, 702, 704, 707, and 801
6 (uncodified); amending 2011 1st sp.s. c 50 ss 103, 104, 106, 117, 120,
7 124, 128, 132, 133, 137, 151, 214, 516, 616, 715, 801, 802, 803, 910,
8 920, 921, and 922 (uncodified); reenacting and amending RCW 2.68.020,
9 41.05.120, 70.105D.070, and 79.64.040; adding new sections to 2011 1st
10 sp.s. c 50 (uncodified); repealing 2011 2nd sp.s. c 9 ss 610, 611, and
11 705 (uncodified); making appropriations; and declaring an emergency."

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